

Manchester-Essex Regional School District  
Elementary School Handbook  
2023-2024



Memorial Elementary School  
*Grades PK-5*  
43 Lincoln Street  
Manchester, Massachusetts 01944  
978-526-1908

Essex Elementary School  
*Grades K-5*  
12 Story Street  
Essex, Massachusetts 01929  
978-768-7324

## **MANCHESTER ESSEX REGIONAL SCHOOL DISTRICT**

It is the policy of the Manchester Essex Regional School District not to discriminate on the basis of race, color, sex, gender identity, religion, national origin, sexual orientation, disability or homelessness in its educational programs, activities or employment policies as required by Title VI, Title IX of the 1972 Education Amendments, and Chapter 622 of the Acts of 1971 and Section 504 of the Rehabilitation Act of 1973, and MGL, Chapter 76, Section 5.

Inquiries regarding compliance with Title IX of Section 504 of the Rehabilitation Act of 1971 may be directed to the Director of Curriculum or Director of Student Services respectively at the Manchester Essex Regional School District at (978) 526-4919, or the following federal and state anti-discrimination enforcement agencies:

The Massachusetts Commission Against Discrimination (MCAD)

One Ashburton Place, Room 601  
Boston, MA 02108 (617) 727-3990

The United States Equal Opportunity Employment Commission (EEOC) JFK Federal Building, Room 475  
Boston, MA 02203 (617) 565-3200

Office of the District Attorney for the Eastern District  
Civil Rights Unit, Museum Place One East India Square Salem, MA 01970

Policy Reaffirmed:  
2013 Policy Reference: Non-discrimination, Title IX, Chapter 622

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## **TABLE OF CONTENTS**

IMPORTANT PHONE NUMBERS - PG. 4

GENERAL INFORMATION – PG. 4

TRANSPORTATION – PG. 7

PROBLEM SOLVING PROCESS – PG. 9

ACADEMICS – PG. 9

NURSE/HEALTH/NUTRITION – PG. 10

TECHNOLOGY/ELECTRONICS/INTERNET – PG. 13

STUDENT SUPPORT SERVICES – PG. 13

BEHAVIORAL EXPECTATIONS – PG. 15

ANTI-BULLYING – PG. 21

APPENDIX – PG. 27

## CONTACTS AND TELEPHONE NUMBERS

MERSD Central Office	(978) 526-4919
Food Service Director	(978) 526-2049
Essex Elementary School	(978) 768-7324
EES Absence Line	(978) 768-7324
EES Fax	(978) 768-2502
Memorial Elementary School	(978) 526-1908
MMES Absence Line	(978) 526-1909
MMES Fax	(978) 526-2060

## GENERAL INFORMATION

*Please note that the behavioral expectations outlined in this handbook also apply while riding the school bus and on field trips.*

### SCHOOL HOURS

The school day runs from 8:25 AM to 2:55 PM. Students may arrive to school no earlier than 8:05 AM.

### ATTENDANCE

In accordance with Chapter 76, Section 2 of the General Laws of Massachusetts, absences greater than eight (8) days in a marking period are considered excessive. If a child is repeatedly absent or tardy, the principal may take necessary action. This may include a meeting with administration, or in some cases filing appropriate documentation with the Juvenile Court.

Additionally, The Massachusetts Department of Elementary and Secondary Education (DESE) has determined that a student absent from school *for any reason* for 10% or more of the school year (18 days in a typical year/situation) is classified as “chronically absent” in the DESE Accountability system. This classification can have a negative impact on schools’ accountability rating and should be avoided if at all possible. To avoid students hitting this DESE benchmark, letters will be mailed home when students have 5 unexcused absences, 10 cumulative (excused and unexcused) absences, and 15 cumulative (excused and unexcused) absences. At the 10- and 15-day mark, a meeting with the Principal will be requested and, in some cases, required.

## ABSENCES

Parents are asked to report their child's absence to school before 8:30 AM. At 9:30 AM, the office will perform "safe-to-school calls" to families with absent children who have not called the school. In this way, we ensure that all children are accounted for on a daily basis.

In order for a student to be marked present they must be in attendance for more than 50% of the school day. Students must attend school (at least half of the day) in order to be eligible to participate in after-school activities that are school sponsored.

## TARDINESS

It is the parent's responsibility to ensure that their children arrive at school on time. Students are tardy if they arrive after the 8:25 AM bell, which signals the beginning of instructional time. Upon arrival, tardy students must report to the office to sign in and to pick up a tardy slip. The tardy slip will admit them to class. Starting the day out of synch with the routines of peers can be a challenge for young children. Please seek out support from the school should challenges at home result in habitual tardiness.

## VISITORS

All parents or visitors must report to the office upon entering the building. A daily log is provided for parents and visitors to sign in/out. All visitors must be asked to wear a visitor badge.

## EARLY RELEASE DAYS

Early release dates and times are scheduled throughout the year for professional development activities and parent conferences. A school calendar is sent home at the beginning of the school year listing the dates.

## DISMISSALS DURING THE SCHOOL DAY

Parents should notify the classroom teacher or main office (in writing) in the morning if a child is to be dismissed early. Parents must report to the office to sign out their child when they arrive at the dismissal time. Students will be called to the office once the parent has arrived to pick up their child.

## VACATIONS

The school discourages vacations during times other than the regular school scheduled vacation periods. However, the schools recognize that special situations may arise. If students will be out of school for an extended period of time, parents need to notify the principal and classroom teacher(s) in writing and explain the reason for the absence. Teachers will not provide work in advance. Students will be expected to make up missed work at home once they return to school.

## NO SCHOOL/DELAYED OPENING NOTIFICATION

Notice of school cancellation or delayed opening is given by a phone call through the Connect Ed phone system and by announcements over television and radio including:

WCVB-TV Channel 5 News

WBZ-TV Channel 4 News

WBZ News Radio 1030

WBUR Radio 90.9

WFXT FOX 25 News

WHDH-TV Channel 7 News

## EMERGENCY CLOSING

The Superintendent may decide to close school due to hazardous weather or other emergencies. The Superintendent may dismiss school before the regular time if hazardous weather conditions or other types of emergencies exist. Parents and students are urged NOT to contact the local police station, but to stay tuned to the radio and television stations above. The Superintendent will also send out a recorded message regarding school closures.

## APPROPRIATE DRESS

Students are expected to dress in a manner which reflects the seriousness of educational endeavors at the schools. The school sets forth the following regulations regarding modesty and appropriateness, which will facilitate a respectful school environment:

- Clothing with inappropriate language or expressions, offensive symbols, or advertisements or promotions of violence, alcohol, drugs, or tobacco products are not permitted.
- Footwear must be worn for proper sanitation, health and safety. Sneakers must be worn for Physical Education Class.
- Hats and sunglasses are considered outerwear and must be removed when students are in the building.

Note: Students who violate the dress code will be referred to the principal's office or nurses' office. Parents will be notified of the violation and asked to supply appropriate clothing before their child may return to class.

## ITEMS FROM HOME

Students should not bring toys, stuffed animals, or other distracting items to school. Cell phone/electronic devices used by students on school premises during school hours (including on the schoolbus) are not permitted. Students may only use cell phones after school hours and in a manner, which is respectful and responsible. Cell phones used during school will be confiscated and stored for a parent/guardian to pick up in the office. Students may not use electronic devices to take photographs of other students or staff during the school day or on the schoolbus.

## TRANSPORTATION

### SCHOOL BUS

We highly encourage children to ride the school bus to school if at all possible. Bus students are asked to be at their stop a few minutes early to ensure efficient and consistent service for all. Bus transportation is provided for students in grades K-5 depending on distance from school and safety considerations. Bus routes and schedules are published in the local newspapers during the week before school opens and on the district website.

Students need to be at their bus stop at least 5 minutes prior to the scheduled pickup time. Students in grade K-1 will not be released to a home or stop without an adult present and will be brought back to their school for parent pickup.

Students may not bring scooters, skateboards, baseball bats, pets or other potentially dangerous or distracting items on the bus.

Students may only ride the bus that they are registered for. Guest riders for playdates, etc. are not permitted.

### WALKING/BIKING

Walking and biking to and from school are options for children who are responsible and live close enough to the school to do so safely. Bikes/scooters/etc. must be walked while on school property and children must wear a helmet. Bikes must be secured to the bike rack with a bike lock.

Parents wishing to dismiss their child at the end of the day as a walker/biker must give written consent for their child to walk/bike to/from school by indicating such on their child's emergency card or in a note to the office. By having their child dismissed as a walker, parents assume responsibility for their child once they leave school property. School staff supervision is not available once children leave school property.

### ARRIVAL PROCEDURES

#### Car Drop-off:

All students being transported to school in an automobile will be received curbside in the traffic loop(s) of the school.

All drivers must remain in the line of traffic and wait until their child(ren) can safely exit the automobile directly onto the sidewalk.

All children must exit the vehicle on the passenger side and proceed directly onto the sidewalk. Please plan ahead with the placement of car seats, etc. so that your child can exit the vehicle safely and quickly.

All vehicles should adhere to safe driving practices and should not idle while waiting to drop off children.

All students will report directly to the playground or to the lobby (inclement weather).

Drivers must remain in their vehicle at all times. Drivers should pull as far forward as they can before releasing their child(ren).  
Drivers may not use cellphones during drop-off.

#### DISMISSAL PROCEDURES

Dismissal for students in grades K-5 is at 2:55 PM.

#### Car Pick-up:

All students being transported in an automobile will be dismissed curbside in the main traffic loop of the school. This includes all children in grades K-5. All drivers must remain in the line of traffic and wait until their child(ren) are in a designated loading zone.

All vehicles must display their family name tag on the passenger side window or windshield/sun visor.

Staff members will assist your child to your car once it is in a designated loading zone. All children must enter the vehicle on the passenger side directly from the sidewalk in a designated loading zone. Please plan ahead with the placement of car seats, etc. so that your child can enter the vehicle safely and quickly.

All vehicles should adhere to safe driving practices and should not idle while waiting to pick up children.

Drivers must remain in their vehicle at all times.

#### SPECIAL ESSEX DIRECTIONS

Parents who drive students to school should drop them off at the front of the school in the drop off/pick up zone. Parking in the circle is not allowed during drop off and pick up. Parents who need to go inside the school are asked to park in the upper lot. Dropping off or picking up at the Western Avenue driveway is not allowed.

#### COMMUNICATION

Communication with your child's teacher and the main office is crucial to our arrival/dismissal procedures.

Parents/Guardians must inform the office of their child's default means of transportation to or from school via the student emergency card. This will be communicated to your child's teacher by office staff.

Any changes to your child's default dismissal must be communicated to the school via hardcopy written note. Notes should be sent to school with your child in the morning (**before 1:30 PM**). Your child will give the note to his/her teacher who will communicate the change with the office. Please include the date, your child's first and last name, and the teacher's name on the note.



Emergency change in dismissal must be communicated to the office (before 1:00 PM) via telephone to the main office.

### **PROBLEM SOLVING PROCESS**

MERSD is committed to meeting the needs of all of our students. If a situation arises at the elementary school level where a parent has a concern, the following Problem Solving Process should be followed.

**STEP ONE:** When a parent has a concern, it is important that the parent first begin with the staff member most closely associated with the situation. By placing a phone call to the main office, the parent can leave a message with the appropriate staff member. Details are listed below:

- Academic or social concern – CLASSROOM TEACHER
- Behavior concern (within the classroom) – CLASSROOM TEACHER
- Behavior concern (recess) – CLASSROOM TEACHER
- Bus concern – BUS DRIVER/ADJUSTMENT COUNSELOR
- Lunchtime/recess concern – SCHOOL ADJUSTMENT COUNSELOR
- Specialist class concern – SPECIALIST TEACHER (ART, MUSIC, PE/HEALTH, LIBRARY, TECHNOLOGY, FOREIGN LANGUAGE)

**STEP TWO:** After meeting with the appropriate staff member, most situations can be resolved or explained. If the parent continues to have concerns, the next step would be to meet with the next tier of support as outlined below. By placing a phone call to the main office the parent can leave a message with the appropriate staff member.

- Academic or social concern – SCHOOL ADJUSTMENT COUNSELOR
- Behavior concern (within the classroom) – SCHOOL ADJUSTMENT COUNSELOR
- Behavior concern (recess) – SCHOOL ADJUSTMENT COUNSELOR
- Bus concern – PRINCIPAL
- Lunchtime/recess concern – PRINCIPAL
- Specialist class concern – SCHOOL ADJUSTMENT COUNSELOR

**STEP THREE:** If step one and two are unsuccessful at rectifying the situation satisfactorily, a phone call or meeting with the principal may be necessary. Parents should contact the school secretary to schedule a time to speak with the principal on the phone or in person.

### **ACADEMICS**

#### **CLASSROOM PLACEMENT PROCESS**

Each year the staff and administration give much time and thought to the composition and balance of every class. Student performance data, along with behavioral characteristics and social combinations are taken into consideration when determining the makeup of individual classrooms. Parents may not request particular classroom teachers. All placements are based on our best educational judgments. Ultimately, the final decision about student placement is the authority of the principal.

## HOMEWORK GUIDELINES

Homework will be assigned and assessed by teachers throughout the school year. Some examples may include practice, preparatory, extension, long-term, or creative assignments. In addition to the guidelines below, students are also expected to read nightly, either independently or with a parent.

### General Parameters of Time

Grade K:	Less than 10 minutes per night (max. 4 nights per week)
Grade 1:	10 minutes per night (max. 4 nights per week)
Grade 2:	20 minutes per night (max. 4 nights per week)
Grade 3:	30 minutes per night (max. 4 nights per week)
Grade 4:	40 minutes per night (max. 4 nights per week)
Grade 5:	50 minutes per night (max. 4 nights per week)

## REPORT CARDS/CONFERENCES/PROGRESS REPORTS

In grades 1 to 5 formal reports on students' progress occur three times a year in December, March, and June. Report card envelopes are to be signed by parents/guardians and returned. Report cards may generate the need for a parent/teacher conference. Contact your child's homeroom teacher to set up an appointment.

Report cards and parent conferences are vehicles by which the school can inform parents of their child's progress. Communication with parents about their child's achievement should be on-going and to that end, the school encourages parents to initiate a conference with their child's teacher whenever a need arises.

In lieu of report cards in grade K, individual conferences are scheduled for January and June.

## **NURSE/HEALTH/NUTRITION**

### LUNCH AND BREAKFAST PROGRAM

Students may bring lunch from home or purchase lunch from our cafeteria. The school cafeteria offers daily nutritious lunches for students in all grades. Students may also choose to purchase milk separately at lunchtime. Families may seek financial assistance by filling out a federally-sponsored free and reduced lunch application.

Please contact the Food Service Director at 978-526-2049 with any questions.

### NURSE/HEALTH ROOM

The goal of the Health Room is to provide professional health care and guidance and to coordinate the resources of the school, home and community as they pertain to the health of students and staff. The Nurse's Office is open from 8:15 AM to 2:55 PM.

### Non-Emergency Protocol

If students become ill or injured in school:

- First aid is administered immediately
- Parents or guardians are contacted

If the parents or guardians are not available, the individual identified on each student's emergency card as an emergency contact will be called to help locate parents or take the students home. Students will not be released from school without the permission of the parents or guardians.

#### Emergency Protocol

In an emergency or life-threatening situation, the procedure is the following:

1. Parents or guardians are contacted
2. The town ambulance or rescue squad is called, and students are taken to the Hospital Emergency Room for treatment. Because of the possibility of emergencies, all students must have current, completed emergency notification cards on file.

#### Medication

Before students may carry or self-administer any medications during the school day, students, parents or guardians and the school nurse must enter into an agreement specifying the conditions under which such medication may be administered, and the parents or guardians must provide written authorization for students to administer the medication. At the discretion of the school nurse, students may be required to provide a written order from the prescribing health care professional for the medication and its administration by students.

If medication for a chronic condition must be administered during school hours, the medication must be provided to the school nurse in a pharmacy or manufacturer-labeled container provided by parents or guardians. Students who are taking prescription medication should request the pharmacy to prepare separate prescriptions for home and school so that medication is not forgotten in school and treatment is not disrupted. Medication should be provided in no more than a thirty-day supply.

Before medication can be administered in school, the following forms must be completed and on file in the Health Room. Forms are available in the Health Room.

- Consent form for administration of medication, signed by parents or guardians
- Medication order signed by the students' prescribing health care provider. For ongoing conditions, the order must be renewed as needed and must be current for each academic year. If the medication is to be administered for ten days or less, the pharmacy-labeled container may be used in lieu of a prescription order at the discretion of the school nurse.

All unused, discontinued or outdated medications will be returned to the parents or guardians, and all medications will be returned at the end of the school year.

Non-prescription medications may only be administered by the school nurse in accordance with the regulations of the State Department of Health. Students are expected to report to the Health Room at the appropriate times for their medication.

### Other Health Issues

- Parents of students with special concerns or who are considered at risk, i.e. those with diabetes, asthma, seizures, severe allergies, etc. – should advise the school nurse of the condition, any medications taken by the students, any side effects of such medication, and the manner in which acute episodes should be handled. Conferences with teachers can be arranged through the school nurse.
- If a student's oral temperature is over 100.0 F, he/she must stay at home until their temperature has been normal (98.6 F.) for at least twenty-four (24) hours without the aid of medicine. Students who return to school while they are ill contribute to the proliferation of illness during the school year. If students return to school with a fever or develop an oral temperature of 100.0 F during the school day, the school nurse will send these students home after evaluation.
- If students are diagnosed with a highly contagious disease such as strep throat, impetigo, pertussis, or bacterial conjunctivitis or head lice, please notify the Health Room at once. Any of these conditions may result in dismissal from school after evaluation by the school nurse. An antibiotic or other treatment approved by a health care professional must be administered for a minimum of twenty-four (24) hours before students will be permitted to return to school.
- Students who have been treated for head lice should be screened by the nurse upon return to school.
- State law requires all students to have been vaccinated. Students who have not been vaccinated may be excluded from school.

### Health Exams and Screenings

The Commonwealth of Massachusetts requires the following screenings for school age children. If you wish to opt out of BMI or postural screenings, please notify the school nurse in writing by October 1st.

- BMI: all grades
- Vision Screening: K, 1, 2, 3, 4, 5, 7 and 10
- Hearing Screening: K, 1, 2, 3, 7 and 10
- Height, Weight and BMI screening: 1, 4, 7 and 10
- Postural Screening: 5, 6, 7, 8, and 9

All new students who transfer into the system are required to have a physical exam within twelve months of entry with documentation to be given to the school nurse. Although physical exams are not done on a school-wide basis, parents are urged to maintain their child's health by periodic examinations from their private physician. Health records are updated with current physicals and immunization records in grades Pre K, K, 1, 4, 7 and 10. (For more information on vaccines see the Massachusetts School Immunization Guidelines at the Massachusetts DPH website). Prior to entering preschool and kindergarten all students are required to have a current physical exam and the following immunizations:

- 3 doses of Hepatitis B vaccine
- 5 doses of DTP or DTaP

- 2 doses of MMR
- 4 doses of polio vaccine
- 2 doses of chickenpox vaccine or proof of immunity

#### SNACKS/TREATS FROM HOME

Due to the number of life-threatening food allergies in schools, nuts and nut products are not allowed in the classroom. Please call the health office with any questions.

#### SCHOOL CELEBRATIONS

It is the practice of MERSD elementary schools to avoid food-based celebrations. We respectfully request that food items not be sent into the classroom for birthdays, etc.

#### INDOOR RECESS

Every effort will be made to have outdoor recess daily. However, rain, ice, and wind-chill temperatures below 20 degrees Fahrenheit may necessitate indoor recess.

### **TECHNOLOGY/ELECTRONICS/INTERNET**

#### INTERNET SAFETY

All computer users are expected to comply with the school district's Internet Acceptable Use Policy. The Manchester Essex Regional School District complies with the safety guidelines mandated by the Children's Internet Protection Act (CIPA). Networked resources, including the Internet, are available to authorized students, teachers, staff, and administrators in the district. The district's goal is to enhance educational excellence with the assistance of these resources. Access to the district's computer network and Internet services is a privilege and not a right. Students and district personnel have no rights of privacy with regard to their use of the district's computer networks. Computer network administrators may review computer files and communications at any time without advance notice in order to maintain system integrity and to ensure that the system is being used responsibly. Students may only use computers and Internet resources to access appropriate content. Please refer to the Manchester Essex Regional School Committee Policy Manual for the complete policy (Section I, Policy IJND).

#### ELECTRONIC DEVICES

Personal e-readers and smartwatches in school may be used as a reading tool only with no Internet, messaging, photography, game playing, or video recording use allowed. Violations of this will be subject to consequences from the teacher and/or principal. Students who choose to bring electronic devices to school do so at their own risk. Devices are not permitted at lunch/recess or on the school bus.

### **STUDENT SUPPORT SERVICES**

#### DISTRICT CURRICULUM ACCOMMODATION PLAN (DCAP)

Massachusetts General Laws require the adoption and implementation of a District Curriculum Accommodation Plan (DCAP). This plan is intended to guide principals

and teachers in ensuring that all possible efforts are made to meet student needs in general education classrooms and to support teachers in analyzing and accommodating the wide range of student learning styles and needs that exist in each school. The DCAP describes accommodations and instructional supports/strategies that are available in general education for all students.

**MULTI-TIERED SYSTEM of SUPPORT (MTSS)** MERSD has implemented MTSS as a way to support all learners. The process is a multi-step approach to providing services and interventions to students who struggle with learning at increasing levels of intensity. Students' individual progress is closely monitored throughout the intervention period.

#### **TEACHER ASSISTANCE TEAM**

The school is committed to the success of every student. Grade level teams, along with the support staff and the principal, meet as a team, whenever necessary, to discuss individual student concerns and make recommendations for accommodations and services within general education to help students with a variety of issues (academic, social, emotional) that may be impeding success.

#### **COUNSELING**

The elementary schools have a school psychologist and an adjustment counselor who serve the developmental, social and adjustment needs of the student population and families. These professionals work with classes, small groups and individual students on a short-term basis and are available to help with referrals for students and families who may need more intensive services.

#### **LIMITED ENGLISH PROFICIENT (LEP) STUDENTS**

All students who speak a language other than English in their home will be assessed for English proficiency and language dominance. Each student will be screened individually to determine if services are required. The complete LEP procedure manual is available at each school and in the district's central office.

#### **SECTION 504**

Section 504 is a federal statute that prohibits discrimination based upon disability. Section 504 covers eligible students, employees and other individuals with disabilities for reasonable accommodations that enable them to work or learn. A team knowledgeable about the student determines if the individual meets the eligibility criteria. A person is considered disabled under the definition of Section 504 if the individual has a mental or physical impairment that substantially limits one or more of such person's major life activities. When a condition does not substantially limit a major life activity, the individual does not qualify for services under Section 504.

#### **SPECIAL EDUCATION**

The Manchester Essex School Department follows state and federal policies and procedures and has in place programs and services that are consistent with federal

and state special education laws and regulations. Students are determined eligible for Special Education Services after a comprehensive evaluation is administered and reviewed by the Educational Team. Each eligible student is provided with a free and appropriate public education and receives special education and related services in accordance with an Individualized Educational Program (IEP). Special Education includes related services necessary to access the general curriculum and specially designed instruction to meet the unique needs of the student.

The school district assures that, to the maximum extent possible, children with disabilities are educated alongside their typically developing peers. This includes academic, non-academic, and extracurricular opportunities.

### **BEHAVIORAL EXPECTATIONS AND CONSEQUENCES**

Manchester Essex Regional School District generally follows the concept of progressive discipline. Typically, repeat offenses will result in sanctions of increasing severity. However, the school reserves the right to impose more serious consequences for violations of a serious nature regardless of the student's prior disciplinary record. Penalties for failure to comply with the school rules and regulations include loss of privileges, recess/lunch detention, after-school detention, suspension from school activities including but not limited to after-school events, field trips, etc., in-school suspension, out-of-school suspension, and expulsion.

#### **GENERAL BEHAVIOR EXPECTATIONS**

All members of the school community are expected to demonstrate behavior consistent with the school's Code of Conduct. Respect for people and property, appropriate language and adherence to school rules and procedures are expected at all times. Students are expected to behave appropriately and respectfully at all times. Students and staff have the right to a safe, comfortable school environment. The responsibility of the school is to guarantee the physical and emotional well-being of every individual in the entire school community. The school community includes students, parents, teachers, administrators, support personnel, and community volunteers.

#### **CLASSROOM EXPECTATIONS**

Management of classroom behavior is the responsibility of each teacher and is rooted in the concept of mutual respect and structure. Teachers will develop class rules and communicate them clearly to students and families at the beginning of the year. All rules are based on the idea that the classroom needs to be a safe, orderly, and structured environment conducive to learning. The desired environment is one where everyone is treated fairly and with respect and dignity.

#### **PLAYGROUND EXPECTATIONS**

Students are provided with the opportunity to engage in unstructured, open-ended, social interaction during a morning and/or afternoon recess. This time is supervised

by playground monitoring staff, and they are responsible for student safety. Recess is a very enjoyable part of the school day. Appropriate and respectful behavior is expected at all times. We expect students to comply with the following rules:

- Follow the directions and instructions of recess supervision staff
- Use the play structures/equipment/swings appropriately and safely
- Keep hands, feet, and objects to yourself.
- Follow school-established rules for games such as kickball, four square, etc.
- Keep the area free of litter
- Maintain courteous and respectful behavior
- Stay in designated areas and be visible to staff at all times
- Students must stay away from muddy/wet/icy areas

If a student displays inappropriate playground behavior, the student may be asked to “sit out” for a brief period of time. Subsequent failure to follow rules or serious misbehavior (i.e. hurting, fighting, and disrespect) will result in referral to the office (see “Consequences” below) and may lead to recess restrictions.

#### LUNCHROOM BEHAVIOR EXPECTATIONS

Lunchtime provides students with another opportunity to practice social skills in a relatively informally structured environment. During lunch, students are expected to behave in a manner, which will ensure a respectful and safe environment.

#### SCHOOL BUS BEHAVIOR

Riding a school bus is a privilege that can be withdrawn for misbehavior. The expectations of the school are in effect on the school bus. In addition, students riding the bus are expected to:

- Remain seated at all times
- Speak with an indoor voice
- Keep hands, feet, and objects to themselves (and inside the windows)
- Behave properly while waiting for their buses

#### **BEHAVIORAL RUBRIC**

\*Please note that this is intended to be a guide. The school Principal will determine specific consequences that are logical and reasonable based on these guidelines.

##### Level 1 Misbehaviors

Level 1 misbehaviors interfere with the orderly learning environment of the school, classrooms, or common areas. Examples include, but are not limited to:

- Disturbing the work or play of others
- Not following directions

##### Level 1 Consequences

Level 1 misbehaviors are commonly dealt with by teachers and assistants with the occasional involvement by the principal. The disciplining of students is dependent upon the severity and frequency of the misbehavior. Some examples are:

- Discussion of behavior with child
- Denial of privileges, missed recess



- Essay, apology
- Detention
- Parent notification
- Brief time out “recess sit out”
- Specific Classroom Management Consequences (i.e. Points lost, etc.)

#### Level 2 Misbehaviors

Level 2 misbehaviors seriously interfere with the orderly environment of the school and are potentially dangerous to the safety and well-being of the school community.

Examples include but are not limited to:

- Repeated instances of Level 1 misbehavior
- Damaging school or personal property
- Disrespectful language or behavior toward an adult
- Use of profanity
- Threatening others or the school
- Bullying/behavior dangerous to others (pushing, shoving, hitting, fighting, etc.)
- Refusing to cooperate with a time-out or sit-out
- Failure to attend teacher’s detention
- Derogatory reference to another’s race, color, sex, gender identity, religion, national origin, sexual orientation, disability or homelessness

#### Level 2 Consequences

Level 2 misbehaviors are referred to the principal. Disciplinary action includes the formal notification of parents. Specific consequences depend upon the severity and frequency of the behavior. Examples of consequences include:

- Time out of class/activity
- Apology/restitution
- Written explanation of incident
- Loss of privileges
- Parent communication/conference
- In-school detention (recess/lunch/combination)
- After-school detention
- In-school suspension
- Behavior management plan
- Suspension for 1-5 days (depending upon severity)

#### Level 3 Misbehaviors

Level 3 misbehaviors jeopardize the physical and/or psychological safety of the community and include but are not limited to:

- Repeated instances of Level 2 behavior which have not been modified by intervention
- Use, possession, and/or sale of tobacco, alcohol or illegal substances at school or any school function
- Setting fires
- Possession or use of weapons

- Intentionally causing harm to others
- Hazing
- Discriminatory or prejudicial activities or actions toward another person or group involving race, color, sex, gender identity, religion, national origin, sexual orientation, disability or homelessness
- Stealing

### Level 3 Consequences

Level 3 misbehaviors may result in suspension from school. The length of the suspension depends upon the severity and frequency of the behavior.

- Suspension for 1-5 days (for the first instance of Level 3 behavior)
- Suspension for 5-10 days (for repeated Level 3 behavior or a severe expression of Level 3 misbehavior)
- Expulsion (per Massachusetts General Law)

### DUE PROCESS

Students will always be given the opportunity to present their perception of any disciplinary situation in which they may be involved. In cases where suspension or expulsion is a possible consequence, all rights to due process hearings will be followed.

### AFTER-SCHOOL DETENTION

- After-school Detention takes place from 2:55-3:55 PM with the school principal or designee.
- Parents are responsible for picking their child up from detention. A 24-hour notice will be provided.
- A student will not be excused because of participation in school activities or sports.

### OUT-OF-SCHOOL SUSPENSION (Offenses not related to M.G.L. c. 71, sec. 37H and 37H1/2)

A student serving an out of school suspension is not to be in the school building, on school grounds, or at any school function unless he/she has been re-admitted to school or has received permission from the principal to enter the building. Any student whose continuing presence poses a danger to individuals/property or poses a material and substantial disruption of the order of the school may be removed from school immediately. Such emergency removals may be made if, in the administrator's judgment, there is no alternative available to alleviate the danger or disruption, and such removal shall not exceed two (2) school days.

In an emergency removal situation the administrator shall:

- Make immediate and reasonable efforts to verbally notify the student and the student's parents of the emergency removal, the reason for the need for emergency removal, and other applicable matters.
- Provide written notice to the student and parent consistent with the due process requirements for a short-term and, when appropriate, long-term suspension.

- Provide the student an opportunity to be heard within two (2) school days, unless there is mutual agreement to extend the time for the hearing
- Render a decision verbally on the same day as the hearing and in writing no later than the following school day.

#### SHORT TERM SUSPENSION (Offenses not related to M.G.L. c. 71, sec. 37H and 37H1/2)

The Principal/Assistant Principal may issue a short-term suspension, meaning ten (10) days or less, to a student whose conduct does not comply with the provisions of this Student Handbook. Prior to suspension, the student is entitled to written notice of:

- The charge
- The basis for the charge
- The potential consequences, including the potential length of the student's suspension
- The opportunity for the student, with their parent/guardian present, to have a hearing with the administrator concerning the suspension, including an opportunity to present their side of the story and/or dispute the charge
- The date, time and location of the hearing;
- The right of the student and the student's parent to interpreter services at the hearing if needed to participate.

For short-term suspensions, the Principal/Assistant Principal will make reasonable efforts to notify the parent of the opportunity to attend the hearing. A minimum of two attempts to contact the parent in a manner specified by the parent for emergency notification shall be considered reasonable. If the administrator is unable to reach the parent, and has documented the attempts to contact the parent, the administrator may proceed with the hearing without the parent present. After such hearing, the administrator shall provide written notice of:

- The decision maker's findings of fact and decision
- The discipline if a penalty is to be imposed;
- The effective date of the disciplinary action.

A student may challenge his/her suspension. For example, if a suspension is issued by the assistant principal, it may be appealed to the principal (who is the superintendent's designee for appeals of suspension by the assistant principal); if the suspension was issued by the principal, then it may be appealed to the superintendent. If a student chooses to appeal the suspension, he/she must do so in writing within five (5) calendar days after the initial conference was held. Disciplinary action may be deferred at the discretion of the administrator hearing the appeal.

#### LONG-TERM SUSPENSION (Offenses not related to M.G.L. c. 71, sec. 37H and 37H1/2)

The principal/assistant principal may issue a long-term suspension, meaning an out of school suspension for more than ten (10) days, to a student whose conduct does not comply with the provisions of this Student Handbook. Prior to being suspended,

the student is entitled to all of the notice elements of a short-term suspension (see above), plus the following:

- In advance of the hearing, the opportunity to review the student's record and the documents upon which the administrator may rely in making a determination to suspend the student or not
- Notice of the disciplinary measures that student faces as a result
- Notice of the date, time and place of a disciplinary hearing
- The right to be represented by a parent, attorney or advocate
- The right to question and present witnesses and present evidence, though the student may not be compelled to do so
- The right to request that the hearing be recorded by the administrator, and a copy of the audio recording provided to the student or parent upon request
- The administrator's decision, the specific grounds for the decision and the right to appeal the decision. The written decision shall include:
  - Identification of the disciplinary offense, the date on which the hearing took place, and the participants in the hearing
  - The key facts and conclusions reached
  - The length and effective date of suspension as well as a date of return to school
  - The opportunity to receive education services to make academic progress during the period of removal
  - The right to appeal the decision to the Superintendent or designee, including the process for appeal

If a student chooses to appeal the suspension, he/she must do so in writing within five (5) calendar days after the decision is received. An extension of seven (7) days will be granted if such an extension is requested within the initial five (5) days. The Superintendent shall hold a hearing on the student's appeal within three (3) school days of receiving the student's request for an appeal unless parent/ student requests an extension of up to seven (7) additional calendar days. The Superintendent shall provide the student written notice of the date, time and place of the hearing. After the Superintendent has conducted the hearing, the Superintendent shall give written notice to the student of the decision, which shall be final.

## EXPULSION

Expulsion is the most severe sanction the school can impose. It means permanent removal from the school system. A student may be expelled by the principal for conduct covered by M.G.L. c. 71 37H and 37H ½ (e.g., possession of a weapon, possession of controlled substance, assault on a teacher, conviction of a felony). Any other exclusion from school shall not exceed ninety (90) school days.

## TOBACCO

It is the policy of the Manchester Essex Regional School District to provide a learning and working environment that is free from the health hazards related to the use of tobacco. It shall be a violation of the policy for students, staff and visitors to use tobacco in the building and on school grounds at any time. Student possession or use of tobacco on school grounds will be treated by the school as a Level 2 offense.

This prohibition will be enforced at all school-sponsored activities that are not held on school grounds as well.

#### WEAPONS AND ILLEGAL SUBSTANCES

A. Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to a gun or knife, or a controlled substance as defined in Ch. 94C, including, but not limited to, marijuana, cocaine and heroin may be subject to expulsion from the school or school district by the school committee with the recommendation of the principal.

Notwithstanding the above, all students who violate paragraph (A) will receive the following consequences:

- Minimum of five (5) days in-school suspension for possession of a weapon and/or controlled substance
- Minimum of ten (10) days in-school suspension for displaying a weapon and/or controlled substance
- Minimum of fifteen (15) days in-school suspension for threatening to use or brandishing a weapon

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

C. Any student who is charged with a violation of either paragraph (A) or (B) shall be notified in writing of an opportunity for a hearing, provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the principal. After said hearing, a principal, may in his/her 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 provision of this section.

#### **BULLYING PREVENTION**

The Manchester Essex Regional Schools is committed to maintaining a school environment where students are free from bullying and cyber-bullying and the effects thereof. Acts of bullying and cyber-bullying are prohibited:

(i) on school grounds, property immediately adjacent to school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by the school district; or through the use of technology or an electronic device owned, leased or used by the school district and

(ii) at a location, activity, function or program that is not school-related, or through the use of technology or an electronic device that is not owned, leased or used by the school district, if the acts create a hostile environment at school for the target, infringes on the rights of the target at school or materially and substantially disrupts the education process or the orderly operation of a school.

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

## **A. Definitions**

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

**Bullying**, as defined in M.G.L. c.71, s. 370, is the repeated use by one or more students or member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:

- (i) causes physical or emotional harm to the target or damage to the target's property;
- (ii) places the target in reasonable fear of harm to himself or of damage to his property;
- (iii) creates a hostile environment at school for the target;
- (iv) infringes on the rights of the target at school; or
- (v) materially and substantially disrupts the education process or the orderly operation of a school.

Bullying may include conduct such as physical intimidation or assault, including intimidating an individual into taking an action against his/her will; oral or written

threats; teasing; putdowns; name-calling; stalking; threatening looks, gestures, or actions; cruel rumors; false accusations; and social isolation.

**Cyber-bullying**, as defined in M.G.L. c.71, s. 370 is bullying through the use of technology or any electronic communication, which shall include, but not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.

Cyber-bullying also includes:

- (i) the creation of a web page or blog in which the creator assumes the identity of another person;
- (ii) the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated above in clauses (i) to (v), inclusive, of the definition of bullying; and
- (iii) the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated above in clauses (i) to (v), inclusive, of the definition of bullying. Cyber-bullying may include conduct such as sending derogatory, harassing or threatening email messages, instant messages, or text messages; creating websites that ridicule, humiliate, or intimidate others; and posting on websites or disseminating embarrassing or inappropriate pictures or images of others.

**Hostile Environment**, as defined in M.G.L. c. 71, s. 370, is a situation in which bullying causes the school environment to be permeated with intimidation, ridicule or insult that is sufficiently severe or pervasive to alter the conditions of a student's education.

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

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

## **B. Bullying and Retaliation Are Prohibited and Will Lead to Discipline**

The Manchester Essex Regional Schools absolutely prohibits bullying, cyber bullying and retaliation as defined above. Students who engage in bullying or retaliation will be subject to disciplinary action, however, disciplinary action taken must balance the

need for accountability with the need to teach appropriate behavior. The range of disciplinary action includes, but is not limited to, one or more of the following: verbal warnings, written warnings, reprimands, detentions, short-term or long-term suspensions, or expulsions from school as determined by the school administration and/or school committee, subject to applicable procedural requirements. Nothing in this policy is intended to prevent the school administration and/or school committee from taking disciplinary action against a student for conduct that does not meet the definition of bullying or cyberbullying, as defined above, but nevertheless is inappropriate for the school environment.

### **C. Reporting Obligations**

**Reporting by Staff:** A member of school staff, including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional, shall immediately report any instance of bullying or retaliation s/he has witnessed or become aware of to the school principal or designee.

**Reporting by Students, Parents/Guardians, and Others:** The district expects students, parents/guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the school principal or designee. An individual may make an anonymous report of bullying or retaliation, however, no disciplinary action may be taken against a student solely on the basis of an anonymous report. A student who knowingly makes a false accusation of bullying or retaliation shall be subject to disciplinary action.

**Reporting to Local Law Enforcement:** At any point after receipt of a report of bullying or retaliation, or during or after an investigation, if the school principal or designee has a reasonable basis to believe that the incident may involve criminal conduct, the school principal or designee will notify the local law enforcement agency. In addition, if an incident of bullying or retaliation occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in a local school district, charter school, non-public school, approved private day or residential school or collaborative school, the Superintendent of the Manchester Essex Regional Schools or designee will notify local law enforcement if s/he believes that criminal charges may be pursued.

**Reporting to Administrator of Another School District or School:** If an incident of bullying or retaliation involves students from more than one school district, charter school, non-public school, approved private day or residential school or collaborative school and the Manchester Essex Regional Schools is the first to be informed of the bullying or retaliation, then the Superintendent of the Manchester Essex Regional Schools or designee must, consistent with state and federal law, promptly notify the appropriate administrator of the other school district or school so that both may take appropriate action.



## **D. Investigation**

The school principal or designee shall promptly investigate a report of bullying or retaliation, giving consideration to all the circumstances at hand, including the nature of the allegations and the ages of the students involved. The following are general guidelines for responding to a report of bullying or retaliation. The guidelines will be adapted as necessary to respond appropriately to the complaint.

**Pre-Investigation:** Even before fully investigating allegations of bullying or retaliation, school personnel will consider whether there is a need to take immediate steps to support the alleged target and/or protect the alleged target from further potential incidents of concern. In taking any such action, however, the rights of both the alleged target and alleged aggressor must be considered.

**Written statement of the complaint:** The investigator will seek to determine the basis of the complaint, gathering information from the complainant, including such matters as: what specifically happened, who committed the alleged acts, who was present or may have information about the events, when the events occurred (date, time of day), and where the events occurred.

It is helpful to have these facts in writing. If age appropriate, the complainant may be asked to put the complaint in writing and to sign and date it. If the complainant cannot or chooses not to write a complaint, the investigator will record the allegations, read them to the complainant to confirm accuracy, and ask the complainant to sign the document. If the complainant cannot or chooses not to sign, the investigator may sign and date the document her/himself.

**Interviews:** Once the allegations of the complainant are established, the investigator will gather other evidence, which often involves interviews of the alleged aggressor and/or other witnesses. If appropriate, the investigator should remind the alleged aggressor and witnesses that retaliation against persons whom they believe might have reported the incidents or cooperated with the investigation is strictly prohibited and will result in disciplinary action.

**Confidentiality:** The confidentiality of the complainant and the other witnesses will be maintained to the extent practicable given the school's obligation to investigate and address the matter.

## **E. Determination**

School personnel must weigh all of the evidence objectively to determine whether the alleged events occurred and, if they did, whether the events constitute bullying or retaliation. The determination must be based upon all of the facts and circumstances and the perspective of a reasonable person. When applied to children, the "reasonable person" standard is generally "that of a reasonable person of like

age, intelligence, and experience under like circumstances." See *Ellison v. Brady*, 924 F.2d 872 (9th Cir. 1991).

If bullying or retaliation is substantiated, the school will take steps reasonably calculated to prevent recurrence and ensure that the target is not restricted in participating in school or in benefiting from school activities. As with the investigation, the response will be individually tailored to all of the circumstances, including the nature of the conduct and the age of the students involved. In addition to taking disciplinary action, the following are examples of steps that may be taken to prevent the recurrence of bullying or retaliation:

Holding parent conferences;

Limiting or denying student access to a part, or area, of a school;

Enhancing adult supervision on school premises;

Excluding from participation in school-sponsored or school-related functions, after-school programs, and/or extracurricular activities;

Providing relevant educational activities for individual students or groups of students. Guidance counselors and others in the school setting who have been trained in working with students on interpersonal issues may be helpful in providing such programs.

Personalized Action Plan and directives for future conduct, including providing the target with a process for reporting any concerns about future conduct immediately. It is critical to involve the student in creating an action plan that involves a reporting process that works for that particular student.

Arranging for communication between the parties, if appropriate, to assist them in resolving issues which have arisen between them. (Such an approach will be used cautiously since communication can sometimes exacerbate, rather than alleviate, the target's concerns and since the conduct often involves an imbalance of power.)

Providing counseling (or other appropriate services) or referral to such services for the target and/or the aggressor and/or for appropriate family members of said students.

## **F. Closing the Complaint and Possible Follow-Up**

School staff will promptly provide notice to the parent/guardian of a target and an aggressor about whether or not the complaint was substantiated and, if substantiated, what action is being taken to prevent any further acts of bullying or retaliation. Specific information about disciplinary action taken generally will not be

released to the target’s parents or guardians—unless it involves a “stay away” or other directive that the target must be aware of in order to report violations.

If appropriate, within a reasonable time period following closure of the complaint, the administrative staff or designee will contact the target to determine whether there has been any recurrence of the prohibited conduct.

The district will retain a report of the complaint, containing the name of the complainant, the date of the complaint, investigator, school, a brief statement of the nature of the complaint, the outcome of the investigation, and the action taken.

LEGAL REFS.: Title VII, Section 703, Civil Rights Act of 1964 as amended  
Federal Regulation 74676 issued by EEO Commission  
Title IX of the Education Amendments of 1972  
603 CMR 26.00  
M.G.L. 71:370; 265:43, 43A; 268:13B; 269:14A

REFERENCES: Massachusetts Department of Elementary and Secondary  
Education’s Model Bullying Prevention and Intervention Plan

CROSS REFS.: AC, Nondiscrimination  
ACAB, Sexual Harassment  
JBA, Student-to-Student Harassment  
JICFA, Prohibition of Hazing  
JK, Student Discipline Regulations

SOURCE: MANCHESTER ESSEX  
Revised 10.13

## **APPENDIX: COMMON POLICIES FOR STUDENT HANDBOOKS**

### **ACCEPTABLE USE POLICY (Summary)**

The Manchester Essex Regional School District complies with the safety guidelines mandated by the Children’s Internet Protection Act (CIPA). Networked resources, including the Internet are available to authorized students, teachers, staff, and administrators in the district. The district goal is to enhance educational excellence with the assistance of these resources. The district, however, is not responsible for the quality and content of information available to your child through the Internet. Therefore, students are responsible for good behavior on the district’s computer network, just as they are in a classroom or in a school hallway. Access to the district’s computer network and Internet services is a privilege and not a right. Students and district personnel have no rights of privacy with regard to their use of the district’s computer networks. Computer network administrators may review computer files and communications at any time without advance notice in order to maintain system integrity and to insure that the system is being used responsibly.

### **DRUGS AND ALCOHOL (Reference)**

Use of controlled substances and use of alcohol in certain ways are crimes under Massachusetts law, and criminal conduct within the schools will not be tolerated. The Manchester Essex Regional School Committee believes that those who are afflicted by substance abuse should be aided when dealing with this problem. At a minimum, mere possession of either drugs or alcohol in or within certain distances of public schools not only violates school district policy, but also is a crime in itself. In enacting this policy, it is the intent of the Regional School Committee to safeguard the well-being of the majority; to assist those who will benefit from substance-abuse counseling; to hold individuals responsible for their own conduct; and to make the consequences of the offending conduct clear and certain. Please refer to the complete Manchester Essex Regional School Committee Policy Manual for the complete policy concerning drugs and alcohol (Section G and Section J, Policy GBCB/JFCH). These manuals are available in the principals' offices and libraries of each school.

#### EMERGENCY CLOSING (Reference)

The Superintendent will decide to close school due to hazardous weather or other emergencies. The Superintendent may dismiss school before the regular time if hazardous weather conditions or other types of emergencies exist. Parents and students are urged NOT to contact the local police station, but to stay tuned to the radio and television stations outlined in the Superintendent's letter. Please refer to Section E Policy EBCD.

#### HARASSMENT (Reference)

The Manchester Essex Regional School District is committed to the prevention of harassment based upon race, color, sex, gender identity, religion, national origin, sexual orientation, disability or homelessness. The Committee's policy has been developed to ensure that the educational opportunities of all students, and the employment conditions of all employees, are not threatened or limited by such harassment. Please refer to the complete Manchester Essex Regional School Committee Policy Manual for harassment policy detail (Section G and Section J, Policy GBA/JBA).

#### HEALTH (Reference)

##### Policy for the Administration of Medications

The Manchester Essex Regional School Committee has a detailed policy governing administration of medications in the schools under its jurisdiction. Please refer to the Manchester Essex Regional School Committee Policy Manual for the complete details and procedures (Section J, Policy JHCD).

#### POLICY ON HIV (Reference)

The Manchester Essex Regional School Committee recognizes that its teachers, staff and students have a right to work and learn in a safe environment. The committee will ensure that employees are treated consistently with other employees as long as they are able to meet acceptable performance standards, and medical evidence indicates that their condition is not a threat to themselves or others. At the same

time, the Committee has an obligation to provide a safe environment for all employees, for other persons present in the workplace and schools and for our students. Therefore, reasonable precautions will be taken to ensure that an employee's or a student's condition does not present a health or safety threat to other employees, to other students or to other persons present in the workplace or schools. Please refer to the Manchester Essex Regional School Committee Policy Manual for the complete details (Section J, Policy JA).

#### LIMITED ENGLISH PROFICIENT (LEP) (Summary)

All students who speak a language other than English in their home must be tested for English proficiency and language dominance. Each student will be screened individually. The pre-referral or child-study team in each school with a trained LEP consultant, if appropriate and necessary, will then make a recommendation as to the proper placement and appropriate support needed by the student. The complete LEP procedure manual is available at each school and in the district's central office.

#### PUBLIC COMPLAINT ABOUT CURRICULUM (Reference)

The Manchester Essex Regional School Committee recognizes that parents and citizens have a legitimate concern for what is viewed, read, and studied in our schools. Parents and citizens have a right to read, view and comment on all instructional materials selected for our school system. If a parent or citizen has a complaint about the curriculum or instructional materials, they should refer to the Manchester Essex Regional School Committee's Policy manual for the guidelines and procedures for communicating their complaint regarding the curriculum (Section K, Policy KLB).

#### PUBLIC COMPLAINT ABOUT SCHOOL PERSONNEL (Reference)

Complaints about school personnel will be investigated fully and fairly. However, before any such complaint is investigated, the complainant must submit his complaint in writing. Anonymous complaints will be disregarded. Whenever a complaint is made directly to the School Committee as a whole or to a Committee member as an individual, it will be referred to the school administration for study and possible solution. Please refer to the Manchester Essex Regional School Committee's Policy manual for the specific procedures (Section K, Policy KLD). These procedures are necessary to ensure that a citizen's complaint is given respectful attention and that the integrity of the educational program is upheld. "Complaint" in this regulation will be restricted in meaning to that criticism of a particular school employee(s) that includes or implies a demand for action by school authorities. Other comments and suggestions will be referred informally to affected personnel.

#### STUDENT BEHAVIOR RELATED TO WEAPONS AND PHYSICAL ASSAULT (Reference)

The Manchester Essex Regional School Committee recognizes that violence and the use or possession of a dangerous weapon has no place in our schools. Please refer to

the Manchester Essex Regional School Committee's Policy Manual for the specific definitions and outcomes associated with this policy (Section J, Policy JKD).

#### STUDENT FEES (Reference)

The School Committee recognizes that certain school activities which are not a part of our school's core curriculum such as: some field trips, special projects, extra-curricular activities, sports programs, intramural programs, the use of special materials or equipment and the like, should be made available to our students on a voluntary basis. The School Committee also recognizes that students may be charged fees to fund these types of school activities, which are not financed by local, state or federal funds. No student will be denied the opportunity to participate in these types of school activities because of his or her inability to pay supplementary fees. The School Committee understands that the determination to charge student fees requires an exercise of judgment depending on the circumstances. Please refer to the Manchester Essex Regional School Committee's Policy Manual for the details associated with this policy (Section J, Policy JN).

#### STUDENT RECORDS (Summary)

The Manchester Essex Regional School Committee shall, at the request of a parent or guardian of a student, allow such parent guardian to inspect academic, scholastic, or any other records concerning such students that are kept or are required to be kept, regardless of the age of such student. Each school committee shall, at the request of a student eighteen years of age or older, allow such student complete access to all school records relative to him or her. Added by St. 1973, c.785; amended by St. 1981, c.460, s.2.

#### STUDENT RESTRAINT (Reference)

Physical restraint shall be used only in emergency situations, after other less intrusive alternatives have failed or been deemed inappropriate, and with extreme caution. School personnel shall use physical restraint with two goals in mind:

- To administer a physical restraint only when needed to protect a student and/or a member of the school community from imminent, serious, physical harm and to prevent or minimize any harm to the student as a result of the use of physical restraint.
- Nothing in the student restraint policy (and law) precludes any teacher, employee or agent of a public education program from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm. Please refer to the complete Manchester Essex Regional School District Policy Manual for the complete Student Restraint Policy and for definitions of the degrees of restraint (Section J, Policy).

#### TOBACCO (Verbatim)

It is the policy of the Manchester Essex Regional School District to provide learning and working environment that is free from the health hazards related to the use of tobacco.

It shall be a violation of this policy for students, staff and visitors to use tobacco in our buildings and on our school grounds at any time. This prohibition will be enforced at all school-sponsored activities that are not held on school grounds as well.

#### WEAPONS

The Manchester Essex Regional School Committee recognizes that the possession or use of a dangerous weapon has no place in schools. The possession or use of a dangerous weapon in school will not be tolerated and will be treated by the school as a Level 3 offense. Please refer to the Manchester Essex Regional School Committee's Policy Manual for the specific definitions and outcomes associated with dangerous weapons (Section J, Policy JKD).

#### HIV

The Manchester Essex Regional School Committee recognizes that its teachers, staff and students have the right to work and learn in a safe environment. The committee will ensure that employees are treated consistently with other employees as long as they are able to meet acceptable performance standards, and medical evidence indicates that their condition is not a threat to themselves or others. At the same time the committee has an obligation to provide a safe environment for all adults and students. Therefore, reasonable precautions will be taken to ensure that an employee's or a student's condition does not present a health or safety threat to other employees, to other students or to other persons present in the workplace or schools. Please refer to the Manchester Essex Regional School Committee Policy manual for the complete details (Section J, Policy JA).

#### WELLNESS POLICY (Condensed)

Pursuant to the Child Nutrition and WIC Reauthorization Act of 2004, the Manchester Essex Regional School Committee recognizes the relationship between student well-being and student achievement as well as the importance of a comprehensive district wellness program. Therefore, the school district will provide developmentally appropriate nutrition, and sequential nutrition and physical education as well as other opportunities for physical activity. The wellness program will be implemented in a multidisciplinary fashion and will be evidence based. The District Health Advisory council consists of parents, students, Food Service and Nutrition Specialists, Wellness Curriculum Coordinator, members of the school committee, school administrators, teachers, health professionals, and members of the public.

For more information relating to this policy, please visit the district website.

#### ANNUAL NOTICE

THE FAMILY AND EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

MASSACHUSETTS STUDENT RECORDS REGULATIONS

The Family Educational Rights and Privacy Act ("FERPA") and the Massachusetts Student Records Regulations ("Massachusetts Regulations") together provide parents and eligible students (those who have reached the age of 14 or who have

entered the ninth grade) certain rights with respect to the student's education records. A general overview of those rights is provided below. Parents and students may obtain a complete copy of their rights under the Massachusetts Student Records Regulations by contacting the Essex Elementary School or the MERSD Student Services at 978-525-6060. These rights include:

1. The right to access the student's education records. Parents or eligible students should submit their request for access to the building principal. Access is general provided within ten days of a request. Massachusetts General Laws Ch. 71, Section 34H, however, provides specific procedures that must be followed prior to release of records to a parent who does not have physical custody of a child. Information about these procedures can be obtained from the building principal or the MERSD Student Services.

2. The right to request amendments of the student's education records. Parents or eligible students should direct their request to the principal, clearly identifying the part of the record they wish to have amended and why.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA and the Massachusetts Regulations authorize disclosure without consent. Some of the exceptions:

- One exception that permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official has a legitimate educational interest if the official needs to review an educational record in order to fulfill his or her professional responsibilities. Such school officials include professional, administrative and clerical staff who are employed by or under agreement with the school district.
- The school district may also disclose all student records (which include health records and special education records, if any) without parent/eligible student consent to officials of other schools in which the student seeks or intends to enroll, upon receipt of a request from such school officials.
- The school district may disclose, without written consent, designated "directory information," which is information generally not considered harmful or an invasion of privacy if disclosed. The primary purpose of directory information is to allow the district to include this type of information from your child's records in certain school publications. Information that a district designates as directory information may be disclosed to outside organizations (for example class ring manufacturers and yearbook publishers) without prior consent.

Elementary Schools have designated elementary students' names, grade level, and classroom assignment as "directory information." High School has designated middle and high school students' names, team/class assignment (middle school), weight and height of athletic team members, class, participation in recognized activities and sports, and honors and awards as "directory information." In addition, federal law requires that the high school provides military recruiters or officials of institutions of higher education, upon request, with three categories of directory information – names, addresses and telephone listings – of all secondary students. If a parent or eligible student does not want the district to disclose any of the above directory



information, the parent/eligible student must notify the building principal each school year; otherwise the information will be released without further notice or written consent.

4. The right to file a complaint concerning alleged failures by the district to comply with the regulations and laws governing student records. Complaints may be filed with the Massachusetts Department of Education, 350 Main Street, Malden, MA 02148 and/or the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-5901

## POLICY AGAINST HARASSMENT INCLUDING HARASSMENT BASED UPON SEX, RACE, GENDER IDENTITY, COLOR, NATIONAL ORIGIN, SEXUAL ORIENTATION, RELIGION, AGE AND/OR HANDICAP

### I. POLICY PREAMBLE

The Manchester Essex Regional School District is committed to the prevention of harassment based upon race, color, sex, gender identity, religion, national origin, sexual orientation, disability or homelessness.. This policy has been developed to ensure that the educational opportunities of all students, and the employment conditions of all employees, are not threatened or limited by such harassment. This policy defines prohibited conduct, the personal responsibilities of all students, employees, and agents of the School District to ensure prohibited conduct does not occur, a referral procedure for reporting violations of this policy, and defined disciplinary procedures if violations of this policy have been substantiated.

### II. HARASSMENT/PROHIBITED CONDUCT DEFINED

A. A. Prohibited Conduct includes, but is not limited to the following conduct when related to a person's race, color, sex, gender identity, religion, national origin, sexual orientation, disability or homelessness and when such conduct is unwelcome by the recipient:

1. Name calling, teasing, jokes, rumors, or other derogatory or dehumanizing remarks
  2. Pulling at clothing and other possessions
  3. Graffiti
  4. Notes or cartoons
  5. Unwelcome touching of a person or clothing
  6. Offensive or graphic posters, pictures, or book covers
  7. Any words or actions that provoke feelings of discomfort, embarrassment or hurt
- Prohibited Conduct: slurs, swastikas, and related types of verbal harassment can be instances of a hate crime and can be pursued in the legal system as a civil rights violation. Hate crimes will be reported to appropriate law enforcement agencies for anti-bias criminal investigations.

The foregoing list was provided to give some concrete examples of conduct that constitutes harassment. However, all members of the Manchester Essex community

must assess their conduct in light of the following definitions of the various forms of harassment. Thus, if certain conduct is not listed in the foregoing list, but does fall into one of the following definitions of harassment, then the conduct is harassment and is prohibited conduct.

B. Sexual Harassment/Gender Harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature when:

1. Submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining an education, or obtaining or retaining employment;
2. Submission to or rejection of that conduct or communication by an individual is used as a factor in decision affecting the individual's education or employment;
3. That conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's education or employment, or creating an intimidating, hostile or offensive educational or work environment;
4. That conduct adversely affects an individual's academic or employment opportunities: Sexual Harassment includes but is not limited to:

Sexual Harassment includes but is not limited to:

1. Unwelcome verbal harassment or abuse
2. Unwelcome pressure for sexual activity
3. Unwelcome sexually motivated or inappropriate touching, patting, or other sexual contact other than reasonable and necessary restraints of students by avoiding physical harm to persons or property
4. Unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's educational or employment status
5. Unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's educational or employment status
6. Unwelcome behavior or words directed at an individual because of gender
7. Sexual epithets, jokes, written or oral reference to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess
8. Displaying sexually suggestive objects, pictures, cartoons
9. Inquiries into one's sexual experiences
10. Discussion of one's sexual activities

Sexual harassment can include prohibited conduct as defined above

That occurs between members of the same or opposite sex.

Sexual harassment in the workplace and retaliation against an individual for filing or cooperating in an investigation of a complaint is unlawful.

C. Harassment based upon race, color, sex, gender identity, religion, national origin, sexual orientation, disability or homelessness consists of conduct that:

1. Has the purpose or effect of creating an intimidating, hostile or offensive academic or work environment;

2. Has the purpose or effect of substantially or unreasonably interfering with an individual's academic or work performance;
3. Otherwise adversely affects an individual's academic or employment opportunities.

### III. RESPONSIBILITIES

A. Individual: All students, teachers, administrators and other school personnel of the Manchester Essex School District are responsible for creating an environment that is free of harassment and other offensive behaviors, and for conducting themselves in a manner consistent with the spirit and intent of this policy.

B. Principals: Principals are responsible to ensure that this policy is conspicuously posted in each classroom, school, and office and other appropriate student/employee work areas, and that it is printed in each school's student handbook. The posting shall include the name, mailing address, and telephone number of each school's harassment contact, as well as the name, address, and telephone number of the District Human Rights Officer.

C. Superintendent: The Superintendent is responsible for the dissemination of this policy and training. The Superintendent will:

1. Develop a method of discussing this policy with students and employees
2. Provide appropriate training to administrators and others who are assigned the responsibility to implement the procedures of this policy
3. See that this policy is reviewed at least annually for compliance with State and Federal law

### IV. REPORTING PROCEDURES

Any person who believes s/he has been the victim of harassment by a student or employee of the Manchester Essex Regional School District or any third person with knowledge or belief of conduct which may constitute harassment should report the alleged acts immediately to the appropriate school official as designated in this policy. The reporting party or the complainant is encouraged to use the report form (see attachment I) available from each principal of each school or available from the School District's Central Office, but oral reports will be considered complaints as well. Nothing in this policy shall prevent any person from reporting alleged prohibited conduct to a different administrator than the administrator designated, or in the case of a student, to a district employee.

In each school building the principal or substitute principal is the person responsible for receiving oral or written reports of harassment.

District-wide the School Committee hereby designates the Superintendent as District Human Rights Officer to receive complaints or reports of harassment from any individual, employee or victim of harassment and also from principals as outlined above.

## V. COMPLAINT INVESTIGATION PROCEDURES

Upon receipt of a report or complaint of alleged prohibited conduct, the responsible administrator shall initiate a timely investigation of the complaint.

The investigation may consist of personal interviews with the complainant(s), the individual(s) against whom the complaint is filed, and others that may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.

In determining whether “alleged conduct” constitutes a violation of this policy, the investigator shall consider the surrounding circumstances: the nature of the behavior, past incidences or continuing patterns of behavior, the relationship between the parties involved and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all facts and surrounding circumstances. In instances of confirmed harassment, parents of all individuals involved will be notified.

The investigation will be completed as soon as practicable and the building contact person will file a written report with the Superintendent. The report will include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy. The complainant will be informed in writing as to whether or not the allegation of harassment was substantiated. During the entire process of reporting, investigation, and corrective action (if applicable), confidentiality will be maintained to every extent possible.

## VI. CORRECTIVE ACTION:

Upon completion of an investigation and substantiation of the complaint, the School District will take appropriate corrective action. Such action may include, but is not limited to, an apology, direction to stop the offensive behavior, counseling or training, warning, suspension, exclusion, expulsion, transfer, termination or discharge. School District action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Massachusetts and federal laws and School District policies.

At the close of an investigation, the complainant will be informed in writing that the alleged harassment was substantiated or not substantiated. In accordance with state and federal law regarding data or records privacy, the complainant will also be informed that appropriate corrective action has been taken.

In the case of substantiated harassment by an employee, the Superintendent will include a written statement of the finding, the corrective action taken, and the consequences of continued harassment, in the individual’s personnel file with a copy to place in a file kept in the Central Office for a period of 60 years.

In the case of substantiated harassment by a student, the principal will include a written statement, as above, in the student's discipline file.

## VII. REPRISAL

The School District will discipline or take appropriate action against any student, teacher, administrator, or school employee who retaliates against any person who reports an alleged violation of this policy or any person who testifies, assists, or participates in an investigation, or who testifies, assists, or participates in a proceeding or hearing relating to such harassment. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

## VIII. RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES

These procedures do not deny the right of any individual to pursue other avenues of recourse that may include:

- A. Filing charges with the Massachusetts Department of Education, Massachusetts Commission Against Discrimination, Equal Employment Opportunity Commission, and the Office of Civil Rights of the U.S. Department of Education Office of the District Attorney for the Eastern District.
- B. Initiating civil action or seeking redress under criminal statutes and/or federal law.

## IX. HARASSMENT AS CHILD ABUSE

Under certain circumstances, alleged harassment may also constitute abuse or neglect under G.L.c.119 51A. If so, state requirements for mandatory reporting must be followed

## X. LEGAL REFERENCES

Title VI and VII of the Civil Rights Act of 1964, Title IX of the 1972 Education Amendments to the Civil Rights Act, Section 504 of the Rehabilitation Act of 1973, The Age Discrimination in Employment Act, The American with Disabilities Act, Chapter 622 of the Acts of 1971, G.L. c. 151B and G.L. 265 Section 37, G.L. 265 Section 39, G.L. 266Section 98, G.L. 266 Section 126A, and G.L. 266 Section 126B.

