

# **WAREHAM PUBLIC SCHOOLS**



**DISTRICT HANDBOOK  
of  
POLICIES AND PROCEDURES  
for  
STUDENTS AND STAFF**

**2016 - 2017**

Approved June 22, 2016  
Wareham School Committee

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of  
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### INTRODUCTION

The Wareham Public Schools have a tradition of care and respect for the individual student. Each student is encouraged to grow intellectually, emotionally, physically, and socially. This handbook is intended for every member of the school community so that each will know his/her responsibilities while participating in school-life. All members of the school community may expect to feel safe and may expect that their person, property and opinions will be respected. Each member of the community is expected to contribute to creating an atmosphere of trust. School should be a setting in which respect for rules and common decency are accepted by all as the necessary structure for both learning and community, and where those in authority try always to strike a balance between individual rights and the general good.

There is a Memorandum of Understanding between the Wareham Public Schools and the Wareham Police Department. This memorandum is to maintain and enhance established formal working relationships agreed upon by the Wareham Public Schools and the Wareham Police Department to provide a safe educational setting free of drugs and violence.

#### NON-DISCRIMINATION STATEMENT

Revised June 2006

Wareham Public Schools District is an equal opportunity employer and does not unlawfully discriminate because of race, color, sex, religion, national origin, disability, gender identity, sexual orientation or age in its employment policies or in the enrollment or participation of students in its educational and school-sponsored programs and activities, all in compliance with the Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments 1972 Act, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination in Employment Act, the American with Disabilities Act and M.G.L. chapter 76, section 5.

Students who feel that they have been discriminated against should follow the procedures for addressing complaints about discrimination set out in the Students' Rights and Responsibilities section of this booklet.

### STUDENTS' RIGHTS AND RESPONSIBILITIES

#### Students Rights

Students have the right to freedom of expression, petition and assembly through speech, symbols, and the dissemination of written viewpoints as well as the right to assemble peaceably on school property, provided that no disruption or disorder is caused within the school or its programs. (Any expression made by the student will not be deemed to be the expression of school policy or school officials.) All postings and flyers whether print or electronic, must be approved by school administration.

#### THE RIGHT TO AN EQUAL EDUCATION

June 2005

#### Discrimination

State and Federal laws prohibit discrimination in education. Wareham Public Schools does not discriminate on the basis of race, color, sex, religion, national origin, disability, gender identity, or sexual orientation with regard to admission, access to programs or activities or employment opportunities. In the Wareham Public Schools:

1. No student shall be excluded from participation in, denied the benefit of, or subjected to discrimination in any academic, extracurricular, research, vocational, or other school-sponsored

*"... to educate all students for life's responsibilities, challenges, and opportunities."*

activity because of such student's race, color, sex, religion, national origin, disability, gender identity, or sexual orientation.

2. No student shall be excluded from any school program or school-sponsored activity because of pregnancy, except where required by health considerations, or because of marital or parent/guardian status, except where the educational process would be disrupted.

### **Grievance Procedure for Filing Complaints related to Discrimination and Harassment**

If a student or staff member feels he/she has been the subject of discrimination or harassment on the basis of race, color, sex, religion, national origin, disability, gender identity, or sexual orientation, he/she may file a complaint with the principal or Equity Coordinator of his/her school. It is the policy of the Wareham Public Schools to deal with discrimination complaints at the individual school level whenever possible. However, if a satisfactory resolution cannot be achieved, a student or staff member may file a written complaint to the Section 504, Title II, Title VI and Title IX Coordinator of the Wareham Public Schools.. If the individual is not satisfied with the response, he/she may take the complaint to the Superintendent of Schools or his/her designee, 48 Marion Road, Wareham, MA 02571, 508-291-3500. The Superintendent or his/her designee shall respond in writing within 30 days. If the individual is not satisfied with the response from the School District, he/she may take the complaint to the Massachusetts Department of Elementary and Secondary Education, Program Quality Assurance, 75 Pleasant Street, Malden, MA 02148-4906 or other appropriate federal or state agencies.

### **EDUCATIONAL SERVICES FOR STUDENTS IDENTIFIED AS HOMELESS OR UNACCOMPANIED YOUTH Amended, December 19, 2012**

Section 725 (2) of the McKinney-Vento Homeless Assistance Act, which applies to the Wareham Public Schools, defines:

- Homelessness as individuals who lack a fixed, regular and adequate nighttime residence or have a primary nighttime residence in a supervised, publicly or privately operated shelter for temporary accommodations
- Unaccompanied youth as youth who are homeless; not in the physical custody of a parent/guardian; and not in the custody of a state agency

This definition includes:

- Children and youth who are sharing the housing of other persons due to loss of housing, economic hardship or a similar reason; are living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals or are awaiting foster care placement;
- Children and youth who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings;
- Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations;
- Migratory children living in conditions described in the previous examples.

The McKinney-Vento Homeless Education Assistance Act requires that school districts immediately enroll a homeless or unaccompanied student, even if they do not have the documents usually required for enrollment, such as school records, record of immunizations, medical records or proof of residency. Homeless and unaccompanied youth covered by the Act are also entitled to other services or program benefits in the general categories of enrollment in school of origin, transportation, access to comparable services, access to preschool programming, access to the reduced/free lunch program and Title I services.

The Wareham Public Schools will implement all statutes and regulations and assist students and families designated as homeless.

The Wareham Public Schools will designate a Homeless Education Liaison who will coordinate activities between the family and school officials.

### **Homeless**

If you live in a shelter, motel, vehicle, campground, on the street, in an abandoned building, trailer, or other inadequate accommodations, or with friends or relatives because you cannot find or afford housing, then your child has certain rights and protections under the McKinney-Vento Homeless Education Assistance Act.

Your child has a right to: access the same free and appropriate public education as provided to all other children; remain in the school he/she attended before becoming homeless; receive transportation to the last school attended, if requested; enroll in a school without providing proof of residency, if such proof would delay enrollment; enroll without proof of immunizations, if such proof would delay enrollment; receive the same special programs and services, if needed, as provided to all other children. If you require assistance, please contact the Homeless Liaison through the Superintendent's Office, 508-291-3500.

### **SCHOOL ATTENDANCE**

#### **School Attendance**

School attendance is compulsory in Massachusetts for all persons between the ages of 6 and 16. Education is a student's right and obligation. It is the shared responsibility of the student, his/her family, and the school to maintain a good attendance record. The No Child Left Behind Act mandates that schools maintain 95% attendance rate. Failure to attend school without a valid excuse may warrant school personnel seeking help for the student and student's family through court action.

**UNDER THE NCLB ACT, ALL ABSENCES, BOTH EXCUSED AND UNEXCUSED ARE COUNTED IN THE ALLOWABLE MAXIMUM OF 5% OR 9 SCHOOL DAYS.**

#### **Planned Absences**

School vacations and state mandated testing are planned well in advance at appropriate intervals during the school year and parents/guardians should make family plans accordingly. It should be realized that teachers couldn't realistically provide work in advance of planned absences that will adequately make up for missed instruction therefore teachers shall not be required to provide work for any student prior to planned absence. Parents/guardians, who allow their children to be out of school for vacations are assuming responsibility for their children's educational program. When a student returns to school, he/she shall complete work not available to him/her during his/her absence. The time limit for completion is the length of the absence, plus one day.

#### **Absences and/or Dismissals that may be excused with documentation include:**

1. Documented medical sickness with medical provider's explanatory signed note
2. Religious holidays
3. Death in the family
4. Court appearances
5. License appointments
6. Pre-approved college visits (juniors and seniors only) three per school year

THE MASSACHUSETTS GENERAL LAWS (CHAPTER 76, SECTION 2) SPECIFY THAT A STUDENT UNDER SIXTEEN YEARS OF AGE MAY NOT BE ABSENT MORE THAN SEVEN (7) UNEXCUSED DAY SESSIONS IN ANY SIX (6) MONTH PERIOD. PARENTS/GUARDIANS ARE REQUIRED UNDER THE LAW TO ENSURE REGULAR SCHOOL ATTENDANCE OF THEIR CHILDREN AND ARE SUBJECT TO A FINE FOR FAILURE TO COMPLY WITH THE LAW.

**Chapter 76, Section 5  
Place of Attendance; Discrimination**

Every person shall have a right to attend the public schools of the town where he actually resides, subject to the following section. No school committee is required to enroll a person who does not actually reside in the town unless said enrollment is authorized by law or by the school committee. Any person who violates or assists in the violation of this provision may be required to remit full restitution to the town of the improperly attended public schools. No person shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex, religion, national origin, gender identity, or sexual orientation. *Amended by St. 1971, c.622, c.1; St. 1973, c.925, s.9A; St. 1993, c.282; St. 2004, c.352, s.33.*

**CHILD ABUSE/NEGLECT REPORTING**

**Requirements**

Following is the law on reporting child abuse/neglect and the procedures for reporting the same in the Wareham Public Schools:

Section 51A. Injured children, reports, immunity, privileged communications, penalties, notice of determination.

Any physician, medical intern, hospital personnel engaged in examination, care or treatment of persons, medical examiner, dentist, nurse, chiropractor, podiatrist, osteopath, public or private school teacher, probation officer, social worker, foster parents or policemen who, in his professional capacity shall have reasonable cause to believe that a child under the age of eighteen years is suffering serious physical or emotional injury resulting from abuse inflicted upon him, including sexual abuse...shall immediately report such condition to the department by oral communication and by making a written report within forty-eight hours after such oral communication; provided, however, that whenever such person so required to report is a member of the staff of a medical or other public or private institution, school or facility, or that person's designated agent, whereupon such person is in charge or his said agent shall then become responsible to make the report in the manner required by this section. Any such person so required to make such oral and written reports who fails to do so shall be punished by a fine of not more than one thousand dollars.

Said report shall contain the names and addresses of the child and his parents or other persons responsible for his care, if known; the child's sex; the nature and extent of the child's injuries, abuse, maltreatment, or neglect, including any evidence of prior injuries, abuse, maltreatment, or neglect, the circumstances under which the person required to report first became aware of the child's injuries, abuse, maltreatment or neglect; whatever action, if any, was taken to treat, shelter, or otherwise assist the child; the name of the person or persons making such report; and any other information which the person reporting believes might be helpful in establishing the cause of the injuries; the identity of the person or persons responsible therefore; and such other information as shall be required by the department.

**Wareham Public Schools Procedures**

1. When a teacher suspects child abuse/neglect, he/she shall notify the Principal or Assistant Principal.
2. The guidance counselor and/or school psychologist shall be notified of the concern.
3. The Principal, Assistant Principal or designee shall meet with the reporter to discuss the reasons for the suspicion. Information given to the Principal shall include:
  - a) Name of child
  - b) Nature and extent of current injuries, abuse, or neglect

- c) The circumstances under which the reporter first became aware of the child's injuries, abuse, or neglect
  - d) Action taken, if any to treat, shelter, or otherwise assist the child
  - e) Any other pertinent information
4. The Guidance Counselor or Principal/Assistant Principal may interview the child. The Principal/Assistant Principal or Guidance Counselor may choose to have the child examined by the school nurse in the presence of a corroborator.
  5. The reporter and counselor will consult with the Principal/Assistant Principal for determination whether a report (Form 51A) should be filed with the Department of Children and Families.
  6. If a report is to be filed, the Principal/Assistant Principal or designee may, at his/her discretion, notify the parent or guardian.
  7. The Principal/Assistant Principal, or designee, shall make the report by phone to the Department of Children and Families and complete a written report within 48 hours.
  8. The Principal/Assistant Principal or designee shall determine whether other staff should be involved in or notified of the report (e.g. school nurse)
  9. If, because of the Department of Children and Families investigation, a social worker is assigned to the family for further services, the guidance counselor (or school psychologist) shall serve as the liaison person for the school.
  10. In the event that the Department of Children and Families does not report the results of the investigation to the school within a week, the Principal or his/her designee shall call the caseworker for information.

Cases of reported abuse or neglect are to remain CONFIDENTIAL. Discussion of these cases shall be limited to meetings with appropriate school staff who have need to know or other authorized personnel.

## **FIELD TRIPS**

Attendance on school-sponsored trips, not part of required class activities, is not a student's right, but is a privilege. No student may attend such a trip if, in the determination of the principal or his/her designee as part of the disciplinary action, the student's pattern of behavior has been so inappropriate or anti-social as to be deemed disruptive to the planned trip.

Parent chaperones are subject to CORI review. Also, parent chaperones **may not** bring younger children or drive their own cars with children in their car to or from the field trip.

## **CARE OF BOOKS AND EQUIPMENT**

All students and staff members shall be responsible for returning, in a timely manner, all classroom and library books, technology, athletic equipment, cameras, musical instruments, and other school equipment and property entrusted or loaned to him/her. Students who fail to return such materials upon request shall subject the student to detention and/or the deprivation of participation in extracurricular activities. All students and staff members shall be responsible for returning such materials in the same condition in which they were entrusted or loaned; and the students and staff members shall bear the cost of repairing or replacing the damaged or lost materials.

## **CELLULAR PHONES AND PORTABLE ELECTRONIC DEVICES**

Mobile or handheld devices are inclusive of any electronic or wireless communication devices. Such equipment may be used for instructional purposes connected to specific curriculum activities.

Electronic equipment can also infringe on student safety and be a distraction to Wareham Public School's learning environment. If a student brings such a device to school and uses it inappropriately and/or at

inappropriate times, administrators and professional staff may take any of these devices from students, request that parents/guardians claim the devices at school, and take appropriate disciplinary action. Wareham Public Schools takes no responsibility for such equipment.

## **ELECTRONIC ARCHIVES**

The Federal Rules of Civil Procedure require archiving of all email to, from, and within the Wareham Public Schools community

Therefore all Wareham Public School email communications to, from, and within the school community are archived as required by Law.

## **STUDENT RECORDS**

State regulations governing student records are briefly summarized below. These regulations are available at the school for review.

A student's record consists of his/her school transcript and temporary record. The temporary record includes all information that is organized on the basis of the student's name, is relevant to the educational needs of the student and is kept by the school. A student's parent/guardian or an eligible student (who is at least 14 years old or has entered ninth grade), has the right to inspect all portions of the student's record upon request to the school principal. The record must be made available to the parent/guardian or eligible student not later than two consecutive workdays after the request is made in writing, unless the parent/guardian or eligible student consents to a delay.

The parent/guardian or eligible student may request copies of any part of the record. By state regulations, the school has 10 days to provide the copies. A fee may be charged for the cost of copying.

### **Confidentiality of Records**

No individual or organization other than the parent/guardian, eligible student or school personnel working directly with the student is allowed access to a student's record without specific written consent of the parent/guardian or eligible student, except in limited instances as specified by federal and state statutes and regulations governing student records.

The Wareham Public Schools may provide access to authorized school personnel of a school to which a student seeks or intends to transfer provided the Wareham Public Schools gives notice to the student and his or her parents or legal guardian that it forwards student records to schools in which the student seeks or intends to enroll.

### **Non-Custodial Parent Information**

In pursuant to Massachusetts General Laws, Chapter 71, Section 34H, is a law regarding student records access for non-custodial parents. In order for you to receive information via mail regarding progress reports, report cards, or other information, you must fill out a non-custodial parent form at the start of the academic year. This procedure may take up to twenty-one days to be completed.

### **Amendment or Deletion of Records**

The parent/guardian or eligible student has the right to add relevant comments, information, or other written material to the student's record. In addition, the parent/guardian or eligible student has the right to request that information contained in the record be amended or deleted except for information inserted in the record by a team evaluation. The parent/guardian or eligible student has a right to a conference with the school principal for the purpose of objecting to information contained in the record. Within a week after such conference, the principal must render a decision in writing on the objection. If the parent/guardian or eligible student is not satisfied with the principal's decision, he/she may appeal such decision to the school's Superintendent and ultimately, to the School Committee.

## **Destruction of Records**

A student's temporary record shall be destroyed no later than seven years after the student leaves the school system. A student's transcript may be destroyed no sooner than 60 years after the student leaves the school system. A school principal or his/her designee may destroy misleading, outdated, or irrelevant information contained in the temporary record during the time the student is enrolled in the school system, provided the parent/guardian or eligible student has been notified in writing and given the opportunity to inspect and copy any of the information prior to its destruction.

## **NOTIFICATION OF RIGHTS UNDER FERPA**

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

- Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.
- Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.
- Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
  - School officials with legitimate educational interest;
  - Other schools to which a student is transferring;
  - Specified officials for audit or evaluation purposes;
  - Appropriate parties in connection with financial aid to a student;
  - Organizations conducting certain studies for or on behalf of the school;
  - Accrediting organizations;
  - To comply with a judicial order or lawfully issued subpoena;
  - Appropriate officials in cases of health and safety emergencies; and
  - State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means

of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

For additional information, you may call 1-800-USA-LEARN (1-800-872-5327) (voice). Individuals who use TDD may call 1-800-437-0833.

Or you may contact us at the following address:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-8520

Information retrieved from <http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>, on 7-19-12

## **NOTIFICATION OF RIGHTS UNDER THE PROTECTION OF PUPIL RIGHTS AMENDMENT (PPRA)**

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

- ◆ *Consent* before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)-
  1. Political affiliations or beliefs of the student or student’s parent/guardian;
  2. Mental or psychological problems of the student or student’s family;
  3. Sexual behavior or attitudes;
  4. Illegal, anti-social, self-incriminating, or demeaning behavior;
  5. Critical appraisals of others with whom respondents have close family relationships;
  6. Legally recognized, privileged relationships, such as with lawyers, doctors, or ministers;
  7. Religious practices, affiliations, or beliefs of the student or parent/guardian; or
  8. Income, other than as required by law to determine program eligibility.
- ◆ *Receive notice and an opportunity to opt a student out of-*
  1. Any other protected information survey, regardless of funding;
  2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
  3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
- ◆ *Inspect*, upon request and before administration or use-
  1. Protected information surveys of students;
  2. Instruments used to collect personal information from students for any of the above marketing, sales or other distribution purposes; and
  3. Instructional material used as part of the educational curriculum.

Wareham has developed and adopted policies, in consultation with parents/guardians, regarding these rights, as well as arrangement to protect student privacy in the administration of protected surveys and the

collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. Wareham will directly notify parents/guardians and eligible students of these policies at least annually at the start of each school year and after any substantive changes. Wareham will also directly notify parents/guardians and eligible students, (such as) through either U.S. Mail or email, at least annually at the start of each school year of the specific or approximate dates of the following activities and provide an opportunity to opt a student out of participating in:

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

*Parents/guardians/eligible students who believe their rights have been violated may file a complaint with:*

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

### **PPRA Notice and Consent/Opt-Out for Specific Activities**

The protection of Pupil Rights Amendment (PPRA), 20 U.S.C. CHAPTER § 1232h, requires that the Wareham Public Schools notify you and obtain consent or allow you to opt your child out of participating in certain school activities. These activities include a student survey, analysis, or evaluation that concerns one or more of the following eight areas (“protected information surveys”):

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

This requirement also applies to the collection, disclosure or use of student information for marketing purposes (“marketing surveys”), and certain physical exams and screenings.

You will be sent notification prior to any of these activities.

### **Notification of Parents/Guardians’ Right to Know Teacher Qualifications**

The No Child Left Behind Act (NCLB) allows parents/guardians to request information about the professional qualifications of their child’s classroom teachers. The parent/guardian will be provided with the following information on request:

- ◆ whether the teacher has met state certification or licensing requirements for the classes being taught by the teacher;
- ◆ the teacher’s degree major and other graduate degrees or certifications held by the teacher identified by field or discipline; and
- ◆ whether the child is receiving services from paraprofessionals, and if so, their qualifications.

Parents/guardians can request this information from the school principal.

## **APPEARANCE**

1. In the interest of maintaining the required school climate essential to meaningful teaching and learning, the principal may ban dress that is inappropriate due to health, safety, and/or disruption to the educational process. The principal or designee is authorized to send offending students home to change their clothing if such clothing is determined by the principal or designee to be inappropriate for educational purposes.
2. Standard of Dress for students shall comply with the following guidelines:
  - a. Dress must not interfere with the educational process or the rights of others to secure an appropriate education.
  - b. Dress must not be destructive of school property nor pose a threat or a safety issue (i.e., shoes with “heelies”, slippers or cleats, oversized or wallet chains).
  - c. Midriff, cleavage, bare backs, and undergarments are not to be exposed. Strapless shirts, tank/halter tops, pajamas, loungewear, head gear (hats, bandanas, hoods, sweatbands, sunglasses), are not allowed. Skirts and shorts must be within 2 inches of the patella (kneecap). Pants and shorts are to be worn fastened at the waist.
  - d. Clothing or jewelry with obscenities, profanity, pictures or references regarding drugs, alcohol, weapons, sexual innuendo or tobacco are not allowed. Any accessory that interferes with the educational process will not be permitted.
3. Coats, jackets, and hoods on sweatshirts are not to be worn in school during the school day. Exceptions to this policy will be made by the administration should heating or weather conditions warrant.
4. Standard of Dress for Staff shall comply with the following guidelines:
  - a. Members are expected to dress appropriately for a school setting (using “business casual” guidelines.)

## **SEARCH AND SEIZURE**

### **Wareham School Committee Policy, Amended, November 7, 2012**

School Administrators maintain the right to seize items in a student’s possession and to search school property (lockers, desks, etc.) assigned to a student and any vehicle parked on school property under the following guidelines:

1. There is reasonable cause to believe that the items in possession are illegal and/or in violation of school rules, and/or constitute a hazard to health and safety of the students or others.
2. Wareham Public Schools maintains the right to search a student’s possessions at any time for inspection purposes. This may be done, if possible, in the presence for the student and shall be done under the direction of the School Administrator and whenever possible, in the presence of a second administrator or designee.
3. In cases of searches that include a dog team, the officer and dog team will be accompanied by a School Administrator. The contact between dogs and students will be strictly avoided.
4. All searches will be conducted with respect to all safety considerations and with the least disruption, intrusion and intimidation possible.
5. In the event that students are found in possession of an illegal item, the parent or guardian will be notified immediately.

Students who, in the opinion of the School Administrator, may be in possession of, or under the influence of, any controlled substance or may be in possession of any materials dangerous to the student or other students, may be asked to empty their pockets and/or possessions. Examples of items subject to this regulation include, but are not limited to, drugs, alcohol, weapons, pornography, stolen goods, fireworks and explosives.

In keeping with all applicable Federal and Massachusetts State Laws, the law requires that minors cannot be questioned by police without being read their Miranda Rights and without a parent/guardian present.

It is not the intention of the School District to violate individual liberties; however, the obligation of the school is to provide a safe environment conducive to learning for all students.

## **STUDENT CODE OF CONDUCT**

**July 2014**

**Students in grades pre-K through 12**

All members of the school community have the responsibility to conduct themselves with respect for individuals, their rights, and their property in school and during all school-sponsored activities, both on and off campus, including those times when they are riding school buses or other school-provided vehicles. Therefore, the behavior of students shall be regulated during all of the aforementioned activities. It is specifically noted that, for the purposes of these rules and regulations, buses and other school transportation vehicles are considered school property and bus drivers are considered school personnel. Students are expected to behave in accordance of the rules and regulations and to remove themselves from situations that involve illegal activity, and possession or use of illegal drugs, alcohol, or weapons, or the violations of these rules and regulations. Every effort will be made by school officials to help students solve problems or behavior without interruption of the daily program of studies. However, certain types of behavior are unacceptable and may, and in some instances shall, result in disciplinary action.

Certain breaches of conduct are so serious that the Principal may long term suspend or expel a student under the provisions of M.G.L. c. 71, §37H and 37H ½. These include:

- Possession of a dangerous weapon while on school grounds or at a school-sponsored event
- Possession of a controlled substance while on school grounds or at a school-sponsored event
- An assault on a School Administrator, teacher, teacher's aide, or other staff person.
- A felony charge or conviction

Other violations of the code of conduct will subject a student to disciplinary action up to and including detention, or suspension under the provisions of M.G.L. chapter 71, §37H ¾.

In addition to the disciplinary action, violation of the Student Code of Conduct may result in police notification pursuant to state statute. Mandatory reportable acts include:

- Any serious incident of assaultive behavior such as any assault and battery resulting in an injury of a staff member or student, unprovoked attacks, or use of a dangerous weapon as defined in the Student Handbook and/or statute, or any object capable of causing injury.
- Possession of a dangerous weapon resulting in a felony charge defined by statute or as defined in the Student Handbook
- Destruction of property including graffiti, "tagging", arson, vandalism, or theft.
- Incidents of domestic/dating/relationship violence.
- Violation of a restraining order.
- Any sexual assault or inappropriate sexual behavior, which may include indecent exposure, touching, fondling and rape.
- Incidents of harassment, civil rights incidents, or threats.

- Finding any student who is in actual or constructive possession of what is reasonably believed to be a controlled substance as defined by state law.
- Having a reasonable belief that any student has sold or offered to sell or otherwise distributed a drug, that is believed to be a controlled substance under the law.
- Finding any student who is believed to be in possession of or under the influence of alcohol or other drugs, to include drug paraphernalia.

For further information please refer to the Memorandum of Understanding on the district website.

### **Discrimination, Harassment, and/or Bullying**

The penalties for discrimination, harassment, and/or bullying of member(s) of our school community will reflect the severity of the offense. Penalties may include, but will not be limited to any one or combination of the following: verbal admonition, written reprimand, suspension or expulsion from school, and/or counseling. [Please refer to School Committee Policy on Harassment; and Wareham’s Bullying Prevention and Intervention Plan]

### **Dangerous Weapons**

Dangerous weapons include but are not limited to: guns, knives, toy guns, replica guns, paintball guns, water pistols, toy knives, sling-shots, pea shooters, fire crackers, M-80’s, stink bombs, snap caps, chains, brass knuckles, etc.

## **STUDENT DISCIPLINE**

The Principal has the authority to exercise discretion in deciding the consequences for a student who has violated disciplinary rules. The Principal shall first consider ways to re-engage the student offender in the learning process, and shall avoid using expulsion until other remedies and consequences have been employed.

### Suspension

A suspension is a short term or long term removal from regular classroom activities.

Short- term suspension is the removal of a student from the school premises and regular classroom activities for 10 consecutive days or less.

Long- term suspension means the removal of a student from the school premises and regular classroom activities for more than 10 consecutive days, or for more than 10 days cumulatively for multiple disciplinary offenses in any school year.

A suspended student is restricted from entering the school buildings, or coming onto school grounds; and a suspended student may not participate in any school sponsored activities or functions during the suspension period.

The Principal or his/her designee has the sole responsibility for determining who is suspended. The suspended student may not be permitted to return to school until a parental conference has been held.

### In school suspension

At the discretion of the Principal, in-school suspension may also be imposed for violation of the student code of conduct. In-school suspension means the student is removed from regular classroom activities, but not from the school premises, for no more than 10 consecutive school days. In-school suspension for

less than 10 days shall not be considered a short-term suspension. An in-school suspension of more than 10 days shall be deemed a long-term suspension.

### Student due process rights

In administering discipline, school officials will be careful to observe the right to due process under the law for each student. The nature of the violation determines the due process that school officials follow.

1. DUE PROCESS RIGHTS FOR STUDENTS CHARGED WITH POSSESSION OF A DANGEROUS WEAPON, POSSESSION OF A CONTROLLED SUBSTANCE, ASSAULT ON SCHOOL STAFF AND/OR STUDENTS WHO HAVE BEEN CHARGED WITH OR CONVICTED OF A FELONY (M.G.L. c. 71, §37H and M.G.L. c. 71, §37H ½, §37H 3/4).

Short Term Disciplinary Sanctions: Prior to the imposition of any disciplinary sanction that might result in a student's suspension from school for ten (10) consecutive school days or less, the student will be given oral notice of the offense with which he/she is charged and an opportunity to respond. In the event that the Principal or designee determines that the student will be suspended from school, the student's parent(s)/guardian(s) will be notified by telephone and in writing.

Long Term Disciplinary Sanctions: Prior to the imposition of any disciplinary sanction that might result in the student's suspension from school for more than ten (10) consecutive school days or expulsion, the parents/guardians will be given written notice of a hearing at which they may be represented by an attorney at their expense and may examine and present witnesses and documentary evidence. Following this hearing, a written decision will be issued. The parent(s)/guardian(s) will have the right to appeal any decision imposing a long-term suspension or expulsion from school to the Superintendent. Where the student is excluded in accordance with M.G.L. c. 71, §37H, the student shall have ten (10) days from the effective date of the exclusion to file a written appeal with the Superintendent of Schools. For exclusions imposed pursuant to M.G.L. c. 71, §37H ½, the student shall have five (5) days from the effective date of the exclusion to file a written appeal with the Superintendent. For exclusions imposed by the School Committee in accordance with M.G.L. c. 76, §17, the student shall have the right to file a written request for reconsideration by the committee within ten (10) days of the effective date of the exclusion. Pending the outcome of any such appeal, the disciplinary sanction imposed shall remain in effect. M.G.L. c. 76, §17, M.G.L. c. 71, §37H and M.G.L. c. 71, §37H ½.

2. DUE PROCESS RIGHTS FOR STUDENTS CHARGED WITH OTHER VIOLATIONS (M.G.L. c. 71, §37H ¾ )

#### Notice and principal's meeting:

For any suspension under this section, the principal or a designee shall provide notice of the charges and the reason for the suspension or expulsion to the parent(s)/guardian(s) in English and the primary language spoken in the student's home. The student shall receive written notice of the charges and the opportunity to meet with the principal or designee to discuss charges and reasons for the suspension and/or exclusion prior to suspension/exclusion taking effect.

The principal or designee shall make reasonable efforts to notify the parent orally of the opportunity to attend the hearing. The meeting may take place without the student's parent(s)/guardian(s) so long as if the principal has sent written notice and has documented at

least two (2) attempts to contact the parent in the manner specified by the parent for emergency notification.

The purpose of the principal's hearing 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.

The principal 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.

a. Short-term Suspension

The principal 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 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 should consider in determining consequences for the student.

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

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

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

b. Long Term Suspension

In addition to the rights afforded a student in a short-term suspension hearing, the student shall also have 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; the right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense; 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; the right to cross-examine witnesses presented by the school district; 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.

If present, the Parent shall have an opportunity to discuss the student's conduct and offer information, including mitigating circumstances that the principal should consider in determining consequences for the student.

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

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

If the student is suspended for more than 10 days for a single infraction or for more than 10 days cumulatively for multiple infractions in any school year, the notice will include written notification of the right to appeal to the Superintendent and the process for appealing in English and the primary language spoken in the student's home. No student will be suspended for greater than 90 days; beginning on the first day the student is removed from the building.

Emergency Removal:

The principal may remove a student from school temporarily when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the principal's judgment, there is no alternative available to alleviate the danger or disruption. The principal shall immediately notify the superintendent in writing of the removal and the reason for it, and describe the danger presented by the student. The temporary removal shall not exceed two (2) school days following the day of the emergency removal.

In the event of an emergency removal, the principal shall 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. The principal shall provide written notice to the student and parent as provided above, and provide the student an opportunity for a hearing with the principal as provided above, 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.

The principal shall 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 as described above.

In the event of an emergency removal from school, the principal will not release the student until adequate provisions have been made for the student's safety and transportation.

Superintendent's hearing:

The parent(s)/guardian(s) shall have 5 calendar days following the effective date of the suspension or expulsion to submit a written request for an appeal to the Superintendent but may be granted an extension of time of up to 7 calendar days. 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.

The Superintendent will hold a hearing with the student and the parent(s)/guardian(s) within 3 school days or the student's request for an appeal. The time may be extended up to 7 calendar days if requested by the parent(s)/guardian(s). The Superintendent's hearing may proceed without the parent(s)/guardian(s) if a good faith effort was made to include parent(s)/guardian(s). 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.

At the hearing, the superintendent shall determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence shall be. Students shall have all of the rights afforded to students at the principal's hearing for long-term suspension. The Superintendent will issue a written decision within 5 calendar days of the hearing. If the superintendent determines that the student committed the disciplinary offense, the superintendent may impose the same or a lesser consequence than the principal, but shall not impose a suspension greater than that imposed by the principal's decision. The Superintendent's decision is the final decision of the district.

### **Discipline of Students with Disabilities [Includes students currently on 504 accommodation plans or Individual Educational Programs.]**

All students are expected to meet the requirements for behavior as set forth in this handbook. In addition to those due process protections afforded to all students, the Individuals with Disabilities Education Act and related regulations require that additional provisions be made for students who have been found eligible for special education services or who the school district knows or has reason to know might be eligible for such services. Students who have been found to have a disability that impacts upon a major life activity, as defined under §504 of the Rehabilitation Act, are, generally, also entitled to increased procedural protections prior to imposing discipline that will result in the student's removal for more than ten (10) consecutive school days or where there is a pattern of short term removals exceeding ten (10) school days in a given year. The following additional requirements apply to the discipline of students with disabilities:

1. The IEP for every student eligible for special education or related services shall indicate whether the student can be expected to meet the regular discipline code of the school or whether the code should be modified to address the student's individual needs.
2. Students with disabilities may be excluded from their programs for up to ten (10) school days to the extent that such sanctions would be applied to all students. Before a student with a disability can be excluded from his/her program for more than ten (10) consecutive school days in a given school year or ten (10) cumulative school days in a given school year, building administrators, the parents/guardians and relevant members of the student's IEP or 504 team will meet to determine the relationship between the student's disability and behavior (Manifestation Determination). During disciplinary exclusions exceeding ten (10) school days in a single school year, the student shall have the right to receive services identified as necessary to provide him/her with a free appropriate public education during the period of exclusion.
3. If building administrators, the parents/guardians and relevant members of the student's IEP or 504 Team determine that the student's conduct was not a manifestation of the student's

- disability, the school may discipline the student in accordance with the procedures and penalties applicable to all students but will continue to provide a free appropriate public education to those students with IEPs. The student's IEP team or 504 Team will identify the services necessary to provide a free appropriate public education during the period of exclusion, review any existing behavior intervention plan or where appropriate, conduct a functional behavioral assessment.
4. If building administrators, the parents/guardians, and relevant members of the student's IEP or 504 Team determine that the conduct giving rise to disciplinary action was a manifestation of the student's disability, the student will not be subjected to further removal or exclusion from the student's current educational program based on that conduct (except for conduct involving weapons, drugs or resulting in serious bodily injury to others) until the IEP or 504 Team develops, and the parent/guardians consent to, a new placement, or unless the District obtains an order from a court or from the Bureau of Special Education Appeals (BSEA) authorizing a change in the student's placement. The Student's Team shall also review the student's IEP, and modify as appropriate, any existing behavioral intervention plan or arrange for a functional behavioral assessment.
  5. If a student with a disability possesses or uses illegal drugs, sells or solicits a controlled substance, possesses a weapon, or causes serious bodily injury to another on school grounds or at a school function, the District may place the student in an interim alternative educational placement (IAES) for up to forty-five (45) school days. A court or BSEA hearing officer may also order the placement of a student who presents a substantial likelihood of injury to self or others in an appropriate interim setting for up to forty-five (45) school days.

Procedural requirements applied to students not yet determined to be eligible for special education.

- A. If prior to the disciplinary action, a district had knowledge that the student may be a student with disability, then the district makes all protections available to the student until and unless the student is subsequently determined not to be eligible. The district may be considered to have prior knowledge if:
  1. The parent/guardian had expressed concern in writing: or
  2. The parent/guardian had requested an evaluation: or
  3. School district staff had expressed concern that the student had a disability.
- B. If the district had no reason to consider the student disabled, and the parent/guardian requests an evaluation subsequent to the disciplinary action, the district must have procedures to conduct an evaluation to determine eligibility. If the student is found eligible, then he/she receives all procedural protections subsequent to the finding of eligibility.
- C. The school district has developed procedures consistent with the federal requirements to expedite evaluations.

## **BULLYING PREVENTION AND INTERVENTION**

**Revised: December, 2015**

### **Overview of the law:**

On Monday, May 3, 2010, Governor Deval Patrick signed into law a landmark anti-bullying bill for Massachusetts (Chapter 92 of the Acts of 2010). Provisions of this law include requirements for schools to create and implement bullying prevention plans which must include:

- Descriptions of and statements prohibiting bullying;
- Clear procedures for school staff to report bullying or retaliation;
- Provision for anonymous reports;
- Clear procedures for promptly responding to and investigating reports of bullying or retaliation;
- Range of disciplinary sanctions for perpetrators of bullying or retaliation;
- Clear procedures to address the victim's need for safety;
- Strategies for protecting students who report bullying;
- Procedures for notifying parents or guardians of both victims and perpetrators;
- Procedures for reporting criminal activity to law enforcement;
- Disciplinary provisions for knowingly false reports of bullying;
- Strategies for counseling perpetrators and victims; and
- Provision for ongoing professional development to build skills of all members of school staff.

Since 2010, the Massachusetts Legislature has amended the anti-bullying statute (M.G.L. c. 71 § 37O), including, but not limited to, expanding potential aggressors to include school staff members and recognizing that certain categories of students may be more vulnerable to being bullied.

Below are messages from the Superintendent, Chairman of the Wareham School Committee, and Wareham Public Schools Student Safety Committee written as Wareham was developing its initial Bullying Prevention and Intervention Plan.

**A Message from the Superintendent of Schools:**

The mission of the Wareham Public Schools is, *“is to educate all students for life’s responsibilities, challenges, and opportunities.”* We believe education requires respect for one another, the community, and ourselves. In order for students to feel safe the school environment must be free of bullying. To that end, *Wareham Public Schools prohibits bullying, cyberbullying and retaliation.* The culture of the schools should encourage bystanders to step up to unjust situations. Our social-emotional educational programs help develop a caring and supportive learning community. Our elementary schools have the Open Circle Program or The Responsive Classroom and the middle school and Cooperative junior/Senior High School use the PeaceBuilders program. What these programs have in common is the expectation that all staff and students must respect themselves and others. This Bullying Prevention Plan contains procedures for training, reporting, investigating, record keeping and consequences. With the help of the entire learning community and outside community we can eliminate bullying and harassment.

**A Message from the Chairman of the Wareham School Committee:**

The Wareham School Committee is committed to providing the highest quality education to all the students in a safe and nurturing setting. The Committee continues to support initiatives, operational protocols, and programs that establish the learning atmosphere and platform to educate the whole child. The Committee promotes the continuous effort of endorsing tolerance and respect for all members of the school community. It rejects and supports a prohibition of all forms of bigotry and disrespect including bullying and understands the negative impact these behaviors have on the school culture and the academic and social development of the individual. The Wareham School Committee will continue to reach out to the entire community in developing partnerships which will promote a safe and wholesome culture in which teaching, learning, and values clarification can occur.

**A Message from the Wareham Public Schools Student Safety Committee:**

As parent members of the district’s PTA’s, our objective for this plan is developed to encourage an environment of respect and tolerance, with prompt action and appropriate resolution to any and all reports of bullying and/or violence. The first and foremost objective has to be the safety of all students and to foster an environment where students can develop and maintain a positive outlook towards learning and social interaction. Our plan defines clear cut expectations for student behavior. The students who make

the decision to engage in bullying and/or violent behavior will be addressed immediately and there will be clear consequences defined in the plan. The plan requires all teachers and administrators to be trained in identifying bullying. The plan defines clearly the expectation for a teacher or administrator to respond rapidly to an incident, assuring each student's safety while initiating an objective investigation into reported incidents. The plan is comprehensive and clearly outlines the student responsibility for their behavior and the teacher/administrator responsibility to identify minimizing impact of disabilities while maximizing opportunities to participate bullying, initiate prompt, effective investigations, and execute appropriate consequences. The plan is a strong step toward ensuring that all students, teachers, staff and administrators are accountable for maintaining a caring, cooperative and respectful learning environment.

### **Definitions:**

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

**Bullying**, pursuant to M.G.L. c. 71, § 370, means the repeated use by one or more students or a school staff member of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:

- (a) Causes physical or emotional harm to the target or damage to the target's property;
- (b) Places the target in reasonable fear of harm to himself or herself or damage to his or her property;
- (c) Creates a hostile environment at school for the target;
- (d) Infringes on the rights of the target at school; or
- (e) Materially and substantially disrupts the education process or the orderly operation of a school.

Bullying shall include cyberbullying.

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

- (a) The creation of a web page or blog in which the creator assumes the identity of another person, or
- (b) 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 (a) through (e) of the definition of bullying. Cyberbullying 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 (a) through (e) of the definition of bullying.

**Hostile environment**, pursuant to M.G.L. c. 71, § 370, means 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.

**Parent** means a student's father or mother, or guardian.

**Principal** means the administrative leader of a public school, charter school, collaborative school, or approved private day or residential school, or his or her designee for the purposes of implementing the school's bullying prevention and intervention plan.

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

**School district**, pursuant to M.G.L. c 71, § 370, means the school department of a city or town, a regional school district or a county agricultural school.

**School grounds** means property on which a school building or facility is located or property that is owned, leased or used by a school district, charter school, non-public school, approved private day or residential school, or collaborative school for a school-sponsored activity, function, program, instruction or training.

**Target** means a student victim of bullying or retaliation as defined in M.G.L. c. 71, § 370.

**Prohibition:**

**Bullying shall be prohibited:**

- (i) On school grounds, property immediately adjacent to school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a school district or school, or through the use of technology or an electronic device owned, leased or used by a school district or school and
- (ii) At a location, activity, function or program that is not school-related, or through the use of technology or an electronic device that is not owned, leased or used by a school district or school, if the bullying creates a hostile environment at school for the victim, infringes on the rights of the victim at school or materially and substantially disrupts the education process or the orderly operation of a school. Nothing contained herein shall require schools to staff any non-school related activities, functions, or programs.

**Plan Implementation:**

Each school principal or the person who holds a comparable position shall be responsible for the implementation and oversight of the plan at his school and compliance with all aspects of M.G.L. c. 71, § 370.

**Bullying, Cyberbullying, and Retaliation Reporting Procedures:**

Written and oral reports shall be considered official reports, and oral reports will be reduced to writing. Anyone, except for a school staff member, may make an anonymous report. However, formal disciplinary action may not be based solely on an anonymous report. **Students** who witness, are the target of, or have credible information that an act bullying, cyberbullying or retaliation has taken place are strongly encouraged to report all incidents to a staff member, who will, in turn, report it to the principal or designee. **School staff** must report any instance of alleged bullying, cyberbullying or retaliation that the staff member has witnessed or become aware of to the principal or designee. **All other members of the school community**, including, parents/legal guardians, volunteers, and visitors, are strongly encouraged to report any act that may be a violation of this law to an administrator or professional staff member. (See Reporting Form in Appendix). If the principal is the alleged aggressor, the report should be made to the

Superintendent. In such circumstances, the Superintendent or designee will be responsible for taking appropriate actions in accordance with this Plan and other applicable district policies and procedures, including providing for the safety of the alleged target. If the Superintendent is the alleged aggressor, the report should be made to the School Committee, which shall then be responsible for taking appropriate actions in accordance with this Plan and other applicable district policies and procedures, including providing for the safety of the alleged target.

Within each building, the principal or designee is responsible for receiving and investigating reports of bullying behavior. Submission of a good faith complaint or report of bullying will not affect the complainant or reporter's future employment, grades, learning or working environment, or work assignments.

## **Investigating and Responding to Allegations of Student-on-Student Bullying**

### Investigation

- Each school is required to investigate allegations of bullying, cyber-bullying or retaliation promptly and determine whether bullying, cyber-bullying or retaliation occurred.
- Before fully investigating the allegations, the principal or designee will take steps to assess the need to restore a sense of safety to the alleged target and/or to protect the alleged target from possible further incidents. Responses to promote safety may include, but not be limited to, creating a personal action/safety plan; pre-determining seating arrangements for the alleged target and/or student aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a "safe person" for the target; and altering the student aggressor's schedule and access to the target. The principal or designee will take additional steps to promote safety during the course of and after the investigation as necessary.
- The principal or designee will implement appropriate strategies to protect from bullying or retaliation any student who has reported bullying or retaliation, witnessed bullying or retaliation, provided information during an investigation, or who has reliable information about a reported act of bullying or retaliation.
- The principal or designee may interview students, staff, witnesses, and others, as necessary, in order to investigate the allegation(s). The principal or designee will remind individuals (1) that retaliation is strictly prohibited and will result in disciplinary action and (2) of the importance of being truthful. To the extent practicable given the obligation to investigate and address the allegations at issue, the principal or designee will maintain confidentiality during the investigative process.
- The principal or designee will maintain a written record of the investigation.

### Response

- The principal or designee makes a determination based upon all of the facts and circumstances. If, after an investigation, bullying or retaliation is substantiated, the principal or designee takes steps reasonably calculated to prevent recurrence and to ensure that the target is not restricted in participating in school or benefiting from school activities. The principal or designee: 1) determines what remedial action is required, if any, and 2) determines what corrective actions and/or disciplinary action are necessary. Disciplinary measures are left to the administrator's discretion, within the guidelines of the school's Code of Conduct and age appropriateness for students. Any discipline will reflect the severity of the offense, will balance the need for accountability with the need to teach appropriate behavior, and may include, but will not be limited to, verbal admonition, written reprimand, and/or suspension from school.

- Upon investigation and determination that bullying or retaliation has occurred, the principal shall promptly notify the parents of the target and the student aggressor of the determination and the school district or school's procedures for responding to bullying or retaliation. The principal shall inform the target's parent of actions that school officials will take to prevent further acts of bullying or retaliation. Nothing prohibits the principal from contacting a parent of a target or student aggressor about a report of bullying or retaliation prior to a determination that bullying or retaliation has occurred.
- Any required notice shall be provided in the primary language of the home.
- A principal's notification to a parent about an incident or a report of bullying or retaliation must comply with confidentiality requirements of the Massachusetts Student Records Regulations, 603 CMR 23.00, and the federal Family Educational Rights and Privacy Act regulations, 34 CFR Part 99, as set forth in 603 CMR 49.07.
- If the principal concludes that the conduct may constitute criminal activity, he/she will contact the School Resource Officer (SRO) to review the findings. Parent consent is not required for collaboration with the SRO to review the incident.

### **Investigating and Responding to Allegations of Staff-on-Student Bullying**

#### **Investigation**

- Upon receipt of a report of alleged bullying of a student by school staff, the principal/designee will be responsible for taking appropriate actions in accordance with this Plan and other applicable district policies and procedures, including providing for the safety of the alleged target where necessary. If the principal is the alleged aggressor, then the Superintendent/designee shall be responsible for such actions. In the event the Superintendent is the alleged aggressor, the School Committee/designee shall be responsible for such actions.
- A staff member who is the subject of a complaint of a serious nature will be informed promptly and will be afforded the opportunity to present the facts as he/she sees them, in accordance with district policies and procedures, including any applicable collective bargaining agreements.
- Procedures for investigating reports of bullying and retaliation by staff are consistent with district policies and procedures for investigations of other alleged misconduct by staff. If necessary, the designated school official will consult with legal counsel about such procedures. Investigations may include interviews of staff, students and others as deemed appropriate. School officials will remind individuals (1) that retaliation is strictly prohibited and will result in disciplinary action and (2) of the importance of being truthful. To the extent practicable given their obligation to investigate and address the allegations at issue, school officials will maintain confidentiality during the investigative process.

#### **Response**

- In the event a designated school official determines that the staff member has engaged in bullying of, or retaliation against, a student, the student's parent/guardian will be notified of what action is being taken to prevent further acts and to restore the student's sense of safety. All notice to parents must comply with applicable state and federal privacy laws and regulations. Because of the legal requirements regarding the confidentiality of personnel records, the school official will not report specific information to the target's parent or guardian about any disciplinary action taken unless it involves a "stay away" order or other directive that the target must be aware of in order to report violations.
- In the event disciplinary action against an employee is under consideration, appropriate due process will be provided. Any disciplinary action imposed will be based upon facts found by the

designated school official and appropriate standards and expectations in light of the employee's role and responsibilities. School officials will develop a method to record confirmed acts of bullying by staff.

### **Problem Resolution Procedure:**

When a parent disagrees with findings related to outcomes of investigations or response to reports of bullying, cyberbullying or retaliation, the parent should immediately identify the nature of the disagreement in writing and submit this written notification to the principal or designee. First level dispute response will be with the principal of the school. If not resolved at this level, the parent should contact the Director of Student Services, and the principal or designee will provide all documentation to the Director. The Director will complete any necessary additional investigation and meet with the parent. This meeting may include the participation of the principal or designee.

Any parent wishing to file a claim/concern or seeking assistance outside of the school district may do so with the MA Department of Elementary and Secondary Education Problem Resolution System (PRS). Information about the PRS can be found at <http://www.doe.mass.edu/pqa> or individuals may send emails to [compliance@doe.mass.edu](mailto:compliance@doe.mass.edu) or may call 781-338-3700. In addition, the Superintendent's office has hard copies of information about the PRS.

### **Confidentiality of Records:**

- A principal may not disclose information from a student record of a target or student aggressor to a parent unless the information is about the parent's own child.
- A principal may disclose a determination of bullying or retaliation to a local law enforcement agency under 603 CMR 49.06 without the consent of a student or his or her parent. The principal shall communicate with law enforcement officials in a manner that protects the privacy of targets, student witnesses, and aggressors to the extent practicable under the circumstances.
- A principal may disclose student record information about a target or student aggressor to appropriate parties in addition to law enforcement in connection with a health or safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals as provided in 603 CMR 23.07(4)(e) and 34 CFR 99.31(a)(10) and 99.36. 603 CMR 49.07(3) is limited to instances in which the principal has determined there is an immediate and significant threat to the health or safety of the student or other individuals. It is limited to the period of emergency and does not allow for blanket disclosure of student record information. The principal must document the disclosures and the reasons that the principal determined that a health or safety emergency exists.

### **Reporting Criminal Activity**

- Before the first day of each school year, the superintendent or designee shall communicate with the chief of police or designee of the local police department about the implementation of 603 CMR 49.06.
- At any point after receipt of a report of bullying or retaliation, including after an investigation, the principal shall notify the local law enforcement agency if the principal has a reasonable basis to believe that criminal charges may be pursued against the aggressor. Notice shall be consistent with the requirements of 603 CMR 49.00 and established agreements with the local law enforcement agency. The principal shall document the reasons for his or her decision to notify law enforcement. Nothing in 603 CMR 49.06 shall be interpreted to require reporting to a law enforcement agency in

situations in which bullying and retaliation can be handled appropriately within the school district or school.

- (a) In making the determination whether notification to law enforcement is appropriate, the principal may consult with the school resource officer and any other individuals the principal deems appropriate.
- (b) Nothing in 603 CMR 49.06 shall prevent the principal from taking appropriate disciplinary or other action pursuant to school district or school policy and state law, provided that disciplinary actions for students balance the need for accountability with the need to teach appropriate behavior.
- If an incident of bullying or retaliation occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in the school district or school, the principal of the school informed of the bullying or retaliation shall notify the local law enforcement agency if the principal has a reasonable basis to believe that criminal charges may be pursued against the aggressor.
- When involving local law enforcement, Wareham Public Schools will report incidents to the School Resource Officer as a first course of action. In absence of the SRO, the report will go to the Chief of Police or his/her designee.

### **Discipline for False Reports:**

Any student who knowingly makes a false accusation of bullying, cyber-bullying, or retaliation will be subject to disciplinary action, which may include a warning, detention or suspension (in or out-of-school).

### **Counseling**

A key aspect of promoting positive school climates is ensuring that the underlying emotional needs of targets, student aggressors, families, and others are addressed. This Plan describes the strategies for providing supports and services necessary to meet these needs. In order to enhance the schools or district's capacity to prevent, intervene early, and respond effectively to bullying, available services reflect an understanding of the dynamics of bullying and provide approaches to address the needs of targets and student aggressors. This plan includes a strategy for providing counseling or referral to appropriate services for student aggressors, targets and family members of those students.

**Resources.** This "map" of district and local resources will be reviewed by the administrative team and school counseling staff annually.

#### **School-wide positive behavioral intervention programs:**

##### **Responsive Classroom (Decas)**

- ® The *Responsive Classroom* is an approach to elementary teaching that emphasizes social, emotional, and academic growth in a strong and safe school community. The goal is to enable optimal student learning. Created by classroom teachers and backed by evidence from independent research, the *Responsive Classroom* approach is based on the premise that children learn best when they have both academic and social-emotional skills. The approach therefore consists of classroom and schoolwide practices for deliberately helping children build academic and social-emotional competencies.

##### **Open Circle (Minot)**

- ® Open Circle is a comprehensive, grade-differentiated social and emotional learning program for grades K-5 children, their teachers, administrators, other school staff, parents and other caregivers. Its mission is to work with school communities to help children become ethical people, contributing citizens and successful learners. The program fosters

the development of relationships that support strategies for bullying prevention and intervention, research findings on bullying, and information on cyberbullying and internet safety.

Annual staff training on the Plan. Annual training for all school staff on the Plan will include staff duties under the Plan, an overview of the steps that the principal or designee will follow upon receipt of a report of bullying or retaliation, and an overview of the bullying prevention curricula to be offered at all grades throughout the school or district. Staff members hired after the start of the school year are required to participate in school-based training during the school year in which they are hired, unless they can demonstrate participation in an acceptable and comparable program within the last two years.

Ongoing professional development. The goal of professional development is to establish a common understanding of tools necessary for staff to create a school climate that promotes safety, civil communication, and respect for differences. Professional development will build the skills of staff members to prevent, identify, and respond to bullying. As required by M.G.L c. 71, § 370, the content of school-wide and district-wide professional development will be informed by research and will include information on:

- (i) developmentally (or age-) appropriate strategies to prevent bullying;
- (ii) developmentally (or age-) appropriate strategies for immediate, effective interventions to stop bullying incidents;
- (iii) information regarding the complex interaction and power differential that can take place between and among an aggressor, target, and witnesses to the bullying;
- (iv) research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment;
- (v) information on the incidence and nature of cyberbullying; and
- (vi) Internet safety issues as they relate to cyberbullying.

Professional development also will address ways to prevent and respond to bullying or retaliation for students with disabilities that must be considered when developing students' Individualized Education Programs (IEPs). This will include a particular focus on the needs of students with autism or students whose disability affects social skills development.

Additional areas identified by the school or district for professional development include:

- promoting and modeling the use of respectful language;
- fostering an understanding of, and respect for, diversity and difference;
- building relationships and communicating with families;
- constructively managing classroom behaviors;
- using positive behavioral intervention strategies;
- applying constructive disciplinary practices;
- teaching students skills including positive communication, anger management, and empathy for others;
- engaging students in school or classroom planning and decision-making; and
- maintaining a safe and caring classroom for all students.

### **Student Education & Training**

Wareham Public Schools will provide age-appropriate instruction on bullying prevention for students in each grade that is incorporated into the curriculum of the school or district. The curriculum will be evidence-based, and information about it will be made available to parents and guardians.

A. Specific bullying prevention approaches. Bullying prevention curricula will be informed by current research which, among other things, emphasizes the following approaches:

- using scripts and role plays to develop skills;
- empowering students to take action by knowing what to do when they witness other students engaged in acts of bullying or retaliation, including seeking adult assistance;
- helping students understand the dynamics of bullying and cyberbullying, including the underlying power imbalance;
- emphasizing cyber-safety, including safe and appropriate use of electronic communication technologies;
- enhancing students skills for engaging in healthy relationships and respectful communications; and
- engaging students in a safe, supportive school environment that is respectful of diversity and difference.

Initiatives also will teach students about the student-related sections of the Bullying Prevention and Intervention Plan.

B. General teaching approaches that support bullying prevention efforts. The following approaches are integral to establishing a safe and supportive school environment. These underscore the importance of our bullying intervention and prevention initiatives:

- setting clear expectations for students and establishing school and classroom routines;
- identifying specific steps for creating safe school and classroom environments for all students, recognizing, however, that certain students may be more vulnerable to becoming targets of bullying or harassment based on actual or perceived characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical, developmental or sensory disability or by association with a person who has or is perceived to have one or more of these characteristics;
- providing all students with the skills, knowledge, and strategies to prevent or respond to bullying, harassment, or teasing;
- using appropriate and positive responses and reinforcement, even when students require discipline;
- using positive behavioral supports;
- encouraging adults to develop positive relationships with students;
- modeling, teaching, and rewarding pro-social, healthy, and respectful behaviors;
- using positive approaches to behavioral health, including collaborative problem-solving, conflict resolution training, teamwork, and positive behavioral supports that aid in social and emotional development; and
- using the Internet safely.

### **Students with Special Education Needs**

- Whenever an Individualized Education Program (IEP) Team evaluation indicates that a student's disability affects social skills development, or when the student's disability makes him or her vulnerable to bullying, harassment or teasing, the IEP must address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing.
- Similarly, for students identified with a disability on the autism spectrum, the IEP Team must consider and specifically address the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing.

## **Internet Safety Plan**

Wareham Public Schools provides computer access to students and has an internet safety policy/acceptable use policy to protect students from inappropriate materials and subject matter. The policy, and any standards and rules enforcing it, will be determined by the school committee in conjunction with the superintendent. The policy is included in the District Handbook of Policies and Procedures for Students and Staff that is posted on the district's website.

The internet is an amazing resource that offers our children unlimited opportunities for learning, constructive entertainment, and personal growth. Any child who is old enough to select a letter on a keyboard can access the world. New technologies offer many ways to communicate, and youth today have fully embraced the technologies. They have become a major part of our children's social environment. The world of computers and the internet are constantly expanding and changing, and it is not uncommon today that children are more knowledgeable than adults about technology. Parents and caregivers have a responsibility to help keep children safe online and to educate themselves about the technologies children use to communicate. You need to be aware of your child's online activities and teach him or her about cyber-ethics and how to interact positively in cyberspace.

Internet risks can be effectively managed through education and careful parental attention. By taking responsibility for your child's online computer use, you can greatly minimize your child's potential risk of exposure to online danger.

### **A. Tips and Strategies for Parents**

1. Become computer literate.
2. Keep the computer in a common area where you can watch and monitor your child online.
3. Take a hands-on approach. Be involved and aware of what your child sees and hears on the Internet, who your child meets, and what information they share about themselves.
4. Create a family agreement that supports a fun, safe online environment with rules on acceptable time of day for computer use, length of time online, and appropriate websites to visit. Have your child sign the agreement.
5. Internet accounts should be in the parent's name with parents having the primacy screen name and controlling passwords.
6. Get to know the services your child uses from chat to instant messages (IM) and from message boards to blogs. Learn how they work and what tools they offer to protect your child's privacy.
7. Consider blocking, filtering, monitoring and rating software for your computer. Check with your internet service provider (ISP) as some have software for purchase or for free. Remember, though, that software can't take the place of a caring adult.
8. Talk to your child about the things he or she may encounter online. If your child is in an uncomfortable situation, direct him or her to exit the program, turn off the computer and notify you or a trusted adult immediately. You should then notify your ISP and law enforcement if appropriate.
9. Balance your child's online activities with other important life activities.

## **B. Rules Apply**

Golden rules of behavior are passed down from generation to generation. Parents should apply these same rules to regulate their child's behavior in cyberspace.

1. Rules from real life apply: always use courtesy, kindness, dignity and respect.
2. Don't talk to strangers. Teach your child that talking to a stranger online is no different from talking to a stranger in the street. Remind him or her that it's not easy to spot a stranger online, as anyone can masquerade as someone else on the internet.
3. Come right home after school. You don't want your child roaming around the streets, and wandering online is no different. Allowing your child to spend unlimited time surfing aimlessly is asking for trouble.
4. We need to know your friends. Parents want to know who their child's friends are in everyday life. The same should apply to the Internet. Take note of where he or she goes online and who he or she talks to. Remind your child never to agree to meet an online friend without a parent, and do it often.
5. Don't provoke a fight. Provoking a fight under any circumstances isn't smart. Trying to provoke someone online is called flaming and it is often a violation of the terms of service with your ISP. If your child feels someone is flaming him or her, he or she should tell you right away.
6. Don't tell anyone your personal information. You never know who you're talking to online. Even if you think you know, there could be strangers lurking. Remind your child that there is no guarantee that what is said or posted on the Internet is private, and information including photos and videos posted on the internet can last forever.
7. Don't steal. Parents must make it clear to their child that downloading music without paying for it or copying a friend's computer game, although common, is wrong. You could be sued or charged with a crime.

## **C. The Internet provides unlimited methods of communication. Here are some applications parents should understand.**

### *E-mail*

Email is electronic mail, or messages sent from one address to another. It can include attachments such as pictures, sound, video or text.

### *E-mail Risks*

1. Spam (junk mail)
2. No privacy—email can easily be distributed to the whole world
3. Computer viruses
4. Bullying
5. School or social trouble

### *E-mail Tips*

1. Have different accounts for different levels of privacy
2. Have an account in your name that your child can use to receive email and access it often

### *Teach your child to do the following:*

1. Protect passwords
2. Guard personal information
3. Never open emails or attachments from an unknown person
4. Delete chain letters

5. Remember that email can be shared widely

### *Instant Messaging (IM)*

Instant Message is a communication service allowing two or more users who are on-line at the same time to correspond. It is faster than email because it happens in “real time” and can be accessed from any computer.

### *IM Risks*

1. Strangers can contact your child
2. It’s hard to monitor
3. Kids spend too much time on it
4. Online profiles are searchable
5. Trouble with peers/school
6. Cyberbullying
7. Spam (junk mail)

### *IM Tips*

1. Check screen names and profiles and discuss good choices
2. Know your child’s password
3. Use parental controls and other settings and preferences
4. Stay involved and talk to other parents

### *Chat Rooms*

Chat rooms are areas online that allow multiple members to “chat” in real time. They can be an individual website or part of a website providing venues for users with a common interest to have chat rooms. All participants in a chat room see each message posted. Some chat rooms are monitored by the site host, but not every site is monitored.

### *Chat Risks*

1. Higher risk a child will reveal information that can personally identify him/her
2. Chat rooms and ‘one on one’ conversation flows easily to offline private space
3. Unmonitored chat can have inappropriate language and sexual content
4. Predators can easily lurk in chat rooms

### *Chat Tips*

1. Don’t allow chat rooms, or only allow buddy chat
2. Only allow chat in monitored environments
3. Teach your child not to give out any personal information
4. Teach your child never to meet new online friends offline without a parent or adult
5. Set rules and monitor them carefully

### *Blogs and Social Networks*

A weblog, or blog, is a personal website of personal thoughts and web links, reading like a diary or journal.

Social networks allow members to join around shared interests. They have been called the equivalent of the town hall, the water cooler, or working on a yearbook for the internet generation. Some of the better-known social networking sites are Myspace, Togetherville, Xanga, and Facebook.

### *Blogs and Social Network Risks*

1. Strangers/predators
2. Privacy issues, such as photo distribution
3. Risk to reputation

### *Blog and Social Network Tips*

1. Limit blogs
2. Create a blog with your teen, making sure no personal information is online and discussing content
3. Discourage the posting of any photos—they can be copied and used by anyone
4. Make sure your child knows you'll be one of his or her 'friends'

### **Dissemination of Bullying Prevention and Intervention Plan**

- Wareham will provide to students and parents or guardians with annual written notice of the relevant student-related sections of the plan in the District Handbook of Policies and Procedures for Students and Staff and student agenda.
- Wareham Public Schools will provide to all school staff annual written notice of the plan. The faculty and staff at each school shall be trained annually on the plan applicable to the school.
- The District will provide informational materials through its partnership with Massachusetts Aggression Reduction Center. These informational materials will be available on the district website. They also will be available at each of the schools and available at school sponsored events and activities. Informational materials will address such topics as how to reinforce the district's bullying prevention curricula at home and the dynamics of bullying.
- The plan will be posted on the Wareham Public Schools website ([www.wareharnps.org](http://www.wareharnps.org)).

### **Collecting, Maintaining, and Reporting Bullying Incident Data to DESE**

The Wareham Public Schools will collect and maintain the following bullying incident data and shall report such data annually to DESE. The data shall include, but is not necessarily limited to:

- (i) the number of reported allegations of bullying or retaliation;
- (ii) the number and nature of substantiated incidents of bullying or retaliation;
- (iii) the number of students disciplined for engaging in bullying or retaliation; and
- (iv) any other information required by DESE.

This incident data shall be reported in the form and manner established by DESE, in consultation with the attorney general.

In addition, at least once every four years, the district will administer a Department of Elementary and Secondary Education-developed student survey to assess school climate and the prevalence, nature, and severity of bullying in the district's schools.

### **Relationship to Other Laws**

Nothing in this Plan prevents the District from taking action to remediate discrimination or harassment based upon a person's membership in a legally protected category under local, state, or federal law, or the District's policies.

Additionally, nothing in this Plan is designed or intended to limit the authority of the school or district to take disciplinary action or other action under M.G.L., c.71, §§ 37H, 37H1/2, or 37H3/4, M.G.L. c. 71 §§

41, 42, or 42D, other applicable laws, District policies, or collective bargaining agreements in response to violent, harmful, disruptive or other inappropriate behavior, regardless of whether the Plan covers the behavior.

Attachment to Bullying Prevention and Intervention Plan:  
Reporting Form for Allegations of Bullying, Cyber-Bullying or Retaliation Related to Bullying

### **SUSPENSION OF BUS PRIVILEGES**

A student's bus privileges may be suspended if the "Student Code of Conduct" violation occurs on a school bus or while waiting to board, boarding or exiting said school bus. Such suspensions shall be handled in the following manner:

1. School Bus Drivers are responsible for reporting discipline issues after they have taken progressive actions to correct behavior on the bus.
2. For a 1 to 10 day suspension, school bus privileges may be suspended following oral notice from the school's principal or designee to the student and his/her parent/guardian, stating specific violation which occurred, and that school bus privileges are being suspended for a specific number of days.
3. For a suspension in excess of 10 days, school bus privileges may be suspended for a defined period of time as determined by the school's principal or designee following a written notice from the principal to the student and his/her parent/guardian stating that a specific violation has occurred, and that school bus privileges are being suspended for a specific number of days.

### **POLICY PROHIBITING THE ACT OF HAZING**

#### **Wareham School Committee Policy, Amended, June 27, 2012**

Hazing, as defined in Chapter 536 of the Acts of 1985, amended by the Acts of 1987, Ch. 665, and currently defined under Mass. General Laws, Ch. 269, Section 17, is prohibited by all organizations, employees, and students under the jurisdiction of the Wareham School Committee. Hazing will be considered a major offense under the school discipline policy as adopted by the Wareham School Committee and filed with the State Department of Education.

All employees of the Wareham Public Schools are directed to refrain from, and not to support in any way, the activity of hazing. Any employee violating this directive of the School Committee will be found to be insubordinate. Such insubordination would subject the employee to discipline by the Superintendent and could result also in dismissal.

Further, as defined in Mass. General Laws, Ch. 269, Section 18, employees who know that another person is the victim of hazing are, to the extent that they can do so without danger or peril to themselves or others, required to report the crime of hazing to an appropriate law enforcement official as soon as reasonably practical.

*Distribution of the hazing policy will be in accordance to MGL Chapter 269, Section 19.*

#### **Section 17**

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

The term "hazing" as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person.

Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action.

### **Section 18**

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

### **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 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 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 and organizations.

Each 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 acknowledgment stating that such group, team or organization has received a copy of this section and said sections seventeen and eighteen, that each of its members, plebes, pledges, or applicants has received a copy of sections seventeen and eighteen, and that such group, team or organization understands and agrees to comply with the provisions of this section and sections seventeen and eighteen.

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

Each institution of secondary education and each public or private institution of post secondary education shall file, at least annually, a report with the board of higher education and in the case of secondary institutions, the board of education, certifying that such institution has complied with its responsibility to inform student groups, teams or organizations and to notify each full-time student enrolled by it of the provisions of this section and sections seventeen and eighteen and also certifying that said institution has adopted a disciplinary policy with regard to the organizers and participants of hazing, and that such policy has been set forth with appropriate emphasis in the student handbook or similar means of communicating the institution's policies to its students. The board of higher education 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.

## **HARASSMENT POLICY**

### **Amended, November 5, 2014**

#### **I. GENERAL STATEMENT**

The Wareham Public School System is committed to providing faculty, staff, and students with a learning and working environment that is free from harassment (verbal and/or physical) based on gender, race, religion, national origin, ethnic background, color, age, sexual orientation, gender identity or disability. The goal is to maintain a school climate that is supportive, respectful of all school community members, and conducive to learning.

It is a violation of this policy for any teacher, pupil, visitor to the school, administrator, or other school personnel to harass, in any way on school grounds or during school activities, any person associated with the system. This policy precludes any sexual relationship between an employee of Wareham Public Schools and any current pupil. The system will address all complaints of harassment. A violation of this policy will result in appropriate action(s) by the Wareham Public School System. Discipline of employees will be in accordance with the respective collective bargaining agreements.

It is the responsibility of all members of the school community to treat each other respectfully. In addition, all members are expected to become familiar with this harassment policy and to report incidents of harassment to school authorities.

#### **II. DEFINITION**

Harassment is defined as conduct that:

- 1) unreasonably interferes with an individual's work or educational performance or
- 2) creates an intimidating, hostile, or offensive work or educational environment.

While this policy on harassment goes beyond the issues of gender and sexual harassment to include race, religion, national origin, ethnic background, color, age, or disability, there are specific laws and regulations relating to gender and sexual harassment that are of prime importance and these are reviewed briefly below.

Federal and State Law on Harassment:

Sexual harassment in public schools is sex discrimination, and therefore is prohibited by federal and state laws. Title IX of the federal Education Amendments of 1972 (20 U.S.C. 1681) states, "No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance." Actions which constitute different treatment based on sex, such as denial of the opportunity to participate in courses, activities, and sports or different treatment in grading or discipline, are prohibited under Title IX.

The federal law protecting school employees from discrimination based on gender is Title VII of the Civil Rights Act of 1964. The Equal Employment Opportunity Commission (EEOC) has developed guidelines that define sexual harassment as "unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature where:

- 1) submission to such conduct is made, either explicitly or implicitly, a requirement of employment
- 2) submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual

- 3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.”

Although the EEOC guidelines were written for employment situations, they have generally been adopted for the educational environment as well, and provide the basis for defining sexual harassment as it involves students.

Massachusetts law on fair educational practices (Chapter 151C of the Mass. General Laws) defines sexual harassment as follows: any sexual advance, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

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

### III. EXAMPLES OF SEXUAL HARASSMENT

- Telling sexual jokes or stories
- Making sexual comments about a person's clothing, anatomy, or appearance
- Repeatedly asking out a person who is not interested
- Telling lies, spreading rumors, or gossiping about any person's sex life
- Whistling, catcalls, making kissing sounds, smacking lips
- Name calling, teasing, or other derogatory or dehumanizing sexual remarks
- Following a person or blocking a person's path
- Drawing or displaying sexually explicit or suggestive posters, cartoons, pictures, calendars, designs on clothing, or other similar materials
- Making sexual gestures with hands or body movements
- Giving unwanted gifts of a personal or suggestive nature
- Unwanted touching of people, their hair, or their clothing
- Unwanted hugging, kissing, pinching, patting, or stroking
- Inappropriate displays of affection
- Assault, attempted rape, or rape

### IV. COMPLAINT PROCEDURES

Any student, staff member, or visitor to our community who believes that s/he has been the victim of harassment (as defined above) by a teacher, pupil, visitor, administrator or other personnel of the Wareham Public Schools should report the incident within one month of the occurrence, or as soon as possible. Those who have knowledge of any harassment must report an incident immediately. Reports made outside this time frame will be considered on a case by case basis.

Depending on the circumstances and seriousness of the incident, interventions can range from informal to formal. Informal interventions include immediately and effectively addressing the situation, for example, by encouraging people to identify the difficulty, talk it out, and agree on how to deal with it. If such a mediation does not work or if the situation warrants further action, a formal harassment complaint can be made.

A harassment complaint may be made to the principal, equity coordinator, teacher, counselor or any other school personnel with whom the complainant feels comfortable. If the report is to

someone other than the principal it becomes the responsibility of that person to report the complaint to the principal in writing using the forms that are available in every principal's office or in the Office of the Superintendent of Schools.

So that all members of the school community will be made secure in bringing forth complaints, a volunteer member of the faculty from each building will be designated as an equity coordinator. Ideally, the equity coordinator will not be of the same gender as the principal. If the complaint involves the principal/supervisor, then the complainant may file the complaint with the Superintendent of Schools (508-291-3500) or the Title IX/Chapter 622 Coordinator (508-291-3500).

Upon receiving a complaint, the equity coordinator, or other member of the school community shall immediately notify the building principal who shall serve as the complaint hearing officer. The building principal or designee will **immediately** address the concern. Within twelve (12) working days, the principal shall forward all complaints to the Superintendent of Schools and the Title IX/Chapter 622 Coordinator/Director of Student Services (508-291-3500).

The hearing officer shall respect, as much as possible, the privacy of the complainant, the person against whom the complaint is filed, and all witnesses. **ALTHOUGH EFFORTS WILL BE TAKEN TO PROTECT CONFIDENTIALITY, THIS IS NOT ALWAYS POSSIBLE IN HARASSMENT INVESTIGATIONS.**

In the event that students are involved in serious allegations as victim, perpetrator, or witnesses, the principal/designee will notify the parents and/or guardians of the allegations in a timely manner using appropriate discretion in the notification.

All complaints will be taken seriously. While the rights of all individuals will be protected, a program for monitoring an alleged situation of harassment will be developed immediately to prevent the possibility of any recurrence of the behavior. **Retaliation against a complainant will not be tolerated.** Appropriate disciplinary action will be taken against any party involved in the retaliation.

The penalty for harassment of member(s) of our school community will reflect the severity of the offense. Penalties may include, but will not be limited to any one or combination of the following: verbal admonition, written reprimand, suspension or expulsion from school, and/or counseling. Employees may be suspended without pay and/or terminated in accordance with procedures specified in the respective bargaining agreements.

## V. INVESTIGATIVE PROCEDURES

The principal or designee shall consider every report of harassment seriously and shall investigate all reports immediately. The Title IX/622 Coordinator and other staff (e.g. school psychologist) shall assist the school hearing officer, as needed, in the investigative procedures and the identification and delivery of all necessary services to concerned individuals.

The person issuing the complaint as well as the individual against whom the complaint is filed shall be separately interviewed, with the goal of resolving the complaint at this level. If resolved, parties will be notified and documentation describing the incident and subsequent resolution shall be kept by the principal for one academic year. If the complaint is not successfully resolved, the principal shall continue with the investigation by interviewing other knowledgeable parties. Documentation supporting or discounting the allegation shall become part of the investigation process.

The principal shall complete the investigation and report within twelve (12) working days after the complaint has been filed indicating whether the allegations have been substantiated as factual or not. There will be no reprisal against the person filing the complaint whether or not the complaint is sustained. During the hearing process, the cross examination of witnesses may be restricted at the discretion of the hearing officer. **If the allegations are substantiated, the principal or, in a case against an employee, the Superintendent (or his or her designee) must take immediate corrective and/or disciplinary action to resolve the situation.** Such action may include, but is not limited to, requiring an apology, direction to stop the offensive behavior, counseling or education, warning, suspension, exclusion, transfer, expulsion, or discharge. Follow up will be conducted to insure that neither continued harassment nor retaliation occurs. Follow-up procedures shall be documented.

As soon as the report is completed, it shall be filed with the Superintendent of Schools and the Title IX/622 Coordinator. Written findings will be provided to the concerned parties upon request and shall not deny the individual's right to pursue other avenues of recourse. All records of harassment shall be forwarded to the Superintendent and Title IX/622 Coordinator and shall be kept in a separate file, and only the Superintendent and the Title IX/622 Coordinator shall have access to these files.

Concerned parties will have the right of appeal to the Superintendent of Schools within ten (10) working days of receipt of the concluding report.

Alleged abuse by a parent, guardian, school staff, or other caretaker will be reported to the Department of Social Services according to school policy and procedure. If allegations warrant, the sexual abuse unit of the local law enforcement agency shall be notified.

#### VI. STATE AND FEDERAL REMEDIES

In addition to the above, if you believe that you have been subject to sexual harassment, you may file a complaint with either of the government agencies set forth below. Using the complaint process of the Wareham Public Schools does not prohibit the filing of a complaint with these agencies. Each of the agencies has a short time period for filing a claim (EEOC - 180 days and MCAD - 6 months).

US Equal Employment Opportunity  
Commission  
JFK Federal Bldg.  
475 Government Center  
Boston, MA 02114  
617-565-3200

Massachusetts Commission Against  
Discrimination  
One Ashburton Place, Room 601  
Boston, MA 02108  
617-994-6000

#### VII. DISSEMINATION OF POLICY INFORMATION

This policy shall be included in all handbooks (faculty and student) and shall be made available in all main offices. Faculty members, parents, and students will be informed of this harassment policy.

Faculty members will be provided with training helpful in the identification and prevention of harassment. Parents will be requested to acknowledge the harassment policy through a signature process. The students (K-12) will receive age appropriate harassment training.

### VIII. Summary of Harassment Reporting/Investigation Process

|          |   |
|----------|---|
| <b>1</b> | Victims of harassment should report allegations within one month or as soon as possible.  |
| <b>2</b> | Witnesses of harassment are expected to report immediately the occurrence of harassment.  |
| <b>3</b> | Informal interventions such as mediation or discussion may be used to resolve the matter.   |
| <b>4</b> | A Harassment Report must be filed with the principal indicating an informal resolution or the need for investigation and a hearing if informal resolution is not successful.  |
| <b>5</b> | In the event of serious allegations the principal will notify parents of all involved students in a timely fashion.   |
| <b>6</b> | Investigation will include separate interviews with the alleged victim and perpetrator. Other knowledgeable parties may be interviewed.   |
| <b>7</b> | Within 12 working days of the initial reporting the principal must conclude the investigation and provide reports to the Superintendent and Title IX/622 Coordinator. Written findings will be given to concerned parties upon request. |
| <b>8</b> | Concerned parties have the right to appeal to the Superintendent within 10 working days. The discipline of personnel will conform to bargaining agreements.   |

Ref: M.G.L. Ch. 199 Acts of 2011



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Follow-up Documentation (when appropriate): \_\_\_\_\_

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Principal's Signature: \_\_\_\_\_

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

A copy of this form is to be forwarded to the Office of the Superintendent of Schools and the Title IX/622 Coordinator.

**WAREHAM PUBLIC SCHOOLS**  
**Wareham School Committee Policies**

**ADMINISTRATION OF MEDICATIONS**

**Amended, May 25, 2016**

The following are regulations regarding administration of medications in the Wareham School System. No medications will be administered unless these guidelines are followed.

Whenever possible, medications should be given at home with every effort made to avoid administration during school hours.

**PHYSICIAN-PARENT/GUARDIAN RESPONSIBILITY**

1. A parent or guardian must bring the medication to the school nurse's office. **Do not send any medications to school with your child.** This includes aspirin, Tylenol and cough preparations, (drops, lozenges, cough medications) as well as prescription drugs. The Nurse will document the quantity of medication received on the Medication Administration log.
2. The medication authorization form must be completed and signed by both a parent/guardian and a physician request form if the medication is not received in a properly labeled prescription bottle with a current date.
3. The parent/guardian authorization form is acceptable without a signed physician request if the medication is received in a properly labeled prescription bottle with a current date.
4. All medication - prescriptions or otherwise - **must** be in a container with the original label and child's name.

The School Health Department does not provide aspirin, Tylenol, cough medicines or other over the counter products. These will not be administered without a doctor's order.

**Students with asthma may be allowed to carry their emergency inhalator with them provided:**

- a. the prescription label is on the canister
- b. the physician/parent (guardian) form is signed and on file with the nurse indicating the doctor feels that the medical situation and the child's knowledge of his/her medical needs warrants the carrying of the medication

**Following consultation with the school nurse, students who fall into the following exceptions may self-administer medications:**

- a. Students with cystic fibrosis may possess and administer prescription enzyme supplements.
- b. Students with diabetes may possess and administer glucose monitoring tests and insulin delivery systems.

**Administration of Epinephrine in Life Threatening Situation**

Wareham Public Schools are registered with the Massachusetts Department of Public Health for the limited purpose of permitting unlicensed, properly trained, school personnel to administer epinephrine (by auto-injector) to students with a diagnosed life threatening allergic condition when a school nurse (RN) is not immediately available.

The unlicensed school personnel authorized to administer epinephrine are trained by a physician or school nurse (RN). Competency is maintained by regular in-service training,

demonstrations, and opportunity for practice once a year in accordance with standards and a curriculum established by Massachusetts Department of Public Health. The school nurse documents the training.

The school nurse provides a training review and informational update for unlicensed personnel at least twice a year.

The school maintains a list of unlicensed school personnel authorized and trained to administer epinephrine in an emergency, when a school nurse is not immediately available.

Epinephrine is administered only in accordance with a written medication administration plan developed by the school nurse, satisfying the requirements of 105 CMR 210.005(E) and 210.009(A) (6), and updated annually, which includes the following:

- a. Diagnosis by a physician that the student is at high risk of a life-threatening allergic reaction, and a medication order containing indications for administration of epinephrine.
- b. Written authorization by a parent or guardian.
- c. Home and emergency phone number(s) for the parent/guardian, as well as the name(s) and phone number(s) of any other person(s) to be notified if the parents are unavailable.
- d. Names of school personnel who have received training in administration of epinephrine by auto-injector to the individual student.
- e. Identification of places where the epinephrine is to be stored, following consideration of the need for storage at places where the student may be most at risk. The epinephrine may be stored at more than one location or carried by the student when appropriate.
- f. Consideration of the ways and places epinephrine can be stored so as to limit access to appropriate persons, which shall not require the epinephrine to be kept under lock and key. Epi-Pens will be available in the main office at each school building.
- g. Plan for risk reduction for the student, including a plan for teaching self-management, where appropriate.

When epinephrine is administered, there shall be immediate notification of the local emergency medical services system generally (911) followed by notification of the school nurse, the student's parents or, if the parents are not available, any other designated person(s), and the student's physician.

#### **Administration of Naloxone (Narcan)**

EMS/911 is immediately called and informed that an overdose of opioid is suspected compromising the respiratory/cardiac status of the individual. Police and EMS will therefore both be activated. The Wareham Public Schools, in conjunction with the School Physician and School Nurses, may stock nasal Naloxone (Narcan) and trained medical personnel and first responders may administer nasal Naloxone (Narcan) to a person in the event of respiratory depression, unresponsiveness or respiratory/cardiac arrest when an overdose of opioid is suspected. School nurse substitutes may also be trained in the administration of Naloxone (Narcan) and be aware of this policy. School Nurses will report Naloxone (Narcan) administration per MA Department of Public Health School Health regulations.

#### **Wareham Public Schools allows administration of medications in school by licensed registered nurses according to pertinent laws and regulations:**

The Administration of Prescription Medications in Public and Private Schools M.G.L. 94C, MA Department of Public Health regulations 105 CMR 210.100, 105 CMR 700.00, and the Governor's Public Health Emergency Declaration outlined in the Acts of 2012, Chapter 192, Sections 11 & 32 and updated on March 27, 2014, and the Wareham Public School signed school physician order.

For further discussion on the topic of medication administration, please refer to The Comprehensive School Health Manual published by the MDPH (1995), Chapter 6 “Nursing Practice in the School Setting”, pp. 6-8 to 6-32.

**AUTHORIZATION FOR EPINEPHRINE ADMINISTRATION**

**PARENT OR GUARDIAN**

I request that \_\_\_\_\_ be given \_\_\_\_\_  
Child's Full Name Name of Medication

as prescribed by \_\_\_\_\_ at \_\_\_\_\_  
Physician's Name Time of Day

I accept full responsibility and relieve the Wareham School System, school personnel, and the Town of Wareham of any liability regarding the administration.

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Signature of Nurse

\_\_\_\_\_  
Signature of Physician

\_\_\_\_\_  
Please Print Doctor's Name

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Date

**ALLERGY:** \_\_\_\_\_

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

Home # \_\_\_\_\_ Work # \_\_\_\_\_

Emergency contact to be notified if parents are unavailable:

\_\_\_\_\_  
Name Phone

\_\_\_\_\_  
Name Phone

**Medication Order for Anaphylaxis**  
To be completed by a Licensed Prescriber:  
Physician, Nurse Practitioner, or others Authorized by Chapter 94C

Name of Student \_\_\_\_\_ DOB \_\_\_/\_\_\_/\_\_\_  
Address \_\_\_\_\_ Grade \_\_\_\_\_  
Name of Licensed Prescriber \_\_\_\_\_ Title \_\_\_\_\_  
Business Telephone # \_\_\_\_\_ Emergency Telephone # \_\_\_\_\_  
Type of Allergy \_\_\_\_\_  
Other Medical Condition(s) \* \_\_\_\_\_  
Other Medications Taken by Student \* \_\_\_\_\_

In the event of exposure to allergen:

- Do immediately.
- Do when signs/symptoms of allergic reaction appear.

- 1) Administer Oral Benadryl \_\_\_\_\_ c.c./ mg. p.o.
- 2) If signs/ symptoms worsen or are unresolved with oral Benadryl within \_\_\_\_ minutes  
or ORAL BENADRYL NOT ORDERED please administer :
  - Epi-Pen IM
  - Epi-Pen Jr. IM
- 3) If signs/ symptoms worsen or are unresolved with Epi-Pen/ Epi-Pen JR. IM within  
\_\_\_\_\_ minutes administer repeat dose of:
  - Epi-Pen IM
  - Epi-Pen Jr. IM

**Life threatening allergic reactions are given epinephrine immediately. 911 called whenever epinephrine is administered.**

Other order(s)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Special side effects, contraindications, or possible adverse reactions to be observed:

\_\_\_\_\_

\_\_\_\_\_ Consent for self-administration (provided that R.N. determines it is safe and appropriate)  
Yes \_\_\_\_\_ No \_\_\_\_\_

\_\_\_\_\_  
Prescriber Signature

\_\_\_\_\_  
Date

\* If not in violation of confidentiality

Dear Parent/Guardian:

According to your child's health record, your child has an allergy to. Due to the unpredictable nature and serious consequences of an allergic reaction we want to be prepared in the event your child is exposed to the allergen.

Allergic reactions can occur at any time and reactions that may have been minimal in the past can become life threatening without warning. In the case of food allergies, the specific allergen that causes your child's allergy may be used in another food and your child would not be aware of it until they had an allergic reaction.

For those reasons we request that you discuss your child's reaction with your health care provider to determine the best treatment plan for your child. The Wareham School District requires the following completed forms be on file in your child's health record:

1. Signed medication order for oral Benadryl and/or EpiPen(Jr) from your health care provider.
2. Signed consent form for oral Benadryl and/or EpiPen(Jr) from a parent/guardian.

We recommend that the parent/guardian meet directly with the school nurse to complete the protocols that outline the care to be provided to your child in the event of an allergic reaction. Each health office has oral Benadryl available for student use. If your child requires an EpiPen, we require that you provide the school with at least one kit for your child's personal use.

Due to the seriousness of the situation, we request that you act quickly to ensure the appropriate documentation from your health care provider. We will work in collaboration with your child's teacher(s) school administration, and staff to provide your child with the safest school environment possible. If you have any questions, please contact your school nurse.

High School (508) 291-3510 ext. 711  
Middle School (508) 291-3550 ext. 6108  
Minot Forest School (508) 291-3555 ext. 5158  
John W. Decas School (508) 291-3586 ext. 15

**AUTHORIZATION FOR MEDICATION ADMINISTRATION**

**PARENT OR GUARDIAN**

I request that \_\_\_\_\_ be given \_\_\_\_\_  
Child's Full Name Name of Medication

as prescribed by \_\_\_\_\_ at \_\_\_\_\_  
Physician's Name Time of Day

I accept full responsibility and relieve the Wareham School System, school personnel, and the Town of Wareham of any liability regarding the administration.

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Signature of Nurse

**This section must be completed for any medication not in a labeled prescription bottle.**

**PHYSICIAN**

I request that \_\_\_\_\_ receive the following:  
Name of Child

Name of Medication: \_\_\_\_\_ Dosage: \_\_\_\_\_

Time to be taken during school hours: \_\_\_\_\_

Duration of treatment: \_\_\_\_\_

Possible side effects and adverse reactions: \_\_\_\_\_

\_\_\_\_\_  
Signature of Physician

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Date

**AIDS/ACQUIRED IMMUNE DEFICIENCY SYNDROME  
SCHOOL ATTENDANCE  
Amended, December 5, 2012**

The U. S. Centers for Disease Control, American Academy of Pediatrics, and Massachusetts Department of Public Health have updated their recommendations to schools. The updated guidelines state that except in a very rare set of situations where a student chronically bleeds uncontrollably, a student with AIDS or HIV infection poses no risk of transmission of HIV infection through the kind of casual contact which occurs in a school setting. Therefore, a student with AIDS or HIV infection has the same right to attend school and participate in school programs as any other student.

Infants, toddlers and preschoolers with HIV infection/AIDS should be admitted to early childhood settings if their health, neurological development, and behavior are appropriate. As with the enrollment of any child, regardless of HIV status, the parent or guardian and the early childhood program director (or, where there is no director, the primary caregiver) will discuss the appropriateness of the child for the setting. With consent of the parent or guardian, the physician will provide information regarding the child's HIV status.

Health care providers (such as school nurse or school physician) or a health care facility cannot disclose a student's HIV antibody test result. Without specific, informed, written consent, that provider or facility violates state law (M.G.L. CHAPTER 111 s.70F) and possibly faces a civil suit brought on by the student or the student's parent(s) or guardian(s). Other school staff may be held liable for violating the privacy law and likewise are open to being sued by the student or the student's family.

**In short, information about a student's AIDS/HIV status should be treated as highly confidential, and released only with the specific, informed, written consent of the student or student's parent(s) or guardian(s).**

The Governor's Task Force on AIDS recommends the following guidelines for implementation in school systems throughout the Commonwealth.

1. All children diagnosed as having AIDS or with clinical evidence of infection with AIDS associated virus, Human Immunodeficiency Virus (HIV), and receiving medical attention are able to attend regular classes.
  - A. If a child has cutaneous (skin) eruptions or weeping lesions that cannot be covered, he/she should not be in school.
  - B. If the child exhibits inappropriate behavior that increases the likelihood of transmission (i.e., biting or frequent incontinence); he/she should not be in school.
  - C. Children diagnosed with AIDS or with clinical evidence of infection with the AIDS associated virus (HIV), who are too ill to attend school, should have an appropriate alternative education plan.
  - D. Siblings of children diagnosed as having AIDS or with clinical evidence of infection with the AIDS associated virus (HIV) are able to attend school without any further restrictions.
2. The student and student's parent(s) or guardian(s) are the gatekeepers of information relating to the student's AIDS/HIV status. **They are not obliged to disclose this information to school personnel.** In consultation with the student's primary care physician, the student and student's parent(s) or guardian(s) may decide to inform certain personnel about the student's AIDS/HIV status, particularly the school nurse or school physician.

If school authorities believe that a child diagnosed as having AIDS or with clinical evidence of infection with the AIDS associated virus (HIV) has evidence of conditions described in #1A or #1B, then the school authorities can dismiss the child from the class and request authorization from the

child's personal physician so that class attendance is within compliance with the school policy. If school authorities and the child's personal physician are in conflict, then an appointed physician who would determine the permissibility of attendance should refer the case to the Department of Public Health for review.

School officials, administrators and teachers throughout the Commonwealth have demonstrated their commitment to preserving the rights of students with AIDS/HIV to attend school and participate in school programs and activities, as well as to educate all students in accordance with the Board of Education's Policy on AIDS/HIV Prevention Education (April, 1990). All school staff should be informed about and understand these updated medical guidelines, and should be trained in the observance of universal precautions.

This policy is in accordance with AIDS/HIV Infection Policies for Early Childhood and School Settings, as per the Massachusetts Department of Public Health, Massachusetts Department of Education, and the Massachusetts Board of Education.

## **ANIMALS IN THE CLASSROOM: RECOMMENDATIONS FOR SCHOOLS**

**Reviewed: March 23, 2016 (no change)**

No animal shall be brought to school without prior permission of the building principal.

The Wareham School District is committed to providing a high quality educational program to all students in a safe and healthy environment.

School principals, in consultation with the Health Services Providers in each building, shall utilize the Department of Public Health publication "Guidelines for Animals in Schools or on School Grounds" and review student health records to determine which animals may be allowed in the school building. The decision of the principal shall be final.

### **Educational Program**

Use of animals to achieve specific curriculum objectives may be allowed by the building principal provided student health and safety is not jeopardized and the individual requesting that the animal be brought to school is responsible for adhering to the "Guidelines for Animals in Schools or on School Grounds" and any other conditions established by the principal to protect the health and well-being of students.

### **Student Health**

The health and well being of students is the District's highest priority. Animals may cause an allergic reaction or otherwise impair the health of students. No animals may be brought to school or kept in the school, classroom, office or common area that may negatively impact the health of any student who must utilize that area. Animals that cause an allergic reaction or impair the health of students shall be removed from the school immediately so that no student shall have his/her health impaired and each student shall have full access to available educational opportunities.

### **Animals Prohibited from School**

Rabies is a growing problem and any fur-bearing animal is susceptible to this very serious fatal disease. Infected animals can transmit this disease to students and staff. Based on the Massachusetts Departments of Health and Education recommendations the following animals are prohibited from schools within the Wareham School District.

**Wild Animals and Domestic Stray Animals** - Because of the high incidence of rabies in bats, raccoons, skunks, foxes and other wild carnivores, these animals should not be permitted in school buildings under any circumstances (including dead animals).

**Fur-Bearing Animals** (pet dogs\*, cats, wolf-hybrids, ferrets, etc.) - These animals may pose a risk for transmitting rabies, as well as parasites, fleas, other diseases and injuries.

**Bats** - Bats pose a high risk for transmitting rabies. Bat houses should not be installed on school grounds and bats should not be brought into the school building.

**Poisonous Animals** - Spiders, venomous insects and poisonous snakes, reptiles and lizards are prohibited for safety reasons.

**\*Exception: Guide, Hearing and Other Service Animals or Law Enforcement Dogs** - These animals may be allowed in school or on school grounds with proof of current rabies vaccination.

Exceptions may be made with the prior approval of the Superintendent of Schools.

## **ATHLETIC TICKET PRICES**

**Amended: February 11, 2015**

Children through grade 8 will not be admitted to football, basketball, or ice hockey games at Wareham High School unless accompanied by an adult and supervised by that adult while attending the game.

Ticket costs will be determined by the High School Administration and submitted to the Superintendent of Schools. The Superintendent of Schools will submit the proposed costs to the School Committee for approval.

## **BACKGROUND CHECKS**

**Amended: May 25, 2016**

Effective July 2016 it shall be the policy of the school district that, as required by law, a state and national fingerprint criminal background check will be conducted to determine the suitability of full or part time current and prospective school employees, who may have direct and unmonitored contact with children. School employees shall include, but not be limited to any apprentice, intern, or student teacher or individuals in similar positions, who may have direct and unmonitored contact with children. The school committee shall only obtain a fingerprint background check for current and prospective employees for whom the school committee has direct hiring authority. In the case of an individual directly hired by a school committee, the chair of the school committee shall review the results of the national criminal history check. The superintendent shall also obtain a state and national fingerprint background check for any individual, who regularly provides school related transportation to children. The school committee, superintendent or principal as appropriate may obtain a state and national fingerprint criminal background check for any volunteer, subcontractor or laborer commissioned by the school committee, school or employed by the city or town to perform work on school grounds, who may have direct and unmonitored contact with children. School volunteers and subcontractors/laborers who may have direct and unmonitored contact with children must continue to submit state CORI checks.

The fee charged by the provider to the employee and educator for national fingerprint background checks will be \$55.00 for school employees subject to licensure by DESE and \$35.00 for other employees, which fee may from time to time be adjusted by the appropriate agency. The employer shall continue to obtain periodically, but not less than every 3 years, from the department of criminal justice information services all available criminal offender record information (CORI) for any current and prospective employee or volunteer within the school district who may have direct and unmonitored contact with children.

Direct and unmonitored contact with children is defined in DESE regulations as contact with a student when no other employee who has received a suitability determination by the school or district is

present. "Contact" refers to any contact with a student that provides the individual with opportunity for physical touch or personal communication.

This policy is applicable to any fingerprint-based state and national criminal history record check made for non-criminal justice purposes and requested under applicable federal authority and/or state statute authorizing such checks for licensing or employment purposes. Where such checks are allowable by law, the following practices and procedures will be followed.

### **I. Requesting CHRI checks**

Fingerprint-based CHRI checks will only be conducted as authorized by the Department of Criminal Justice Information Services (DCJIS) and/or the FBI in accordance with all applicable state and federal rules and regulations, and in compliance with M.G.L. c. 6, §§ 167-178 and 803 CMR §§ 2.00, *et seq.* If an applicant or employee is required to submit to a fingerprint-based state and national criminal history record check, he/she shall be informed of this requirement and instructed on how to comply with the law. Such instruction will include information on the procedure for submitting fingerprints. In addition, the applicant or employee will be provided with all information needed to successfully register for a fingerprinting appointment (e.g., Identogo web site address, Provider Identification Number (Provider ID))

### **II. Access to CHRI**

All CHRI is subject to strict state and federal rules and regulations in addition to Massachusetts CORI laws and regulations. CHRI cannot be shared with other entities for any purpose, including subsequent hiring determinations. All receiving entities are subject to audit by the Massachusetts Department of Criminal Justice Information Services (DCJIS) and the FBI, and failure to comply with such rules and regulations could lead to sanctions. Title 28, U.S.C, § 534, Pub. L. 92-544, and Title 28 C.F.R. 20.33(b) provide that the exchange of records and information is subject to cancellation if dissemination is made outside of the receiving entity or related entities. Furthermore, an entity can be charged with federal and state crimes for the willful, unauthorized disclosure of CHRI.

### **III. Storage of CHRI**

CHRI shall only be stored for extended periods of time when needed for the integrity and/or utility of an individual's personnel file. Administrative, technical, and physical safeguards, which are in compliance with the most recent FBI CJIS Security Policy, have been implemented to ensure the security and confidentiality of CHRI. Each individual involved in the handling of CHRI is to familiarize himself/herself with these safeguards.

In addition to the above, each individual involved in the handling of CHRI will strictly adhere to the policy on the storage and destruction of CHRI.

### **IV. Retention of CHRI**

Federal law prohibits the repurposing or dissemination of CHRI beyond its initial requested purpose. Once an individual's CHRI is received, it will be securely retained in internal agency documents for the following purposes only:

- Historical reference and/or comparison with future CHRI requests
- Dispute of the accuracy of the record
- Evidence for any subsequent proceedings based on information contained in the CHRI.

CHRI will be kept for the above purposes in hard copy form in the office of the superintendent.

### **IV. CHRI Training**

An informed review of a criminal record requires training. Accordingly, all personnel authorized to receive and/or review CHRI at the Wareham Public Schools will review and become familiar with the

educational and relevant training materials regarding SAFIS and CHRI laws and regulations made available by the appropriate agencies, including the DCJIS.

In addition to the above, all personnel authorized to receive and/or review CHRI must undergo Security Awareness Training on a biennial basis. This training will be accomplished using the training materials made available by the DCJIS along with the web-based training system known as CJIS Online ([www.CJISonline.com](http://www.CJISonline.com)).

#### **V. Determining Suitability**

In determining an individual's suitability, the following factors will be considered but not necessarily be limited to: the nature and gravity of the crime and the underlying conduct, the time that has passed since the offense, conviction and/or completion of the sentence, nature of the position held or sought, age of the individual at the time of the offense, number of offenses, any relevant evidence of rehabilitation or lack thereof and any other factors deemed relevant by the district.

#### **VI. Adverse Decisions Based on CHRI**

If inclined to make an adverse decision based on an individual's CHRI, the Wareham Public Schools will take the following steps prior to making a final adverse determination:

- Provide the individual with a copy of his/her CHRI used in making the adverse decision;
- Provide the individual with a copy of the Wareham Public Schools CHRI Policy;
- Provide the individual the opportunity to complete or challenge the accuracy of his/her CHRI; and
- Provide the individual with information on the process for updating, changing, or correcting CHRI.

A final adverse decision based on an individual's CHRI will not be made until the individual has been afforded a reasonable time to correct or complete the CHRI.

#### **VII. Secondary Dissemination of CHRI**

If an individual's CHRI is released to another authorized entity, a record of that dissemination must be made in the secondary dissemination log. The secondary dissemination log is subject to audit by the DCJIS and the FBI.

The following information will be recorded in the log:

- (1) Subject Name;
- (2) Subject Date of Birth;
- (3) Date and Time of the dissemination;
- (4) Name of the individual to whom the information was provided;
- (5) Name of the agency for which the requestor works;
- (6) Contact information for the requestor; and
- (7) The specific reason for the request.

#### **VIII. Local Agency Security Officer**

Each NCJA receiving CHRI is required to designate a Local Agency Security Officer (LASO). An individual designated as LASO is:

- An individual who will be considered part of the NCJA's "authorized personnel" group.
- An individual that has completed a fingerprint-based background check and found appropriate to have access to CHRI.

- An employee directly involved in evaluating an individual's qualifications for employment or assignment.

The Wareham Public Schools LASO is Dr. Kimberly Shaver-Hood, Superintendent of Schools.

The LASO is responsible for the following:

- Identifying who is using or accessing CHRI and/or systems with access to CHRI.
- Identifying and documenting any equipment connected to the state system.
- Ensuring that personnel security screening procedures are being followed as stated in this policy.
- Ensuring the approved and appropriate security measures are in place and working as expected.
- Supporting policy compliance and ensuring the DCJIS Information Security Officer (ISO) is promptly informed of security incidents.

When changes in the LASO appointment occur, the Wareham Public Schools shall complete and return a new LASO appointment form. The most current copy of the LASO appointment form will be maintained on file indefinitely by the agency.

## **IX. Personnel Security**

### All Personnel

All personnel requiring access to CHRI must first be deemed "Authorized Personnel." Prior to being allowed access to CHRI, such individuals shall complete a fingerprint-based CHRI background check. The DCJIS will review and determine if access is appropriate. Access is denied if the individual has ever had a felony conviction, of any kind, no matter when it occurred. Access may be denied if the individual has one or more recent misdemeanor convictions.

In addition to the above, an individual believed to be a fugitive from justice, or having an arrest history without convictions, will be reviewed to determine if access to CHRI is appropriate. The DCJIS will take into consideration extenuating circumstances where the severity of the offense and the time that has passed would support a possible variance.

Persons already having access to CHRI and who are subsequently arrested and/or convicted of a crime will:

- a. Have their access to CHRI suspended until the outcome of an arrest is determined and reviewed by the DCJIS in order to determine if continued access is appropriate.
- b. Have their access suspended indefinitely if a conviction results in a felony of any kind.
- c. Have their access denied by the DCJIS where it is determined that access to CHRI by the person would not be in the public's best interest.

Whenever possible, access to CHRI by support personnel, contractors, and custodial workers will be denied. If a need should arise for such persons to be in an area(s) where CHRI is maintained or processed (at rest or in transit); they will be escorted by, or be under the supervision of, authorized personnel at all times while in these area(s).

### Personnel Termination

The LASO shall terminate access to CHRI immediately upon notification of an individual's termination of employment.

- a. notification will occur in writing
- b. disconnection of the individual's CHRI access is to be completed within 24 hours
- c. individual with access to physical CHRI media shall return any keys to buildings, offices, and/or files
- d. individual's e-mail account or access to the agency's electronic CHRI system of records will be disabled

In addition to the above, the LASO shall notify the DCJIS of the termination of any individual authorized to access CHRI who is also a SAFIS-R User. This notification shall be made immediately upon the termination of the user and shall be accomplished by emailing a SAFIS-R User Designation Form with the "Remove" checkbox checked to the DCJIS SAFIS Unit at [safis@state.ma.us](mailto:safis@state.ma.us).

#### Personnel Transfer

Individuals with access to CHRI who have been reassigned or transferred shall have their access reviewed by the LASO to ensure access is still appropriate. If continued access is determined to be inappropriate, the LASO shall immediately suspended access following the steps below:

- a. LASO will review access to CHRI upon effective date of reassignment or transfer
- b. disconnection of CHRI access is to be completed within 24 hours
- c. If it is determined the employee no longer requires access to physical CHRI media to perform his/her daily job responsibilities, the individual will return any keys to buildings, offices, and/or files.
- d. e-mail accounts or access to the agency's electronic CHRI system of records will be disabled

In addition to the above, the LASO shall notify the DCJIS of the transfer of any individual authorized to access CHRI who is also a SAFIS-R User and for whom it is determined that CHRI access is no longer appropriate. This notification shall be made immediately upon the termination of the user and shall be accomplished by emailing a SAFIS-R User Designation Form with the "Remove" checkbox checked to the DCJIS SAFIS Unit at [safis@state.ma.us](mailto:safis@state.ma.us).

#### Sanctions

Persons found non-compliant with state or federal laws, the current FBI CJIS Security Policy, DCJIS policies or regulations, or other applicable rules or regulations, including the Wareham Public Schools Information Security Policy, will be formally disciplined. Discipline can include, but may not be limited to, counseling, the reassignment of CHRI responsibilities, dismissal, civil penalties, or prosecution. Discipline will be based on the severity of the infraction and the discretion of the Wareham Public Schools and/or the CSO of the MSP.

When an individual is sanctioned for such non-compliance, the LASO shall notify the DCJIS CSO in writing of the infraction(s) and of the discipline imposed within 5 business days. Additionally, if the discipline imposed includes denying access to CHRI and the individual is also a SAFIS-R User, the LASO shall immediately notify the DCJIS by emailing a SAFIS-R User Designation Form with the "Remove" checkbox checked to the DCJIS SAFIS Unit at [safis@state.ma.us](mailto:safis@state.ma.us).

#### **X. Media Protection**

All media containing CHRI is to be protected and secured at all times. The following is established and to be implemented to ensure the appropriate security, handling, transporting, and storing of CHRI media in all its forms.

##### Media Storage and Access

Electronic and physical CHRI media shall be securely stored within physically secured locations or controlled areas. Access to such media is restricted to authorized personnel only and shall be secured at all times when not in use or under the supervision of an authorized individual.

Physical CHRI media:

- a. Is to be stored within employee records when feasible or by itself when necessary.
- b. Is to be maintained within a lockable filing cabinet, drawer, closet, office, safe, vault, or other secure container.

Electronic CHRI media:

- a. Is to be secured through encryption as specified in the FBI CJIS Security Policy.
- b. Electronic storage media devices (such as discs, CDs, SDs, thumb drives, DVDs, etc.) are to be maintained within a lockable filing cabinet, drawer, closet, office, safe, or vault, or other secure container.

Media in Transit (Electronic and/or Physical):

Should the need arise to move any form of CHRI media, including physical CHRI media (paper/hard copies) and electronic CHRI media (e.g., laptops, computer hard drives, or any removable, transportable digital memory media, such as magnetic tape or disk, optical disk, flash drives, external hard drives, or digital memory card), outside of the secured location or controlled area, the transport of the CHRI media will be conducted by authorized personnel *only*.

The Wareham Public Schools has established and implemented the following security controls to prevent compromise of the data while in transit.

- a. The LASO or Point of Contact will handle and transport CHRI media.
- b. The transport is to occur upon justification and approved by the LASO.
- c. The transport of media will occur by use of a locked container, sealed envelope, or encryption of certain electronic devices when applicable.
- d. The media is to remain in the physical possession of the designated authorized employee until the CHRI media is delivered to its intended destination.

Electronic Media Sanitization and Disposal:

Once electronic CHRI media is determined to be no longer needed by the agency, it shall be sanitized and disposed of appropriately. This includes, but is not limited to, devices used to store electronic CHRI and/or used for dissemination (fax machines, scanners, computers, laptops, etc.). The devices shall be sanitized prior to disposal, recycling, or reuse by other non-authorized personnel.

The sanitization of CHRI media will be conducted in the following manner:

- a. The LASO shall witness or conduct sanitization of the media. If not the LASO, the Information Technology Coordinator.
- b. For individual files the method(s) of sanitization will be Secure Empty, SDelete, Overwrite and/or physically shred the drive and/or incinerate.
- c. The sanitization will occur on or prior to the expiration of the file on record.

Disposal of Physical Media:

Once physical CHRI media (paper/hard copies) is determined to be no longer needed by the agency, it shall be destroyed and disposed of appropriately. Physical CHRI media shall be destroyed by

shredding, cross cut shredding, or incineration. The Wareham Public Schools will ensure such destruction is witnessed or carried out by authorized personnel:

- a. The LASO shall witness or conduct disposal. If not the LASO, the Point of Contact.
- b. Destruction by shredding will be used by the agency.
- c. This is to occur upon date of expiration of the record.

## **XI. Incident Response**

The agency will identify responsibilities for information security incidents and include how and who to report such incidents to. An agency will ensure appropriate security incident capabilities exist, and should incorporate the lessons learned from ongoing incident handling activities. Agency will ensure procedures exist and are implemented for a follow-up action of a security breach and for the collection of evidence in cases of legal action. All individuals with direct or indirect access to CHRI shall be trained on how to handle an information security incident, and such training is to be included within the agency's Security Awareness Training. Procedures shall be in place to track and document information security incidents, whether physical or electronic, on an ongoing basis.

The security of information and systems in general, and of CHRI in particular, is a top priority for the Wareham Public Schools. Therefore, we have established appropriate operational incident handling procedures for instances of an information security breach. It is each individual's responsibility to adhere to established security guidelines and policies and to be attentive to situations and incidents which pose risks to security. Furthermore, it is each individual's responsibility to immediately report potential or actual security incidents to minimize any breach of security or loss of information. The following security incident handling procedures must be followed by each individual:

- a. An incident is to be reported to the Information Specialist, the Information Technology Coordinator, the Point of Contact, and the LASO.
- b. If an incident of breach in security occurs, the following steps are taken:
  1. Identify location of breach
  2. Remove network access, if applicable, to help eliminate the changes of propagation
  3. Notify Administration of breach
  4. Sweep system for any existing malware, viruses, or corrupt files
  5. Re-image hard drive using Symantec Ghost
  6. Confirm security breach has been removed
- c. The following steps will be taken for appropriate collection of evidence:
  1. Review firewall logs and timestamps based on time of entry
  2. If IP address is available via the firewall logs, the IP Address or IP Addresses in the range will be blocked.
  3. Notification will be given to the Administration and possible notification to local authorities.
  4. Continued monitoring of firewall logs will continue until breach has been contained.
- d. Information for security incidents will be tracked by a spreadsheet that will be available to the specific contacts listed above. Notification of updates to the spreadsheet will be done by both phone and email to the other specified contacts. Periodic meetings may occur depending on the incident or amount of incidents noted on the spreadsheet.

In addition to the above, the LASO shall report all security-related incidents to the DCJIS ISO within 48 hours. The LASO shall complete an NCJA Security Incident Report Form and shall email it to the DCJIS ISO at safis@state.ma.us.

## **XII. Controlled Area**

As required by DCJIS and FBI regulations and policies, controls have been established and implemented in order to ensure a physically secured location for CHRI media. The Wareham Public Schools has designated the Superintendent's Office as a controlled area for the purpose of day to day access and storage of CHRI.

In addition, the following security controls are in place:

- a. Access is limited to the controlled area during CHRI processing times to authorized personnel approved by the agency to access or view CHRI.
- b. CHRI will be locked and secured to prevent unauthorized access to the extent possible when unattended.
- c. Information system devices and documents containing CHRI will be positioned in such a way as to prevent access or viewing by unauthorized individuals.
- d. Appropriate encryption has been implemented for electronic storage of CHRI.

LEGAL REFS.: M.G.L. 6:167-178; 15D:7-8; 71:38R, 151B, 276:100A  
P.L. 92-544; Title 28 U.S.C. § 534; Title 28 C.F.R. 20.33(b)  
42 U.S.C. § 16962  
603 CMR 51.00  
803 CMR 2.00  
803 CMR 3.05 (Chapter 149 of the Acts of 2004)  
[FBI Criminal Justice Information Services Security Policy](#)  
[Procedure for correcting a criminal record](#)

[FAQ – Background Checks](#)

**NOTE: The Department of Criminal Justice Information Services (DCJIS) has adopted regulations requiring that it maintain a model CORI policy and that any written policy must meet the minimum standards as found in the model. Therefore, MASC recommends that school districts retain both the school district specific policy incorporated here and the DCJIS model policy attached as GBCC-R.**

## **BUS TRANSPORTATION**

**Amended: June 17, 2015**

Any K-12 student residing in Wareham living less than one (1) mile from school will not be provided bus transportation, however, when sidewalks or walkways become impassable a bus stop will be provided. The determination will be made by a committee composed of the Superintendent, Business Manager, Transportation Director, and School Resource Officer. The bus stop will be one stop for Minot, one stop for Decas, and a combine stop for Middle/High School.

All enrolled students in a Wareham District school living more than one (1) mile from school will be provided transportation to and from his or her home or other locations as approved.

## **CHARGING STUDENT MEALS**

**Amended: November 20, 2013**

All students attending any Wareham Public Schools are expected to pay for their lunch or breakfast. Students are allowed to charge up to ten dollars (\$10). These meals will be charged to their account and expected to be paid in full. Any student who has reached the ten dollars (\$10) maximum will not be offered a meal of their choice. Students will be offered an alternative meal.

Negative balance reports are sent out weekly by email or printout. Parents can utilize the MyschoolBucks.com to check on their students balance on a regular basis.

The principal will be informed of students who continue to charge and will reach out to parents/guardians with negative balances greater than ten dollars (\$10). Should you feel you are in need of assistance; Free & Reduced Applications are accessible throughout the school year. Applications are located in every school and also on the website. This form should be returned as soon as possible and the online application goes directly to the desk of the Food Service Manager. Whether or not your family qualifies for assistance, you are still responsible for paying off any debt incurred.

As of June 1<sup>st</sup> of each school year there will be NO CHARGING allowed. All meal accounts are expected to be paid in full. Negative balances will carry over to the next school year, but all attempts should be made to pay all debts by the end of the school year.

## **CLOSING ONE SCHOOL BUILDING**

**Amended November 5, 2014**

In the event it becomes necessary to close one school building because of a health or safety emergency, the school department will notify parents/guardians, and the media by electronic means, of the situation and the plans for the respective students. The following guidelines will be followed:

### WAREHAM HIGH SCHOOL

Students will be sent to the Middle School and if circumstances make it necessary students will be dismissed from that location. Individual students with handicaps or other factors preventing them from being dismissed will be transferred to the Wareham Middle School all until such time as individual arrangements can be made with parents and/or guardians or regular dismissal time is reached.

### WAREHAM MIDDLE SCHOOL

Students will be sent to the High School and if circumstances make it necessary students will be dismissed from that location. Individual students with handicaps or other factors preventing them from being dismissed will be transferred to the Wareham High School until such time as individual arrangements can be made with parents and/or guardians or regular dismissal time is reached.

### MINOT FOREST SCHOOL

Students will be transported for the remainder of the school day to the Wareham High School.

### JOHN W. DECAS SCHOOL

Students will be transported for the remainder of the school day to the Wareham High School.

If both the Wareham High School and the Wareham Middle School are affected by an emergency, the students with handicaps or other factors will be transported to the John W. Decas School where individual arrangements can be made with parents and/or guardians or regular dismissal time is reached.

## **CONCUSSION POLICY K-12**

**Amended, February 29, 2012**

### **PURPOSE**

This policy provides for the implementation of MA 105 CMR 201.000, *Head Injuries and Concussions in Extracurricular Athletic Activities*. The policy applies to all public elementary, middle and high school students who participate in any extracurricular athletic activity. This policy provides the procedures and protocols for the Wareham Public Schools in the management of and prevention of sports-related head injuries within the district or school.

### **PRE-PARTICIPATION REQUIREMENTS TRAINING**

Concussion training is a pre-participation requirement for all students and must be completed prior to practice or competition. This requirement may be met by completing the on-line course and providing a certificate of completion. Completing the on-line course and providing a certificate of completion may meet this requirement. Arrangements will be made with the Athletic Director for internet access in the event that it is not available to the parent/guardian.

It is mandatory that all coaches, athletes and the athletes' guardian complete the on-line concussion course at [www.nfhslearn.com](http://www.nfhslearn.com). Upon successful completion of the course, the guardian must sign the Athletic Parental Consent Form that will be provided to them.

Guardians must also complete the **Commonwealth of Massachusetts Pre-Participation Head Injury/Concussion Reporting Form for Extracurricular Activities** which is provided in the athletic packet.

The athletic director will keep all certificates and signed acknowledgements for seven years or, at a minimum, until the student graduates.

This training must be repeated each year.

### **EXCLUSION FROM PLAY**

- Any student, who during a practice or competition, sustains a head injury or suspected concussion, or exhibits signs and symptoms of a concussion or loses consciousness, even briefly, shall be removed from the practice or competition immediately and may not return to the practice or competition.
- The student shall not return to practice or competition until the student/guardian provides medical clearance. The coach or athletic trainer shall provide the necessary forms to the student/guardian to submit to their medical provider for completion. These forms include a letter explaining the need for the medical clearance from the Wareham Public Schools, an academic recovery plan, recommendation form, and the athletic return-to-play protocol.
- The coach or designee shall communicate the nature of the injury directly to the guardian, in person or by phone, immediately after a student has been removed from play due to a head injury, suspected concussion signs and symptoms of a concussion, or loss of consciousness. The coach or designee also must provide this information to the guardian in writing, either by paper or electronic format, by the end of the next business day.
- The coach or designee shall communicate and provide copies of appropriate paperwork, by the end of the next business day, to the Athletic Director and school nurse that the student has been removed from practice or competition due to a head injury, suspected concussion, signs and symptoms of a concussion, or loss of consciousness.

## RETURN TO PLAY

After a concussion has been diagnosed by a physician, the athlete is put through a gradual return to play, by his/her physician's specifications. This takes approximately one week. This gradual return to play begins after the student is non-symptomatic for 24 hrs. or more. The physician will make the final determination relative to the student athlete returns to play. The certified athletic trainer will keep these records for seven years or, at a minimum, until the student graduates. If an athlete has had two concussions within a thirty day period, he/she will sit out the remainder of the season and consult a physician.

## ATHLETIC DIRECTOR RESPONSIBILITIES

The Athletic Director participates in the annual review and revision of the policy.

The Athletic Director completes the annual on-line training.

The Athletic Director shall:

- Ensure the training of coaches, staff, parents, volunteers and students;
- Maintain certificates of completion and signed pre-concussion forms;
- Ensure that the medically cleared list is provided to all coaches, assistants, and volunteers and that no student participates without this clearance;
- Ensure that athletes are prohibited from engaging in any unreasonably dangerous athletic technique that endangers the health or safety of an athlete, including using a helmet or any other sports equipment as a weapon.

## C.O.R.I. REQUIREMENTS

**Reviewed, May 8, 2012 (no change)**

The Wareham Public Schools seeks to provide a safe learning environment for its students and a safe working environment for its employees. Accordingly, it is the policy of the Wareham Public Schools, in accordance with the provisions of M.G.L.c.71, section 38R, as amended by Chapter 385 of the Acts of 2002 and M.G.L. c. 6, section 172I, to conduct criminal background checks ("CORI checks") at least every three (3) years on current and prospective employees(s), contracted service providers, volunteer(s) and school transportation provider(s) and other individual(s) who may have direct and unmonitored contact with children. CORI checks will be conducted on current and prospective employee(s) and service providers prior to employment and/or contracting and on any volunteer prior to accepting the person as a volunteer.

The Wareham Public Schools authorizes the Superintendent of Schools to develop procedures and guidelines covering:

- i. the categories of persons for whom CORI checks may and will be obtained;
- ii. standards for determining whether a staff or volunteer position entails direct and unmonitored contact with children;
- iii. process for informing current and prospective employees, volunteers and others about CORI checks and for obtaining written confirmation from these individuals to conduct CORI checks by completion of a CORI Request Form;
- iv. procedures to be followed when a person refuses to sign a CORI Request Form;
- v. process for requesting, reviewing and maintaining CORI information;

- vi. process and standard of review for determining an individual’s eligibility for employment or service based upon CORI information, including whether any criminal offenses may disqualify and individual;
- vii. procedures to be followed when the subject of a CORI check challenges the accuracy of the CORI report; and
- viii. requirements of confidentiality and prohibitions against the unauthorized dissemination of CORI check information.

**CRISIS RESPONSE**

**Amended, January 27, 2011**

The Wareham Public School Department will respond to crisis situations in a manner that insures optimum safety for students and staff members.

**CRITERIA FOR APPROVAL OF A PRIVATE SCHOOL BY THE WAREHAM SCHOOL COMMITTEE**

**Amended: November 20, 2013**

Massachusetts General Laws, Chapter 76: Section 1 states that:

*“The School Committees shall approve a private school when satisfied that the instruction in all the studies required by law equals in thoroughness and efficiency, and in the progress made therein, that in the public schools in the same town; but shall not withhold such approval on account of religious teaching, and, in order to protect children from the hazards of traffic and promote their safety, cities and towns may appropriate money for conveying pupils to and from any schools approved under this section.”*

When a private school that is proposed to open within the borders of the Town of Wareham, the School Committee will approve or not approve the private school based on documentation provided by the applicant, including but not limited to categories listed below. School Committee approval solely indicates that it is satisfied that the instruction in all the studies required by law equals in thoroughness and efficiency, and in the progress made therein, that of the public schools in the Town of Wareham. Upon approval, the proposed school will need to comply with all other requirements of statute and regulation prior to opening. The Committee will consider the review of the documentation and recommendations by the School Business Manager, Administrator of Student Services, and Director of Curriculum & Instruction prior to voting on the approval request.

**1. Population to be served**

Admissions criteria; documentation of school’s enrollment

**2. Physical Plant/Safety**

A. The school shows evidence of current

Elevator Inspection

Fire Inspection

- Certificate of Occupancy
- Compliance with lead paint poisoning prevention (for children under 6 years old)
- Compliance with other applicable federal and state health and safety standards (e.g. PCB, asbestos inspections, handicap accessibility)

B. The site, plant and equipment adequately support the program and are operated to ensure the safety and health of the students.

**3. Curriculum**

A. The curriculum offered is “equivalent” to that offered in the local school system generally and, specifically the Massachusetts Curriculum Frameworks and Common Core State Standards, in terms of the following instructional areas.

- Mathematics
- Science and Technology
- History and Social Science
- English/Language Arts
- Foreign Language
- The Arts
- Physical Education & Health

**4. Educational Materials**

Textbooks and/or individual instructional materials (including computer and other technology) are adequate.

**5. School Staff**

Assessment of “thoroughness and efficiency” of instruction based on:

Teacher qualifications

Adequate student/teacher ratio

Regular evaluation of staff

CORI background checks

**6. Administration**

School possesses clearly defined table of organization that facilitates its objectives.

**7. Records**

A. An adequate system of student records (e.g., attendance, health, discipline, progress reports) is fairly maintained

B. The student records are kept in compliance with state statutes and regulations as applicable.

**8. Student Services**

The Special Education services provided for all students are balanced and comprehensive (e.g., recreation programs, health care procedures, guidance and counseling programs, discipline policy).

**9. Financial Support**

A. Evidence of financial solvency is provided and indicates that the school can adequately sustain the educational program.

B. Documentation of the school’s legal status; if the school is incorporated, copies of the articles of incorporation and certification of tax -exempt status, if any.

**10. Student Learning Time**

Length of school year and hours of instruction in each subject is equal to that of the public school.

**11. Student Performance Assessment**

Methods for periodic evaluation of students' skills, competencies and knowledge are clearly defined.

## **EARLY GRADUATION**

### **Amended, April 10, 2013**

Each year, a number of high school students request permission to graduate prior to their anticipated graduation date because they feel they have educational or vocational needs which mandate that they be exempted from the traditional four year program. For the early graduation application procedure, students electing early graduation or release shall not have a four-year final rank in class.

#### **I. Criteria for Early Graduation (Full Year Release)**

- A. Student has grade average C or better, first two years.
- B. Student has good attendance record.
- C. Student exhibits good citizenship.
  - 1) Conduct
  - 2) Effort - Maturity
  - 3) Activities
- D. Student has completed core curriculum. There shall be no waiver of any course or credit requirements. (Due to MA Core 2014 requirements)
- E. Early release is requested to pursue further education.
  - 1) Are the educational opportunities of such a nature that they cannot be met while attending Wareham High School?
  - 2) Is early graduation required because of a job opportunity or for monetary reasons?
  - 3) Time line – the formal school application procedure should be initiated by June 1<sup>st</sup> of the sophomore year.
- F. Early release is requested in order to pursue a Career.
  - 1) Are the career opportunities of such a nature that they require early release?
  - 2) Is the work experience related to the high school curriculum?
  - 3) Time line – the formal school application procedure should be initiated by June 1<sup>st</sup> of the sophomore year.
- G. Student has achieved competency determination on MCAS.

#### **II. Requirements for Early Graduation**

- A. A letter from the student requesting early graduation detailing the goals which require early release.
- B. A letter from the student's parent or guardian in support of the request.
- C. If the goal involves further education, a statement from the institution verifying acceptance of the applicant who will be released early.
- D. If the goal involves a career, a statement from the employer specifying the job and his/her acceptance or employment.
- E. An interview with the Principal, parent, counselor, and student.
- F. Complete three years of high school education.

#### **III. Time Line**

Full – year Release

1. June 1 of sophomore year - Letter of application and parent's letter to be sent to the Principal.
2. June 15 - Decision by the Principal.
3. February 1 – Recommendation of the Principal to the Superintendent.
4. End of Semester II – Final Review: Principal approves releases at the end of 2<sup>nd</sup> Semester.
- 5.

#### **IV. Conditions of Release**

A follow-up will be initiated by the Guidance Department, agreed to by the Administration. Students are entitled to participate in the graduation exercises of class and are eligible for most scholarships.

#### **EMERGENCY CLOSINGS**

**Reviewed, March 23, 2016 (no change)**

The Superintendent may close the schools, delay school opening or dismiss them early in the event of hazardous weather or other emergencies that threaten the health or safety of students and personnel. While it may be prudent, under certain circumstances, to excuse all students from attending school, to delay the opening hour or to dismiss students early, the Superintendent has the responsibility to see that as much of the administrative, supervisory and operational activities continue as may be possible. Therefore, if conditions affect only a single school, only that school will be closed. The Superintendent will follow the administrative procedures to call off one school.

In making the decision to close schools, the Superintendent will consider many factors, including the following:

1. Weather conditions, both existing and predicted.
2. Driving, traffic, and parking conditions affecting public and private transportation facilities.
3. Actual occurrence or imminent possibility of any emergency condition that would make the operation of schools difficult or dangerous.
4. Inability of teaching personnel to report for duty, which might result in inadequate supervision of students.

The Superintendent will weigh these factors and take action to close the schools only after consultation with public works and public safety authorities and with school officials from neighboring towns. Students, parents/guardian and staff will be informed early in each school year of the procedures that will be used to notify them in case of emergency closings. When schools are canceled, delayed or dismissed early for emergency reasons, the Superintendent will follow the administrative procedures in notifying staff and parents/guardians.

LEGAL REF: M.G.L. 71:4; 71:4A

#### **EMERGENCY HEALTH PROCEDURES**

**Amended: March 18, 2015**

The policy of the Wareham Public Schools will be to adhere to the **Clinical Guidelines for School Nurses** from School Health Alert, Copyright 2013, on file with the school nurse and/or principal of the school building.

An exception to the **Clinical Guidelines for School Nurses** is Pediculosis (head lice). Children who have been identified as having head lice are excluded from school until they are treated. All lice and

nits (eggs) must be removed before reentry to school. The school nurse will need to examine your child before returning to school.

## **ENTRANCE AGE**

**Amended April 8, 2015**

The policy of the Wareham School Committee for entrance into Kindergarten and first grade in the Wareham Public School System is as follows:

1. Each child must attend school beginning in September of the calendar year in which he or she attains the age of six. Effective the 2015-2016 school year a child must be five years old by October 1<sup>st</sup> of the year of his or her entrance into Kindergarten and six years old by October 1<sup>st</sup> of the year of his or her entrance into first grade. Residents moving into Wareham after the opening of school whose child does not meet Wareham's entrance age policy for Kindergarten but has been enrolled and attending regularly for a period of fifteen (15) consecutive school days in an approved Kindergarten in another school system, may enroll the child in a Wareham Kindergarten contingent upon
  - a) the completion of a school readiness assessment, and
  - b) the approval of the Superintendent.

The Superintendent will, in determining approval, consider the school readiness assessment, the previous attendance of the child in Kindergarten, including duration and progress, and also the availability of space in the classroom or school to which the child may become assigned.

If an exception to the age requirement is granted on the above conditions, the parents may choose, within the first 30 days of enrollment, to withdraw their child from Kindergarten based upon their assessment of the child's ability to adjust to the classroom and wait for the following academic year to re-enroll their child.

2. Completion of a full year in a Kindergarten approved by the Superintendent of Schools is a prerequisite for entrance into Grade 1. Children, who do not meet Wareham's entrance age policy for first grade but who have completed an approved kindergarten in another school system, may be enrolled in a Wareham first grade if they will be six years old prior to January 1<sup>st</sup> of that academic year.

## **GOALS STATEMENT**

**Amended, April 6, 2016 (Strategic Plan)**

### MISSION:

Wareham Public Schools will create competitive advantages for students, positively impacting public perception, and demonstrate positive change.

### VISION:

Provide challenging, innovative, and engaging educational experiences that create a competitive advantage for our students, our schools, and our community.

### THEMES

Wareham Wakes Up the World! Every Student Every Day

**Scholarship** (Learning, Teaching, Assessment & Accountability) – Defined as: Success of transformative learning results transferred to college and career ready graduates becoming life-long learners.

**Leadership & Citizenship** (Culture) – Defined as: The organizations clear philosophies and prevailing norms, influenced by its leadership and those who work for or influence its operation.

**Stewardship** (Infrastructure) – Defined as: The varied components that support effective learning environments form physical assets, to human resources and support.

## **GUEST SPEAKERS**

**Amended February 11, 2015**

Recognizing that the community can contribute in the education of the children of Wareham, it is the intention of the School Committee to encourage the participation of individuals possessing knowledge and skills that may be used to complement and supplement the curriculum.

The principal is responsible for ensuring that individuals invited as guest speakers meet the criteria outlined above and that said speakers understand and adhere to any relevant school and district policies.

Individuals wishing to offer their services must contact the building principal and will be escorted at all times during their visit.

In the event that funding of a guest speaker is required from outside the budget, approval and acceptance of the source of funding is required from the Principal prior to the speaking event.

The decision of the principal regarding any request for a speaker is final and cannot be grieved by either party.

**CLASSROOM SPEAKERS:** Teachers wishing to have a speaker in their classrooms are required to obtain permission from the building principal (or designee) at least one week in advance.

**ASSEMBLIES:** The principal may authorize assemblies for the purposes of education and/or school morale. The Superintendent must approve assemblies related to other purposes outside the curriculum framework, such as fundraising.

## **HAZING, PROHIBITING THE ACT OF**

**Amended, June 27, 2012**

Hazing, as defined in Chapter 536 of the Acts of 1985, amended by the Acts of 1987, Ch. 665, and currently defined under Mass. General Laws, Ch. 269, Section 17, is prohibited by all organizations, employees, and students under the jurisdiction of the Wareham School Committee. Hazing will be considered a major offense under the school discipline policy as adopted by the Wareham School Committee and filed with the State Department of Education.

All employees of the Wareham Public Schools are directed to refrain from, and not to support in any way, the activity of hazing. Any employee violating this directive of the School Committee will be found to be insubordinate. Such insubordination would subject the employee to discipline by the Superintendent and could result also in dismissal.

Further, as defined in Mass. General Laws, Ch. 269, Section 18, employees who know that another person is the victim of hazing are, to the extent that they can do so without danger or peril to

themselves or others, required to report the crime of hazing to an appropriate law enforcement official as soon as reasonably practical.

*Distribution of the hazing policy will be in accordance to MGL Chapter 269, Section 19.*

## **HOME AND HOSPITAL INSTRUCTION**

### **Amended, March 23, 2016**

In accordance with Massachusetts regulation requiring educational services in the home or hospital (603 CMR 28.03(3)(c)), Wareham Public Schools:

1. Upon receipt of a physician's written order verifying that any student enrolled in a public school or placed by the public school in a private setting must remain at home or in a hospital on a day or overnight basis, or any combination of both, for medical reasons and for a period of not less than fourteen school days in any school year, shall arrange, through the building principal or designee, for provision of educational services in the home or hospital.
2. Shall provide such services with sufficient frequency to allow the student to continue his or her educational program, as long as such services do not interfere with the medical needs of the student.
3. Shall coordinate such services with the Administrator for Student Services for eligible students. Such educational services shall not be considered special education unless the student has been determined eligible for such services, and the services include services on the student's IEP.

Although the regulation on home/hospital instruction is included in the Special Education Regulations (603 CMR 28.00) home/hospital instruction is not considered "special education" unless the student has been found eligible for special education. In other words, home/hospital instruction typically is considered a regular education service, since it is in the interest of both the individual student and the school to make it possible for the student to keep up with schoolwork while s/he is unable to attend school for medical reasons.

The Special Education Regulations also include a provision relating specifically to students who are likely to be confined to home or hospital for medical reasons for more than 60 school days in any school year. In such cases, Wareham Public Schools will comply with regulation 603 CMR 28.04(4).

*PHYSICIAN'S STATEMENT FOR TEMPORARY HOME OR HOSPITAL EDUCATION*  
603 CMR 28.03(3)(c)

Student Information:

Student Name: \_\_\_\_\_ DOB \_\_\_\_\_

Address: \_\_\_\_\_

Physicians' Information:

Physician's Name: \_\_\_\_\_ Telephone # \_\_\_\_\_

Type of Physician: \_\_\_\_\_

Address: \_\_\_\_\_

The student will require educational services \_\_\_ at home and/or \_\_\_ at a hospital:  
\_\_\_ for more than 14 days.

\_\_\_ for recurrent periods of less than 14 days, that will accumulate to more than 14 days in the school year.

The school district should consider the following medical information when planning instructional services:

The student's health during this period(s) \_\_\_ will affect/ \_\_\_ will not affect the provision of full educational services. If services will be affected, please explain why and how services will be impacted.

The student is expected to return to school on \_\_\_\_\_  
MM/DD/YY

\_\_\_\_\_  
Physician's Signature

\_\_\_\_\_  
Date

## **HOME SCHOOLING**

### **Amended, March 23, 2016**

The Wareham Public Schools recognizes and respects the right of parent(s)/guardian(s) to educate their children outside of a school setting as provided by General Laws Chapter 76, Section 1. The law requires, however, that a child being educated outside of school must also be instructed in a manner approved, in advance, by the Superintendent or the School Committee. The Wareham Public Schools does not approve home education programs for anything less than a full time instructional program.

Parent(s)/Guardian(s) planning to undertake a home school program for their child(ren) between their sixth and sixteenth birth date shall inform the Superintendent by completing the *Notice of Intent to Pursue a Program of Home Education* form within fourteen days. This form is to be resubmitted annually before the school year begins.

Home education programs shall be considered in an equitable, objective, and timely manner. Factors that may be considered by the Superintendent in deciding whether or not to approve a home education proposal are:

1. Evidence that the proposed home education plan provides as structured learning time that equals in thoroughness and efficiency that of the Wareham Public Schools<sup>i</sup>
2. The academic background, life experiences and/or other qualities of those who will be instructing the child(ren) as they relate to the educational program. Home educators need not be certified teachers nor have any diplomas or degrees.
3. An overview of the educational program that is to include subjects, instructional hours, school year calendar and daily schedule.
4. A description of curricula to be followed and the instructional materials and/or technology to be used. In order to meet the specific educational needs of their child(ren), the parent(s)/guardian(s) may adjust the materials to achieve the goals of the educational program without further notification to the Superintendent.
5. A mutually agreeable method of assessment, which corresponds to the type of educational program to be followed, may include one or more of the following:
  - a. daily logs, journals, progress reports, portfolios, or data work samples
  - b. independent report made by someone acceptable to both the Superintendent and parent(s)/guardian(s)
  - c. standardized test results
  - d. any other method agreed to by both the Superintendent and home educator(s)

A student being home schooled within the district shall be informed of, and have access to, public school activities of either an academic or extracurricular nature. Arrangements for such participation are to be in accordance with the generally accepted scheduling procedures of the schools.

***Failure of a home educator to abide in good faith by the procedures outlined above may result in the School Committee taking action under Massachusetts General Law Chapter 76, Section 2 and/or 4, upon the recommendation of the Superintendent. CHINS (Child in Need of Services) proceedings pursuant to the Massachusetts General Law Chapter 119, Section 21, will not be invoked for any child pursuing a home education program.***

***Legal References: M.G.L. Chapter 76, Sections 1, 2, and 4  
Care and Protection of Charles & others, 399 Mass. 324 (1987)***

<sup>1</sup> *Care and Protection of Charles & others, 399 Mass. 324 (1987):* “Furthermore, G.L.c.76 s.1, specifically provides that” “For the purposes of this section, school committees shall approve a private school when satisfied that the instruction in all the studies required by law equals in thoroughness and efficiency, and in the progress made therein, that in the public schools in the same town...”

## **IMPLEMENTATION OF THE LIFE-THREATENING ALLERGY TREATMENT Reviewed, March 23, 2016 (no change)**

In order to minimize the incidence of life-threatening allergic reactions, the Wareham Public Schools (WPS) will maintain a system-wide response plan to address life-threatening reactions.

The Wareham Public Schools (WPS) will:

- A. Provide life-threatening allergy awareness education and Epi-Pen training for all WPS employees based on the Department of Public Health (DPH) and Department of Education (DOE) recommendations, including but not limited to:
  1. the significance of Life-Threatening Allergies (LTAs) and a discussion of the most common food, stinging insect, latex, and medication allergies,
  2. how to create a safe environment for all students with LTAs,
  3. the signs and symptoms of anaphylaxis,
  4. what an Epi-Pen is and how to use it, and
  5. how to activate the Emergency Response System (ERS), i.e., nurse and 911 Emergency Medical Services (EMS), to deal with an actual, suspected, or potential anaphylactic reaction.
- B. The principal or designee in each school will implement a “No Food or Utensil Sharing” practice with particular focus at the elementary school level.
- C. Each elementary school, as reasonably appropriate, will provide a peanut free/tree-nut free table in the cafeteria. Reasonable efforts will be made for such table to become “free” of other allergens as deemed needed for an individual student through documentation from the student’s primary care physician or board certified allergist. At the middle and high schools appropriate accommodations will be made as needed.
- D. At the elementary school level, when a student’s medical need to be in an LTA –free environment is clearly documented by a board certified allergist, and clear directions from the allergist are provided, WPS will make reasonable efforts to create LTA-free classrooms for the student. WPS reserves the right to consult with a board certified allergist of its choice to review the recommendation to determine if it will authorize its implementation.
- E. Each school’s Crisis Management Plan will include how to respond to an anaphylactic reaction (life-threatening allergic reaction). This plan will be reviewed annually by each building principal and will be part of all LTA-awareness training.
- F. The WPS will maintain records of any life-threatening allergic reaction, the use of an Epi-Pen, and the call for medical assistance by calling 911. WPS will report all such LTA

reactions to the Massachusetts Department of Public Health (DPH), according to department regulations and protocol.

- G. Because of the confidentiality of medical records, a student's parent/guardian has the responsibility for notifying school bus drivers directly of any life threatening allergies of which the bus driver should be aware of.
- H. For any event outside of the regular school day which is neither sponsored by WPS nor part of the WPS curriculum, the sponsor of such event is responsible for assuring that appropriate provisions concerning LTA's of participants are in place.

## **INTERNET SAFETY**

**Adopted, January 25, 2012**

### **Introduction**

It is the policy of Wareham Public Schools to: (a) prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; (b) prevent unauthorized access and other unlawful online activity; (c) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and (d) comply with the Children's Internet Protection Act [Pub. L. No. 106-554 and 47 USC 254(h)].

### **Definitions**

Key terms are as defined in the Children's Internet Protection Act.

### **Access to Inappropriate Material**

To the extent practical, technology protection measures (or "Internet filters") shall be used to block or filter Internet, or other forms of electronic communications, access to inappropriate information.

Specifically, as required by the Children's Internet Protection Act, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors.

Subject to staff supervision, technology protection measures may be disabled or, in the case of minors, minimized only for bona fide research or other lawful purposes.

### **Inappropriate Network Usage**

To the extent practical, steps shall be taken to promote the safety and security of users of the Wareham Public Schools online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications.

Specifically, as required by the Children's Internet Protection Act, prevention of inappropriate network usage includes: (a) unauthorized access, including so-called 'hacking' and other unlawful activities; and (b) unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

### **Education, Supervision and Monitoring**

It shall be the responsibility of all members of the Wareham Public Schools staff to educate, supervise and monitor usage of the online computer network and access to the Internet in accordance with this policy and the Children's Internet Protection Act.

Procedures for the disabling or otherwise modifying any technology protection measures shall be the responsibility of the Coordinator of Technology or designated representatives.

CIPA definitions of terms:

**TECHNOLOGY PROTECTION MEASURE.** The term “technology protection measure” means a specific technology that blocks or filters Internet access to visual depictions that are:

1. **OBSCENE**, as that term is defined in section 1460 of title 18, United States Code;
2. **CHILD PORNOGRAPHY**, as that term is defined in section 2256 of title 18, United States Code; or
3. **HARMFUL TO MINORS.** The term “harmful to minors” means any picture, image, graphic image file, or other visual depiction that:
  - a. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
  - b. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and
  - c. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.
4. **SEXUAL ACT; SEXUAL CONTACT.** The terms “sexual act” and “sexual contact” have the meanings given such terms in section 2246 of title 18, United States Code.

### **LIBRARY MATERIALS SELECTION AND ADOPTION Amended, January 30, 2013**

The continuous review of library materials is necessary as a means of maintaining a useful and active collection. As new materials are selected and added, some older materials are withdrawn. The following general selection criteria will apply to all library materials, including electronic, print, and non-print resources:

Library materials shall support and be consistent with, Massachusetts Curriculum Frameworks, Common Core State Standards and the general educational goals of the state and district and the aims and objectives of the individual schools and specific curricula.

Library materials shall meet high standards of quality in factual content accuracy, authenticity, clarity, artistic and literary value, and presentation (including special features such as: tables of contents, indexes, illustrations, photographs, maps, charts, graphs).

Library materials shall be appropriate for the subject area and for the age, emotional development, ability level, learning styles, and social development of students for whom materials are selected.

Library materials shall support and foster an appreciation for both information and recreational reading, viewing, and listening.

Library materials shall meet the curriculum needs of students and staff.

Physical format of library materials shall be suitable for their intended use.

Every possible effort will be made to keep Library materials current and up-to-date.

Library materials shall be selected to help students gain an awareness of our diverse society.

Library materials shall be selected for their strengths rather than rejected for their weakness, examining the value of any work as a whole.

Materials selected for controversial issues will present fair and unbiased information and will be directed towards maintaining a diverse collection representing various views.

The responsibility for determining which materials shall be withdrawn shall rest with the professional staff in accordance with the laws and policies pertaining to materials purchased with public funds.

Among the reasons for withdrawing an item shall be the following:

Curricular changes have rendered as superfluous materials (or multiple copies of materials) formerly used but no longer in demand.

Materials contain information that is no longer accurate or current.

Materials intended for recreational reading have become dated or unattractive and are no longer in demand.

Some books that are deemed standards or classics shall be retained even though they rarely circulate.

Materials have worn out, been damaged or physically deteriorated, and have lost utility, and/or appeal.

Materials have been superseded by newer items which present the same information but in superior format.

The responsibility for media selection, as for all library activity, rests with the librarian who operates within the framework of policies determined by the School Committee, and administered by the School Principal and ultimately approved by the superintendent of schools or by his/her designee.

Final authority for the determination of policy in the selection and acquisitions of materials is vested in the elected members of the Wareham School Committee.

#### School Library Bill of Rights

The American Library Association affirms that all libraries are forums for information and ideas, and that the following basic policies should guide their services.

- I. Books and other library resources should be provided for the interest, information, and enlightenment of all people of the community the library serves. Materials should not be excluded because of the origin, background, or views of those contributing to their creation.
- II. Libraries should provide materials and information presenting all points of view on current and historical issues. Materials should not be proscribed or removed because of partisan or doctrinal disapproval.
- III. Libraries should challenge censorship in the fulfillment of their responsibility to provide information and enlightenment.
- IV. Libraries should cooperate with all persons and groups concerned with resisting abridgment of free expression and free access to ideas.
- V. A person's right to use a library should not be denied or abridged because of origin, age, background, or views.
- VI. Libraries that make exhibit spaces and meeting rooms available to the public they serve should make such facilities available on an equitable basis, regardless of the beliefs or affiliations of individuals or groups requesting their use.

Adopted June 19, 1939, by the ALA Council; amended October 14, 1944; June 18, 1948; February 2, 1961; June 27, 1967; January 23, 1980; inclusion of "age" reaffirmed January 23, 1996.

#### **MEALS: POLICY AND PRICING**

**Reviewed, January 20, 2015 (No change)**

Breakfast will be offered to all students of the Wareham Public Schools.

To the extent possible, a la carte or alternate lunch offerings will be consistent in the elementary and middle schools, including schools that rely on outside kitchens.

BREAKFAST, LUNCH & MILK PRICES will be determined by the School Committee upon recommendation of the Administration.

## **MEASURING BODY MASS INDEX**

**Amended, January 29, 2014**

Amendments to the regulations on Physical Examination of School Children, (M.G.L. Chapter 71, section 57 and 105 CMR 200.00) to improve the screening and monitoring of the health assessment of children across the Commonwealth to include calculating the students Body Mass Index (BMI) were approved in February 2009 and must be implemented in all public schools by June 30, 2011. All 1<sup>st</sup>, 4<sup>th</sup>, 7<sup>th</sup> and 10<sup>th</sup> grade students in the Wareham Public Schools will have their BMI calculated during the school year. This will be done at the same time that the student has vision and hearing screening. All Parents/Guardians will receive a letter prior to the screening; the letter will detail procedures and will include parents/guardians rights.

All students will be supervised by the school nurse and the child's privacy will be respected at all times. Emphasis on the importance of confidentiality and the appropriate and sensitive communication of the results to parent/guardian will be a priority. Parents/Guardians may make a written request to receive a mailing of the results.

Ref: 105 CMR 200.000

105 CMR 200.500 October 16, 2013

## **MOTOR VEHICLE IDLING ON SCHOOL GROUNDS**

**Amended: December 17, 2014**

No motor vehicle operator shall cause or allow any motor vehicle operated by him or her on school grounds to idle unnecessarily, except for any of the following reasons: traffic conditions; queuing at a school for the purpose of picking up or discharging students; turbo-charged diesel engine cool down or warm up; maintenance of appropriate temperature for school buses when accepting or discharging passengers not to exceed three minutes in any fifteen minute period or one minute in any fifteen minute period for other motor vehicles; for circumstances involving safety or emergencies and for servicing or repairing motor vehicles; and as these exceptions are more completely described in the below referenced regulations. The term "school grounds" shall mean in, on or within 100 feet of the real property of the school whether or not it is in session, and shall include any athletic field or facility and any playground used for school purposes or functions which is owned by the municipality or school district, regardless of proximity to a school building, as well as any parking lot appurtenant to such school athletic field, facility or playground. Reasonable efforts shall be made by the district to identify by signage all known and actual air intake systems, which may be within 100 feet of an idling motor vehicle. A motor vehicle operator shall not idle a motor within 100 feet of such air intake system, unless the Wareham School District has determined that alternative locations block traffic, impair student safety or are not cost effective.

The Wareham School District shall erect and maintain in a conspicuous location on school grounds "NO IDLING" signage as described below. All such signage shall contain appropriate sized font so as to be visible from a distance of 50 feet.

NO IDLING

PENALTIES OF \$100 FOR FIRST OFFENSE AND \$500  
FOR SECOND AND SUBSEQUENT OFFENSES

M.G.L. C.90, S.16B AND 540 CMR 27.00

It shall be the responsibility of the school administration to ensure that each school bus driver employed by the Wareham School District and not by a school bus contractor shall, upon employment and at least once per year thereafter, sign a document acknowledging the receipt of copies of M.G.L. c. 90, § 16B and 540 CMR 27.00. The prohibitions contained in M.G.L. c. 90, § 16B shall be enforced by state or local law enforcement agencies.

*Legal References:* M.G.L. c. 71:37H, c. 90:16B and 540 CMR 27.00

## **MOVIES AND FILMS IN THE CLASSROOM**

**Amended: June 27, 2012**

Movies, films, videos, slides, etc., including online materials may be used in the classroom to educate and instruct students. The movies, films, etc., will complement the curriculum. No PG 13 (Parental Guidance), or R (Restricted) films, videos, etc., will be shown to grades PK-8 students. The building administrator must approve PG media for grades 4 – 8. Any film, video and or slide presentations, etc., that is R rated or has possible objectionable content will require parental notification.

Any course that uses film as its primary source in the classroom must list the films titles in the course description included in the program of studies.

Any movie, film, video, slide presentation, etc. (excluding educational television and news reports), that will be viewed by students must be viewed in its entirety by the teacher prior to requesting approval of the principal or his/her designee. A film request form will be submitted by the teacher to the principal at least one week in advance for any movies, films, videos, slides, etc. including online materials that are intended to last the majority of the class period.

## **NETWORK ACCEPTABLE USE**

**Amended, May 25, 2016**

### **1. Introduction**

This document formalizes the policy for users of Wareham Public Schools technology hardware, software and network. All users, including students, teachers, administrators, parents and guests are covered by this policy as well as any other relevant policies and are expected to be familiar with their provisions.

#### **1:1 Policy**

##### **a) Purpose:**

The purpose of providing Internet access at the Wareham Public Schools is to support education with the availability of unique resources for research and collaboration. The use of your account must be in support of education and research consistent with the educational objectives of the District. Transmission of any material in violation of any national or state regulation is prohibited. This includes, but is not limited to: copyrighted material, threatening or obscene material, or material protected by trade secret.

##### **b) Privilege:**

The use of the Internet is a privilege, not a right, and inappropriate use will result in a cancellation of those privileges. The administration will deem what is inappropriate use, their decision is final, and accounts may be closed. The administration, faculty, and staff of each school may request the system administrator to deny, revoke, or suspend specific user accounts.

##### **c) Liability:**

The District assumes no responsibility for:

- Any unauthorized charges or fees, including telephone charges, long distance charges, per minute surcharges and/or equipment or line costs.
- Any financial obligations arising out of unauthorized use of the system for the purchase of products or services.
- Any cost, liability or damages caused by a user's violation of these guidelines.
- Any information or materials that are transferred through the Internet, including the receipt of any such information and materials by a student.

The District respects the privacy of all visitors to our district web site and is committed to protecting your privacy to the extent permitted by law.

## **2. User Responsibilities**

It is the responsibility of any person using Wareham Public Schools technology hardware, software and network resources to read, understand, and follow these guidelines. In addition, users are expected to exercise reasonable judgment in interpreting these guidelines and in making decisions about the appropriate use of Wareham Public Schools resources. Any person with questions regarding the application or meaning of these guidelines should seek clarification from his or her administrator or from the Technology Department, as appropriate. Use of Wareham Public Schools resources shall constitute acceptance of the terms of these guidelines for the duration of use. Specific groups of users have additional responsibilities:

### **A. Administrator Responsibilities**

The administrator, including School Committee members, is responsible for making certain that the educators and students in the district or organization understand, sign off, and abide by the Acceptable Uses policy as stated in this document (Paragraph 3). If an administrator has reason to believe that a user is misusing the system, the administrator has the right to question the user and discipline said user in accordance with the Wareham Public Schools District Handbook. It is also the responsibility of the administrator to report any misuse of the system to the superintendent or his designee and the technology department.

### **B. Educator and Employee Responsibilities**

It is the responsibility of employees who are using Wareham Public Schools technology tools to abide by this policy and when working with students to teach students about safe and responsible use of the Internet and technology resources. Educators and employees are responsible for monitoring students' use of these resources, and to intervene if students are using them inappropriately. Educators should make sure that students understand and abide by the Acceptable Uses policy as stated in this document (Paragraph 3). If an educator or employee has reason to believe that a student is misusing the system, he or she has the right to request an administrator question the user and discipline said user as a school/community/academic issue as outlined in the Wareham Public Schools District Handbook. It is also the responsibility of the teacher to report any misuse of the system to his/her administrator or directly to the technology department.

### **C. Student Responsibilities**

It is the responsibility of students who are using Wareham Public Schools tools to learn about safe and responsible use of the Internet and technology resources. Students are responsible to use of these resources appropriately. Students must abide by the Acceptable Uses policy as stated in this document (Paragraph 3). If a student is misusing the system, an administrator has the right to question the user and discipline said user as a school/community/academic issue as outlined in the Wareham Public Schools District Handbook. Violations apply to the school specific code of conduct.

### **D. Parent, Guardian, Volunteer and Guest Responsibilities**

It is the responsibility of parents, guardians, volunteers and guests who are using Wareham Public Schools tools to learn about safe and responsible use of the Internet and technology resources.

Parents, guardians, volunteers and guests are responsible for using these resources appropriately. Parents, guardians, volunteers and guests must abide by the Acceptable Uses policy as stated in this document (Paragraph 3). If a parent, guardian, volunteer or guest is misusing the system, an administrator has the right to question the user and discipline said user as a school/community/academic issue as outlined in Wareham Public Schools District Handbook.

### **3. Acceptable Uses**

The technology resources available to Wareham Public School users are to be used for educational purposes. Technology includes all electronic and physical media, including, but not limited to, the following: computers and peripherals (such as calculators, networked computers, printers, scanners, large-screen viewers or projection devices, and science probes); software; telecommunications media (Internet, email, cable, distance learning, cell phone, and fax); Web 2.0 and social networking resources, audio-visual aides; and adaptive and assistive technologies to facilitate instruction.

Violation of this policy may result in immediate loss of use of the technology and/or disciplinary action up to and including legal action.

- Proper and respectful behavior as determined by the Wareham Public Schools or its representatives is expected at all times.
- Software and other information media, such as videos, data, and websites, are protected by copyright laws which cannot be violated.
- Plagiarism from any source, whether print or electronic media, is illegal.
- Users have the right to information as guaranteed by the First Amendment of the US Constitution; however, the school system and its representatives have the right to restrict access to or use of any information that does not apply to the approved curriculum or professional activities.
- Willful destruction and/or vandalism of any electronic or physical media, hardware or infrastructure, will not be tolerated.
- Telecommunication activities, including but not limited to Internet and intranet, must be restricted to approved curriculum or professional activities.
- Communications must not be religiously, sexually, politically or racially defamatory or abusive. Communications about sensitive topics must not be directed at person(s) when reported in educational contexts.
- Use of technology to communicate or to discuss confidential school district information must be done with caution so as to eliminate the possibility of a breach of confidentiality.
- All software and other information media, including games, must be educationally oriented.
- Privacy and respect for other people's files and communications, including email, are essential. Users will not access or attempt to access anyone else's files or communications without explicit permission of the user or otherwise outlined in this policy.
- Commercial use of Wareham Public Schools technology and Internet access is forbidden.

### **4. No Expectation of Privacy**

Wareham Public Schools technology resources are the property of Wareham Public Schools and are to be used in conformance with these guidelines. Wareham Public Schools retains the right to inspect any user's accounts and the files contained in administrative, legal, or security investigations. Users are advised that emails are regularly archived and can be retrieved. In addition, an Internet firewall logs all data moving between the local area network and the Internet and logs the sending and receiving destinations in accordance to Massachusetts law on public documents. Use of Wareham Public Schools technology resources constitutes consent for the technology staff or administration to monitor and/or inspect any files that users create, any messages they post or receive, and any web sites they access.

## **6. Passwords**

Each user shall be required to use and maintain passwords created according to software guidelines. Users must not share passwords. For each user, one password is to be used to access the Wareham Public Schools computer network and any resources that reside within the network and require password access. The users must take precautions to maintain the secrecy of their password so that other users will not be able to utilize that password for malicious purposes. If a user suspects that someone has discovered the user's password(s), the user should change the password immediately. Users are responsible for all activity under their accounts.

## **7. Website**

The Wareham Public Schools' website is established to provide a link between the Wareham Community and the Wareham Public Schools, and to share information regarding district and school events. The objective of the website is to increase the visibility and communication of the Wareham Public Schools within the community, to promote understanding, and to foster support for teaching and learning.

The website shall include information on School Committee activities, school policies, calendars and contacts. The website shall serve as an educational resource with educators having the ability to post information and provide opportunity for publication of student work, both creative and academic, within the scope of the Internet Safety Policy.

The expectations are to maintain a current webpage on district and school websites.

## **8. Internet Safety Policy**

The Wareham Public School District complies with the Child Internet Protection Act as codified by Senate 97-106, an amendment to Section 254 of the Communication Act of 1934 (47 USC 254) through the following practices and procedures:

### **A. Internet Protection Measures (include but not limited to)**

1. Careful teacher supervision
2. Use of a filtering program to ensure Internet traffic is checked to avoid access to "inappropriate sites"
3. Monitoring of student log-on procedures and Internet access
4. Teaching computer ethics and safety at all grade levels

### **B. Internet Safety Procedures**

1. The use of student likenesses and images in print and web-based publications requires prior approval. Principals are responsible to monitor this.
2. Discretion will be used when posting student names and likenesses or student work.
3. Student and faculty data is never supplied to vendors or distribution lists except as required by law.

### **C. The enclosed policies and procedures are designed to limit access by students to inappropriate subject matter on the Internet and World Wide Web;**

- assure the safety and security of students when using electronic mail, chat rooms, Web 2.0 and other forms of direct electronic communications;
- prevent unauthorized access, including so-called "hacking" "cracking", reverse-engineering, etc.
- prevent other unlawful activities online;
- prevent unauthorized disclosure, use and dissemination of personal information regarding students and adults; and
- provide measures designed to restrict students' access to harmful materials

## 9. Violations

Failure to observe these guidelines may subject users to discipline as a school/community/academic issue as outlined in handbooks. The technology department and/or administrator will notify school or organization administrators of any inappropriate activities by the users. It will also advise law enforcement agencies of illegal activities conducted through the Wareham Public School resources and will cooperate fully with local, state, and/or federal officials in any investigation related to illegal activities conducted through said resources.

## 10. Disclaimers

Wareham Public Schools make no warranties of any kind, either expressed or implied, for its technology services and resources. Wareham Public Schools is not responsible for any damages incurred, including, but not limited to: loss of data resulting from delays or interruption of service, loss of data stored on Wareham Public Schools resources, or damage to personal property used to access Wareham Public Schools resources; for the accuracy, nature, or quality of information stored on Wareham Public Schools resources or gathered through Wareham Public Schools or the Internet; for unauthorized financial obligations incurred through Wareham Public Schools-provided access. Further, even though Wareham Public Schools may use technical or manual means to limit unlawful access, these limits do not provide a foolproof means for enforcing the provisions of this policy. All provisions of this agreement are subordinate to local, state and federal statutes.

This policy is in compliance with state and federal telecommunications rules and regulations. This policy is reviewed annually in reference to new technologies and state and federal telecommunications rules and regulations.

**Legal Refs: 47 USC €254** (adopted from Massachusetts DESE and MassONE policies)

This policy is found on line at <http://warehamps.org/wp-content/uploads/2016/05/Network-Acceptable-Use.pdf>

## NON DISCRIMINATION ON THE BASIS OF GENDER IDENTITY

**Adopted, March 23, 2016**

### Introduction

The Wareham Public Schools has a commitment to maintaining an educational environment and workplace where bigotry and intolerance, including discrimination on the basis of gender identity, sex, sexual orientation or gender expression is not tolerated and where any form of intimidation, threat, coercion and/or harassment that insults the dignity of others and interferes with their freedom to learn or work is unacceptable.

The Wareham Public Schools strictly enforces a prohibition against harassment and discrimination, sexual or otherwise, of any of its students or employees by anyone including any fellow student, teacher, supervisor, co-worker, vendor, or other third party, as such conduct is contrary to the mission of the Wareham Public Schools and its commitment to equal opportunity in education and employment. The school district does not and will not discriminate on the basis of gender identity, sex, sexual orientation, or gender expression in the educational programs and activities of the public schools, and strives to create an environment where all students and staff feel safe, welcome, and included.

The Wareham Public Schools takes allegations of discrimination and harassment seriously and will respond promptly to complaints. Where it is determined that inappropriate conduct has occurred, the Wareham Public Schools will act promptly to eliminate the conduct and will impose corrective action as necessary including disciplinary action where appropriate, which may include

termination of employment or school-related discipline. The provisions of the Wareham Public Schools' Non-Discrimination Policy and Prohibition Against Sexual Harassment, Non-Discrimination on the Basis of Sex, Anti-Bullying, Bullying Prevention and Intervention Plan policies and state and federal Equal Educational Opportunities and Equal Employment Opportunity regulations and laws are incorporated as if fully set forth herein.

### Purpose

The purpose of this policy is to help create a safe and supportive environment for all students consistent with applicable laws and guidance with regard to gender identity.

### Definitions

Understanding the terminology associated with gender identity is important to providing a safe and supportive school environment for students whose rights are protected under the law. Although these are the most commonly used terms, students may prefer other terms to describe their gender identity, appearance, or behavior. The term "gender identity" is specifically defined in the MA General Laws, as amended by *An Act Relative to Gender Identity* (the gender identity law).

*Gender expression*: the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerisms.

*Gender identity*: as defined in part at G.L.c.4, Sec.7, is a person's gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth..."

*Gender nonconforming*: a term used to describe people whose gender expression differs from stereotypic expectations. The terms "gender variant" or "gender atypical" are also used.

*Gender transition*: describes the experience by which a person goes from living and identifying as one gender to living and identifying as another.

*Transgender*: an umbrella term used to describe a person whose gender identity or gender expression is different from that traditionally associated with the assigned sex at birth.

### Names/Pronouns

A student has the right to choose a name and pronoun appropriate to the student's gender identity, regardless of the student's assigned birth sex and name that appears on the student's birth certificate. Schools should accurately record and use the student's chosen name and pronoun that are consistent with the student's gender identity. Court orders are not required to update student records to reflect changes in a student's name and gender markers. Schools will work with a student and the parents/guardians of the student if they are involved in the process, or in the case of a younger student, with the student and the student's parents/guardians, to develop a plan for communicating any name and pronoun change within the school.

### Gender Transition

School personnel will speak with the student first before discussing a student's gender nonconforming or transgender status with the student's parent or guardian. If the parents/guardians are involved in the process when a student transitions, the school shall hold a meeting with the student and the parents/guardians, or in the case of a younger student with the student and the student's parents/guardians, to develop a transition plan to provide a safe and supportive educational environment for the student and to address any concerns that may arise.

### Privacy, Confidentiality, and Student Records

Under state law, information about a student's assigned birth name and sex, name change for gender identity purposes, gender transition, medical or mental health treatment related to gender identity, or any other information of a similar nature, regardless of its form, is part of the individual's student record, is confidential, and must be kept private and secure, except in limited circumstances. One circumstance is when authorized school personnel require the information to provide administrative, teaching, counseling, or other services to the student in the performance of their official duties. For transgender students, authorized school personnel could include individuals such as the principal, school nurse, classroom teacher(s), or guidance or adjustment counselor.

When a student new to a school is using a chosen name, the birth name is considered private information and may be disclosed only with authorization as provided under the Massachusetts Student Records Regulations. If the student has previously been known at school or in school records by his or her birth name, the principal should direct school personnel to use the student's chosen name. Every effort should be made to update student records (for example, Individualized Education Programs) with the student's chosen name and not circulate records with the student's assigned birth name. Records with the student's assigned birth name should be kept in a separate, confidential file.

When determining which, if any, staff or students should be informed that a student's gender identity is different from the assigned birth name and sex, decisions should be made in consultation with the student, or in the case of a young student, the student's parent or guardian. The key question is whether and how sharing the information will benefit the student.

Transgender and gender nonconforming students may decide to discuss and express their gender identity openly and may decide when, with whom, and how much to share private information. A student who is 14 years of age or older, or who has entered the ninth grade, may consent to disclosure of information from his or her student record. If a student is under 14 and is not yet in the ninth grade, the student's parent (alone) has the authority to decide on disclosures and other student record matters.

### Accessibility to Restrooms, Locker Rooms and Changing Facilities

All students are entitled to have access to restrooms, locker rooms and changing facilities that are sanitary, safe, and adequate, so they can comfortably and fully engage in their school program and activities. A transgender student (and parent) will meet with the principal to address the student's access to the restroom, locker room and changing facility. Each situation needs to be reviewed and addressed based on the particular circumstances of the student and the school facilities. In all cases, the principal will be clear with the student (and parent) that the student may access the restroom, locker room, and changing facility that corresponds to the student's gender identity.

Based upon the availability and the appropriateness to address privacy concerns, accommodations that may be offered to a student who desires increased privacy may include, but are not limited to: (a) use of a nearby private area (such as a gender neutral restroom, gender neutral changing room, nurse's restroom, or a nurse's office); (b) a separate changing schedule; or (c) use of a private area within a public area such as an area separated by a curtain or a bathroom or changing stall with a door.

### Physical Education Classes and Athletic Activities

In those instances where there are gender-segregated classes or athletic activities, including intramural and interscholastic athletics, all students must be allowed to participate in a manner consistent with their gender identity. With respect to interscholastic athletics, the Massachusetts

Interscholastic Athletic Association will rely on the gender determination made by the student's district; it will not make separate gender identity determinations.

### Dress Codes

A student must be permitted to dress in compliance with the school district's dress code in a manner consistent with the student's gender identity.

### Other Gender-Based Activities, Rules, Policies and Practices

Schools should review and evaluate all gender-based policies, rules, and practices and maintain only those that have a clear and sound pedagogical purpose. Whenever students are separated by gender in school activities or are subject to an otherwise lawful gender-specific rule, policy, or practice, students must be permitted to participate in such activities or conform to such rule, policy, or practice consistent with their gender identity.

### Education and Training

The school district shall incorporate training about transgender and gender nonconforming students into its anti-bullying and non-discrimination curriculum, student leadership training and staff professional development in order to promote a safe and supportive environment for all students and staff.

Consistent with this policy and applicable laws and guidance, the Superintendent of Schools shall promulgate administrative procedures to address steps that the school staff should take to create a culture where transgender and gender nonconforming students feel safe, supported and fully included. The administrative guidelines should, at a minimum, address the following areas: gender transition names and pronouns, privacy, confidentiality and student records, gender markers on student records, restrooms, locker rooms and changing facilities, physical education classes, intramural and interscholastic athletic activities, dress codes, and other gender-based activities, rules, policies and practices, and education and training.

Legal References: *An Act Relative to Gender Identity, Chapter 199 of the Acts of 2011; M.G.L. c.76 sec.5; Massachusetts Department of Elementary and Secondary Education "Guidance for Massachusetts Public Schools Creating a Safe and Supportive school Environment-Nondiscrimination on the Basis of Gender Identity"; Gay, Lesbian & Straight Education Network "Model District Policy on Transgender and Gender Nonconforming Students"; Cambridge Public Schools policy on Non Discrimination on the Basis of Gender Identity, 2015"*

## **OBSERVATIONS OF SPECIAL EDUCATION PROGRAMS** **Amended: February 11, 2015**

In response to the January 8, 2009 legislative amendment to G.L. c. 71B, Wareham Public Schools will, upon request by a parent, grant timely and sufficient access by parents and parent-designated independent evaluators and educational consultants (both of whom are referred to in this policy as "designees") to a child's current and proposed special education program so that the parent and named designees can observe the child in the current program and any proposed program. This policy limits the restrictions or conditions that Wareham Public Schools may impose on these observations, assuring that parents can participate fully and effectively in determining the child's appropriate educational program. Restrictions and conditions on access will only occur when necessary to protect:

- The safety of the children in the program during the observation
- The integrity of the program during the observation

- Children in the program from disclosure by an observer of confidential or personally identifiable information he or she may obtain while observing the program
- The parent and/or parent's designee must be escorted at all times during the observation

Procedure for compliance with this policy will be maintained & recorded within the Special Education Procedural Manual.

## **ONLINE INSTRUCTION: COURSES FOR STUDENTS** **Amended, March 23, 2016**

Approved online courses will be made available to secondary students (grades 8 through 12) when available and integrated in the respective school's Course of Study.

Approved online courses may be provided by an outside vendor or created by Wareham Public School educators.

All online courses are required to meet the following criteria for approval:

1. **Content.** The course(s) provide online learners with engaging and challenging learning experiences that promote their mastery of content and are aligned with the Massachusetts Curriculum Frameworks and any other appropriate approved standards both in content and measurable objectives.
2. **Instructional Design.** The course(s) use learning activities that engage students in active learning; provide students with multiple learning paths to master the content based on students' needs; reflects multicultural education and is accurate, current, and free of bias; and provide ample opportunities for interaction and communication student to student, student to instructor, and instructor to student. Course(s) will be provided in a hybrid model that includes instruction and monitoring by a highly qualified educator employed by the Wareham Public Schools.
3. **Student Assessment.** The course(s) use multiple strategies and activities to assess student readiness for and progress in course content, skills, and concepts; and provide students with feedback on their progress throughout the course.
4. **Technology.** The course(s) take full advantage of a variety of technology tools, have user-friendly interface, and meet accessibility standards for interoperability and access for all learners, including learners with special needs.
5. **Course Evaluation and Management.** The course(s) are evaluated regularly for effectiveness, using a variety of assessment strategies, and the findings are used as a basis for improvement. The course(s) are kept updated, both in content in the application of new research on course design and technologies.

All online courses will be reviewed and approved by the Director of Curriculum and Instruction in consultation with the Curriculum Integration Coordinator and the respective school principal. The review process will include evaluation of the course(s) based on the criteria listed above using a delineated rubric to be kept on file in the Office of Curriculum & Instruction.

Any courses purchased from vendors will be subject to the review criteria. Vendors will also be reviewed for viability and conformity with Wareham Public Schools technology and curriculum standards.

## **PARENTAL NOTIFICATION RELATIVE TO SEX EDUCATION** **Amended, March 21, 2012**

In accordance with General Laws Chapter 71, Section 32A, the Wareham School Committee has adopted this policy on the rights of parents and guardians of our students in relation to curriculum that primarily involves human sexual education or human sexuality issues.

At the beginning of each school year, all parents/guardians of students in our schools will be notified in writing of the courses and curriculum we offer that primarily involve human sexual education or human sexuality issues. The Superintendent of Schools will determine the administrator(s) responsible for sending the notice(s). Parents/guardians of students who enroll in school after the start of the school year will be given the written notice at the time of enrollment. If the planned curriculum is altered during the school year, to the extent practicable, parents/guardians will be notified of this fact in a timely manner before implementation.

Each such notice to parents/guardians will include a brief description of the curriculum covered by this policy and will inform parents/guardians that they may:

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

A parent/guardian who is dissatisfied with a decision of the principal concerning notice or access to instructional materials under this policy may send a written request to the Superintendent for review of the issue. The Superintendent or designee will review the issue and give the parent/guardian a timely written decision. A parent/guardian who is dissatisfied with the Superintendent's decision may send a written request to the School Committee for review of the issue. The School Committee will review the issue and give the parent/guardian a timely written decision. A parent/guardian who is still dissatisfied after the process may send a written request to the Commissioner of Education for review of the issue in dispute.

The Superintendent of Schools will distribute a copy of this policy to each principal by September 1 of each year.

## **RECONSIDERATION OF INSTRUCTIONAL RESOURCES** **Adopted, April 10, 2013**

Material that is challenged usually belongs to one of the three basic categories: religion, ideology, or profanity/obscenity. Board policies regarding these areas shall be as follows.

Religion -- Factual, unbiased material on religions has a place in school libraries.

Ideologies -- Libraries should, with no thought toward swaying reader judgment, make available a balanced collection of primary and factual material, on the level of their students on various ideologies or philosophies which exert or have exerted a strong force, either favorably or unfavorably, in government, current events, politics, education and other phases of life.

Profanity/obscenity -- Materials shall be subjected to a test of literary merit and reality in context using the criteria established.

When a problem concerning instructional resources in a school arises, the disposition of the problem will be made in a reasonable period of time using District adopted procedures.

In accordance with the statement of philosophy, no questioned materials shall be removed from the school pending a final decision. Pending the outcome of the request for reconsideration, however, access to questioned materials can be denied to the students of the parents making the complaint, if they so desire.

If the decision of the School Committee is that the questioned instructional resource be retained, the District will not convene a Review Committee relative to the same complaint for a period of three years. If a substantially different point of view is advanced, it will be investigated. (The period of three years does not apply in this instance).

If an individual or a group undertakes action to keep material from the shelves by checking it out and failing to return it, or by taking turns in keeping it checked out so that it is not available for student use, the Superintendent shall request, in writing, the return of the material. If it is not returned within thirty (30) days, a bill for the current replacement cost of the item shall be rendered to the party holding the item.

After the School Committee has adopted new materials or approved certain methods, that decision will not be reconsidered for a period of three years beginning with the end of the school year when the adoption is made.

SOURCE: MASC

### **REQUEST FOR HEARING WITH SCHOOL COMMITTEE**

**Reviewed, December 19, 2012 (no change)**

Persons requesting a hearing with the School Committee shall state in writing the subject of the hearing and convey the request to the Superintendent's Office at least seven (7) working days prior to the next scheduled School Committee meeting. This request shall be in the form of a letter addressed to the Chairperson of the Wareham School Committee with a copy to the Superintendent under separate cover.

This policy respects the rights of persons to be heard by the Committee and the right of the Committee to prepare itself for intelligent discussion of matters on its agenda. Topics discussed are subject to the Open Meeting Law, Due Process, and notice.

This policy does not preclude any person addressing the Committee from the audience under the "Public Forum" portion at the beginning of the School Committee Agenda. However, it should be understood that matters brought up in this way would normally not be acted upon until a later meeting.

The Committee will allot a reasonable period of time for each topic and then hold firmly to that time so that School Committee business can be attended to with dispatch. The time stipulated for any topic may be extended with the agreement of the Committee.

### **RESIDENCY REGULATIONS**

**Amended, October 17, 2012**

Before any student is assigned or invited to attend school in the Wareham School District, the students' custodial \* parent or legal guardian\*\* must prove legal residence in the Town of Wareham. Families whose primary residence is outside of Wareham are not eligible to attend Wareham Public Schools unless they are exempt from meeting such residency requirements pursuant to Wareham School Committee Policy.

*In accordance with MGL Chapter 76 – 5 School Attendance:*

Every person shall have a right to attend the public schools of the town where he/she 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, religion, national origin, gender identity, or sexual orientation.

Effective Immediately:

ALL APPLICANTS MUST SUBMIT A VALID MASSACHUSETTS PHOTO IDENTIFICATION CARD AND AT LEAST ONE OF THE FOLLOWING DOCUMENTS. ALL AUTHORIZED CAREGIVERS MUST PROVIDE THE COMPLETED CAREGIVER AUTHORIZATION AFFIDAVIT AND ONE OF THE FOLLOWING:

- Copy of deed or most recent tax bill and record of most recent mortgage statement (financial information may be omitted)
- Copy of lease and record of most recent rent statement
- Legal affidavit from landlord/owner affirming tenancy and copy of lease/deed and record of most recent rent payment/mortgage statement
- Section 8 agreement

Documents must be pre-printed with the name and address of the student's custodial\* parent or guardian \*\* and must be presented at the school at the time of registration.

These documents will also be required for any change of address

\* Divorced or separated parents must present a copy of an Order of the Probate Court designating physical custody of the student

\*\* Legal guardianship requires a copy of an Order of the Probate Court.

*Legal Ref: MGL Chapter 201F, sections 1-6 – Caregiver Education and Health Care Authorization*

## **RESTRAINT OF STUDENTS**

### **Adopted, December 16, 2015**

The Wareham Public Schools complies with the Department of Elementary and Secondary Education (hereinafter "DESE") regulations governing the use of restraint, which can be found at 603 CMR 46.00 et seq. (hereinafter "Regulations"). According to their terms, the Regulations apply not only at school but also at school-sponsored events and activities, whether or not on school property. A brief overview of the Regulations is provided below.

**Purpose.** The purpose of this policy is to ensure that every student attending the Wareham Public Schools is free from the unlawful use of physical restraint. Physical restraint shall be used only in emergency situations of last resort, after other lawful and less intrusive alternatives have failed or been deemed inappropriate, and with extreme caution.

School personnel shall use physical restraint with two goals in mind:

- (a) To administer a physical restraint only when needed to protect a student and/or a member of the school community from assault or imminent, serious, physical harm; and
- (b) To prevent or minimize any harm to the student as a result of the use of physical restraint.

**Use of Restraint.** Physical restraint<sup>1</sup> shall be considered an emergency procedure of last resort, and shall be prohibited in public education programs except when a student's behavior poses a threat of assault, or imminent, serious, physical harm to self or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions and/or alternatives, or such interventions and/or alternatives are deemed to be inappropriate under the circumstances. Prone restraint<sup>2</sup> is prohibited except in limited circumstances set forth in the 603 CMR 46.03. All physical restraints, including prone restraints where permitted, shall be administered in compliance with 603 CMR 46.05.

Physical restraint shall not be used:

- (a) as a means of discipline or punishment;
- (b) when the student cannot be safely restrained because it is medically contraindicated for reasons including, but not limited to, asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting;
- (c) as a response to property destruction, disruption of school order, a student's refusal to comply with a policy or directive, or verbal threats when those actions do not constitute a threat of assault, or imminent, serious, physical harm;
- (d) as a standard response for any individual student. No written individual behavior plan or individualized education program (IEP) may include use of physical restraint as a standard response to any behavior. Physical restraint is an emergency procedure of last resort.

Mechanical restraint<sup>3</sup>, medication restraint<sup>4</sup>, and seclusion<sup>5</sup> shall be prohibited in public education programs. Seclusion does not include a time-out, as defined within the Regulations.<sup>6</sup>

The Regulations do not limit the protection afforded publicly funded students under other state or federal laws, including those laws that provide for the rights of students who have been found eligible to receive special education services.

**Proper Administration of Physical Restraint.** Only personnel of the Wareham Public Schools who have received training pursuant to the Regulations shall administer physical restraint on students. Whenever possible, the administration of a restraint shall be witnessed by at least one adult who does not participate in the restraint. Nothing in this policy shall preclude a teacher, employee or agent of the Wareham Public School from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm. When administering a physical restraint, trained staff shall comply with the requirements regarding use of force, method, duration of the restraint, and safety, as set forth in the Regulations.

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<sup>1</sup> Physical restraint shall mean direct physical contact that prevents or significantly restricts a student's freedom of movement. Physical restraint does not include: brief physical contact to promote student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing comfort, or a physical escort.

<sup>2</sup> Prone restraint shall mean a physical restraint in which a student is placed face down on the floor or another surface, and physical pressure is applied to the student's body to keep the student in the face-down position.

<sup>3</sup> Mechanical restraint means the use of any device or equipment to restrict a student's freedom of movement.

<sup>4</sup> Medication restraint means the administration of medication for the purpose of temporarily controlling behavior.

<sup>5</sup> Seclusion means the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving.

<sup>6</sup> Time-out means a behavioral support strategy developed in which a student temporarily separates from the learning activity or the classroom, either by choice or by direction from staff, for the purpose of calming. During time-out, a student must be continuously observed by a staff member. Staff shall be with the student or immediately available to the student at all times. The space used for time-out must be clean, safe, sanitary, and appropriate for the purpose of calming. Time-out shall cease as soon as the student has calmed.

**Staff Training.** All school staff must receive training with respect to the district's restraint prevention and behavior support policy and requirements when restraint is used. Training shall include information on the role of various individuals in preventing restraint, the restraint prevention and behavior support policy and procedures, interventions that may preclude the need for restraint, types of permitted physical restraints and related safety considerations, and administering physical restraint in accordance with medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans applicable to an individual student.

Additionally, the school must identify specific staff that is authorized to serve as school-wide resources to assist in ensuring proper administration of physical restraint. These individuals must participate in in-depth training in the use of physical restraint and implementation of the Regulations.

**Reporting Requirements.** Program staff shall report the use of any physical restraint, as required by the Regulations. The staff member who administered the restraint shall notify the principal verbally as soon as possible and in writing no later than the next school working day. The report shall be maintained by the school and made available for review by the Parent(s) or the DESE upon request.

The principal or designee shall make reasonable efforts to inform the Parent(s) of the restraint within 24 hours of the event, and shall notify the Parent(s) by written report within three school working days of the restraint. The information in the report shall be in conformance with 603 CMR 46.06(4). The written restraint report must be provided to the Parent(s) in the language in which report cards and other necessary school-related information are customarily provided.

The Principal or designee shall review restraint data weekly to determine whether one or more students may have been restrained multiple times during the week. If so, the Principal shall convene one or more teams as deemed appropriate to assess the students' progress and needs, with the goal of reducing or eliminating the need for restraint. The Principal shall also conduct a monthly review of school-wide restraint data and take steps to reduce or eliminate the use of restraint within the school where appropriate.

All physical restraints that result in injury must be reported to DESE. In addition, the district will collect and annually report data relating to the district's use of restraints to DESE.

**Prevention of Dangerous Behavior.** As set forth in the Regulations, the Wareham Public Schools shall develop methods for preventing student violence, self-injurious behavior, and suicide, including individual crisis planning, behavior intervention plans, and de-escalation of potentially dangerous behavior occurring among groups of students or with an individual student.

**Parent Engagement.** In accordance with the regulations, the Wareham Public Schools shall engage Parents in discussions about restraint prevention and the use of restraint solely as an emergency procedure.

**Complaints.** Wareham's Administrator of Special Education is responsible for receiving and investigating complaints regarding the school district's restraint practices. If you wish to file a complaint, please contact the Administrator of Special Education at [508-291-3500 ext. 3512](tel:508-291-3500).

**Additional information,** including a copy of the regulations, can be obtained from the Office of Student Services 508-291-3500 ext. 3512. A copy of the regulations may also be obtained at [www.doe.edu/lawsregs/603cmr46.html](http://www.doe.edu/lawsregs/603cmr46.html).

## **SECURITY: VISITORS TO SCHOOL BUILDINGS**

**Amended, May 23, 2012**

In order to properly provide for the safety of students and employees, the following procedures are to be followed in all school buildings.

1. All doors shall remain locked during school hours. Security equipment must be installed in all school buildings.
2. All visitors in the school must report immediately to the main office and sign in, indicating their purpose for being in the building. Each visitor must provide a picture ID and will receive a pass that must be visibly displayed while conducting the visit. Posted at the entrance to each building will be clear, visible signs indicating the responsibility of visitors during their stay. The pass must be turned in upon leaving the building, and the visitor must sign out.
3. The principal (or designee) may deny access to any individual not directly employed in the operation of the school who does not have a valid reason for being on school property.
4. All volunteers are held to the CORI requirements policy and must conform to the Security: Visitors to School Building policy.

## **SERVICE ANIMALS**

**Reviewed, March 23, 2016 (no change)**

The Wareham School Committee does not permit discrimination against individuals with disabilities, including those who require the assistance of a service animal. The District will comply with Massachusetts law and Federal law concerning the rights of persons with guide or assistance dogs and 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 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 sight 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 individuals with mobility impairments with balance.

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

If, in the opinion of the school principal or authorized 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. The service animal can also be excluded if it presents a direct and immediate threat to others in the school. The parent or guardian of the student having custody and control of the dog will be required to remove the service animal from District premises immediately.

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 will be required to remove the animal to a different location designated by the building principal or designee and an alternative plan will be developed with appropriate district staff. Such plan could include the reassignment of the person having custody and control of the animal to a different classroom. This will also apply if an individual on school transportation suffers an allergic reaction. In this case, an alternate plan will be developed in coordination with appropriate school, district, and transportation staff including the involvement of the parents/guardian of the student.

When a student will be accompanied by a service animal at school or in other district facilities on a regular basis, such staff member or such 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 the foregoing.

The Superintendent of Schools or his/her designee shall be responsible for developing procedures to accommodate a student's use of a service animal in district facilities and on school transportation vehicles.

### **SPECIAL EDUCATION TRANSPORTATION**

**Amended: November 28, 2012**

It is the intent of Wareham Public Schools to assure full access of educational programming to all students, including those students who are limited in such access as it relates to transportation. If the Special Education Team determines that a student requires transportation that is more restrictive than what is available to the general student population, the Team will reflect the need for specialized transportation on the Individualized Educational Program. Additionally, the Team will complete the "Sped Transportation Form" indicating any special circumstances or needs in the section of the form entitled "Special Instructions". Such instructions will include but not be limited to such items as the student's ability to be dropped off at the home if no parent is present, the need for driver/monitor special medical accommodations or training, or the need for extended time for the student to transition to and from the bus because of limited mobility.

When a student's need for specialized transportation changes, the Team Chairperson will alert the building Principal and Transportation Manager of such change and will amend the Individualized Educational Plan and "Sped Transportation Form" to reflect that need.

### **STAFF ETHICS/CONFLICT OF INTEREST**

**Amended, March 23, 2016**

The school committee expects members of its professional staff to be familiar with the code of ethics that applies to their profession and to adhere to it in their relationships with students, parents, coworkers, and officials of the school system.

No employee of the committee will engage in or have a financial interest in, directly or indirectly, any activity that conflicts or raises a reasonable question of conflict with his/her duties and responsibilities in the school system. Nor will any staff member engage in any type of private business during school time or on school property.

Employees will not engage in work of any type where information concerning customer, client, or employer originates from any information available to them through school sources.

Moreover, as there should be no conflict of interest in the supervision and evaluation of employees, at no time may any administrator be responsible for the supervision and/or evaluation of an employee being directly related to him/her.

In order to avoid the appearance of any possible conflict, it is the policy of the School Committee that when an immediate family member, as defined in the Conflict of Interest statute, of a School Committee member or district administrator is to be hired into or promoted within the School District, the Superintendent shall file public notice with the School Committee and the Town Clerk at least two weeks prior to executing the hiring in accordance with the law.

### **STANDARDIZED TESTING**

**Reviewed, May 12, 2016 (no change)**

Testing is part of the educational process. Test scores can give students, parents/guardians, teachers, administrators and community members information about the educational process and individual student achievement.

Standardized achievement tests provide a uniform procedure for obtaining information relative to a variety of instructional goals such as those found in school improvement plans or the standards of the Massachusetts Curriculum Frameworks. As such they permit comparison among pupils and groups not readily afforded by other means of assessment such as teacher observation, unit tests, quizzes, class projects or student portfolios.

We recognize that standardized testing is only one criterion for evaluating a school's total educational program.

In the Wareham School District, standardized tests will be used to:

- determine at which point instruction should begin;
- keep track over time of the relative academic achievement of students and to consider learning needs accordingly;
- identify what an individual has learned and which skills need re-teaching;
- establish when a pupil needs special attention in the form of an accelerated program or remedial measure;
- generate curricular information that will suggest what is working and therefore should be continued, what should be changed, and what needs fine tuning.

### **STUDENT EXCHANGE PROGRAM**

**Reviewed, January 14, 2014 (No change)**

It shall be the policy of the Wareham School District to encourage the participation of foreign exchange students in the Wareham Public Schools. Exchange students must reside in the town of Wareham.

Said students will be allowed a tuition waiver of not more than one year provided they are being sponsored by an approved agency or other acceptable individual, are competent in English usage, carry a full class schedule with a passing grade and show evidence of an ability to contribute in a positive manner to the school environment.

Failure of the student to meet the above requirements may result in disciplinary action, including expulsion.

## **STUDENTS TRANSFERRING FROM COMMONWEALTH CHARTER SCHOOLS Adopted, June 8, 2011**

The school district will enroll and place students who have left Commonwealth charter schools by adhering to the same policies and procedures in place for any other student enrolling in the school district including, but not limited to, examination of the course of study and level of academic attainment of the student when determining the student's appropriate grade placement or eligibility for high school graduation.

To the same extent provided for other students enrolling in the school district, students who enroll in the school district from a Commonwealth charter school shall be subject to the graduation requirements of the school district, may have certain graduation requirements waived, and may make-up certain graduation requirements.

## **TRANSPORTATION EMERGENCY, SAFETY, AND CRISIS RESPONSE Amended, December 16, 2015**

In the event of an emergency, safety, or crisis situation while transporting students, the bus driver must establish immediate radio contact with the Office of Transportation or local emergency personnel as appropriate. When time allows, the bus driver should notify Dispatch/Base of the need to evacuate. The Transportation Department will then notify the school. The Operations Manager or Dispatch/Base will direct the bus driver in accordance with the emergency protocols. The Operations Manager will coordinate with the school principal the notification of the parents of the students involved.

## **TRANSPORTATION OF PERSONS REQUIRING MEDICAL ATTENTION Reviewed, December 19, 2012 (no change)**

Persons requiring transportation for medical attention who are in buildings or on grounds under the jurisdiction of the Wareham School Committee will be transported to Tobey Hospital in the ambulance provided by the Emergency Medical Technicians of the Town of Wareham. If the person is a student, every effort will be made to contact the parent/guardian or other persons listed on the emergency form on file at the nurse's office. If a parent/guardian is not available to accompany the student, a staff member will ride with the student in the ambulance.

In the event that a student is injured while participating in a school sponsored event, athletic or otherwise, outside the town of Wareham, every effort will be made to contact the parent/guardian prior to transporting except in situations where the EMT's or other medical personnel deem immediate medical attention necessary. The student will be transported by the ambulance service located in the town in which the injury occurred and taken to the nearest medical facility equipped to handle the injury. Any costs of transportation not covered by the school insurance are the responsibility of the parent/guardian.

Students will not be permitted to participate in school sponsored, athletic or otherwise, events unless the parent/guardian has signed the Wareham Public Schools Permission Slip authorizing permission to initiate medical care in the event that they cannot be reached. Authorized school personnel are required to carry the Wareham Public Schools Permission Slips authorizing treatment to each event.

## **WELLNESS PROGRAM SCHOOL DISTRICT**

### **Amended, April 10, 2013**

The School Committee recognizes the relationship between student well-being and student achievement as well as the importance of a comprehensive district wellness program. Therefore, the school district will provide developmentally appropriate and sequential nutrition and physical education as well as opportunities for physical activity. The wellness program will be implemented in a multidisciplinary fashion and will be evidence based.

#### Nutrition Guidelines

It is the policy of the school district that all foods and beverages made available on campus during the school day are consistent with School Lunch and Breakfast Program nutrition guidelines. Guidelines for reimbursable school meals will not be less restrictive than regulations and guidance issued by the US Department of Agriculture pursuant to law. The district will create procedures that address all foods available to students throughout the school day.

In regards to all beverages on Wareham Public School grounds sold to students (served outside of the school meal) during the regular and extended school day our district's guidelines will align with the Alliance for School Beverage Guidelines. The extended school day includes before and after school activities like clubs, yearbook, band, student government, drama, and children/latchkey programs. These School Beverage Guidelines do not apply to school-related events (such as interscholastic sporting events, school plays and band concerts) where parents and other adults constitute a significant portion of the audience and are selling beverages as boosters.

#### Nutrition and Physical Education

The school district will provide nutrition education aligned with standards established by the USDA's National School Lunch Program and the School Breakfast Program in all grades. The school district will provide physical education training aligned with the standards established by the U.S. Department of Education. The Superintendent or designee will monitor procedures that address nutrition and physical education.

#### Nutrition Education

- Students receive nutrition education that teaches the skills they need to adopt and maintain healthy eating behaviors.
- Nutrition education is offered in the school cafeteria as well as in the classroom, with coordination between the food service staff and other school personnel, including teachers.
- Students receive consistent nutrition messages from all aspects of the school program.
- District health education curriculum standards and guidelines address both nutrition and physical education.
- Nutrition is integrated into the health education and core curricular (e.g., math, science, language arts).
- Schools link nutrition education activities with the coordinator school health program.
- The level of student participation in the school breakfast and school lunch programs is appropriate.

#### Physical Education Activities

- Students will be given opportunities for physical activity during the school days through the integration of physical activity into the academic curriculum where appropriate or, through daily recess periods for elementary school student, and/or Physical Education for all students, elementary and secondary ages.

- Students are given opportunities for physical activity through a range of before- and/or after-school programs including, but not limited to, intramurals, interscholastic athletics, and physical activity clubs.
- Schools work with the community to create ways for students to walk, bike, rollerblade or skateboard safely to and from school.
- Schools encourage parents and guardians to support their children's participation in physical activity, to be physically active role models, and to include physical activity in family events.
- Schools provide training to enable staff to promote enjoyable, lifelong physical activity among students.

#### Other School-Based Activities

The school principals, in coordination with Cafeteria Managers and the health education teachers, are charged with developing procedures addressing other school-based activities to promote wellness.

- An adequate amount of time is allowed for students to eat meals in adequate lunchroom facilities.
- All children who participate in subsidized food programs are able to obtain food in a non-stigmatizing manner.
- Environmentally-friendly practices such as the use of locally grown and seasonal foods, school gardens, and non-disposable tableware have been considered and implemented where appropriate.
- Physical activities and/or nutrition services or programs designed to benefit staff health have been considered and, to the extent practical, implemented.

#### Evaluation

The Superintendent or designee, in coordination with school principals, will assess all education curricula and materials pertaining to wellness for accuracy, completeness, balance and consistency with the state and district's educational goals and standards. The Superintendent or designee and the District Food Manager, in coordination with school principals shall be responsible for devising a plan for implementation and evaluation of the district wellness policy and are charged with operational responsibility for ensuring that schools meet the goals of the district wellness policy. The Superintendent will report to the School Committee annually.

Ref: Nutrition Standards in the National School Lunch and School Breakfast Programs, January 2012

## **1. FEDERAL AND STATE LAW CITATIONS**

**June 2006**

Wareham Public Schools ensures compliance with all Federal and State Laws and regulations including:

**Title VI of the Civil Rights Act of 1964** – Discrimination on the basis of race, color, and national origin

**Title VII of the Civil Rights Act of 1964** – Discrimination in employment

**Title IX of the Education Amendments of 1972** – Discrimination based on sex

**Section 504 of the Rehabilitation Act of 1973** – Discrimination based on disability

**Age Discrimination Act of 1975** – Discrimination based on age

**American Disabilities Act of 1990** – Discrimination based on disability

**Individual Disabilities Education Improvement Act of 2004 (I.D.E.A.), Part B § 34 CFR 300**

**Massachusetts General Law C. 76 § 5** – Discrimination based on race, color, sex, religion, national origin, gender identity, or sexual orientation

**Massachusetts General Law C. 119 § 51A** – Child/abuse neglect

**Massachusetts General Law C. 151B** – Discrimination in employment

**Massachusetts General Law C. 151B § 4** – Prohibition of sexual harassment

**Massachusetts General Law C. 151C** – Fair Education Practices Act – prohibition of sexual harassment

**Massachusetts General Law C. 214 § IC** – Right of freedom from sexual harassment

**Massachusetts General Law C. 12 §11H and I** – Prohibition of threats, intimidation and coercion in violence of civil rights

**Massachusetts General Law C. 265 § 37** – Use of force for threat of force or in violence of civil rights

**Massachusetts General Law C. 265 § 39** – Assault and battery or damage to property for the purpose of intimidation

**Massachusetts General Law C. 291** – Sex Education

**Family Education Rights and Privacy Act of 1974** – Right of privacy of educational records

**Massachusetts General Law C. 71 § 57** – Physical examinations are required at intervals designated by the School Committee

**Massachusetts Educational Reform Act of 1993** – School councils

**Massachusetts General Law C. 76 § 16** – Exclusion of students from school

**Massachusetts General Law C. 76 § 17** – Expulsion

**Massachusetts General Law C. 15A § 39** – Dual Enrollment

**Massachusetts General Law C. 71 § 37H** – Weapons, drugs and alcohol

**Massachusetts General Law C. 150 § 37 H** – Possession of dangerous weapons

**Massachusetts General Law C. 268 and 269 § 32** – Interference or tampering with police or fire signal system; false alarms

**Massachusetts General Law C. 269 § 17 and 18** – Hazing

**Massachusetts General Law C. 71 § 34 H** – Rights of non-custodial parents/guardians

**Massachusetts General Law C. 71, § 34A, 34B, 34E, and C. 71B § 13** – Rights of confidentiality, inspection amendment and destruction of student records

**Massachusetts General Law C. 150 § 10, C. 269, § 10, C. 648, C. 71, § 37L** – Weapons

**Massachusetts General Law C. 71. § 37H ½** – Felony complaint or conviction of student; suspension, expulsion, right to appeal

**603 CMR 28.00** – Massachusetts Special Education Regulations

**603 CMR 23.00** – Student Records

## Wareham Public Schools Administrative Contact List

### School Committee

Mr. Melvin Lazarus - Chair  
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### **Superintendent of Schools**

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### **Director of Curriculum & Instruction**

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### **Business Manager**

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**District Manager of Facilities and Transportation**

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**Administrator of Special Education:**

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**Principals:**

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Mrs. Joan Seamans  
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**Title IX Building Coordinators:**

TBA  
School Psychologist  
Wareham High School  
508-291-3510

Sandi Ponte  
Assistant Principal  
Wareham Middle School  
508-291-3550

TBA  
Assistant Principal  
John W. Decas Elementary School  
508-291-3530

Marc Bell  
Assistant Principal  
Minot Forest Elementary School  
508-291-3555

**Section 504 Building Coordinators:**

Charlene Dineen, Christine Cinelli  
Steven Rumbolt, Henry St.Julien  
Deans of Each Class  
Wareham High School  
508-291-3510

Sandy Ponte & Daniel LeFavor  
Assistant Principals  
Wareham Middle School  
508-291-3550

TBA  
Assistant Principal  
John W. Decas Elementary School  
508-291-3530

Denise Tobin  
Assistant Principal  
Minot Forest Elementary School  
508-291-3555

**SCHOOL CALENDAR  
2016-2017**

|                              |   |
|------------------------------|---|
| August 22 & August 23, 2016  | NEW Staff Orientation                   |
| August 24 & August 25, 2016- | STAFF INSERVICE                         |
| August 29, 2016 -            | First Day - Schools Open                |
| September 6, 2016-           | First Day - Kindergarten/PreSchool Open |

**HOLIDAYS AND VACATIONS:**

|   |           |                           |
|---|-----------|---------------------------|
| NO SCHOOL – Friday, September 2, 2016   | August    | 3 Days                    |
| <b>Labor Day</b> – September 5, 2016  |           |                           |
| <i>Early Release Day - Tuesday, September 13, 2016</i>                                      | September | 20 Days                   |
| <i>Early Release Day – Tuesday, October 18, 2016</i>  | October   | 20 Days                   |
| <b>Columbus Day</b> - October 10, 2016  |           |                           |
| STAFF INSERVICE – Tuesday, November 8, 2016 (All Cape In-service)                           |           |                           |
| <b>Veterans Day</b> - November 11, 2016   |           |                           |
| <b>Thanksgiving Recess</b> - Schools Close November 23, 2016 Half-day                       |           |                           |
| Schools Open November 28, 2016  | November  | 18 Days                   |
| <i>Early Release Day - Tuesday, December 6, 2016</i>  |           |                           |
| <b>Christmas Vacation</b> - Schools Close December 22, 2016<br>at the end of the school day | December  | <u>16 Days</u><br>77 Days |

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|  |          |                |
|--|----------|----------------|
| <b>New Year’s Day</b> – January 1, 2017 <b>Holiday</b> Monday, January 2, 2017         |          |                |
| Schools Open Tuesday, January 3, 2017  |          |                |
| <b>Martin Luther King’s Birthday</b> - January 16, 2017                                | January  | 20 Days        |
| <i>Early Release Day - Tuesday, February 14, 2017</i>                                  |          |                |
| <b>February Vacation</b> -Schools Close February 17, 2017 at the end of the school day |          |                |
| Schools Open February 27, 2017   | February | 15 Days        |
| <i>Early Release Day – Tuesday, April 4, 2017</i>                                      | March    | 23 Days        |
| <b>Good Friday</b> – April 14, 2017  |          |                |
| <b>April Vacation</b> -Schools Close April 13, 2017 at the end of the school day       |          |                |
| Schools Open April 24, 2017  | April    | 14 Days        |
| <i>Early Release Day – Tuesday, May 2, 2017</i>  |          |                |
| <b>Memorial Day</b> - May 29, 2017   | May      | 22 Days        |
| <u>Graduation Day</u> - June 9, 2017 (rain date June 10, 2017)                         |          |                |
| Schools Close June 20, 2017; half day for all schools                                  | June     | <u>14 Days</u> |
| *5 snow days included, deduct for each day not used                                    |          | * 185 Days     |

*MCAS Retests High School: ELA November 2-4, 2016; Math November 9 & 10, 2016*  
*MCAS Test High School Biology February 6 & 7, 2017*  
*MCAS Retests ELA and Mathematics March 1-8, 2017*  
*MCAS Test ELA Grade 10 March 21-April 3, 2017*  
*MCAS Test Elementary & Middle Schools Gr.3-8 April 3-May 26, 2017*  
*MCAS Test Math Grade 10 May 16 & 17, 2017*  
*MCAS Tests Science & Technology High School June 5 & 6, 2017*

**State Primary September 8, 2016; Presidential Election November 8, 2016; Town Election April 4, 2017**  
**Vacations may be cancelled or shortened if multiple school days have to be made up.**

**Approved by School Committee: March 9, 2016; Amended May 25, 2016**