

**2017-
2018**

**THE AMHERST-REGIONAL
PUBLIC SCHOOLS**

The Amherst Public Schools, Amherst-Pelham Regional
Public Schools & Pelham Public Schools

DISTRICT PAGES

Disclaimer: This handbook is not an irrevocable contractual commitment to the student, but only reflects the current status of District rules and policies put forth by the School Committees of Amherst Public Schools, Amherst-Pelham Regional Public Schools, and Pelham Public Schools

Amherst Public Schools
Amherst-Pelham Regional Public Schools
Pelham Public Schools

Statement of Non-Discrimination

“The School Committees’ policy of nondiscrimination extends to students, staff, and the general public with whom it does business. The Amherst-Pelham Regional District, the Amherst Public Schools, and the Pelham Elementary School do not discriminate on the basis of race, color, national origin, age, religion, gender, gender identity, sexual orientation, economic status, homelessness, political party, or disability in admission to, access to, employment in, or treatment by its programs and activities.”



If you need documents translated into Spanish, Korean, Chinese, or Portuguese, please contact Yahdira Torres Manzano at (413) 362-1810.

Si usted necesita traducción de documentos, favor comunicarse con Yahdira Torres Manzano, al (413) 362-1810.

한국어로 번역된 서류가 필요하시면 Yahdira Torres Manzano (413) 362-1810에 게 연락하여 주십시오.

如果您需要翻译成中国的文件 请联络Yahdira托雷斯在曼萨诺 (413) 362-1810

Se voce precisa de algum documento a ser traduzido, por favor entre em contato com Yahdira Torres Manzano (413) 362-1810.

Contact Information

School Building Administrators

School	Name	Title	Telephone
Crocker Farm School	Derek Shea	Principal	362-1665
Crocker Farm School	Shari Conklin	Assistant Principal	362-1665
Fort River School	Diane Chamberlain	Interim Principal	362-1217
Fort River School	Martha Toro	Interim Assistant Principal	362-1213
Wildwood School	Nick Yaffe	Principal	362-1413
Wildwood School	Yaldira Felix Brown	Assistant Principal	362-1413
Pelham School	Lisa Desjarlais	Principal	362-1100
Middle School	Patty Bode	Interim Principal	362-1850
Middle School	Alicia Lopez	Interim Co-Assistant Principal	362-1850
Middle School	David Ranen	Interim Co-Assistant Principal	362-1850
High School	Mark Jackson	Principal	362-1706
High School	Ericka Alschuler	Interim Assistant Principal	362-1701
High School	Miki Gromacki	Assistant Principal	362-1714
Summit Academy	David Slovin	Principal	362-1753

Central Office Administration

Name	Title	Telephone
Michael Morris	Interim Superintendent	362-1823
Doreen Cunningham	Asst. Supt. of Diversity, Equity and Human Resources	362-1803
Jennifer Ortiz	Human Resources Administrator	362-1895
Faye Brady	Director of Student Services	362-1834
JoAnn Smith	Student Services Administrator	362-1833
Jerry Champagne	Director of Information Systems	362-1810
Marta Guevara	Director of Student & Family Engagement	362-1871
Sean Mangano	Director of Finance	362-1822
Ron Bohonowicz	Director of Facilities	362-1853
Ryan Harb	Director of Food Services	362-1839

School Committee

REGION

Demling	Peter		2020	20 Atwater Circle	Amherst	01002	demlingp@arps.org	Unlisted
Mannino	Ron		2020	17 Arnold Road	Pelham	01002	manninor@arps.org	413-253-9451
Goscenski	Audra		2018	95 Long Plain Rd	Leverett	01054	goscenskia@arps.org	413-549-3994
Douangmany Cage	Vira		2018	12 Longmeadow Dt	Amherst	01002	douangmanyv@arps.org	413 461-6386
Hazzard	Phoebe		2018	208 Snell Street	Amherst	01002	Hazzardp@arps.org	860 803-0572
Nakajima	Eric	Chair	2019	592 West Street	Amherst	01002	nakajimae@arps.org	Unlisted
Marriott	Emily	Vice-Chair	2018	21 Gulf Road	Pelham	01002	marriott@arps.org	413-362-9682
Ordonez	Anastasia		2019	1 Dwight Circle	Amherst	01002	ordoneza@arps.org	Unlisted
Sullivan	Stephen		2020	444 Wendell Rd	Shutesbury	01072	sullivans@arps.org	259-1626

AMHERST

Demling	Peter	Secretary	2020	20 Atwater Circle	Amherst	01002	demlingp@arps.org	Unlisted
Douangmany Cage	Vira		2018	12 Longmeadow Dr	Amherst	01002	douangmanyv@arps.org	413 461-6386
Hazzard	Phoebe	Chair	2018	208 Snell Street	Amherst	01002	Hazzardp@arps.org	860 803-0572
Nakajima	Eric		2019	592 West Street	Amherst	01002	nakajimae@arps.org	Unlisted
Ordonez	Anastasia	Vice-Chair	2019	1 Dwight Circle	Amherst	01002	ordoneza@arps.org	Unlisted

PELHAM

Jean-Louis	Jessica		2020	14 Gulf Rd	Pelham	01002	jean-louisj@arps.org	Unlisted
Castenson	Cara	Chair	2019	22 Harkness Road	Pelham	01002	castensonc@arps.org	413-687-0212
Mannino	Ron	Vice-Chair	2020	17 Arnold Rd	Pelham	01002	manninor@arps.org	413-253-9451
Marriott	Emily	Secretary	2018	21 Gulf Rd	Pelham	01002	marriott@arps.org	413-362-9682
Seat Unfilled								

Admission.....	1
Attendance Expectations	2
Civil Rights & Complaint Procedures	3
Code of Conduct, Discipline, & Suspension	9
Communication	22
Computer Use Guidelines/Acceptable Network Use Policy.....	23
Controversial Issues in School	28
English Language Learners	29
Equity	29
Food and Nutrition Services	30
Health.....	32
Homelessness.....	36
Homeschooling of Students	37
Homework.....	39
Inclement Weather.....	39
Safety and Well-Being.....	39
School Visitation and Classroom Observation-Visitor Admission and Protocols	40
Section 504.....	42
Social Skills	43
Special Education.....	43
Student Records	46
Transportation Bus Service and Schedules	49
Volunteering in the District.....	52
Addendum.....	53
Public Notice.....	53
Chapter 199 of the Acts of 2011 - Gender Identity	53
Chapter 71, Section 370—Bullying Policy and Training Requirements	54
Chapter 76, Section 5—Place of Attendance; Discrimination.....	56
Chapter 151C, Section 2—Policy on Sexual Harassment	56
Chapter 269: Section 17—Hazing; organizing or participating	57
Chapter 269: Section 18—Failure to report hazing	58
Chapter 269: Section 19—Issuance to students and student groups, teams and	58

Admission

All children of school age who reside in Amherst, Pelham or one of the regional towns with a parent/legal guardian or an adult who has assumed legal responsibility for the student, will be entitled to attend the public schools in Amherst, in Pelham, or in the Regional District respectively. In addition, certain children who do not reside in a town within the school district, but who are admitted under School Committee policies relating to non-resident students or by specific action of the School Committee, may also attend the public schools.

New students who will attend grades K-6 in any of the Amherst Elementary Schools will now register at the Superintendent's Office located in the Amherst-Pelham Regional Middle School building at 170 Chestnut Street. For more information or to schedule an appointment, contact Yahdira Torres Manzano, Elementary Registrar, at 362-1810.

New students who will attend grades 7-12 in the Amherst-Pelham Regional Middle or High School register in the Registrar's Office, located in the Amherst-Pelham Regional High School building at 21 Mattoon Street. For more information or to schedule an appointment, contact Michaela Tarr, Region Registrar, at 362-1703.

New students who will attend Pelham Elementary School register in the school's main office, located at 45 Amherst Rd, Pelham. For more information or to schedule an appointment, call Janet Scott, Administrative Assistant, at 362-1100.

In the Amherst and Pelham School Districts, advance registration for prospective kindergarten students will take place each spring. All children who reach the age of five years on or before September 1st of the current school year are eligible for kindergarten in September. Every student seeking admission to school for the first time must present a birth certificate or equivalent proof of age acceptable to the Principal and proof of immunizations as required by the state and the School Committee. Proof of residency and legal guardianship are required for enrollment. Additionally, proof may be requested by the district at any time questions arise regarding the residency or guardianship of an enrolled student.

Children transferring into the school District from other school systems will be referred for grade placement to the school Principal. If the grade level classification of the child is doubtful, the Principal shall confer with the Superintendent or designee before making permanent assignment. Except in extraordinary circumstances, students will not be assigned to a higher grade until they have spent a full year in their present grade in this school District or other school systems.

Residency for School Attendance

Under Massachusetts Law a child may attend the schools of the town in which s/he resides. To attend public school in Amherst, in Pelham, or in the Regional District, a student must reside permanently in Amherst, in Pelham, or in one of the Regional towns, respectively, and must reside with at least one parent or legal guardian who has physical custody. Typically, the residence of a child under 18 is the residence of the parent(s)/legal guardian(s) who has/have physical custody of the child. "Residence" is the place where a person dwells currently, with an intention to remain, and is in the town that is the core of his/her domestic, social, and civil life.

The School District may require a variety of documentation to establish proof of residency and custody. Investigations may be made by school officials to assure that a student maintains a bona fide permanent residence in the town. Parents/guardians are under a continuing obligation to inform the School District of any and all changes to a student's residential status.

Students over 18 and living apart from parents/guardians in one of the Region's towns are entitled to attend school as residents. Children who are undocumented immigrants and residing in the school Districts are entitled to attend school as residents. Students who are placed in a residence in town by a public agency are entitled to attend school as residents. This residency policy does not apply to homeless students.

Any student who is determined to be a non-resident while enrolled in a school in any of the districts will be dismissed for non-residency. The dismissal may be appealed to the Superintendent, and the student may be allowed to remain in school pending the outcome of the appeal.

Kindergarten Screening

Each child who enters kindergarten will be given a "screening" in fulfillment of the requirements of the 603 CMR 28.03(1)(d), that governs special education and related services in public schools, and public or private day and residential schools. In addition, this screening will assist in assessing the child and plan appropriately for his or her needs. The screening provides us information about a child's strengths and needs. The results of this screening and other observation will be shared with parents/guardians during the Fall Parent/Guardian Conferences.

Attendance Expectations

Regular and punctual school attendance is essential for academic success in school. When a student is absent from class or school, the continuity of the instructional process is disrupted, and the benefits of classroom instruction are lost. Following is a list of important information for students and parents/guardians:

- All students will attend school every day, on time.
- Parents/guardians are responsible for their child's daily and timely attendance.
- Parents/guardians will not keep students from school while it is in session.
- Parents/guardians are responsible for reporting their child's absence on the same day, before the official opening of school. In case of an emergency that prevents this from happening, parents/guardians must send a note explaining the absence with the student when s/he returns to school.
- Reporting an absence is not the same as excusing it. The Superintendent or his/her designee (usually the building Principal) is the only person that can legally excuse an absence.
- The only "excusable" reasons to keep a child/youth from attending school are: students' illness, religious observance, court obligation and/or a major family emergency (accident, serious illness/quarantine, death). Please check in with your school if you have any questions. HS students are allowed to have three college visits. Please check with the guidance office for details.
- Students must present a note upon their return to school after three consecutive days.
- Tardiness will not be excused. Three tardies will equal an unexcused absence.

- After fourteen (14) cumulative or consecutive days of being out sick, students may be eligible for home or hospital tutoring.
- There are several weeks in the school calendar designated for vacation/holiday time out of school. Families are advised to plan all trips and visits during these weeks.
- Parents/guardians will be held responsible for failure to send their children to school and/or not bringing them to school on time.
- School staff will contact parents/guardians to set up a meeting when issues of attendance arise.
- Parents/Guardians and their students will be referred to local agencies for additional support to improve school attendance.

Civil Rights & Complaint Procedures

Complaint Procedures for Allegations of Discrimination

The Amherst-Pelham Regional District, the Amherst Public Schools, and the Pelham Elementary School do not unlawfully discriminate on the basis of race, color, creed, national origin, age, religion, gender, gender identity, sexual orientation, homelessness, or disability or any other legally protected classification in admission to, access to, or treatment by its programs and activities. Any member of the District community who believes that the District or a member of the District community has violated Titles VI and VII of the Civil Rights Act of 1964 (race, color, or national origin), Title IX of the Education Amendments of 1972 (sex), Massachusetts General Laws Chapter 76 Section 5 (sexual orientation, gender identity, race, color, sex, religion, national origin), Massachusetts General Laws Chapter 151C (race, religion, national origin, creed, color), the Equal Educational Opportunities Act of 1974 (race, color, sex, national origin), Section 504 of the Rehabilitation Act of 1973 (disability), Title II of the Americans with Disabilities Act of 1990 (disability), the Individuals with Disabilities Education Improvement Act of 2004 (disability), the McKinney-Vento Federal Assistance Act of the No Child Left Behind Federal Law (homelessness), or the Age Discrimination Act of 1975 (age) may file a complaint in accordance with this complaint procedure.² A violation may consist of discrimination or harassment because of one's race, color, national origin, sex, sexual orientation, disability, and/or age. The school District Policy on "Sexual Harassment of Students" provides more information about sexual harassment. If discrimination is determined to have occurred, the District will take prompt steps to prevent further occurrence.

This complaint procedure does not preclude informal resolution or restrict the complainant to file, at any time, a formal complaint with the State and Federal agencies or to seek private counsel for complaints alleging discrimination, including harassment. For more information about the District's efforts to comply with the above laws, or to file a complaint, please contact:

Dr. Marta Guevara
Amherst Regional School Districts
170 Chestnut Street
Amherst, MA 01002
(413) 362-1871

² For disability-related complaints, please file a grievance in compliance with the Section 504 grievance procedures. That procedure is fully outlined on the District's website.

District community includes, but is not limited to, all students, District employees, contractors, unpaid volunteers, and other visitors.

District employee includes, but is not limited to, all teachers, support staff, administrators, bus drivers, custodians, cafeteria workers, coaches, school board members, and agents of the District.

Harassment means verbal or physical conduct on the basis of race, color, religion, national origin, sex, age, sexual orientation or disability, and which has the purpose or effect of substantially interfering with a student's educational performance or creating an intimidating, hostile, or offensive educational environment.

The following is not intended as an inclusive list of conduct that may violate this policy.

Disability Harassment:

- Unwelcome verbal, written or physical conduct directed at a person based on his/her disability or perceived disability, including damaging or interfering with use of necessary equipment, imitating manner of movement, using disability-related slurs, or invading personal space to intimidate.

Gender Identity Harassment:

- Unwelcome verbal, written or physical conduct directed at a person based on their gender identity, including derogatory comments, insults, hostile acts, nicknames and taunting that creates an intimidating, hostile, degrading, humiliating or offensive environment.

National Origin Harassment:

- Unwelcome verbal, written or physical conduct directed at a person based on his/her national origin, ancestry, or ethnic background such as negative comments about surnames, customs, language, accents, immigration status or manner of speaking.

Racial Harassment:

- Unwelcome verbal, written or physical conduct directed at a person based on his/her race or color, including racial slurs or insults based on characteristics of a person's race or color, racial graffiti or symbols, hostile acts based on race, nicknames based on racial stereotypes, negative comments about appearance, imitating mannerisms, taunting, or invading personal space to intimidate.

Religious Harassment:

- Unwelcome verbal, written or physical conduct directed at a person based on his/her religion, including derogatory comments about religious beliefs, traditions, practices (includes non-belief), or religious clothing.

Sexual Orientation Harassment:

- Unwelcome verbal, written or physical conduct, directed at a person based on his/her actual or perceived sexual orientation, such as anti-gay slurs or insults, imitating mannerisms, taunting, or invading personal space to intimidate.

Hate Crime: A crime motivated by hatred or bias or where the victim is targeted or selected for the crime at least in part because the person is a different race, color, national origin, ethnicity, religion, gender, gender identity or sexual orientation from the perpetrator or because the targeted person has a disability. A hate crime may involve a physical attack, threat or bodily harm, physical intimidation, or damage to another's property.

Indicators that a crime may constitute a hate crime include:

- Use of racial, ethnic, religious or anti-gay slurs;
- Use of symbols of hate, such as a swastika or burning cross;
- Similar behavior toward others who are members of the same protected class;
- The perpetrator's protected class is different from the victim's;
- The incident occurs while the victim was promoting a racial, religious, ethnic/national origin, disability, gender, gender identity or sexual orientation group, such as attending an advocacy group meeting, or participating in a students' gay-straight alliance, or a disability rights demonstration.

Retaliation

No member of the Districts' community may retaliate against any person who reports alleged discrimination or against any person who testifies, assists, or participates in an investigation, proceeding, or hearing related to such discrimination. It is possible to conclude that retaliation has occurred even if no violation is found in regard to the underlying complaint of discrimination.

Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment. Retaliation may be redressed through application of the same reporting, investigation, and enforcement procedures as for discrimination. In addition, a person who knowingly makes a false report may be subject to the same action that the District may take against any other individual who has been found to have discriminated. The term "false report" refers only to those made in bad faith and does not include a complaint that could not be corroborated or which did not rise to the level of discrimination.

Informal Process

A complaint may be resolved through a voluntary conversation between the complainant and the party alleged to have discriminated. The conversation will be facilitated by the building administrator. If the building administrator is the party alleged to have discriminated, the Superintendent will appoint the facilitator.

If the complainant or the party alleged to have discriminated is a student under the age of 18, the facilitator will notify the student's parent/guardian if, after initial consultation with the student, it is determined to be in the best interest of the student. Both the complainant and the party alleged to have discriminated may be accompanied by a person of their choice for support and guidance.

If the complainant and the party alleged to have discriminated feel that a resolution has been achieved, the conversation may remain confidential and no further action will need to be taken. The facilitator will report the results of the informal resolution, in writing, to the Director of Student and Family Engagement.

If the complainant, the party alleged to have discriminated, or the District elects not to utilize the informal process, or feels that the informal process is inadequate or has been unsuccessful, the complaint may proceed to the formal process. Any complaint against a District employee must be addressed through the formal process.

Formal Process

- Step 1. A complainant or his/her designated representative (complainant) should file a written complaint with the Director of Student and Family Engagement, or the Superintendent if the Director of Student and Family Engagement is the subject of the complaint, as soon as possible following the alleged discriminatory incident. Upon request, the Director of Student and Family Engagement or a person designated by the Superintendent will assist the complainant in writing the complaint.

The written complaint must detail the facts and circumstances of the incident. The written complaint will be kept in a centralized and secure location. If a student under the age of 18 is involved, the Districts will notify his/her parent/guardian immediately, unless, after consultation with the student, notification is determined not to be in the student's best interest.

- Step 2. The Director of Student and Family Engagement will investigate the written complaint. If the Director of Student and Family Engagement is the subject of the complaint, the Superintendent will appoint an impartial investigator to conduct the investigation. All parties will be given full and fair opportunity to present information relevant to the issues raised under the complaint.

The investigation may include personal interviews with the complainant, the person alleged to have discriminated, and any other individuals who may have knowledge of the alleged incident or circumstances giving rise to the complaint. In determining if alleged conduct constitutes discrimination, the investigator will consider the surrounding circumstances, any relevant documents, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationship between the parties involved, and the context in which the alleged incident occurred. The determination will be based on all of the facts and surrounding circumstances. The Districts may take immediate steps, at its discretion, to protect the complainant, the person alleged to have discriminated, witnesses, and District employees pending completion of the investigation.

In a timely manner, the investigation will be completed and a written report will be made to the Superintendent. The report will indicate if the complaint has been substantiated as factual and if there are violations of Districts' policies, and it will include recommendations for addressing the violations.

If the Superintendent is the subject of the written complaint, the written report will be made to the Superintendent's alternate, who is the Chair of the Regional School Committee.

- Step 3. Following the investigation, the Districts will take appropriate action in all cases in which a complaint has been substantiated as factual. Any person who is determined to have discriminated shall be subject to action including, but not limited to, warning, suspension, exclusion, expulsion, education, or counseling. Action taken will be consistent with the requirements of any student handbook policy, State and Federal law, and due process protections for students with disabilities. As applicable, the District will provide a report of the investigation to the educator licensure unit of the Massachusetts Department of Education.
- Step 4. The Superintendent (or the Director of Student and Family Engagement) will maintain the complaint file in his/her office. He/she will provide a written report to the party alleged to have discriminated in a timely manner after receipt of the investigator's recommendation. The report will indicate whether (a) the complaint has been substantiated as factual, and (b) there was a violation of District policy. If there was a policy violation, the District will take appropriate action. S/he will also inform the complainant of the outcome of the investigation, i.e., whether it was substantiated or unsubstantiated.

Appeal Process

If the complaint is not resolved satisfactorily following Step 4 of the formal procedure, either the complainant or the party alleged to have discriminated may request, in writing, within seven (7) business days of being informed of the outcome that the Superintendent (or the Director of Student and Family Engagement) reconsider the outcome of the investigation. The Superintendent (or the Director of Student and Family Engagement) may, in his/her discretion, reopen the investigation and reconsider the outcome or consider the matter closed.

If the Superintendent investigated the initial complaint, or if the initial complaint was filed against the Superintendent, a person other than the Superintendent or the Director of Student and Family Engagement will conduct the appeal process.

Confidentiality

The Districts recognize that, the complainant and the person alleged to have discriminated have strong interests in maintaining the confidentiality of the complaint and related information. The privacy of all of the parties, including witnesses, will be respected as much as possible, consistent with the District's legal obligations to investigate, take appropriate action, and comply with any discovery or disclosure obligations.

Alternate Complaint Procedure

In addition to filing a complaint through the Districts' complaint procedure, or in place of utilizing the Districts' complaint procedure, a person may elect to exercise other options, including, but not limited to, filing a complaint with outside agencies or filing a private lawsuit.

Outside Agencies

A complaint by a student, employee or applicant for employment in which the complainant alleges discrimination on the basis of sex, race, ethnic origin or disability may be filed with the United States Department of Education, which may be contacted as follows. It may be filed in place of filing a complaint under the Districts' complaint procedure or in addition to filing a complaint under the District's complaint procedure.

Office for Civil Rights
United States Department of Education
5 Post Office Square
8th Floor - Suite 900
Boston, MA 02109-3921

Telephone: (617) 289-0059
Fax: (617) 289-0150
TDD: (617) 223-9695
Email: OCR.Boston@ed.gov

A complaint alleging disability discrimination against a student under Section 504 may be filed with:

Bureau of Special Education Appeals
75 Pleasant Street
Malden, MA 02148

Telephone: (781) 338-6400
Fax: (781) 338-3398
Email: sea@doe.mass.edu

An employee or applicant for employment, who is claiming discrimination on the basis of sex, religion, race, age or ethnic origin, may file a complaint with the United States Equal Opportunity Commission, which may be contacted as follows.

U.S. Equal Employment Opportunity Commission
John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203

Telephone: (617) 565-3200
Fax: (617) 565-3196
TTY: (617) 565-3204

In addition, an employee or applicant for employment who is claiming discrimination on the basis of sex, religion, race, age, ethnic origin, disability or sexual orientation may file a complaint with the Massachusetts Commission against Discrimination which may be contacted as follows.

MA Commission against Discrimination
One Ashburton Place
Sixth Floor, Room 601
Boston, MA 02108

Telephone: (617) 994-6000
TTY: (617) 994-6196

MA Commission against Discrimination
Springfield Office
436 Dwight Street, Suite 220
Springfield, MA 01103

Telephone: (413) 739-2145

A complaint may be filed with the Massachusetts Department of Education Program Quality Assurance Services which may be contacted as follows.

MA Department of Education
Program Quality Assurance Services
75 Pleasant Street
Malden, MA 02148

Telephone: (781) 338-3000/3705

MA Department of Education
Program Quality Assurance Services
Western Massachusetts Office
Springfield State Office Building
436 Dwight Street Room B40
Springfield, MA 01103

Telephone: (413) 858-4591

Litigation

The complainant may file a lawsuit under a number of Federal or State statutes, such as Titles VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Equal Education Opportunities Act of 1974, the Age Discrimination Act of 1975, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, and the Individuals with Disabilities Education Improvement Act of 2004. The complainant or his/her parent/ guardian should consult with a private attorney about this option.

References:

Titles VI, VII Civil Rights Act of 1964
Title IX of the Education Amendments of 1972
Equal Educational Opportunities Act of 1974
Age Discrimination Act of 1975
Section 504 of the Rehabilitation Act of 1973
Title II of the Americans with Disabilities Act of 1990
Individuals with Disabilities Education Improvement Act of 2004

Code of Conduct, Discipline, & Suspension

The District is committed to educating and supporting all students to learn in a safe, secure environment with a focus on positive behavior. The learning expectations in the schools are aligned with good citizenship, social justice, multicultural awareness, and community partnership. Our schools use Positive Behavioral Interventions and Supports as a framework to identify and support shared core values, address behavioral concerns, and to implement educational interventions and disciplinary responses. We also incorporate the principles and practices of Restorative Practices in response to behavior concerns. School handbooks include a description of the school wide tiers of interventions and supports.

If a student's disability interferes with his/her capacity to meet the regular disciplinary code, modifications to the disciplinary code will be stated in the student's IEP or 504 plan.

Suspension

Breaches of standards of behavior may result in suspension from school in accordance with applicable State and Federal laws/regulations and court decisions. The Principal of each school

will implement specific procedures for imposing suspensions, conferring with parents, and readmitting and counseling suspended students.

A suspension may be imposed for behavior which includes, but is not limited to, when a student's behavior creates a threat to his/her own or other's safety such as fighting, committing an assault on another, stealing, vandalism, possession/sale/attempted sale of weapons, explosives or prohibited materials, possession/sale/attempted sale of alcohol, controlled substances or prescription medication prescribed for someone other than the student, making false alarms or bomb threats, lewd or threatening behavior or language. In cases of repeated violations of other code of conduct rules, suspension may be imposed after other attempts have been made to resolve the problem. Additionally, suspensions may also be imposed for the violation of rules set forth in student handbooks.

In cases involving possession of weapons, possession of controlled substances or assault upon a staff member, a student may be subject to immediate expulsion.

The Amherst-Regional Public Schools adhere to the provisions of Massachusetts General Laws Chapter 71, sections 37H, 37H ½ and 37H ¾ as well as 603 CMR 53.00, et seq.

Definitions:

1. **Short Term, In-School Suspension** is the removal of a student from regular classroom activities for ten (10) consecutive or cumulative school days or less in one school year. Please note that removal from participation in extracurricular activities does not count as a suspension.
2. **Short Term, Out of School Suspension** is the removal of a student from the school premises and regular classroom activities for ten (10) consecutive or cumulative school days or less in one school year. Please note that removal from participation in extracurricular activities does not count as a suspension.
3. **Long Term Suspension** is defined as the removal of a student from the school premises and regular classroom activities for more than ten (10) consecutive school days in one school year, or for more than ten (10) school days cumulatively for multiple disciplinary offenses in any school year. A long term suspension can occur after ten (10) or more cumulative or consecutive school days of in-school suspension, as well as out-of-school suspension. A long term suspension may be served in school. Except for M.G.L. c. 71, sects. 37H and 37H1/2 offenses, a long term suspension may not be imposed for more than ninety (90) school days in a school year and does not extend from school year to school year.
4. **Emergency Removal** is a brief removal of a student from the school premises and regular classroom activities for no more than two (2) school days following the date of the emergency removal when the continued presence of the student poses a danger to persons or property.

5. School Wide Education Service is a document created by the Principal that “includes a list of educational services available for students who are expelled or suspended from school for more than ten (10) consecutive days. This list will include services that represent the student’s opportunity to continue to receive educational services to continue to make progress while suspended or expelled.
6. Principal refers to the Principal or his/her designee. Superintendent refers to the Superintendent or his/her designee.

Procedures for a Short-Term In-School Suspension

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

If the Principal chooses this alternative, the Principal shall inform the student of the disciplinary offense charged and the basis for that charge; the Principal shall provide the student an opportunity to dispute the charge and explain the circumstances surrounding the charge. If an in-school suspension is issued, the Principal shall make reasonable efforts to notify the parent orally of the disciplinary offense, the reasons for concluding that the student committed the offense, and the length of the in-school suspension.

The Principal shall also invite the parent to a meeting to discuss the student’s academic performance and behavior, strategies for student engagement, and possible responses to the behavior. This meeting shall be scheduled on the day of the suspension, if possible, or as soon as possible thereafter. The Principal shall also send written notice to the student and parent about the in-school suspension, including the reason and length of the in-school suspension, and inviting the parent the above described meeting, if such meeting has not already occurred.

Procedures for a Short-Term, Out-of- School Suspension

(Exclusion of a student from school premises and regular classroom activities for a specified period of not more than ten school days.)

The Principal, or his/her designee, may suspend students on a short-term basis. Unless a student poses a danger to persons or property, or the suspension/expulsion is pursuant to M.G.L. c. 71, sect. 37H or 37H 1/2, the student will receive the following prior to a short-term suspension:

1. Oral and written notice of the charges in English and the primary language of the home if other than English. This notice shall include:
 - i. The disciplinary offense;
 - ii. The basis for the charge;
 - iii. The potential consequences, including the potential length of the suspension;
 - iv. The opportunity to have a hearing with the Principal and the parent concerning the proposed suspension, including the opportunity to dispute the charges and to present the student’s explanation of the alleged incident;
 - v. The date, time, and location of the hearing;
 - vi. The right of the parent and student to interpreter services at the hearing; and

- vii. If the student may be placed on a long-term suspension following the hearing with the Principal:
 1. The rights set forth under the “Procedures for Long-Term Suspension”; and
 2. The right to appeal the Principal’s decision to the Superintendent.
2. At the hearing, if the student and/or parent elects to attend, the student shall have the opportunity to present his/her version of the relevant facts and any mitigating circumstances. The Principal shall make reasonable efforts to notify the parent orally of the opportunity to attend the hearing. To conduct the hearing without the parent, 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 sent written notice and has documented at least two (2) attempts to contact the parent in the manner specified by the parent for emergency notification.
3. Based on the available information, the Principal shall make a determination as to whether the student committed the disciplinary offences and what remedy shall be imposed. The Principal shall notice the student and parent in writing of his/her decision, the reasons for it, and, if applicable, the type and duration of the suspension and the opportunity to make up assignments and other academic work.
4. If the student is in a public preschool program or in grades K through 3, the Principal shall send a copy of the written determination to the superintendent and explain the reasons for imposing an out-of-school suspension, before the suspension takes effect.

Procedures for Emergency Removal

If the student’s continued presence poses a danger to persons or property, or materially and substantially disrupts the order of the school and, in the Principal’s judgment, there is no alternative available to alleviate the danger or disruption, the Principal shall temporarily remove the student from the school. This temporary removal shall not exceed two (2) days following the day of the emergency removal and the Superintendent shall be immediately notified of the removal. Additionally, the Principal shall make immediate and reasonable efforts to orally notify the student and student’s parent of the emergency removal, the reason for the emergency removal, and the other information required in a short-term suspension notification. The short-term suspension notice shall be provided in writing to the student and parent. The opportunity for a hearing with the Principal shall occur within two (2) school days, unless otherwise extended by the school and parent. A decision regarding the student’s continued suspension or other removal shall be rendered the same day as the hearing and written notice shall be provided the following school day. This written notice shall include all the information required based on the type of discipline imposed (short-term suspension, in-school suspension, long-term suspension, or expulsion).

The Principal may also remove a student from privileges, such as extracurricular activities and attendance at school-sponsored events, based on a student’s misconduct. This type of removal is not subject to the procedures for suspension and expulsion outlined in this policy.

Procedures for Long-Term Suspension

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

The Principal, or his/her designee, may issue long-term suspensions at the building level. The Principal may also issue expulsions for the offenses set forth in M.G.L. c. 71, §37H, §37H1/2 and 37H3/4. The School Committee may also exclude students pursuant to M.G.L. c. 76, § 17.

1. In the event of a long term suspension or expulsion, the student will be provided oral and written notice of the charges in English and the primary language of the home if other than English. This notice shall include:
 - i. The disciplinary offense;
 - ii. The basis for the charge;
 - iii. The potential consequences, including the potential length of the suspension;
 - iv. The opportunity to have a hearing with the Principal and the parent concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident;
 - v. The date, time, and location of the hearing; and
 - vi. The right of the parent and student to interpreter services at the hearing.
5. The Principal shall make reasonable efforts to notify the parent orally of the opportunity to attend the hearing. To conduct the hearing without the parent, 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 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.
2. In advance of the hearing, the student shall have the right to review the student's record and the documents upon which the Principal may rely in making a determination to suspend the student.
3. The student shall also have the right to be represented by counsel or a lay person at the choice and expense of the student/parent.
4. At the hearing, if the student and/or parent elects to attend, the student shall have the opportunity to present his/her version of the relevant facts and any mitigating circumstances. The student shall also have the right to produce witnesses and the right to cross-examine witnesses presented by the school. The student may request that the hearing be audio recorded by the Principal and may request a copy of the recording. All parties must be made aware that the hearing is recorded in advance of the hearing.
5. The parent, if present, shall have the opportunity to discuss the student's conduct and other information, including mitigating circumstances that the Principal should consider in determining consequences for the student.
6. The Principal shall make a determination as to whether the student committed the disciplinary offences and what consequences shall be imposed. The Principal shall notice the student and parent in writing of his/her decision, including the following information:
 - i. The disciplinary offence, the date on which the hearing took place, and the participants in the hearing;
 - ii. The key facts and conclusions reached by the Principal;
 - iii. The length and effective date of the suspension and the date of return to school;

- iv. The notice the student's opportunity to receive education services to make academic progress during the suspension;
- v. The student's right to appeal the Principal's decision to the Superintendent or his/her designee if a long-term suspension has been imposed. This notice of appeal shall include the process for appealing the decision, which requires the parent or student to file a written notice of appeal with the Superintendent within five (5) calendar days of the effective date of the long-term suspension.
 - a. The Superintendent shall hold the hearing within three (3) school days of the student's request, unless an extension is mutually agreed to.
 - b. The Superintendent shall make a good-faith effort to include the parent in the hearing.
 - c. The hearing shall be conducted to determine whether the student committed the disciplinary offense and, if so, what the consequence shall be. The hearing shall be audio recorded and a copy of the recording shall be provided to the student or parent upon request.
 - d. All the same rights as are afforded in the above long-term suspension Principal's hearing shall apply to the student in a Superintendent's hearing.
 - e. The Superintendent shall issue a written decision within five (5) calendar days of the hearing. If the Superintendent determines that the student committed the disciplinary offense, the Superintendent may impose the same or lesser consequence than the Principal.
 - f. The decision of the Superintendent shall be the final decision of the school district.
 - g. If the student is in grades K-3, the Principal shall send a copy of the written determination to the Superintendent and explain the reasons for the suspension before the suspension takes effect.

Chapter 71: Section 37H Policies relative to conduct of teachers or students; student handbooks

Section 37H. The Superintendent of every school district shall publish the District's policies pertaining to the conduct of teachers and students. Said policies shall prohibit the use of any tobacco products within the school buildings, the school facilities or on the school grounds or on school buses by any individual, including school personnel. Copies of these policies shall be provided to any person upon request and without cost by the Principal of every school within the District.

Each school district's policies pertaining to the conduct of students shall include the following: disciplinary proceedings, including procedures assuring due process; standards and procedures for suspension and expulsion of students; procedures pertaining to discipline of students with special needs; standards and procedures to assure school building security and safety of students and school personnel; and the disciplinary measures to be taken in cases involving the possession or use of illegal substances or weapons, the use of force, vandalism, or violation of other student's civil rights. Codes of discipline, as well as procedures used to develop such codes shall be filed with the department of education for informational purposes only.

In each school building containing the grades nine to twelve, inclusive, the Principal, in consultation with the school council, shall prepare and distribute to each student a student handbook setting forth the rules pertaining to the conduct of students. The school council shall

review the student handbook each spring to consider changes in disciplinary policy to take effect in September of the following school year, but may consider policy changes at any time. The annual review shall cover all areas of student conduct, including but not limited to those outlined in this section.

Notwithstanding any general or special law to the contrary, all student handbooks shall contain the following provisions:

- (a) Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon¹, including, but not limited to, a gun or a knife; or a controlled substance as defined in chapter ninety-four C, including, but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from the school or school district by the Principal.
- (b) Any student, who assaults a Principal, assistant Principal, teacher, paraprofessional, or other educational staff on school premises or at school-sponsored or school-related events, including athletic games, may be subject to expulsion from the school or school district by the Principal.
- (c) Any student who is charged with a violation of either paragraph (a) or (b) shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the Principal. After said hearing, a Principal may, in his discretion, decide to suspend rather than expel a student who has been determined by the Principal to have violated either paragraph (a) or (b).
- (d) Any student who has been expelled from a school district pursuant to these provisions shall have the right to appeal to the Superintendent. The expelled student shall have ten days from the date of the expulsion, in which to notify the Superintendent of his appeal. The student has the right to counsel at a hearing before the Superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section.
- (e) When a student is expelled under the provisions of this section, no school or school district within the commonwealth shall be required to admit such student or to provide educational services to said student. If said student does apply for admission to another school or school district, the Superintendent of the school district to which the application is made may request and shall receive from the Superintendent of the school expelling said student a written statement of the reasons for said expulsion.

¹ A dangerous weapon shall include, but not be limited to, any gun, projectile, any device capable of propelling a projectile, ammunition, knife (including pen knives and box cutters), fireworks, lighters, brass knuckles, as well as any other implement which is capable of inflicting bodily injury and which is used to do so or is in the possession of the student so that it can be so used. Examples of the latter include, but are not limited to, ice picks, nail files, screw drivers, bracelets, scissors, pens/pencils.

Chapter 71: Section 37H 1/2 Felony complaint or conviction of student; suspension; expulsion; right to appeal

Section 37H1/2. Notwithstanding the provisions of section eighty-four and sections sixteen and seventeen of chapter seventy-six:

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

The student shall have the right to appeal the suspension to the Superintendent. The student shall notify the Superintendent in writing of his request for an appeal no later than five (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 calendar days of the student's request for an appeal. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The Superintendent shall have the authority to overturn or alter the decision of the Principal or headmaster, including recommending an alternate educational program for the student. The Superintendent shall render a decision on the appeal within five (5) calendar days of the hearing. Such decision shall be the final decision of the city, town or regional school district with regard to the suspension.

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

The student shall have the right to appeal the expulsion to the Superintendent. The student shall notify the Superintendent, in writing, of his/her 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 calendar of the expulsion. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The Superintendent shall have the authority to overturn or alter the decision of the Principal or

headmaster, including recommending an alternate educational program for the student. The Superintendent shall render a decision of the city, town or regional school district with regard to the expulsion.

Upon expulsion of such student, no school or school district shall be required to provide educational services to such student.

Discipline Policy for Students with Disabilities as identified by a team under the IDEA/M.G.L. c. 71B or Section 504

Students identified as having special needs

1. All students are expected to meet the requirements for behavior as set forth in the handbook.

Chapter 71B of the Mass. General Laws requires that additional provisions be made for students who have been found by a TEAM to have special needs and whose individualized program is described in an Individualized Educational Plan (IEP).

- a. Students with Special Needs may be suspended for up to ten (10) consecutive days, and may also be suspended in excess of ten (10) cumulative days, as fully outlined under M.G.L.c. 71B, and the Individuals with Disabilities Education Act. Such suspensions may be carried out without any further or additional process.
 - b. Suspensions or exclusions in excess of ten (10) consecutive days or ten (10) cumulative days may also occur, provided that the conduct for which the student is being disciplined is not a manifestation of his/her disability, and the District provides educational services which will allow the student to access the general curriculum and to make progress toward his/her goals.
2. The IDEA and M.G.L. c. 71B allow school personnel to move a student with disabilities to an interim alternative educational setting (IAES) for up to 45 school days, if that student is in possession of a dangerous weapon at school or a school function or on school property, is in possession of or uses a controlled substance or sells or solicits the sale of a controlled substance while at school or a school function or on school property, or inflicts serious bodily injury on a person, including him/herself. The appropriate interim alternative educational setting shall be determined by the IEP TEAM.
 3. The IDEA and M.G.L. c. 71B also allow school personnel the option of asking a hearing officer or a court to move children with disabilities to an interim alternative educational setting for up to 45 school days, if they are substantially likely to injure themselves or others in their current placement.
 4. When a special needs student is to be suspended for ten (10) or more consecutive days or more than ten (10) cumulative days in a school year, such that a substantial change in placement is occurring or will occur, the IEP TEAM will meet to conduct a manifestation determination. Relevant members of the TEAM meet for the manifestation determination,

and they answer two questions, after reviewing relevant documents and the misconduct of the student:

- 1.0 Is the misconduct the result of failure to implement the student's IEP? And
- 2.0 Is the misconduct caused by, or does it have a direct and substantial relationship to the student's disability?

A summary of the manifestation determination review will be written and a copy provided to the Parent(s)/guardian(s) as soon as possible after the review, but no later than five (5) school days after the review.

5. If the TEAM finds that the misconduct was not a manifestation of the student's disability, then the student may be disciplined according to the discipline policy in this handbook.

The student will receive educational services during this period of suspension or exclusion. If the TEAM finds that the misconduct was a manifestation of the student's disability, then the school may still be able to implement an IAES (see ## 2 and 3 above). If the IAES is not possible, then the student will remain in his/her current placement, and the TEAM will arrange for a functional behavioral assessment (if one has not been conducted on the student) and the development or modification of a behavior intervention plan.

6. The Principal (or designee) will notify the Special Education Office of the suspendible offenses of a special needs student and a record will be kept of such notices.

Students identified as having a disability and provided with a Section 504 plan

Students are expected to meet the expectations for behavior identified in this handbook. A student on a Section 504 plan may be disciplined like any other non-disabled student. However, if the student is going to be suspended for ten (10) or more consecutive days, expelled or suspended for more than fifteen (15) cumulative days (and there is a change in placement as a result), then a manifestation determination review shall be conducted. The student's 504 team shall convene, and answer two questions, after reviewing relevant documents and the misconduct of the student:

- Is the misconduct the result of failure to implement the student's 504 Plan?
- Is the misconduct caused by, or does it have a direct and substantial relationship to the student's disability?

A summary of the manifestation determination review will be written and a copy provided to the Parent(s)/guardian(s) as soon as possible after the review, but no later than five (5) school days after the review.

Corporal Punishment

In accordance with State law:

"The power of the School Committees or of any teacher or other employee or agent of the Committees to maintain discipline on school property shall not include the right to inflict corporal punishment upon any student."

Nothing in this policy shall be interpreted as preventing a teacher or other employee or agent of the school committees from using reasonable force as is necessary in the following situations: to protect himself or herself from assault by a student, to protect other students and staff members from violent aggressive acts of students, or to prevent a student from harming himself or herself. The Superintendent will issue regulations regarding staff training in the proper uses and limitations on the use of physical restraint.

Physical Restraint Policy

Maintaining a school environment that is conducive to student learning requires that the environment be orderly and safe. Physical restraint of a student may sometimes be necessary to protect the student or other individuals. Physical restraint is the use of bodily force to limit a student's freedom of movement. Students in the District are protected by law from the unreasonable use of physical restraint. Physical restraint will be used with extreme caution and only in emergency situations, after other less intrusive alternatives have failed or been deemed inappropriate.

The two goals of the physical restraint policy are:

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

The school district's emphasis is on prevention and de-escalation, which reduces the risk of injury to both students and program staff. The emphasis is always on the care, safety, and welfare of the students and the primary technique used is verbal de-escalation. Physical restraint may only be used when non-physical interventions would not be effective, and the student's behavior poses a threat of imminent, serious, physical harm to self and/or others.

The administrator in charge of Special Education or his/her designee will provide all staff with guidelines and procedural information regarding physical restraint. The only school personnel who should physically restrain students are those who have been trained through an approved Restraint Training Program. The only physical restraint techniques to be used are those taught by the approved Restraint Training Program.

Each building will provide its staff with a list of the school's personnel who have been trained through the Restraint Training Program. Whenever possible, these trained staff members will be called upon to administer physical restraint in situations where a student's behavior poses a threat of imminent, serious, physical harm to self and/or others.

However, nothing in 603 CMR 46.00 precludes any teacher or employee from using reasonable force to protect students, other persons, or themselves from assault or imminent, serious,

physical harm. In addition, nothing in these regulations should interfere with or prohibit law enforcement, judicial authorities or mandated reporter responsibilities.

The District will adhere to all laws and state regulations governing physical restraint.

Search and Seizure

Lockers, cubbies, desks, laboratory tables, etc. are the property of the District. You have no expectation of privacy in them, and therefore, they can be searched at any time with or without reasonable suspicion. A search of the student's person or personal belongings, including automobile/bicycle/other form of transportation, requires reasonable suspicion that the student:

1. has committed a crime or a violation of the Code of Conduct or
2. is in possession of contraband
3. is in possession of evidence that a crime or a violation of the Code of Conduct has been committed.

When appropriate, the police and the use of trained animals may be used to conduct such a search.

A search of a student's person may include the use of a breathalyzer or a urinalysis drug screen when there is reasonable suspicion to believe that the student is under the influence of alcohol or a controlled substance. The refusal of a student to participate in the breathalyzer test or urinalysis drug screen may lead to a disciplinary penalty equal to the offense of which the student is suspected.

Any item may be seized during the course of a search.

Interrogations by Police

The schools have legal custody of students during the school day and during hours of approved extracurricular activities. It is the responsibility of the school administration to make an effort to protect each student's rights with respect to interrogations by law enforcement officials. Therefore:

1. When law enforcement officials find it necessary to question students during the school day or periods of extracurricular activities, the school Principal or his/her designee will be present. The student's parent or guardian will be immediately notified of the situation.
2. If custody and/or arrest are involved, the Principal will request that all procedural safeguards, as prescribed by law, be observed by the law enforcement officials.

Police Relations

It may be necessary to summon police assistance in cases of extreme disruption, uncontrolled or dangerous behavior or for violations of law.

This document states the intent of the Amherst-Pelham Regional Schools and the Amherst Police Department to engage in cooperative efforts aimed at the elimination of drugs and alcohol from

the schools. Such cooperation will ensure a more comprehensive community response to the social and physical hazards of drug use and drug trafficking by students while under the authority of school personnel.

The parties to the memorandum of understanding hereby agree to the conditions and procedures entered below.

- 1.0 All school staff members are under obligation to report any and all incidents of the use or possession of any drugs by students.
- 1.1 School personnel are not protected under the confidentiality statutes of the Commonwealth, and if called on to testify in court, they would be obligated to reveal any information relating to drugs even if voluntarily confided to them by the students.
- 1.2 Each and every such incident, suspected incident, or suspected pattern of use, possession or trafficking in drugs is to be reported immediately to the appropriate building Principal, other administrator or designee.
- 1.3 Any student who is suspect of, observed as, or has admitted to being under the influence of a drug must be immediately escorted to the office of the building Principal or the office must be notified immediately of the incident.
- 1.4 Incidents, as described, in items 1.0 – 1.3 are considered violations of school rules and possibly of the law if they occur in the school building, on school grounds, at school sponsored events, at activities or events which may be conducted off school grounds, on school buses, and at or around school bus stops, during loading and unloading procedures.
- 2.0 The Principal of each school building shall be the party to whom all such incidents are reported and who will coordinate all procedures in these matters. In the absence of the Principal, another administrator or designee shall perform this function.
- 2.1 Upon a report to the Principal of an incident, an investigation will be conducted. Parents will be informed expeditiously. Disciplinary hearings will take place when appropriate, and will be conducted by the Principal, another administrator or designee.
- 3.0 To be under the influence of drugs, but not in possession of drugs is a violation of school rules. Students in violation of school rules only will be appropriately disciplined and parents notified, but police will not be ordinarily summoned. Police may be summoned in cases of disorderly or dangerous conduct.
- 3.1 Students found to be in possession of drugs, on their person, or in locations specifically associated with students (school corridor lockers, gymnasium lockers, personal clothing or other locations or items) will be considered to be in violation of the law. In such cases, parents will be notified immediately and the police will be summoned. The case will be turned over to the Amherst Police Department. Contraband (illicit drugs and paraphernalia usually associated with drug use) will be turned over to the police department as well.
- 3.2 Where appropriate, the Police Department will pursue criminal action against any student found to be in possession of drugs.
- 4.0 The Amherst Police Department's Officer in Charge of Operations will coordinate the department's actions in cases of a student found to be in possession of drugs or drug paraphernalia. The Officer in Charge of Operations will coordinate

record-keeping functions and police department/school system educational efforts with the Principals of the schools.

- 4.1 The school system will report to the police department all incidents of students found to be under the influence of drugs. The names of such students may be, at the discretion of the Principal, submitted to the police department after notification of parents. Such incident reports will be maintained by the Amherst Police Department as well as by the school system. A standard form for the Purpose of reporting will be developed jointly by the police department and the school system.
- 4.2 The police department's Officer in Charge of Operation and the school Principals will form a liaison/coordinating committee. This committee will meet regularly during the school year for the purpose of reviewing procedures contained herein and for the purpose of monitoring local conditions regarding drug use and trafficking.
- 4.3 The liaison/coordination committee shall meet with and report to the Chief of the Amherst Police Department and the Superintendent of Schools annually (in March) for the purpose of reviewing the goals and effectiveness of the procedures contained herein.
- 4.4 The procedures contained in this memorandum should be consistent with the codes for student conduct established in each school building.

Chapter 76: Section 16 Children excluded from school; remedies

Section 16. Any pupil who has attained age eighteen, or the parent, guardian or custodian of a pupil who has not attained said age of eighteen, who has been refused admission to or excluded from the public schools or from the advantages, privileges and courses of study of such public schools shall on application be furnished by the School Committee with a written statement of the reasons therefore, and thereafter, if the refusal to admit or exclusion was unlawful, such pupil may recover from the town or, in the case of such refusal or exclusion by a regional school district from the district, in tort and may examine any member of the School Committee or any other officer of the town or regional school district upon interrogatories. (This provision, as well as Section 17, below, is only applicable when the offense is one for which the Principal does not have the authority to expel the student.)

Chapter 76: Section 17 Hearing prerequisite to exclusion

Section 17. A School Committee shall not permanently exclude a pupil from the public schools for alleged misconduct without first giving him and his parent or guardian an opportunity to be heard.

Communication

In late September or early October there will be evening Open Houses in each of the schools to share information about the general nature of your child's classroom program and to answer questions you may have about the school.

At the elementary schools, two (2) early release days will typically be scheduled annually during the months of October/November, in order to facilitate the scheduling of parent teacher

conferences. Additional conferences may be scheduled at the discretion of the parent and the teacher. In addition, report cards are sent home in January and June.

Middle School and High School students receive progress reports at the middle of each semester and report cards at the end of each semester.

Newsletters containing lists of important dates, and other news and information about the school are sent out regularly. Materials are generally sent home on Fridays. Materials about activities which are not school sponsored must have prior approval from the Superintendent's Office. School related information requires approval by the Principal.

Computer Use Guidelines/Acceptable Network Use Policy

I. Introduction

This document is a joint effort of the Franklin and Hampshire County public schools, adopted by the school Superintendents and technology coordinators/administrators for the purpose of guiding appropriate use of technology in education. The electronic resources at the public schools in Franklin and Hampshire County are provided by and in consonance with their mission to:

- Improve education for all students through access to unique resources and partnerships;
- Improve learning and teaching through research, teacher training, collaboration and distribution of successful education practices, methods and materials.

In addition, we seek to ensure a healthy and appropriate use of technology resources by making provisions for:

Prevention of access by users to inappropriate matter on the Internet;

- The safety and security of users when using electronic mail, chat rooms, and other forms of direct electronic communications;
- Prevention of unauthorized access, including “hacking” and other unlawful activities;
- Prevention of unauthorized disclosure, use and dissemination of personal information regarding minors; and
- The design of measures to restrict minors’ access to harmful materials; and
- Prevention of any and all inappropriate or illegal use.

Our electronic resources—including, but not limited to, computers and Internet access—allow users access to local, national, and international sources of information and collaboration vital to intellectual inquiry and democracy, and are intended solely for educational purposes. Every user has the responsibility to respect the rights of every other user in our school communities and on the Internet. Users are required to conduct themselves in a responsible, ethical, and legal manner, in accordance with both school and district policies, rules, regulations and guidelines and the laws of the Commonwealth of Massachusetts and the United States.

The potential exists, outside the school/district network, for users to access inappropriate material. A user may intentionally or innocently access material inconsistent with our educational purpose and policies. While violations of school/district policy are cause for

concern, we maintain the educational advantages of using the technology outweigh the disadvantages. It is the burden of parents and guardians to establish standards of use of electronic media consistent with school/district policy and to ensure that users comply with established policy. We respect each family's decision whether their child should or should not have access to the Internet. Parents should notify the school in writing if they do not want the student to use the Internet. The use of electronic resources is at the discretion of the schools/districts according to their individual electronic policy.

The following explains our common policies for acceptable use of the schools' and districts' technology. Policies specific to individual schools and districts are at the end of this document. Use of computer networks and the Internet are revocable privileges dependent upon compliance with school/district policy and these procedures. A user's failure to comply with policy shall result in limited network/Internet access, suspension of access, and/or other disciplinary action up to and including termination or expulsion.

II. General Provisions

The Greater Hampshire and Franklin County schools have established certain protocols to ensure the safety of our school communities, the security of computer networks, and compliance with applicable law. All users should be aware of the following provisions:

A. Network and Internet monitoring

Most schools and/or their vendors have software and systems in place that monitor and record all Internet usage. Most security systems are capable of recording each web site visit, chat, newsgroup, e-mail message, and file transfer into and out of our internal networks for each user. We reserve the right to intermittently monitor Internet traffic and other usage of electronic resources, for instance, by tracking destination URLs of individual users. Users should have no expectation of privacy when browsing the web, sending or receiving e-mail, or using other electronic resources.

B. Filtering

In accordance with the Children's Internet Protection Act (CIPA), passed by the U.S. Legislature in January 2001 (Public Law 106-554), our schools shall employ filtering software to block access to inappropriate content on all computers with Internet access. Our schools and districts certify that a policy of Internet safety and technology protection measures shall be enforced. Users are restricted from accessing visual depictions of subject matter that are obscene, pornographic, child pornographic or harmful to minors. In compliance with CIPA, our schools and districts shall, in furtherance of this set of Acceptable Use Procedures regarding Internet safety, monitor the online activities of users.

Users should be aware that filtering software will not block ALL inappropriate web sites. Users shall report all inappropriate sites not blocked by filters to a technology administrator for appropriate action. Filtering software may be temporarily disabled for users 18 and over by a technology administrator for educational research purposes.

Our schools and districts cannot be held responsible for misuse of material downloaded from any online service, or for inappropriate or sexually explicit material being obtained through the network.

III. User-specific Provisions

A. All Users Students, administrators, staff and faculty shall not:

1. Use the network to access and/or transmit material in violation of any U.S. or Commonwealth law, including copyrighted material.
2. Access, download, display, transmit, produce, generate, copy or propagate any material that is obscene or pornographic; advocates illegal acts; contains ethnic slurs or racial epithets; or discriminates on the basis of gender, national origin, sexual orientation, race, color, ancestry, religion, handicap, age or any other legally protected classification.
3. Degrade damage or disrupt equipment or system/network performance (for example excessive bandwidth use that disrupts the network for other users).
4. Gain unauthorized access to network resources.
5. Permit or authorize any other person to use their name or login password.
6. Use an account of any other person or vandalize another user's data.
7. Waste electronic storage space by saving unnecessary files or programs.
8. Download, install, load or use programs without written permission of the technology coordinator/administrator.
9. Use school resources for personal commercial purposes or for political lobbying.
10. Use inappropriate, offensive, foul or abusive language.
11. Harass or annoy any other party with obscene, libelous, threatening or anonymous messages, objectionable information, images or language.
12. Forward chain letters.
13. Forward e-mail messages of broad interest—including virus alerts and jokes—to the entire school community (see number 5 below in the section "Students, staff and faculty must").
14. Knowingly make use of pirated software or violate software licensing agreements.
15. Engage in the practice of "hacking" or knowingly engage in any other illegal activity using the network.
16. Engage in any conduct which constitutes cyber-bullying as defined by the Districts' Anti-Bullying Policy.
17. Engage in any other inappropriate use of the system.

B. Students, staff and faculty must:

1. Use the Internet and other electronic resources only for legitimate educational purposes.
2. Respect commonly accepted practices of Internet etiquette including, but not limited to, use of appropriate language.
3. Be aware of potential security risks at all times and take all reasonable steps to minimize risks by, at minimum, logging off the network when a computer is unattended and reporting all unauthorized use of one's account to a technology administrator.
4. Avoid bulk e-mailing.

5. Forward all e-mails of broad interest, such as virus alerts, to a technology administrator for appropriate distribution to the entire school community.
6. Treat all computer areas and equipment with the utmost care and respect.
7. Abide by this procedure and specific school policy.

C. Students

Students may access the Internet only with adult supervision, and must notify a teacher or technology instructor immediately if they come across inappropriate content. In addition, students may not use the Internet to give out personal information (such as a home address, telephone number, or picture) about themselves or other students. Student use of electronic resources is restricted to teacher-approved projects and research.

IV. Electronic Communication

School and District resources for electronic communication shall be used for educational purposes. Incidental and occasional personal use of electronic mail may occur when such use does not generate a direct cost for the District, but such messages will be treated no differently from other messages on the network. Prohibited electronic communications include, but are not limited to:

1. Use of electronic communications to send copies of documents in violation of copyright laws.
2. Use of electronic communication systems to send messages, access to which are restricted by laws and regulations.
3. Use of electronic communications to intimidate others or to interfere with the ability of others to conduct school/district business.
4. Constructing electronic communications to appear to be from someone else.
5. Obtaining access to the files or communications of others for the purpose of satisfying idle curiosity, with no substantial school/district business purpose.
6. Users will conform to the rules of e-mail archiving and document retention according to document retention policy under Massachusetts General Laws.
7. Any other communication in violation of this policy or the specific school policy.

V. Software

All technology purchases, software and hardware, must be approved by the Director of Information Systems. All software purchases must be made according to the procedures outlined in the document, Instructional Software Purchase Procedures, available from the Information Systems Department.

A. Supported Software

Software which the District has standardized will be given priority in terms of installation, troubleshooting and training. A list of standardized and supported software, and other software owned by the District, will be updated from time to time and made available for viewing at a location designated by the Superintendent, Principal, or technology administrator or his/her designated agent.

B. Other Software

Installation, troubleshooting and training for all other software used by faculty, staff and students will be supported as time permits. Software to be used in the curriculum or in a

lab environment must be purchased in “lab packs” of sufficient quantities to account for the greatest number of simultaneous users or as site licenses, and must be owned by the school/District. Single copies of software are considered evaluation copies and will not be supported, installed on multiple computers, or made available from the network to multiple computers.

C. Unsupported Data, Media and Software

Software which makes the computers and network harder to maintain and support and which offers little or no benefit over comparable software will not be supported. Do not install software, including downloaded freeware or shareware, on any computer. The technology coordinator/administrator reserves the right to uninstall unsupported media or reimage any computer as necessary. No personal data or files are to be stored on the local hard drive of any computer. Please store data and files in your home directory.

VI. Data Storage and Backup:

The technology coordinator/administrator has the right to reimage any computer as necessary. No personal data or files should be stored on the local machine. The school/District makes every effort to run regular backups on data and e-mail hosted on its systems and networks; however, it cannot guarantee that in the event of data loss or catastrophic failure all information will be recovered.

VII. Hardware:

A. Use of equipment other than that owned by the school/district:

1. The school/District does not support equipment brought in from the outside by any user.
2. The technology coordinator/administrator has the right to confiscate any outside equipment that interferes with operation of the system/network.
3. The school/District is not responsible for damage to or loss of equipment brought in from the outside.
4. Permission to set up any outside equipment on school premises must be given in advance by the technology coordinator/administrator or his/her designated agent.
5. Permission must be granted for use of electronic devices not owned or provided by the school/district.

B. Wiring of network devices:

Any wiring of computers and peripherals must be done in accordance with local and state building codes. The connectivity requests should be made through the IT department. The IT department is solely responsible for this process.

VIII. Web Pages:

A. General guidelines for student, teacher & classroom sites

1. **Posting**—All web pages produced by faculty or staff that reference or depict the school/District are assumed to be school- or district-owned educational resources, created for the sole purpose of education, and shall be posted on a school-maintained web site, with the exception of school-authorized sites whose purpose is to simplify the process by

which a page/site is posted. All student web sites/pages must be approved by authorized school personnel for posting prior to being posted.

2. **Disclaimers**—If a user’s home page is housed on a school/district server, but has links to sites/pages which are not housed on a school/district server, the user must include the following disclaimer: "The Amherst, Pelham and Amherst-Pelham Regional School Districts are not responsible for any content which is not hosted on our servers" Any school-related web page produced by staff but not housed on the school web site must be posted to an authorized site and must include the following disclaimer: "The contents of this site/page express the views of the author(s) only and do not necessarily express the views of Amherst, Pelham and Amherst-Pelham Regional School Districts." The school/District is not responsible for content on school-related web sites not housed on our site or on another authorized site.
3. **Student pictures and work**—A student photo will be posted only when there is no signed parent form on file documenting that the posting is prohibited.
4. **Content**—Do not advertise, endorse or link to any product or organization whose primary function is not to disseminate educational content (e.g., commercial enterprises or political groups). Certain fundraising information and links may be allowed, such as “shopforschool.com” or “marketday.com” and certain exceptions may be made for commercial entities who have significantly contributed to the school community (e.g., Verizon or Microsoft). These company links are allowed at the discretion of appropriate school administrators; please see school- and District-specific provisions at the end of this document for more information.
In all cases, exceptions may be made when links to commercial or political groups are provided for legitimate educational purposes—for instance, links to the sites of political parties for civics courses, or links to commercial entities for media literacy courses. Proofread your content and use a spell checker before posting. As an educational institution with a potentially broad audience, it is incumbent upon us to have grammatically correct content. Viewers often have high expectations and we must maintain a high level of accountability to our community.
5. **Copyright issues**—Make certain that copyrighted material conforms to the “fair use” test (<http://www.benedict.com/basic/fairuse/fairtest.htm>) and that all copyrighted material on your site is appropriately credited.

Controversial Issues in School

Controversial issues are topics that may be publicly sensitive and about which there are varied levels of opposing views, biases, emotions and/or conflict. American academic tradition stresses the free exchange of ideas as a basic element of curriculum development, instruction, and discussion. Studying controversial issues in school is important in preparing students to participate intelligently and responsibly in a democratic and pluralistic society.

An important goal of public education is to help students develop the capacity to participate respectfully, critically and positively in the discussion and analysis of controversial issues. Studying controversial issues provides opportunities to develop a student’s ability to think clearly and critically, to reason logically, to differentiate between opinion and intelligent analysis, and to respectfully examine different points of view with an open mind. All staff and

students have a right to express their opinions and a right to a respectful hearing. While teachers and other staff may have personal views on controversial issues, they do not have a right to use the school setting as a forum to promote their personal views. Educators need to be constantly mindful that their views may influence students and that they have an obligation to model objectivity and to encourage their students to think for themselves.

The approach to writing about controversial issues and to discussion of controversial issues in the classroom will be objective and scholarly and will be done in a spirit of critical inquiry rather than advocacy. Teachers will ensure that reasoned arguments on an issue are presented in classroom discussions. Teachers will strive to balance major views and to assure that as many sides of the issues as possible are presented in a fair and impartial manner, with no position presented as the only one acceptable. Political issues will be presented in a non-partisan manner. Controversial issues that arise incidentally during instruction should be used by the teacher to promote critical inquiry and to teach thinking skills. In all instances, teachers will encourage students to develop an ability to meet issues without prejudice and to withhold judgments while facts are collected and evaluated.

Teachers must obtain permission from the Principal to invite visitors for classroom and/or school-wide presentations. Whenever outside persons are invited to speak on controversial issues, care will be taken to assure that a reasonable range of opinions on the issue are presented in an equitable manner and that they are consistent with the academic standards of the school. Teachers will offer students and parents who might be offended by a presentation because of their religious or personal beliefs the opportunity not to participate in a presentation. Student-initiated forums are subject to the same standards for approach to discussion, consistency with the academic standards of the school, and use of visitors for presentations.

English Language Learners

In accordance with Federal law, State law, and the Massachusetts Department of Education regulations and guidance, the Amherst Regional School District will provide an instructional program for all identified English language learners (ELL) in grades kindergarten through 12 that is designed specifically to assist them in learning English and in learning subject matter content.

The Amherst-Pelham Regional School District will identify students whose dominant language may not be English through home language surveys that identify a primary home language is other than English (PHLOTE), observations, intake assessments, and recommendations of parents/guardians, teachers and other persons. Identified students will be assessed annually to determine their level of proficiency in the English language.

Equity

The Amherst-Pelham Regional Schools are committed to Excellence with Equity for all students. Efforts to actively link equity, social justice and multi-cultural education across the teaching and learning standards have engaged the Amherst-Pelham Regional District's educators for almost three decades. We believe it is imperative that all members of our learning community, students, families and staff, are learning, are treated equitably, and share the responsibility for creating a caring environment focused on the academic achievement of all students. To that end, we are

committed to Teaching and Learning that is built on attention to both, the cognitive and affective domains, with a curriculum that is infused with uniform and practiced socially just behaviors. In our review of the evolution of modern society’s pursuit of equity, we find that the definition of equity and its goals have changed. Equity in schools has grown to be defined as student...

- access to the system – desegregation
- participation in the system – integration (e.g., on the team, taking the same classes)
- benefit from the system – achievement outcomes and goal attainment

Food and Nutrition Services

Both breakfast and lunch are served every school day. The school serves a hot lunch every day. There is usually a soup and sandwich option. Children may bring a lunch from home and buy milk at school.

A Federal law requires participants in the School Lunch Program to set minimum prices for students who are not eligible for free or reduced price lunches. To satisfy this requirement, the School Committee approved the following meal prices:

Meal Prices for 2017/2018 School Year

Breakfast (per day)

Middle School & High School	\$1.25
Elementary Schools	\$.75
Reduced Price (All schools)	\$.30

Lunch (per day)—All Schools

Full Price	\$2.75
Reduced Price	\$.40
Adult Price	\$3.50

Milk – All Schools	\$.40
---------------------------	---------------

Student Accounts/Online Payment Option

Parents have the convenience of utilizing MySchoolBucks, a web-based system that allows parents to make on-line payments, track account balances, and even monitor the history of purchases. Online payments are added to student accounts every Friday. To take advantage of this program, please visit MySchoolBucks.com (you will need your student’s ID number for this option), contact your child’s school or contact the Food Service Office directly at 413-362-1839. For those who prefer not to pay online, students can submit cash or a check when they proceed through the lunch line, which will be added to their account.

If your child should forget his/her lunch money or lose it, and there are insufficient funds in their account, he/she will be allowed to charge lunch on an occasional basis. We ask that such debts be repaid the next day.

Information for Families Eligible for Free and Reduced Meals

Many families may be eligible for free or reduced price meals. Information and applications are sent home at the beginning of the school year, and the application is available on the district website at www.arps.org/district_info/services/food_services. Please fill out the application completely and accurately.

The state of Massachusetts utilizes an administrative system known as Virtual Gateway. This system of direct certification automatically enrolls any student whose family is approved for Supplemental Nutrition Program (SNAP), TANF/TANFDC or FDPIR in the free lunch program. These families will be notified that they have been directly certified, and no application is necessary. Families who are directly certified may choose to opt out if they prefer not to participate in the free and reduced price lunch program.

Families who are not included on the direct certification list must file a new application each year, even if their child received free or reduced price lunch in the past. There is a one-month carryover period for these students to allow families to submit and receive approval of the new application. If no application is filed and approved by September 30, that student is taken off of the free and reduced list. Please note some important details about the free and reduced program:

- The point-of-sale system used in the school cafeterias ensures that students who receive free and reduced price meals are not identified in any way when making purchases. Please be assured that confidentiality is maintained.
- Federal regulations prohibit retroactive submission for any meals charged by students after the carryover period. It is important to submit your application as soon as possible so that it can be approved by September 30. If approval is delayed and your child must charge meals for any period of time, the district will be happy to set up a payment schedule to allow families to pay for those meals over time.
- Only a full meal is eligible for free or reduced price lunch. If your child brings a lunch from home and buys only milk or juice, there will be a charge for it.
- If there is any change in your financial circumstances over the course of the school year, an application for the free lunch program may be submitted at any time by contacting the Main Office at your child's school.
- New applicants must pay full price until their applications are approved, usually within one or two days.

Payment for meals is on a daily basis. If your child should forget his/her lunch money or lose it, he/she will be allowed to charge lunch on an occasional basis. We ask that such debts be repaid the next day. Prepayment for lunches/breakfast is also an option, either by sending money in to the school or with your child, or making use of our on-line option known as myschoolbucks.com. Please contact your school Cafeteria Manager for more information.

Health

A. Alcohol, Drugs, and Tobacco Free School

Alcohol and drug use is prohibited on school grounds/property (including buses) or at school related activities at all times. Use of tobacco is prohibited on school grounds/property (including buses) or at school-related activities at all times. Use of tobacco is not permitted in vehicles that are parked on school grounds.

B. Allergy Aware Guidelines

The Amherst, Pelham and the Amherst-Pelham Regional School Districts (ARPS) provide a safe and healthy environment for our students and staff at school to the extent reasonably possible. Students identified with life-threatening allergies will be provided for as medically necessary in the school environment. The ARPS guidelines will help reduce exposure to allergens to the best of our ability, knowing that we can be allergen-aware, not allergen free, and to follow established procedures to treat allergic reactions.

A student identified as having a life-threatening allergy must have a written statement clearly documenting the allergy from his/her health care provider/allergy specialist along with a written medication order, parent/guardian consent for required interventions and medication. ARPS will provide training to educate staff in the management of life threatening allergies.

No student shall be discriminated against or excluded from school activities based on their life-threatening allergy except as permitted under the regulations and guidance pursuant to Section 504 and Title II of the Americans with Disabilities Act. The school will implement the following guidelines to provide a safe and socially inclusive environment for the student.

The Amherst, Pelham and the Amherst-Pelham Regional School Districts are "allergy aware" schools. Families and personnel are respectfully asked to refrain from bringing nuts or foods processed with nuts in lunches and snacks. We have many students with serious nut allergies who are at risk of anaphylactic shock due to cross contamination (i.e., a student eats nuts, then plays on equipment and the nut oils are transferred. Later a student with a nut allergy comes in contact with the same equipment and suffers a reaction). Please help the school keep all students healthy. This practice means: ***Do Not Bring Nuts or Foods Processed with Nuts into the Schools.***

C. Appropriate Clothing

Please send student(s) to school with clothing appropriate for varied weather conditions (especially warm clothing for winter weather). Students should have proper footwear for indoor use, gym and outside activities.

D. Dental Health

Families are encouraged to have their students visit a dentist regularly and follow his or her recommendations for a preventative dental health program.

E. Emergency Information

At the beginning of the year, Emergency Information Forms are distributed to each child. It is extremely important that the information on the form be filled in accurately, kept up-to-date and signed by parent or guardian. There must be a way of reaching alternate persons to notify in cases of emergency if the parent/guardian cannot be reached. Please be sure that the person(s) you name is willing and able to serve in this capacity. Please use a local person.

F. Head Lice

When head lice or nits are found, the student should be treated at home. Head lice are very contagious and quickly spread unless treated. A student's head should be checked regularly, especially if an itchy scalp is noted. Eggs are commonly found in the hair around the ears, the back of the neck and at the crown of the head. All family members and close contacts should be examined and treated as needed. The nurse will provide the necessary information needed to deal successfully with this problem. The student is advised to report to the Health Room before returning to class.

G. Height and Weight

Massachusetts General Law, Chapter 71, Section 57 and CMR 200.500 mandates that students in grades 1, 4, 7 and 10 be measured for height and weight annually in our Body Mass Index (BMI) Screening Program. We will be sending an informational packet including BMI status to families with students in those grades.

H. Immunization Requirements

Massachusetts Department of Public Health sets entry into school immunization requirements. This information is available at the schools and from a health care provider. **EVIDENCE OF THE REQUIRED IMMUNIZATIONS MUST BE PRESENTED BEFORE ENTERING THE AMHERST, AMHERST-PELHAM REGIONAL, OR THE PELHAM PUBLIC SCHOOLS.** If a parent/guardian is claiming a medical or religious exemption from this requirement, an exemption request must be made in writing. All medical exemptions must be supported by a health care provider. Sufficient information must be provided for both exemptions, so that the administration may make a judgment as to the validity of the claimed exemption. Any student with medical or religious exemptions may be subject to exclusion from school if there is an outbreak of a specific disease. State Health Regulations require that all students entering preschool or kindergarten present evidence of having been screened for lead poisoning.

I. Medication Policy

The administration of medication to students by the school health staff should take place only if the student's health would be jeopardized without it. No initial dose will be given in school. A signed and dated consent form by the parent/guardian and prescribing health care provider authorizing the administration of the medicine during school hours must be presented to the Health Room staff. Prescription medication must be in the original pharmacy container, labeled with the student's name, the health care provider's name, the name of the medicine, the dose, the time of day and the dates to be administered. Non-prescription medication must be presented in the original container. All medicines must

be kept in the Health Room, except for inhalers, EPI Pens, and diabetic supplies which may be carried by the student. These particular medications also require written permission from the parent/guardian, health care provider and nurse at the school which will be kept on file in the Health Room. It is the student's responsibility to come to the Health Room at the prescribed time. Medication must be hand delivered by an adult to the nurse in order for that medicine to be dispensed to a student. The District does not keep stock supplies of medication, except for emergency situations. Please see the nurse at school for consent and order forms along with clarification of these policies.

J. Physical Examination Requirements

A report of complete physical examination including an up-to-date record of immunizations is required for each child prior to entrance into school. Physical examinations performed within six months of the opening of school will meet this requirement. In Amherst, Pelham, and Amherst-Pelham Public Schools examinations are required before beginning kindergarten and fourth, seventh and tenth grade. A student transferring from another school system should be examined just as any other student just entering one of the Districts. The physical examination must be conducted by a licensed medical doctor, nurse practitioner or physician assistant. Documentation of the examination should be submitted to the health room prior to entering school. Also, the documentation should include the date the exam was conducted, a statement regarding a general assessment of health, unusual findings or chronic health problems, treatments or medication administrations to be carried out in school, and any limitations to usual school activities.

K. Sickness and Accidents

If a student is sick or has a serious accident in school, the school will contact the parent(s)/guardian(s). It is the responsibility of the parent/guardian to take the student home and arrange for needed medical attention. The school will administer first aid only. Parents/guardians are asked to pick up their children in the Health Room. It is sometimes difficult to assess how a child looks or feels in the morning, and many children will go to school well but develop an illness during the day. For the child's sake, as well as for the sake of others, please keep a student home if he/she is not well. Examples of illnesses which should keep the child at home include:

- conjunctivitis (pink eye) may return after treatment has started
- fever (over 100 degrees orally) as a symptom.
- significant headache or stomachache
- diarrhea or vomiting within the past 24 hours
- impetigo (may return to school after treatment has started)
- earache, runny nose, cough and/or sore throat (if these symptoms interfere with a student's participation at school).

L. Accident Insurance

Since accidents of all sorts do happen to active children, each year the School District contracts with an insurance company to make available to parents inexpensive accident insurance for their children. This is entirely voluntary and is offered as a value added service to our school community.

For the 2017-2018 school year the premiums are as follows:

\$7.50 a year for at school coverage during the school term

\$49.00 a year for around the clock / anywhere in the world 24 hours a day coverage for one (1) full year from start of school to start of school next year.

\$10.00 a year 24 hours a day dental coverage available to students with either of the above plans

These policies cover accidents only, not illness. In the event of an accidental injury these inexpensive policies could supplement a family's existing health insurance by covering deductibles and co-pays. For many families without health insurance or adequate insurance this voluntary coverage would become primary. . More information about the insurance is available at http://www.bobmccloskey.com/MA/BAH_MA_brochure.pdf.

M. Postural Screening

Postural (scoliosis) screening, also known as screening for spinal curvature is conducted yearly for students in grades 5-9. Parents/guardians of students who are found to need further evaluation by their own health care provider will be notified.

N. Pregnant Students

Pregnant students will be encouraged to continue to attend school. Every effort will be made to see that the educational program of the student is disrupted as little as possible, that return to school after delivery is encouraged, and that every opportunity to complete high school is provided. In accordance with Federal law and the Massachusetts Department of Education regulations and guidance, a student who is pregnant in the Amherst, Pelham, and the Amherst-Pelham Regional School District is permitted to remain in regular classes and participate in extracurricular activities throughout her pregnancy. After giving birth, a student is permitted to return to the academic program in which she was enrolled and is permitted to participate in extracurricular programs. The District does not require that a pregnant student obtain certification from a physician that she is physically and emotionally able to continue in school unless certification is required for all students with other physical or emotional conditions requiring the attention of a physician.

O. Staff

The School Health Services team is comprised of a School Physician, a Nurse Leader, Certified School Nurses, Registered Nurses, and Licensed Practical Nurses. The School Physician is available on a scheduled basis as an advisor for the overall school health program, for consultation, and preventative health programs. A nurse is on duty during regular school hours to meet the needs of children and staff.

P. Vision and Hearing Tests

Screenings are conducted with students each year in the school for students in grades K-6, 10, and upon request. Parents/guardians of students who are found to need further evaluation by their own health care provider will be notified.

Homelessness

As part of the No Child Left Behind legislation, the McKinney-Vento Homeless Assistance Act was reauthorized. The purpose of this Act is to ensure educational rights and protections for children and youth experiencing homelessness.

1. Homeless students must be provided with access to the same free, appropriate public education that is provided to other children and youth.
2. Homeless students have the right to either remain in their school of origin or to attend school where they are temporarily residing;
3. 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 get permanent housing;
4. Students who chose to enroll in school where they are temporarily residing must be enrolled immediately, even if they do not bring the records usually required for enrollment with them. McKinney-Vento is a Federal law, the requirements of which override the immunization laws of Massachusetts. If a homeless child arrives lacking immunizations or medical records, the parent/guardian will be referred to the district's Liaison, who has the responsibility to obtain relevant academic records, immunizations or medical records and to ensure that homeless students are attending school while the records are obtained; and
5. If a homeless student arrives without records, the school district's designated Homeless Education Liaison must assist the family and contact the previously attended school system to obtain the required records.

McKinney-Vento permits homeless students to remain in their school of origin, despite their residential instability, and to receive transportation services that will help provide educational stability. Transportation is to be arranged as follows:

1. If the homeless student continues to live in the area served by the district in which the school is located, that district must provide or arrange transportation;
2. If the homeless student moves to an area served by another district, though continuing his or her education at the school of origin, the district of origin and the district in which the student resides must agree upon a method to apportion responsibility and costs for transportation to the school of origin; and
3. If the districts cannot agree upon such a method, the responsibility and costs must be shared equally.

McKinney-Vento also requires that school districts ensure that homeless children and youth are able to participate in Federal, State or local food programs.

The determination for eligibility for free meal benefits is flexible, allowing benefits to be made available to homeless students as soon as possible.

1. To expedite delivery of meal benefits, the District will accept documentation that students are homeless from the Liaison or homeless shelter director.

2. In lieu of normal documentation substantiating free meal eligibility, schools may simply have the child's name, effective date, and signature of the Liaison or homeless shelter liaison. (If, at some point, the child is no longer homeless, the household must be provided with an application for free/reduced price meals.)
3. A child or family may temporarily reside with another household and still be considered homeless under the definitions of homeless. In this case, the household size and income of the host family are not taken into consideration in determining the free meal eligibility for the children.

If a host family applies for free and reduced price meals for their own children, the host family may include the homeless family as household members if the host family provides financial support to the homeless individuals. Any income received by the homeless family must also be included.

Homeschooling of Students

The District recognizes the right of parents/guardians to provide home education to their child/children. This right is not absolute, but subject to reasonable regulation by the District. Parents/guardians must submit a written home education proposal to the Superintendent or his/her designee, who, under Chapter 76, Section 1 of the Massachusetts General Laws shall approve or disapprove it. Such approval must be obtained in advance of its implementation.

In evaluating each proposed home education proposal, the Superintendent or his/her designee, will consider the following factors:

1. The competency of the teachers. Though certification is not required, the presence or absence of the requirements that would lead to certification may be considered.
2. The teaching of subjects required by state law, Chapter 71, Sections 1, 2 and 3, or regulation; the manner in which they are taught so as to impart comparable knowledge as given in the local schools.
3. The number of hours and days devoted to teaching to meet the minimum requirements of the state.
4. The adequacy of the texts, materials, methods and programs being used.
5. The availability of periodic tests and measurement of the child's educational growth.

Parents/guardians have the right to a hearing before the Superintendent in the event that the home education proposal is disapproved, so as to allow them an opportunity to explain their plan and answer questions about it. They may be represented by counsel and shall be provided reasonable notice of the time and place of such a hearing.

If a plan is approved, there will be a periodic evaluation of the child's progress under guidelines and standards set by the Superintendent to measure whether adequate educational progress has been made.

Participation of Home-Educated Students in Athletics and Extra-Curricular Activities

The opportunity to participate in interscholastic sports and/or other extracurricular activities should be considered a privilege rather than a right. The Amherst-Pelham Regional Schools encourage students with approved home education plans to participate in athletics and extracurricular activities at the Middle School and High School, provided they meet the same eligibility requirements as enrolled students.

Specifically, to participate in extracurricular activities and/or athletics, a home-educated student:

- must have a home education plan that has been approved by the Superintendent prior to the beginning of the school year
- must reside in the Region and must be living with his/her parent(s) or legal guardian(s) in the family residence
- must meet all eligibility requirements of MIAA including, but not limited to, rules governing transfers and academic eligibility beyond grade eight to participate in interscholastic athletics
- must meet all eligibility requirements of the school, including attendance and academic requirements for participation in extracurricular activities and athletics
- must pay required fees for participation in athletics and, if applicable, for extracurricular activities
- must pass the District's physical examination annually, or have a family doctor perform such an examination, and must secure and present evidence of their own insurance coverage for participation in athletics

Two aspects of a student's home education program have been identified as being important measures of academic eligibility. These are, attendance/daily completion of course work and acceptable academic performance. Students must complete their normal academic work on the day of a scheduled practice or game; and students must complete satisfactory work in all subject areas in order to participate in extracurricular and/or athletic activities. Parents/guardians of home education students are expected to monitor these requirements.

Attendance

On days when there is either a game scheduled or a practice to be held, the head coach of an athletic team will review that day's Home Education plan which must be signed by the parent/guardian, thereby certifying the student's completion of that day's academic work. Participants in other extracurricular activities must present their signed daily Home Education plan to the club's advisor.

Academic Performance

On a trimester basis, no later than three (3) school days following the close of grades at the high school and middle school, the parent or guardian responsible for the home education program must submit to the Superintendent a progress report on work completed that quarter, including representative work samples and/or any other methods used for evaluating academic performance in English, mathematics, science and social studies. The Superintendent or Curriculum Director, with consultation from department heads, will determine whether or not the work completed that quarter satisfies the school's grade level standards.

Failure of a home-educated student to adhere to requirements for participation in extra-curricular activities, or failure of a parent/guardian who has assumed responsibility for a home education program to properly monitor their child's adherence to eligibility requirements, shall lead to the loss of the privilege to participate.

Homework

The School Committee believes that homework is an important part of the educational process and that it is valid if it has the following objectives: to reinforce, enrich, and extend classroom instruction; to provide essential practice in developing skills; to promote growth of individual responsibility and self-direction in learning; and to help students develop good study habits and time management skills.

Homework is a learning activity which should increase in complexity with the maturity of the student. When assigning and evaluating homework, teachers cannot assume that the student will have adult support outside of school for successful completion of an assignment. Homework will not be assigned for disciplinary purposes.

School handbooks will publish specific homework guidelines that are consistent with the goals of the instructional program (Policy IA), this policy and other relevant School Committee policies.

Inclement Weather

If the weather is inclement in the morning, please refer to the following to learn whether school will be cancelled or delayed:

- Radio: WHYN (93.1 FM), WHMP (1400 AM, 99.3 FM) and (1430 AM)
- TV: (WWLP) Channel 22 and ABC40.
- ARPS Cancellation/Delays Message Line: Call 362-1898 beginning at 6:30 A.M.

Please do not call the individual schools directly.

Safety and Well-Being

The School District and the School Committee seek to create an environment that achieves equity for all students and ensures that each student is a successful learner, is fully respected, and learns to respect others. By building on strengths and overcoming impediments, the schools can ensure the academic engagement and school membership of every student from the moment she/he enrolls to the moment she/he walks across the stage at graduation.

Respect, fairness, consistency, responsibility, and appropriate social skills are essential components of our schools. Every effort, both formal and informal, that supports these values and social skills will promote a positive learning environment, increase a climate of acceptance, and improve the quality of relationships among and between students and adults.

Mechanisms and procedures must be in place in every school and in every classroom not only to ensure the physical, social, and emotional safety of students, but also to provide the supports and advocacy necessary for students. The need for safety, well-being, support, and advocacy applies to the general student body, to victims, and to alleged offenders. All members of the school

community need clear expectations, reasonable limits, and established structures and procedures to ensure safety and to protect the rights of all.

All members of the school community must be aware of school rules. Non-compliance with any of these rules will lead to appropriate consequences.

The School Committee expects prevention and responsiveness on all issues of safety and well-being to be high priorities in the District and schools. Every student will report to an adult concerns about his/her safety and well-being or concerns about the safety and well-being of others. All adults in the school community will be trained in their responsibilities with respect to concerns about student safety and well-being, and every school will have clearly identified and trained individuals to provide support to those who receive and respond to such concerns. All reports from students or adults regarding issues of safety and well-being will be taken seriously.

The School Committee directs the Superintendent to develop guidelines for the implementation of this policy and to publish these district guidelines in the appropriate handbooks. Building Principals may establish specific protocols related to these district guidelines.

School Visitation and Classroom Observation-Visitor Admission and Protocols

To best maintain the safety of students, the following protocol will be used to monitor who enters the buildings during the school day. While implementing this process is consistent with the districts' focus on student safety, the community should be assured that parents/guardians, community members, and volunteers are welcome in the schools, and the districts recognize that partnership is critically important to meeting the needs of students. Here are guidelines that will support a meaningful visit that maintains school safety:

- All visitors will enter the school building through the front door
- Access will be granted to the school via the front door after utilizing the door access bell
- Access will be granted by school office personnel, the building Principal or other authorized persons after visual identification is made and the visitor's purpose for requesting access to the school is accepted
- All school doors shall remain locked during the regular school day except at arrival and dismissal time when certain designated doors will be open
- All visitors will be directed to the school main office where they will sign a visitor log and obtain a School Department Visitor Badge
- Visitors who fail to report to the main office to sign-in or obtain a visitor badge will be reported to the building Principal or other authorized person for investigation
- Elementary school parents/guardians are invited to eat lunch with your child; if you would like to purchase a meal, please call the Main Office ahead of time so that a lunch may be ordered for you

Visitors who fail to report to the main office to sign-in or obtain a visitor badge will be reported to the building Principal or other authorized person for investigation.

Elementary School Parents/guardians are invited to eat lunch with your child. Call the main office ahead of time so that a lunch may be ordered for you. Adult lunches are \$3.50.

Observation Guidelines and Procedures

Pursuant to Mass. General Laws Chapter 71B Section 3, Amherst, Pelham, Amherst-Pelham Regional Public Schools accommodate written requests by parents/guardians to observe a student's current or proposed education program and/or services. The following guidelines apply to the scheduling and conducting of these observations.

A parent's/guardian's request to observe a student's educational program, a proposed placement and/or services must be made in writing at least one (1) week in advance (with a copy provided to the designated Central Office Administrator) to the building Principal. The written request should identify the particular student, the observer, and the nature of the observation to be conducted.

The building Principal (or designee) will contact the parent/guardian and/or visitor for an initial scheduling conversation within five (5) days of receipt of the written request to avoid undue delay.

If the parent/guardian of the student is requesting that a third party (e.g. independent evaluator or educational consultant) conduct the observation, the parent/guardian must provide the school district with written permission for the third party to conduct the observation and, if requested, to review school records.

The building Principal (or designee) will work with staff and the observer to set up the details of the observation including, but not limited to, scheduling and placement of the observer in the classroom. The school district will permit access to programs that is sufficient in duration to accomplish the purpose of the visit. The duration and extent of the observation will be determined on an individual basis but typically occur within one (1) and two (2) hour blocks. The start and end time of the observation will be agreed upon in advance.

The number of observers at any one time may be limited.

The observer will be informed that he/she is not to interfere with the educational environment of the classroom including interacting with students and teaching staff during instruction. If his/her presence becomes disruptive or distracting, the observer will be informed that the observation may be terminated earlier than anticipated. This notice is particularly important since the presence of parents/guardians or others may influence the performance of the specified student and those of others.

The parent/guardian will be informed that he/she is there to evaluate the appropriateness of a specific educational program to meet the needs of an individual child. Observers are not there to evaluate a teacher's ability to perform his/her contractual job duties.

The observer will be instructed regarding the disclosure of confidential or personally identifiable information relating to other children. Staff will be mindful of removing materials which may be part of a student's record from plain view.

A school administrator (or designee) will escort the parent /guardian or the third party during the entire observation.

The school district may designate certain periods of the year, such as during MCAS testing, field trips, the first or last few of days of the school year, as times when observations may not be scheduled.

The school district may condition observation of any of its programs when necessary to protect: a.) the safety of the children in the program; b.) the integrity of the program; and c.) the disclosure of any confidential or personally identifiable information about the children in the program while the program is being observed.

The building Principal (or designee) may exercise discretion at any time to reschedule or terminate an observation in the event of an emergency or a disruption that impacts on the physical or emotional well-being of the students in the school or the program being observed.

Observers will be asked to sign a confidentiality statement providing that, in the event that they obtain personally identifiable or confidential information during the course of an observation, the observer will not disclose it except when the information is relative to the specific student being observed, in which case it will be used consistently with the parent's authority and direction.

Section 504

Some students with disabilities may be entitled to services and other accommodations under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act. To qualify as a disabled individual under Section 504, a student must: 1) have a physical or mental impairment that substantially limits one or more major life activities; 2) have a record of such impairment, or 3) be regarded as having such impairment. In the case of qualification under #1, the determination of such qualification shall be made by a team of persons knowledgeable about the disability and/or the student. A parent/guardian/teacher, as well as other individuals like the student's physician, may refer the student for an evaluation under Section 504. A complete copy of the Parent's/Guardian's Procedural Rights under Section 504 may be obtained from the Principal's office or from the Student Services Office, located in the superintendent's office in the Amherst Regional Middle School building.

Process for Filing a Section 504 Complaint

The best solutions to parent/guardian concerns occur at the school level. Therefore, the first step in resolving a complaint involves the parent/guardian working with the building Principal or designee to reach a joint resolution of the issue. Should the issue not be resolved and the parent/guardian desires to file a 504 complaint, the following steps can be taken:

- Parent/guardian completes and submits a Section 504 Complaint Form to Principal or school designee. The form can be obtained in the Main Office of your child's school.
- Principal or designee reviews complaint and attempts to facilitate resolution of the concern. If the concern is not resolved at the school level the parent can forward a copy of the complaint to the administrator in charge of Section 504 for the district.

- The administrator in charge of Section 504 for the district will review the concern and decide whether to reopen mediation or issue a written decision.
- Should the parent/guardian not be satisfied with the decision made at the district level, the superintendent or designee reviews the decision to determine if all district policy, Section 504 guidelines and procedures were followed. Adjustments to the decision will be made if needed.
- If the concern is not resolved, parents have the option of filing a complaint with the Massachusetts Bureau of Special Education Appeals (BSEA) or the United States Office of Civil Rights (OCR)

The Office of Civil Rights (OCR) is the federal agency responsible for enforcing Section 504 compliance. While it is highly recommended that all parties begin resolution of issues as described above, parents and guardians always have the right to initiate a complaint with OCR or to involve OCR at any time during the complaint process.

Office for Civil Rights
 United States Department of Education
 5 Post Office Square
 8th Floor - Suite 900
 Boston, MA 02109-3921
 Bureau of Special Education Appeals
 75 Pleasant Street
 Malden, MA 02148

Telephone: (617) 289-0111
 Fax: (617) 289-0150
 TDD: (617) 223-9695
 Email: OCR.Boston@ed.gov
 Telephone: (781) 338-6400
 Fax: (781) 338-3398
 Email: sea@doe.mass.edu

Social Skills

These are the K-12 Social Skills guidelines. It is important for students to:

- accept responsibility for their own actions;
- express appropriately their own ideas and feelings;
- accept and respect others' ideas and feelings;
- recognize the effect of their behavior on others;
- demonstrate perseverance in working to accomplish goals;
- recognize and respect individual differences;
- demonstrate physical self-control (i.e. physical activity appropriate to time, place and setting);
- demonstrate verbal self-control (i.e. speaking appropriate to time, place, and setting); and
- care for and respect materials, possessions and facilities.

Parents/guardians are expected to assist the District in supporting these goals.

Special Education

Special education services are provided to students with disabilities who require specially designed instruction and/or related services in order to make educational progress and access the general curriculum. Special education is provided by the District at no cost to parents. A parent/guardian/teacher, as well as other individuals like the student's physician, may refer the student for a special education evaluation at any time. An evaluation shall be completed upon

written consent of the parent/guardian and shall be conducted in accordance with state and federal law. A complete copy of the Parent/guardian's Procedural Safeguards may be obtained from the Principal's office or from the Student Services office.

Special Education Observation Guidelines and Procedures

Pursuant to Mass. General Laws Chapter 71B Section 3, Amherst, Pelham, Amherst-Pelham Regional Public Schools accommodate written requests by parents/guardians to observe a student's current or proposed special education program and/or services. The following guidelines apply to the scheduling and conducting of these observations:

- A parent's/guardian's request to observe a student's special education program or a proposed placement must be made in writing at least one (1) week in advance with a copy provided to the Director of Special Education and the building Principal. The written request should identify the particular student, the observer, and the nature of the observation to be conducted.
- The building Principal (or designee) will contact the parent/guardian for an initial scheduling conversation within five (5) days of receipt of the written request to avoid undue delay.
- If the parent/guardian of the student is requesting that a third party (e.g. independent evaluator or educational consultant) conduct the observation, the parent/guardian must provide the School District with written permission for the third party to conduct the observation and, if requested, to review school records.
- The building Principal (or designee) will work with staff and the observer to set up the details of the observation including, but not limited to, scheduling and placement of the observer in the classroom. The School District will permit access to programs that is sufficient in duration to accomplish the purpose of the visit. The duration and extent of the observation will be determined on an individual basis but typically occur within one (1) and two (2) hour blocks. The start and end time of the observation will be agreed upon in advance.
- The number of observers at any one time may be limited.
- The observer will be informed that he/she is not to interfere with the educational environment of the classroom including interacting with students and teaching staff during instruction. If his/her presence becomes disruptive or distracting, the observer will be informed that the observation may be terminated earlier than anticipated. This notice is particularly important since the presence of parents or others may influence the performance of the specified student and those of others.
- The observer will be informed that he/she is there to evaluate the appropriateness of a specific educational program to meet the needs of an individual child. He/she is not there to evaluate a teacher's ability to perform his/her contractual job duties.
- The observer will be instructed regarding the disclosure of confidential or personally identifiable information relating to other children. Staff will be mindful of removing materials which may be part of a student's record from plain view.
- A school administrator (or designee) will escort the parent or the third party during the entire observation.

The school district may designate certain periods of the year, such as during MCAS testing, field trips, the first or last few of days of the school year, as times when observations may not be scheduled.

The school district may condition observation of any of its programs when necessary to protect: a.) the safety of the children in the program; b.) the integrity of the program; and c.) the disclosure of any confidential or personally identifiable information about the children in the program while the program is being observed.

The building Principal (or designee) may exercise discretion at any time to reschedule or terminate an observation in the event of an emergency or a disruption that impacts on the physical or emotional well-being of the students in the school or the program being observed. Observers will be asked to sign a confidentiality statement providing that, in the event that they obtain personally identifiable or confidential information during the course of an observation, the observer will not disclose it except when the information is relative to the specific student being observed, in which case it will be used consistently with the parent's authority and direction.

Please refer to the Observation Law and DESE Special Education Advisory for technical reference at the following links: http://www.doe.mass.edu/sped/advisories/09_2.html
<http://www.mass.gov/legis/laws/seslaw08/sl080363.htm>

Video/Audio Taping of TEAM and Meetings

Tape recording of TEAM meetings is not permitted unless tape recording of a TEAM meeting is the only reasonable accommodation for a documented disability or the limited English proficiency of any participant in the TEAM meeting where the documented disability or limited English proficiency prevents that participant from fully understanding or participating in the team process without the use of tape recording. This would apply to the parent/guardian/educational surrogate, student, a person invited to the team meeting, such as a consultant or evaluator, as well as service providers, attorneys for the District or parent/guardian/educational surrogate/student, or advocates for the parent/guardian/educational surrogate/student. The person requesting the accommodation must contact the TEAM chairperson at least two (2) school days prior to the TEAM meeting to request the accommodation. Documentation related to the claimed need for an accommodation must be provided at that time.

Documentation of a disability or the limited English proficiency (if not obvious) should identify the impairment and how the impairment affects the parent/guardian/educational surrogate/adult student in an environment like a TEAM meeting. Further documentation, or oral or written information, may be requested by the District if the initial documentation is insufficient for the District to make a determination. Once adequate documentation is received, as determined by the District, the District will engage in the interactive process. As a result of the request and the interactive process, the District may choose to provide a different accommodation. If the District determines that:

- That the impairment is not a disability, or there is no limited English proficiency, or

- Taping is not permitted and a different accommodation will be provided, then the person requesting the accommodation of taping the TEAM meeting will be provided a copy of the District's Section 504 statement of procedural rights and/or complaint procedure and civil rights complaint procedure which the person may utilize in order to challenge the determination that taping is not permitted.

Student Records

Student Records—This Policy is issued pursuant to M.G.L. c. 71, sects. 34A, 34D, 34E and 34H, 603 CMR sect. 23.00 et seq and FERPA (Family Educational Rights and Privacy Act)

General Provisions

The student record contains all information and materials concerning a student regardless of where they are located, except for the information and materials specifically exempted by 603CMR 23.04, personal files of school employees.

The eligible student, upon reaching 14 years of age or upon entering ninth grade, whichever comes first, or the parent subject to the provisions of 603 CMR 23.07(5), shall have access to the student record as soon as practicable within ten days after the initial request. There is an exception to these type of requests in cases involving non-custodial parents and these requests are governed by 603CMR 23.07 (5) (a) as amended by the Massachusetts Board of Education. If the student is 18 years of age or older, he/she alone shall exercise these rights, subject to the following. The parent/guardian may continue to exercise these rights unless expressly limited by such student. Such student may limit the rights and provisions of 603CMR 23.00, which extends to his/her parents/guardian, except the right to inspect the student record, by making such request in writing to the school Principal or Superintendent of schools who shall honor such request and retain a copy of it in the student record. Pursuant to M.G.L. c.71, Section 34E, the parent/guardian may inspect the student record regardless of the student's age

The review of student records should be in the presence of a counselor or his designee for interpretive information and to advise. This will apply to all materials inserted in the record. Student records may also be released in response to court requests from a probation officer, court orders, a subpoena where health or safety requires the disclosure or upon transfer to another school district, and other exceptions provided under the Student Record Regulations (603CMR 23.07 (4)).

Most important, the school/district will make a reasonable effort to notify the parent or eligible student of a court order to comply before the records are released.

The student's record is available to school contracted personnel who work directly with the student in an administrative, teaching, counseling, and/or diagnostic capacity without permission from the student and/or his/her parents. This includes administrators, teachers, counselors, administrative office staff and clerical personnel, and the Evaluation Team, which evaluates a student. Any such personnel who are not employed directly by the school committee shall have access only to the student record information that is required for them to perform their duties.

A log of access shall be kept as part of each student record. If parts of the student record are separately located, a separate log shall be kept with each part. The log of access shall indicate all

persons who have obtained access to the student record stating: the name, position and signature of the person releasing the information: the name, position, and if a third party, the affiliation if any, of the person who is to receive the information, the date of access, the parts of the record to which access was obtained, the purpose of such access. Unless the student record information is to be deleted or released, this log requirement shall not apply to: authorized school personnel under 603 CMR 23.02 (9) (a), who inspect the record, administrative office staff and clerical personnel under 603 CMR 23.02 (9) (b), who add information to or obtain access to the student record, or school nurses who inspect the student health record.

An eligible student or parent/guardian shall have the right to request in writing the deletion or amendment of any information into the record by an Evaluation Team, which is governed by 603 CMR 23.08 (a) and (b).

Access to Student Records by Non-Custodial Parents

The District/school requests that divorced parents submit a copy of their custody agreement or order so that it is on file with their child's or children's respective school or schools. However, a non-custodial parent, a parent without physical custody, is eligible to obtain access to the student record unless:

1. the parent has been denied legal custody or has been ordered to supervised visitation, based on a threat to the safety of the student, and the threat is specifically noted in the order pertaining to custody or supervised visitation, or
2. the parent has been denied visitation, or
3. the parent's access to the student has been restricted by a temporary or permanent protective order, unless the protective order (or any subsequent order modifying the protective order) specifically allows access to the information contained in the student record, or there is an order of a probate and family court judge which prohibits the distribution of student records to the parent.

The school/district shall place in the student's record documents indicating that a non-custodial parent's access to the student's record is limited or restricted pursuant to 603 CMR 23.07 (5) (a). In order to obtain access, the non-custodial parent must submit a written request for the student record to the school Principal. Upon receipt of such request the school must immediately notify the custodial parent by certified and first class mail, in English and the primary language of the custodial parent, that it will provide the non-custodial parent with access after 21 days, unless the custodial parent provides the Principal with documentation that the non-custodial parent is not eligible to obtain access as set forth in 603 CMR 23.07 (5) (a).

The school must delete the electronic and postal address and telephone number of the student and custodial parent from student records provided to non-custodial parents. In addition, such records must be marked to indicate that they shall not be used to enroll the student in another school. Upon receipt of a court order which prohibits the distribution of information pursuant to G.L. c.71, Section 34H, the school shall notify the non-custodial parent that it shall cease to provide access to the student record to the non-custodial parent.

Amending the Student Record

1. The eligible student or parent has the right to add information, comments, data, or any other relevant written material to student record.
2. The eligible student or parent has the right to request in writing deletion or amendment of any information contained in the student's record, except for information which was inserted into that record by an Evaluation TEAM. Such information inserted by an Evaluation TEAM shall not be subject to such a request until after the acceptance of the Evaluation Team Educational Plan, or, if the Evaluation Team Education Plan is rejected, after the completion of the special education appeal process. Any deletion or amendment shall be made in accordance with the procedure described below:
 - (a) If such student or parent is of the opinion that adding information is not sufficient to explain, clarify or correct objectionable material in the student record, either the student or parent shall present the objection in writing and/or have the right to have a conference with the Principal or his/ her designee to make the objections known.
 - (b) The Principal or his/her designee shall within one week after the conference or receipt of the objection, if no conference was requested, render to such student or parent a decision in writing, stating the reason or reasons for the decision. If the decision is in favor of the parent, the Principal or his/her designee shall promptly take such steps as may be necessary to put the decision into effect.

Appeals

1. In the event that any decision of a Principal or his/her designee regarding any of the provisions contained in 603 CMR 23.00 is not satisfactory in whole or in part to the eligible student or parent, they shall have the right of appeal to the Superintendent of schools. Request for such appeal shall be in writing to the Superintendent of schools.
2. The Superintendent of schools or his/her designee shall within two (2) weeks after being notified of such appeal (longer should the appellant request a delay) review the issues presented and render a written decision to the appellant, stating the reason or reasons for the decision. If the decision is in favor of the appellant, Superintendent of schools or his/her designee shall promptly take such steps as may be necessary to put the decision into effect.
3. In the event that the decision of the Superintendent of schools or his/her designee is not satisfactory to the appellant in whole or in part, the appellant shall have the right of appeal to the school committee. Requests for such appeal shall be in writing to the chairperson of the School Committee.
4. The School Committee shall within four (4) weeks after being notified of such appeal (longer should the appellant request a delay) conduct a fair hearing to decide the issues presented by the appellant.

Destruction of Records

The student's transcript shall be maintained by the school department and may only be destroyed 60 years following his/her graduation, transfer, or withdrawal from the school system.

During the time a student is enrolled in a school, this Principal or his/her designee shall periodically review and destroy misleading, outdated, or irrelevant information contained in the

temporary record provided the eligible student and his/her parent are notified in writing and are given opportunity to receive the information or a copy of it prior to its destruction. A copy of such notice shall be placed in the temporary record.

The temporary record of any student on or after the effective date of 603 CMR 23.00 shall be destroyed no later than seven years after that student transfers, graduates or withdraws from the school system. Written notice to the eligible student and his/her parents of the approximate date of destruction of the record and their right to receive information in whole or in part, shall be made at the time of such transfer, graduation, or withdrawal. Such notice shall be in addition to the routine information letter required by 603 CMR 23.10.

In accordance with M.G.L. c71, Section 87, the score of any group intelligence test administered to a student enrolled in a public school shall be removed from the record of said student at the end of the school year in which such a test was so administered

Directory Information Notice

The Amherst, Amherst-Pelham, and Pelham Public Schools has designated certain information contained in the education records of its students as directory information for purposes of the Family Educational Rights and Privacy Act (FERPA) and the Student Record Regulations at 603 CMR 23.00.

The following information regarding students is considered directory information: 1) name, 2) address, 3) telephone number, 4) date and place of birth, 5) major field of study, 6) participation in officially recognized activities and sports, 7) weight and height of members of athletic teams, 8) dates of attendance, 9) degrees, honors and awards received, and 10) post high school plans of the student.

Directory information may be disclosed for any purpose in the discretion of the school system, without the consent of a parent of a student or an eligible student. Parents of students and eligible students have the right, however, to refuse to permit the designation of any or all of the above information as directory information. In that case, this information will not be disclosed except with the consent of a parent or student, or as otherwise allowed by FERPA and 603 CMR 23.00. You are hereby notified that pursuant to this notification, the school system will provide requested directory information to military recruiters unless the parent or eligible student specifically directs otherwise, as required by the No Child Left Behind Act.

Any parent or student refusing to have any or all of the designated directory information disclosed must file written notification to this effect with the Principal on or before the 15th day of each September. In the event that a refusal is not filed, it is assumed that neither a parent of a student or eligible student objects to the release of the directory information designated.

Transportation

Bus Service and Schedules

Bus service is provided to children who live further than 1.5 miles from their school. Safety concerns for students who live closer than 1.5 miles will be assessed on an individual basis to

determine if bus service is necessary. Bus stops and schedules are published in the local newspapers and at www.arps.org just before school opens.

Parents/Guardians are asked to review the following bus rules with their children:

Do not allow siblings not attending school to accompany you to the bus stop.

1. Observe all safety precautions while waiting for your bus.
 - a. Do not play in the road.
 - b. If possible, avoid crossing streets.
 - c. If you must cross a street, do so only if you are sure no moving vehicles are approaching from either direction.
 - d. Do not push, pull or chase any other students.
 - e. Avoid trespassing on private property or being noisy while waiting for the bus.
 - f. As the bus approaches, line up at least six feet off the road. Do not approach the bus until it has stopped and the driver has opened the door. Again, don't push others in the line.

Loading on the bus

- Get on your bus quickly and be seated at once.
- Listen carefully and obey any directions issued by the driver.

Riding on the bus

1. Do not eat food while you are on the bus. Many students and staff have food allergies and their health will be compromised.
2. Do not throw anything while you are on the bus.
3. Do not extend your arms or any other parts of your body out of the window.
4. Do not change seats at any time.
5. Avoid shouting and other excessive noise that may distract the driver and lead to a serious accident.
6. Keep your bus clean and sanitary.
7. Be courteous to other students.
8. Listen carefully and obey any instructions from the driver.

Unloading from the bus

1. Do not leave your seat until the bus has come to a complete stop and the driver has opened the door.
2. Obey any instructions from the driver.
3. Leave the bus quickly but courteously without pushing any other students.
4. If you must cross a street as you leave the school bus, always wait for the driver to signal you to cross and be sure to walk in front of the bus (never in the back).
5. If you walk too close to the front of the bus, the driver will not be able to see you and a serious accident could occur. Always walk at a distance of at least 12 feet from the front of the bus.
6. Be sure to observe all safety precautions as you travel from the bus stop to your home.

When problems arise

The safety and well-being of students riding the buses and the staff driving them must be protected at all times. Students engaging in inappropriate and/or unsafe behaviors will be asked to stop such behavior to protect their safety, as well as others riding the bus. The bus driver will report all incidents to the school Principal or designee. Parents/guardians will be contacted after each incident. Students will be assigned consequences, which may include suspension from riding the school bus for a specific period of time.

Kindergarten student transportation

For safety reasons, a parent/guardian, or another pre-designated person, must be physically present when a Kindergarten student gets on and off the bus. If no one is at the kindergarten student's stop when students are transported home, he or she will be brought back to the school until the parent/guardian can pick him/her up. All kindergarteners will wear an I.D. or badge (provided by the school) for the school year. The parent/guardian will be responsible for clipping the badge on the outer clothing of the child in the morning, and the teacher will be responsible for clipping the badge on the outer clothing of the student in the afternoon. All kindergarteners will be seated in the first three rows of the school bus.

Changes in going home routine—Bus Passes

Parents/Guardians are asked to limit plans that will require their child/children to ride a different school bus than usual. However, when it is absolutely necessary for a child to take a different bus, all students are required to use the Bus Pass system for their safety. This system ensures that the school knows where all students are being transported.

In order to obtain a Bus Pass, students must submit an authorized note from their parent or legal guardian to their school office. The note must include the address at which the student will be temporarily picked up or dropped off. The school office will issue a Bus Pass to the student who must then present it to the driver. Children will not be permitted to board a different bus or get off the bus anywhere other than their usual designated stop without a Bus Pass.

Please plan ahead if changes will be required in a students' usual transportation home. Do not make alternative transportation arrangements by phoning the school on the day of the change except in cases of emergency.

Crossing Guards

A crossing guard is on duty before and after school to help students across designated streets. If a crossing guard is not on duty or at a cross walk, the student should use standard crossing protocol.

PVTA Buses

The Districts strongly recommend against children riding the PVTA buses to and from school. PVTA buses are not required to stop traffic when discharging children.

Bicycle safety rules:

1. Always wear a properly fitted bicycle helmet to protect your head—every time you ride.
2. Use a bicycle that is the appropriate size for you, not one that is too big or too small.
3. Before you ride, make sure you don't have any loose clothing, drawstrings, or shoelaces; they can get caught in your chain and make you fall.
4. Have an adult check the air in your tires and that your brakes are working before you ride.
5. Wear bright clothes so others can see you at all times of the day.
6. Stay alert at all times; never listen to music when riding. Pay attention and watch for cars, people, and other bicyclists around you.
7. Don't bicycle at night. If you must ride, make sure your bike has reflectors and lights and wear retro-reflective materials on your ankles, wrists, back and helmet.
8. Before you enter any street or intersection, check for traffic by looking left-right-left to make sure no cars or trucks are there.
9. Learn and follow the rules of the Rd.

Rules of the Road

1. When riding in the road, always ride on the right hand side (same direction as traffic).
2. Obey traffic laws, including all the traffic signs and signals.
3. Ride predictably—ride in a straight line, don't weave in and out of traffic.
4. When riding on a sidewalk show respect for the people walking on the sidewalk. Let them know you are coming and always pass them on the left.
5. Look for debris on your route like trash, stones, or toys that could cause you to fall off your bicycle.

Walking & crossing streets safely:

1. If a ball or toy goes into the street, ask a grownup to get it for you.
2. ALWAYS stop at the curb. Do not run into the street.
3. If there is a crosswalk, you should always use it and always cross streets only at the corners.
4. Look all ways (left, right, and left again) before you enter or cross a path, sidewalk, street or driveway. Keep looking as you cross.
5. Make eye contact with each driver before you pass in front of him or her.
6. Never cross a street from between parked cars.
7. Always use the sidewalk when walking to school. If there is no sidewalk, walk on the side of the Rd against traffic.

Volunteering in the District

The Amherst-Pelham Regional Public Schools provide a rich array of volunteer opportunities which address the educational needs of all students and support educational programming and school community needs. Fortifying school success for all students fosters language, literacy, social and initiative skills. Community members, college students and parents/guardians are encouraged to become volunteers to support learning and to facilitate positive community involvement, partnership and collaboration.

There are many volunteer opportunities available throughout the academic year. Examples include academic tutoring, classroom support and afterschool programs. For more information, please contact Sasha Figueroa at 413-362-1807 or figueroas@arps.org.

Addendum

Public Notice

Amherst, Amherst-Pelham, & Pelham Public Schools

The following public notice shall be distributed annually to parents/guardians, students, staff members, and the general public in compliance with various Federal and State laws and regulations.

Michael Morris

Acting Superintendent of Schools

Chapter 199 of the Acts of 2011 - Gender Identity

On November 23, 2011, Governor Deval Patrick signed into law Chapter 199 of the Acts of 2011, An Act Relative to Gender Identity. This law adds “gender identity” as a protected category to Massachusetts’ employment, housing, credit and public education anti-discrimination laws and to Massachusetts’ hate crimes law.

The law defines “gender identity” as a person’s gender-related identity, appearance or behavior, whether or not that gender-related identity or behavior is different from that traditionally associated with the person’s physiology or assigned sex at birth.

Definitions:

- Gender Expression: the manner in which a person represents or expresses gender to others
- Gender Identity: a person’s gender-related identity, appearance, or behavior, whether or not that gender-related identity, appearance, or behavior is different from that traditionally associated with the person’s physiology or assigned sex at birth
- Gender nonconforming: a term used to describe people whose gender expression differs from stereotypic expectations
- Transgender: an umbrella term used to describe a person whose gender identity or gender expression is different from that traditionally associated with the assigned sex at birth

Some Implications for New Gender Identity Law in MA

- Schools are required to accept a student’s assertion of his or her gender identify
- In terms of names and pronouns, the best course is to engage the student (and family, in the case of a younger student) with respect to name and pronoun use and agree on a plan to initiate that name and pronoun use across all school contexts except for legal documents which require the consistent use of the birth name (unless legally changed) such as the IEP’s administrative data page, the transcript, etc.

- Under state law—information about gender identify matters is confidential except for authorized school personnel, which includes *current* teacher(s), guidance counselor, nurse, and administrator(s).
- Other Implications for New Gender Identity Law in MA
- Transgender students who are uncomfortable using a gender-segregated restroom should be provided an alternative, such as a single unisex restroom or a restroom in the nurse’s office
- The Massachusetts Interscholastic Athletic Association will rely on the gender determination made by the student (confirmed and respected by the district) with respect to interscholastic athletics

Classroom-Based Practices for New Gender Identity Law in MA

- Historically, many teachers have used gender-based differences in their classrooms. One example is having boys and girls line up on different sides of the hallway. Best practices are to use non-gender alternatives, such as having students line up in the order of their birthdays.

Chapter 71, Section 370—Bullying Policy and Training Requirements

Any and all acts of bullying, cyber-bullying and retaliation based upon the reporting of bullying to the school staff is prohibited in the Districts.

Bullying is defined as the repeated use by one or more students or a member of a school staff of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at another individual(s) (hereinafter target) that:

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

Cyber-bullying, is bullying through the use of technology or any electronic devices such as telephones, cell phones, computers, and the Internet. It includes, but is not limited to, email, instant messages, text messages, and Internet postings. See M.G.L. c. 71 sect. 370 for the legal definition of cyberbullying.

Cyber-bullying also includes:

The creation of a web page or blog in which the creator assumes the identity of another person; the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions listed in (i) to (v), inclusive, of the definition of bullying; and the distribution by electronic means of a communication to

more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions listed in (i) to (v), inclusive, of the definition of bullying.

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

School Staff includes, but is not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, support staff, or paraprofessionals.

The Superintendent or his/her designee shall develop and/or implement a bullying prevention plan consistent with the requirements of the M.G.L. c. 71, sect. 37O, 603 CMR sect. 49.00 and the Department of Elementary and Secondary Education's guidelines. This comprehensive plan was submitted to Department of Secondary Education in December of 2010 and it was approved in the spring of 2011.

The Principal, in consultation with the school council and school faculty, will develop a bullying prevention plan, once the Department of Elementary and Secondary Education finalizes its regulations under M.G.L. c. 71, sect. 37O and its model bullying prevention plan. The school-based bullying prevention plan shall be consistent with the District's district-wide plan.

The school district shall provide professional development to school staff addressing the prevention, identification and remedying of bullying.

The Principal of each school (or his/her designee), supported by the Central Office administration, will make clear to students, families and staff that bullying in the school buildings, school grounds, on the bus or school-sanctioned transportation, or at school-sponsored functions held in any location is prohibited, and will not be tolerated.

The Principal of each school (or his/her designee), supported by the Central Office administration, will train all staff in the prevention, identification, intervention and reporting process of bullying incidents, as stated in the District's guidelines.

The Principal of each school (or his/her designee), supported by the Central Office administration, will inform students' parents/guardians of any allegations, reports and/or complaints of bullying incidents, as stated in the District's guidelines.

The Principal of each school (or his/her designee), supported by the Central Office administration, will oversee the implementation of the school districts' empathy/social skills and anti-bullying developmental curriculum in their schools, as stated in the school districts' guidelines.

The Principal of each school (or his/her designee), supported by the Central Office administration, will inform the parent/guardian of all reported bullying incidents involving

his/her child as the target of the bullying or as the perpetrator of the bullying, consistent with the requirements of 603 CMR sect. 23.00 and FERPA and the District's guidelines.

Upon receipt of a complaint, report and/or allegation of bullying, the Principal (or his/her designee) will conduct an initial investigation as soon as practicable, as stated in the districts' guidelines. The timeliness of an investigation will depend upon such factors as the number of individuals involved, the number of witnesses to be interviewed, the availability of witnesses, the school schedule and other factors.

The Superintendent (or his/her designee) will develop the administrative guidelines and procedures for the implementation of this policy in the School Districts. It is the responsibility of school Principals (or designees) to implement the guidelines and procedures developed for the Districts.

Chapter 76, Section 5—Place of Attendance; Discrimination

Every person shall have a right to attend the public schools of the town where he actually resides, subject to the following section. No school committee is required to enroll a person who does not actually reside in the town unless said enrollment is authorized by law or by the school committee. Any person who violates or assists in the violation of this provision may be required to remit full restitution to the town of the improperly-attended public schools. No person shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex, gender identity, religion, national origin or sexual orientation.

The Districts do not discriminate on the basis of race, national origin, age, religion, gender, gender identity, sexual orientation, economic status, homelessness political party, or disability in admission to, access to, employment in or treatment by its programs and activities.

Chapter 151C, Section 2—Policy on Sexual Harassment

All persons have the right to be free from sexual harassment; therefore, sexual harassment in any form is strictly forbidden in school, on school grounds or at school-related activities.

Sexual harassment in the educational setting is also prohibited by law and is defined as follows with respect to students: "sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when (a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of the provision of the benefits, privileges or placement services, or as a basis for the evaluation of academic achievement; or (b) such advances, requests or conduct have the purpose or effect of unreasonably intervening with an individual's education by creating an intimidating, hostile, humiliating or sexually offensive educational environment."

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

Verbal forms of sexual harassment: including repeated unwanted requests for dates, sexual rumors, sexually explicit jokes, howling, whistles, catcalls, soliciting conversation regarding sexual activity and experiences, making unwanted gender-based references to a person’s physical characteristics;

Nonverbal forms of sexual harassment: including offensive gestures, following or stalking another, cornering or blocking a person, leering, pressuring for sexual activities;

Visual forms of sexual harassment: including displaying sexually suggestive or sexually provocative photographs, pictures, objects, cartoons, or posters;

Unwelcome physical touching: including grabbing, groping, squeezing, sexual fondling, kissing, brushing against another’s body, body hugs, and other unwelcome contact.

Reporting: Any student who believes he/she is a victim of sexual harassment should talk to his/her building Principal or another adult in a position of authority in the school as soon as possible. Students should avoid trying to solve the problem of sexual harassment alone. All persons shall promptly report knowledge of actual or reasonably suspected sexual harassment to the building Principal (or his/her designee.) The Principal (or his/her designee) will investigate all complaints and follow through appropriately.

Consequences: Staff members found to have engaged in acts of sexual harassment will face one or more of the following consequences: (1) written reprimand and warning, (2) suspension without pay, (3) dismissal, and/or (4) referral to the police.

Students found to have engaged in acts of sexual harassment of another student will face one or more of the following consequences: (1) apology to the victim, (2) parent conference, (3) detention, (4) suspension, (5) expulsion, and/or (6) referral to the police.

Student consequences will be rendered in an age appropriate manner by the Districts.

Reprisals, threats or intimidation of the victim will be treated as serious offenses, which could result in a permanent separation from the school through expulsion (for student offenders) or dismissal from employment (for adult offenders).

Chapter 269: Section 17—Hazing; organizing or participating

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

The term “**hazing**” as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private

property, which willfully or recklessly endangers the physical or mental health of any student or other person.

Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation. Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action.

Chapter 269: Section 18—Failure to report hazing

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

Chapter 269: Section 19—Issuance to students and student groups, teams and organizations; report

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

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

Each institution of secondary education and each public or private institution of post-secondary education shall, at least annually, before or at the start of enrollment, deliver to each person who enrolls as a full time student in such institution a copy of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post-secondary education shall file, at least annually, a report with the board of higher education and in the case

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

Procedures

In accordance with these provisions, the following procedures concerning Chapter 269 shall apply in schools of Amherst, Amherst-Pelham, and Pelham Public Schools.

Every applicant for and participant in each co-curricular and extra-curricular activity under the jurisdiction of a secondary school, as well as the chief advisor or head coach of said activity shall be provided a copy of the regulations concerning Chapter 269.

All recipients of this form will sign the form acknowledging receipt of Chapter 269 and these forms shall be forwarded to the building Principal for use in preparing an annual report to the Massachusetts Department of Education.

It shall be the responsibility of the building Principal to report any and all cases of Chapter 269 violations to an appropriate law enforcement official and notify the Superintendent of the same.

Violations of Chapter 269 shall be considered serious infractions punishable in accordance with the Student Handbook and will include notification to parent and may include suspension or other measures as deemed appropriate by the administration.