

**STUDENT/PARENT RIGHTS AND RESPONSIBILITIES HANDBOOK**

2017-2018

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## **STUDENT RIGHTS AND RESPONSIBILITIES**

### **PREAMBLE**

As a microcosm of a democratic society, a school system has many responsibilities to a community which provides its support. Not the least of these should be the development of an understanding and appreciation of our rights and responsibilities of the individual, and the procedures whereby necessary changes are brought about.

The school system and the schools which make up that system are a community, and the rules and regulations of the community are the laws by which it is governed. All who enjoy the right of citizenship in that community must also accept the responsibilities of citizenship. A basic responsibility of those who enjoy the rights of citizenship is to respect the laws of the community.

The teacher has the responsibility to maintain a suitable environment for learning, and the administrators have the responsibility for maintaining and facilitating the educational programs.

The principal is authorized by statute to suspend students for cause. The teacher has the authority to send a student to an appropriate school official from a class for cause.

The student must be free to, and should be encouraged to, participate in some form of Student Government that provides all students, through a representative system, a voice in school affairs. All undergraduate registered students shall be eligible to participate, including the holding of office.

In accordance with Massachusetts and federal law, the Quincy Public Schools is responsible to provide access to all schools and school programs, courses, advantages, and privileges without regard to race, color, sex, sexual orientation, religion, or national origin.

The Quincy Public School System supports and encourages the recognition and appreciation of differences among students and will not tolerate bigoted or discriminatory speech or behavior by staff or students.

Any offenses which violate the civil rights of others, which clearly have affected life, limb, or property, or which have significant potential to do so, will be treated as very serious offenses.

**STUDENTS AND PARENTS SHOULD REFER TO THEIR SCHOOL'S STUDENT/PARENT HANDBOOKS FOR MORE DETAILED INFORMATION.**

## **RIGHTS, RESPONSIBILITIES, AND LIMITATIONS**

### **FREEDOM TO PUBLISH**

Students are entitled to write, publish, and disseminate their views. The distribution of such material will be limited and may not interfere with or disrupt the educational process or the rights of others. Such written expression must be signed by the authors. The material is to be shared with the principal.

Students who edit, publish, or distribute handwritten, printed, or Xeroxed material, including non-school sponsored newspapers, among their fellow students within the schools must assume responsibility for the content of such publications.

Libel, obscenity, and written materials which materially and substantially interfere with appropriate discipline in the operation of the school or invade the rights of others are prohibited.

Unauthorized commercial solicitation will not be allowed on the school property at any time.

School officials may exercise editorial control over student speech in school-sponsored activities such as curricular and co-curricular publications and theatrical productions if such control is reasonably related to educational concerns. Such publications may not interfere with the educational process and/or the rights of others or promote illegal activities.

### **FREEDOM OF SPEECH AND ASSEMBLY**

Students are entitled to verbally express their opinions. Students may also express their views through use of symbols. The expression of such opinions, however, shall not interfere with the rights of others, and shall not interfere with the freedom of others to express themselves and shall not materially and substantially interfere with appropriate discipline in the operation of the school. The use of slander, profanity, and obscenity are prohibited.

All student meetings in school buildings or on school grounds may function only as part of the formal education process or as authorized by the principal.

Students have the freedom to assemble peacefully. There is an appropriate time and place for the expression of opinions and beliefs. Conducting demonstrations which interfere with the operation of the school or classroom is inappropriate and prohibited.

### **DISCIPLINARY ACTION**

The commission of or participation in any of the activities listed below under OFFENSES, within school buildings, on school grounds, on school buses, or at school sponsored events, is prohibited. In addition, STUDENTS COMING TO AND GOING HOME FROM SCHOOL, who are engaged in conduct which disrupts the educational process or affects the school environment, can be disciplined by school authorities whether civil authorities choose to do so or not. Such disciplinary action, after due process, could result in

suspension or expulsion from school under the existing guidelines for such action.

Students charged with a felony, regardless of where the felony occurred, may be suspended from school, and students convicted of or upon adjudication or admission of guilt of a felony, regardless of where the felony occurred, may be expelled from school, under Section 37H 1/2 as amended by Chapter 380 of the Acts of 1993.

No student shall be suspended, expelled, or otherwise disciplined, on account of marriage, pregnancy, or parenthood, however, in the case of a pregnant student; the School Committee may require that the student be under the supervision of a physician.

The following is a list of actions to resolve discipline problems. The level will be determined by the nature and seriousness of the offense. Actions include:

**INFORMAL DISCIPLINE - LEVEL I**

- Conference with student.
- Conference with teacher/team.
- Conference with parent.
- Conference with Department Head.
- Conference with Dean, Assistant Principal, Principal and/or Counselor.
- Referral to Student Support Services Team.
- Mediation/Voluntary Conflict Resolution.

**FORMAL DISCIPLINE - LEVEL II**

- Detention.
- Hearing.
- Suspension (each type counts equally in records):
  - Out-of-School Suspension - Students are to stay at home during out of school suspension, and parents will be so notified.
  - In-Building Suspension.
  - Exclusion by Principal.
  - Expulsion\* by Principal.
  - In-Building Board of Review.
  - System-level Administrative Action.

**FORMAL DISCIPLINE - LEVEL III**

- System-level Administrative Action.
- Court Action.
- School Committee Action.
- Expulsion.\* (Expulsion means permanent exclusion.)

**DUE PROCESS PROCEDURES**

**M.G.L. c. 71 S. 37H ¾** covers the due process procedures for suspension of students for disciplinary offenses other than those covered by M.G.L. c.71 S.37H and 37 H ½. (Offenses controlled by S.37H and 37 H ½ include: possession of a dangerous weapon,

possession of a controlled substance, assault on educational staff, or felony charge or felony delinquency complaint or conviction if the principal determines the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.) The principal/designee shall determine the extent of the rights to be afforded the student at a disciplinary hearing based on the anticipated consequences for the disciplinary offense. Possible consequences include: "in-school suspension," "short-term suspension," or "long-term suspension."

**In-School Suspension under Section 37 H ¾:**

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

**Hearing and Notification – In-School Suspension:**

(1) The principal/designee may use in-school suspension as an alternative to short-term suspension for disciplinary offenses.

(2) The principal/designee shall inform the student of the disciplinary offense charged and the basis for the charge, and provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident. If the principal/designee determines that the student committed the disciplinary offense, the principal/designee shall inform the student of the length of the student's in-school suspension, which shall not exceed ten (10) days, cumulatively or consecutively, in a school year.

(3) On the same day as the in-school suspension decision, the principal/designee shall make reasonable efforts to notify the parent orally of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension. The principal/designee 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. Such meeting shall be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the principal/designee is unable to reach the parent after making and documenting at least two (2) attempts to do so, such attempts shall constitute reasonable efforts for purposes of orally informing the parent of the in-school suspension.

(4) The principal/designee shall 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 to a meeting with the principal/designee, if such meeting has not already occurred. The principal/designee shall deliver such notice on the day of the suspension by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or by other method of delivery agreed to by the

principal/designee and the parent.

(5) Any student who is serving an in-school suspension shall have the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal from the classroom. The principal/designee shall inform the student and parent of this opportunity in writing when such suspension is imposed.

**Short-Term Suspension under Section 37 H ¾:**

Definition: “Short-term suspension” means the removal of a student from the school premises and regular classroom activities for ten (10) consecutive school days or less. A principal/designee may, in his or her discretion, allow a student to serve a short-term suspension in school. Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days.

**Notice of Suspension and Hearing – Short-Term Suspension:**

(1) Except as provided under “in-school” suspension or “emergency removal,” a principal/designee may not impose a suspension as a consequence for a disciplinary offense without first providing the student and parent oral and written notice, and providing the student an opportunity for a hearing on the charge and the parent an opportunity to participate in such hearing.

(2) The principal/designee shall provide oral and written notice to the student and the parent in English and in the primary language of the home if other than English, or other means of communication where appropriate. The notice shall set forth in plain language:

- (a) the disciplinary offense;
- (b) the basis for the charge;
- (c) the potential consequences, including the potential length of the student’s suspension;
- (d) the opportunity for the student to have a hearing with the principal/designee concerning the proposed suspension, including the opportunity to dispute the charges and to present the student’s explanation of the alleged incident, and for the parent to attend the hearing;
- (e) the date, time, and location of the hearing;
- (f) the right of the student and the student’s parent to interpreter services at the hearing if needed to participate;
- (g) if the student may be placed on long-term suspension following the hearing with the principal/designee, the student is entitled to all of the rights described under “Principal Hearing – Long-Term Suspension (3) (b)” below, as well as the right to appeal the principal/designee’s decision to the superintendent.

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

(4) Written notice to the parent may be made by hand delivery, first-class mail, certified

mail, or email to an address provided by the parent for school communications, or any other method of delivery agreed to by the principal/designee and parent.

The Principal/Designee's Hearing – Short-Term Suspension:

(1) The purpose of the hearing with the principal/designee is to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction. At a minimum, the principal/designee shall discuss the disciplinary offense, the basis for the charge, and any other pertinent information. The student also shall have an opportunity to present information, including mitigating facts, that the principal/designee should consider in determining whether other remedies and consequences may be appropriate. The principal shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the principal/designee should consider in determining consequences for the student.

(2) Based on the available information, including mitigating circumstances, the principal/designee shall determine whether the student committed the disciplinary offense, and, if so, what remedy or consequence will be imposed.

(3) The principal/designee shall notify the student and parent of the determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal. The determination shall be in writing and may be in the form of an update to the original written notice.

(4) If the student is in a public preschool program or in grades K through 3, the principal/designee shall send a copy of the written determination to the superintendent and explain the reasons for imposing an out-of-school suspension, before the short-term suspension takes effect.

**Long-Term Suspension under Section 37 H ¾:**

Definition: "Long-term suspension" means the removal of a student from the school premises and regular classroom activities for more than ten (10) consecutive school days, or for more than ten (10) school days cumulatively for multiple disciplinary offenses in a school year. A principal/designee may, in his or her discretion, allow a student to serve a long-term suspension in school. Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days. Except for students who are charged with a disciplinary offense set forth in M.G.L. c.71, S. 37H or 37H ½, no student may be placed on long-term suspension for one or more disciplinary offenses for more than ninety (90) school days in a school year beginning with the first day that the student is removed from school. No long-term suspension shall extend beyond the end of the school year in which such suspension is imposed.

Notice of Suspension and Hearing – Long-Term Suspension:

The "Notice of Suspension and Hearing" for a long-term suspension" is the same as that

of a “short-term suspension” as described above.

The Principal/Designee’s Hearing – Long-Term Suspension:

(1) The purpose of the hearing is the same as the purpose of a short-term suspension hearing described above.

(2) At a minimum, in addition to the rights afforded a student in a short-term suspension hearing described above, the student shall have the following rights:

(a) In advance of the hearing, the opportunity to review the student’s record and the documents upon which the principal may rely in making a determination to suspend the student or not;

(b) the right to be represented by counsel or a lay person of the student’s choice, at the student/parent’s expense;

(c) the right to produce witnesses on his or her behalf and to present the student’s explanation of the alleged incident, but the student may not be compelled to do so;

(d) the right to cross-examine witnesses presented by the school district;

(e) the right to request that the hearing be recorded by the principal, and to receive a copy of the audio recording upon request. If the student or parent requests an audio recording, the principal shall inform all participants before the hearing that an audio record will be made and a copy will be provided to the student and parent upon request.

(3) The principal/designee shall provide the parent, if present, an opportunity to discuss the student’s conduct and offer information, including mitigating circumstances, that the principal/designee should consider in determining consequences for the student.

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

(a) Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing;

(b) Set out the key facts and conclusions reached by the principal;

(c) Identify the length and effective date of the suspension, as well as a date of return to school;

(d) Include notice of the student’s opportunity to receive education services to make academic progress during the period of removal from school;

(e) Inform the student of the right to appeal the principal/designee’s decision to the superintendent or designee, but only if the principal/designee has imposed a long-term suspension. Notice of the right of appeal shall be in English and the primary language of the home if other than English, or other means of communication where appropriate, and shall include the following information stated in plain language:

1. The process for appealing the decision, including that the student or parent must file a written notice of appeal with the superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5)

calendar days, the student or parent may request and receive from the superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days; and that

2. The long-term suspension will remain in effect unless and until the superintendent decides to reverse the principal/designee's determination on appeal.

(5) If the student is in a public preschool program or in grades K through 3, the principal/designee shall send a copy of the written determination to the superintendent and explain the reasons for imposing an out-of-school suspension, whether short-term or long-term, before the suspension takes effect.

**Appeal of Long-Term Suspension - Superintendent's Hearing under Sect. 37 H ¾:**

(1) A student who is placed on long-term suspension following a hearing with the principal/designee shall have the right to appeal the principal's decision to the superintendent or his designee.

(2) The student or parent shall file a notice of appeal with the superintendent within the time period set forth above. If the appeal is not timely filed, the superintendent may deny the appeal, or may allow the appeal in his or her discretion, for good cause.

(3) The superintendent shall hold the hearing within three (3) school days of the student's request, unless the student or parent requests an extension of up to seven (7) additional calendar days, in which case the superintendent shall grant the extension.

(4) The superintendent shall make a good faith effort to include the parent in the hearing. The superintendent shall be presumed to have made a good faith effort if he or she has made efforts to find a day and time for the hearing that would allow the parent and superintendent to participate. The superintendent shall send written notice to the parent of the date, time, and location of the hearing.

(5) The superintendent shall conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequences shall be. The superintendent shall arrange for an audio recording of the hearing, a copy of which shall be provided to the student or parent upon request. The superintendent shall inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent upon request.

(6) The student shall have all the rights afforded the student at the principal/designee's hearing for long-term suspension described above.

(7) The superintendent shall issue a written decision within five (5) calendar days of the hearing which meets the requirements of the long-term suspension. If the superintendent determines that the student committed the disciplinary offense, the superintendent may impose the same or a lesser consequence than the principal, but shall not impose a suspension greater than that imposed by the principal/designee's decision.

(8) The decision of the superintendent shall be the final decision of the school district with regard to the suspension.

**Emergency Removal under Section 37 H ¾:**

(1) Nothing in these regulations shall prevent a principal/designee from removing a student from school temporarily when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the principal/designee's judgment, there is no alternative available to alleviate the danger or disruption. The principal/designee shall immediately notify the superintendent in writing of the removal and the reason for it, and describe the danger presented by the student. The temporary removal shall not exceed two (2) school days following the day of the emergency removal, during which time the principal/designee shall:

(a) Make immediate and reasonable efforts to orally notify the student and the student's parent of the emergency removal, the reason for the need for emergency removal, and other matters set forth in (2) under "Notice of Suspension and Hearing - Short-Term Suspension" above.

(b) Provide written notice to the student and parent as provided in (2) under "Notice of Suspension and Hearing - Short-Term Suspension" above.

(c) Provide the student an opportunity for a hearing with the principal that complies with either the "Principal/Designee's Hearing - Short-Term Suspension or Long-Term Suspension" described above, as applicable, and the parent an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the principal, student, and parent.

(d) Render a decision orally on the same day as the hearing, and in writing no later than the following school day, which meets the requirements of either (3) and (4) of "The Principal/Designee's Hearing - Short-Term Suspension" above or of (3) and (4) of "The Principal/Designee's Hearing - Long-Term Suspension" above.

(2) A principal/designee may not remove a student from school on an emergency basis for a disciplinary offense until adequate provisions have been made for the student's safety and transportation.

**M.G.L. c. 71, S. 37H and 37H ½** covers the due process procedures for suspension or expulsion of students for disciplinary offenses including: possession of a dangerous weapon, possession of a controlled substance, assault on educational staff, or felony charge or felony delinquency complaint or conviction if the principal determines the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school as follows:

**M.G.L. c.71, S.37H: Weapons, Controlled Substances, Assault on Educational Staff**

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

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

(c) Any student who is charged with a violation of either paragraph (a) or (b) shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the principal. After said hearing, a principal may, in his discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraph (a) or (b).

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

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

**M.G.L. c. 71, S. 37 H ½: Felony**

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

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

(2) Upon a student being convicted of a felony or upon an adjudication or admission in court of guilt with respect to such a felony or felony delinquency, the principal or headmaster of a school in which the student is enrolled may expel said student if such principal or headmaster determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall

receive written notification of the charges and reasons for such expulsion prior to such expulsion taking effect. The student shall also receive written notification of his right to appeal and the process for appealing such expulsion; provided, however, that the expulsion shall remain in effect prior to any appeal hearing conducted by the superintendent.

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

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

#### **DUE PROCESS FOR STUDENTS WITH DISABILITIES:**

Students are expected to meet the requirements for behavior as set forth in the Quincy Public Schools Student-Parent Handbook. The regulations in 603, CMR 28.00 pursuant to MGLc.69, Section 1B and Chapter 71B, Section 3 require that additional provisions be made for students who have been found eligible for special education by an evaluation TEAM. Any student may be suspended up to 10 days.

Students on an IEP or a 504 plan may not be removed for more than 10 days without a manifestation determination. The manifestation process includes a review of the student's file, the IEP or 504 plans, teacher observations as well as any information provided by parents. The relevant members of the TEAM must convene prior to a suspension hearing and must consider whether the IEP was being implemented and whether the behavior was the cause of the student's disability. If it is determined the conduct was not caused by, nor had a direct and substantial relationship to the student's disability, then a student on a 504 plan or an IEP may receive disciplinary action beyond the 10 days. The student on a 504 plan will then be treated equal to a non-disabled student. From day 11 onward, the IEP student must also receive a Free and Appropriate Public Education (FAPE). FAPE is defined as a provision of educational services that enables a student to participate in the general education curriculum and continue to make progress toward goals on the IEP. Parents must be notified on the day of this action per the procedural safeguards under IDEA.

If the behavior is found to be a manifestation of the student's behavior, the TEAM must convene to conduct a Functional Behavior Assessment and implement a Behavioral

Intervention Plan. In a situation where a Behavioral Intervention Plan is in place, the TEAM should review the plan and modify it, as necessary, to address the behavior. The TEAM may need to rewrite the 504 plan or IEP to provide those services to address the targeted behavior. The student must return to the placement he/she was removed from unless the parent and TEAM agree to a change in placement as part of the modification of the Behavior Intervention Plan.

- Change in Placement: A change in placement occurs if removal is more than 10 consecutive school days or the student is subjected to series of removals that constitute a pattern.
- Special Circumstances: Students may be removed to an Interim Alternative Placement setting for up to 45 school days without regard to whether the behavior was determined to be a manifestation of the student's disability if they are charged with possession of a weapon on the way to or the way home from school, at school, on school premises, or at a school function, under the jurisdiction of a Massachusetts or Quincy Public School District; knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance while at school, on the way to or on the way home from school, on school premises, or at a school function under the jurisdiction of a State or school district. Students may also be removed for causing serious bodily injury. Serious bodily injury is defined as bodily injury that involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental facility.

The Principal shall be deemed to have knowledge that a student is a student with a disability if, before the behavior that precipitated the disciplinary action occurred, the parent expressed concern in writing to a supervisor or administrator, requested an evaluation or a teacher of the student expressed concern that the student may be in need of special education or related services. This would also be true if a teacher expressed "specific concerns" to the Special Education Director or other "supervisory personnel." Student would be afforded the same procedural guidelines as a student on an IEP.

The Principal shall not be deemed to have knowledge that a student is a student with a disability if the parent has not allowed an evaluation, has refused services, or if the student was evaluated and found not eligible for special education.

If a parent protests the disciplinary action and requests a special education evaluation, citing that the behavior was a result of the student's "disability," the TEAM must make every effort to expedite the evaluation. If the school district did not have knowledge or suspect the student to be eligible, the disciplinary action may stand as long as the evaluation is expedited.

**TITLE VI, TITLE IX, CHAPTER 622, SECTION 504, M.G.L. CH.76, S.5:**

The Quincy Public Schools strives to provide a safe, respectful, and supportive learning environment in which all students can thrive and succeed in its schools. The Quincy Public Schools prohibits discrimination on the basis of race, color, sex, gender identity, religion, national origin, or sexual orientation and ensures that all students have equal rights of access

and equal enjoyment of the opportunities, advantages, privileges, and courses of study.

Any behavior which impinges upon the civil rights of others or which has affected, or has the potential to affect the life, limb, or property of another, or that represents a significant threat to the safety and well-being of the school community, will be treated as a very serious offense, and could result in maximum suspension, expulsion and/or court action.

- DEFINITIONS:

- **Title VI of the Civil Rights Act of 1964:** Prohibits discrimination, exclusion from participation, and denial of benefits based on race, color, or natural origin.
- **Title IX of the Education Amendments of 1972:** Is federal legislation, which prohibits discrimination, exclusion from participation, and denial of benefits in educational programs on the basis of sex.
- **Chapter 622 of the Acts of 1971:** Is state legislation, which prohibits discrimination on the basis of sex, race, color, national origin, and religion. Chapter 622 deals with students only.
- **Section 504 of the Rehabilitation Act of 1973:** Prohibits discrimination, exclusion from participation, and denial of benefits based on disability.
- **Massachusetts General Laws, Chapter 76, Section 5** reads as follows:  
Every person shall have the 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.

- CONTACT PERSONS:

Students or parents who wish to discuss issues of possible discrimination and/or limited educational access, should contact their guidance counselor and/or principal of the school. Students or parents may also directly contact the following:

- Quincy Public Schools **Title VI** Coordinator for Students  
Ms. Maura E. Papile, Director of Student Support Services  
Quincy Public Schools  
70 Coddington Street  
Quincy MA 02169  
617-984-8898
- Quincy Public Schools **Section 504** Coordinator of Students  
Ms. Erin Perkins, Director of Special Education  
70 Coddington Street  
Quincy MA 02169  
617-984-8743

## **STUDENT GRIEVANCE PROCEDURE:**

Any student and/or parent of a student, who has reason to believe that illegal harassment or discrimination has occurred, should avail themselves of the Grievance Procedure outlined below:

- **Step 1:** The student and/or parent should contact the principal of the school, either orally or in writing, stating the basis for the allegation of illegal harassment or discrimination. The Principal will promptly review all the facts of the case, including interviewing witnesses, and make a determination.  
If the principal determines that illegal harassment or discrimination has occurred, he or she will immediately take all steps necessary to eliminate the offending conduct, and where appropriate, will impose disciplinary action against the offending party or parties.
- **Step 2:** If the student or parent is dissatisfied with the results of Step 1, he or she may directly contact the appropriate director listed above, who will promptly investigate all aspects of the case and make recommendations for possible further action.
- **Step 3:** If the student or parent is dissatisfied with the results of Step 2, he or she may appeal directly to the Superintendent of the Quincy Public Schools, who, after a prompt and thorough investigation conducted personally or by a designee, will make a final determination as to whether the alleged harassment or discrimination has in fact occurred, and as to what further actions will be taken.

## **OFFENSES**

Commission of any of the offenses or repeated commission as described below may result in a suspension or expulsion. The level of seriousness of the offense will determine the disciplinary measures applied.

Mediation services are available for all students. The Mediation process may be involved in discipline offenses which require conflict resolution.

Incident reports will be submitted to the Superintendent's Office regarding serious and very serious offenses.

The levels of offenses are:

- **Routine Offenses.** Offenses internal to school operations which may not affect life, limb, or property.
- **Serious Offenses.** Offenses which do not violate the Civil Rights of others, nor in the level of their magnitude, do not severely affect life, limb, or property. System-level administrators may be involved in disciplinary measures, and court action may result.
- **Very Serious Offenses.** Offenses which do violate the Civil Rights of others clearly have affected life, limb, or property; or, have significant potential to do so. System-level administrators and School Committee may be involved in disciplinary measures, and court action may result.

## **MISCONDUCT:**

- **CHEATING:** The fraudulent acquisition of another's property. Academic dishonesty, including, but not limited to giving or receiving unauthorized aid on any assignment, test, lab, or demonstration.
- **DISRESPECT/DISOBEDIENCE:** Failure to comply with reasonable directions of teachers, administrators, personnel, staff members, or school employees on school grounds or at school-related activities, or use of abusive/offensive language or action on or off school grounds at all times.
- **DISRUPTIVE CONDUCT:** Conduct which materially and substantially interferes with the educational process is prohibited.
- **FORGERY:** The production of something forged, counterfeit, or fraudulent.
- **GAMBLING:** Gambling of any nature is forbidden in school, on school grounds or property, or at school-sponsored events. This includes card playing.
- **IDENTIFICATION:** Failure to identify oneself.
- **IMPROPER USE OF PASSES:** Permission in writing is required by all students moving about the building. Some areas may require permission in advance such as guidance or teacher advisor; and the study teacher gives permission for the study student to go to the media center. Passes are required for the lavatory, locker, and drinking fountain. Failure to adhere to purpose and time limitations of a pass is a suspension offense.
- **LEAVING SCHOOL GROUNDS:** Leaving school grounds without permission or being in an unauthorized area. Students who leave school grounds without permission or are found in an unauthorized area will be subject to a search.
- **LOITERING:** Failure to go to designated areas, i.e., classrooms, study hall, etc., within the time allowed, or lingering in rest rooms.
- **NOT SIGNING INTO SCHOOL:** Failure to sign into school when arriving, or not properly reporting to area assigned.
- **PLAGIARISM:** The use of someone else's words, statements of fact, opinion, or evidence, without proper documentation.
- **TOBACCO PRODUCTS:** Students are prohibited from the possession or use of all tobacco products, including but not limited to cigarettes and chewing tobacco, anywhere in school buildings or school facilities, on school grounds, on field trips or on school buses, consistent with Massachusetts General Laws Chapter 71, Sec. 2A, and School Committee Policy. A detention will be issued on the first offense and a suspension hearing will be held for each subsequent offense.
- **TRESPASS:** Entering or remaining in an area when forbidden to do so. Any student who is suspended OUT of building is not allowed in the building or on school grounds until his/her suspension is completed. In addition, he/she may not attend school activities or events while on suspension.  
Also, all students are prohibited from entering faculty rest rooms.
- **UNEXCUSED ABSENCE FROM CLASS:** Failure to attend class without proper excuse.

## **DISRUPTION/DANGER:**

- **ALCOHOL/ALCOHOL DETECTION SYSTEM:** Forbidden is the use of, being under the influence of, being in the presence of, the serving of, or the distribution of, any alcoholic beverage, on school premises, including school parking lots; on the way to or on the way home from school; or at school-sponsored or school-related

events, at home or away, including athletic games. The school official in charge shall have the authority to remove from contact with other students anyone suspected of being under the influence of, or in the presence of alcohol, and thereupon shall immediately contact the parent or legal guardian. In addition, police may be notified and students may be placed in protective custody or arrested.

If it is determined that a student is suspected of being under the influence of alcohol, school administrators have the authority to request the student be tested on an alcohol detection system.

- **ARSON:** The intentional setting of a fire. See M.G.L. Ch 266, S.2, S.5A, Crimes against Property, which may be found in Appendix F.
- **ASSAULT:** Verbal or written threats involving the safety of another person, as well as actual physical touching or an attempt to commit an offensive contact with another person. In addition, any student who assaults a member of the educational staff on school premises, on the way to or on the way home from school, or at school-sponsored or school-related events, including athletic games, may be subject to expulsion from the school by the principal, under M.G.L. CH 71, S. 37H.

Any student, who uses the Internet to threaten a member of the educational staff, if the threat amounts to an assault, will be subject to disciplinary action.

**BATTERY:** Unpermitted application of force to the person of another.

- The IDEA allows school personnel to remove a student with a disability to an interim alternative educational setting for up to 45 school days, if the student has inflicted serious bodily injury upon another person while at school, on school premises, at school functions, or on the way to or on the way home from school. The act also allows the hearing officer the authority to order the student into an interim setting for 45 school days on a determination that there is a substantial likelihood of injury to the student himself/herself or to others.
- **BOMB SCARE FALSELY REPORTED:** Action taken will include suspension, and notification to police and fire officials. This is a violation of M.G.L. Ch. 269, Sec. 14. It can result in an imprisonment of not more than twenty years in State's Prison, or more than 2 1/2 years in the House of Correction, or a fine of \$10,000, or both. A reward of \$1,000 will be paid to a person who assists in obtaining a conviction.
- **BULLYING:** The repeated use by one or more students or by a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity, or paraprofessional of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at a victim that: (i) causes physical or emotional harm to the victim or damage to the victim's property; (ii) places the victim in reasonable fear of harm to himself or of damage to his property; (iii) creates a hostile environment at school for the victim; (iv) infringes on the rights of the victim at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school. For the purposes of this section, bullying shall include cyber-bullying.
  - Cyber-bullying is bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system, including, but not limited to, electronic

mail, internet communications, instant messages, or facsimile communications. Cyber-bullying shall also include (i) the creation of a web page or blog in which the creator assumes the identity of another person or (ii) the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying. Cyber-bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in clauses (i) to (v) inclusive, of the definition of bullying.

- A hostile environment 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 student's education. The QPS Anti-bullying Policy may be found in Appendix H of this Handbook.
- **BURGLARY:** Breaking and entering with intent to commit a crime.
- **CIVIL RIGHTS:** No person shall interfere with, oppress, or threaten any other person in the free exercise of any right secured by the Constitution or laws of Mass. or the U.S. Any offenses which violate the Civil Rights of others will be treated as very serious offenses.
- **DRUGS OR DRUG PARAPHERNALIA: SALE, DISTRIBUTION, USE, IN THE PRESENCE OF, OR POSSESSION OF, ILLEGAL OR NON-PRESCRIBED DRUGS, OR DRUG PARAPHERNALIA:** Forbidden on school premises, on the way to or on the way home from school, or at school-sponsored or school-related events, including athletic games. The School Official in charge shall have the authority to remove from contact with other students anyone suspected of being under the influence of, or in the presence of drugs, and thereupon shall immediately contact the parent or legal guardian. In addition, police may be notified and students may be placed in protective custody or arrested. A student may be suspended for the use or possession of illegal or non-prescribed drugs or drug paraphernalia, or a substance purported to be a drug.
  - A student may be expelled by the principal for possession of a controlled substance as defined in Chapter ninety-four C, including but not limited to marijuana, cocaine, or heroin, or a substance purported to be a controlled substance, M.G.L. CH. 71, S. 37H (a).
  - The IDEA allows school personnel to remove a student with a disability to an interim alternative educational setting for up to 45 school days, if the student knowingly possesses or uses illegal drugs or sells or solicits the sale of controlled substances at school, on school premises, at school functions, or on the way home from or on the way to school. Included also would be a substance purported to be a drug.
  - Any person convicted of the sale of illegal drugs while in any school building, or school property, or within one thousand feet (1,000 feet) of school grounds, shall be punished by a term of imprisonment in the state prison for not less than two and one-half nor more than fifteen years or by imprisonment in a jail or house of correction for not less than two nor more than two and one-half years. No sentence imposed under this act shall be less than a mandatory minimum term or imprisonment of two years.

- A fine of not less than \$1,000 nor more than \$10,000 may be imposed, but not in lieu of the mandatory two-year term of imprisonment.
- **EXPLOSIVES:** Explosives including fireworks are not permitted on school property or at school-sponsored events.
- **EXTORTION, BLACKMAIL, OR COERCION:** Obtaining money or property by violence or threat of violence or forcing someone to do something against his will by force or threat of force.
- **FALSE ALARMS:** Sounding false alarms and/or tampering with alarms. Action steps taken will be suspension, and notification to police and fire officials. This is a violation of M.G.L. Ch. 268, Sec. 32. This violation can result in a fine of not more than \$500 or imprisonment in jail for two years or both.
- **FELONY:**

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 of a school in which the student is enrolled may suspend such student for a period of time determined appropriate by said principal if said principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school, Chapter 380 of the Acts of 1993, Section 37H 1/2 (1).

Upon a student being convicted of a felony or upon an adjudication or admission in court of guilt with respect to such 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, Chapter 380 of the Acts of 1993, Section 37H 1/2 (2).

- **FIGHTING:** An encounter with blows or other personal violence between two or more persons.
- **HARASSMENT:** Harassment based upon actual or perceived differences related to age, race, color, religion, ancestry, national origin, sex, socio-economic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical, developmental or sensory disability or by associations with other people who may have one or more of these characteristics includes any unwanted physical or verbal action toward another that has the purpose or effect of creating an intimidating, hostile, or offensive learning or working environment.
  - The conduct, acts, or threats described in this policy shall include, but are not limited to, conduct, acts, or threats conducted by mail or by use of a telephonic or telecommunication device or electronic communication device, including, but not limited to, any device that transfers 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.
  - Examples of conduct that may constitute harassment include, but are not limited to the following: verbal or written name calling, teasing, jokes, rumors, or other derogatory or dehumanizing remarks; gossip, harassing phone call, pranks; unwelcome touching of a person or person's clothing or other possessions; offensive or graphic graffiti, symbols, posters, pictures, cartoons/caricatures, notes, book covers, or designs on clothing or other

items; any words or actions which provoke feelings of discomfort, embarrassment, hurt, or intimidation.

- Harassment in general is prohibited whether or not such harassment involves relationships of adult to adult, adult to student, student to student, or student to adult. By law, harassment is defined by the victim's perception in combination with objective standards or expectations. What one person may consider acceptable behavior may be viewed as harassment by another person.
- The Quincy Public Schools' Harassment Policy may be found in Appendix E of this Handbook.
- **HAZING:** 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. This is a violation of M.G.L. Ch. 269, Sec. 17-19, which is included in Appendix B of the Handbook.
- **INSTIGATING A FIGHT/RIOT:** Instigating and/or participation in a fight or a riot.
- **INTIMIDATION OF OR INTERFERING WITH SCHOOL AUTHORITIES:** Intimidating or interfering with administrators, teachers, or staff by force or violence or threat of force or violence. Police will be involved.
- **LARCENY:** Theft.
- **LASER POINTERS** are prohibited on school grounds and at school sponsored events. They will be confiscated and will not be returned to students. A laser pointer may be considered a weapon if used to inflict bodily harm on another person.
- **LIGHTERS:** Cigarette lighters are prohibited on school grounds and at school sponsored events.
- **MACE AND PEPPER SPRAY:** Mace and pepper spray are prohibited on school grounds and at school sponsored events. Mace and pepper spray may be considered weapons if used to inflict bodily harm on another person.
- **MISSILES:** Throwing missiles and/or objects.
- **PROPERTY DAMAGE:** Willful destruction, damage to, or defacement of school property or the property of another person. Students must make restitution for damage caused to school property.
- **ROBBERY:** Stealing from an individual by force or threat of force.
- **SEXUAL HARASSMENT:** The legal definition means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when such advances, requests, or conduct have the purpose or effect of unreasonably interfering with an individual's ability to learn by creating an intimidating, hostile, humiliating, or sexually offensive environment. Too, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a learning environment that is hostile, offensive, intimidating, or humiliating to male or female members of the School Community may also constitute sexual harassment.
  - 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: unwelcome sexual advances whether they involve physical touching or not; sexual epithets, jokes, written or oral references 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; displaying sexually suggestive objects, pictures, cartoons; unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments; inquiries into one's sexual experiences; and, discussion of one's sexual activities.

- All members of the School Community should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment, and retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is unlawful and will not be tolerated by this school system.
- The QPS Sexual Harassment Policy may be found in Appendix I of this Handbook.
- **UNAUTHORIZED DEMONSTRATION/ASSEMBLY:** Unauthorized demonstration/assembly on school ground, which disrupts the educational process.
- **WATER GUNS** are prohibited on school grounds and at school sponsored events. They will be confiscated and will not be returned to students.
- **WEAPONS:** Firearms, knives, and ammunition are prohibited; martial arts weapons are prohibited; and any other instrumentalities which could be or were used to inflict bodily harm on another person, are prohibited on school premises or at school-sponsored or school-related events, including athletic games. Police will be notified.
  - Any student who is found on school premises, on the way to home from school, or at school-sponsored or school related events, including athletic games, in possession of a dangerous weapon or any other instrumentality which could be or was used to inflict bodily harm on another person, including, but not limited to, a gun or a knife, may be subject to expulsion from the school by the principal, M.G.L. CH 71, S. 37H (a).
  - The IDEA allows school personnel to remove a student with a disability to an interim alternative educational setting for up to 45 school days, if that student carries a weapon to school or possesses a weapon in school, on school premises, or at a school function. A weapon may be any instrumentality which could be or was used to inflict bodily harm on another person.
  - Effective October 1994, under the FEDERAL GUN-FREE SCHOOLS ACT, a student who is determined to have brought a FIREARM to school shall be expelled from school for a period of not less than one year. (See Appendix D.)
  - M.G.L. Ch. 269, Sec 10. Dangerous Weapons Unlawfully Carried: Whoever, except as provided by law, carries on his person, or carries on his person or under his control in a vehicle, a firearm, loaded or unloaded, as defined in section one hundred and twenty-one of chapter one hundred and forty without either. Having complied as to possession of an air rifle or BB gun; shall be punished by imprisonment in the state prison for not less than two and one-half nor more than five years in a jail or house of correction. Whoever owns, possesses, or transfers possession of a firearm, rifle, shotgun or ammunition shall be punished by imprisonment in a jail or house of correction for not more than one year or by a fine of not more than five hundred dollars. Whoever, not being a law enforcement officer, and

notwithstanding any license obtained by him under the provisions of chapter one hundred and forty, carries on his person a firearm as hereinafter defined, loaded or unloaded or other dangerous weapon in any building or on the grounds of any elementary or secondary school, college or university without the written authorization of the board or officer in charge of such elementary or secondary school, college or university shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both. For the purpose of this paragraph, "firearm" shall mean any pistol, revolver, rifle or smoothbore arm from which a shot, bullet or pellet can be discharged by whatever means.

### **MOTOR VEHICLES:**

Unauthorized use or misuse of motor vehicle during school hours is prohibited. Also, student parking on school grounds in faculty and staff spaces is prohibited. Illegally parked vehicles **will** be ticketed and/or towed at owner's expense and students who park their cars illegally, will face disciplinary action.

- **BUS RULES:** Violation of bus rules to and from school, on field trips, on physical education trips, and on athletic buses, may result in loss of privilege to ride, as well as additional disciplinary action.
  - Prior to loading:
    - ✓ Students must be on time.
    - ✓ Students must wait until the bus comes to a complete stop before attempting to enter.
    - ✓ Bus riders should not move toward the bus until the bus has come to a complete stop.
    - ✓ Riders will not crowd and push getting on the bus.
  - While on the bus:
    - ✓ Students must keep hands and head inside the bus. They must not extend any part of their body out of the windows or doors while bus is in motion.
    - ✓ Opening and closing windows is not permitted except by the driver.
    - ✓ Students must assist in keeping the bus safe and sound. They must not throw things in the bus.
    - ✓ There must be no shouting or unnecessary confusion.
    - ✓ Students must treat bus equipment well. Damage to equipment will be paid for by the offender.
    - ✓ Riders should never tamper with the bus or any of its equipment.
    - ✓ Students must not leave books, lunches, or other articles on the bus.
    - ✓ Students must keep books, packages, coats, and all other objects out of the aisle.
    - ✓ Students must not leave or change seats while the bus is in motion.
    - ✓ Students must not throw anything out of the bus window.

- ✓ Riders are expected to be courteous to fellow pupils, the bus driver, and passersby.
  - ✓ There must be absolute quiet when approaching a railroad crossing stop.
  - ✓ In case of a road emergency, students are to remain on the bus unless requested to leave by the bus driver.
  - ✓ Smoking or use of tobacco products is NOT allowed on the bus.
  - ✓ Pupils shall have written permission to leave the bus at other than designated stops.
  - ✓ Students must sit where they are told.
  - ✓ Pupils who refuse to obey promptly the directions of the driver or refuse to obey regulations, forfeit their privilege to ride on the bus.
  - ✓ No passenger is to block or use the rear emergency) door unless instructed to do so.
  - ✓ No unauthorized student will be allowed to ride a school bus without written permission from a principal or the Quincy Public Schools' transportation department.
  - ✓ Use, influence, possession, or sale of alcoholic beverages or illegal or non-prescribed drugs or drug paraphernalia on school buses is forbidden.
- **BOOSTER BUSES:** Misconduct of a student or students on booster buses will be reported to school administration by chaperones and addressed as would any violation of school rules as addressed herein, and in the Quincy Public Schools "Student Rights and Responsibilities" handbook. Additional rules pertaining to booster buses are as follows:
    - A minimum of two (2) parent chaperones is needed to properly proctor one booster bus. In addition it is recommended that two (2) student leaders be assigned to each bus to assist parents in the identification of passengers.
    - To insure that sufficient parent chaperones are committed to a given trip, and to insure said chaperones properly understand their responsibilities, a "pre-trip", meeting will be held with all chaperones, and school administrators (any combination of principal, assistant principal, faculty manager coach, dean, etc.). At this meeting the names of all chaperons will be submitted and at least two chaperons per bus will be present, or no tickets will be sold.
    - Students will be assigned to a specific booster bus when they buy their respective tickets. Rosters will be developed reflective of such assignments and given to respective chaperones/student leaders.
    - No tickets will be sold after 2:30 p.m. on the day of (or preceding) the tournament game in question.
    - All "boosters" will be addressed/admonished before the trip by representatives of school administration.
    - No student will board a bus before he/she is inspected for contraband by a chaperon. Such circumstances will be enforced prior to the trip to the game site and again prior to the trip home.

## **STUDENT ATTENDANCE AND TARDY POLICIES**

There is no more powerful predictor of student achievement in school than is student attendance. It is vital that each student develop habits of being present for school and for being on time for school. Students must abide by the attendance policy established by the School Committee at each level.

- Skip days are not sanctioned by the school system. Students who skip school will be considered truant from school.
- Truancy is defined as staying away from school without the permission of a parent or guardian, or students who are 18 years or older, who stay away deliberately. The principal or his/her designee has the authority to determine the validity of the absence notes from a parent or guardian, or from students who are above the age of 18. Validated absence notes serve to explain a student's absence from school. Otherwise, an absence will be regarded as unexcused and the student will be designated truant. Truancy is a suspension offense.
- Absence Notes: Failure to provide a written explanation from parent/guardian for absence from school may be a suspension offense. Students must bring their homeroom teacher absence notes from parents/guardians for absence during any given week, within two school days following the absence. In addition to giving the student a note, parents are also requested to call their child's absence in to the Attendance Office on the day of the absence.
- Residency and Violation of Residency: M.G.L. Ch.76, S.5 states, "Every person shall have the 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."
- Parental Responsibility: M.G.L. Ch.76, S.2 states, "Every person in control of a child described in the preceding section shall cause him/her to attend school as therein required, and if he fails to do so for seven day sessions or fourteen half-day sessions within any period of six months, he shall, on complaint by a supervisor of attendance, be punished by a fine of not more than \$20..."
- M.G.L. Ch.76, S.4: "Whoever induces or attempts to induce a minor to absent himself unlawfully from school, or unlawfully employs him or harbors a minor who, while school is in session, is absent unlawfully there from, and shall be punished by a fine of not more than \$200."
- Tardiness to School: Tardiness is defined as late or delayed arrival to school. Students must abide by the tardiness policy established at each level.

All attendance and tardy policies and penalties are subject to specific provisions in the Individual Educational Plan (IEP) approved for any student under the Individual Disability Education Act (IDEA).

## **CAFETERIA REGULATIONS**

Since the cafeteria is the dining area and all lunches must be eaten there, it is essential that everyone contribute to the care and neatness of this area. Unruly conduct or other failure to observe the directions for the use of the cafeteria may result in suspension or other disciplinary action. Students are expected to comply with all recycling procedures established in response to environmental concerns.

Your dining area should be a pleasant and clean place for everyone, and the following student standards should be observed:

- Be courteous and orderly going to and from the cafeteria, waiting in line, and dining.
- Remain in the cafeteria, or other designated areas during your lunch period.
- Keep all food in the cafeteria.
- Clean up after yourself. Proper rules of cleanliness and good conduct should be observed at all times. Dining room manners are expected of all students.
- No student may leave school during the school day, buy food, and then return to the cafeteria to eat the food. This policy includes those students who have been legally dismissed and then returned to school.
- No student may have food delivered to the school.

## **BEHAVIOR AT ALL SCHOOL SPONSORED EVENTS**

- The use of drugs, alcohol, or tobacco is prohibited.
- Behavior and attendance at all school-sponsored events will be determined by the administration, advisors, and chaperons.
- Students will be asked to leave any school-sponsored event when their behavior is unacceptable. School disciplinary action will follow.
- Failure to obey the instructions of school officials and/or to comply with school rules during on-campus or off-campus events, may result in the loss of eligibility to attend other school sponsored events both on-campus and off-campus.

## **PARTICIPATION IN ATHLETICS AND EXTRA-CURRICULAR ACTIVITIES**

A student who is on any type of suspension shall not participate in any extra-curricular or athletic activity on the day(s) of suspension. A student whose suspension includes a Friday or the last school day prior to a holiday or vacation, shall not participate in any extra-curricular or athletic activity over the weekend, holiday, or vacation period.

A student who is in any manner suspended twice during a quarter shall be dropped for the quarter from any and all extra-curricular and/or athletic program(s) in which he/she was participating during the quarter. Activity advisors and coaches shall be notified of such suspensions on that day.

Student-athletes should be in school a full day and are expected to attend all scheduled periods during the school day in order to practice or play that day.

To be eligible for high school sports, a student may not have more than one failing grade during the last marking period preceding the contest. To be eligible for fall sports, a student may not have more than one failing grade on the previous academic year final report card. All incoming grade 9 student are eligible for sports. The academic eligibility of all students shall be considered as official and determining only on the date when the report cards for that ranking period have been issued.

Student-athletes are subject to the rules and regulations as set out by the Massachusetts Interscholastic Athletic Association (the MIAA).

## **COMMUNITY SERVICE**

Community service is a graduation requirement for Quincy Public Schools. It is intended to prepare students for active citizenship. Community service is an opportunity for students to demonstrate active citizenship by acting as responsible citizens who contribute to the improvement of their communities. This service also affords students the opportunity to enhance personal growth, build self-esteem, and develop social skills. Students can begin earning community service hours during the summer prior to entering each grade (after June 1<sup>st</sup>). All community service activities must be approved. Pre-approval community service options are available on the Quincy Public Schools website. Students must seek approval for all community service activities not already listed on the website. Students must complete at least 10 hours of approved community service activities per year in grades 9, 10, and 11 for a total of at least 30 hours by the end of their junior year. Community service hours for each year must be completed by June 1<sup>st</sup> of that school year. Seniors must have completed all 30 hours by the beginning of senior year unless they have made other arrangements.

## **SCHOOL RECORDS**

- Students who are 14 years of age or in the ninth grade, as well as their parents, have access to their Student Records consistent with the "Regulations Pertaining to Student Records" issued by the State Department of Education. If the student is under the age of 14 and has not yet entered the ninth grade, the rights of access belong to his/her parents.
  - Requests to inspect Student Records shall be directed to the principal who will designate a staff member to meet with the student and/or parents.
  - The student and/or parents shall have the right to add information or to request deletion of information in the Student Record.
  - The Massachusetts Student Record Regulations require school authorities to destroy a student's temporary record within seven (7) years after the student transfers, graduates, or withdraws from the school system. The temporary records may include the following: Health, Testing, Guidance, Due Process,

Special Needs, Pre-school/Kindergarten, and Supplementary. If an eligible parent or eligible student wishes to receive these records at the end of the seven year period and prior to their destruction date, they should so notify the school.

- **DIRECTORY INFORMATION**
  - The school system may, under 603 CMR 23.07 (4) (A), release the following information on students: name; address; telephone listing; date and place of birth; major field of study; dates of attendance; weight and height of members of athletic teams; class; participation in officially recognized activities and sports; degrees; honors and awards; and post-high school plans.
  - The school system may release pictures of students, including, but not limited to: promotional materials, videotapes, and yearbook photographs.
  - The school system may release student names and addresses to: county agricultural schools; post-secondary schools, colleges, and universities; recruiters for the Armed Forces; and school alumni organizations.
  - The school system may, on occasion, publish/display student work, with the student's name on it, which will be seen by other parents/ individuals, including but not limited to: science fair, art fair, and web sites.
  - If the student, or his or her parent or guardian, however, does not wish the Quincy Public Schools to publish the above-referenced information, they must so notify the Quincy Public Schools of this fact, in writing, within thirty (30) days of the beginning of the academic year.
- **SURVEYS.** The Family Educational Rights and Privacy Act (FERPA) allows parents to opt out of student surveys, analysis, or evaluations that concern one of the following eight areas: political affiliations or beliefs; mental or psychological problems; sex behavior or attitudes; illegal, antisocial, self-incriminating or demeaning behavior; critical appraisals of individuals with whom the student has close family relationships; legally recognized privilege relationships; religious practices affiliation or beliefs; and income. If the parent, guardian, or student does not wish to participate in any of the surveys described above, please so notify the Quincy Public Schools of this fact, in writing, within thirty (30) days of the beginning of the academic year.
- While Massachusetts Student Records Regulations generally prohibit school officials from disclosing student records to third parties without the consent of the eligible student or parent, there are exceptions:
  - The federal Family Educational Rights and Privacy Act (FERPA) and its implementing regulations (34 CFR Part 99) allow release of personally identifiable information from the student's education records without consent "in connection with a health or safety emergency, 34 CFR S99.31 (a) (10), provided that "knowledge of the information is necessary to protect the health or safety of the student or other individuals," 34 CFR S99.36 (a).
  - M.G.L., CH. 71, S. 37L requires school department personnel to report in writing to their immediate supervisor an incident involving a student's possession or use of a dangerous weapon, or any other instrumentality which can be and was used to inflict bodily harm on another person, on school premises at any time. Supervisors who receive such a weapon report must file it with the superintendent of the school, who must file copies of said

report with the local chief of police, the department of social services, the office of student services or its equivalent in the school district, and the local school committee. (See Appendix A.)

- When a student has been expelled for possession of a dangerous weapon, or any other instrumentality which could be or was used to inflict bodily harm on another person, or a controlled substance, or assault on school staff, and the student applies for admission to another school, 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. Any school district that suspends or expels a student under this section shall continue to provide educational services to the student during the period of suspension or expulsion, under section 21 of chapter 76. If the student moves to another district during the period of suspension or expulsion, the new district of residence shall either admit the student to its school or provide educational services to the student in an education service plan, under section 21 of chapter 76.
- **TRANSFER STUDENTS.** When a student transfers from the Quincy Public Schools to a new school system, the Quincy Public Schools will automatically, without prior consent, provide the new school system with the entering student's complete school record, including his discipline record. This record will include, but is not limited to "any incidents involving suspension or violation of criminal acts or any incident reports in which such student was charged with any suspended act." (See M.G.L. CH. 71, S. 37L in Appendix A.) A student transferring into the Quincy Public Schools must provide the school system with the student's complete school record, including the discipline record, as described above.
- **HOMELESS STUDENTS.** Homeless students under the McKinney-Vento Act, who move and wish to enroll in a new school where they are situated while homeless, may attend classes immediately, without proof of residency, immunizations, school records or other papers, and without a uniform.
- **NON-CUSTODIAL PARENT.** As of July 12, 2006 changes were made in the regulations dealing with student records. Where parents have divorced or separated, there are different rules set by the state by which a parent can see and obtain copies of his/her child's student records. The parent, who has physical custody, as identified in the custody agreement or order, has the right to see and obtain copies of his/her child's student records with no limitation. However, the parent who does not have physical custody of the child (the non-custodial parent), even if he/she has legal custody or visitation rights, may or may not have access to his/her child's student records.
  - A non-custodial parent is eligible to see and obtain copies of his/her child's student records unless the school has been given documentation that:
    - ✓ 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 the custody or supervised visitation, or
    - ✓ the parent has been denied visitation, or
    - ✓ the parent's access to the student or to the custodial parent 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.

It is necessary for divorced or separated parents to submit a copy of the custody agreement or order so that the school system may identify which of the parents has physical custody of the child, and then to determine if one of the conditions above exists. The non-custodial parent must request in writing that he/she be permitted to look at or copy his/her child's student records. However, the school can allow the non-custodial parent to have access to the child's records only after the school has notified the custodial parent and twenty-one (21) days has elapsed from this notification. During that twenty-one day period, the custodial parent can obtain a court order restricting access to the child's records or can submit a copy of any outstanding protective orders; if such orders are provided to the school system, then the school cannot release records.

- M.G.L. Ch. 71, S. 34H is attached as Appendix G.
- It is also possible for the custodial parent to shorten this process by signing a statement that the non-custodial parent may have access to the student's records.

## **LIMITATIONS ON STUDENT RIGHTS - SEARCH AND SEIZURE**

Lockers and desks are the property of the school and the school reserves the right to limit any items which a student may place in a locker. Under no circumstances may a student place anything on the outside of a locker, including writing of any kind. In addition, lockers are subject to periodic inspection under the authorization of the Principal or his/her designee and at any time the health, safety, and compliance with school rules by students are in question.

The following rules shall apply to the search of a student and to the search of school property assigned to a specific student, e.g., locker, desk, etc., and the seizure of any illegal items found:

- There should be reasonable cause for school authorities to believe that the possession of such items constitutes a crime or rule violation.
- When reasonable cause exists, a student search may be conducted under the authorization of the Principal or his/her designee. A student search is reasonable if:
  - There are reasonable grounds for suspecting that the student has violated or is violating either the law or the rules of the school. Included are students who leave the schoolhouse without permission; leave school grounds without permission; or are found in an unauthorized area.
  - The search itself is conducted in a manner reasonably related to its objectives, and limited to areas and objects that reasonably could be expected to contain the items being sought and the nature of the infraction, and age and sex of the student are considered. Also:
    - ✓ Search of an area assigned to a student should be made in the presence of a witness and when reasonably possible, in the presence of the student.
    - ✓ Illegal items (weapons, illegal drugs, alcoholic

beverages, stolen property. etc.) or other items reasonably determined to be a threat to the health and safety or security of the student, and/or others, may be seized by the school authorities.

- ✓ Items which are used to disrupt or interfere with the educational process may be temporarily removed from student possession.
- ✓ A student search, including desks and lockers, may be done by police or other law enforcement officials if there is a valid search warrant, or in certain cases, if there is a valid arrest. Such searches must be carried out in the presence of a school official.
- ✓ If a student fails to remain for a search or does something to prevent the search, the school can impose a penalty equal to what would have been given if contraband had been found.

Cars located on school property may be subject to search if reasonable cause exists.

Computer network storage areas are subject to limitations as set forth in the Quincy Public Schools' Internet/Technology Acceptable Use Policy.

## **BUILDING MANAGEMENT**

- **DRESS CODE:** Each student's hairstyle, appearance, and manner of dress, are determined by the student and his/her parents, unless these present a danger to the student's health or safety, interfere with school work, or create a classroom or school disruption. Students may be sent home to change clothes.  
Students are prohibited from wearing short shorts and midriff tops. Hats, headgear, and coats may neither be worn nor carried in the building. Chains or jewelry, which have the potential to be used as a weapon, may neither be worn nor carried in school. Sunglasses may not be worn in the building. T shirts may not have messages advocating illegal activities, such as, but not limited to, weapons, drugs, alcohol, or violence.
- **ELECTRONIC DEVICES:** The use of electronic devices is subject to the terms and conditions as set forth in the "Acceptable Use Policy" found in this handbook.
- **SKATEBOARDS AND ROLLER BLADES:** Skateboards are forbidden in the school buildings. Students may neither enter the building wearing roller blades, nor wear them inside the building.
- **LIBRARY AND LEARNING MATERIALS OBLIGATIONS:** All materials borrowed are to be returned or replaced; or, the student must reimburse the school for any items not returned. See next item.
- **NO SCHOOL ANNOUNCEMENTS:** Notification will come by Instant Alert.
- **DISTRIBUTION OF LITERATURE BY OUTSIDE GROUPS:** The school, on occasion, may allow certain groups, such as nonprofit charitable or civic groups that provide programs or services for young people, to distribute literature in the school, creating a "limited public forum." While the school is allowing its facilities to be used by outside groups in this manner, any literature disseminated by an outside

group in the school is not school-sponsored or endorsed.

The school alone will determine the time and place of distribution. No literature will be distributed, which causes a disruption of the educational environment; and no literature will be distributed during class time.

- **SERVICE ANIMALS:** The Quincy Public Schools do not permit discrimination against individuals with disabilities, including those who require the assistance of a service animal. The Quincy Public Schools comply with Massachusetts and federal law concerning the rights of persons with guide or assistance service animals on school premises and on school transportation. The Quincy Public Schools' Service Animal Policy may be found in Appendix J of this Handbook.

## **CLASS ASSIGNMENT INFORMATION**

### **GUIDELINES FOR HOMEWORK/SCHOOL COMMITTEE REGULATIONS, 4.7**

"The term 'homework' refers to assignments which will achieve their purpose best when prepared during a period of independent study, study hall, or at home. The purpose of homework is to improve the learning processes, to aid in the mastery of skills, and to stimulate interest on the part of the pupil. The amount of homework considered reasonable varies with the age and grade of the pupil."

### **GUIDELINES FOR HOMEWORK AS DEFINED BY THE QUINCY PUBLIC SCHOOLS**

- Assignments should be developed by a diagnostic and prescriptive approach.
- Homework should be assigned on the basis of individual student needs and in recognition of individual progress.
- Homework should not be given for punishment.
- It is expected that where appropriate, teachers will give assigned homework to meet the needs of learners in such areas as research, enrichment, extra practice when needed, student initiated work, self-motivation, and make-up work under certain conditions. Such assignments to be completed away from school might include the following:
  - Visiting libraries or enrichment reading.
  - Practicing exercises in the basic skills.
  - Finding information for and preparing special reports.
  - Watching special programs on television, with specific plans for reporting back, and keeping current on events through newspapers, magazines, and electronic media.
  - Making collections of pictures, objects, specimens, etc., for school-related activities.
- Vacations provide an important break in the school year for students, families, teachers, and staff. Homework assignments, including test preparation, given prior to an officially scheduled vacation period should allow students sufficient time to accomplish their assignments while allowing quality vacation time with family. Similarly, assignments that require a group of students to work together on a project should not be assigned to be completed over a vacation.

## TIME GUIDELINES BY GRADE LEVEL

<u>Grade Level</u>	<u>Time</u>
Kindergarten	Based on teacher and parent judgment of the student's needs. Some examples include: <ul style="list-style-type: none"><li>• Reading aloud to the child approximately 10 minutes each day.</li><li>• Discussing the school day.</li><li>• Planning involvement in projects initiated at school or home.</li><li>• Encouraging "reading" picture books, signs, and labels.</li></ul>
Grades 1-3	15 to 30 minutes per night. See schedule below. <ul style="list-style-type: none"><li>• Formal homework is to be started as an expectation of the student's educational program.<ul style="list-style-type: none"><li>○ Grade One - 15 minutes</li><li>○ Grade Two - 20 minutes</li><li>○ Grade Three - 30 minutes</li></ul></li><li>• Emphasis on reading, mathematics, language arts, and related activities.</li><li>• Visits to local libraries and museums.</li><li>• Reading aloud to child two to three times per week.</li><li>• Encouraging reading for pleasure and information.</li></ul>
Grade 4	30 to 45 minutes per night, Monday through Thursday: <ul style="list-style-type: none"><li>• Homework is to be expected as part of the student's educational program.</li><li>• Homework emphasis is on reading, mathematics, language arts, science, and social studies.</li><li>• Additional assignments are given which will assist the student to learn and develop initiative and responsibility.</li><li>• Encourages reading for pleasure and information.</li></ul>
Grade 5	45 to 60 minutes per night, Monday through Thursday: <ul style="list-style-type: none"><li>• Homework is a well established part of the student's educational program.</li><li>• Homework consists of routine assignments, review, and preparation for specific academic and classroom subjects.</li><li>• Homework provides opportunities for research.</li><li>• Encourage reading for pleasure and information.</li></ul>
Grade 6	15 to 20 minutes per subject per night.
Grade 7	20 to 25 minutes per subject per night.
Grade 8	25 to 30 minutes per subject per night. <ul style="list-style-type: none"><li>• Homework is a well established part of the student's educational program.</li><li>• Homework consists of routine assignments, review and preparation for specific academic and classroom subjects.</li><li>• Homework provides opportunities for further research.</li><li>• Encourage reading for pleasure and information.</li><li>• Assignments are posted by all middle school students in their Agenda Book.</li></ul>

Grades 9-12

Three to four hours per night:

- Homework is a well established part of the student's educational program.
- Homework consists of routine assignments, review and preparation of specific academic and classroom subjects.
- Homework provides opportunities for further research.

### **INCOMPLETE CLASS ASSIGNMENTS**

The student who is absent will be given a "0" for the class. The student will be allowed to make up his/her work if the note for the absence is accepted as a necessary absence as stated in Chapter 76, Section 1. If he/she makes up the work missed due to absences **within five (5) days** of his/her return, the student may receive a passing grade. If the student does not make up the work within the five (5) days, the "0" will remain. Students may be allowed to make up work missed because of unexcused absences; however, make-up work should be done on a student's own time or during discipline periods, as directed by the teacher. All make-up work must be completed within five (5) days or credit will not be received.

Extended periods of illness or hospitalization will be considered and evaluated on an individual basis.

Incomplete work due to absence should be made up through arrangements with the teachers involved. Work missed should be made up within one week of the time of return to school.

If the absence has been extensive, special arrangements extending the time for the make-up must be made with the teachers involved. Failure to make up work will adversely affect grade averages and may make the difference between passing and failing.

Students who receive an "Incomplete" on their report cards and fail to make up the work **within two weeks** of the day the grades closed will receive a failing grade.

### **DETERMINING STUDENT GRADES**

In determining student grades, teachers will include for credit the following: class work, homework, tests, grades, conduct, effort, and class participation.

### **MID-TERM ADVISORIES**

A mid-term advisory will be mailed home at the mid-term point of each marking period. A warning slip must be sent home when a student is failing or in danger of failing at any time during the marking period, if not already indicated on the mid-term advisory.

# **Quincy Public Schools Information Technology** **Acceptable Use Policy for Staff, Students, and Guests**

*Revised May 6, 2013*

## **Introduction**

This Acceptable Use Policy is enacted as of May 2013 by the Quincy School Committee to provide Quincy Public Schools (QPS) parents, students, staff, and guests with a statement of purpose and explanation of the use of technology within our learning community. This policy is reinforced by practice, acceptable use standards and an Acceptable Use Agreement Form which all users are required to read and sign before accessing Quincy Public Schools' computer resources, electronic resources, and network infrastructure.

## **Purpose**

Quincy Public Schools provides a wide range of technology resources to support and enhance our schools' academic offerings. Ultimately, familiarity with technology will provide our students with preparation for college and careers and provide access to lifelong learning. Technology resources are also utilized to provide relevant school information to the community through the Quincy Public Schools website and social media platforms.

All computers and electronic devices used in the Quincy Public Schools are to be used in a responsible, efficient, ethical, and legal manner. Failure to adhere to this Acceptable Use Policy and guidelines for the use of the Quincy Public Schools Networks (including QPS Wireless Guest Network) as contained herein, will result in the revocation of access privileges.

## **Definitions**

- Active Directory is a [directory service](#) created for [Windows domain](#) networks. It [authenticates](#) and [authorizes](#) users and computers in the network—assigning and enforcing security policies for all computers and installing or updating software. For example, when a user [logs into](#) a computer on the Quincy Public Schools network or remotely accesses email, Active Directory checks the submitted password and determines whether the user is a [system administrator](#) or normal user.
- BYOD or Bring Your Own Device is allowing staff and students to bring their personal electronic device(s) (smart phones, tablets, laptops, etc.) onto a school site and connect them to the Quincy Public Schools' Wireless Guest Network. Use of personal devices by students is subject to the permission and supervision of the individual classroom teacher.
- Cyber-bullying - is defined in Chapter 92 of the Massachusetts Acts of 2010 as bullying through the use of technology or any electronic communication, which includes but is not limited to any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by such things as electronic mail, internet communications, instant message, text message or facsimile. For more information on Cyber-bullying please see the Quincy Public Schools Anti-Bullying Prevention/Intervention Plan

[http://quincypublicschools.com/qpsinfo/download/district/support-services/Antibullying\\_Prevention\\_and\\_Intervention\\_Policy\(2\).pdf](http://quincypublicschools.com/qpsinfo/download/district/support-services/Antibullying_Prevention_and_Intervention_Policy(2).pdf)

- Digital information or digital media is any data that is created, transmitted, or accessed by digital technology. Digital technology is any device that creates, transmits, or accesses digital information, whether connected to the network or used in a stand-alone situation.
- Electronic Device(s) - a term as used in this policy, which includes: all devices that can take photographs; record audio or video data; store, transmit or receive messages or images; or provide a wireless, filtered or unfiltered connection to the Internet, but will not be limited to: laptops, netbooks, mobile cellular phones, smart phones, personal digital assistants, personal media devices (iPods, iPads, e-Readers, tablets, computers, and similar devices) and any other internet-enabled communication devices or other new technologies developed that are capable of connecting to the Quincy Public Schools Guest network or other independent mobile network.
- User refers to staff members, administrators, students, or authorized guests who connect to the Quincy Public Schools' network, who uses digital technology belonging to the Quincy Public Schools, or who accesses our networks (secured and guest). Authorized guest users will be issued a password with which to access the Quincy Public Schools Guest Network at their school site.

**Acknowledgements** Sections of this document were adapted from the *Internet Acceptable Use Policy of Guilford County School Technology Services Policies, Procedures, and Standards*, Greensboro, NC; *Framingham Public Schools Acceptable Use Policy*, Framingham, MA; *Hanover Public Schools Internet & Computer Acceptable Use Policy*, Hanover, MA; *Burlington Public Schools School Committee Acceptable Use Policy*, Burlington, MA; and the South Shore Educational Collaborative which also acknowledged: *The Net: User Guidelines and Netiquette*, Arlene Ranaladi, Florida Atlantic University; *The Lexington Public Schools Acceptable Use Policy*, Lexington, MA; *The Bellingham Public Schools District Internet and E-Mail Rules*, Bellingham, MA.

## **Technology/Networks User Responsibilities**

### **A responsible user shall:**

- Understand that access to Quincy Public Schools technology and networks is a privilege, not a right.
- Use appropriate language, respond or inquire politely, and consider what others may find hurtful or offensive when sharing content.
- Be mindful that email, messages, or other original content can be shared without electronic restriction and not commit to writing that which might be better expressed in person.
- Maintain privacy of user names and passwords and be responsible at all times for proper use of email or other accounts.
- Utilize the official QPS e-mail address provided to staff to transact school-related business, and follow all guidelines, including frequently changing passwords and using the web-based service provided to remotely access email (<https://mail.quincypublicschools.com>).
- Use the QPS Technology/Networks to expand and enhance classroom curriculum, while conforming with copyright laws and giving appropriate source credit.

- Observe safeguards around revealing personal information, only entering non-specific personal data (for example, age or gender) in order to access educational information. Students should do this only under the supervision of Quincy Public Schools staff.
- Understand the policies and procedures of the Quincy Public School Acceptable Use Policy. If the rules are violated or if you develop a record of unacceptable behavior, disciplinary action may be taken.
- Understand that the information contained herein is not all-inclusive and that Quincy Public Schools reserve the right to notify a user of any other impermissible action regarding the use of the Quincy Public Schools Networks at any time.

### **A responsible user shall NOT:**

- Use Quincy Public Schools Technology or Networks for any illegal or inappropriate purposes, including but not limited to financial gain or commercial activity.
- Use impolite or abusive language, cyber-bully, or access obscene or pornographic materials.
- Violate the rules of common sense or etiquette. This includes forwarding emails, messages, or content that the originator may have intended to be private.
- Delete or alter computer files that do not belong to the user.
- Share a username or password with anyone else.
- Vandalize Quincy Public Schools Technology or Networks. Users will be legally liable for any damage they might cause.
- Create conditions which cause congestion of the networks or otherwise interfere with the work of others.
- Violate any federal or state laws or regulations in regard to student record confidentiality.
- Violate an individual's right to privacy.
- Transmit any material in violation of local, state, and federal law or regulation. This includes copyrighted materials and copying licensed software in violation of copyright laws.
- Bypass the Quincy Public Schools Internet content filters. This includes the use of SSH, proxy-sites, and remote desktop protocols.
- Modify policies, machine settings, or infrastructure to gain unauthorized access to resources or to evade established security configurations.

### **General User Reminders**

- Because access to the internet provides connections to other computer systems located throughout the world, users (and parents of student users) must realize that neither the Quincy Public Schools nor any district staff member control the content of the information available on the Internet. Some of the information available is controversial and may be offensive. A filtering program is used in an

effort to limit access to such materials and Staff/Administration will also monitor all student use.

- Quincy Public Schools will not provide support for or guarantee the availability or suitability of any third party e-mail services (including Gmail, Hotmail, or Yahoo).
- Quincy Public Schools reserves the right to examine all data stored on local machines, on servers, and on students' personal electronic devices to make sure that all users are in compliance with this Acceptable Use Policy.
- All Quincy Public School computers are restricted using Microsoft's Active Directory policy manager and require a user name to log in to the network. Access varies according to the user identification and group.
- Students may be assigned user names and passwords to access Quincy Public Schools-installed software. They may save created work to an external/virtual storage device.
- Staff members have personal user names and passwords to access computers and email and have access to Quincy Public Schools-installed software. Staff members are allowed to download from the Internet and save data to their computers; however, they are not allowed to install software. Staff members may submit requests to have software approved by the Information Technology department and then installed through the Quincy Public School's Help Desk System ([helpdesk@quincypublicschools.com](mailto:helpdesk@quincypublicschools.com)).

### **Quincy Public Schools STAFF and GUESTS BYOD (Bring Your Own Device) Policy**

Quincy Public Schools believes that the use of personal electronic devices in the classroom will provide innovative learning experiences for our students. With today's constantly changing technology landscape, our staff members will be able to use the devices they are familiar with to bring expanded access to content and educational enhancements to their classrooms.

The use of personal electronic device(s) on a school site is a privilege which the Quincy Public Schools grants to any staff member who is willing to assume the responsibility of abiding by the guidelines set forth in this **Quincy Public Schools' Information Technology Acceptable Use Policy**. Authorized users will be issued a password to access the Quincy Public Schools Guest Network.

Staff members are also responsible for physically securing their personal devices within their school site. Quincy Public Schools assumes no responsibility or financial liability for any damage staff member suffers, including but not limited to theft, physical damage, and loss of data or software malfunctions of the personal electronic device. If a personal electronic device appears to have been stolen, the staff member should immediately report the incident to the Principal's office.

- Staff members may connect wirelessly to the Quincy Public Schools Guest Network. Personal electronic devices may not be used for games, non work-

- related messaging, social media, streaming movies, music, videos or other forms of entertainment while connected to the Quincy Public Schools Guest Network.
- **Staff members are strictly prohibited** from using peer-to-peer file sharing software, such as Napster or Limewire. The use of network monitoring software or applications considered invasive by Quincy Public Schools is considered to be a serious offense, and will result in disciplinary actions.
  - If staff members are found to be in violation of the Quincy Public Schools Acceptable Use Policy, they may be directed to remove their personal electronic device(s) from the Quincy Public Schools Guest Network. Any Staff member who is suspected of violating the Acceptable Use Policies or other Quincy Public Schools Policies will be referred to the Quincy Public Schools Administration and may be subject to disciplinary action.

## **Quincy Public Schools STUDENT BYOD (Bring Your Own Device) Policy**

The use of personal electronic device(s) on a school site is a privilege which the Quincy Public Schools grants to any student who is willing to assume the responsibility of abiding by the guidelines set forth in this **Quincy Public Schools' Information Technology Acceptable Use Policy**.

Any student who receives approval to bring an electronic device is also responsible for physically securing their device within the school site. Quincy Public Schools assumes no responsibility or financial liability for any damage the student or parent suffers, including but not limited to theft, physical damage, and loss of data or software malfunctions of the personal electronic device. If an electronic device appears to have been stolen, the student should immediately report the incident to the Principal's Office.

- Students may connect wirelessly to the Quincy Public Schools Guest Network with the approval of a Quincy Public Schools staff member. Personal electronic devices may not be used for games, messaging, social media, streaming movies, music, video viewing or other forms of entertainment while connected to the Quincy Public Schools Guest network.
- Students must follow any additional guidelines which a classroom teacher or Quincy Public Schools staff member might impose. The use of the electronic device(s) may in no way disturb the learning environment.
- **Students are strictly prohibited** from using peer-to-peer file sharing software and messaging programs. The use of network monitoring software or applications considered invasive is considered to be a serious offense, and will result in disciplinary actions. Network access is a privilege that may be revoked for any reason at the discretion of Quincy Public Schools Administration.
- Any student who is suspected of violating the Acceptable Use Policies will be referred to the Principal's Office. Students must yield their personal electronic device(s) to any Quincy Public Schools staff member or Administrator upon request. Authorized personnel may inspect the system to determine whether Acceptable Use or other Quincy Public Schools Policies have been violated.

# QUINCY PUBLIC SCHOOLS

## INFORMATION TECHNOLOGY ACCEPTABLE USE POLICY AGREEMENT

### Parental Consent for Students under 18 years of age

*Please assist your child to read and comprehend the Quincy Public Schools Information Technology Acceptable Use Policy. The purpose of the Information Technology Acceptable Use Policy is to provide information on responsible use of technology.*

Signing below indicates that I have read the Quincy Public Schools' Information Technology Acceptable Use Policy and I understand the policies outlined in the document. Quincy Public Schools has my permission to allow my child to access the Quincy Public Schools networks and access technology for educational purposes, including the Internet. I have read and explained the Quincy Public Schools Acceptable Use Policy to my child.

I release the Quincy Public Schools and all other organizations related to Quincy Public Schools technology access from any liability or damages that may result in any way from my child's use of the technology access provided. In addition, I will accept full responsibility and liability for the results of my child's actions with regard to the use of this technology. I release Quincy Public Schools and any related organizations from any liability relating to consequences resulting from my child's use of the technology.

---

Student Last Name

First Name

---

School Name

Grade/Homeroom

---

Parent/Guardian Last Name

First Name

---

Parent/Guardian Signature

Date

**(See next page for Student Consent Form for students over 18 years of age.)**

# QUINCY PUBLIC SCHOOLS

## INFORMATION TECHNOLOGY ACCEPTABLE USE POLICY AGREEMENT for Students over 18 years of age

Signing below indicates that I have read the Quincy Public Schools' Information Technology Acceptable Use Policy. I realize that the primary purpose of technology access is educational, and that as such, educational purposes shall take precedence over all others. I know that if I follow the stated policies, I may have access to the Quincy Public Schools technology services, including Internet access.

I release the Quincy Public Schools and all other organizations related to Quincy Public Schools technology access from any liability or damages that may result in any way from my use of the technology access provided. In addition, I will accept full responsibility and liability for the results of my actions with regard to the use of this technology. I release Quincy Public Schools and any related organizations from any liability relating to consequences resulting from my use of the technology.

---

Student Last Name

First Name

---

Signature

Date

---

School Name

Grade/Homeroom

# QUINCY PUBLIC SCHOOLS

## INFORMATION TECHNOLOGY ACCEPTABLE USE POLICY AGREEMENT FOR STAFF

Signing below indicates that I have read the Quincy Public Schools' Information Technology Acceptable Use Policy. I realize that the primary purpose of technology access is educational, and that as such, educational purposes shall take precedence over all others. I know that if I follow the stated policies, I may have access to the Quincy Public Schools technology services, including internet and email access. I understand that any violation of this policy may result in disciplinary action.

---

Last Name

First Name

---

Signature

Date

---

School Name

Position

# **PARENTAL NOTIFICATION LETTER RELATIVE TO SEX EDUCATION**

## **LETTER TO PARENT/GUARDIAN OF GRADE 5 STUDENTS**

Dear Parent/Guardian,

This letter is to inform you of our school's grade 5 growth and development health education curriculum. This program has been developed by our professional staff under the guidance of the community health education advisory council. The overall goal of the course is to begin efforts to promote the health and well-being of all of our fifth grade students.

Sex education will be part of your child's health education curriculum in all grades 5 through 12. The fifth grade growth and development curriculum discusses personal hygiene, puberty, physical fitness/body care, nutrition, mood swings, and increased responsibility, which will help students develop a healthy attitude about the changes that occur at this state in their lives. If you would like to review the health education materials at the school, you are welcome to do so. Please call your school's principal to arrange a convenient time.

During the course, students will be able to ask questions which will be answered factually and in an age-appropriate manner. Material will be presented in a balanced, factual way so that each student's privacy will be respected, and no one will be put on the spot to ask or answer questions or reveal personal information.

The Quincy Public Schools will conduct a Risk Behavior Survey biannually. The survey will ask comprehensive health related questions relative to our health curriculum.

Under Massachusetts law and School Committee Policy, you may exempt your child from any portion of the curriculum that primarily involves human sexual education or human sexuality issues, or from health related surveys. To receive an exemption, simply send your principal a letter requesting an exemption for your child. No student who is exempted from this portion of the curriculum or from surveys will be penalized. We will provide an alternative assignment to students who are exempted.

We look forward to working with you to ensure that your child has a positive and educationally enriching experience this school year. If you have any questions about sex education or any other matter concerning your child's education, please ask your principal for assistance.

Sincerely,  
Dr. Richard DeCristofaro  
Superintendent of Schools

## **LETTER TO PARENT/GUARDIAN OF STUDENTS GRADES 6 THROUGH 12**

Dear Parent/Guardian,

This letter is to inform you of our school's grade 6 through 12 comprehensive health education curriculum. This program has been developed by our professional staff under the guidance of the community health education advisory council. The overall goal of the course is to continue efforts begun in earlier grades to promote the health and well-being of our students, and help them make wise and informed decisions during their teen-age years and beyond.

Sex education is part of the health education curriculum in all grades, including topics such as: puberty, sexting, dating, relationships, communication skills, prevention of HIV/AIDS and other sexually transmitted diseases, and prevention of sexual abuse. If you would like to review the health education materials at the school, you are welcome to do so. Please call your school's principal to arrange a convenient time.

During the course, students will be able to ask questions which will be answered factually and in an age-appropriate manner. Material will be presented in a balanced, factual way so that each student's privacy will be respected, and no one will be put on the spot to ask or answer questions or reveal personal information.

The Quincy Public Schools will conduct a Risk Behavior Survey biannually. The survey will ask comprehensive health related questions relative to our health curriculum.

Under Massachusetts law and School Committee policy, you may exempt your child from any portion of the curriculum that primarily involves human sexual education or human sexuality issues, or from health related surveys. To receive an exemption, simply send your principal a letter requesting an exemption for your child. No student who is exempted from this portion of the curriculum or from surveys will be penalized. We will provide an alternative assignment to students who are exempted.

We look forward to working with you to ensure that your child has a positive and educationally enriching experience this school year. If you have any questions about sex education or any other matter concerning your child's education, please ask your principal for assistance.

Sincerely,  
Dr. Richard DeCristofaro  
Superintendent of Schools

## **APPENDIX A**

### **MASS. GENERAL LAWS CHAPTER 71, SECTION 37L**

The school committee of each city, town or regional school district shall inform teachers, administrators, and other professional staff of reporting requirements for child abuse and neglect as specified in sections fifty-one A to fifty-one F, inclusive, of chapter one hundred and nineteen.

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

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

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

## **APPENDIX B**

### **HAZING PENALTIES – CHAPTER 665**

An ACT increasing the penalties for hazing.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

Chapter 269 of the General Laws is hereby amended by striking out sections 17 to 19, inclusive, and inserting in place thereof the following three sections:

#### Section 17

Whoever is a principal organizer or participant in the crime of hazing, 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 of 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.

#### Section 18

Whoever knows that another person is the victim of hazing as defined in section seventeen and is at the scene of such crime shall, to the extent 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.

#### Section 19

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 regents 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 similar means of communicating the institution's policies to its students. The board of regents 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.

## **APPENDIX C**

### **OPENING EXERCISES**

At the beginning of each school day in every school, opening exercises will be conducted for all grades, consisting of a moment of silent meditation or prayer, and the Pledge of Allegiance to the Flag.

Chapter 71, Section 1A: "At the commencement of the first class of each day in all grades in all public schools, the teacher...shall announce that a period of silence not to exceed one minute in duration shall be observed for personal thoughts, and during any such period silence shall be maintained and no activities engaged in."

Chapter 71, Section 69: "...Each teacher at the commencement of the first class of each day in all grades in all public schools shall lead the class in a group recitation of the Pledge of Allegiance to the Flag."

To insure that U.S. Constitutional rights under the First and Fourth Amendments are protected:

Students are free to engage in silent prayer, consider secular topics, or simply remain silent.

Students may take part in the recitation of the Pledge of Allegiance to the Flag or stand or sit silently and passively and refrain from participation. Students may not be compelled to recite the Pledge of Allegiance to the Flag.

## **APPENDIX D**

### **FEDERAL GUN-FREE SCHOOLS ACT**

Gun-free requirements:

- Short title. This section may be cited as the "Gun-Free Schools Act of 1994."
- Requirements.
  - (1) In general. Except as provided in paragraph (3), each State receiving Federal funds under this Act [20 USC 6301 et seq.] shall have in effect a State law requiring local educational agencies to expel from school for a period of not less than one year a student who is determined to have brought a weapon to a school under the jurisdiction of local educational agencies in that State, except that such State law

shall allow the chief administering officer of such local educational agency to modify such expulsion requirement for a student on a case-by-case basis.

(2) Construction. Nothing in this title shall be construed to prevent a State from allowing a local educational agency that has expelled a student from such a student's regular school setting from providing educational services to such student in an alternative setting.

(3) Special rule.

- Any State that has a law in effect prior to the date of enactment of the Improving America's School Act of 1994 [enacted Oct. 20, 1994] which is in conflict with the not less than one year period of time described in subparagraph (B) to comply with such requirement.
- The period of time shall be the period beginning on the date of enactment of the Improving America's School Act [enacted Oct. 20, 1994] and ending one year after such date.
- Definition. For the purpose of this section, the term "weapon" means a firearm as such term is defined in section 921, title 18, United States Code.
- Special rule. The provisions of this section shall be construed in a manner consistent with the Individuals with Disabilities Education Act [20 USCS 1400 et seq.].
- Report to State. Each local educational agency requesting assistance from the State educational agency that is to be provided from funds made available to the State under this Act [20 USCS 6301 et seq.] shall provide to the State, in the application requesting such assistance--
  - (1) an assurance that such local educational agency is in compliance with the State law required; and
  - (2) a description of the circumstances surrounding any expulsions imposed under the State law required, including--
    - the name of the school concerned;
    - the number of students expelled from such school; and
    - the type of weapons concerned.
  - (3) Reporting. Each State shall report the information described to the Secretary on an annual basis.
  - (4) Report to Congress. Two years after the date of enactment of the Improving America's Schools Act of 1994 [enacted Oct. 20, 1994], the Secretary shall report to Congress if any State is not in compliance with the requirements of this title.

## **APPENDIX E**

### **HARASSMENT POLICY**

#### **Definition: Harassment Prohibited**

Harassment based upon actual or perceived differences related to age, race, color, religion, ancestry, national origin, sex, socio-economic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical, developmental or sensory disability or by associations with other people who may have one or more of these characteristics includes any unwanted physical or verbal action toward another that has the purpose or effect of creating an intimidating, hostile, or offensive learning or working environment. The conduct, acts, or threats

described in this policy shall include, but not limited to, conduct, acts, or threats conducted by mail or by use of a telephonic or telecommunication device or electronic communication device, including, but not limited to, any device that transfers 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.

Examples of conduct that may constitute harassment include but are not limited to the following:

1. Verbal or written name calling, teasing, jokes, rumors, or other derogatory or dehumanizing remarks;
2. Gossip, harassing phone calls, pranks;
3. Unwelcome touching of a person or person's clothing or other possessions;
4. Offensive or graphic graffiti, symbols, posters, pictures, cartoons/caricatures, notes, book covers, or designs on clothing or other items;
5. Any words or actions which provoke feelings of discomfort, embarrassment, hurt, or intimidation.

Harassment in general is prohibited whether or not such harassment involves relationships or adult to adult, adult to student, student to student, or student to adult.

### **Guidelines for Investigating Harassment**

In school systems, harassment may take many forms and cross many lines. Examples of these situations may be an instance of staff member to staff member, staff member to student, student to staff member, student to student, staff to parent, and parent to staff.

Guidelines for dealing with any charge of harassment are as follows:

1. By law, harassment is defined by the victim's perception in combination with objective standards or expectations. What one person may consider acceptable behavior may be viewed as harassment by another person. Therefore, in order to protect the rights of both parties, it is important that the victim or responsible adult make it clear to the harasser that the behavior is objectionable.
2. In all charges of harassment, there must be a substantiation of verifiable facts in order to move forward. It is preferable for complaints to be supported by a signed, written statement. However, oral and anonymous complaints will be investigated and subject to the same independent verification and corroboration.
3. Any school employee who has reliable information that would lead a reasonable person to suspect that a person is a target of harassment or intimidation shall immediately report it to the administration; each school shall document any prohibited incident that is reported and confirmed, and report all incidents of discrimination, harassment, intimidation and the resulting consequences, including discipline and referrals, to the Superintendent's office as they occur.
4. A good faith report from a staff member renders the staff member immune from discipline for making a report and is considered to have been made in the course of the staff member's employment for the purposes of M.G.L.c.258. As a result, the school district shall indemnify staff members from any cause of action arising out of a good faith report of harassment and or the district's subsequent actions or inaction in connection thereto.
5. If an instance of student to student harassment is reported to a staff member other

- than an administrator, the staff member must inform the assistant principal or the building principal.
6. If a situation involving a charge of staff member to student harassment is brought to the attention of any staff member, the staff member should notify the building principal or superintendent immediately.
  7. In a situation involving a charge of student to staff member harassment, the staff member should notify the building principal or superintendent.
  8. In a situation involving a charge of staff member to staff member harassment, the staff member should notify the building principal or the superintendent.
  9. Once a charge of harassment has been made, including charges of mental, emotional, or physical harassment as well as threats to a person's safety or position in the school or work environment, the following course of action should be taken.
    - a. The building principal should investigate the charge through discussions with the individuals involved. In situations involving allegations against a staff member, he/she should be informed of his/her rights to have union representation or a third party present at the time of the discussion. In situations involving students, the principal may engage the appropriate classroom or special subject area teacher or staff person. Parents will be informed of the situation and invited to participate in resolution discussions unless circumstances dictate otherwise. It is important that the situation be resolved as confidentially and as quickly as the circumstances permit.
    - b. If the accused and alleged victim are willing to discuss the matter at a resolution meeting in the presence of the principal/designee or superintendent, a supportive faculty member may be included in the discussion. During the discussion, the offending behavior should be described by the victim and administration, a request for a change in behavior made, and a promise should be made that the described behavior will stop. If circumstances do not permit a face to face meeting, the administration will present the victim's position. Follow-up verification procedures will be explained. Failure to comply after a resolution meeting will result in appropriate discipline.
    - c. The matter shall be documented in a manner consistent with the severity of the situation, impact on students and the school, and the disciplinary action imposed by the administration.
  10. If after a resolution meeting with the involved parties, the building principal determines that further disciplinary action must be taken, the following could occur:
    - a. In instances involving student to student or staff member harassment, the student may be subject do discipline including but not limited to counseling, suspension, and in appropriate cases expulsion. If suspension occurs, a re-entry plan will be discussed with all parties. In instances involving staff member to student and staff member to staff member harassment and, findings will be reported to the superintendent of schools for further action. Personnel action may also be initiated at this point, consistent with the applicable law and collective bargaining agreement.
    - b. In all cases, a referral to law enforcement will be considered by the principal or superintendent based on the circumstances. School officials will coordinate with the police department to identify a police liaison for

harassment cases.

11. Retaliation: It is a violation of this policy for any person to retaliate, coerce, intimidate, harass, or interfere with any member of the school community, or any other individual who has filed a report regarding harassment assisted with an investigation. Swift and appropriate action will be taken against any member of the school community who retaliates against any other member of the school community because he/she reported harassment, assisted in the investigation of a harassment complaint, or testified or otherwise participated in a proceeding or hearing relating to an allegation of harassment. Retaliation in any form against any person who has made or filed a complaint relating to harassment is forbidden. If it occurs, it could be considered grounds for dismissal of staff personnel and/or removal from the educational setting for a student. A referral to law enforcement may be made.
12. When the principal or superintendent receives and reviews a report of retaliation, he/she should make a preliminary determination whether to notify the local law enforcement agency of the reported incident. The principal or superintendent should take this step if he/she has reason to believe that the incident may result in criminal charges against the alleged perpetrator.
13. If the principal or superintendent decides to notify the local law enforcement agency, he/she shall document the reasons for the decision and immediately contact the local law enforcement agency to discuss the incident and the local law enforcement agency's involvement. Nothing shall prevent the principal or superintendent from taking appropriate disciplinary or other action pursuant to school policy and state law.
14. If the principal or superintendent decides not to notify the local law enforcement agency, or the local law enforcement agency determines that its involvement is not necessary under the circumstances, the principal or superintendent shall respond to the incident of retaliation by using appropriate disciplinary or other action pursuant to school policy and state law. If the superintendent or principal subsequently determines facts that cause him/her to believe that the perpetrator's conduct may be criminal, the principal or superintendent shall notify the local law enforcement agency.
15. False Complaints: False complaints or manipulation of the process will be taken seriously by administrators.
16. Confidentiality: Reports of harassment should be kept completely confidential, consistent with necessary investigation procedures, with the goal of protecting the victim and stopping the behavior. School staff must adhere to the Family Educational Rights and Privacy Act (FERPA) and 603 CMR 23.00 Student Records Regulations throughout the investigation and discipline process. Harassment of students may constitute child abuse under Massachusetts' law (G.L.c.119 51A) and the public schools shall comply with the Massachusetts law in reporting suspected cases of child abuse. Accordingly, the school committee, and those employed by the public school system will maintain a policy of confidentiality upon receipt of a complaint of harassment, only as is consistent with Massachusetts General Law.

### **Responsibilities of Teachers and Others**

Adult members of the school community have a responsibility to report incidents of harassment to their immediate supervisor, their school principal and/or the superintendent.

Once a school staff member learns a student or employee has been illegally harassed, the school is on notice of that behavior and is obligated by law to take adequate steps to address it. The school can discharge this duty only if the staff member reports the harassment or personally takes steps to address it. Thus, for a staff member to ignore illegal harassment subjects the school to potential legal liability. Although students have no legal obligation to come forward, the school committee strongly encourages students to report to their guidance counselor or other adult member of the school community any incidents of harassment. The Quincy schools shall provide ongoing professional development to build the skills of all staff members to prevent, identify, and respond to harassment.

The school district has a system in place for providing counseling or referral to appropriate services for the complainant and for the individual against whom the complainant has filed.

### **Investigations**

Any investigation pursuant to this policy may consist of personal interviews with the complainant, the individual against whom this complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances surrounding the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the principal, the principal's designee, the Title IX Coordinator (Director of Student Support Services), or the superintendent.

### **Filing a Complaint on Behalf of Another**

Any member of the Quincy Public Schools may file a complaint of harassment on behalf of another member of the public school community who, for whatever reason, declines to pursue a complaint of harassment or retaliation against another member of the public school community.

### **Corrective Procedures**

Upon completion of an investigation and substantiation of the alleged harassment the school district will take appropriate corrective action. Such action may include, but is not limited to, a written and/or verbal apology, a written directive to stop the offensive behavior, counseling or training, written and/or verbal warning, suspension, exclusion, expulsion, transfer, remediation, termination of employment and possible police/court involvement. School district action taken for violation of the policy will be consistent with requirements of applicable collective bargaining agreements, Massachusetts and federal laws, and school district policies. Non-employees and Non-students: The superintendent can fashion whatever sanctions he deems appropriate for any non-employees and non-students who have been found to have violated the Harassment Policy, so long as those sanctions are consistent with state and federal law.

### **Alternative Legal Remedies**

Nothing contained in this policy is intended to deny any member of the public school community the right to pursue other avenues of recourse in the event he/she believes that he/she has experienced harassment. Such recourse may include filing charges with a state or federal enforcement agency, or initiating civil or criminal action under state and federal law. These agencies include the Massachusetts Commission against Discrimination, the Equal Employment Opportunity Commission and the Office of Civil Rights of the U.S. Department of Education.

## APPENDIX F

### CRIMES AGAINST PROPERTY, CHAPTER 266, SECTIONS 2 AND 5A

#### Section 2: Burning or Aiding to Burn, Other Buildings.

Whoever willfully and maliciously sets to, burns, or causes to be burned, or whoever aids, counsels or procures the burning of a meeting house, church, court house, town house, college academy, jail or other building which has been erected for public use, or a banking house, warehouse, store manufactory, mill barn, stable, shop outhouse or other building, or an office building, lumberyard, ship, vessel, street car or railway car, or a bridge, lock, dam, flume, tank, or any building or structure or contents thereof, not included or described in the preceding section, whether the same is the property of himself or of another and whether occupied, unoccupied or vacant, shall be punished by imprisonment in the state prison for not more than ten years, or by imprisonment in a jail or house of correction for not more than two and one half years.

#### Section 5A: Attempt to Burn, or Aid in Burning.

Whoever willfully and maliciously attempts to set fire to, or attempts to burn, or aids, counsels or assists in such an attempt to set fire to or burn, any of the buildings, structures or property mentioned in the foregoing sections, or whoever commits any act preliminary thereto or in furtherance thereof, shall be punished by imprisonment in the state prison for not more than ten years, or by imprisonment in a jail or house of correction for not more than two and one half years or by a fine of not more than one thousand dollars.

The placing or distributing of any flammable, explosive or combustible material or substance or any device in or against any building, structure or property mentioned in the foregoing sections in an arrangement or preparation with intent eventually to willfully and maliciously set fire to or burn such building, structure or property, or to procure the setting fire to or burning the same shall, for the purposes of this section, constitute an attempt to burn such building, structure or property.

## APPENDIX G

### CHAPTER 285 OF THE ACTS OF 1998: AN ACT PROVIDING FOR THE DISTRIBUTION OF INFORMATION TO CERTAIN PARENTS OF CHILDREN ENROLLED IN ELEMENTARY AND SECONDARY SCHOOLS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:

Chapter 71: Section 34H. Non-custodial parents; receipt of information for child enrolled in public elementary or secondary schools; notice to custodial parent.

(Subsections (a) through (c) as amended by 2006, Sec.1 effective July 12, 2006.)

Section 34H. (a) Each public elementary and secondary school shall provide student records, including, but not limited to, the following information, in a timely and appropriate manner to the parents of a child enrolled in the school if the parents are eligible for information under this section and request the information in the manner set forth in this section: report cards and progress reports; the results of intelligence and achievement tests; notification of a referral for a special needs assessment; notification of enrollment in an English language learners program established under Chapter 71A; notification of absences; notification of illnesses; notification of any detentions, suspensions or expulsion; and notification of permanent withdrawal from school. Each school shall also make reasonable efforts to ensure that other written information that is provided to the custodial parent but not specified in the preceding sentence be provided to the requesting parent if that parent is eligible for information under this section. All electronic and postal address and telephone number information relating to either the work or home locations of the custodial parent shall be removed from information provided under this section. Receipt of this information shall not mandate participation in any proceeding to which notification pertains, nor shall it authorize participation in proceedings and decisions regarding the child's welfare which are not granted through the award of custody. For purposes of this section, any parent who does not have physical custody of a child shall be eligible for the receipt of information unless: (1) the parent's access to the child is currently prohibited by a temporary or permanent protective order, except where the protective order, or any subsequent order which modifies the protective order, specifically allows access to the information described in this section; or (2) the parent is denied visitation or, based on a threat to the safety of the child, is currently denied legal custody of the child or is currently ordered to supervised visitation, and the threat is specifically noted in the order pertaining to custody or supervised visitation. All such documents limiting or restricting parental access to a student's records or information which have been provided to the school or school district shall be placed in the student's record. (b) A parent requesting under this section shall submit a written request to the school principal. (c) Upon receipt of a request for information under this section, the school shall review the student record for any documents limiting or restricting parental access to a student's records or information which have been provided to the school or school district and shall immediately notify the custodial parent of the receipt of the request. Notification must be made by certified mail and by first class mail in both the primary language of the custodial parent and in English. The notification shall also inform the custodial parent that information requested under this section shall be provided to the requesting parent after 21 days unless the custodial parent provides to the principal of the school documentation of any court order which prohibits contact with the child, or prohibits the distribution of the information referred to in this section or which is a temporary or permanent order issued to provide protection to the child in the custodial parent's custody from abuse by the requesting parent unless the protective order or any subsequent order which modifies the protective order, specifically allows access to the information described in this section. (Subsection (d) effective until July 12, 2006. Deleted by 2006, 62, Sec.2.) (e) At any time the principal of a school is presented with an order of a probate and family court judge which prohibits the distribution of information pursuant to this section the school shall immediately cease to provide said information and shall notify the requesting parent that the distribution of information shall cease. (f) The principal of each public elementary and secondary school shall designate a staff member whose duties shall include the proper implementation of this section. (Subsection (g) effective until July 12, 2006.

Deleted by 2006, 62, Sec.3.) (h) The department of education shall promulgate regulations to implement the provisions of this section. Said regulations shall include provisions which assure that the information referred to in this section is properly marked to indicate that said information may not be used to support admission of the child to another school.

## APPENDIX H

### ANTI-BULLYING POLICY

#### Definition of Terms:

**BULLYING:** The repeated use by one or more students or by a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity, or paraprofessional of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at a victim that: (i) causes physical or emotional harm to the victim or damage to the victim's property; (ii) places the victim in reasonable fear of harm to himself or of damage to his property; (iii) creates a hostile environment at school for the victim; (iv) infringes on the rights of the victim at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school. For the purposes of this section, bullying shall include cyber-bullying.

**CYBER-BULLYING:** Bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications. Cyber-bullying shall also include (i) the creation of a web page or blog in which the creator assumes the identity of another person or (ii) the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying. Cyber-bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying.

**HOSTILE ENVIRONMENT:** 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 the student's education.

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The Quincy Public Schools is committed to creating a safe and nurturing learning environment in which students may achieve their individual maximum potential. The Quincy Public Schools expect all members of our community to treat each other with dignity and respect. It is the policy of the Quincy Public Schools to strictly enforce a

prohibition against bullying, including cyber-bullying and all forms of violent, harmful, or disruptive behavior throughout the school system. Bullying by a student against another student may occur outside of the school setting and concerns or evidence may be brought to the attention of teachers or school staff. Bullying occurs across all geographic, racial and socio-economic segments of society. There is not just one typical profile of a student who is bullied as any student can be singled out for any reason.

The Quincy Public Schools is aware of the effects of bullying on the school system and community and is committed to establishing both policies and educational programs to address this serious issue. Recognizing that education is an important component of any effort to combat bullying, school-based initiatives that are designed to keep students safe and teach them to act responsibly are encouraged and supported by district administrators. In addition, professional development activities designed to train school personnel to recognize, respond to, and report instances of bullying have been implemented.

For purposes of this policy, the term *school* includes school buildings; school grounds; and school-sponsored and sanctioned activities such as social events, field trips, sports events, concerts, cultural events, and other similar functions even when held off school property. This policy also applies to school-sanctioned transportation and travel to and from school.

Bullying in the schools will not be tolerated by the Quincy Public Schools. The school system takes allegations of bullying seriously and will respond promptly to complaints and allegations of bullying. Where it has been determined that bullying behavior has occurred, the Quincy Public Schools will act promptly to eliminate the bullying and will impose corrective action, as necessary and appropriate to the circumstances. Such corrective action will be in accord with the judgment of the administration charged with resolving the issue and may range from mediation to counseling or educational approaches to formal discipline such as a reprimand, detention, suspension, or legal involvement.

Retaliation is forbidden against any person who has alleged or reported bullying, provided information, or participated in an investigation. Any allegation of reprisal will be subject to investigation and disciplinary action.

When a given situation is judged serious enough to require the attention of the superintendent/designee, he or she will be informed immediately and an incident report will be written, reviewed by the principal/designee and distributed to appropriate administrators within 24 hours of the incident. A hard copy, with the principal's/designee's signature, will be sent to the superintendent.

### **Possible Disciplinary Consequences**

1. Admonishment
2. Temporary removal from the classroom
3. Loss of privileges
4. Classroom or administrative detention
5. Referral to disciplinarian
6. In-school suspension during the school week

7. Out-of-school suspension
8. Report to Director of Security/Quincy Police Department

### **Possible Remedial/Supportive Measures**

1. Framing the bullying behavior as a failed attempt to solve a real problem or reach a goal; school personnel assist the misbehaving student to find a better way to solve the problem or meet the goal.
2. Restitution or restoration
3. Peer support group
4. Corrective instruction or other relevant service experience
5. Behavioral assessment or evaluation
6. Closely monitored behavioral management plan
7. Referral to guidance or outside counseling/therapy
8. Parent conference
9. Maintaining, as much as possible, the confidentiality of victims and offenders

### **Possible Environmental (Building) Measures**

1. Modification of schedules
2. Adjustments in hallway traffic
3. Modifications in student routes or patterns traveling to and from school
4. Use of monitors (hallway, cafeteria, bus, dismissal, etc.)
5. Involvement in community youth organizations
6. School climate and culture awareness activities and changes
7. Law enforcement involvement (i.e. school resource officer)

With the above goal of eliminating Bullying in the Quincy Public Schools in mind, the Quincy School Committee adopted Chapter 92 of the Massachusetts Acts of 2010, entitled, “An Act Relative to Bullying,” as part of its School Policy.

## **APPENDIX I**

### **SEXUAL HARASSMENT POLICY**

#### **I. Introduction**

It is the goal of the Quincy Public Schools to promote a learning environment that is free of sexual harassment. Sexual harassment of members of the School Community<sup>1</sup> occurring in the learning environment<sup>2</sup> or in other settings in which they may find themselves in connection with their membership in the School Community is unlawful and will not be tolerated by this organization. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is similarly unlawful and will not be tolerated. To achieve our goal of providing a learning environment free from sexual harassment, the conduct that is described in this

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<sup>1</sup> School Community is defined as the students, parents, employees, volunteers, and other members of the Quincy Public Schools who participate collectively in the advancement of education in the City of Quincy.

<sup>2</sup> Learning environment is defined as the place and setting where learning occurs within the Quincy Public Schools including all curricula and extra curricula school related activities.

policy will not be tolerated and we have provided a procedure by which inappropriate conduct will be dealt with, if encountered by members of the School Community. Because the Quincy Public Schools takes allegations of sexual harassment seriously, we will respond promptly to complaints of sexual harassment and where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

Please note that while this policy sets forth our goals of promoting a learning environment that is free of sexual harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for learning environment conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of sexual harassment.

## **II. Definition of Sexual Harassment**

In Massachusetts, the legal definition for sexual harassment is this: "sexual harassment" means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

(a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; or,

(b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance or ability to learn by creating an intimidating, hostile, humiliating or sexually offensive environment.

Under these definitions, direct or implied requests by a supervisor/superior for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment.

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a work place and/or learning environment that is hostile, offensive, intimidating, or humiliating to male or female members of the School Community may also constitute sexual harassment.

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:

- Unwelcome sexual advances -- whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references 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;
- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;

- Inquiries into one's sexual experiences; and,
- Discussion of one's sexual activities.

All members of the School Community should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment, and retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is unlawful and will not be tolerated by this organization.

### **III. Complaints of Sexual Harassment**

If any members of the School Community believe that they have been subjected to sexual harassment, they have the right to file a complaint with our organization. This may be done in writing or orally. If you would like to file a complaint you may do so by contacting the building principal or the following:

Kevin Mulvey, Esq.  
Deputy Superintendent  
70 Coddington Street  
Quincy, MA 02169  
617-984-8766

The above individuals are also available to discuss any concerns you may have and to provide information to you about our policy on sexual harassment and our complaint process.

### **IV. Sexual Harassment Investigation Guidelines**

In school systems, sexual harassment may take many forms and cross many lines. Examples of these situations may be an instance of staff member to staff member, staff member to student, student to staff member, student to student, staff to parent, and parent to staff. Guidelines for dealing with any charge of sexual harassment are as follows.

When we receive the complaint we will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. Our investigation will include a private interview with the person filing the complaint and with witnesses. We will also interview the person alleged to have committed sexual harassment. When we have completed our investigation, we will, to the extent appropriate inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

If it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct, and where it is appropriate we will also impose disciplinary action.

### **V. Dissemination of Policy and Process**

This process and the corresponding School Committee policy shall appear in the Student/Parent Rights and Responsibilities Handbook and the Personnel Handbook and shall be reviewed periodically for compliance with state and federal law.

## **VI. Disciplinary Action**

If it is determined that inappropriate conduct has been committed by a member of the School Community, we will take such action as is appropriate under the circumstances. Such action may range from counseling to suspension, expulsion, termination from employment and may include such other forms of disciplinary action as we deem appropriate under the circumstances.

## **VII. State and Federal Remedies**

In addition to the above, if you believe you have been subjected to sexual harassment, you may file a formal complaint with either or both of the government agencies set forth below. Using our complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies has a short time period for filing a claim (EEOC - 300 days; MCAD - 300 days).

1. The United States Equal Employment Opportunity Commission ("EEOC")  
John F. Kennedy Federal Building  
475 Government Center  
Boston, MA 02203  
800-669-4000
2. The Massachusetts Commission Against Discrimination ("MCAD")  
Boston Office: Springfield Office:  
One Ashburton Place 42 Dwight Street  
Room 601 Room 220  
Boston, MA 02108 Springfield, MA 01103  
617-994-6000 413- 739-2145

## **APPENDIX J**

### **SERVICE ANIMAL POLICY**

The Quincy School Committee does not permit discrimination against individuals with disabilities, including those who require the assistance of a service animal. The QPS will comply with Massachusetts and federal law concerning the rights of persons with guide or assistance service animals. With proof of current rabies vaccination, QPS will permit such animals on school premises and on school transportation.

For purposes of this policy, a “service animal includes any dog that has been individually trained to do the work or perform tasks for the benefit of an individual with a disability.”

The federal regulations further state that “a public entity shall make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability if the horse has been individually trained to do work or perform tasks for the benefit of the individual with the disability.”

Service animals perform some of the functions and tasks that individuals with disabilities cannot perform themselves. Service animals are not pets. There are several kinds of service animals that assist individuals with disabilities. Examples include, but are not limited to, animals that: assist individuals who are blind or have severe impairments as

“seeing eye dogs” or “guide dogs;” alert individuals with hearing impairments to sounds; pull wheelchairs or carry and pick-up items for individuals with mobility impairments; and assist mobility-impaired individuals with balance.

The QPS shall not assume or take custody or, or responsibility for, the care or feeding of any service animal. The owner or person having custody and control of the animal shall be liable for any damage to persons, premises, property, or facilities caused by the service animal, including, but not limited to, clean up and stain removal.

The parent/guardian of a student who believes the student needs to bring a service animal to school, or an employee who wishes to bring a service animal to school, must submit a written request to the building principal. The building principal, in consultation with the Section 504 Coordinator or Director of Special Services, as appropriate, and the superintendent will determine whether or not to permit the service animal in the school. Before a service animal shall be permitted in school or on school property, the student’s parent or the employee must provide:

- A description of the function(s) the service animal is expected to perform in assisting the person with a disability;
- Documentation of liability insurance;
- A copy of the animal’s current license and tag identifying it as a service animal (if applicable);
- Current certification from a veterinarian that the animal is in good health;
- Proof of current rabies and/or other appropriate vaccination;
- Certification of the service animal’s training by a recognized agency or organization and/or demonstration of training; and
- Evidence that the student or employee can appropriately supervise, care for, and control the animal at school, or, depending upon the circumstances involved, that there is a plan for some other person (or a handler), other than school unit staff, to be present to care for and control the animal.

Parents or animal handlers who will be present in school for the purpose of assisting a student with his/her service animal will be required to submit to a criminal background check pursuant to CORI regulations. In addition, parents and handlers must comply with all standards of conduct that apply to school employees and volunteers. The school unit may impose additional conditions on the presence of a service animal, depending upon the circumstances.

If, in the opinion of the building principal or his/her designee, any service animal is not in the control of its handler, or if it is not housebroken, the service animal may be excluded from the school or program. In addition, the building principal may remove or exclude a service animal from the school or school property, if:

- The presence of the animal poses a direct threat to the health and safety of others;
- The animal significantly disrupts or interferes with the instruction program, school activities, or student learning;
- The presence of the animal would require a fundamental alteration of any school program;
- The student, employee, or handler is unable to fully control the animal;
- The student, employee, or handler fails to appropriately care for the animal,

- including feeding, exercising, taking outside for performance of excretory functions, and cleaning up;
- The parents or employee fails to provide the required documentation; and/or
  - The animal fails to consistently perform the function(s)/service(s) for which it has been trained and brought to school.

The parent or guardian of the student having custody and control of the animal will be required to remove the service animal from the QPS premises immediately. A parent or employee whose service animal has been removed or excluded may appeal the decision to the superintendent.

Individuals with disabilities may be accompanied by their service animals to events or activities open to the public that are held in schools or on school property. The use of a service animal may not be conditioned on the payment of a fee or security deposit, but the individual is liable for any damage done to the premises or facilities by such an animal.

The building administrator may revoke or exclude the service animal only if the animal poses a direct threat to the health and safety of others, the use of the animal would result in substantial physical damage to the property of others, or would substantially interfere with the reasonable enjoyment of the event or activity by others.

If any student or staff member assigned to the classroom in which a service animal is permitted suffers an allergic reaction to the animal, the person having custody and control of the animal may be required to remove the animal to a different location designated by the building principal or his/her designee until an alternative plan can be developed with appropriate QPS staff. Such plan could include the reassignment of the person having custody and control of the animal to a different classroom or the reassignment of the person having the allergic reaction. If an individual on school transportation suffers an allergic reaction to a service animal, an alternate transportation plan will be developed in coordination with appropriate QPS staff and the parents/guardian of the student.

When a student will be accompanied by a service animal at school or in other QPS facilities on a regular basis, the staff member assigned to the student's classroom, the student's parent or guardian, as well as the animal's owner and any other person who will have custody and control of the animal, will be required to sign a document stating that they have read and understood this policy.

The Director of Student Services and the Director of Special Education or their designee shall be responsible for developing procedures to accommodate a student's use of guide or assistance service animal in QPS facilities and on school transportation vehicles.