



# **Freetown-Lakeville Middle School Student Handbook 2020 – 2021**

**Freetown-Lakeville Middle School  
Grades 6-8**

96 Howland Road  
Lakeville, MA 02347  
(508) 923-3518  
FAX (508) 946-2050

**Mr. John E. Higgins, Principal**  
**Mr. Bryan Oliveira, Assistant Principal**  
**Web Address: [www.freelake.org](http://www.freelake.org)**

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# FREETOWN-LAKEVILLE PUBLIC SCHOOL DISTRICT INFORMATION

## CENTRAL ADMINISTRATION

98 Howland Road  
Lakeville, MA 02347  
508 923-2000  
FAX: 508 923-0934

Superintendent of Schools:	Mr. Richard Medeiros	508 923-2000
Director of Curr., Inst., Assess. :	Dr. Patricia Gablinske	508 923-2000
Director of Finance:	Ms. Kara Lees	508 923-2000
Director of Student Services:	Ms. Elizabeth Kurlan	508 923-2000
Food Services Director:	Ms. Andrea Fay	508 947-2660

## SCHOOL COMMITTEE MEMBERS

Chairperson:	Mr. Steve Owen	<a href="mailto:sowen@freelake.org">sowen@freelake.org</a>
Vice Chairperson:	Ms. Jean Fox	<a href="mailto:jfox@freelake.org">jfox@freelake.org</a>
Member:	Mss. Sherri Barron	<a href="mailto:sbarron@freelake.org">sbarron@freelake.org</a>
Member:	Mr. Robert Clark	<a href="mailto:rclark@freelake.org">rclark@freelake.org</a>
Member:	Ms. Jennifer Blum	<a href="mailto:jblum@freelake.org">jblum@freelake.org</a>
Member:	Ms. Laura Ramsden	<a href="mailto:lramsdn@freelake.org">lramsdn@freelake.org</a>
Member:	Mr. Stephen Sylvia	<a href="mailto:ssylvia@freelake.org">ssylvia@freelake.org</a>
Member:	Mr. Will Seinkewicz Jr.	<a href="mailto:wseinkowicz@freelake.org">wseinkowicz@freelake.org</a>

## **ABOUT FREETOWN-LAKEVILLE MIDDLE SCHOOL**

### **FLMS Team**

#### **Administration**

Principal	Mr. John Higgins	<a href="mailto:jhiggins@freelake.org">jhiggins@freelake.org</a>
Assistant Principal	Mr. Bryan Oliveira	<a href="mailto:boliveira@freelake.org">boliveira@freelake.org</a>

#### **Guidance Department & Department Leaders**

Adj. Counselor	Mr. Charles Mrosk	<a href="mailto:cmrosk@freelake.org">cmrosk@freelake.org</a>
Grade 6 Counselor	Mr. Ralph Hunnewell	<a href="mailto:rhunnewell@freelake.org">rhunnewell@freelake.org</a>
Grade 7 Counselor	Mrs. Tristin Jolly	<a href="mailto:tjolly@freelake.org">tjolly@freelake.org</a>
Grade 8 Counselor	Mrs. Susan Toolin	<a href="mailto:stoolin@freelake.org">stoolin@freelake.org</a>
School Nurse	Mrs. Karyn Croce	<a href="mailto:kcroce@freelake.org">kcroce@freelake.org</a>
School Resource Officer	Off. Val Bartholomew	<a href="mailto:vbartholomew@freelake.org">vbartholomew@freelake.org</a>

#### **Student Handbook Committee Members**

Assistant Principal - Bryan Oliveira	Staff Representative – John Alves
Parent Representative - Lisa Gallagher	Staff Representative – Stefanie Hoffer
Staff Representative – Eryn Daigle	Staff Representative – Catherine Sheedy

### **FLMS Mission**

The mission of Freetown – Lakeville Middle School is to help each student develop into a respectful, responsible, and resilient individual, while acquiring the knowledge and skills to become a positive and active contributor to society.

### **FLMS Core Values, Beliefs, and Learning Expectations**

#### **Respect**

We will promote and encourage positive behavior, accountability, and respect for oneself, for others, and for our school.

#### **Responsibility**

We will empower all members of the school community to be accountable for their actions and work hard to attain success.

#### **Resilience**

We will foster a learning environment in which all members of the school are encouraged to be strong in the face of adversity and to persevere.

## SY20-21 Bell Schedule

Times	Classes
7:45 - 7:55 (10 minutes)	Advisory
7:58 - 8:42 (44 minutes)	Period 1
8:45 - 9:32 (47 minutes)	Period 2
9:35 - 10:19 (44 minutes)	Period 3
10:22 - 11:06 (44 minutes)	Period 4
Period 5 11:09 - 12:25	
11:09 - 11:29 (20 minutes) 1st lunch	11:32-12:25 (53 minutes)
11:09 - 11:34 (25 minutes)	11:37-11:57 (20 minutes) 2nd lunch 12:00 - 12:25 (25 minutes)
11:09 - 12:02 (53 minutes)	12:05-12:25 (20 minutes) 3rd lunch
12:28 - 1:15 (47 minutes)	Period 6
1:18 - 2:05 (47 minutes)	Period 7
<b>Dismissal 2:05</b>	

### ROTATION OF SCHEDULE & LUNCHESES

Period	Day 1	Day 2	Day 3	Day 4	Day 5	Day 6	Day 7
1	A	G	F	E	D	C	B
2	B	A	G	F	E	D	C
3	C	B	A	G	F	E	D
4	D	C	B	A	G	F	E
5	E	D	C	B	A	G	F
1st Lunch	7	6	6	6	7	6	6
2nd Lunch	8	7	7	8	8	7	8
3rd Lunch	6	8	8	7	6	8	7
6	F	E	D	C	B	A	G
7	G	F	E	D	C	B	A



## School Hours

The official school day is 7:45 am – 2:05 pm. The building is open to students at 7:15 am. Students should not enter the building before this time unless they have permission and should not be dropped off prior to 7:15 AM. Students should remain in the school lobby until the school bell rings. When school is in session, the main office is open from 7:30 AM to 3:30 PM. (vacation periods – 7:30 AM to 2:30 PM). Supervision of students ends when the office closes at 3:30.

## Cancellation, Early Dismissal, or Delayed Opening of School

Although it is difficult to guarantee an exact time when no school announcements will be made, FLMS cancellations are usually broadcasted between 5:30 am to 6:00 am. The following carry No School Announcements for Freetown-Lakeville Regional Schools, which includes FLMS:

**OneCall Notification System** – a telephone message to home/cell phone on file

### Radio Stations:

- Boston WBZ 1030 AM, WHDH 85 AM
- Fall River WSAR 1480 AM
- New Bedford WNBH 1340 AM
- WBSM 1420 am
- WRKO 680 AM

### Television Stations:

- Ch. 4 WBZ
- Ch. 5 WCVB
- Ch. 6 WLNE
- Ch. 7 WHDH
- FOX 25

### Online:

- [www.freelake.org](http://www.freelake.org)
- [www.cancellations.com](http://www.cancellations.com)

Sometimes school is delayed, rather than cancelled. FLMS students officially enter each morning at 7:45 am; therefore, an hour delay would mean an entering time of 8:45 am, a 1.5 hour delay would mean an 9:15 am entering time and a two hour delay 9:45 am. No matter what the delay, FLMS will still dismiss students at the regular 2:05 pm time. In instances of an emergency or inclement weather, the Superintendent may decide to dismiss early on a given day. The same radio and TV stations will be contacted. The message will be: "All schools of the Freetown-Lakeville Regional School District will be dismissing early." All families should have an early dismissal contingent plan. Please see previous pages for visual representation of delay schedules. The middle school office, during such emergencies, has regular contact with the elementary schools to see that all buses drop off the middle school passengers and arrive safely at Lakeville and Freetown elementary schools.

## Attendance and Dismissal Guidelines

### Attendance Policy

The final plan to increase student learning time was approved by the Massachusetts Board of Education, stating that by September of 1998, all elementary school students shall receive a minimum of 900 hours of structured learning time, and secondary school students shall receive 990 hours.

Attendance in school is required of all children from ages 6 through 16. A note, signed by the student's parent or legal guardian, is required for each day or group of successive days that the student is absent from school. The note is expected the day the student returns. If there is no note after the fourth day that the student returns to school, appropriate action will be taken. Students have two calendar days for each day of absence to make up work/tests.

***Massachusetts statute indicates that no student should be absent from school without a valid excuse, within a six month period, for more than 7 school days.***

It is the belief of the staff of Freetown-Lakeville Middle School (FLMS) that regular and punctual attendance is essential for every student. Active participation in the learning process is a crucial component to academic success, what is missed in the classroom cannot be made up for by sending home make-up work. At FLMS we promote the core values of respect, responsibility and resiliency, which are key characteristics of students who have good attendance and are successful academically. We hope all our FLMS families support and follow these values.

### Tardiness

It is expected that all students will arrive at school on time. If a student arrives after 7:45 am she/he is tardy and must stop at the main office and obtain a pass. A written note will be required for all tardies. Students who have more than three unexcused tardies per term will be assigned a consequence for the 4<sup>th</sup> and subsequent unexcused tardies. Only a building administrator can excuse a tardy. When the student is tardy, it is the student's responsibility to get work they have missed. Extra make-up days are not granted for work that is not passed in on time due to tardiness.

### Absences

If it is necessary for a student to be absent, the parent or legal guardian should call the school before 9:00 am at (508) 923-3518, and leave a message on the Absentee Line. In cases of all absences, a written note is to be presented to the main office within two (2) school days of the student's return from an absence. A note from the parent informs the school that the student was not truant.

The note must list the following:

- The student's full name
- The date(s) and reasons for the absence(s)
- Parent/Guardian and/or physician signature

*Please note:*

- If the student is under the care of a physician, a doctor's note must be presented to the school nurse the day the student returns to school.
- On the 3<sup>rd</sup> day of your child's excused absence, you may request homework only. Call the main office by 9:00 on the morning of the third day of an excused absence and homework will be

available that day after 2:10 in the office. Students have 2 calendar days to make up work (2 calendar days per 1 day of absence). If a student is absent and has NOT picked up homework, it is the student's responsibility to get all homework and classwork on the day s/he returns to school.

## **Vacations**

We strongly discourage any students from missing school due to a family vacation while school is in session. In the case of family vacations, which do not constitute an excused absence, no school work will be assigned for students to take with them while on vacation. Work missed due to a vacation will need to be made up upon the student's return to school.

In the event a student is staying with another adult during a parent/guardian absence, the school should be contacted with the emergency information and telephone numbers. If a change in bus is required, there must be a bus note written in advance with prior approval from the bus company.

## **Absence Notification Program**

Pursuant to M.G.L. c. 76, § 1b parents will be notified by phone if their son or daughter is absent from school. In addition, if a student has missed 5 or more full school days within a term, the following will occur:

1. A notification will be sent home informing the parent/guardian of the dates of absences.
2. The principal or designee will make contact with the appropriate staff members (nurse, guidance counselors, and secretaries, administrators) to verify the dates/reasons for said absences (if there is documentation).
3. The principal or designee will make contact with the parent/guardian in order to make an appointment or to gather information regarding said absences. An internal tracking form will be filled out and filed by the principal/designee.
4. The administration may file with the courts a "Child Requiring Assistance" (CRA) application in order to help reengage the student. - M.G.L. c. 119, § 21

## **Dismissals**

Students needing to be dismissed during school must present a note to the main office during the homeroom period. The note must include the student's full name, reason for dismissal, date and time of dismissal, and a telephone number where the parent/guardian can be reached if necessary. When a student is to be dismissed, the parent/guardian must come into the office and sign the student out. At the time of the requested dismissal, the student should report to the office to be signed out. Students must attend school for three hours to receive credit for a full school day. **To avoid unnecessary disruption of classroom time, students being dismissed without a note to the office in the morning will only be called after the parent or guardian has arrived at school for dismissal.**

## **Academic Information**

### **Academic Integrity**

We believe that the fundamental values of honesty, trust, fairness, respect, and responsibility are essential elements in all work produced by our students. The administration and staff strongly believe that all work presented by a student should be an honest product of the student's own effort, intellect, and creativity. Academic integrity is a constant standard within our school's overall learning process, as students strive to become respectful, responsible and resilient members of society. Any form of dishonesty, cheating, or plagiarism violates academic integrity. As a staff, we will address and pursue, with students and parents, issues involving academic integrity.

Violations of this standard include, but are not limited to:

1. Copying another student's test paper or any other school assignment.
2. Using material during a test or when writing a paper which is not authorized by the person giving the assignment. This includes but is not limited to all types of electronic devices.
3. Collaborating with another student during a test or assignment without teacher consent.
4. Knowingly using, giving, buying, selling, stealing, transporting or soliciting, in whole or in part, the contents or answers of a test or other assignment.
5. Substituting for another student or permitting another student to substitute for one's self to take a test or complete an assignment.
6. Submitting a paper you have received a grade for in another class.

Plagiarism is the unethical quotation of another's words or the unethical use of another's ideas or data in such a way that they conclude they are your own words, ideas, or data.

Plagiarism includes but is not limited to:

1. Quoting or paraphrasing another person's words, ideas, opinions, designs or theories without appropriate citations.
2. Using any facts, statistics, graphs, or drawings that are not common knowledge without appropriate citations.
3. Submitting another person's work (borrowed, bought, or downloaded) as your own.
4. Copying, tracing or downloading another student's artwork or design and submitting it as original work.

When using the Internet as a source, the same rules apply. Copying visual information or graphics from an Internet site is similar to quoting information. All Internet sources must be cited.

As a staff we will address with students and parents issues involving academic integrity. As such, any FLMS student who is found to have violated the integrity policy will:

- Receive a zero for the entire work and the assignment may not be redone or substituted.
- Have their parents contacted by the teacher.
- Have their name reported to the National Junior Honor Society.

### **Make-Up Work**

For each day absent, students are allowed two calendar days to complete all missed work. For example, if a student is absent for 3 days, he/she has 6 calendar days to make up their work. No incomplete mark

will be carried on the record for more than two (2) weeks following the completion of a term. If a student does not make up his/her work in this time, the grade will be calculated with a zero given for each missing assignment.

## **Grades and Incompletes**

All students must carry seven (7) courses per term. All courses will be graded four times a year on a term basis. For the final grade, the four terms each count equally for  $\frac{1}{4}$  of the total. On rare occasions an "incomplete" will be assigned as a grade. An incomplete grade may only remain for two weeks from the issuance of report cards unless permission from the principal states otherwise.

## **Grade Release Schedule 2020-2021**

The following are Term dates for FLMS' 2020-2021 School Year. Snow days/school cancellation will only impact Term 4. Term 1-3 dates are firm. Teachers will post "Grade Updates," through the portal, as indicated below.

Term 1 Grades Close 11/06/20

Term 2 Grades Close 01/22/21

Term 3 Grades Close 04/09/21

Term 4 Grades for 8 Close on 06/14/21 \* subject to change

Term 4 Grades for 6 and 7 Close 06/18/21\* subject to change

The following is a complete Grade Update and Term Grade Release schedule.

1.1 on 9/25

1.2 on 10/09

1.4 on 10/23

Qtr. 1 Grades Close on 11/06 and will be pulled by Guidance by 2:00 pm on 11/10

Qtr. 1 Report Cards Posted on 11/13

2.1 on 11/20

2.2 on 12/04

2.3 on 12/18

2.4 on 01/08

Qtr. 2 Grades Close on 01/22 and are submitted to Guidance by 2:00 pm on 01/27

Qtr. 2 Report Cards Posted on 01/29

3.1 on 01/29

3.2 on 02/12

3.3 on 03/05

3.4 on 03/19

3.5 on 04/02

Qtr. 3 Grades Close on 04/09 and are submitted to Guidance by 2:00 pm on 04/13

Qtr. 3 Report Cards Posted on 04/15

4.1 on 04/30

4.2 on 05/14

4.3 on 05/28

4.4 on 06/11

Grade 8 Qtr. 4 Grades Close on 06/14

Grade 6 and 7 Qtr. 4 Grades Close on 06/18

Qtr. 4 and Final Grades for 6th, 7th and 8th Grade Students will be posted on 06/18

## Report Cards

Updated grades are posted to the Parent Portal on a semimonthly basis throughout the school year. Report cards are posted to the portal at the end of each term. Parents are encouraged to call or email teachers with any questions about their student's progress.

1. The student's final report card will be available on the last day of school and can be located on the Parent Portal. Parents should contact the office for information. Final report cards will not be mailed home.
2. Students duplicate records may be destroyed 48 hours after promotion or transfer unless parents request them.

## Honor Roll

The honor roll consists of students that have met high academic achievement standards. It is created when report cards are issued. There are two categories of academic honors:

### High Honors

All A's in ALL classes

### Honors

All A's and B's in ALL classes

## Parent Conferences

A very important part of a school program is parent-school communication. Conferences may be arranged with any classroom teacher, team of teachers, and/or administrator. Parents may request a conference by calling the office at 508-923-3518 or 508-763-8717 and entering the teacher's extension, or by emailing the teacher directly. Teachers may also request conferences when they feel it is necessary.

## Promotion Requirements

Promotion, assignment, and retention of students are based on recommendations from faculty and administration concerning each individual student. A basic standard, however, is used as a guide during the decision-making process. The failing of two or more subjects including math, language arts, science, and social studies could mean the retention of a student.

If a student is retained, the student may qualify for summer school (minimum of 40 class hours per subject) or tutoring (20 tutorial hours per subject – for IEP and 504 students only). A grade of C- or better in Summer school or from the tutor must be earned to be considered for advancement to the next grade level. Promotion is the earning of going to the next grade level from efforts during the normal school year and/or an extended school year. Assignment is being sent on to the next grade level or by meeting specified criteria set by the administration (e.g. special education referral and assistance).

## National Junior Honor Society

### Selection Procedures for NJHS

1. Seventh grade students achieving high honors for the first two terms are eligible for nomination to the N.J.H.S. during the last term of grade seven.  
*A student receives high honors for earning all A's in all classes and all 1's and 2's in conduct and effort.*
2. Students must submit a brief essay (no more than two pages) explaining why they should be considered for membership with regards to service, leadership, character, and citizenship.
3. Students must submit the acceptance letter with required signatures, along with their essay, no later than one week prior to the induction ceremony.
4. All deadlines are firm

## Character Education

CARE (Children Acting Responsibly Every Day) is a character education program at FLMS. Students who demonstrate our school's core values of Respect, Responsibility, and Resilience are recognized.

## Remote Learning

Remote Learning, also known as Distance Learning, takes place when pupils and educators or support providers are joined across time and distance to learn rather than meeting in a traditional on-campus classroom setting. This type of learning can occur synchronously or asynchronously and meets the needs of varying schedules and learning styles. Remote learning includes a wide variety of learning opportunities such as:

- Video demonstrations/lectures
- Audio-based demonstrations/read-alouds
- Interactive projects
- Large and small group video or audio conference calls
- 1:1 phone or video calls
- Group/cooperative work
- Independent assignments
- Program supported learning (ex. Edulastic)

When FLMS activates a remote learning plan, the plan, as well as its start and end dates, will be published and will be subject to change. The plan will include length of school days, length of school weeks, and specific academic and social requirements for students. The purpose of remote lessons and assignments is to maintain connections with our students, to engage our students in deeper learning, and to provide students with opportunities to show their understanding of academic material.

Students must be aware of the following:

- Engagements in remote lessons/assignments/meetings/classes is required per the specific remote learning plan.

- Behavior in school-sponsored remote lessons, assignments, classes and gatherings - such as Google Meets - must be in accordance with expectations for on-campus learning.
- All school rules and disciplinary consequences, including those related to Academic Integrity, remain in place and are enforced during periods of remote learning.

## **Student Services**

Freetown-Lakeville Middle Schools offers a range of supports and services for all students. Below you will find detailed information about these programs.

### **Guidance**

It is the policy of the Freetown and Lakeville Public schools and the Freetown and Lakeville Regional School District to provide a full array of services for students, wherever possible, through the utilization of both internal and external support resources, in order to promote academic, social and emotional growth and wellbeing.

### **Social-Emotional Counseling and Referrals**

In those cases where individual students are at-risk or in crisis, we will endeavor to provide needed supports to address the student's problem and to normalize, insofar as possible, the student's learning situation. In those cases where a crisis occurs within the school community, we will address those problems and issues raised by that crisis among the students, staff and parents. Occasionally counselors are confronted with student problems that may be best addressed by assistance from specialized outside agencies. In these cases, counselors will connect students and families with outside agencies.

### **Academic Counseling**

Each grade is assigned a counselor who will remain with that class throughout their time at FLMS. For the 2020-2021 school year, the 6th grade will be assigned Mr. Hunnewell, the 7th grade will be assigned Mrs. Jolly, and the 8th grade will be assigned Mrs. Toolin. Although each class has a counselor who is assigned, a student can see any counselor that is available if necessary. Mr. Mrosk is the adjustment counselor assigned to all students within the building.

Each student has at least one conference a year with his/her counselor, although a majority of students are seen more often. Most counseling is done on an "as needed" basis with referrals coming from administrators, teachers, parents and students. Classroom guidance meetings are held at various times of the school year to provide information about options after middle school and various social-emotional topics. Counselor facilitated meetings with faculty members and parents are held regularly for the exchange of ideas and information about students who are underachieving or experiencing academic or personal problems.

### **Grade Level Teams**

Freetown-Lakeville Middle School utilizes the Team Educational Model. Each grade is divided into two teams and the students on those teams share the same academic teachers. This is done as a means of easing the transition for students from the elementary model (one primary teacher) to the eventual high school model where students change classes and move throughout an entire building. As such, we understand that there may be instances where the parent/guardian would like input into the academic placement of your child. We solicit and accept parent requests for each school year, which must be



stated in writing and supported by sound educational reasons. All requests will be considered, but all decisions will be based upon providing each child with the best learning environment. Students are not allowed to switch teams once assignments are final.

## **Enrollment**

In order to enroll a student, the following information must be provided:

1. Proper documentation of residency. For details contact Doreen Costa, guidance secretary, at 508-923-3518 x 2180 or [dcosta@freelake.org](mailto:dcosta@freelake.org)
2. Complete immunization and/or medical records
3. Complete academic and discipline records from the sending school

***A student may be excluded from school if this information is not provided.***

## **Nurse**

A registered nurse is on duty in the building during the school day. He/she is concerned with the injuries and illnesses which occur in the school building or while traveling to and from school. The parent or family physician should take care of injuries that occur at home. Students who become ill or are injured should report to the health room. Occasionally, the nurse may feel it is advisable that a student go home immediately. In such a situation, the nurse will notify the parent or designee. Responsibility for transporting ill students rests with the student's family. In the event of serious illness or injury, an ambulance will be called. Students are not to call home because of illness, and they are not to leave the building because of illness without first reporting to the nurse. Telephone calls to the students' homes reporting illness are to be made by the school nurse or from the health room, by the student, with the permission of the school nurse. Only those persons noted on the Blue Health Form will be called.

**Phone:** 508-923-3518 x ext. 2142

**email:** [kcroce@freelake.org](mailto:kcroce@freelake.org)

## **Sickness**

Students with severe colds, fever or other contagious ailments should not come to school. After a three day (or more) absence due to illness, the student should report to the nurse with the excuse for being absent.

## **Medication**

Medication: Massachusetts State Law (G.L.C. 112, Sections 6 and 7) prohibits the administration of any medication in school or during a school-sponsored event without the consent of a licensed physician and written parental consent. No medication will be given until a written order from a physician is received by the school nurse. Any medication, which is to be taken during school hours, must be left with the nurse in the health room. A signed doctor's order must be on file in the health room before administration of the drug. Medications should be in a pharmacy or manufacturer labeled container with the student's name, doctor's name, name of the drug, prescription number, pharmacy, dosage and time to be administered.

The Freetown Lakeville Regional School District physician has provided standing medical orders for the school nurses to administer ibuprofen, acetaminophen, or TUMS to students who may require it during the school day. Your written consent is required before your child can receive these medications at school, this form can be found on the FLRSD website. Should your child require more

than 2 doses of medication per week, or need a higher dose than the school physician ordered, you will be required to obtain written authorization from your child's health care provider and provide it to the school nurse. Parents must renew their consent in writing each year.

### **Self-Administered Medication**

With a physician's order and with parental consent on file and with permission of the nurse. Epipens, inhalers, and cystic fibrosis enzymes may be self-administered by students.

### **Physicals**

Physical exams are required of all seventh grade students and of all new students. A parent has the option to have the family doctor perform the physical or have a school physical done.

### **Immunization**

All children in Massachusetts public schools must be immunized as provided in MA law. Medical contraindications to vaccination are very rare and usually temporary. If a child in school has a medical exemption to vaccination, it must be updated by the child's health care provider at the beginning of every school year.

MA law does not allow for philosophical exemptions to vaccination. The only other exemption to childhood vaccination allowed in MA public schools is if vaccination is against the parent(s)' sincerely held religious beliefs. A letter stating such violation of the parent(s) religious beliefs must be present in the child's medical file. Starting in school year 2018-2019 new regulation state that the parent must update this letter at the beginning of each school year.

Children who are not properly vaccinated, for whatever reason (medical or religious), are required by law to be excluded from school attendance should there be an outbreak of any disease for which they are not properly immunized.

For information contact the school nurse as regulations are updated frequently or see the link below from the Massachusetts Department of Health:

<http://www.mass.gov/eohhs/gov/departments/dph/programs/id/immunization/school-requirements.html>

### **Vaccinations**

"In the absence of an emergency, epidemic or disease declared by the Department of Public Health, no child whose parent or guardian states, in writing, that vaccination or immunization conflicts with his sincere religious beliefs shall be required to present said physician's certificate in order to be admitted to school." - M.G.L. c. 76, § 15.

### **Screening**

The school nurse will conduct screenings in accordance with MA general laws, chapter 71, section 57 including such programs as height, weight, body mass index, hearing, vision, postural screening and SBIRT. If a parent feels his or her child cannot participate in a particular screening, he/she must contact the school nurse in writing. Medical exams will be conducted with the cooperation of the school physician.

## Graduated Reentry Plan

The Freetown Lakeville School District, in compliance with the state concussion regulations, requires that all students returning to school and athletics after a concussion have a written plan for reentry. School staff, such as teachers, school nurses, counselors, administrators, speech-language pathologists, coaches and others should work together to develop and implement this plan in coordination with the student, their parent/guardian and the primary care provider. Copies of all graduated reentry plans will be kept in the student's medical record in the school nurse's office. A copy of the graduated academic reentry plan will also be kept in the student's guidance folder. A copy of the graduated return to athletic plans will be kept in the athletic trainer's (if appropriate) office.

Graduated return to academic plans are based on the knowledge that students who return to school after a concussion may need to:

- Take rest breaks as needed
- Spend fewer hours at school
- Be given more time to take tests or complete assignments
- Receive help with schoolwork, and/or
- Reduce time spent on the computer, reading, or writing[1]

In order to facilitate understanding and optimal recovery for students we have divided the concussion recovery period into three phases:

The **RED** phase (student is experiencing concussion symptoms):

- Students may or may not be attending full days of school. Any resulting absences, tardies, and dismissals will be categorized as concussion related.
- Students will not participate in any activities after the end of the school day, including but not limited to completing makeup work, sports, clubs, band, or other extracurricular activities.
- School policies for completing makeup work and incomplete grades will be adjusted to accommodate the student's medical needs.
- During this phase use of all electronic devices is discouraged during the school day. The student may leave their devices home, in their locker, or check them in with the main office in the morning.
- Specific academic accommodations decided on in conjunction with the medical provider will be distributed to all teachers.
- It is up to the parent/guardian to keep the school informed of any changes in the student's condition.

The **YELLOW** phase (student no longer has active concussion symptoms):

- This phase begins when academic accommodations for the student have been discontinued or limited by his/her primary care provider and the student has been cleared to start return to physical activity.
- The student is now attending full days of school and completing makeup work.
- Absences are designated concussion related with documentation for a visit with the student's health care provider.
- The student's gradual return to play (GRTP) depends on the student's past medical history and the primary care provider's current guidelines.

- This phase will at a minimum consist of six days (that may or may not be consecutive) and may be longer depending on the recommendations and protocol of the primary care provider.

The **GREEN** phase (student is completely symptom free at rest and at play):

- Student has completed the above GRTP and has provided clearance to the school nurse or his/her designee from the primary care provider acknowledging final clearance for all activities.
- Student is not considered cleared until all written documentation have been received.

*[1] CDC: Heads Up to Schools, Know your Concussion ABCs, A Fact Sheet for School Nurses*

## **Library**

The Freetown-Lakeville Middle School Library offers reading and lounge areas, a Group Projects instruction room, and a computer lab. The school library has a total of 14,340 library materials available for use by students and staff. All library materials are accessible through Destiny, an online public access catalog.

Books/magazines should be returned in the same condition. While we do not charge fines for overdue materials, if books or magazines are lost or damaged, a bill will be issued and borrowing privileges will be restricted until the debt is paid or the book is replaced.

## **Special Education**

The Special Education Department provides academic and related services to students who require additional supports as identified through the Individual Education Plan (IEP) process. Services are offered on a continuum depending on the areas of strength and weakness as identified by formal testing, classroom observations, and standardized testing.

Academic Support is a special education tutorial program used to supplement a student's regular academic program. Enrollment in Academic Support is determined at Team meetings and is written as a service on a special education student's IEP. The goals of the program are to provide tutorial support and reinforcement of academic courses, improve academic skills, strengthen and foster study habits, develop organizational skills, and encourage self-advocacy skills. Special Education Developmental Reading is also a special education service for students have not internalized sound-symbol associations for reading and spelling as evidenced by evaluation results and the IEP Team recommendation. This structured, multi-sensory presentation of reading instruction utilizes methods that focus on improving decoding skills.

The Life Skills Program services students with learning profiles that require specialized academic instruction in a self-contained classroom setting. These profiles may include students with mild to moderate intellectual disabilities, emotional regulation disabilities, communication disabilities, sensory integration difficulties and/or social skills delays. Life Skills students benefit from a functional approach to academic learning which targets meaningful life experiences. The Life Skills Program aims to provide disability specific instruction in the areas of functional academics and life skills, pre-employment and vocational skills training, career exploration and ultimately vocational placement experiences. It also aims to foster increased independence in school, home, and community settings. Instruction and

programming encompasses language and communication, self-help skills, sensory integration, executive functioning skills related to organizational and attention, as well as functional scholastic achievement. Students in this program are most likely going to participate in the Alternative Assessment used for MCAS and work towards a Certificate of Attendance.

Personalized Learning Program is a multi-grade classroom for particular special education students who require a higher level of support than that which can be offered solely in the inclusion setting. As participants in PLP, students are instructed in modified and unmodified grade level curriculum. Instruction is delivered and supervised by both Special Education teachers and Subject Area teachers. Students in this setting adhere to the daily bell schedule and carry a course load necessary for attainment of a diploma. PLP students engage in traditional high stakes competencies (MCAS) required for graduation.

## **Behavioral Expectations**

In accordance with FLMS's Core Values, Beliefs and Learning Expectations students will display maturity, respect and responsibility in their actions in order to foster a safe and positive school culture.

### **Conduct**

Expectations for student conduct are consistent throughout the school building and at school events:

- Arrive to class/events on time and be prepared for the work at hand.
- Remain attentive to the task at hand during the entire period/duration of event.
- Be considerate of the rights and feelings of others.
- Respond promptly to the direction of the teacher/adult supervisor.
- Abide by school/classroom rules regarding acceptable use of electronic devices.
- Food will only be consumed in designated areas (not classrooms).

### **After School**

After school, students are expected to report to a supervised area to which they have permission to attend. Students staying after school for a game, concert, etc. must remain in the designated area that the activity is taking place. Wandering about the building after school after dismissal is not permitted. Students who do not have a school related purpose for staying after school should leave the premises at dismissal time.

Students participating in an after school activity will leave the building when the activity concludes. When students become unsupervised, they will then report to the main foyer. The building will be secured and doors to the academic area will be locked @ 3:30 pm.

### **Buses**

Required conduct aboard the bus:

1. Riders must remain in their assigned seats or in place.
2. Whistling, shouting, loud noises, and playing music without headphones are not permitted.
3. Profanity and obscene language are forbidden.
4. Smoking, alcohol and illegal drugs are prohibited.
5. No inappropriate body contact while on the bus.
6. The following disturbances are prohibited.
  - a. Pushing or wrestling.

- b. Annoying other passengers or disturbing their possessions.
- c. Talking to the driver.
- d. Throwing objects within the bus or out of windows.
- e. Littering the bus.
- f. Improper use of cell phones and other recording devices.
- g. Possession of any dangerous weapon.
- h. Parents will be held responsible for any defacing or damaging of the bus.

#### Loading and Unloading at Bus Stop

1. Riders must be on time.
2. Riders will enter or leave the bus at regular stops only.
3. Riders must utilize crosswalks and cross in front of the bus
4. Instructions and directions of the driver must be followed by the riders when entering or leaving the bus.

The bus is an extension of the school. The same rules of good behavior, consideration, respect, and cooperation are always in effect. For the safety of all the students who ride on the school bus and for the protection of bus property, we insist on good behavior on the school bus. All school rules apply at bus stops and on school sponsored transportation of any type. Any student who damages bus property will be financially responsible for repair and/or replacement costs. Students reported for misconduct on a bus may lose the privilege of riding on the bus for a period of time to be decided by the principal or designee.

#### **Cafeteria**

While in the cafeteria:

1. Students are not permitted to leave the cafeteria before the end of the lunch shift without permission from one of the supervisors.
2. Each student should dispose of his/her own trash. After finishing lunch, tables are to be cleared of all trash and debris. If spills have occurred, the person responsible for the spill must thoroughly clean it up.
3. Throwing food, no matter how small the particle, throwing juice/drink, forks, etc., and pitching items into the trash receptacles is strictly prohibited.
4. Food and/or drinks are not to be removed from the cafeteria.

#### **Dress Code**

Dress and grooming which unreasonably distracts the attention of others, or causes disruption or interference with the educational program or the orderly operation of the school will not be permitted. Parent/guardian(s) and students are expected to honor and discuss the dress code so that valuable school time is not spent examining student attire to determine appropriateness. The principal or designee shall determine whether any particular mode of dress or grooming results in a violation of the spirit and intent of this rule. The dress code for students at FLMS is as follows:

- Clothing shall not be distracting, obscene, or hazardous.
- Bare midriffs, see-through garments, halter tops, spaghetti straps, low-cut blouses, tube tops, bathing suits and short skirts/shorts are not to be worn in school. Undergarments should not be visible.

- Clothing or jewelry containing language or pictures that are obscene, offensive, profane, or that promote alcohol or drugs is prohibited.
- Exposed cleavage, groin areas or buttocks is prohibited.
- Sunglasses should not be worn in school unless there is a medical reason to do so.
- Students are not allowed to wear outerwear within the building during school hours. Coats, jackets, nylon jackets, and pullovers are not to be worn during the school day. Sweatshirts, sweaters, fleece tops, and blazers are permitted. Hats, jackets, and coats need to remain in the student's locker. No student is allowed on the premises barefooted, other than in the locker room area.
- Students are not to wear head coverings (hoods, hats, bandanas, etc.) during school hours. This does not include those worn for religious reasons.

The primary responsibility for appropriate dress is with the student and his/her parent/guardian(s). However, 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 or safety concerns, or disruption of the educational process. If a student's clothing is determined to be inappropriate to the educational setting, the principal or designee will require that the student change his/her clothing or the student will be required to contact home for a change of clothing. A subsequent violation may result in disciplinary consequences.

### **Cell Phone, Headphones, and Electronic Device Use**

Electronic devices, such as cell phones, can be a disruption to the educational process. Cell Phone and electronic device use is permitted at your locker during passing and in the cafeteria only. Electronic devices are not to be used in the classroom without expressed teacher permission for educational purposes, and should remain turned off and put away. Students that use electronic devices in an inappropriate or disruptive manner will face school consequences. Teachers will ask students to put away or turn in any visible electronic device they believe is disrupting the educational process at any time. Any student who refuses to turn in their cell phone or other electronic device will be sent to the office.

Disciplinary consequences include but are not limited to:

- 1st Offense: Device will be confiscated, student may pick up after school
- 2nd Offense: Loss of phone privileges for up to 5 days
- 3rd Offense: Loss of phone privileges for up to 30 days
- 4th Offense: Loss of phone privileges for up to the remainder of school year
- Failure to surrender electronic device to teacher or staff members upon request – Office Detention
- Failure to surrender electronic device to principal/assistant principal upon request – In School Suspension

The use of communication features on cellular devices during instructional time, or in a disruptive manner in the school atmosphere, is prohibited. At no time may students place phone calls without permission by a school administrator.

Video cell phone use is not permitted at any time without prior approval of an administrator or teacher. Students that fail to comply and take unauthorized video are subject to the full range of consequences outlined in the code of conduct. Students are not allowed to take video that captures additional violations of school rules, such as a fight or altercation. Use of audio or visual recording devices, including a cell phone camera, is not allowed in changing areas, rest rooms or locker rooms.

All headphone devices are prohibited during school hours, including lunch and during passing, and must remain away and out of sight. Students who are seen with headphones will be asked to hand them in to the main office. Confiscated headphones must be picked up by a parent/guardian.

Students are hereby reminded that the Freetown-Lakeville Middle School and its staff are not responsible if items that a student brings to school are lost, stolen or damaged.

## **Student Discipline**

Students that violate the rules and regulations of the school can be subject to school-based consequences. All students have due process rights in the disciplinary process. School administrators may use constitutionally protected discretion to manage disciplinary situations and to levy consequences for those infractions.

Students must adhere to all school rules on school grounds, at school events, and during school hours. Some student behaviors that occur off school grounds and outside of school hours can still warrant discipline if those behaviors cause a disruption to the school and/or academic process.

Upon reasonable suspicion of a violation of the school's discipline code, administrators will exercise their right to conduct a search of a student and his/her belongings. The search will be reasonable in scope in light of the age and gender of the student and the nature of the infraction. This may include, but not be limited to student backpacks, cell phones, and lockers. It is the responsibility of the administration of the school to act swiftly on any circumstance which may pose a clear and present danger to the safety of the school community.

A video camera system has been installed throughout the facility, where there is no reasonable expectation of privacy, for further security. Students identified on security cameras, in violation of School Committee policies, will be subject to disciplinary action.

## **Discipline Infractions**

The administration has discretionary rights to deal with each student's offense on an individual basis. There are always a number of circumstances taken into consideration regarding infractions and consequences. The disciplinary consequence constitutes a guideline. When a type of consequence has proven ineffective, an alternative method will be utilized to address the infraction.

"It is permissible for school officials to impose discipline for conduct not described in the rules." (Nicholas B. v. School Committee, 412 Mass.20 (1992).

## **Classroom Violations**

Students removed from class due to disruptive/inappropriate behavior will receive disciplinary action ranging from warning to suspension. Parents/guardians will be notified by the teacher.

## **Tardy to Class**

Students arriving to class without a pass authorized by a staff member will be subject to the following consequences. Teachers will call parents/guardians of students that are excessively tardy:



- 1<sup>st</sup> Offense:** Warning
- 2<sup>nd</sup> Offense:** Parent Contact
- 3<sup>rd</sup> Offense:** Lunch Detention
- 4<sup>th</sup> Offense:** Office Detention or equivalent

*Students who are chronically late for class will be referred to a school administrator.*

### **Cutting Class**

Attendance in all classes is mandatory. Class cuts are cumulative per semester. Please see page 12 regarding the school's "Absence Notification Program" for students missing multiple periods of class (M.G.L. c. 76, § 1b). Students cutting classes will be dealt with in the following manner:

- 1<sup>st</sup> cut:** Office Detention or equivalent
- 2<sup>nd</sup> cut:** 2 Office Detentions or equivalent
- 3<sup>rd</sup> cut:** Monday/Extended Detention and Parent Conference

### **Cutting Teacher Detentions**

Students will stay for teacher detentions issued with 24 hours' notice. Teachers should call home if a student cuts a teacher issued detention.

- 1<sup>st</sup> cut:** Office Detention or equivalent
- 2<sup>nd</sup> cut:** 2 Office Detentions or equivalent
- 3<sup>rd</sup> cut:** Monday/Extended Detention and Parent Conference

### **Cutting Office Detentions**

Students will stay for office detentions from 2:10 pm - 3:10 pm.

- 1<sup>st</sup> cut:** 2 Office Detentions or equivalent
- 2<sup>nd</sup> cut:** Monday Detention or equivalent
- 3<sup>rd</sup> cut:** 1 ISS
- 4<sup>th</sup> cut:** 1-3 OSS(s)

### **Cutting Monday Detentions**

Students will stay for extended/Monday detentions from 2:10 pm - 3:40 pm.

- 1<sup>st</sup> cut:** 2 ISSs or equivalent
- 2<sup>nd</sup> cut:** 1 OSS and 2 ISS's or equivalent
- 3<sup>rd</sup> cut:** 1 OSS and 3 ISS's staggered

**\*Students are obligated to serve their assigned detentions/consequences on the assigned date(s).**

### **Leaving Class without Permission**

Students must stay in class for the duration of each period. If a student leaves class without permission, it can be considered a class cut.

- 1<sup>st</sup> Offense:** Office Detention or equivalent
- 2<sup>nd</sup> Offense:** 2 Office Detentions or equivalent and parent contact
- Subsequent Offenses:** Monday/Extended Detention and Parent Conference.

## **Insubordination**

Any student who fails to respond promptly to the reasonable request of a staff member, substitute, or any school employee has demonstrated insubordination. If a student is requested by a teacher to leave the room for disciplinary reasons, the teacher will notify the office that the student is reporting immediately. Acts of insubordination, failure to leave the classroom immediately and/or failure to go directly to the office will result in appropriate disciplinary action. Teacher jurisdiction and responsibility extends over the entire building and school grounds at all times. Students failing to divulge their names to a teacher will be considered insubordinate and will receive appropriate disciplinary action. Failure to adhere to a school issued consequence will be considered insubordinate and a consequence commensurate with the violation will be issued.

- 1<sup>st</sup> offense:** Office Detention or equivalent
  - 2<sup>nd</sup> offense:** 2 Office Detentions or equivalent
  - 3<sup>rd</sup> offense:** Monday/Extended Detention and Parent Conference
- 

## **Inappropriate/Disruptive Behavior**

### **Disruptive Behavior/Creating a School-Wide Emergency**

Behaviors that interrupt the good order of a classroom or the school or learning environment can be considered disruptive.

Consequences for these behaviors will be determined by the severity of the offense, ranging from office detention to suspension.

### **Gross Misconduct**

Behaviors that are so outrageous that it shocks the conscience can be considered gross misconduct. Any behavior that has the potential to, or does, pose a safety and security threat, poses detriment to the academic environment or others, displays wanton disregard or includes deliberate violence and/or hostility may be considered gross misconduct. Consequences for these behaviors will be determined by the severity of the offense, ranging from suspension to expulsion.

### **Inappropriate Behavior**

Any student that displays behavior that is rude, irresponsible, disrespectful, a disruption to the academic environment or proceedings or otherwise deemed inappropriate by an administrator may receive consequences commensurate with the violation.

### **Inappropriate Language**

Use of inappropriate or vulgar language or gestures will not be tolerated anywhere on school grounds, during any school sponsored activity, or on school provided transportation.

### **Obstruction of an Investigation**

Willfully obstructing the investigation of a school official by withholding information in response to direct questions or by giving information known to be false presents a potential danger to student and staff safety.

Consequences for these behaviors, will be determined by the severity of the offense, ranging from office detention to suspension.

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## **Attendance Related Violations**

### **Leaving School without Permission**

Students leaving the school building or property without a proper dismissal or authorization from an administrator will be subject to consequences. In addition, such students will be prohibited from participating in extracurricular activities that day. Once a student has arrived on school grounds or has taken the school bus, he/she is not permitted to leave without a proper dismissal. This rule applies whether or not the student has signed into Advisory for the day or whether the school day has formally started. For bus riders, the official school day begins when a student is picked up at his/her bus stop in the morning and is returned to his/her appropriate bus stop upon completion of the school day for bus students. For all other students, the school day begins when he/she arrives on school property.

### **Accumulated Offenses**

Students that accrue multiple infractions within a short period of time may be disciplined for the violations at the discretion of an administrator. Chronic offenders may be referred to the courts through the CRA process.

## **Other Violations**

### **Official Documents**

Students are given numerous forms throughout the year including but not limited to the Blue Health Form, the Acknowledgement of Handbook Receipt and the Acceptable Use Policy for computers. Parents will be contacted if the form is not returned by the staff member responsible for the document. Failure to submit paperwork in a timely fashion could result in disciplinary measures. Forging a document of any kind (blue form, pass, permission slip, absence note, etc.) will result in the following consequences:

- 1<sup>st</sup> Offense:** 1 Office Detention or equivalent
- 2<sup>nd</sup> Offense:** Monday/Extended Detention and Parent Conference

### **Violation of the Acceptable Use Policy**

Please see the full text of the AUP on page 61. Depending on the severity of the infraction, violating the AUP could result in police notification and school based consequences beyond that listed below:

- 1<sup>st</sup> Offense:** 1 week loss of privileges
  - 2<sup>nd</sup> Offense:** 2 week loss of privileges
  - 3<sup>rd</sup> and Subsequent:** Indefinite loss of privileges
-

### **Use/Possession of Tobacco Products**

The Education Reform Act of 1993 prohibits the use of any tobacco products within the school buildings, the school facilities, on school grounds, or on school buses by any individual. It is absolutely forbidden for students to possess or use tobacco products on school grounds, or any off site school sponsored activity, or on school provided transportation. Any school employee, who observes a student in possession of, or using, a tobacco product, or smoking paraphernalia (including electronic cigarettes/vaporizers), shall report the incident to the administration.

- The first violation of this policy will result in a 1 day OSS.
- The second offense will result in 3 days OSS.
- The third and subsequent offenses will result in 5 days OSS.

## **Major Violations**

### **Bullying**

Any and all forms of bullying and retaliation will not be tolerated. Suspected cases of bullying should be reported to an administrator in the building immediately. If it is determined that bullying or retaliation has occurred, the school principal or assistant principal shall (i) notify the local law enforcement agency if the school principal or assistant principal believes that criminal charges may be pursued against the aggressor; (ii) take appropriate disciplinary action; (iii) notify the parents or guardians of an aggressor; and (iv) notify the parents or guardians of the target, and to the extent consistent with state and federal law, notify them of the action taken to prevent any further acts of bullying or retaliation.

Disciplinary action for bullying or retaliation may include suspension and/or recommendation for expulsion and will become part of the student's discipline record. Disciplinary action will be implemented immediately, unless the recommendation is for expulsion. In the event of a recommendation for expulsion the student shall remain out of school, but have the right to appeal to the Superintendent.

For a full text of the District's bullying policy please refer to page 40.

### **Drugs and Alcohol**

The primary purpose of the Freetown-Lakeville Public Schools is to provide those services and facilities which create an environment that encourages each student to identify and achieve his or her full potential. Drug and alcohol use and abuse among students interferes with the students' and the schools' achievement of this purpose. The Freetown-Lakeville Public Schools are committed to designing programs that educate the students regarding the harmful effects of drug and alcohol abuse. To these ends, the following Drug and Alcohol Policy will be enforced by all school personnel.

For complete details regarding the Drug and Alcohol Policy please refer to page 44. A synopsis is listed below. Possession and/or use of drugs and/or alcohol are forbidden. Students in violation of this policy will face the following consequences:

Students violating the drug and alcohol policy may be subject to the stipulations of M.G.L. c. 71, § 37H or 37H ½.

## **Fighting/Battery**

Fighting/Battery will not be tolerated in school, on school grounds, or during any school sponsored activity. Any student involved in a fight/battery may be subject to the following disciplinary action including formal recommendations for assault and battery charges:

**1st Offense:** Up to 5 Days OSS, re-entry meeting with Parent, Guidance and Administration

**2nd Offense:** Up to 10 Days OSS, re-entry meeting with Parent, Guidance and Administration

Depending on the severity of the incident the administration will have the discretion to impose more severe penalties which may include police involvement, legal action, or recommendation for exclusion.

## **Hazing**

Hazing is strictly prohibited. Any suspected case of hazing should be immediately reported to an administrator. Students that witness acts of hazing have an obligation to report it. Students that are present during hazing and fail to report it can be suspended for up to three days. A student that participates in hazing of another student may be suspended for up to 10 days. Any student that organizes a hazing activity may be recommended for expulsion from school. For a full text of the district hazing policy please refer to page 49.

## **Sexting**

"Sexting" may violate the laws of the Commonwealth that were established to keep children safe. The child pornography laws in Massachusetts are all felonies; they are quite serious, and there are no "lesser" charges (i.e. misdemeanors) that apply to this conduct. Incidents of "sexting" will be taken very seriously, with law enforcement intervention if necessary. Consequences for students that participate in sexting will be determined on a case by case basis. Law enforcement officials will be notified.

The following is a synopsis of relevant information regarding sexting.

### Posing a Child in a State of Nudity or Sexual Conduct

It is illegal for anyone, *with lascivious intent*, to knowingly encourage, cause, coerce, solicit, or entice a person under 18 years of age - male or female - to pose or be shown in a state of nudity (or semi-nudity) for the purpose of photographing them. Thus, in many circumstances, encouraging a person, even a friend, who is under 18 to take a photo of themselves nude, or of body parts considered sexual in nature, with their cell phone or digital camera, violates this statute.

### Dissemination of Pictures of a Child in a State of Nudity or Sexual Conduct

It is illegal for anyone, *with lascivious intent*, to knowingly send out or disseminate pictures of a person under 18 (1) in a state of nudity (or semi-nudity) or (2) engaged in a sexual act. Thus, for example, if a student photographs him or herself nude, and sends it to their boyfriend or girlfriend, violates this statute. A person who receives such a picture attached to an email, for example, and who knowingly forwards it to another person, may also be in violation of this law.

### Possession of Child Pornography

It is illegal for anyone to knowingly possess photographs (in any format) which depict a person under the age of 18 posed with a lewd exhibition of genitals, buttocks, breasts or engaged in an actual or simulated

sexual acts. Having lewd photographs of another person who is under 18, on your cell phone or home computer, violates this statute. Knowingly possessing it, even without sending it on to another person, is illegal.

#### Dissemination of Harmful Matter to a Minor

It is illegal for anyone to knowingly send to any person under the age of 18 matter considered to be "harmful matter" includes things that are obscene or pornographic in nature..

Capeless, David F. "Sexting." *Berkshire District Attorney's Office*. Commonwealth of Massachusetts, 2014. Web. 11 June 2014.

### **Stealing/Destruction of Property**

Stealing will not be tolerated. Students have the right to a safe and secure environment. Students are expected to be honorable and to demonstrate respect for other people's property and for the school's facilities and property. Students are reminded that they are responsible for any valuable or personal property that they bring to school. Keeping valuable or personal property in a backpack, bag or locker does not guarantee their safety. Depending on the severity of the incident, the consequence will be at the Administrator's discretion and may include police notification. Students found guilty of theft or destruction of personal property will be required to make restitution and will be subject to disciplinary consequences.

### **Threats/Assault**

A sincere physical, verbal or written threat or assault made on or off school property, directed toward a school employee, School Committee Member, student and/or their property will result in the following consequences:

**1<sup>st</sup> Offense:** Up to 5 Days OSS, re-entry meeting with Parent, Guidance and Administration

**2<sup>nd</sup> Offense:** Up to 10 Days OSS, re-entry meeting with Parent, Guidance and Administration

**3<sup>rd</sup> Offense:** Indefinite Suspension, re-entry meeting with Parent, Guidance and Administration

Depending on the severity of the incident the administration will have the discretion to impose more severe penalties, which may include police involvement or legal action.

### **Vandalism/Destruction of School Property**

School property must be treated with respect. Writing on, or in any way defacing walls, ceilings, woodwork, furniture, and lockers will not be tolerated. In all cases parents/guardians will be notified. If a student destroys school property she/he will be subject to consequences including suspension and will be required to pay for the repair or replacement of said property. Referral to the police will be considered.

## Weapons

Students in possession of a weapon or weapon-like object, including, but not limited to, a gun or a knife may be subject to expulsion from the school or school district by the principal. For more detailed information refer to Chapter 71, Section 37 H (full text on page 80.)

## Disciplinary Actions/Assistance Programs

The following is a list of types of consequences that can be used at the discretion of an administrator. If deemed appropriate, an administrator can use an alternative to what is listed in the infractions section of this handbook. Consequences are listed below in a progressive order; however, administration reserves the right to employ consequences at their discretion commensurate with the severity of the infraction.

- Warning
- Parent Contact/Meeting
- Teacher Detention
- Lunch Detention
- Office Detention
- Monday/Extended Detention
- Restorative Justice
- No Pass List
- Loss of Cell Phone/Electronic Device
- Mediation
- Behavior Contracts
- Social Probation
- School/Community Service
- Restitution
- SRO Meetings
- Filing of a CRA
- In-School Suspension
- Out of School Suspension

*Definitions:*

### Warning

An administrator may issue a verbal or written warning to a student in violation of the handbook.

### Parent Contact/Meeting

In most cases a teacher or administrator will make contact with a parent or legal guardian to inform about a student's behavior and to discuss strategies for avoiding repeat offenses.

### Detentions

1. Teacher Detentions: Discretion of teacher (24 hours' notice will be given)
2. Lunch Detentions: Length of lunch period
3. Office Detentions: 2:10 pm - 3:10 pm
4. Monday Detention: 2:10 pm - 3:40 pm

### Lunch Detentions

Students receiving a lunch detention will serve a detention with an administrator or designee during their regularly scheduled lunch period. They will report to the cafeteria with their lunch/to get lunch and then report to the designated lunch detention location for the duration of their lunch period (1<sup>st</sup>, 2<sup>nd</sup>, or 3<sup>rd</sup> lunch).

### Office Detentions

Office Detentions are given to those students who have been involved in minor infractions of school rules. Students given Office Detention will report to the Main Office. Students are encouraged to bring work. All electronic devices are prohibited. Office detentions are held at FLMS Tuesday and Thursday

from 2:10 p.m. to 3:10 p.m. Parents and students are responsible for transportation following the detention period. Students who are unresponsive to repeated detentions, teacher or office, will have to be dealt with in a more severe manner.

### **Monday/Extended Detentions**

Monday/Extended detentions are given for infractions listed in the FLMS discipline code. The hours of Monday/Extended detention will be from 2:10 p.m. to 3:40 p.m. No one will be allowed in late or be allowed to leave early. Students are to bring school work/reading material with them so as to remain busy. Use of electronic devices and other communication is prohibited. Students will not be allowed to postpone a Monday/Extended detention without permission of the administration. Parents and students are responsible for transportation to and from the detention period.

### **Detentions + After-School Activities/Sports**

Students may participate in an after-school activity following service of assigned teacher, cafeteria, office, or Monday/Extended detention.

### **Restorative Justice**

Restorative justice is a process by which an offender assumes responsibility for an act and takes steps to repair any harm done. This form of consequence will be utilized at the discretion of administrators.

### **Loss of Cell Phone/Electronic Device**

An administrator may deny a student the privilege of carrying/using a cell phone or electronic device as a consequence. The administrator will create a behavior plan in conjunction with the student that delineates the duration of the consequence and what criteria must be met in order to regain the privilege. If a student is subject to this consequence she/he must hand in all devices at the outset of the school day. Failure to do so could constitute grounds for further discipline. See page 28 for details.

### **No Pass List**

Students who abuse their pass privileges may be placed on a **NO PASS LIST** for a length of time determined by an administrator. Students on the No Pass List will not be issued a hallway pass and will only be allowed to leave with an escort from a faculty/staff member or administrator.

### **School and/or Community Service**

Administrators may assign students periods of adult supervised service to the school or community. Service projects can include but are not limited to: School/community beautification or menial tasks in service to the school/community.

### **Social Probation**

Social probation is defined as a period of time determined by an administrator during which a student may only attend school for the normal academic day. Students serving a social probation period may not attend any school functions or events. A plan will list the length of such a consequence.

### **SRO Meetings**

Students may be required to meet with Officer Bartholomew, the School Resource Officer, to discuss the legal consequences associated with certain behaviors or as part of a behavior/reentry plan.



### **Restitution**

Payments for damaged, destroyed, or stolen property may be levied when necessary. Non-payment will count toward a student's obligation debt.

### **Behavior Contracts**

Behavior contracts consist of detailed rewards and consequences for specific types of behaviors. Students are placed on behavior plans by administrators in conjunction with guidance counselors if deemed appropriate. A plan will list the length of such a consequence.

### **Mediation**

Mediation is used when minor conflicts arise between students. Monitored mediation sessions will result in documented agreements between all parties.

### **Child Requiring Assistance (CRA)**

Students that are chronically late, absent, or in violation of school rules may be referred to the court system through the "Child Requiring Assistance" process. For further information please refer to the process here:

[www.mass.gov/2Fcourts%2Fdocs%2Fcourts-and-judges%2Fcourts%2Fjuvenile-court%2Fchild-requiring-assistance-parent-handout.pdf](http://www.mass.gov/2Fcourts%2Fdocs%2Fcourts-and-judges%2Fcourts%2Fjuvenile-court%2Fchild-requiring-assistance-parent-handout.pdf)

### **Suspension**

Suspension is one of the strongest forms of discipline administered by the school. Parents shall be informed of all suspensions. There are two kinds of suspensions at FLMS:

- In-School Suspension (ISS) and Out-of-School Suspension (OSS)

#### **In-School Suspensions (ISS):**

1. ISS are utilized for several non-violent, non-confrontational, and non-drug related issues, such as excessive tardiness to school, truancy and cutting Monday/Extended Detentions. Because our discipline code is progressive in nature, ISS will also be used as a consequence for repeated offenses.
2. Students will be given notice prior to serving.
3. ISS can be assigned from one to three days.
4. Students will not be allowed to participate in any school activities on the day of the ISS. The term of the suspension will end at midnight of the last day of the suspension.

#### **Out-of-School Suspensions (OSS):**

1. Students suspended from school will attend a re-entry meeting with a parent/guardian and an administrator. Any suspension will be for a minimum of one full school day.
2. Administrators and guidance will arrange to collect all of the student's missed work and prepare it for pickup by a parent/guardian.
3. Students will not be allowed to participate in any school activity on or off campus during the term of their suspension or allowed on school grounds for any reason during this time. The term of suspension is understood to mean school days and any days intervening. Suspensions will begin once the student leaves the building or at dismissal of the school day. The term of a suspension will end at midnight of the last day of the suspension.

***Parents shall be informed of all suspensions. Out-of-school suspensions require a parent conference/contact for readmission.***

## **General Information, Guidelines, and Policies**

### **Address/Telephone Number and Email Changes**

In the event of an emergency, the school must be able to reach the parents or those in charge of the student; therefore, please keep the school office informed of any changes in your address, telephone number, or email that may occur regarding either work or home. Those who have unlisted phone numbers should also notify the office of the change.

### **Chromebooks**

Students will be issued a Chromebook at the beginning of the school year, and are expected to return them at the end of the school year. Please see the district 1:1 Chromebook Handbook for all policies, procedures, and expectations of students and families regarding the device.

### **Field Trips**

Academic field trips aid in enriching the curriculum at FLMS. Field trips associated with clubs and activities are enriching experiences as well. Students will be invited, on occasion, to participate in such activities with parental consent. Permission slips will be sent to parents. Slips are to be signed and returned no later than 48 hours prior to the field trip. Students not in good standing (attendance, discipline, academics) may be denied participation on field trips by administration. Such students will be assigned an equivalent learning opportunity by his/her teacher when the trip is associated with the curriculum. Students will arrange for collection and completion of assignments with their teacher prior to the field trip.

### **Flag Salute**

A salute to the flag shall be led each day.

### **Lockers, Gym Lockers, and Locks**

For the 2020-2021 school year, lockers will not be issued due to safety concerns.

### **Obligations**

Students owing money or material to the school must meet their financial obligations. In addition students must serve all disciplinary hours owed by the end of the school year. Locks, lockers, books, and other school property issued to a student by the school becomes the responsibility of the student. All books must be covered. Should such equipment or books be damaged, lost, or stolen, the student is obligated to pay for such damages or loss at market value. If such obligations are not met, bills will be emailed to the email address on file. Students who transfer out of FLMS during the year must return all materials (books, etc.) before withdrawing from school. The student must pay for missing or lost materials. All financial obligations to the school are kept on record until such time as payment is received. Furthermore, any student not meeting their financial/material obligations to school (books/textbooks, athletic equipment/uniforms/fees, band, drama, fines, etc.) will not receive additional equipment or supplies and will not be able to participate in any school activity including school dances. Once the debt has been paid, the student will be allowed to participate in school activities. A student or parent who is experiencing financial hardship may apply in writing to the principal for a waiver. The principal has the discretion to determine need with defined criteria (Free & Reduced Lunch) to be reviewed annually by School Council.

## **School Insurance**

A student insurance form is available on our website. If you wish to purchase an insurance plan, please fill out the form and enclose a check or cash and return it to school with your child.

## **Student Injuries**

It is the policy of the Freetown-Lakeville Regional School District that any student sustaining an injury during normal school hours or during extra-curricular activities will receive appropriate medical attention.

### **Procedures:**

1. In the event of a student accident/injury, the nurse should be notified. In the event that the nurse is not available, other qualified medical personnel or school administration should be notified.
2. The parents/guardians should be notified as soon as possible.
3. The teacher/staff member who witnessed the accident or supervised the activity should submit an accident/injury report by the end of the school day.
4. The nurse, or other attending medical personnel, should submit an accident/injury report by the end of the school day.

## **Student Passes**

Students must have authorization to be out of classrooms when classes are in session. This permission to be out of the classroom is given through the use of Student Passes which are made out by the person permitting the student to be away from the class. When arriving late to class, students are required to present a pass with an authorized signature of a staff member. Students arriving late to class without a pass shall be admitted to class, but will be subject to disciplinary action (see Tardy to Class). Teachers will maintain a classroom log. Students will be required to record their comings/goings from class.

## **Transportation**

The district provides school bus transportation to Freetown-Lakeville Middle School for students living in Freetown and Lakeville. This service, however, does not constitute a right; it is a privilege that can be denied whenever a student continuously or seriously misbehaves on a school bus. The bus driver is responsible for maintaining order on the school bus. The school administration works closely with the drivers to insure order and safety. The Middle School Administration, concerning school bus discipline, has the authority to take action according to the following procedures:

- a. A student whose behavior either distracts the bus driver or presents a potential danger to the safety of others may receive consequences as determined by administration. All bus incidents will follow the same code of discipline as school incidents.
- b. Contact by telephone will also be made with the parent/guardian when possible. It should be stressed, however, that serious misbehavior or any bus offense may result in the loss of bus privileges, detention or a school suspension. Parents will be notified in the event of such a situation.

There are currently NO bus transfers. Please contact the bus company if there is an emergency situation. If the bus company approves the bus transfer - please send in a note to the main office stating child's name, who/where the child will be dropped off, what bus # the student will be traveling on, and who at the bus company approved the transfer. NO BUS TRANSFERS WILL BE HONORED ON DAYS WHEN STUDENTS ARE DISMISSED EARLY, SUCH AS ON A HALF-DAY, WITHOUT PRIOR ADMINISTRATIVE

APPROVAL.

Bus Company – Phone: 508-763-9260, Fax: 508-763-9251  
Email: Please contact the school for current email address

### **Visitors**

Upon entering the middle school, all parents and visitors must stop at the main office, sign in, present a photo ID (driver's license) and receive a visitor pass. Visitors will not be allowed in the building without proper identification. Students are not allowed to bring guests to school without prior administrative approval.

#### **No Soliciting Restriction**

Students representing an organization outside of the school may not use the building for soliciting purposes. Students must not approach teachers or other students requesting them to purchase materials or articles they may have for sale. Only sales for school-sanctioned functions will be permitted.

## **After School Clubs, Sports, and Social Events**

### **After School Rules and Information**

It is a privilege for students to participate in after school social events and team sports. Students who participate must be in good standing in conduct and effort. Students who have been disciplined for inappropriate conduct during the school year or have excessive absences may be denied permission to attend school social events/sporting events. All school rules apply to extracurricular/school-related activities and programs. Inappropriate behavior at extracurricular/school-related activities and programs may lead to a student being removed from the event/activity, and being suspended from attending future activities and programs, for a period of time determined by the administration, for designated infractions. Students staying after school for a game, concert, etc. must remain in the designated area that the activity is taking place. Students participating in an after school activity will leave the building when the activity concludes.

### **Teams and Clubs**

The following are the clubs and teams offered at FLMS: Co-Ed Soccer Team, Co-Ed Cross Country Team, Girls Basketball Team, Boys Basketball Team, Rubik's Cube Team, Chess Club, Yearbook Club, Newspaper Club, Robotics Club, Student Council, Band and Choir, Art Club, Drama Club, Creative Writing Club, Majorettes, Friends of the Falcon, and National Junior Honor Society.

### **Academic Eligibility**

In order to participate in any extracurricular activity at FLMS a student must secure during the last marking period preceding the activity a passing grade in a minimum of 6 classes. Students may not participate in any activity when ineligible. Students who become eligible during an activity may have the opportunity to try out for the sport (at the discretion of the coach). The level of participation/playing time is always at the discretion of the advisor/coach.

### **Attendance Eligibility**

During the week, a student may not participate in any extracurricular activity if he/she is absent the day of the activity. A student cannot participate in a Saturday extracurricular activity if he/she is absent on Friday. Any student who is tardy after 9:00 a.m. will not be permitted to participate in any

extracurricular activity that day except by special permission of the administration. Students must be present for five full periods of the day in order to participate in an extra-curricular event. Exception to the five (5) full period rule would be on half and full curriculum days. Any student dismissed from school will not be allowed to participate in any extracurricular activity that day unless special permission is obtained from administration. Students who are suspended may not participate in any activities during the suspension.

### **Athletics - Physicals**

All students must pass a physical examination within thirteen months of the start of each season. Physical examinations must be performed by a duly registered physician, physician's assistant or nurse practitioner. This rule applies to cheerleaders and majorettes as well.

### **Athletics - Transportation**

All student athletes must ride the provided bus to and from their athletic contests/event. Student athletes may be driven to and from a contest/event by a parent or guardian only with permission from the head coach. A parent can only transport their own student to and from these events.

## **Synopsis of Laws**

### **Federal Civil Rights Laws**

#### **Title VI of the Civil Rights Act of 1964**

**Coordinator: Dr. Barbara Starkie**

**508 947-2660**

Statute prohibits discrimination on the grounds of race, color or national origin by recipients of federal financial assistance. This statute ensures that individuals are not excluded from participation in programs or activities receiving federal funds (or the benefits of) on account of their membership in one of these protected categories (42 USC S2000d). This statute has been interpreted to prohibit the denial of equal access to education because of a language minority student's limited proficiency in English.

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

**Coordinators: Dr. Patricia Gablinske**

**508 923-2000**

It is a policy of the Freetown-Lakeville Regional School District to comply with the Title IX. Title IX of the Education Amendments of 1972 provides that no individual may be discriminated against on the basis of sex in any education program or activity receiving federal financial assistance. Title IX requires that schools adopt and publish a policy against sex discrimination and have grievance procedures through which students can complain of alleged sex discrimination, including sexual harassment. State law requires Massachusetts employers to have a policy against sexual harassment (M.G.L. Ch.151B, S3A).

#### **Section 504 of the Rehabilitation Act of 1973**

**District Coordinator: Elizabeth Kurlan**

**508 923-2000**

**Building Level Coordinators:**

**Jamie Levesque (AES)**

**508 947-1403**

<b>Danielle Neves (FES)</b>	<b>508 763-5121</b>
<b>Maranda Pennini (GRAIS)</b>	<b>508-923-3506</b>
<b>Charles Mrosk (FLMS)</b>	<b>508 947-2156</b>
<b>TBD (ARHS)</b>	<b>508 947-2660</b>

Title IX of the Education Amendments of 1972 provides that no individual may be discriminated against on the basis of sex in any education program or activity receiving federal financial assistance. Title IX requires that schools adopt and publish a policy against sex discrimination and have grievance procedures through which students can complain of alleged sex discrimination, including sexual harassment. State law requires Massachusetts employers to have a policy against sexual harassment (M.G.L. Ch.151B, S3A).

**Americans with Disabilities Act of 1990**

**Coordinator: TBD** **508 923-2000**

The regulations implementing the ADA provide that: “A public entity that employs 50 or more persons shall designate at least one employee to coordinator its efforts to comply with and carry out its responsibilities under this part, including any investigation of any complaint communicated to it alleging its noncompliance with this part of alleging any actions that would be prohibited by this part. The public entity must make available to all interested individuals the name, office address, and telephone number of the employee or employees designated pursuant to this paragraph.” (34 CFR35.107 (a))

**Equal Educational Opportunities Laws**

**Equal Educational Opportunities Act of 1974**

**Coordinator: John Higgins** **508 923-3518**

This federal statute prohibits states from denying equal educational opportunities to an individual based on certain protected classifications including national origin. It specifically prohibits denying equal educational opportunities by failing to take appropriate action to overcome language barriers that impede equal participation by its students in its instructional programs. (20 USC S1203 (f))

**Mass. General Laws CH.76, S5 (Chapter 622)**

**Coordinator: Bethany Pineault** **508 947-1403**

This state law provides that “no person shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex, gender identity, homelessness, religion, national origin, or sexual orientation.”

**Title I of the Elementary and Secondary Education Act of 1965**

**Coordinator: Elizabeth Kurlan** **508 923-2000**

Title I is designed to help disadvantaged children meet challenging content and student performance standards. Staff should know that special education students are not deemed ineligible for Title I services simply because they receive special education services. Also, school districts must ensure that

Title I funds are not being misused (e.g. referring a limited English proficient student to a Title I program in order to meet the student’s language needs rather than providing an ESL program/class).

### **McKinney-Vento (Homeless Education)**

**Coordinator: Elizabeth Kurlan**

**508 923-2000**

The federal McKinney-Vento Homeless Education Assistance Act requires that school districts immediately enroll homeless student in school, even if they do not have the documents usually required for enrollment, such as school records, medical records or proof of residency. Homeless students have a right to either remain in their school of origin or to attend school where they are temporarily residing; Students who choose to remain in their school of origin have the right to remain there until the end of the school year in which they get permanent housing; Students who chose to enroll in school where they are temporarily residing must be enrolled immediately, even if they do not bring the records usually required for enrollment with them; and if a homeless student arrives without records, the school district's designated Homeless Education Liaison must assist the family and contact the previously attended school system to obtain the required records.

### **Special Education**

#### **Chapter 688 (transition planning)**

**Coordinator: Elizabeth Kurlan**

**508 923-2000**

School districts file a Chapter 688 referral for students with severe disabilities who will need continued services and supports after their eligibility for special education ceases. School districts must make Chapter 688 referrals at least 2 years before the student is expected to graduate from school or turn 22 years of age. This allows time to determine the student’s eligibility for adult services and for agencies to include the anticipated cost of services for the student in its budget request that it submits to the state legislature each year.

### **Anti-Bullying Policy**

On May 3, 2010 Governor Patrick signed an *Act Relative to Bullying in Schools*. This new law prohibits bullying and retaliation in all public and private schools, and requires schools and school districts to take certain steps to addressing bullying incidents.

(M.G.L. c. 71, § 370, M.G.L. c. 272 § 28 and § 29, and Chapter 74 Acts of 2010)

The Freetown Lakeville Public Schools support the idea that the best way to reduce bullying/harassment incidents from taking place is by creating a school culture that promotes diversity, caring, compassion, and a sense of responsibility among students and adults. Our district will follow the state’s explicit requirements in prohibiting bullying and retaliation: on school grounds, on property immediately adjacent to school grounds, at a school-sponsored or school-related activity, function, or program, whether it takes place 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, through the use of technology or an electronic device that is owned, leased or used by a school district or school (for example, on a computer or over the Internet), at any program or location that is not school-related, or through the use of personal technology or electronic device(s), if the bullying creates a hostile environment at school for the target, infringes on the rights of the target at school, or materially and substantially disrupts the education process or the orderly operation of a school.

**The law requires that the following definitions be made clear, consistent and in language that is age appropriate. The definitions are listed as follows:**

Advocate is a friend, parent or caring adult.

Aggressor or Perpetrator is a student or school 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.

Anonymous reporter is a person who submits a report of bullying or suspected bullying that chooses not to write their name on the report. In these instances the claim may or may not lead to consequences.

Bullying is the repeated use by one or more students or a staff member of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a target that: (i) causes physical or emotional harm to the target or damage to the target's property; (ii) places the target in reasonable fear of harm to himself/herself or of damage to his/her property; (iii) creates a hostile environment at school for the target; (iv) infringes on the rights of the target at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school. Bullying includes cyber bullying.

Bystander is a person who witnesses bullying. A bystander is responsible to report bullying activity and to cooperate in investigations.

Cyber bullying is bullying through the use of technology or any electronic devices such as telephones, cell phones, computers, and the Internet. It includes, but is not limited to, email, instant messages, text messages, and Internet postings. Cyber bullying shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications. Cyber bullying shall also include (i) the creation of a web page or blog in which the creator assumes the identity of another person or (ii) knowing impersonation of another person as the author of posted content or messages, if the creation of impersonation creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying. Cyber bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying. Furthermore, "sexting" which involves the text messaging and texting of sexually explicit videos, is another form of bullying.

False Accusation is an act that is done by a person who knowingly makes a claim of bullying that is not true. Disciplinary actions will be taken in these incidences toward a false accuser.

Hostile environment is a situation in which bullying causes the school environment to be permeated with intimidation, ridicule, or insult that is sufficiently severe or pervasive to alter the conditions of the student's education.

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

Target is a student against whom bullying, cyber bullying, or retaliation is directed.

### **Reporting bullying or retaliation**

Anyone, including a parent or guardian, community member, school staff, or student can report bullying or retaliation.

Procedures for students, parents/guardians, and/or community members for reporting bullying, cyber bullying, and retaliation are as follows:



Reports can be made in writing or orally to school staff, including, but not limited to, an educator, administrator, school nurse, office staff, cafeteria worker, custodian, bus driver, athletic coach, and advisor to an extracurricular activity or paraprofessional.

Reports may be anonymous; however, no disciplinary action shall be taken against a student solely on the basis of an anonymous report.

Bullying Prevention and Intervention Incident Reporting Forms can be found in the main office, nurse's office, and guidance offices of each school building. They can also be found on the District and School websites.

**The list below provides contact information for providing a report.  
Freetown Lakeville Public Schools Contacts**

Freetown - Lakeville Middle School  
Mr. John E. Higgins, Principal  
(508) 923-3518  
[jhiggins@freelake.org](mailto:jhiggins@freelake.org)

Mr. Bryan Oliveira, Assistant Principal  
(508) 923-3518  
[boliveira@freelake.org](mailto:boliveira@freelake.org)

**Initiation of a Complaint**

When the school principal or principal's designee receives a report, he or she shall promptly conduct an investigation. If the school principal or designee determines that bullying or retaliation has occurred, he or she shall follow the district's procedural policy. This includes instances where a school staff member may be the alleged aggressor. If an investigation is conducted and the principal or the principal's designee determines the report is a false accusation, appropriate discipline will be taken. Students who knowingly report falsely a bullying or retaliation incident shall be subject to disciplinary action.

Whenever the evaluation of the Individualized Education Program team indicates that the child has a disability that affects social skills development or that the child is vulnerable to bullying, harassment or teasing because of the child's disability, the Individualized Education Program shall address the skills and proficiencies needed to avoid and respond to bullying, harassment or teasing.

**Procedure for Complaint and Investigation**

It is the policy of the Freetown Lakeville Regional School District to have all complaints of bullying or retaliation promptly and fully investigated and to take steps necessary to remedy the situation.

**Procedures for Investigation of Reports of Bullying or Retaliation:**

When the school principal, assistant principal or principal's designee receives a report, he or she shall promptly conduct an investigation.

The investigation will include separate, private interviews with the complainant/target, each aggressor and each witness if any. The principal or assistant principal may assign a guidance counselor or other designee to assist in the investigation. Both parties may have an advocate of their choice present during their interview. The interview will be documented by the administrator conducting the investigation, but those interviewed may also be asked to provide a written statement. All students and staff are expected to cooperate fully with an investigation of bullying or retaliation.

Information provided during the investigation of bullying or retaliation will be treated as confidential. This means that such information will be shared with others on a need-to-know basis only. The parents or guardians of a student target and those accused as aggressors will be notified. In appropriate circumstances, as determined by the school, the accused aggressor may be informed of the identity of the complainant (target) or witnesses; but in those circumstances, the accused (aggressor) will be cautioned against reprisals, recriminations, attempted intimidation, coercion or retaliation toward the target or witnesses.

At the conclusion of the investigation, the administrator will prepare a report, using the District approved Bullying Prevention and Intervention Investigation Report Form.

If it is determined that bullying or retaliation has occurred, the school principal or assistant principal shall (i) notify the local law enforcement agency if the school principal or assistant principal believes that criminal charges may be pursued against the aggressor; (ii) take appropriate disciplinary action; (iii) notify the parents or guardians of an aggressor; and (iv) notify the parents or guardians of the target, and to the extent consistent with state and federal law, notify them of the action taken to prevent any further acts of bullying or retaliation. In accordance with confidentiality regulations and privacy policies set by Massachusetts State Law, information from a student record of a target or aggressor may not be disclosed to a parent unless the information is about the parent's own child (M.G.L. 600 CMR 49.07).

Disciplinary action for bullying or retaliation may include suspension and/or recommendation for expulsion and will become part of the student's discipline record. Disciplinary action will be implemented immediately, unless the recommendation is for expulsion. In the event of a recommendation for expulsion the student shall remain out of school, but have the right to appeal to the Superintendent. The student shall notify the Superintendent, in writing, of a request for an appeal no later than five calendar days following the recommendation for expulsion. The Superintendent shall hold a hearing with the student and the student's parent or guardian within three calendar days of the request for an appeal. At the hearing, the student shall have the right to present oral and written testimony on his/her behalf and shall have the right to counsel. The Superintendent shall render a decision on the appeal within five calendar days of the hearing, and may sustain, alter, or revoke the recommended disciplinary action. Such decision shall be the final decision of the Superintendent with regard to expulsion.

Discipline for aggressors who are staff members will be handled by his or her Direct Supervisor, in collaboration with the Superintendent of Schools.

Guidance and/or counseling to all parties shall be made available and encouraged.

If an investigation is conducted and the principal, assistant principal, or principal's designee determines the report is a false accusation, appropriate disciplinary action will be taken.

If an incident of bullying or retaliation involves students from more than one school district, charter school, non-public school, approved private day or residential school or collaborative school, the school district or school first informed of the bullying or retaliation shall, consistent with state and federal law, promptly notify the appropriate administrator of the other school district or school so that both may take appropriate action.

If an incident of bullying or retaliation occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in a local school district, charter school, non-public school, approved private day or residential school or collaborative school, the school district or school informed of the bullying or retaliation shall contact law enforcement consistent with state and federal law.

#### Safety and Education Plans

A team including, but not limited to the parent/guardian of target, administrator, guidance counselor, advocate of target's choice, and other appropriate staff will meet to prepare a safety plan for the target and assess the target's need for protection.

The plan will include strategies for protecting the target(s) from further bullying and/or retaliation as well as a strategy to provide counseling or referral to appropriate services for the target and their appropriate family members.

Counseling and/or a referral to appropriate services will be made to the aggressor(s) and their appropriate family members.

#### **How can I learn more about bullying prevention in my school?**

Student education will take place in school. Students will learn:

- what bullying is
- how to respond to bullying
- how to stay safe
- how to be a responsible bystander
- what the consequences may be
- how to report bullying

#### **Freetown-Lakeville Drug and Alcohol Policy**

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

Additionally, any student who is under the influence of drugs or alcoholic beverages prior to, or during, attendance at or participation in a school-sponsored activity, will be barred from that activity and may be subject to disciplinary action. This policy shall be posted on the district's website and notice shall be provided to all students and parents of this policy in accordance with state law. Additionally, the district shall file a copy of this policy with DESE.

The primary purpose of the Freetown-Lakeville Public Schools is to provide those services and facilities which create an environment that encourages each student to identify and achieve his or her full potential. Drug and alcohol use and abuse among students interferes with the students' and the schools'

achievement of this purpose. The Freetown-Lakeville Public Schools are committed to designing programs that educate the students regarding the harmful effects of drug and alcohol abuse. To these ends, the following Drug and Alcohol Policy will be enforced by all school personnel.

**DEFINITION OF TERMS:**

Drug: A substance which by its chemical nature alters the function of the living organism. A drug is any chemical substance, including alcohol that alters mood, perception or consciousness and is misused to the apparent injury of self or society. A drug is a controlled substance as designated by Chapter 94C of the Massachusetts General Law.

Assessment Team: The Assessment Team is a group of key school personnel, functioning as an evaluative support service to the student and the family at risk.

Administrator: Principal, Assistant Principal.

**PROCEDURES:**

**I. Suspected Users of Drugs**

- A. Whenever a school personnel member has reason to suspect that any student is under the influence of or in possession of, selling or distributing a drug in school, on school grounds or during any school sponsored activity, she/he will orally and in writing (a referral form) notify a building administrator.
- B. The school administrator will then question such student for the purpose of determining:
  - 1. The kind and amount of drug consumed and/or involved
  - 2. When, where and from whom such drug was obtained last and/or the quantity consumed, sold or distributed
  - 3. Whether the student still has in his/her possession or subject to his/her immediate control more of such drug. If a search is necessary to determine possession, the following will occur:
    - a. a witness will be present at all times
    - b. a search of the student's person, the area under his/her immediate control, and his/her locker
    - c. seize and retain possession of any drug still in the possession, or subject to the immediate control of the student, or found in the locker
- C. In the event that a school personnel member observes a student with a substance that might be intended for drug use or is passing or selling such a substance to another student, she/he will require the student to accompany him/her to an administrator with the substance either in the teacher's or student's possession. The teacher will not accuse the student of having drugs in his/her possession since the substance has not been legally identified.
- D. The administrator will:
  - 1. require the student to turn over the substance
  - 2. upon receiving the substance:
    - a. initial and date the container in which the evidence is placed for safekeeping
    - b. immediately contact the police and release the evidence
    - c. contact the parents
  - 3. in the event the student refuses to surrender the substance:
    - a. contact the parents
    - b. contact the police
    - c. conduct a search with the police present, if necessary
  - 4. in each case, retain his/her responsibility to safeguard the interest of the student and his/her parents by keeping them informed at all stages of the procedure

- E. In the event the student appears to be under the influence, the administrator will:
  - 1. inform the student that she/he is suspected of possessing, using, selling or distributing a drug
  - 2. determine if the student is in need of immediate attention and if so, refer him/her to the school nurse, call an ambulance, and or call the police
- F. When the use of alcohol is involved, the police may be requested to take protective custody of a student (as permitted by the Massachusetts General Law, 111B):
  - 1. if parents cannot be reached
  - 2. if parents are unwilling or unable to pick up the student

## **II. Students Violating the Drug and Alcohol Policy**

- A. When the facts have been reasonably established that the student has violated the Drug and Alcohol Policy (in school, on school grounds or during any school sponsored activity), the administrator shall suspend the student for a minimum of five (5) days and up to ten (10) days on the first offense. Students who violate the Drug and Alcohol Policy will not be allowed to attend any school dances for the remainder of the year; including Prom, Semi-formal, Homecoming, Senior Banquet and DECA. The administrator, depending on the severity of the incident, may suspend up to ten (10) days and proceed with expulsion hearing.
  - 1. Law enforcement will be involved.
  - 2. The Assessment Team will be notified and will meet at the earliest possible time to discuss appropriate support systems for the student and family.
  - 3. Parents will be asked to meet with the school Assessment Team to consider the best means of helping the student.
  - 4. following any instance of suspension and prior to a student's readmission to school, it is important that the administrator be assured by both the student and his/her parents that positive steps have been taken to find appropriate solutions to the drug related problems.
  - 5. In the event the parents do not cooperate with the school authorities in the adoption and execution of a specific plan for helping the student, a "Child in Need of Services" petition may be filed in the Juvenile Court. This petition will allege that the student lacks the proper attention of his/her parents or that the student's behavior violated the lawful and reasonable regulations of his/her school. The "Child in Need of Services" is to be filed by the truant office, police officer, a parent/guardian, guidance counselor, or administrator.
- B. Any student found to have distributed or sold drugs will be treated in the same manner as a student who has violated the drug policy for the second time.
- C. When the facts have been reasonably established that the student has violated the Drug and Alcohol Policy for the second time during the student's enrollment at ARHS, the administrator shall suspend the student for ten (10) days. The principal, depending on the severity of the incident, may recommend expulsion to the regional school committee. In addition:
  - 1. Law enforcement will be involved.
  - 2. Parents will meet with the assessment team to review the case.
  - 3. The assessment team will give the student the option:
    - a. entering and completing an approved treatment program
    - b. if the student chooses not to enter a program, she/he will be referred to the School Committee for the purpose of exclusion from the Freetown-Lakeville Schools
- D. During any period of suspension or expulsion, the student is prohibited from coming onto any school property, except for the purpose of keeping appointments. The student and his/her parents will be given a hand delivered written notice that the coming onto school property is a violation of this

policy and will be considered a criminal trespass in accordance with Section 120 of Chapter 266 Massachusetts General Laws. A copy of the hand-delivered written notice will be sent to the police.

### **III. Violations of Drug and Alcohol Policy**

The administrator, immediately after finding a student to have violated the Drug and Alcohol Policy, will furnish the police department with a complete report, including the controlled substances and other physical evidence obtained. To the extent permitted by law, the police department will inform the school department of the disposition of the case. A copy of this report will at the same time be submitted to the Superintendent of Schools.

### **IV. Search of Students and School Property**

- A. All parents and students must understand the following:
1. Every administrator may conduct a search of a student and his or her belongings on school premises if she/he has reasonable grounds to believe that the student has in his/her possession any item, the possession of which constitutes a criminal offense under the laws of the Commonwealth of Massachusetts or violates the written policies of the Freetown-Lakeville School District.
  2. Every administrator may conduct a search of the physical plant of the school and appurtenance thereof, including student lockers since lockers are school property. Any and all means, within the law, will be used to obtain evidence.
  3. "Lockers are school property and are subject to search for which administrators retain a right of inspection periodically to ensure compliance with regulations. A school locker may never be used for storing contraband items, such as alcoholic beverages, stolen property, knives, razor blades, guns and illegal drugs." "There shall be no 'expectation of privacy' in a locker, desk or other areas where property is stored in school." (Commonwealth v. Carey, 407 Mass. 528)

### **V. Students Seeking Voluntary Drug Assistance**

- A. The school will provide, without penalty, assistance to any student voluntarily seeking drug and alcohol treatment or advice. If a student voluntarily seeks information or assistance about illegal substance uses and has not been apprehended for any such violation by school authorities or staff, the school will take the following actions:
1. The Assessment Team will immediately consider the best possible resources for helping the student.
  2. Parents are an important factor in helping the individual student and may be involved if it is considered appropriate.

### **Discrimination Policy**

Freetown-Lakeville Regional Schools does not discriminate in admission to, access to, treatment in, or employment in its services, programs and activities, on the basis of race, color, the protective class of gender identity, or national origin, in accordance with Title VI of the Civil Rights Act of 1964 (Title VI); on the basis of sex, in accordance with Title IX of the Education Amendments of 1972; on the basis of disability, in accordance with Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (ADA); or on the basis of age, in accordance with the Age Discrimination Act of 1974 (Age Discrimination Act). Nor does it discriminate on the basis of race, color, sex, religion, national origin, sexual orientation, or religion, or exclude students on the basis of marriage or pregnancy, in accordance with M.G.L. c.76, §5; M.G.L. c.71, §84; and/or M.G.L. c.151B.

To file a complaint alleging discrimination or harassment by the school on the basis of race, color, national origin, sex, disability, age, sexual orientation, or religion or to make inquiry concerning the application of Title VI, Title IX, Section 504, the ADA, the Age Discrimination Act, or applicable state laws and their respective implementing regulations, please contact the Title IX/Chapter 622 Coordinator for the Freetown-Lakeville Regional Schools, as listed on page 49. Inquiries concerning the applicability of the aforementioned federal laws and regulations to the school also may be referred to the U.S. Department of Education, Office for Civil Rights (OCR), JW McCormack POCH, Boston, Massachusetts 02109-4557, telephone (617) 223-9662, TTY (617) 223-9695.

A grievant may file a complaint with OCR, generally,

1. Within 180 calendar days of alleged discrimination or harassment, or
2. Within 60 calendar days of receiving notice of the school's final disposition on a complaint filed through school, or
3. Within 60 calendar days of receiving a final decision by the Massachusetts Department of Education, Bureau of Special Education Appeals, or
4. Instead of filing a complaint with school. Inquiries relative to state law may be referred to the Massachusetts Department of Elementary and Secondary Education, 350 Main Street, Malden, MA 02148-502 (telephone 781-338-3300) or the Massachusetts Commission Against Discrimination at One Ashburton Place, Boston, MA 02108 (telephone 617-727-3990.)

### **Harassment (student to student)**

Harassment of students by other students will not be tolerated in the Freetown-Lakeville Regional School District. This policy is in effect while students are on school grounds, School District property or property within the jurisdiction of the School District, school buses, or attending or engaging in school activities.

Harassment prohibited by the District includes, but is not limited to, harassment on the basis of race, sex, gender identity, homelessness, creed, color, national origin, sexual orientation, religion, marital status or disability. Students whose behavior is found to be in violation of this policy will be subject to disciplinary action up to and including suspension or expulsion.

Harassment means conduct of a verbal or physical nature that is designed to embarrass distress, agitate, disturb or trouble students when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of a student's education or of a student's participation in school programs or activities;
- Submission to or rejection of such conduct by a student is used as the basis for decisions affecting the student, or;
- Such conduct has the purpose or effect of unreasonably interfering with a student's performance or creating an intimidating or hostile learning environment.

Harassment as described above may include, but is not limited to:

- Verbal, physical or written harassment or abuse;

- Repeated remarks of a demeaning nature;
- Implied or explicit threats concerning one’s grades, achievements, or other school matter.
- Demeaning jokes, stories, or activities directed at the student.

The District will promptly and reasonably investigate allegations of harassment. The Principal of each building will be responsible for handling all complaints by students alleging harassment.

Retaliation against a student, because a student has filed a harassment complaint or assisted or participated in a harassment investigation or proceeding, is also prohibited. A student who is found to have retaliated against another in violation of this policy will be subject to disciplinary action up to and including suspension and expulsion.

The Superintendent will develop administrative guidelines and procedures for the implementation of this policy.

### **Hazing**

The Freetown-Lakeville Regional Schools prohibits the practice of “hazing” in the public schools may result in suspension/expulsion. School administrators are expected to report occurrences to proper authorities.

#### **CH. 269, S. 177 CRIME OF HAZING; DEFINITION; PENALTY**

Whoever is the principle organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than three thousand dollars (\$3,000) or by imprisonment in a house of correction for not more than one (1) year, or both such fine and imprisonment. The term “hazing” as used in this section and in section eighteen 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 person or simply intimidating another student to do something which they would not normally do. 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. Added by ST.1985, c.536; amended by ST.1987, c. 665.

#### **CR 269, S.18. DUTY TO REPORT HAZING**

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

### **Non-Custodial Parent Notification**

As required by M.G. L c71, 34FL a non-custodial parent may have access to student records unless (1) the parent has been denied legal custody based on a threat to safety of the student or the custodial



parent, (2) the parent has been denied visitation or has been ordered to supervised visitation or (3) the parent's access to the student or to the custodial parent has been restricted by a temporary or permanent protective order, unless the protective order (or any subsequent order modify the protective order) specifically allows access to the information contained in the student record. In order to obtain access, the non-custodial parent must submit written request for the student record to the School Principal. Upon receipt of the of the request, the school must immediately notify the custodial parent by certified mail and first class mail in English and the primary language of the custodial parent, that it will provide the non-custodial parent access after 21 days, unless the custodial parent provides the Principal with documentation that the non-custodial parent is not eligible to obtain access as set forth in 603CMR23.07. The school must delete the electronic and postal address and telephone number of the student and custodial parent from student records provided to non- custodial parent. Such records must be marked to indicate that they shall not be used to enroll the student in another school. Upon receipt of a court order that prohibits the distribution of information pursuant to M.G. L c.71 34H, the school shall notify the non-custodial that it shall cease to provide access to the student record to the non-custodial parent.

### **Protection of Pupil Rights Amendment**

The Freetown-Lakeville Regional School District adheres to the Protection of Pupil Rights Amendment (PPRA), a federal law that affords parents and eligible students (those who have reached the age of 18) certain rights regarding the conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. An overview of these rights follows:

***a. Consent to federally funded surveys concerning "protected information."*** Schools must obtain written consent of the parent or eligible student prior to requiring the student to participate in a survey that is funded in whole or in part by a program of the United States Department of Education (USDOE) if the survey concerns one or more of the following protected areas of information ("protected information survey"):

1. Political affiliations or beliefs of the student or student's parent;
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 parents;
8. Income, other than as required by law to determine program eligibility.

***b. Opt out of certain surveys and exams even if not federally funded.*** Parents and eligible students must receive notice of any of the following activities and have the right to opt out of them.

1. Any protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening that is 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.

**c. *Inspect certain materials.*** Upon request, parents and eligible students have the right to inspect the following before the school district administers or uses them:

1. Protected information surveys of students;
2. Surveys created by a third party;
3. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes;
4. Instructional materials used as part of the educational curriculum.

**d. Receive notification of the district's policies on the PPRA. After consultation with parents, the Freetown-Lakeville Regional School District has adopted the following policies to implement the PPRA:**

\*Notice of Rights. The Superintendent will arrange for direct notice to parents and eligible students of this policy at the beginning of each school year, either through the U.S. Mail or e-mail, and will provide updates within a reasonable time period after any substantive changes. The superintendent may also include notice of this policy along with other routine legal notices in one or more local newspapers.

\*Notice of Activities. The Superintendent will arrange for direct notice to parents/eligible students at least annually at the beginning of the school year of the activities or surveys identified in the PPRA that the Freetown-Lakeville Regional School District anticipates conducting. The Superintendent will provide parents/eligible students with consent forms or the opportunity to opt a child out of activities, if applicable.

\*Inspection of Materials. Parents or eligible students who wish to exercise their right to inspect surveys and instructional materials as identified in the PPRA may do so by sending written notice to the **Superintendent of Schools or School Principal**. The **Superintendent of Schools or School Principal will** respond to requests within ten calendar days. Opportunity for inspection of applicable materials will be provided at the school or district administrative offices.

\*Protections of Student Privacy. The superintendent will insure that procedures are in place to protect student privacy in the administration of protected information surveys and in the collection, disclosure or use of personal information for marketing, selling or other distribution purposes.

Parents or eligible students who believe their rights under the PPRA have been violated may file a complaint within the district by contacting the Freetown-Lakeville Regional School District Administration Office. Complaints may also be filed with: Family Policy Compliance Office, U.S. Dept. of Ed., and 400 Maryland Avenue SW, Washington DC 20202.

## **Prevention of Physical Restraint and Requirements If Used**

### **46.01: Authority, Scope, Purpose and Construction**

(1) Authority. 603 CMR 46.00 is promulgated by the Board of Elementary and Secondary Education pursuant to M.G.L. c. 69, § 1B, and c. 71, § 37G.

(2) Scope. 603 CMR 46.00 governs the use of physical restraint on students in publicly funded elementary and secondary education programs, including all Massachusetts public school districts, charter schools, virtual schools, collaborative education programs, and the school day of special education schools approved under 603 CMR 28.09, as provided in 603 CMR 18.05(5)(h). Educational programs in facilities operated by the Department of Youth Services, the Department of Mental Health, the Department of Public Health, or County Houses of Correction shall be governed by the restraint, seclusion, and time-out requirements of such agencies.

(3) Purpose. The purpose of 603 CMR 46.00 is to ensure that every student participating in a Massachusetts public education program is free from the use of physical restraint that is inconsistent with 603 CMR 46.00. 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.

(4) Construction. Nothing in 603 CMR 46.00 shall be construed to 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. Nothing in 603 CMR 46.00 precludes any teacher, employee or agent of a public education program from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.

#### **46.02: Definitions**

As used in 603 CMR 46.00, the following terms shall have the following meanings:

*Commissioner* shall mean the commissioner of the Department of Elementary and Secondary Education appointed in accordance with G.L. c.15, §1F, or his or her designee.

*Consent* shall mean agreement by a parent who has been fully informed of all information relevant to the activity for which agreement is sought, in his or her native language or other mode of communication, that the parent understands and agrees in writing to carrying out of the activity, and understands that the agreement is voluntary and may be revoked at any time. The agreement describes the activity and lists the records (if any) which will be released and to whom. In seeking parental consent, a public education program shall not condition admission or continued enrollment upon agreement to the proposed use of any restraint.

*Department* shall mean the Department of Elementary and Secondary Education.

*Mechanical restraint* shall mean the use of any device or equipment to restrict a student's freedom of movement. The term does not include devices implemented by trained school personnel, or utilized by a student that have been prescribed by an appropriate medical or related services professional, and are used for the specific and approved positioning or protective purposes for which such devices were designed. Examples of such devices include: adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; vehicle safety restraints when used as intended during the transport of a student in a moving vehicle; restraints for medical immobilization; or orthopedically prescribed devices that permit a student to participate in activities without risk of harm.

*Medication restraint* shall mean the administration of medication for the purpose of temporarily controlling behavior. Medication prescribed by a licensed physician and authorized by the parent for administration in the school setting is not medication restraint.

*Parent* shall mean a student's father, mother, or legal guardian or person or agency legally authorized to act on behalf of the student in place of or in conjunction with the father, mother, or legal guardian.

*Physical escort* shall mean a temporary touching or holding, without the use of force, of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is agitated to walk to a safe location.

*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.

*Principal* shall mean the instructional leader or headmaster of a public education school program or his or her designee. The board of directors of a charter school or virtual school, or special education school or program approved under 603 CMR 28.09, shall designate in the restraint prevention and behavior support policy who will serve as principal for purposes of 603 CMR 46.00.

*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.

*Public education programs* shall mean public schools, including charter schools, virtual schools, collaborative education programs, and the school day of special education schools approved under 603 CMR 28.09, as provided in 603 CMR 18.05(5)(h), and school events and activities sponsored by such programs. The term "programs" may be used in 603 CMR 46.00 to refer to "public education programs." For purposes of 603 CMR 46.00, public education programs shall not include the educational services provided within Department of Youth Services, Department of Mental Health, Department of Public Health, and County Houses of Correction operated or contracted facilities.

*School Working Day* shall mean a day or partial day that students are in attendance at the public education program for instructional purposes.

*Seclusion* shall mean the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. Seclusion does not include a time-out as defined in 603 CMR 46.02.

*Time-out* shall mean a behavioral support strategy developed pursuant to 603 CMR 46.04(1) 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.

#### **46.03: Use of Restraint**

##### **(1) Prohibition.**

(a) Mechanical restraint, medication restraint, and seclusion shall be prohibited in public education programs.

(b) Prone restraint shall be prohibited in public education programs except on an individual student basis, and only under the following circumstances:

1. The student has a documented history of repeatedly causing serious self-injuries and/or injuries to other students or staff;
2. All other forms of physical restraints have failed to ensure the safety of the student and/or the safety of others;
3. There are no medical contraindications as documented by a licensed physician;
4. There is psychological or behavioral justification for the use of prone restraint and there are no psychological or behavioral contraindications, as documented by a licensed mental health professional;
5. The program has obtained consent to use prone restraint in an emergency as set out in 603 CMR 46.03(1)(b), and such use has been approved in writing by the principal; and,

6. The program has documented 603 CMR 46.03(1)(b) 1 – 5 in advance of the use of prone restraint and maintains the documentation.

(c) Physical restraint, including prone restraint where permitted, 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, or such interventions are deemed to be inappropriate under the circumstances.

(d) All physical restraints, including prone restraint where permitted, shall be administered in compliance with 603 CMR 46.05.

(2) Physical restraint shall not be used:

(a) As a means of discipline or punishment;

(b) When the student cannot be safely restrained because it is medically contraindicated for reasons including, but not limited to, asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting;

(c) As a response to property destruction, disruption of school order, a student's refusal to comply with a public education program rule or staff directive, or verbal threats when those actions do not constitute a threat of assault, or imminent, serious, physical harm; or

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

(3) Limitations on use of restraint. Physical restraint in a public education program shall be limited to the use of such reasonable force as is necessary to protect a student or another member of the school community from assault or imminent, serious, physical harm.

(4) Referral to law enforcement or other state agencies. Nothing in these regulations prohibits:

(a) The right of any individual to report to appropriate authorities a crime committed by a student or other individual;

(b) Law enforcement, judicial authorities or school security personnel from exercising their responsibilities, including the physical detainment of a student or other person alleged to have committed a crime or posing a security risk; or

(c) The exercise of an individual's responsibilities as a mandated reporter pursuant to G.L. c. 119, § 51A. 603 CMR 46.00 shall not be used to deter any individual from reporting neglect or abuse to the appropriate state agency.

#### **46.04: Policy and Procedures; Training**

(1) Procedures. Public education programs shall develop and implement written restraint prevention and behavior support policy and procedures consistent with 603 CMR 46.00 regarding appropriate responses to student behavior that may require immediate intervention. Such policy and procedures shall be annually reviewed and provided to program staff and made available to parents of enrolled students. Such policy and procedures shall include, but not be limited to:

(a) Methods for preventing student violence, self-injurious behavior, and suicide, including individual crisis planning and de-escalation of potentially dangerous behavior occurring among groups of students or with an individual student;

(b) Methods for engaging parents in discussions about restraint prevention and the use of restraint solely as an emergency procedure;

(c) A description and explanation of the program's alternatives to physical restraint and method of physical restraint in emergency situations;

- (d) A statement prohibiting: medication restraint, mechanical restraint, prone restraint unless permitted pursuant to 603 CMR 46.03(1)(b), seclusion, and the use of physical restraint in a manner inconsistent with 603 CMR 46.00;
- (e) A description of the program's training requirements, reporting requirements, and follow-up procedures;
- (f) A procedure for receiving and investigating complaints regarding restraint practices;
- (g) A procedure for conducting periodic review of data and documentation on the use of physical restraints as described in 603 CMR 46.06(5) and (6);
- (h) A procedure for implementing the reporting requirements as described in 603 CMR 46.06;
- (i) A procedure for making reasonable efforts to orally notify a parent of the use of restraint on a student within 24 hours of the restraint, and for sending written notification to the parent within three school working days following the use of restraint to an email address provided by the parent for the purpose of communicating about the student, or by regular mail to the parent postmarked within three school working days of the restraint; and,
- (j) If the program uses time-out as a behavioral support strategy, a procedure for the use of time-out that includes a process for obtaining principal approval of time-out for more than 30 minutes based on the individual student's continuing agitation.

(2) Required training for all staff. Each principal or director shall determine a time and method to provide all program staff with training regarding the program's restraint prevention and behavior support policy and requirements when restraint is used. Such training shall occur within the first month of each school year and, for employees hired after the school year begins, within a month of their employment. Training shall include information on the following:

- (a) The role of the student, family, and staff in preventing restraint;
- (b) The program's restraint prevention and behavior support policy and procedures, including use of time-out as a behavior support strategy distinct from seclusion;
- (c) Interventions that may preclude the need for restraint, including de-escalation of problematic behaviors and other alternatives to restraint in emergency circumstances;
- (d) When behavior presents an emergency that requires physical restraint, the types of permitted physical restraints and related safety considerations, including information regarding the increased risk of injury to a student when any restraint is used, in particular a restraint of extended duration;
- (e) 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; and
- (f) Identification of program staff who have received in-depth training pursuant to 603 CMR 46.03(3) in the use of physical restraint.

(3) In-depth staff training in the use of physical restraint. At the beginning of each school year, the principal of each public education program or his or her designee shall identify program staff who are authorized to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. Such staff shall participate in in-depth training in the use of physical restraint. The Department recommends that such training be competency-based and be at least sixteen (16) hours in length with at least one refresher training occurring annually thereafter.

(4) Content of in-depth training. In-depth training in the proper administration of physical restraint shall include, but not be limited to:

- (a) Appropriate procedures for preventing the use of physical restraint, including the de-escalation of problematic behavior, relationship building and the use of alternatives to restraint;

- (b) A description and identification of specific dangerous behaviors on the part of students that may lead to the use of physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted;
- (c) The simulated experience of administering and receiving physical restraint, instruction regarding the effect(s) on the person restrained, including instruction on monitoring physical signs of distress and obtaining medical assistance;
- (d) Instruction regarding documentation and reporting requirements and investigation of injuries and complaints;
- (e) Demonstration by participants of proficiency in administering physical restraint; and,
- (f) Instruction regarding the impact of physical restraint on the student and family, recognizing the act of restraint has impact, including but not limited to psychological, physiological, and social-emotional effects.

#### **46.05: Proper Administration of Physical Restraint**

(1) Trained personnel. Only public education program personnel who have received training pursuant to 603 CMR 46.04(2) or 603 CMR 46.04(3) 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. The training requirements contained in 603 CMR 46.00 shall not preclude a teacher, employee or agent of a public education program from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.

(2) Use of force. A person administering a physical restraint shall use only the amount of force necessary to protect the student or others from physical injury or harm.

(3) Safest method. A person administering physical restraint shall use the safest method available and appropriate to the situation subject to the safety requirements set forth in 603 CMR 46.05(5). Floor restraints, including prone restraints otherwise permitted under 603 CMR 46.03(1)(b), shall be prohibited unless the staff members administering the restraint have received in-depth training according to the requirements of 603 CMR 46.043(3) and, in the judgment of the trained staff members, such method is required to provide safety for the student or others present.

(4) Duration of restraint. All physical restraint must be terminated as soon as the student is no longer an immediate danger to himself or others, or the student indicates that he or she cannot breathe, or if the student is observed to be in severe distress, such as having difficulty breathing, or sustained or prolonged crying or coughing.

(5) Safety requirements. Additional requirements for the use of physical restraint:

(a) No restraint shall be administered in such a way that the student is prevented from breathing or speaking. During the administration of a restraint, a staff member shall continuously monitor the physical status of the student, including skin temperature and color, and respiration.

(b) Restraint shall be administered in such a way so as to prevent or minimize physical harm. If, at any time during a physical restraint, the student expresses or demonstrates significant physical distress including, but not limited to, difficulty breathing, the student shall be released from the restraint immediately, and school staff shall take steps to seek medical assistance.

(c) If a student is restrained for a period longer than 20 minutes, program staff shall obtain the approval of the principal. The approval shall be based upon the student's continued agitation during the restraint justifying the need for continued restraint.

(d) Program staff shall review and consider any known medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans regarding the use of physical restraint on an individual student.

(e) After the release of a student from a restraint, the public education program shall implement follow-up procedures. These procedures shall include reviewing the incident with the student to

address the behavior that precipitated the restraint, reviewing the incident with the staff person(s) who administered the restraint to discuss whether proper restraint procedures were followed, and consideration of whether any follow-up is appropriate for students who witnessed the incident.

#### **46.06: Reporting Requirements**

(1) Circumstances under which a physical restraint must be reported. Program staff shall report the use of any physical restraint as specified in 603 CMR 46.06(2).

(2) Informing the principal. The program staff member who administered the restraint shall verbally inform the principal of the restraint as soon as possible, and by written report no later than the next school working day. The written report shall be provided to the principal for review of the use of the restraint. If the principal has administered the restraint, the principal shall prepare the report and submit it to an individual or team designated by the superintendent or board of trustees for review. The principal or director or his/her designee shall maintain an on-going record of all reported instances of physical restraint, which shall be made available for review by the parent or the Department upon request.

(3) Informing parents. The principal or director of the program or his/her designee shall make reasonable efforts to verbally inform the student's parent of the restraint within 24 hours of the event, and shall notify the parent by written report sent either within three school working days of the restraint to an email address provided by the parent for communications about the student, or by regular mail postmarked no later than three school working days of the restraint. If the school or program customarily provides a parent of a student with report cards and other necessary school-related information in a language other than English, the written restraint report shall be provided to the parent in that language. The principal shall provide the student and the parent an opportunity to comment orally and in writing on the use of the restraint and on information in the written report.

(4) Contents of report. The written report required by 603 CMR 46.06(2) and (3) shall include:

(a) The name of the student; the names and job titles of the staff who administered the restraint, and observers, if any; the date of the restraint; the time the restraint began and ended; and the name of the principal or designee who was verbally informed following the restraint; and, as applicable, the name of the principal or designee who approved continuation of the restraint beyond 20 minutes pursuant to 603 CMR 46.05(5)(c).

(b) A description of the activity in which the restrained student and other students and staff in the same room or vicinity were engaged immediately preceding the use of physical restraint; the behavior that prompted the restraint; the efforts made to prevent escalation of behavior, including the specific de-escalation strategies used; alternatives to restraint that were attempted; and the justification for initiating physical restraint.

(c) A description of the administration of the restraint including the holds used and reasons such holds were necessary; the student's behavior and reactions during the restraint; how the restraint ended; and documentation of injury to the student and/or staff, if any, during the restraint and any medical care provided.

(d) Information regarding any further action(s) that the school has taken or may take, including any consequences that may be imposed on the student.

(e) Information regarding opportunities for the student's parents to discuss with school officials the administration of the restraint, any consequences that may be imposed on the student, and any other related matter.

(5) Individual student review. The principal shall conduct a weekly review of restraint data to identify students who have been restrained multiple times during the week. If such students are identified, the



principal shall convene one or more review teams as the principal deems appropriate to assess each student's progress and needs. The assessment shall include at least the following:

- (a) review and discussion of the written reports submitted in accordance with 603 CMR 46.06 and any comments provided by the student and parent about such reports and the use of the restraints;
- (b) analysis of the circumstances leading up to each restraint, including factors such as time of day, day of the week, antecedent events, and individuals involved;
- (c) consideration of factors that may have contributed to escalation of behaviors, consideration of alternatives to restraint, including de-escalation techniques and possible interventions, and such other strategies and decisions as appropriate, with the goal of reducing or eliminating the use of restraint in the future;
- (d) agreement on a written plan of action by the program.

If the principal directly participated in the restraint, a duly qualified individual designated by the superintendent or board of trustees shall lead the review team's discussion. The principal shall ensure that a record of each individual student review is maintained and made available for review by the Department or the parent, upon request.

(6) Administrative review. The principal shall conduct a monthly review of school-wide restraint data. This review shall consider patterns of use of restraints by similarities in the time of day, day of the week, or individuals involved; the number and duration of physical restraints school-wide and for individual students; the duration of restraints; and the number and type of injuries, if any, resulting from the use of restraint. The principal shall determine whether it is necessary or appropriate to modify the school's restraint prevention and management policy, conduct additional staff training on restraint reduction/prevention strategies, such as training on positive behavioral interventions and supports, or take such other action as necessary or appropriate to reduce or eliminate restraints.

(7) Report all restraint-related injuries to the Department. When a physical restraint has resulted in an injury to a student or program staff member, the program shall send a copy of the written report required by 603 CMR 46.06(4) to the Department postmarked no later than three school working days of the administration of the restraint. The program shall also send the Department a copy of the record of physical restraints maintained by the principal pursuant to 603 CMR 46.06(2) for the 30-day period prior to the date of the reported restraint. The Department shall determine if additional action by the program is warranted and, if so, shall notify the program of any required actions within 30 calendar days of receipt of the required written report(s).

(8) Report all physical restraints to the Department. Every program shall collect and annually report data to the Department regarding the use of physical restraints. Such data shall be reported in a manner and form directed by the Department.

**46.07: Effective Date**

The effective date of 603 CMR 46.00, as amended, is January 1, 2016.

**Sexual Harassment Policy**

The Freetown-Lakeville Regional School District, in accordance with the provisions of Title IX of the Education Amendments of 1972, prohibits discrimination on the basis of gender in educational programs and activities of the public schools. This policy applies to both educational and employment opportunities.

Freetown-Lakeville is committed to maintaining an educational atmosphere in which each and every student can pursue scholastic achievement and personal fulfillment. Sexual harassment is a destructive behavior that interferes with the educational process and will not be tolerated. Sexual

harassment is a violation of an individual's right to privacy and personal dignity. Students who engage in sexual harassment violate school policy. Students violating this policy will be subject to the Code of Discipline. The purpose of this policy is to define sexual harassment, establish appropriate standards of conduct and set guidelines for recognizing and dealing with sexual harassment.

### **Definition**

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors and other verbal and physical conduct of a sexual nature, when such conduct unreasonably interferes with school performance or creates an intimidating, hostile, offensive, or uncomfortable educational environment.

Sexual harassment may include, but not be limited to:

- a. Unwelcome sexual advances - whether they involve physical touching or not;
- b. Sexual epithets, jokes, written or oral references to sexual conduct; gossip regarding one's sex life; comments on an individual's body, comments about an individual's sexual activity, sexual orientation, deficiencies, or prowess;
- c. Displaying sexually suggestive objects, pictures, cartoons, including inappropriate usage of computers/internet;
- d. Unwelcome leering, whistling, brushing against the body; sexual gestures, suggestive or insulting comments including but not limited to fag, homo, etc.
- e. Inquiries into one's sexual experiences;
- f. Discussion of one's sexual activities; and,
- g. Continuing to express sexual interest after being informed that the interest is unwelcome.

Sexual harassment is described by the victim. It may result from words or conduct that offend, stigmatize or demean a student on the basis of sex. The individual's feelings and reactions determine whether behavior such as that described above is inappropriate and that sexual harassment has taken place.

### **Suggested Procedure**

1. Staff or students who observe conduct which violates this policy, are to report the conduct to their principal or guidance counselor.
2. If the individual does not desire to meet with the alleged harasser, the complainant is to meet with a guidance counselor and write a statement describing the incident. The guidance counselor should assist the individual in drafting a statement.

*The statement should list the following:*

- a. An exact description of the behavior, including when and where it happened;
- b. A description of how the behavior made the complainant feel (embarrassed, humiliated, angry, etc.);
- c. The statement should contain a request that the behavior stop because it is sexual harassment and is against the law;
- d. The statement should be signed and dated by the complainant. The guidance counselor should deliver one copy of the letter to the alleged harasser. The counselor should then conduct a meeting with the alleged harasser to discuss and resolve the issue. A statement of resolution

should be signed by the alleged harasser and the complainant. A copy of the statement and the resolution will be retained in the guidance counselor's office;

- e. If the behavior stops, nothing further will be said and no further action will
  - f. be taken, and the statement and resolution (above) will be kept confidential;
  - g. If the behavior does not stop, a formal investigation will be initiated by the administration.
3. In the case of serious harassment, i.e., physical harassment, repeated incidents of sexual harassment or other cases requiring a formal investigation, the following shall be implemented (retaliation in any form for the filing of a complaint or reporting of sexual harassment is prohibited and will result in serious disciplinary action):
- a. Have a supportive staff member, advocate or member of the gender equity committee present with the complainant at all discussions regarding the case;
  - b. Keep the investigation group as small as possible to protect the rights of both parties and to ensure confidentiality;
  - c. Complete the investigation promptly. If the complaint is not supported, that decision will be carefully explained to the complainant and alleged harasser. If the complaint is supported, such action as is necessary shall be taken to admonish the alleged harasser, alleviate the complainants concerns and prevent further harassment;
  - d. If a student believes that he/she is harassed by an adult in school, the student should immediately report the incident to the school administration;
  - e. If the conduct involves a violation of law, the matter will immediately be reported to the Principal.

## **Student Records**

The Family Educational Rights and Privacy Act (FERPA) and the Massachusetts Student Records Regulations ("Regulations") together provide parents and eligible students (those who have reached the age of 14 or who have entered ninth grade) certain rights with respect to the student's education records. A general overview of those rights is provided below. Parents and students may obtain a complete copy of their rights under the Massachusetts Student Record Regulations by sending written notice to the Superintendent of Schools.

- a. The right to access the student's education records. Parents or eligible students should submit a request for access to the school principal. Access is generally provided within ten days of a request. However, Massachusetts General Laws c. 71, §34H provides specific procedures that must be followed prior to release of records to a parent who does not have physical custody of a child. These procedures include submitting a written request and other documentation to the principal on an annual basis. Information about these procedures can be obtained from the school principal.
- b. The right to request amendment of the student's education records. Parents or eligible students should direct requests to the principal, clearly identifying the part of the record they wish to have amended and why.
- c. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA and the Massachusetts regulations authorize disclosure without consent. One exception that permits disclosure

without consent is disclosure to school officials with legitimate educational interests in the records. Such school officials include professional, administrative and clerical staff who are employed by or under agreement with the Freetown-Lakeville Regional School District and who need access to a record in order to fulfill their duties. The Freetown-Lakeville Regional School District also disclose student records without parent/eligible student consent to officials of other elementary or secondary schools in which a student enrolls, or seeks, intends, or is instructed to enroll upon receipt of a request form such school officials.

- d. In addition, the Freetown-Lakeville Regional School District has a practice of releasing directory information without consent. Directory information consists of the following: the student's name, address, telephone listing, date and place of birth, major field of study, dates of attendance, weight and height of athletic teams, class, participation in recognized activities and sports, honors, and awards, and post-high school plans. In the event a parent or eligible student objects to the release of any of the above information, the parent/eligible student may state that objection in writing to school principal. Absent receipt of a written objection by October 15 of each school year, the directory information will be released without further notice or consent.
- e. As required by federal law, the Freetown-Lakeville Regional Schools routinely releases the name, address, and telephone listing of secondary school students to military recruiters and to institutions of higher learning upon request. In the event a parent or eligible student objects to the release of any of the above information, the parent/eligible student may state that objection in writing to the school principal. Absent receipt of a written objection from the parent or eligible student by October 15 of each school year, this information will be released without further notice or consent.

You have the right to file a complaint concerning alleged failures by the District to comply with the regulations and laws governing student records. Complaints may be filed at the Massachusetts Department of Education, 350 Main Street, Malden, MA 02148. In addition, complaints relative to federal statutes and regulations governing student records may be filed with the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, DC.

## **Digital Technology Acceptable Use Policy**

### **Introduction**

The Freetown-Lakeville Regional School District recognizes that access to technology in school gives students greater opportunities to learn, engage, communicate, and develop skills that will prepare them for work, life, and citizenship. As such, we are committed to helping students develop 21<sup>st</sup>-century technology and communication skills through appropriate access and use of technology.

This Digital Technology Acceptable Use Policy outlines the guidelines and behaviors that users are expected to follow when using school technologies and/or personally-owned devices on any of our school campuses or when inappropriately used off campus to interact with students, staff, or other district related personnel.

- The Freetown-Lakeville Regional School District network is intended for educational purposes and should only be accessed for school related purposes.
- All activity over the network or using district technologies may be monitored and retained.
- Users shall not add, download, delete or modify any program or settings on school provided devices or networks.
- Access to online content via the network may be restricted in accordance with our policies and federal regulations, including the Children’s Online Privacy Protection Act (COPPA).
- Students are expected to follow the same rules for good behavior and respectful conduct online as they are offline.
- Misuse of school resources may result in disciplinary action.
- Users of the district network or other technologies are expected to alert IT staff immediately of any concerns for safety or security.

Freetown-Lakeville Regional School District makes a reasonable effort to ensure students’ safety and security online, but will not be held accountable for any harm or damages that result from inappropriate use of school technologies.

**Technologies Covered by the Digital Acceptable Use Policy**

The Freetown-Lakeville Regional School District may provide students, staff, and guests access to the Internet, desktop computers, mobile computers or other mobile devices, videoconferencing capabilities, online collaboration capabilities, message boards, email, or other technologies as they become available. The policies outlined in this document are intended to cover *all* available technologies, not just those specifically listed within this document.

**Purpose for Use of Digital Technology**

All technologies provided by the district are intended for educational purposes. All users are expected to use good judgment which follows both the specifics outlined in the Digital Technology Acceptable Use Policy and the spirit of the document. This policy intends use that is safe, appropriate, careful and kind.

Users shall not bypass technological protection measures employed by the district and are expected to use good common sense. Any attempt to modify, bypass or evade security programs, firewalls or server network access will result in discipline and limitations on future use of devices of network access. When a user does not know if an activity is appropriate, they should seek guidance from a knowledgeable member of the staff.

**Web Access**

The Freetown-Lakeville Regional School District provides its users with access to the Internet, including web sites, resources, content, and online tools. Access will be restricted in compliance with CIPA regulations and school policies as appropriate. Web browsing may be monitored and internet activity records may be retained indefinitely.

The online filter is a safety precaution, and users shall not attempt to deactivate the filter in any way when online. If a site is blocked and a user believes it shouldn't be, the user should follow district protocol to alert an IT staff member or submit the site for review.

## **Email**

The Freetown-Lakeville Regional School District may provide users with email accounts for the purpose of school-related communication. Availability and use of school district email may be restricted based on school policies and may be monitored and archived pursuant to public records laws. All emails may be subject to disclosure as a public record.

When users are provided with email accounts, they should be used with care. Users should refrain from the following email activities:

- sending personal information in district email;
- attempting to open files or follow links from unknown or un-trusted origin;
- using inappropriate language; and,
- communicating with others not allowed by the district policy or the teacher.

Users are expected to communicate with the same appropriate, safe, mindful, courteous conduct online as they should offline.

## **Social Media/Web 2.0 / Collaborative Content**

Recognizing the benefits collaboration brings to education, the Freetown-Lakeville Regional School District may provide users with access to web sites or tools that allow communication, collaboration, sharing, and messaging among users. It is important to note that posts, chats, sharing, and messaging may be monitored. Users should be careful not to share personally-identifying information online. If the District adopts an encryption program all shared content shall be encrypted to ensure privacy. Users will be trained in encryption procedures.

## **District-Owned Mobile Devices**

The Freetown-Lakeville Regional School District may provide users with mobile computers or other devices to promote learning. Users must abide by the same acceptable use policies when using school devices off the school network as on the school network. Use of school-issued mobile devices while off the school network may also be monitored.

All users are expected to treat these devices with extreme care and caution; these are expensive devices that the school is entrusting to your care. Users should report any loss, damage, or malfunction to teacher immediately. Users may be financially accountable for any damage resulting from negligence or misuse.

## **Personally-Owned Devices**

The Freetown-Lakeville Regional School District recognizes that many students bring technology to school which assist students in accessing information and deepening the learning process. Staff and

students may use the FLRSD wireless network to access the Internet when following district protocol for doing so. The Digital Technology Acceptable Use Policy governs use of the FLRSD network regardless of whether the user is accessing the network with a district/school-owned device or a personally-owned device.

Due to security concerns, when personally-owned mobile devices are used on campus, they should not be used over the school network without express permission from IT staff. In some cases, a separate network may be provided for personally-owned devices.

When using a personally-owned device on the district/school network it is important to note that FLRSD is **not responsible** for any of the following:

- theft or loss of any personal device
- communication/data fees incurred while using the district network
- providing software licenses (unless part of the curriculum)
- providing antivirus software

The use of personally owned devices is at the discretion of the individual teacher and should only be used during class time when use is related to the lesson or assignment. Personally-owned devices (including laptops, tablets, smart phones, and cell phones) must be turned off and put away during school hours - unless in the event of an emergency or as instructed by a teacher or staff for educational purposes. When students are allowed to use such devices, they should be set on silent or mute, (not vibrate) so as not to disturb others. Students shall not record any audio or video, or take any photographs without the explicit permission of the teacher and students included in the recording or photo.

### **Security**

Users are expected to take reasonable safeguards against the transmission of security threats over the school network including refraining from opening or distributing infected files or programs, or opening files or programs of unknown or un-trusted origin.

If you believe a computer or mobile device you are using might be infected with a virus, please alert the school office. Do not attempt to remove the virus yourself or download any programs to help remove the virus.

### **Downloads**

Users should not download or attempt to download or run .exe programs over the school network or onto school resources without express permission from IT staff. Though users may be able to download other file types, such as images or videos, users should only download such files from reputable sites, and only for educational purposes consistent with classwork or assignments in an effort to ensure the security of our network.

### **Netiquette**

Users should always use the Internet, network resources, and online sites in a courteous and respectful manner. Users should also recognize that among the valuable content online there is unverified, incorrect, or inappropriate content. Users should use trusted sources when conducting research via the Internet. Additionally, users should also remember not to post anything online that they wouldn't want parents, teachers, or future colleges or employers to see. Once something is online, it's out there—and can sometimes be shared and spread in ways you never intended.

### **Plagiarism**

Users must not plagiarize (or use as their own, without citing the original creator) content, including words or images, from the Internet. Users should not take credit for things they didn't create themselves, or misrepresent themselves as an author or creator of something found online. All research, quotes, paraphrases, and references conducted via the Internet must be appropriately cited, giving credit to the original author.

### **Personal Safety**

Users should never share passwords, personal information, including phone number, address, social security number, birthday, or financial information, over the Internet without adult permission. Users should recognize that communicating over the Internet brings anonymity and associated risks, and should carefully safeguard the personal information of themselves and others. Users should never agree to meet someone they meet online in real life without parental permission.

If you see a message, comment, image, or anything else online that makes you concerned for your personal safety, bring it to the attention of an adult (teacher or staff if you're at school; parent if you're using the device at home) immediately.

### **Cyberbullying**

Cyberbullying will not be tolerated. Sending emails or posting comments with the intent of scaring, hurting, or intimidating someone else (including, but not limited to harassing, dissing, flaming, denigrating, impersonating, outing, tricking, excluding, and cyberstalking) is considered cyberbullying. Engaging in these behaviors, or any online activities intended to harm (physically or emotionally) another person, will result in severe disciplinary action and loss of privileges. In some cases, cyberbullying can be a crime. Remember that your activities are monitored and your emails, tweets, posts or other cyber communication are retained and can be reviewed.

### **Examples of Acceptable Use**

I will:

- ✓ Use school technologies for school-related activities.
- ✓ Follow the same guidelines for respectful, responsible behavior online that I am expected to follow offline.
- ✓ Treat school resources carefully, and alert staff if there is any problem with their operation.
- ✓ Encourage positive, constructive discussion if allowed to use communicative or collaborative technologies.



- ✓ Alert a teacher or other staff member if threatening, inappropriate, or harmful content (images, messages, posts) are accessed online.
- ✓ Use school technologies at appropriate times, in approved places, for educational pursuits.
- ✓ Cite sources when using online sites and resources for research.
- ✓ Recognize that use of school technologies is a privilege and treat it as such.
- ✓ Be cautious to protect the safety of myself and others.
- ✓ Help to protect the security of school resources.

### **Examples of Unacceptable Use**

I will not:

- ✓ Use school technologies in a way that could be personally or physically harmful.
- ✓ Attempt to find inappropriate images or content.
- ✓ Engage in cyberbullying, harassment, or disrespectful conduct toward others.
- ✓ Try to find ways to circumvent the school's safety programs and filtering tools.
- ✓ Use school technologies to send spam or chain mail.
- ✓ Plagiarize content I find online.
- ✓ Post personally-identifying information, about myself or others.
- ✓ Agree to meet someone I meet online in real life.
- ✓ Use language online that would be unacceptable in the classroom.
- ✓ Use school technologies for illegal activities or to pursue information on such activities.
- ✓ Attempt to hack or access sites, servers, or content that isn't intended for my use.

These are not intended to be exhaustive lists. Users should use their own good judgment when using school technologies.

### **Limitation of Liability**

Freetown-Lakeville Regional School District will not be responsible for damage or harm to persons, files, data, or hardware. While Freetown-Lakeville Regional School District employs filtering and other safety and security mechanisms, and attempts to ensure their proper function, it makes no guarantees as to their effectiveness.

Freetown-Lakeville Regional School District will not be responsible, financially or otherwise, for unauthorized transactions conducted over the school network.

### **Violations of this Acceptable Use Policy**

Violations of this policy may have disciplinary repercussions, including:

- Suspension of network, technology, or computer privileges
- Notification to parents
- Detention or suspension from school and school-related activities
- Legal action and/or prosecution

## **Policy Pertaining to Massachusetts General Law Chapter 71 Section 1 & 32A**

It is the policy of the Freetown-Lakeville School Committee to ensure that the specific Massachusetts General Law Chapter 71 Section 1 (exemption from specific instructional units due to religious beliefs) and Section 32A (parent/guardian notification pertaining to human sexual education or human sexuality issues) be enforced in all schools within this district. In doing so, 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 written notice at the time of enrollment. If the planned curriculum changes during the school year, to the extent practicable, parents/guardians will be notified of this fact in a timely manner before implementation.

### **Full Text of MGL 37H, 37 H ½ , 37H ¾**

**Section 37H.** The superintendent of every school district shall publish the district's policies pertaining to the conduct of teachers and students. Said policies shall prohibit the use of any tobacco products within the school buildings, the school facilities or on the school grounds or on school buses by any individual, including school personnel. Said policies shall further restrict operators of school buses and personal motor vehicles, including students, faculty, staff and visitors, from idling such vehicles on school grounds, consistent with section 16B of chapter 90 and regulations adopted pursuant thereto and by the department. The policies shall also prohibit bullying as defined in section 37O and shall include the student-related sections of the bullying prevention and intervention plan required by said section 37O. Copies of these policies shall be provided to any person upon request and without cost by the principal of every school within the district.

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

In each school building containing the grades nine to twelve, inclusive, the principal, in consultation with the school council, shall prepare and distribute to each student a student handbook setting forth the rules pertaining to the conduct of students. The student handbook shall include an age-appropriate summary of the student-related sections of the bullying prevention and intervention plan required by section 37O. The school council shall review the student handbook each spring to consider changes in disciplinary policy to take effect in September of the following school year, but may consider policy changes at any time. The annual review shall cover all areas of student conduct, including but not limited to those outlined in this section.

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

(a) Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or a knife; or a controlled substance as defined in chapter ninety-four C, including, but not limited to,

marijuana, cocaine, and heroin, may be subject to expulsion from the school or school district by the principal.

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

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

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

*[Paragraph (e) of the fourth paragraph effective until July 1, 2014. For text effective July 1, 2014, see below.]*

(e) When a student is expelled under the provisions of this section, no school or school district within the commonwealth shall be required to admit such student or to provide educational services to said student. If said student does apply for admission to another school or school district, the superintendent of the school district to which the application is made may request and shall receive from the superintendent of the school expelling said student a written statement of the reasons for said expulsion.

*[Paragraph (e) of the fourth paragraph as amended by 2012, 222, Sec. 1 effective July 1, 2014. See 2012, 222, Sec. 12. For text effective until July 1, 2014, see above.]*

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

*[Paragraphs (f) and (g) of the fourth paragraph added by 2012, 222, Sec. 1 effective July 1, 2014. See 2012, 222, Sec. 12.]*

(f) Districts shall report to the department of elementary and secondary education the specific reasons for all suspensions and expulsions, regardless of duration or type, in a manner and form established by the commissioner. The department of elementary and secondary education shall use its existing data collection tools to obtain this information from districts and shall modify those tools, as necessary, to obtain the information. On an annual basis, the department of elementary and secondary education shall make district level de-identified data and analysis, including the total number of days each student is excluded during the school year, available to the public online in a machine readable format. This report shall include district level data disaggregated by student status and categories established by the commissioner.

(g) Under the regulations promulgated by the department, for each school that suspends or expels a significant number of students for more than 10 cumulative days in a school year, the commissioner shall investigate and, as appropriate, shall recommend models that incorporate intermediary steps prior to the use of suspension or expulsion. The results of the analysis shall be publicly reported at the school district level.

**Section 37H ½** Notwithstanding the provisions of section eighty-four and sections sixteen and seventeen of chapter seventy-six:

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

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

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

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

superintendent shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the city, town or regional school district with regard to the expulsion.

*[Second paragraph effective until July 1, 2014. For text effective July 1, 2014, see below.]*

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

*[Second paragraph as amended by 2012, 222, Sec. 2 effective July 1, 2014. See 2012, 222, Sec. 12. For text effective until July 1, 2014, see above.]*

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

**Section 37H** ¾ (a) This section shall govern the suspension and expulsion of students enrolled in a public school in the commonwealth who are not charged with a violation of subsections (a) or (b) of section 37H or with a felony under section 37H1/2.

(b) Any principal, headmaster, superintendent or other person acting as a decision-maker at a student meeting or hearing, when deciding the consequences for the student, shall exercise discretion; consider ways to re-engage the student in the learning process; and avoid using expulsion as a consequence until other remedies and consequences have been employed.

(c) For any suspension or expulsion under this section, the principal or headmaster of a school in which the student is enrolled, or a designee, shall provide, to the student and to the parent or guardian of the student, notice of the charges and the reason for the suspension or expulsion in English and in the primary language spoken in the home of the student. The student shall receive the written notification and shall have the opportunity to meet with the principal or headmaster, or a designee, to discuss the charges and reasons for the suspension or expulsion prior to the suspension or expulsion taking effect. The principal or headmaster, or a designee, shall ensure that the parent or guardian of the student is included in the meeting, provided that such meeting may take place without the parent or guardian only if the principal or headmaster, or a designee, can document reasonable efforts to include the parent or guardian in that meeting. The department shall promulgate rules and regulations that address a principal's duties under this subsection and procedures for including parents in student exclusion meetings, hearings or interviews under this subsection.

(d) If a decision is made to suspend or expel the student after the meeting, the principal or headmaster, or a designee, shall update the notification for the suspension or expulsion to reflect the meeting with the student. If a student has been suspended or expelled for more than 10 school days for a single infraction or for more than 10 school days cumulatively for multiple infractions in any school year, the student and the parent or guardian of the student shall also receive, at the time of the suspension or expulsion decision, written notification of a right to appeal and the process for appealing the suspension or expulsion in English and in the primary language spoken in the home of the student; provided,

however, that the suspension or expulsion shall remain in effect prior to any appeal hearing. The principal or headmaster or a designee shall notify the superintendent in writing, including, but not limited to, by electronic means, of any out-of-school suspension imposed on a student enrolled in kindergarten through grade 3 prior to such suspension taking effect. That notification shall describe the student's alleged misconduct and the reasons for suspending the student out-of-school. For the purposes of this section, the term "out-of-school suspension" shall mean a disciplinary action imposed by school officials to remove a student from participation in school activities for 1 day or more.

(e) A student who has been suspended or expelled from school for more than 10 school days for a single infraction or for more than 10 school days cumulatively for multiple infractions in any school year shall have the right to appeal the suspension or expulsion to the superintendent. The student or a parent or guardian of the student shall notify the superintendent in writing of a request for an appeal not later than 5 calendar days following the effective date of the suspension or expulsion; provided, that a student and a parent or guardian of the student may request, and if so requested, shall be granted an extension of up to 7 calendar days. The superintendent or a designee shall hold a hearing with the student and the parent or guardian of the student within 3 school days of the student's request for an appeal; provided that a student or a parent or guardian of the student may request and, if so requested, shall be granted an extension of up to 7 calendar days; provided further, that the superintendent, or a designee, may proceed with a hearing without a parent or guardian of the student if the superintendent, or a designee, makes a good faith effort to include the parent or guardian. At the hearing, the student shall have the right to present oral and written testimony, cross-examine witnesses and shall have the right to counsel. The superintendent shall render a decision on the appeal in writing within 5 calendar days of the hearing. That decision shall be the final decision of the school district with regard to the suspension or expulsion.

(f) No student shall be suspended or expelled from a school or school district for a time period that exceeds 90 school days, beginning the first day the student is removed from an assigned school building.

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

Under the IDEA reauthorization additional provisions must be implemented for students found to be eligible for special education services and who have an Individual Educational Plan (IEP).

Any time the school contemplates the removal of a student from his or her current educational placement for more than ten (10) consecutive school days in a school year, or if a student is removed for disciplinary reasons for more than a total of ten (10) days in any school year when a pattern of removal is occurring, this is a "change of placement". A change of placement invokes certain procedural protections under the IDEA, the federal special education law. These include the following:

Prior to any removal that constitutes a change in placement; the school district must convene a Team to consider whether or not the behavior that forms the basis of removal is related to the student's disability. This consideration is called "manifestation determination".

If the Team determines that the behavior is related to the student's disability, then the Team shall develop a plan for conducting a functional behavior assessment that will be used as a basis for developing specific strategies to address the student's behavior. If a behavior plan has been previously developed, the Team will review it to make sure it is being implemented appropriately, and will modify if

necessary. The student shall be returned to his/her current educational placement (except in the case of weapon or drug possession or use, or serious bodily injury to another) unless the parent and school district agree upon a different placement.

If the Team determines the behavior is not related to the student's disability, then the school may suspend or discipline a student according to the school's discipline policy. For any period of removal exceeding ten (10) days the school district must provide the student with educational services that allow him/her to make educational progress. The school district must determine the educational services necessary and the manner and location for providing those services. The school district, as appropriate, may conduct a functional behavioral assessment and implement behavioral services and modifications to minimize the likelihood that such behavior will recur.

Regardless of the manifestation determination, the district may place the student in an interim alternative setting (as determined by the Team) for up to 45 school days.

- a. on its own authority if the behavior involves weapon, or illegal drugs or another controlled substance or the infliction of serious bodily injury on another person while at school or a school function or considered case by case, unique circumstances; or
- b. on the authority of a hearing officer if the officer orders the alternative placement after the district provides evidence that the student is "substantially likely" to injure him/herself or others.

In either case the interim alternative education setting enables the student to continue in the general education curriculum and to continue to receive services identified on the IEP and provides services to address the behavior problem.

The special education disciplinary rules also apply to some students who have not yet been found eligible for special education. If, prior to the conduct in question, the parent has put his or her concern that the student(s) has a possible disability in writing to supervisory or administrative personnel or the student's teacher; if the teacher or other supervisory personnel has expressed specific concerns about a pattern of behavior demonstrated by the student, or if the student has been referred for an evaluation that has not yet been completed these specific rules apply. The special education disciplinary rules do not apply if the parent has refused to consent to the evaluation or has refused special education services, if the student has previously been found to be not eligible for special education, or if the parent has revoked consent to special education in related services.

\* The manifestation determination also applies to students who are disabled within the meaning of Section 504 of the Rehabilitation Act of 1973.

## **Education Service Plan**

In accordance with the Massachusetts General Laws Chapter 71, Sections 37H, 37H<sup>1/2</sup>, and 37H<sup>3/4</sup>, the Freetown Lakeville Regional School District must provide opportunities for students to earn credits, make up assignments, tests, papers and other school work as needed to make academic progress during the period of his or her in-school suspension or short-term suspension (10 days or less). In cases of in-school suspension, all work will be provided to the student on the day of in-school suspension. In

cases of short term-suspension, work will be collected through the Guidance Department and picked up by the student's parent/guardian or designee. Students on short-term suspension are encouraged to contact their teachers via email or phone at any time. In the case of long-term suspension (10 days or more) or expulsion from school, a student may select one of the following education service options for the duration of the school suspension.

**Access to tutoring services:**

Students choosing this option are expected to attend tutoring sessions at a designated public site identified by the school district. The tutoring will be provided by qualified FLRSD personnel or contracted providers as assigned by the Freetown Lakeville Regional School District. The academic work will be consistent with the academic standards and curriculum frameworks established for all students under G.L.c. 69 §§1D and 1F. Students' tutoring schedule is by appointment and prepared weekly.\*\*

\*\*Based upon the availability of qualified tutors, tutoring services may only be available before or after school hours.

**Access to online education:**

Students choosing this option are enrolled in an online platform and taught by MA licensed teachers in each subject area. Work hours are flexible but students are expected to access online instruction by logging in at least 5 days per week for a minimum of 45 minutes to an hour per subject. Daily attendance is imperative in order to ensure success in the virtual program. The academic work will be consistent with the academic standards and curriculum frameworks established for all students under G. L. c. 69 §§1D and 1F.

Period of Expulsion or Suspension:

From: \_\_\_\_\_ To: \_\_\_\_\_

Student Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Parent/Guardian Signature: \_\_\_\_\_

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

PLEASE MAKE YOUR SELECTION AND RETURN THIS FORM TO THE PRINCIPAL OF YOUR SCHOOL, WHO WILL ARRANGE FOR THE SERVICES IF YOU HAVE ANY QUESTIONS,