

# **GARDNER PUBLIC SCHOOLS**

## **2021-2022 STUDENT HANDBOOK**



**Gardner Public Schools**

**Every child, in every classroom, every day, will: feel welcomed, safe, and included in our community; have adults consistently interact in ways that foster positive, supportive relationships; and be engaged in relevant, academically rigorous instruction.**

**Our Core Values are:**

**Community    Appreciation    Responsibility    Excellence**

**Mark J. Pellegrino, Ed.D.  
Superintendent of Schools**

*Updated: August 2021*



"It is the policy of the Gardner School Committee not to discriminate on the basis of race, color, sex, gender identity, religion, national origin, sexual orientation, disability, age, homelessness or limited English proficiency."

**Affirmative Action Officer & Title V:**

**Director of Human Resources  
95 Pleasant Street, Gardner, MA 01440  
Phone: 978-630-4001  
Fax: 978-630-4025**

## CIVIL RIGHTS ASSURANCES

- ❑ Gardner Public Schools takes an active role in ensuring that all educational programs, activities and employment practices are free of civil rights violations. School programs are conducted equally for all people regardless of race, color, sex, gender identity, religion, national origin, sexual orientation, disability, age, homelessness, or limited English proficiency. The Superintendent's office may be contacted concerning equal rights.
- ❑ **Title VI (Chief Academic Officer):** Equal rights and opportunities for all individuals within all school programs.
- ❑ **Title IX (Chief Academic Officer/Director of Human Resources):** Equal rights and opportunities for all regardless of gender.
- ❑ **Section 504/ADA Coordinator (Pupil Personnel Director/Chief Academic Officer):** Equal rights and opportunities for persons with disabilities.
- ❑ **McKinney-Vento & Homeless/Foster Care Liaison (Pupil Personnel Director):** Education of children and youth experiencing homelessness and children placed in foster care through the Department of Children and Families (DCF).
- ❑ **Title I (Chief Academic Officer):** Ensure that all children have a fair, equal, and significant opportunity to obtain a high-quality education.
- ❑ **The Massachusetts Equal Educational Opportunity Statute, General Laws Chapter 76, § 5**

The Massachusetts Equal Educational Opportunity Statute, General Laws Chapter 76, § 5, ensures that all students have the right to equal educational opportunities in the public schools regardless of their race, color, sex, religion, national origin or sexual orientation. The statute (sometimes referred to as "Chapter 622" after its original 1971 session law number) provides:

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 schools on account of race, color, sex, religion, national origin or sexual orientation.

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

Section 504 of the Federal Rehabilitation Act of 1973 states, "No otherwise qualified handicapped individual, shall solely by reason of their handicap, be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any program or activity receiving Federal Funds".



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## **Administrative Offices**

### **Superintendent of Schools**

70 Waterford Street  
Gardner, MA 01440  
978-632-1000  
Fax 978-632-1164

### **Chief Academic Officer**

70 Waterford Street  
Gardner, MA 01440  
978-632-1000  
Fax 978-632-1164

### **Director of Finance & Operations**

70 Waterford Street  
Gardner, MA 01440  
978-632-1000  
Fax 978-632-1164

### **Pupil Personnel/Special Needs**

130 Elm Street  
Gardner, MA 01440  
978-630-4076  
Fax 978-630-4047

### **Human Resources Director**

95 Pleasant Street  
Gardner, MA 01440  
978-630-4001

## **Our Schools**

### **Waterford Street School (grades PK-1)**

62 Waterford Street  
978-632-1605  
Fax 978-630-4037

### **Elm Street School (grades 2-4)**

160 Elm Street  
978-632-1673  
Fax 978-632-4382

### **Gardner Middle School (grades 5-7)**

297 Catherine Street  
978-632-1603  
Fax 978-632-4234

### **Gardner High School grades (8-12)**

200 Catherine Street  
978-632-1600  
Fax 978-630-4040

### **Gardner Academy for Learning and Technology (grades 9-12)**

130 Elm Street  
978-632-1606  
Fax 978-630-4953

## ***Vision/Mission Statement***

**EVERY CHILD, IN EVERY CLASSROOM, EVERY DAY, WILL:**

***feel welcomed, safe, and included in our community;***

- Adults will personally welcome each child as they enter the school and each classroom.
- The layout of the school and each classroom will be inviting and conducive to learning.
- Students will learn social/emotional skills through direct instruction, supports, and institutional practices.
- Disciplinary practices are restorative rather than punitive--repairing relationships.
- Schools will actively engage families in the education of their children and community.

***have adults consistently interact in ways that foster positive, supportive relationships;***

- School expectations, practices, and rules will be informed by the chronological and actual developmental levels of the children we serve.
- Adult responses to children's behaviors will be empathetic and caring, considering their comprehensive knowledge of the child's development and any possible trauma or stressors.
- The school will work proactively and collaboratively with families to support the whole child.

***and be engaged in relevant, academically rigorous instruction, informed by data.***

- Each lesson will incorporate rigorous student tasks that engage all learners, provoke higher-order thinking, monitor each student's progress, and provide feedback to students for improvement.
- The schools will monitor and adapt their instruction to ensure students learn the skills and knowledge to prepare them for their own future.

**Community   Appreciation   Responsibility   Excellence**



**Gardner Public School District Information**

**DAILY SCHEDULES**

<b>School</b>	<b>Full Day</b>	<b>Half Day Dismissals</b>
Gardner High School	7:15 – 2:00	10:00
Gardner Academy for Learning and Technology	7:05 - 1:55	9:45
Gardner Middle School	7:30 – 2:30	10:30
Elm Street School	9:00 – 3:15	11:30
Waterford Street School	9:15 – 3:30	11:45
Waterford Street School Preschool	AM: 9:15 – 11:30 PM: 1:00 – 3:30 Full Day 9:15 - 3:30	On early dismissal days, there are no half day programs



## **PARENT INVOLVEMENT**

### **School Advisory Council**

Each school utilizes the collaborative efforts of The Advisory School Council. This council consists of teachers, staff, parents and a community member. Each year, vacancies are announced to the school community. The Council serves a vital role in goal setting and produces an annual School Improvement Plan. The School Improvement Plan is written by the Council, with Faculty input. The full plan is available in the school's main office. All meetings are open to the public and visitors are welcome.

### **Parent-Teacher Organization (PTO)**

Gardner Public Schools have always been fortunate to have active PTOs. Annual events sponsored by the PTO include: Very Special Person and Daughter Dance, The Very Special Person and Son Fun Night, Book Fairs, Shop 'Til You Drop and other activities to build positive relationships between parents, students and the school community. Parents are strongly encouraged to become involved.

### **School Visitors and Volunteers**

Visitors and volunteers are always welcome! Before going to your child's classroom, please check-in at the main office. Parents who volunteer are required to go through a CORI check. CORI forms must be completed in person at the Central Office. Results may take up to three (3) days to be available.

### **Volunteer Guidelines**

The following guidelines have been established to provide a smooth transition for parent volunteers:

- Please stop at the office when you arrive at school. You will need to sign in and wear a visitor's badge.
- Please know that if the teacher is engaged with small groups, he/she will speak with you as soon as possible.
- Please be familiar with, and adhere to, all classroom policies and procedures. If you have any questions, please ask the teacher or paraprofessional. If a volunteer has a different set of rules than the classroom teacher, it will be difficult for the children.
- Please provide assistance to children as needed by helping them with strategies and suggestions. You should not be doing the work for them.
- Please keep the lines of communication open. If you have questions or concerns, please speak directly with the classroom teacher.
- Please remember that we all need to use positive reinforcements when dealing with children.
- Confidentiality is of the utmost importance. Please remember to keep children's progress, health information, and behavior confidential.



## ATTENDANCE

### **Student Absences and Excuses**

One of the most important records that a student establishes in school is his/her attendance record. Regular attendance and punctuality are absolute necessities in attaining an education. All students are expected to attend school on a regular basis. Under the laws of the Commonwealth of Massachusetts, every child between the ages of 7 and 16 is compelled to attend school.

On the occasion that a student is absent, a parent or guardian must call the school's office to report the absence. By calling the school, you are assuring us that your child is safe. We want to work with you to ensure that you do not mistakenly believe that your child is in school. Therefore, if a call has not been received, the school office will call home to confirm the absence.

### **Attendance**

- Students are expected to be present for every class session. In grades 9-12, any student absent from class six (6) times in a semester course or twelve (12) times in a yearlong course, may receive no credit and may be placed on social probation, making the student ineligible for sports and other extracurricular activities. These students will be placed on an attendance contract, which clearly outlines expectations.
- Absences will be recorded and totaled for each quarter and semester. Parents will be notified when a student's absences place him or her at academic risk.
- Vacations taken during school time are counted as unexcused absences.
- Students are responsible for providing documentation for absences within ten (10) days of an absence.

### **Appeal Process for Loss of Credit**

Students with extenuating circumstances may appeal the credit loss to the Principal. An appeal for a waiver of absences must be filed.

- All appeals must be made to the principal in writing within ten (10) school days of notification of loss of credit.
- Appeals must contain written documentation that may excuse absences and reduce the number to below the 6 or 12 allowed, or students must present a valid case for extenuating circumstances.
- Documentation must meet criteria for excused absences at a minimum.

### **Exemptions**

Examples of excusable absences/excusable tardies are found in the Gardner School Committee Attendance Policy.

### **Tardy to School (TTS)**

- It is the expectation that all students will be on time, every day.
- Students tardy to school more than three (3) times a quarter will receive an automatic community service office detention of not less than 30 minutes. Students who are habitually tardy will receive additional consequences, including detentions, and may be placed on an individualized attendance plan by the administration which may require different and more severe consequences and expectations.
- Students tardy to school five (5) or more times in a quarter may be placed on social probation, making the student ineligible for extracurricular activities and sports. These students may also be subject to: loss of privileges, Community Service, In-House Suspension
- TTS may be excused by the administration due to extraordinary circumstances.
- Students who are tardy to school may not enter the building with any take-out beverages (ie. coffee). Arriving to school on time should be a priority to all students so taking the time to stop for take-out is not deemed an appropriate reason to be tardy to school. Students will be asked to throw out any such beverages upon entering the building.

### **Tardy to Class (for grades 5-12)**

- Tardiness to class is a serious infraction; it is an avoidable educational interruption. A “class” is defined as an academic class, physical education, study hall, and Homeroom/Advisement. Students are expected to be in the classroom when the bell rings. If you need to use the bathroom or go to the nurse, first report to your class and get permission from your teacher.
- Unexcused tardies to any class period will result in a teacher 15-minute detention.
- Failure to serve teacher detention will automatically result in an administrative referral.
- In any given quarter, a student who amasses three (3) teacher detentions due to tardiness will automatically be referred to the assistant principal for administrative intervention. Students may be placed on social probation and may lose certain privileges such as parking on school grounds, admittance and participation to school-sponsored functions, e.g. Senior Privileges, field trips, dances, athletic events, etc. Please Note: Students who are habitually tardy to class may be placed on an individualized attendance plan by the administration which may require different and more severe consequences and expectations.

### **Dismissals**

According to the state law, only a school official may excuse a student from a class or school attendance. State law and school policy regulate such excuses.

- Every attempt should be made to schedule student appointments outside of school day hours.
- There shall be no phone dismissals. All dismissals require a dismissal note that must be submitted to the office before the start of the school day. Notes must have a parent/guardian signature and phone number along with the reason for dismissal.
- Not all dismissals shall be considered excused.
- Unexcused dismissals of any duration will result in the student’s ineligibility to participate in any extracurricular activities on the particular day. School activities include:



practices, competitions, dances, etc. Friday attendance will determine weekend eligibility.

- In cases of illness or accident at school, the school nurse will assess the situation. If necessary, the nurse will arrange for and approve dismissal, and the parent/guardian will be notified.
- The decision for the dismissal is at the discretion of the administration.

### **Returning from an absence**

- Students returning from an absence must bring a note explaining the reason for the absence on the day of their return to school.
- An absence does not excuse students from their academic responsibilities.
- Students are responsible for arranging with teachers to make up work missed.
- All make-up work must be completed in accordance with the make-up policy of the individual teacher as written in that teacher's course syllabus. As a general rule, for each day absent, students will have 2 days to make up work. Parents are encouraged to contact Guidance Staff for extended absences due to illness.
- In any case late work must be made up within a maximum of two weeks following the absence.
- In the case of a student being absent for more than two (2) consecutive days, it is the responsibility of the parent/guardian to contact the guidance office to request make-up work.

### **Family Vacations/ Non School Related Competitions**

Family vacations during the school year are strongly discouraged. Time lost from school can never truly be regained. In particular, the important benefits derived from teacher explanations and from interactions among students and between teacher and student cannot be replaced. Demonstrations, laboratory exercises, oral presentations, and debates are particularly difficult to make up outside of the regularly scheduled class. Vacations are not considered 'excused' and count as an absence in each student's daily attendance record.

### **Truancy**

A student not in school or who leaves the school, without the proper authorization from parent(s)/legal guardian(s), will be considered truant (absent: unexcused) and the Police may be notified. Any student who is truant will be given a zero for any and all work which is due on that date or which should have been performed on that date. Students in violation of this rule will be subject to disciplinary action, up to and including suspension. The final decision on whether the absence(s) is excused or unexcused will be made by the principal. Students who are absent from school will not be allowed to participate in after school activities including practices, dances, etc.

This rule is established to fulfill the schools and parent(s)/legal guardian(s) legal responsibility under the educational laws of the Commonwealth of Massachusetts. It also provides the

parent(s)/legal guardian(s) with knowledge of their children's whereabouts. The administration will contact parent(s)/legal guardian(s) when a student's unauthorized absence is brought to its attention. When warranted, the Truant Officer will be notified. Students who are absent due to illness may be required to present an affidavit from a medical authority. During the week of final examinations, students are required to attend their scheduled examination periods. Students participating in class skip-days are considered to be truant.

**Notes:** Please send a note to school with your child when any of the following situations occur:

1. Change in dismissal routine:  
Elementary School End of the Day Changes: If parents/guardians need to make any changes in the student's scheduled pick-up or drop-off time or location, a note must be sent into school, or for emergencies only, call the office **before 2:30pm**. Please DO NOT leave a voicemail if you do not reach one of the school secretaries as your message may not be received in time to respond to your request.
2. Change of address or telephone number, both home and workplace;
3. Change of emergency contact telephone number;
4. Absence;
5. Each time your elementary child stays for an after school activity; or
6. Unusual circumstances, i.e. parents are out of town, illness in the family, new baby or other significant event.

The Gardner School Committee Policy regarding attendance states:

Regular and punctual school attendance is essential for success in school. The committee does recognize that parents of children attending our schools have special rights as well as responsibilities, one of which is to ensure that their children attend school regularly, in accordance with state law.

Therefore, students may be excused temporarily from school attendance, with approval of the School Administrator, for the following reasons:

1. Illness or quarantine.
2. Bereavement or serious illness in the family.
3. Weather so inclement as to endanger the health of the child; or
4. Observance of major religious holidays.

A child may also be excused for other exceptional reasons with approval of the school administrator or excused under other applicable school committee policies relating to absences.

A student's understanding of the importance of day-to-day schoolwork is an important factor in the shaping of his character. Parents/guardians can help their children by refusing to allow them to miss school needlessly.



Accordingly, parents/guardians will provide a written explanation for the absence and tardiness of a child. This will be required in advance for types of justifiable absences where advance notice is possible.

In instances of chronic or irregular absence reportedly due to illness, the school administration may request a physician's statement certifying such absences to be justifiable.

### **Student Absence Notification Program**

Each Principal or designee will notify a student's parent/guardian within 3 days of the student's absence in the event the parent/guardian has not informed the school of the absence.

Each Principal or designee shall make a reasonable effort to meet with any student, and that student's parent/guardian, who has missed five (5) or more unexcused school days (a school day shall be equal to two (2) or more class periods in the same day) in a school year. The meeting shall be to develop action steps to improve student attendance and shall be developed jointly by the Principal or designee, the student, and the student's parent/guardian. The parties may seek input from other relevant school staff and/or officials from relevant public safety, health and human service, housing, and nonprofit agencies.

### **Dropout Prevention**

A student who has not graduated from high school and has been absent from school for ten (10) consecutive days of unexcused absence shall not be considered permanently removed from school unless the Principal has sent notice to the student, and that student's parent/guardian. The notice shall be sent within five (5) days of the tenth consecutive day of absence and shall offer at least 2 dates and times within the next ten (10) days for an exit interview with the Superintendent or designee, the student, and the student's parent/guardian. The notice shall be in both English and the primary language of the home, if applicable. The notice shall include contact information for scheduling the exit interview and shall indicate the parties shall reach an agreement on the date/time of the interview within the ten (10) day timeframe. The timeframe may be extended at the request of the parent/guardian and no extension shall exceed 14 days.

The Superintendent or designee may proceed with any interview without a parent/guardian present, provided the Superintendent has documented a good faith effort to include the parent/guardian.

The Superintendent or designee shall convene a team of school staff to participate in the exit interview and shall provide information to the student and, if applicable, the student's parent/guardian on the detrimental effects of early withdrawal from school and the alternative education programs and services available to the student.

[Reference: M.G.L. 76:1; 76: 1B; 76:16; 76: 18; 76:20; JFADB, Homeless Students: Enrollment

Rights and Services; JFABE, Educational Opportunities for Military Children; JFABF,  
Educational Opportunities for Children in Foster Care]

[Adopted: June 1998]

[Revised: October 2000]

[Revised: April 2003]

[Revised: May 2019]

[Revised: August 2020]



## STANDARDS FOR STUDENT DRESS

Students are expected to exercise maturity and responsibility in all matters including their dress and personal grooming. School is a place of serious work and dress should be attuned to that concept. Students should remember at all times the five guiding principles of dress: neatness, suitability, moderation, cleanliness and safety.

Students "... clothing shall not disrupt or distract from the educational process." While in school students will wear clothing that meets the following standards:

- No bandanas allowed;
- No hoods allowed;
- Hats, scarves, sweatbands, or any other head coverings may not obscure students' eyes or ears;
- No low-cut shirts/blouses that expose cleavage;
- No bare midriffs/back (Shirts/blouses must be able to be tucked into pants);
- No bare feet or unsafe footwear;
- No "see through" clothing;
- No clothing that displays words/graphics that are obscene, vulgar, violent, sexist, racist, or promote the use of drugs, alcohol, or tobacco;
- No gang or cult-related apparel;
- No exposed undergarments;
- No clothing with metal chains or other dangerous items;
- No costume masks or face painting;
- The length of shorts/skirts must be longer than the tip of the students' fingers when the arms and hands are fully extended or four inches above the knee even if tights or leggings are worn underneath;
- Outerwear (coats and jackets) may not be worn indoors and must be kept in lockers;
- No strapless tops.

The Principal, or his/her designee, will decide when clothing is inappropriate or disruptive.

Students in violation of the dress code will be sent to the Assistant Principal's office and will receive disciplinary consequences. Parents will be contacted and are expected to bring an appropriate change of clothing to school. Refusal to change or cover offensive clothing items will result in disciplinary measures for insubordination. Missed class time due to dress code violations will be treated as unexcused absences.



## STUDENT RECORDS/CONFIDENTIALITY

Student Records Policy:

### **I. Purpose and Scope**

Parents' and students have the right to confidentiality, inspection, amendment, and destruction of student's records and to assist local school systems in adhering to the law. To the extent required by applicable law, Gardner Public Schools includes this information as annual notice of their general rights relative to student records.

All parents/guardians with physical custody and students 14 years of age or upon entering ninth grade have the right to see their own student records, and copies of any information in the records may be obtained upon request. Schools routinely forward student records to other schools in which a student seeks or intends to enroll.

Authorized personnel of the school to which a student seeks or intends to transfer may have access to the student's record without the consent of the student or parent.

Information in the student's record is not available to anyone outside the school system without written permission from the student and/or parent and/or guardian, except in the case of probation officers, court-orders, and transfer to another school district, when students and parents must be notified before records are released. Records may be sent outside the school to prospective employers, colleges or other technical schools only with a signed written transcript release.

As permitted by FERPA and the Massachusetts Student Records Regulations, Gardner Public Schools has designated selected student records to be "directory information." "Directory information" is defined by FERPA as the information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. For preschool and elementary school students, the following records have been designated as directory information: name, grade, classroom assignment. For middle and high school students, the following records have been designated as directory information: name, graduating class, team/class assignment (Middle School), weight and height of members of athletic teams (if it is for a specific athletic program), participation in officially recognized activities and sports, honors and awards.

### **II. Application**

Notification of Rights under FERPA and the Massachusetts Student Records Regulations:

The Family Educational Rights and Privacy Act (FERPA) and the Massachusetts Student Records Regulations together afford parents and students 14 years of age and over ("eligible students") certain rights with respect to the student's education records. Parents and students can obtain a complete copy of their rights under the Massachusetts Student Record Regulations by contacting the school principal. Such rights generally include the following:



1. The right to access the student's education records. Parents or eligible students should submit their request for access to the school principal. Massachusetts law provides specific procedures for parents to follow in obtaining access to student records when the parent does not have physical custody of a child. Information about these procedures can be obtained from the building principal or the Superintendent.
2. The right to request the amendment of the student's education records. Parents or eligible students should direct their request to the principal, clearly identifying the part of the record they want changed, and why. The principal's decision may be appealed to the Superintendent or designee, whose decision may in turn be appealed to the School Committee.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA and the Massachusetts regulations authorize disclosure without consent. One exception, which 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 is employed by or under agreement with Gardner Public Schools and who need access to a record in order to fulfill their duties. Gardner Public Schools also discloses student records without parent/eligible student consent to officials of other schools in which a student seeks or intends to enroll. In addition, Gardner Public Schools generally disclose "directory information" without parent/eligible student consent. Directory information for preschool and elementary school students includes the student's name, grade, and classroom assignment. Directory information for middle and high school students includes the student's name, graduating class, team/class assignment (middle school), weight and height of members of athletic teams, if it is recorded for a specific athletic program, participation in officially recognized activities and sports, and honors and awards. In the event a parent or eligible student wishes the school not to release such directory information, the student or parent must notify the school principal no later than September 15.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, D.C. Gardner Public Schools adheres to the provisions of the Family Educational Rights and Privacy Act (FERPA) and Massachusetts laws and regulations in providing access to and confidentiality of student records. Gardner Public Schools will release the designated information without the consent of the parent or eligible student, unless the parent or eligible student provides the principal with written notice that

he/she does not wish the school to release such information. The notice must be received annually by a date designated by the principal.



## HEALTH SERVICES

### **Nut Awareness**

Gardner Public School District is aware that we have children with life threatening allergies. One of the most common is an allergy to nuts or nut products. For this reason, all Gardner schools are “Nut Aware”: Students are discouraged from bringing any nuts or food containing nuts to school. Please refer to the District Policy JLCE, Life Threatening Food Allergies for more information.

### **Sickness & Injury**

Student Health Services are monitored by the Department of Public Health, and the Department of Education to ensure that students receive mandated health screenings, immunizations, and physical exams. Each school maintains an emergency response procedure, with identified individuals who are trained in first aid and CPR/AED. Any **medical or hospital bills** that may be incurred at school, from an accident or illness, are the responsibility of the parent/guardian of the student. Gardner Public School district carries insurance in the case that a student is injured during the school day, however, each case is looked at individually by the insurance company and not all cases are covered. For this reason, all students are encouraged to consider the insurance plans that are distributed during the first week of school. For students who may not be insured, the School Nurse has resources and the ability to assist parents/guardians/students in obtaining health insurance. Our goal is health insurance for every child.

Health Services follow specific guidelines, written by the Massachusetts Department of Public Health, related to **reportable and/or communicable diseases**. If the nurse determines that a student is unable to remain in school due to illness or injury, a parent/guardian will be contacted to arrange for dismissal. When a student returns to school after surgery, injury, or extended illness (5 consecutive days), a doctor’s note is required to indicate restrictions or nursing care needed. These are times when good communication with the School Nurse can set the stage for assistance with questions, concerns, or referrals that may be beneficial for the student. Each school nurse has expertise in childhood diseases, growth and development, and school requirements that may be helpful in ensuring a smooth transition back to school.

### **COVID-19 Mask protocols:**

- Mask protocols will be reviewed with all students by their teachers, teachers will check in with students to see if there are any physical concerns.
- Students will be reminded to wear their masks upon arriving to school and throughout the day “Thank you for wearing your mask”
- If a student takes off their mask the teacher will check in with the student and redirect the student to put their mask back on or offer a mask break for the student.

- If the student still refuses, the teacher will ask the student to step out of the room and they will review the importance of the mask protocol.
- If the student still refuses to wear the mask, the teacher will call an administrator.
- Administration will again try to redirect the student and ask them to wear their mask as per the mask protocol or offer a mask break to the student. If the student still refuses they will report to the nurse if safety concerns.
- Administration will contact a school counselor if they determine the student would benefit from a conference with their counselor.
- If mask refusal continues, administration will consider disciplinary action on a case by case basis to determine the most appropriate consequence, up to and including suspension from school.

***\*\*\*Please refer to the Code of Conduct section of this handbook for further information regarding the continuum of consequences and the appeal process.***

*The school nurse is required to dismiss any student who may expose others to infection.*

### **Guidelines for Reentry to School and When Your Child Should Stay Home**

**Chicken Pox:** If vesicles are present, students need to remain home until all blisters are crusted over and dry. If no vesicles were present, they may return to school when the lesions are faded or in the process of resolving or no new lesions appear within a 24 hour period.

**COVID-19:** Students with symptoms of COVID-19, will be required to provide a negative test to return to school. Students that test positive for COVID-19, will remain out of school until their isolation period has ended and a written release from the Board of Health or Contact Tracing Collaborative has been provided. Students that have had close contact **with an** individual that has tested positive for COVID-19 will remain out of school until their quarantine period has ended and a written release from the Board of Health or Contact Tracing Collaborative has been provided.

**Diarrhea:** When it contains blood or mucus, or if uncontrollable, causing incontinence.

**Head Lice:** Students with head lice need to be treated for it prior to returning to school. Treatment may be over the counter or prescribed by a licensed provider. Once the student has been treated, he/she can return to school after being reassessed by the school nurse. Providing there is evidence of treatment and reduction in nits, students may remain in school. Students do not need to be nit free to return to school.

**Hepatitis A:** Students should stay home for 1 week after onset of illness, or until their fever has resolved.

**Impetigo:** until 24 hours after treatment is begun.

**Measles:** until 4 days after rash appears.

**Mouth Sores:** If saliva or exudates is excessive.

**Mumps:** until 9 days after onset of swollen glands.



**Pertussis:** until 3 weeks after the onset of cough or after they have completed 5 days of appropriate antibiotic therapy.

**Pinworm:** may return to school after treatment has begun.

**Contagious Pink Eye:** Students should stay home when symptoms are too uncomfortable and/or when they are unable to keep their hands out of contact with their eyes. Students may return to school the day after treatment is started. If a licensed prescriber decides not to prescribe medication, students may return to school using adequate hand washing and avoiding contact with infected eyes.

**Rash:** Students should stay home until diagnosed as non-contagious.

**Ringworm:** Until treatment has begun.

**Rubella:** Until 7 days after a rash appears, the day that the rash appears is day "0".

**Scabies:** Until treatment has been completed.

**Strep Throat:** until 24 hours after treatment begun and the absence of fever without the use of fever reducing medicine.

**If** your child has been unable to sleep due to discomfort, flu symptoms, cold symptoms, COVID-19 symptoms, or fever, they should rest at home.

**If** your child has a fever, rash or pain of unknown origin, they stay home, rest, and be evaluated by their doctor.

**If** your child has a temperature of 100 or above he/she needs to stay home and rest.

### **Student Illness**

If for any reason your child will not be attending school, please call the school in the morning and notify of his/her absence. If your child will be out for an extended period of time due to illness or other personal reason, please notify the school nurse who will notify the classroom teacher. If we do not hear from you, the school will call to notify you that your child is absent. This is done for safety reasons. If your child has been absent for 3 consecutive days, the teacher or school nurse will call to inquire about the absences. Please get a note from the doctor if your child is seen on a school day to have the absence excused.

### **Dismissal from School**

If after examination, the nurse feels that a student should be dismissed, the nurse will contact the child's parents to pick up their child. If the parent/guardian is not able to be reached, the nurse will call the contacts listed on the annual emergency form to arrange dismissal.

- In a serious emergency, the decision to call an ambulance will be made by the school and any possible payments assumed by the family.

### **Immunizations**

The Code of Massachusetts Regulations specified minimum requirements for

enrollment in school (105 CMR 220.000). The regulations are updated periodically to reflect the most recent recommendations of the Advisory Committee on Immunization Practices (ACIP) and the American Academy of Pediatrics (AAP), and immunizations are added or removed accordingly. The law and regulations provide for exclusion of students from school if immunizations are not up to date, but exemptions are permitted at school entry for medical and religious reasons. The exception for exclusion of unimmunized or partially immunized children without medical or religious exemptions is for homeless children. The federal McKinney-Vento Homeless Assistance Act of 2001 stipulates that homeless children cannot be excluded from school for non-possession of immunization records. School Nurses are able to access your child's immunizations on the MIIS (Massachusetts Immunization Information System) database if you have given permission to your child's provider to share the immunization history. Visit <https://www.mass.gov/service-details/massachusetts-immunization-information-system-miis> for more information.

- When a case of a vaccine-preventable disease emerges, susceptible individuals (including those with medical or religious exemptions) who are not vaccinated will need to be excluded for the appropriate time periods as outlined in Reportable Diseases, Surveillance and Isolation & Quarantine Requirements (105 CMR 300.00).

Please contact the nurse for medication administration policies and forms, if your child needs to be medicated during school. All medications must be ordered by a licensed prescriber and delivered by a responsible adult in a pharmacy or manufacturers labeled container. The medication dose required to send on field trips needs to be sent in at least 2 days prior in a separate pharmacy labeled container.

*\*All medications must be kept in the school nurse's office. Students may not medicate themselves. Students are not allowed to carry any medication without the nurse's consent. If special circumstances exist, the parent/guardian must make arrangements with the school nurse.*

### **Screening of Students**

Screening for health problems is done in order to detect previously unrecognized conditions or preclinical illnesses as early as possible. Screenings for vision, hearing, BMI (Body Mass Index), postural screening, and substance use screening, (in 7th and 10th grade), are done by the school nurse or by trained individuals under the direction of the school nurse. These screenings are done to the populations recommended by the Massachusetts Department of Public Health. Prior notification is sent home to parents/guardians. Parents/Guardians have the right to "opt out" their child from a screening; however, they must put this request in writing and give the request to the school nurse prior to the screening. Parents/guardians will receive prior notification of upcoming screenings and information on how to "opt out".

Teachers will be apprised of health problems that may affect their student's educational



progress. If you do not wish to have your child’s medical information shared with the teaching staff, please contact the nurse.

Please fill out the emergency health form completely at the start of the year. Please advise us of any changes in address, phone number, or emergency contact as soon as possible, so that we may reach you in case your child becomes ill or injured.

\*Please notify the nurse of any changes in medical condition.

## **SCHOOL LUNCH PROGRAM 2021-2022**

### **Lunches are free for all students in the 2021-2022 School Year**

**Whitsons Culinary Group** is contracted to provide meals in all schools. Their mission is ENHANCING LIFE ONE MEAL AT A TIME™ by serving nutritious, well-balanced meals that appeal to our students and school community while maintaining the strict USDA Standards for the National School Lunch Program.

#### **Free and Reduced Meal Applications**

Applications for free and reduced- priced meals will be provided to all students at the beginning of the school year and are always available in the school. We encourage everyone to complete the application and have your child return it promptly. You may apply for free and reduced-priced meal benefits at any time during the school year. Students that do not have an approved completed application will have to pay the full price for their meals until an application is approved.

#### **Meal Prices**

<b>Breakfast</b>	
Gardner Academy, Gardner High and Gardner Middle – Reduced	\$ .30
Gardner Academy, Gardner High and Gardner Middle – Paid	\$2.15
Elm and Waterford	free
<b>Lunch</b>	
All Schools – Reduced	\$ .40
Gardner Academy, Gardner High and Gardner Middle – Paid	\$3.10
Elm and Waterford - Paid	\$2.85

#### **Online System**

Gardner now offers MySchoolBucks, a convenient online service that allows you to



securely pay for your student's meals online using your credit/debit card or electronic check.

You can:

- Set Up Automatic Recurring Payments
- Track & Review Meal History
- Create Low Balance Alerts
- Make Payments with the Mobile App

Registering for your FREE account is easy, go to <https://www.MySchoolBucks.com>. Create a secure account and never worry again about sending cash or checks with your student(s) to school again! Have a smartphone? Get the MySchoolBucks Mobile App in the App Store for your iOS (iPhone) or Android Phone.

However, if you choose not to utilize the online prepayment service, you may continue to make payments by check or cash. We encourage you to prepay. You can prepay by the week, month or more. You may still view your child's eating history or check account balance at no cost. When sending in payments by check or cash, please send in a sealed envelope. Please write your Child's full name and Teacher's name on both the check and envelope (make checks payable to the Gardner School Lunch Program).

### **Lunch PIN Number**

Every Student at Gardner Public School will be assigned a unique Lunch PIN number. This PIN number will allow your child to access funds in his/her lunch account. This PIN number will stay with the student until he/she graduates. It is important that students memorize their PIN numbers; however if a student forgets his/her number, we can access it through every register. The PIN number should never be shared with other students. Please work with your child to understand the value of the PIN number; we will strive to ensure that only your child is using his/her lunch account.

*Note: Waterford Street School is using a teacher/student name/photograph procedure in place of student lunch PIN numbers. At meal service times they will simply pick up their meal and then tell the cashier his/her name along with his/her teachers name.*

### **Menus**

We are committed to providing wholesome, high quality menus prepared fresh from clean, organic, non-GMO, and locally sourced ingredients whenever possible. Our menus feature items made with wholesome ingredients prepared from scratch as often as possible from time-tested recipes that reflect the individual needs of our customers, regional taste preferences, seasonality, and the latest culinary trends. Lunch, breakfast, and dinner menus posted online at <http://www.gardnerk12.org/> or directly at <https://www.fdmealplanner.com/>. You will have the opportunity to print current and future menus for posting at home. On the web site you will find nutrition information about Whitsons Culinary Group as well as the monthly breakfast, lunch, and dinner menus.



The online menus are interactive and will show nutritional information, ingredients, and allergen information. This web site will include many nutrition resources such as information on Wellness Programs, USDA Smart Snacks, Whitsons quarterly Simply Rooted Magazine, “Ask an RD”, and resources for recipes, activities, and USDA regulations. We hope you enjoy this web site and check back often for updates and menu changes.

### **Elementary Meal Programs**

At elementary schools, our award-winning Nutrition Safari® program will introduce younger students to lovable animal characters to teach them about selecting healthy choices from each different food group for a well-balanced diet. The program’s mission is to increase participation in the National School Lunch Program and encourage students to develop lifelong healthy eating habits.

### **Middle and High School Meal Programs**

At secondary schools, monthly Fooditude Flaves will feature trendy menu items and activities to engage older students. Whitsons has also invested in professional signage and merchandising that creates a food court-style environment. It’s like going out to lunch without ever leaving the building. Our goal is to entice students to make nutritious and delicious meal choices.

### **GreenLeaf**

Through our Partnership with the Massachusetts Farm to School Program Whitsons is committed to supporting local farmers by sourcing produce locally whenever available and in season. That makes our produce fresher, tastier and better for our customers, while helping to conserve the earth’s resources, one meal at a time. Our goal is to provide the very best produce the region has to offer, fresh from farm to fork! Look for GreenLeaf, Harvest of the Month, and Locally Grown Items throughout our menu and cafeteria’s

### **Guest Chef’s**

Special Visits from a guest chef will occur throughout the year at each school. Guest Chefs will create a sample food item for elementary students to taste or a whole themed meal for secondary students. The goal of the Guest Chef is to promote healthy eating habits, introduce students to new and exciting healthy foods, and to make eating a fun and rewarding experience.

## **Meatless Monday**

Meatless Monday will feature meal options made without meat each Monday. Meatless Monday is a science-based public health initiative associated with Johns Hopkins University Bloomberg School of Public Health. Its goal is to reduce chronic preventable diseases by encouraging less consumption of meat. This campaign will enable school staff and students to make even more nutritious choices, as well as help improve the health of the planet. By adopting Meatless Monday, we are helping to move the U.S. towards a more sustainable food system and healthier eating habits that last a lifetime.

## **CODE OF CONDUCT**

### **STUDENT RIGHTS AND RESPONSIBILITIES**

The success of school discipline depends upon shared responsibility among home, school and community. Parents/guardians and community members should be familiar with and understand that students have rights and responsibilities regarding appropriate school behavior.

	<b>Students have the right to:</b>	<b>Students have the responsibility to:</b>
<b>Attendance</b>	<ul style="list-style-type: none"><li>• A meaningful learning experience.</li></ul>	<ul style="list-style-type: none"><li>• Attend school regularly in accordance with the district attendance policy.</li></ul>
<b>Respect for persons and property</b>	<ul style="list-style-type: none"><li>• Use school property as approved by the district.</li><li>• Use personal property on school grounds as approved by the district.</li><li>• Privacy per applicable laws.</li><li>• Be respected and accepted as individuals.</li></ul>	<ul style="list-style-type: none"><li>• Respect the rights of others and not to interfere with their learning.</li><li>• Adhere to the rules and regulations of the school district.</li><li>• Report evidence of an illegal act or violation of the code of conduct to district personnel.</li><li>• Dress appropriately in accordance with the uniform policy.</li></ul>
<b>Knowledge and observation of rules of conduct</b>	<ul style="list-style-type: none"><li>• Know the rules and regulations regarding their conduct. Students have the opportunity for input in the development of these rules and regulations through</li></ul>	<ul style="list-style-type: none"><li>• Follow the rules and regulations of the district as approved by the school board.</li></ul>

	<p>school and district forums as members of the school governance council and other ad-hoc meetings as arranged.</p> <ul style="list-style-type: none"> <li>• Be assured of a safe and healthy school environment.</li> </ul>	<ul style="list-style-type: none"> <li>• Follow the rules and regulations of the school and district.</li> </ul>
<b>Right to learn</b>	<ul style="list-style-type: none"> <li>• Learn and pursue an education.</li> <li>• A school climate and culture that is conducive and appropriate for learning.</li> <li>• Equal access to an education.</li> </ul>	<ul style="list-style-type: none"> <li>• Pursue an education to the best of their ability.</li> <li>• Be present, on time, prepared, attentive in class and ready to learn.</li> <li>• Contribute to a positive school climate conducive to learning.</li> </ul>
<b>Right to free speech and publication</b>	<ul style="list-style-type: none"> <li>• Freedom of expression of their views unless there are legal reasons to regulate their speech or publications as stipulated by statute and relevant case law.</li> </ul>	<ul style="list-style-type: none"> <li>• Have a clear understanding of the meaning of freedom of speech within a school context.</li> <li>• Assemble according to the prescribed rules and regulations approved by the school board.</li> </ul>
<b>Participation in school activities</b>	<ul style="list-style-type: none"> <li>• Participate in school programs and activities in accordance with eligibility requirements.</li> </ul>	<ul style="list-style-type: none"> <li>• Contribute to these activities in a constructive manner.</li> </ul>
<b>Right to due process</b>	<ul style="list-style-type: none"> <li>• Due process as prescribed by laws and school board policy including: 1. an impartial investigation of the incident, 2. to be represented by counsel as may be appropriate and, 3. to have parents or guardians notified and present at all proceedings</li> </ul>	<ul style="list-style-type: none"> <li>• Cooperate in all due process proceedings by providing truthful and accurate information.</li> </ul>

	according to law and district policy.	
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## **STUDENT CONDUCT & DISCIPLINE**

It is the goal of the Gardner Public School system to provide a positive educational environment for every student. The Student Code of Conduct is to be implemented in a fair and equitable manner, which is mindful of the rights of students as well as the security, safety and educational interests of the school. The Student Code of Conduct will not tolerate conduct that endangers the safety of the schools and/or disrupts the educational experience for other students with the recognition that students of different grades and ages are at different developmental levels, thus their behavior will be different and may call for different interventions and consequences. In determining the appropriate level of interventions and consequences, in addition to other mitigating circumstances, school administrators will consider the grade level and age of the student.

Effective school discipline policies promote disciplinary responses that refrain from interrupting a student’s education to the extent possible. Schools should minimize the use of out-of-school suspensions, referrals for expulsion, and referrals to law enforcement, to the extent practicable.

We recognize that each student is a unique individual and that every situation which requires disciplinary action has its own set of extenuating circumstances. All factors that may have affected the student’s behavior will be considered before discipline is determined. Students who behave inappropriately will receive developmentally appropriate consequences. For a student with special education or disability-related needs, all approaches will be consistent with his/her Individualized Education Plan (IEP) or 504 Student Accommodation Plan and will take into account his/her unique needs and abilities.

Every student must follow all of the rules of the Student Code of Conduct before, during and after school. The Code applies to students on school grounds and at school-related activities on or off school grounds. Students must follow these rules while awaiting transportation or traveling on a school bus or other form of school-provided transportation in route to or from the school for a school sponsored activity. The Code of Conduct also applies to students off school grounds and during non-school time when the conduct is violating Policy JK of the Gardner School Committee.

Principals and staff shall not use academic punishment of any form as a consequence to inappropriate behaviors/actions by students.



The Principals, as a disciplinary measure, remove a student from privileges, such as extracurricular activities and attendance at school-sponsored events, based on the student's misconduct. Such a removal is not subject to the remainder of this policy, law, or regulation.

### **General Principles**

The goal of student discipline is to teach students to behave in ways that contribute to academic achievement and school success, and to support a school environment where students and staff are responsible and respectful. When disciplinary action is necessary, it shall be administered with fairness and shall relate to the individual needs and the individual circumstances. Successful school discipline is guided by the following principles:

- Effective and engaging instruction and classroom management are the foundation of effective discipline.
- School discipline is best accomplished by preventing misbehavior before it occurs, and using effective interventions after it occurs.
- School safety and academic success are formed and strengthened when all school staff and personnel build positive relationships with students.
- School staff should promote high standards of behavior by teaching, modeling, and monitoring behavior, and by fairly and consistently correcting misbehavior as necessary.
- School discipline that is paired with meaningful instruction and guidance offers students an opportunity to learn from their mistakes and contribute to the school community, and is more likely to result in getting the student re-engaged in learning.
- Effective school discipline maximizes the amount of time students spend learning and minimizes the amount of time students are removed from their classrooms due to misbehavior.
- If a situation should arise in which there is no applicable written policy or rule, School staff shall be expected to exercise reasonable and professional judgment.

### **Strategies in Using Interventions**

Teachers and administrators should consider utilizing different types of strategies, or multiple strategies simultaneously, to deal with misbehavior, especially for 2<sup>nd</sup> or 3<sup>rd</sup> instances of the same misbehavior.

### **Reasonable Consequences**

Students violating any of the policies on student conduct will be subject to disciplinary action. The degree, frequency, and circumstances surrounding each incident shall determine the method used in enforcing these policies. In all instances, school discipline

should be reasonable, timely, fair, age-appropriate, and should match the severity of the student's misbehavior.

School staff will make reasonable efforts to correct student misbehavior through school-based resources at the lowest possible level, and to support students in learning the skills necessary to enhance a positive school environment and avoid misbehavior. Most of the situations which require disciplinary action can be resolved within the confines of the classroom or as they occur by reasonable but firm reprimand, and/or by teacher conferences with the student and/or parents or guardians. Communication between school and home is essential to supporting students' social, emotional and behavioral learning and growth.



## CONTINUUM OF DISCIPLINARY CONSEQUENCES

All teachers are expected to handle minor discipline issues in the classroom in a fair and consistent manner, following the framework of PBIS. Minor issues will not be reported to the office. Minor offenses include those behaviors that do not cause physical harm or disrupt the learning environment. The following is a list of examples of minor offenses.

Minor Incidents	Definition	Examples
Refusal	Student engages in brief or low-intensity failure to follow directions or talks back.	<ul style="list-style-type: none"> <li>● Misuse of property.</li> <li>● Use of cell phone at inappropriate times.</li> <li>● Bringing personal items that are not allowed in school, such as toys, hair accessories or trading cards.</li> <li>● Refusal to follow dress code</li> </ul>
Disrespect	Student delivers low-intensity, socially rude or dismissive messages to adults or students.	<ul style="list-style-type: none"> <li>● Name calling a student or teacher.</li> </ul>
Disruption	Student engages in low-intensity, but inappropriate disruption.	<ul style="list-style-type: none"> <li>● Talking in class.</li> <li>● Briefly yelling in class.</li> </ul>
Safety	Student engages in low-intensity behavior that puts someone's safety at risk.	<ul style="list-style-type: none"> <li>● Engaging in non-serious, but inappropriate physical contact.</li> <li>● Throwing a pencil across the room; two students horseplaying.</li> </ul>
<b>Continuum of Consequences</b>		
<ul style="list-style-type: none"> <li>● Student-teacher conference</li> <li>● Student writes a letter of apology</li> <li>● Student may be removed from the classroom for a short period of time</li> <li>● Student may be assigned detention</li> <li>● Administrator may warn student and send notice to parent</li> <li>● Administrator places student on a restricted list</li> <li>● Administrator may deprive student of school privileges for a period not to exceed 3 days</li> </ul>		



- Individual schools may have additional consequences based on their PBIS implementation process

Major offenses are those behaviors that disrupt the learning environment and have the potential to cause harm to students and staff. These offenses should be reported to the office and, based on the referral process at each school; the necessary paperwork must be completed within 24 hours of the incident. The following is a list of possible major offenses:

Major Incident	Definition	Continuum of Consequences
Abusive Language/ Inappropriate Language/ Profanity / Racial Slurs	Student delivers verbal messages that include swearing, name calling, racial slurs, or use of words in an inappropriate way.	<ul style="list-style-type: none"> <li>• Student-teacher and/or administrator/parent conference</li> <li>• Student may be removed from the class if offense took place during class time</li> <li>• Student will repair, restore, or provide restitution for any damaged or stolen property</li> <li>• Administrator may require student to serve detention</li> <li>• Administrator may assign in-school suspension</li> <li>• Administrator may deprive student of school privileges for a period not to exceed 5 school days</li> <li>• Administrator may refer student to community counselor</li> <li>• Administrators may take away student privilege of attending school field trips or events.</li> <li>• Administrator may refer student to law enforcement; when appropriate, vaping offenses may</li> </ul>
Arson	Student plans and/or participates in malicious burning of property.	
Bomb Threat/ False Alarm	Student delivers a message of possible explosive materials being on-campus, near campus, and/or pending explosion.	
Bullying	The delivery of direct or technology-based messages that involve intimidation, teasing, taunting, threats, or name calling.	
Defiance/ Non-Compliance	Student engages in refusal to follow directions or talks back.	
Disrespect	Student delivers socially rude or dismissive messages to adults or students.	
Disruption	Student engages in behavior causing an interruption in a class or activity. Disruption includes sustained loud talk, yelling, or screaming; noise with materials; horseplay or	



	roughhousing; and/or sustained out-of-seat behavior.	<p>be fined through the Board of Health</p> <ul style="list-style-type: none"> <li>Administrators may suspend the student out-of-school if the violation causes a “serious educational disruption” or in the event of repeated, aggravated or flagrant offenses, may refer for expulsion. This action will follow MGL 71.37H3/4</li> </ul>
Fighting	Students are involved in mutual participation in an incident involving physical violence.	
Forgery/ Theft/Plagiarism	Student is involved by being in possession of, having passed on, or being responsible for removing someone else's property; or the student has signed a person's name without that person's permission, or claims someone else's work as their own.	
Harassment	The delivery of disrespectful messages in any format related to gender, ethnicity, sex, race, religion, disability, physical features, or other protected class.	
Inappropriate Display of Affection	Student engages in inappropriate, consensual (as defined by school) verbal and/or physical gestures/contact, of a sexual nature to another student/adult.	
Unauthorized Area	Student is in an area that is outside of school boundaries (as defined by school).	
Lying/Cheating	Student delivers message that is untrue and/or deliberately violates rules.	
Physical Aggression	Student engages in actions involving serious physical contact where injury may	

	occur (e.g., hitting, punching, hitting with an object, kicking, hair pulling, scratching, etc.).	
Property Damage/ Vandalism	Student participates in an activity that results in destruction or disfigurement of property.	
Use/Possession of Tobacco, Vaping Materials and/or Drug Paraphernalia	Student is in possession of any tobacco, vaping and/or drug materials or is suspected of using such drugs or materials.	
Use/Possession of Weapons and/or combustibles	Student is in possession of knives (> 6 in., < 6 in.) and guns (real or look alike), or other objects readily capable of causing bodily harm. Student is in possession of matches, lighters, or other combustibles with the intent of causing harm to self or others.	
Display/Possession of Inappropriate or objectionable symbols	Objectionable emblems, badges, symbols, signs, words, objects, or pictures on clothing/jewelry/flags/etc. communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group, evidences gang membership or affiliation, or approves, advances, or provokes any form of religious, racial, or sexual harassment, and/or violence against other individuals.	



## **Use of Out-of-School Suspensions Should Be Minimized**

All students have a right to a high quality education. Punitive measures that result in the loss of valuable instructional time should be reserved for infractions that cannot be appropriately addressed through other interventions and disciplinary responses.

### **Suspension**

In every case of student misconduct for which suspension may be imposed, a Principal shall consider ways to re-engage the student in learning, and avoid using long-term suspension from school as a consequence until alternatives have been tried. Alternatives may include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and positive behavioral interventions and supports.

### **Notice of Suspension**

Except for emergency removal, a Principal must provide the student and the parent oral and written notice, and provide the student an opportunity for a hearing and the parent an opportunity to participate in such a hearing before imposing suspension as a consequence for misconduct. The Principal shall provide both oral and written notice to the student and parent(s) in English and in the primary language of the home if other than English. The notice shall include the rights enumerated in law and regulation. To conduct a hearing without a parent present, the Principal must be able to document reasonable efforts to include the parent.

### **Emergency Removal**

A Principal may remove a student from school temporarily when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the Principal's judgment, there is no alternative available to alleviate the danger or disruption.

The Principal shall immediately notify the Superintendent in writing of the removal including a description of the danger presented by the student.

The temporary removal shall not exceed two (2) school days following the day of the emergency removal, during which time the Principal shall: Make immediate and reasonable efforts to orally notify the student and the student's parent of the emergency removal, the reason for the need for emergency removal, and the other matters required in the notice; Provide written notice to the student and parent as required above; Provide the student an opportunity for a hearing with the Principal that complies with applicable regulations, and the parent an opportunity to attend the hearing, before

the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the Principal, student, and parent; Render a decision orally on the same day as the hearing, and in writing no later than the following school day, which meets the requirements of applicable law and regulation.

A Principal shall also ensure adequate provisions have been made for the student's safety and transportation prior to removal.

### **In School Suspension - Not More Than 10 Days Consecutively or Cumulatively**

The Principal may use in-school suspension as an alternative to short-term suspension for disciplinary offenses.

The Principal may impose an in-school suspension for a disciplinary offense under this provision, provided that the Principal follows the process set forth in regulation and the student has the opportunity to make academic progress as required by law and regulation.

### **Principal's Hearing - Short Term Suspension of up to 10 Days**

The hearing with the Principal shall be to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction.

At a minimum, the Principal shall discuss the disciplinary offense, the basis for the charge, and any other pertinent information.

The student also shall have an opportunity to present information, including mitigating facts, that the Principal should consider in determining whether other remedies and consequences may be appropriate as set forth in law and regulation.

The Principal shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the Principal should consider in determining consequences for the student.

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

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



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

**Principal's Hearing - Long Term Suspension of more than 10 days but less than 90 days (consecutive or cumulative)**

The hearing with the Principal shall be to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction.

At a minimum, in addition to the rights afforded a student in a short-term suspension hearing, the student shall have the following rights: In advance of the hearing, the opportunity to review the student's record and the documents upon which the Principal may rely in making a determination to suspend the student or not; The right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense; The right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so; The right to cross-examine witnesses presented by the school district; The right to request that the hearing be recorded by the Principal, and to receive a copy of the audio recording upon request. If the student or parent requests an audio recording, the Principal shall inform all participants before the hearing that an audio record will be made and a copy will be provided to the student and parent upon request.

The Principal shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the Principal should consider in determining consequences for the student.

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

If the Principal decides to suspend the student, the written determination shall: Identify the disciplinary offense, the date on which the hearing took place, and the participants

at the hearing; Set out the key facts and conclusions reached by the Principal; Identify the length and effective date of the suspension, as well as a date of return to school; Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school as required by law and regulation; Inform the student of the right to appeal the Principal's decision to the Superintendent or designee, but only if the Principal has imposed a long-term suspension. Notice of the right of appeal shall be in English and the primary language of the home if other than English, and shall include the following information: The process for appealing the decision, including that the student or parent must file a written notice of appeal with the Superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent may request and receive from the Superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days; and that the long-term suspension will remain in effect unless and until the Superintendent decides to reverse the Principal's determination on appeal.

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

### **Superintendent's Hearing**

A student who is placed on long-term suspension following a hearing with the Principal shall have the right to appeal the Principal's decision to the Superintendent.

The student or parent shall file a notice of appeal with the Superintendent within the time period noted above (see Principal's hearing - Suspension of more than 10 days). If the appeal is not timely filed, the Superintendent may deny the appeal, or may allow the appeal in his or her discretion, for good cause.

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

The Superintendent shall make a good faith effort to include the parent in the hearing.

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

The Superintendent shall conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence shall be. The Superintendent shall arrange for an audio recording of the hearing, a copy of which shall be provided to the student or parent upon request. The



Superintendent shall inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent upon request. The student shall have all the rights afforded the student at the Principal's hearing for long-term suspension.

The Superintendent shall issue a written decision within five (5) calendar days of the hearing which meets the requirements of law and regulation. If the Superintendent determines that the student committed the disciplinary offense, the Superintendent may impose the same or a lesser consequence than the Principal, but shall not impose a suspension greater than that imposed by the Principal's decision. The decision of the Superintendent shall be the final decision of the school district with regard to the suspension.

### **Expulsion**

Expulsion is defined as the removal of a student from school for more than ninety (90) school days, indefinitely, or permanently as allowed by law for possession of a dangerous weapon; possession of a controlled substance; assault on a member of the educational staff; or a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a Principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

Any student alleged to have committed one of these acts shall be afforded the same due process rights as for a long term suspension. Any student expelled from school for such an offense shall be afforded an opportunity to receive educational services and make academic progress.

### **Academic Progress**

Any student who is suspended or expelled shall have the opportunity 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 removal from the classroom or school. The Principal shall inform the student and parent of this opportunity in writing, in English and in the primary language of the home, when such suspension or expulsion is imposed.

Any student who is expelled or suspended from school for more than ten (10) consecutive days, whether in school or out of school, shall have an opportunity to receive education services and make academic progress toward meeting state and local requirements, through the school-wide education service plan.



The plan shall include the process for notifying such students and their parents of the services and arranging such services. Education services shall be based on, and be provided in a manner consistent with, the academic standards and curriculum frameworks established for all students under the law. Notice shall be provided in English and in the primary language spoken in the student's home if other than English, or other means of communication where appropriate. The notice shall include a list of the specific education services that are available to the student and contact information for a school district staff member who can provide more detailed information.

For each student expelled or suspended from school for more than ten (10) consecutive days, whether in-school or out-of-school, the school district shall document the student's enrollment in education services. For data reporting purposes, the school shall track and report attendance, academic progress, and such other data as directed by the Department of Elementary and Secondary Education.

### **Reporting**

The school district shall collect and annually report data to the DESE regarding in-school suspensions, short- and long-term suspensions, expulsions, emergency removals, access to education services, and such other information as may be required by the DESE.

The Principal of each school shall periodically review discipline data by selected student populations, including but not limited to race and ethnicity, gender, socioeconomic status, English language learner status, and student with a disability status in accordance with law and regulation.

### **Non-Discrimination**

School staff responsible for implementing this Policy shall do so without discrimination based on, race, color, sex, gender identity, religion, national origin, sexual orientation, disability, age, homelessness or limited English proficiency.

### **Discipline Policy for Students with Disabilities**

Students with disabilities, as defined by federal and state law and regulations, shall be subject to the provisions of the student handbook except as otherwise provided by this policy or by the student's IEP or 504 Plan. The IDEA and M.G.L.C.71B require that additional provisions be made for students who have been found by an evaluation TEAM to have special needs and whose individualized program is described in an Individualized Educational Program (IEP).

### **Students Identified as Having Special Needs**

In general, if a student has violated the school's disciplinary code, the school may suspend or remove the student from his or her current educational placement for a period not to exceed ten (10) consecutive school days in any school year. Any time the school wishes to remove a student from his or her current placement for more than ten



(10) consecutive days in any school year, or for more than ten (10) cumulative days when a pattern of removal is occurring, this constitutes a “change of placement.” A change of placement invokes certain procedural protections under the Individuals with Disabilities Education Act (IDEA), the federal special education law.

In general, if a student has violated the school’s disciplinary code, the school may suspend or remove the student from his or her current educational placement for a period not to exceed ten (10) consecutive school days in any school year. Prior to any removal that constitutes a change in placement, the IEP TEAM will meet to conduct a manifestation determination. Relevant members of the TEAM meet for the manifestation determination, and they answer two questions, after reviewing relevant documents and the misconduct of the student:

1. Is the misconduct the direct result of the District's/school's failure to implement the student's IEP?
2. Is the misconduct caused by, or does it have a direct and substantial relationship to the student's disability/disabilities?

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

If the Team determines that the behavior was not a manifestation of the student’s disability, the school may suspend or otherwise discipline the student according to the Student Code of Conduct, except that for any period of removal exceeding ten (10) days, the school district must provide the student with a Free Appropriate Public Education (FAPE). The school district must determine the educational services necessary for FAPE and the manner and location for providing those services. If the TEAM finds that the misconduct was a manifestation of the student's disability, then the school may still be able to implement an IAES (see below). If the IAES is not possible, then the student will remain in his/her current placement, and the TEAM will arrange for a functional behavioral assessment (if one has not been conducted on the student) and the development or modification of a behavior intervention plan.

The IDEA and M.G.L. c. 71B allow school personnel to move a student with disabilities to an interim alternative educational setting (IAES) for up to 45 school days, if that student is in possession of a dangerous weapon at school or a school function or on school property, is in possession or uses a controlled substance or sells or solicits the sale of a controlled substance while at school or a school function or on school property, or inflicts serious bodily injury on a person, including him/herself. The appropriate IAES shall be determined by the IEP TEAM.

The IDEA and M.G.L. c. 71B also allows school personnel the option of asking a hearing officer or a court to move children with disabilities to an IAES for up to 45 school days, if they are substantially likely to injure themselves or others in their current placement.

If the student has been placed in an IAES as a result of a disciplinary action, the student may remain in the interim setting for a period not to exceed 45 days. Thereafter, the student will return to the previously agreed upon educational placement unless either a hearing officer orders another placement or the parent/guardian and the school agree to another placement

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

If the parent/guardian disagrees with the Team's decision on the manifestation determination, with the decision relating to placement of the student in an IAES, or with any other disciplinary action, they have the right to request an expedited due process hearing from the Bureau of Special Education Appeals (BSEA). A school district may not suspend or in any way exclude a special needs student during the period of a BSEA hearing or judicial proceeding brought to challenge a suspension, proposed suspension or any determination under this policy unless the school district obtains a court order based on a showing that the student's continued presence in school presents a substantial likelihood of injury to the student or to others. For further information regarding Discipline related information for students with special needs, please refer to the Student Code of Conduct.

### **Students Identified As Having a Disability and Provided with a Section 504 Plan**

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

1. Is the misconduct the direct result of the District's/school's failure to implement the student's 504 Plan?
2. Is the misconduct caused by, or does it have a direct and substantial relationship to the student's disability/disabilities?

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



If the TEAM finds that the misconduct was not a manifestation of the student's disability, then the student may be disciplined according to the discipline policy in this handbook. Upon returning from his/her suspension/expulsion, the TEAM will arrange for a functional behavioral assessment (if one has not been conducted on the student) and the development or modification of a behavior intervention plan.

The Principal (or designee) will notify the Student Support Services Office of the suspendable offenses of Section 504 students and a record will be kept of such notices.

If a parent/guardian disagrees with the result of a manifestation determination hearing, or if school personnel are concerned that the student's placement may result in injury to others, they may request a hearing with a Bureau of Special Education Appeals hearing officer.

#### **Students Not Yet Determined to be Eligible for Special Education or Accommodations under Section 504**

The law applies to general education students if the school system had knowledge prior to the misconduct that the student was disabled. Under the law, a school district is presumed to have "had knowledge" that a general education student was disabled if the student's:

- Parent(s)/guardian(s) has "expressed concern in writing" to the school district that the student is in need of special education and related services;
- Parent(s)/guardian(s) has requested a special education evaluation of the child; or District staff have "expressed concern" directly to the special education director or other supervisory personnel specific concerns about a pattern of behavior demonstrated by the student.

If there was no knowledge, the parent(s)/guardian(s) may request an expedited evaluation. During this period, the student may be suspended or expelled under normal School Committee policy. Students determined to have a disability must receive appropriate educational services.

If a parent/guardian disagrees with the result of a manifestation determination hearing, or if school personnel are concerned that the student's placement may result in injury to others, they may request a hearing with a Bureau of Special Education Appeals hearing officer.

#### **Student Conduct**

The Massachusetts General Laws require the School Committee to adopt written policies, rules and regulations not inconsistent with law, which may relate to study,

discipline, conduct, safety and welfare of all students, or any classification thereof, enrolled in the public schools of the District.

The School Committee shall approve and the Superintendent shall publish the District's policies and rules pertaining to the conduct of students. These policies and rules shall apply to any student who is on school property, who is in attendance at school or at any school sponsored activity, or whose conduct at any time or any place interferes with or obstructs the mission or operations of the school district or the safety or the welfare of students or employees.

The implementation of the general rules of conduct is the responsibility of the Principal and the professional staff of the building. In order to do this, each school staff in the District shall develop specific rules not inconsistent with the law nor in conflict with School Committee policy. These building rules shall be an extension of the District policies by being more specific as they relate to the individual schools.

The purpose of disciplinary action is to restore acceptable behavior. When disciplinary action is necessary, it shall be administered with fairness and shall relate to the individual needs and the individual circumstances.

Students violating any of the policies on student conduct and control will be subject to disciplinary action. The degree, frequency, and circumstances surrounding each incident shall determine the method used in enforcing these policies. Most of the situations which require disciplinary action can be resolved within the confines of the classroom or as they occur by reasonable but firm reprimand, and/or by teacher conferences with the student and/or parents or guardians.

If a situation should arise in which there is no applicable written policy, the staff member shall be expected to exercise reasonable and professional judgment.

Reference: M.G.L. 71:37H: 71:37H1/2; 71:37H3/4; 71:37L; 76:16; 76:17; 603 CMR 53.00

### **Suspension or Expulsion for Weapons, Controlled Substances, Assaults on School Personnel, Felony Charges or Convictions**

M.G.L. c. 37H and 37H1/2 provide that students may be subject to expulsion by the Principal for any of the following actions:

- Found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon or a controlled substance.
- Assault of a teacher, administrator or other school staff member on school premises or at school-sponsored or school-related events including athletic games.
- Conviction of a felony or adjudication or admission in court of guilt with respect to such a felony or felony delinquency if the principal determines that



the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

Any student charged with violation of above provisions shall be notified in writing of the charges and of his/her due process rights, including the right to appeal. When a student is expelled under these sections, no school or school district within the commonwealth shall be required to admit such student.

*Students may also be subject to suspension or other disciplinary measures for violation of the other rules and regulations included in this handbook.*

### **School-based Rules**

Gardner School personnel will strive to help students resolve conduct problems without resorting to extreme disciplinary measures. Misconduct may be indicative of an underlying problem and every effort should be made to help students and their parents deal effectively with any such problems. School personnel should pursue any and all appropriate consequences and/or disciplinary actions before resorting to suspension or expulsion, including conferences with the parent, counseling with school counselors or psychologists, and other school-based disciplinary measures as set forth below. These guidelines help to make Gardner Schools a safe place to learn. Our school is a community that demands respect for the rights and property of its members. The cooperation of all is expected and appreciated. School rules are in effect at all school activities, programs, events and functions, both on and off campus. Because some behaviors are highly disruptive, students who engage in any of the following may be subject to immediate suspension and possible expulsion:

The use and/or possession of drugs, alcohol or weapons note: Use and/or possession of drugs/weapons may result in expulsion.

- A. Smoking
- B. Fighting
- C. The willful destruction and/or defacing of school property.
- D. Stealing
- E. False Alarms
- F. Harassment/Sexual Harassment/Racial Discrimination

Consequences for violating other rules may include teacher detention, office detention, suspension, social probation and/or expulsion. The police may be notified as outlined below. Any act, not herein specified, which is unfavorable to the best interests of the school and its community may result in disciplinary action. A student charged with a

criminal offense either at or away from school which may affect school climate or may adversely affect the education process or which may endanger the health or safety of students/staff may be subject to disciplinary measures up to and including expulsion. It is important to note that School Principals may apply and enforce discipline codes against student conduct occurring after school hours and off school grounds, if it bears a connection to school-related conduct.

### Teacher Detention

Teachers may assign after-school detention to students. Reasons may include student who arrive late to class or misbehave in class. If the detention is to be held after the school day, the teacher will notify the parent at least 24 hours prior to the detention being served. The student must report to the assigned room within 5 minutes after the close of school on the same day. If a student fails to report, he/she will be referred for an office detention.

### Office Detention

Detentions may be assigned before or after school for a duration determined by the teacher or administrator.

\*Please note: In recognition of after school transportation issues, students will be given two opportunities to serve the detention (teacher and office).

### Suspensions and Expulsions

Refer to the Procedures for Suspensions and Expulsions page.

### In-House Suspension

In-house suspension is designed to provide students who have committed a suspendable offense with the opportunity to stay current with their academic program for the length of their suspensions. The rules and regulations of the in-house suspension room must be strictly adhered to by the assigned students. Non-compliance of the rules/regulations could mean out-of-school suspensions. During the period of time students are serving In-House Suspension, they are not able to attend interscholastic athletics, clubs, all school-related social activities, or be a spectator at any home/away school sponsored activity.

### **Disciplinary Responses**

Students violating any of the policies on student conduct will be subject to disciplinary action. The degree, frequency, and circumstances surrounding each incident shall determine the method used in enforcing these policies. In all instances, school discipline should be reasonable, timely, fair, age-appropriate, and should match the severity of the student's misbehavior.

School staff will make reasonable efforts to correct student misbehavior through school-based resources at the lowest possible level, and to support students in learning the skills necessary to enhance a positive school environment and avoid misbehavior.



Most of the situations which require disciplinary action can be resolved within the confines of the classroom or as they occur by reasonable but firm reprimand, and/or by teacher conferences with the student and/or parents or guardians.

\*Corporal punishment is prohibited by statute in all public schools of the Commonwealth of Massachusetts.

### **Procedures for Suspensions and Expulsions**

A "suspension" is when a student has *temporarily* lost the right to go to school. Suspensions can be either short or long term or in or out-of-school. An "expulsion" is a *permanent* exclusion from school.

When a student is to be suspended, a phone call will be made to the parent(s) or legal guardian(s) informing him/her that the student is suspended and that he/she is going to be sent home. If the administration is unable to reach the parent(s) or legal guardian(s), the student will remain in the building until regular dismissal time.

#### Short-term Suspension (10 days or less)

Students who are subject to short-term suspension will be provided with an informal hearing consisting of the following:

- oral or written notice of the charges against him;
- an explanation of the evidence; and
- the opportunity to present his side of the story to an impartial decision-maker (such as a school administrator).

A letter will be mailed/delivered to the parent(s) or legal guardian(s) on or before the next school day that includes the reasons for suspension and the day(s) of the suspension.

#### Long-Term Suspension (more than 10 days) or Expulsion

Students who are subject to long-term suspension or expulsion will be provided with a more formal hearing. (If the principal believes that the student is a threat to school property, school employees, or other students, a student may be temporarily suspended before the formal hearing.)

Before the hearing the student and his/her parent or guardian will be provided with:



- written notice of charges (the rule or law that the school believes that the student violated and a description of the nature of the evidence an supporting the allegation(s) against the student);
- written notice of the hearing (stating the time, date, and place of the hearing) The student and his/her parent or guardian will also be notified of the rights they have at the hearing, which include:
  - the right to representation by a lawyer or advocate during the hearing;
  - the right to bring witnesses and evidence (the student can have witnesses attend or bring evidence to prove the student's case);
  - access to the school's evidence against the student (the student can look at the school's evidence against him/her and question the school's witnesses; in some cases, the need to protect an individual may outweigh a student's right to cross-examine a witness, for example when the witness is another student);
  - an impartial decision maker (if the principal is a witness against the student, another person can substitute for the principal); the right to a record of the hearing (tape recorded or recorded in some other way).

Following the hearing, the student and his/her parent(s) or legal guardian(s) will receive a written notice of suspension or expulsion from the principal explaining why the decision was made and indicating the length of the suspension.

A student has the right to appeal the decision of the principal to the superintendent. The student has ten days to notify the superintendent in writing that he or she wants to appeal. The superintendent will hold another hearing about the matter. The student has the same rights at the superintendent's hearing as he or she did at the principal's hearing. An appeal to the superintendent does not stay the exclusion of the student from school.

Parents/Guardians are required to sign off on an acknowledgment form indicating that they have received reference materials regarding the Student Code of Conduct and return that form to their child's school. The Student Code of Conduct will be distributed upon request and is also available in its entirety on the district's website. You may also contact your child's school or the Central Office for a copy of this important policy document.



## **APPEAL PROCESS**

Students may be suspended from attendance at school on authority of the building principal, or designee. In the judgment of the administration, expulsions shall be imposed only for instances of serious misbehavior that warrants a severe punishment. The principal may remove a student who has committed a disciplinary offense under G.L.71:37H or 37H1/2 for more than ninety (90) days in a school year.

Any student, who has received a long term suspension or expulsion from school, shall have the right to appeal to the superintendent. The availability of this appeals mechanism shall be made known to students and parents in writing.

A letter shall be sent by the administrator to the parents of a suspended or expelled student, informing them of the reasons for the suspension or expulsion.

Reinstatement of suspended students shall be according to the requirements and within time limits set by the principal.

## PHYSICAL RESTRAINT POLICY AND PROCEDURES

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.

Physical restraint shall be considered an emergency procedure of last resort and shall only be used 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.

In the event that physical restraint is required to protect the safety of school community members, the Gardner School District has enacted the following policy and procedures to ensure the proper use of restraint and to prevent or minimize any harm to the student as a result of the use of restraint.

The use of time-out is a behavior support strategy in which a student temporarily separates from the learning activity or the classroom either by choice or direction from staff, for the purpose of calming. During a time-out the 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-outs must be clean, safe, sanitary, and appropriate for the purposes of calming. Time-out shall cease as soon as the student has calmed. The Staff will seek the principal's approval should a student require a time-out lasting more than 30 minutes due to continued agitation.

These procedures shall be annually reviewed, provided to school staff, and made available to parents of enrolled students.

**NOTE:** None of the foregoing paragraph or the policy/procedures that follow, precludes any teacher, employee or agent of the Gardner School District from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.

### I. Interventions and Alternative Methods that May Preclude the Need for the Use of Physical Restraint

The District has developed and implemented specific procedures regarding appropriate responses to student behavior that may require immediate intervention. There are a variety of appropriate responses to student behavior that may require immediate intervention. These alternative methods should be used first when seeking to prevent student violence, self-injurious behavior and, suicide, including individual crisis planning or de-escalating potentially dangerous behavior occurring among groups of students or with an individual student. Physical restraints only should be used in emergency situations after these other less intrusive alternatives have failed or been deemed inappropriate.

#### A. Building Level Supports

Each Building has staff identified as members of a crisis team that are trained in Crisis Prevention Intervention (CPI). School personnel will identify students who are potentially at-risk and review student



social, emotional and behavior progress at the Student Support Team Meeting (SST) to plan interventions and supports for students. For any student with a history of significant emotional/ behavior including at risk behavior (harm to self and/or others) and/or a student who required a physical restraint, the Team should develop a safety or crisis plan. The plan should include strategies and supports which may include specific de-escalation strategies, counseling services, monitoring protocol, data collection, and frequent review meetings for the purpose of assessing progress and making necessary adjustments. Teams can request a functional behavioral assessment (FBA) or Safety Assessment and can refer to outside agencies. The Crisis Team could be a subgroup of the SST. Please refer to the District Accommodation Plan (DCAP) for a list of other programs such as Positive Behavior Interventions and Supports (PBIS), PATHS Curriculum, Zones of Regulation, Social Thinking Curriculum, and Restorative Justice Practices.

B. Examples of interventions and less intrusive methods that may preclude the need for the use of physical restraint, include, but are not limited to, the following:

1. Active listening
2. Use of a low non-threatening voice
3. Limiting the number of adults providing direction to the student
4. Offering the student a choice
5. Not blocking the student's access to an escape route
6. Suggesting possible resolutions to the student
7. Avoiding dramatic gestures (waiving arms, pointing, blocking motions, etc.)
8. Verbal Directives- A verbal directive is communicating what is expected behavior by clearly stating instructions and expectations.
9. Brief Physical Contact- Physical restraint does not include: brief physical contact to promote student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, and providing comfort. Such brief physical contact is an alternative to physical restraint.
10. Removals- Removals are used only when it is necessary to move a child a few feet in order to hold them to safer position. Removal includes removal of a student from a classroom for in situations where behavior can escalate other student, creating a less safe situation. Removals are only for a short distance, i.e. out of the classroom to the hallway.
11. Physical Escort- Physical escort is 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.
12. Time-Out- Time-out is a behavioral support strategy in which a student temporarily separates from the learning activity or the classroom, either by choice or by direction from program staff, for the purpose of calming. During time-out, a student must be continuously observed by a staff member. Program 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 will cease as soon as the student has calmed. Principal approval is required for a time-out of more than thirty (30) minutes based on an individual student's continuing agitation.

C. General guidelines for de-escalating potentially dangerous behavior occurring among groups of students or with an individual student include the following:

1. Remain Calm - To possibly help prevent the likelihood of a student experiencing distress from escalating his/her behavior use a neutral and level tone of voice, control one's facial expressions and use a supportive non-threatening body language.
2. Obtain Assistance – Whenever possible, school personnel should immediately take steps to notify school administrators, the school's administrative response team and/or other school personnel of a potentially dangerous situation and to obtain additional assistance.
3. One Person Speaks - In order to minimize the likelihood of confusion and/or the likelihood of a student experiencing distress from escalating his/her behavior having one person providing overall direction to the response and the follow up procedures is advisable. This often may be either the first trained staff person on the scene or the staff person with the most information about the particular situation.
4. Remove Student If Possible – The feasibility of having a student experiencing distress leave an area with other students and move to another more private and safe area in order to de-escalate should be considered.
5. Remove Other Students – If it is not feasible to have a student experiencing distress move to a more private and safe area in order to de-escalate, consider the feasibility of having other staff assist and monitor the removal of other students to another area within the school until the student de-escalates.

D. Description of physical restraints used in emergency situations:

In an emergency situation, school staff are to act in a manner to ensure the safety of the individual as well as other students and personnel. The school staff responding to the emergency situation, should adhere to the requirements of the Gardner Public Schools Physical Restraint Policy and these administrative guidelines and only use a physical restraint as a last resort and with extreme caution **AFTER OTHER LAWFUL AND LESS INTRUSIVE ALTERNATIVES HAVE FAILED OR BEEN DEEMED INAPPROPRIATE.** In other words, staff should first attempt to verbally redirect the student. If this does not stop or prevent the student from danger, the staff member should attempt to block the student by taking a supportive stance first to prevent them from entering any dangerous situation, such as running into the street or jumping from a high place. If the individual is unable to be blocked; the staff member should then administer or attempt to hold the student from danger until emergency assistance or help arrives. This includes, but is not limited to, any one of the approved CPI positions.

II. Methods to Engage Parents in Discussions about Restraint Prevention and the Use of \_\_\_\_\_ Restraint Solely as an Emergency Measure

All families and students are provided with information about behavioral supports and restraint prevention efforts through the Student/Parent Handbook. Additionally, principals are expected to follow these administrative procedures with respect to identifying students who may be at risk of restraint and work with the student and their family along with school counselors/related staff to identify and work on behavioral supports to prevent restraint from occurring. If a student is restrained, principals are expected to follow these administrative procedures with respect to engaging the student and their family about the use of the restraint, the report regarding the restraint, any disciplinary sanctions that may be imposed and/or any other related matters. Additionally, the school counselors should follow up with the student and their family regarding behavioral supports as needed.

III. Staff Training

- A. All staff/faculty will receive training regarding the school's restraint policy within the first month of



each school year, and employees hired after the school year begins will receive training within one month of starting their employment. 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

- B. Required training for all staff will include review of the following:
1. The program's restraint prevention and behavior support policy and procedures, including use of time-out as a behavior support strategy distinct from seclusion;
  2. Interventions which may preclude the need for restraint, including de-escalation of problematic behaviors; and other alternatives to restraint in emergency circumstances;
  3. Types of 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;
  4. Administering physical restraint in accordance with known medical or psychological limitations known or suspected trauma history, and/or behavioral intervention plans applicable to an individual student; and
  5. Identification of program staff who have received in-depth training (as set forth below in section C) in the use of physical restraint.
  6. The role of the student, family, and staff in preventing restraint
- C. Designated staff members shall participate in at least sixteen hours of in-depth training in the use of physical restraint, with at least one refresher training occurring annually thereafter
1. At the beginning of the school year, the principal will identify those staff who will participate in in-depth training and who will then be authorized to serve as school-wide resources to assist in ensuring proper administration of physical restraint.
  2. In-depth training will include:
    - a) Appropriate procedures for preventing the need for physical restraint, including the de-escalation of problematic behavior, relationship building, and use of alternatives to restraint.
    - b) A description and identification of specific dangerous behaviors on the part of a student that may indicate the need for 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; and
    - 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
- D. Staff/faculty will review any behavior plans pertaining to special techniques for identified students.

E. Staff/ faculty will review the uses of time-out as a behavioral strategy for applicable programs. Staff/faculty will review the program procedure for obtaining principal approval of time-out for more than 30 minutes based upon a student's continuing agitation.

IV. Administration of Physical Restraint

- A. 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. Staff will use physical restraint with two goals in mind:
1. 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
  2. To prevent or minimize any harm to the student as a result of the use of physical restraint. Physical restraint is prohibited in the following circumstances:
    - a. As a means of discipline or punishment;
    - b. As a response to property destruction, disruption of school order, a student's refusal to comply with a school rule or staff directive, or verbal threats that do not constitute a threat of imminent, serious, physical harm. However, if the property destruction or the refusal to comply with a school rule or staff directive could escalate into, or could itself lead to serious, imminent harm to the student or to others, physical restraint is appropriate.
    - c. As a standard response for any individual student. No written behavior plan or individualized education program (IEP) may include use of physical restraint as a standard response to any behavior
    - d. 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
- B. Only school personnel who have received required training or in-depth training pursuant to this policy shall administer physical restraint on students with, whenever possible, one adult witness who does not participate in the restraint. The training requirements, however, shall not preclude a teacher, employee or agent of the school from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.
- C. Physical restraint shall be limited to the amount of force necessary to protect a student or others from physical injury or harm.
- D. A person administering physical restraint shall use the safest method available and appropriate to the situation. Restraints, including prone restraints otherwise permitted under 603 CMR 46.03(1)(b) may only be administered by a staff member who has received in-depth training as specified in this policy and, when in the judgment of the trained staff member, such method is required to provide safety for the student or others.
- E. Physical restraint shall be discontinued 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.



F. Additional safety requirements:

1. No restraint shall be administered in such a way that the student is prevented from breathing or speaking. A staff member will continuously monitor the physical status of the student, including skin temperature color and respiration, during the restraint.
2. 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.
3. 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.
4. If a student is restrained for a period longer than 20 minutes, staff shall obtain the approval of administration. The approval shall be based upon the student's continued agitation during the restraint justifying the need for continued restraint.

G. At an appropriate time after release of a student from physical restraint, a school administrator or other appropriate school staff shall:

1. As soon as the student is cooperative, have the school nurse assess the student to ensure there has been no injury
2. Review the incident with the student to address the behavior that precipitated the restraint;
3. Review the incident with the staff person(s) who administered the restraint to discuss whether proper restraint procedures were followed; and
4. Consider whether any follow-up is appropriate for students who witnessed the incident.

V. Restraints Prohibited

A. Medication restraint – the administration of medication for the purpose of temporarily controlling behavior.– is prohibited unless prescribed by a licensed physician and authorized in writing by the parent for administration in the school setting.

B. Mechanical restraint – the use of any device or equipment to restrict a student's freedom of movement. This 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 the device 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.

C. Seclusion restraint - the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving without access to school staff is prohibited.

D. Prone restraint- 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 is prohibited except 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.

E. The use of “time out” procedures during which a staff member remains accessible to the student, and the student is continuously observed by a staff member shall not be considered “seclusion restraint.

#### VI. Reporting Requirements

A. Staff will report any incidence of physical restraint to their building administrator. Program staff shall provide a written report no later than the next school working day to their building administrator after administration of a physical restraint.

B. The staff member who administered such a 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.

1. The written report shall be provided to the principal or his/her designee, except the principal shall prepare the report if the principal administered the restraint;
2. The principal 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 of Education, upon request.

C. The principal or his/her designee shall verbally inform the student’s parent(s)/guardian(s) of such restraint as soon as possible and within 24 hours of the restraint, and by written report postmarked no later than three school working days following the use of such restraint or to an email address provided by the parent for communication about the student.

1. If the school customarily provides school-related information to the parent(s)/guardian(s) in a language other than English, the written restraint report shall be provided in that language.
2. The school will 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.

D. The written report required by both sections B and C above shall include:

1. Names and job title of the staff who administered the restraint, and observers, if any;
2. Date of restraint and time restraint began and ended;
3. Name of administrator who was verbally informed following the restraint; and as applicable, the name of the administrator who approved continuation of the restraint beyond 20 minutes.
4. Description of the activity the student, other students, and staff in the area were engaged in immediately preceding the use of physical restraint;
5. Student’s behavior that prompted the restraint;
6. Efforts made to de-escalate the situation and alternatives to restraint that were attempted;



7. Justification for initiating physical restraint;
8. Description of administration of restraint including:
  - a. The holds used and reasons such holds were necessary
  - b. The student's behavior and reactions during the restraint
  - c. How the restraint ended and
  - d. Documentation of injury to the student and/or staff, if any, during the restraint and any medical care provided;
9. For extended restraints (restraints lasting more than twenty minutes), description of the alternatives to extended restraint that were attempted, the outcome of those efforts, and the justification for administering the extended restraint; Information regarding any further action(s) that the school has taken or may take, including any disciplinary sanctions that may be imposed on the student; and
10. Information regarding opportunities for the student's parent(s)/guardian(s) to discuss with school officials the administration of the restraint, any disciplinary sanctions, and/or other related matters.

E. 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:

1. 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;
2. 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;
3. 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;
4. Agreement on a written plan of action by the program.

F. If the principal directly participated in the restraint, a duly qualified individual designated by the superintendent 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.

1. 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.

2. Report all restraint related injuries to the Department of Secondary and Elementary Education (DESE). 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 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 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 the 30 calendar days of receipt of the required written report(s).
3. The district will report all physical restraints to the Department. Each school shall collect and annually report data regarding the use of physical restraints in a manner and form directed by the Department.

VII. Grievance Procedures

A. Parents will notify the principal or designee of any concerns regarding restraint practices and procedures. If a designee receives the complaint or concern that designee shall notify the principal within the school day. The principal shall notify the Superintendent within twenty-four hours of a school working day of receiving a concern. The Superintendent shall at his or her discretion order an investigation.

VIII. Other Interventions

Nothing in this policy prohibits:

A. The right of any individual to report to appropriate authorities a crime committed by a student or another individual;

B. Law enforcement, judicial authorities or school security personnel from exercising their responsibilities, including 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 or to deter any individual from reporting neglect or abuse to the appropriate state agency.

D.

Policies and Procedures shall not preclude the use of school violence prevention techniques or procedures i.e., counseling, DARE, etc.

This policy can be found in both the Policy Binder and in the Procedures Binder, as it contains elements of both policy and procedure.

[Reference: M.G.L. 69 Section 1B and C71, S37G; Regulation 603 CMR 46.00 Physical Restraint]

[Adopted: December 2001]

[Revised: October 2003]

[Revised: March 2006]

[Revised: April 2008]

[Reviewed: June 2014]

[Revised: March 2016]

[Revised: February 2018]

[Revised: May 2019]



## **HOMELESS STUDENTS: ENROLLMENT RIGHTS AND SERVICES**

To the extent practical and as required by law, the district will work with homeless students and their families to provide stability in school attendance and other services. Special attention will be given to ensuring the enrollment and attendance of homeless students not currently attending school. Homeless students will be provided district services for which they are eligible, including Head Start and comparable preschool programs, Title I, similar state programs, special education, bilingual education, vocational and technical education programs, gifted and talented programs, summer programming and school nutrition programs. The district will ensure homeless children are not stigmatized or segregated on the basis of their status as homeless.

Homeless students are defined as lacking a fixed, regular and adequate nighttime residence, including:

1. Sharing the housing of other persons due to loss of housing, economic hardship, or similar reason;
2. Living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations;
3. Living in emergency or transitional shelters;
4. Being abandoned in hospitals;
5. Living in public or private places not designed for or ordinarily used as regular sleeping accommodations for human beings;
6. Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations or similar settings;
7. Migratory children living in conditions described in the previous examples.

The term “unaccompanied youth” means a homeless child or youth not in the physical custody of a parent or guardian and not in the custody of a state agency.

The term "school of origin" means the school that the student attended when permanently housed or the school in which the student was last enrolled.

The superintendent shall designate an appropriate staff person to be the district’s liaison for homeless students and their families.

Enrollment:

School districts must immediately enroll homeless students in school to provide educational stability and avoid separation from school for days or weeks even if the child or youth is unable to produce school records normally required for enrollment such as previous academic records, medical records, proof of residency, immunizations, birth certificates, and guardianship documentation. Therefore, the district must ensure that:

- 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;

- if a homeless student arrives without records, the previously attended school district is contacted and the required records requested; the district homeless liaison is notified to assist
- that homeless students are attending school while the records are being requested;
- districts remove barriers to homeless students receiving appropriate credit for full or partial coursework satisfactorily completed while attending a prior school;
- information about a homeless student's living situation shall be treated as a student education record and not be deemed to be directory information and therefore cannot be shared with the public including landlords; and
- Other barriers are removed to enrollment and retention due to outstanding fees or fines, or absences
- For homeless students who meet the relevant eligibility criteria, barriers are removed to accessing academic and extracurricular activities, including magnet schools, summer school, career and technical education, advanced placement, on-line learning, and charter school programs.

If there is an enrollment dispute, the student shall be immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute. The parent or guardian shall be informed of the district's decision and their appeal rights in writing. The district's liaison will carry out dispute resolution as provided by state rule. Unaccompanied youth will also be enrolled pending resolution of the dispute.

Once the enrollment decision is made, the school shall immediately enroll the student, pursuant to district policies. If the student does not have immediate access to immunization records, the student shall be admitted under a personal exception. Students and families should be encouraged to obtain current immunization records or immunizations as soon as possible, and the district liaison is directed to assist. Records from the student's previous school shall be requested from the previous school pursuant to district policies. Emergency contact information is required at the time of enrollment consistent with district policies, including compliance with the state's address confidentiality program when necessary

#### School Placement:

Homeless students have the right to remain enrolled in their school of origin, including the designated receiving school, and receive transportation or immediately enroll in the school district where they are temporarily residing. School placement determinations must be based on the best interest of the homeless student. To the extent feasible, homeless students will continue to be enrolled in their school of origin while they remain homeless or until the end of the academic year in which they obtain permanent housing. Instead of remaining in the school of origin, parents or guardians of homeless students and unaccompanied youths may request enrollment in the school in the attendance area in which the student is actually living, or other schools. The district will consider



student-centered factors related to the student's best interest including factors related to the impact of mobility on achievement, education, health, and safety of homeless students, school placement of siblings, giving priority to the request of the parent, guardian, or unaccompanied youth. Attendance rights by living in attendance areas, other student assignment policies, or intra- and inter-district choice options are available to homeless families on the same terms as families resident in the district.

#### Transportation:

Homeless students are entitled to transportation to their school of origin. If the school of origin is in a different district, or a homeless student is living in another district but will attend his or her school of origin in this district, the districts will coordinate the transportation services necessary for the student, or will divide the costs equally. Transportation will be provided through the end of the school year in which a student becomes permanently housed.

#### Coordination:

The district's liaison for homeless students and their families shall coordinate with local social service agencies that provide services to homeless children and youths and their families; other school districts on issues of transportation and records transfers; and state and local housing agencies responsible for comprehensive housing affordability strategies. This coordination includes providing public notice of the educational rights of homeless students in schools, family shelters and soup kitchens. The district's liaison will also review and recommend amendments to district policies that may act as barriers to the enrollment of homeless students.

[Reference: Title I, Part C; McKinney Vento as amended by Every Student Succeeds Act, 2015]

[Adopted: March 2004]

[Revised: May 2017]

[Revised: June 2019]

***Homeless Liaison contact information and procedures can be found on the district website [www.gardnerk12.org](http://www.gardnerk12.org).***

**District Policies:**

- Non-discrimination & Harrassement
- Student Welfare
- Concussions and Head Injuries
- Bullying
- Restraint
- Hazing
- Internet
- School Food Service Department Policy



## Title IX of the Education Amendments of 1972

The Gardner Public Schools does not tolerate discrimination against students, parents, employees or the general public on the basis of sex. The Gardner Public Schools is also committed to maintaining a school environment free of harassment based on sex, including harassment based on gender, sexual orientation, gender identity, pregnancy or pregnancy status. The Gardner Public Schools' policy of nondiscrimination extends to students, staff, the general public, and individuals with whom it does business; no person shall be excluded from or discriminated against in employment, admission to a public school of Gardner or in obtaining the advantages, privileges, and courses of study of such public school on account of sex.

**How to Report Sexual Harassment:** Individuals are encouraged to report allegations of sexual harassment to the Title IX Coordinator(s) identified below or the Principal. Any report of sexual harassment, as defined under Title IX of the Education Amendments of 1972, will be responded to promptly in accordance with the *District's Title IX Sexual Harassment Grievance Procedures*, available at: [GPS Central Office]. Reports of discriminatory harassment not constituting sexual harassment as defined under Title IX of the Education Amendments of 1972, will be initially addressed through the *District's Title IX Sexual Harassment Grievance Procedure* and may, if dismissed under that procedure, be investigated in accordance with the *District's Civil Rights Grievance Procedures*, available at: [GPS Central Office].

Upon receipt of a report of sexual harassment, the Title IX Coordinator will: (1) promptly and confidentially contact the complainant to discuss the availability of supportive measures; (2) inform the complainant of the availability of supportive measures with or without the filing of a Title IX Formal Complaint; (3) consider the complainant's wishes with respect to supportive measures; (4) if the school district does not provide the complainant with supportive measures, document the reasons why such response was reasonable; and (5) explain to the complainant the process for filing a Title IX Formal Complaint.

Inquiries about the application of Title IX may be directed to the District's Title IX Coordinator and/or the Assistant Secretary of the U.S. Department of Education, Office for Civil Rights.

The District's Title IX Coordinator(s) are:

Catherine Goguen  
Chief Academic Officer  
70 Waterford St.  
Gardner, MA 01440  
Goguenc@gardnerk12.org 978-632-1600 x7200



## NON-DISCRIMINATION AND HARRASSMENT

The Gardner Public Schools does not tolerate discrimination against students, parents, employees or the general public on the basis of race, color, national origin, sex, sexual orientation, gender identity, disability, homelessness, religion, age or immigration status. The Gardner Public Schools is also committed to maintaining a school environment free of harassment based on race, color, religion, national origin, gender, sexual orientation, gender identity, pregnancy or pregnancy status, age or disability. In addition, the District provides equal access to all designated youth groups. Consistent with the requirements of the McKinney-Vento Act, the District also does not discriminate against students on the basis of homelessness.

The Superintendent shall designate at least one administrator to serve as the compliance officer for the District's non-discrimination policies in education-related activities, including but not limited to responding to inquiries related to Title VI of the Civil Rights Act of 1964; Title VII of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973; Title II of the Americans with Disabilities Act; the Age Act; M.G.L. c. 76, § 5; M.G.L. c. 151B and 151C; and 603 C.M.R. § 26.00. Inquiries about the application of Title IX to the District may be referred to the District's Title IX Coordinator, to the Assistant Secretary of the U.S. Department of Education, or both.

The Gardner Public Schools' policy of nondiscrimination will extend to students, staff, the general public, and individuals with whom it does business; no person shall be excluded from or discriminated against in employment, admission to a public school of Gardner or in obtaining the advantages, privileges, and courses of study of such public school on account of race, color, sex, gender identity, religion, national origin, sexual orientation, age, homelessness, disability or immigration status.

In addition to designating at least one administrator to handle inquiries regarding the District's non-discrimination policies, the Superintendent shall adopt and publish one or more grievance procedures for addressing reports of discrimination, harassment and retaliation under the protected classes identified in this policy. If an individual interested in filing a complaint that they have been discriminated against because of their race, color, sex, gender identity, religion, national origin, sexual orientation, homelessness, disability, or immigration status, their complaint should be filed in accordance with the District's grievance procedures for discrimination, harassment, and retaliation.

The student handbooks and grievance procedures shall identify the name, office address and telephone number for the compliance officer(s) for the above-referenced statutes and this policy and be posted on the District's website.

LEGAL REFS.: Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(a),(b); EEOA: 20 U.S.C. 1703(f); Title IX: 20 U.S.C. 1681; 34 CFR 106.31, 106.34, 106.35;



Section 504: 29 U.S.C. 794;  
35.130; IDEA 2004: 20 U.S.C.  
Sec. 3121(c)(1)(C); Title X, Part  
amend. art. 114; M.G.L. c. 71A, s. 7; c. 76,  
Chapter 199 of the Acts of 2011; MLG c.  
seq.; 42 USC s. 2000d et seq.; 20 USC s. 1701 et  
Sec. 84.

34 CFR 104.4; Title II: 42 U.S.C. 12132; 28 CFR  
1400; 34 CFR 300.110; NCLB: Title III, Part A,  
C, Secs. 721, 722(g)(4); Mass. Const.  
s. 5; 603 CMR 26.03 as amended by  
71, s370; 42 USC s. 2000c et  
seq.; M.G.L c. 71,

[Revised: September 2020]

## **STUDENT WELFARE**

### **Supervision of Students**

School personnel assigned to supervisory duties are expected to act as reasonably prudent adults in providing for the safety of the students in their charge.

No teacher or other staff member will leave his/her assigned group unsupervised unless a previous arrangement has been made to take care of an emergency.

During school hours or while engaging in school-sponsored activities, students will be released only into the custody of parents/guardians or other persons authorized in writing by a parent or guardian.

### **Reporting to Authorities – Suspected Child Abuse or Neglect**

Any school official or employee shall report any suspected child abuse or neglect as required by M.G.L. Ch. 119, S 51A.

In accordance with the law, the District shall establish the necessary regulations and procedures to comply with the intent of the Act consistent with the District's responsibility to the students, parents/guardians, District personnel, and the community.

### **Student Safety**

Instruction in courses in technology education, science, art, physical education and health/safety will include and emphasize safety and accident prevention.

Safety instruction will precede the use of materials and equipment by students in applicable units of work, and instructors will teach and enforce all safety rules set up for the particular courses. These include the wearing of protective safety glasses and hearing protectors in appropriate activities.

### **Safety on the Playground and Playing Field**

The District shall provide safe play areas. Precautionary measures that the District requires shall include:

- A periodic inspection of the school's playground and playing fields by the principal of the school and others as may be deemed appropriate;
- Instruction of students in the proper use of equipment;
- Supervision of both organized and unorganized activity.

### **Emergency Drills**

The District shall cooperate with the fire and police departments in the conduct of emergency drills. The Principal of any public or private school, containing any of grades 1 to 12, shall immediately report any incident of unauthorized ignition of any fire within the school building or on school grounds, to the local fire department. Within 24 hours, the Principal shall submit a written report of the incident to the head of the fire department on a form furnished by the Department of Fire Services. The Principal must file this report whether or not the fire



department responded.

LEGAL REFS: MGL 71:37L; 148:2A

SOURCE: MASC 8/2006

[Adopted: December 1998]

[Revised: June 2003]

[Revised: June 2016]

[Revised: March 2021]

# **HEAD INJURIES AND CONCUSSIONS IN EXTRACURRICULAR ATHLETIC ACTIVITIES POLICY**

## **INTRODUCTION**

The Gardner Public Schools seeks to prevent concussion and provide a safe return to activity for all students after injury, particularly after a head injury. In order to effectively and consistently manage these injuries, the Athletic Department abides by the following procedures that have been developed to aid in ensuring that concussed athletes are identified, treated and referred appropriately, receive appropriate follow-up medical care during the school day, including academic assistance, and are fully recovered prior to returning to athletic activity.

### **Person Responsible for Implementation of School Policy and Procedures**

The Gardner School District has designated its Athletic Director to oversee the implementation of policies and protocols governing the prevention and management of sports-related head injuries. In addition, the AD will be responsible for:

- (1) Supporting and enforcing the protocols, documentation, required training and reporting
- (2) Assuring that all documentation is in place
- (3) Reviewing, updating and implementing policy every two years and including updates in annual training and student and parent handbooks.

### **Annual Training Requirement**

The Commonwealth of Massachusetts requires annual safety training on sports related concussion, including second impact syndrome, for coaches, certified athletic trainers, trainers, volunteers, school nurses, school and team physicians, athletic directors, directors responsible for a school marching band whether employed by a school or school district or serving as a volunteer, parent or legal guardian of a child who participates in an extracurricular athletic activity and student who participates in an extracurricular athletic activity. At the Gardner Public Schools, the above-named school personnel are required to complete free, on-line training (either the National Federation of High Schools or the CDC's Heads Up Concussion training) or attend a training event organized by the athletic department and approved by the Department of Public Health. For student athletes and their parents, this training can be provided in the regular pre-season meetings where written materials are also available. Attendance can be taken at such meetings and the attendance roster serves as a record of verification for participants who are trained. If parents or students are unable to attend this training, they must complete one of the approved on-line trainings and submit a certificate of completion to the athletic director to meet this participation requirement. Alternatively, parents may review DPH-approved written materials (provided by the athletic department) and sign a verification form that they have read and understood these materials.

### **Documentation of Physical Exam**

Each student athlete must have a physical examination on an annual basis, i.e. within 12 or 13 months of the student's last physical examination (to allow for insurance coverage of the examination). Any student athlete who does not have a current physical on file with the nurse



prior to the first day of try-outs/practice, is not eligible until a new/updated physical is submitted. If the student's physical examination expires during the sports season, they must have an updated physical examination to continue to participate in the sports season. All physical forms are to be turned in to the nurse, not the coach.

### **Pre-Participation Head Injury Reporting Form, Submission and Review**

The Massachusetts concussion law requires athletes and their parents to inform their coaches about prior head injuries at the beginning of each sports season. This reporting is done via the **Pre-Participation Head Injury/Concussion Reporting for Extracurricular Activities** form and should be completed by the student's parent(s) or legal guardian(s) and the student. It must be submitted to the Athletic Director **prior to the start of each season a student plans to participate in an extracurricular athletic activity.**

**Until the pre-participation form is completed and signed by the parent/guardian and student and returned to the Athletic Director prior to the start of each sports season, the student cannot participate in the extracurricular sports activity.**

### **Medical/Nursing Review of Pre-Participation Forms**

At the start of each sports season, the Athletic Director will review all pre-participation forms and forward to the school nurse those forms indicating a history of head injury. The school nurse will be responsible for:

- reviewing or having the school physician review completed pre-participation forms
- addressing any questions raised by the Athletic Director
- communicating with the coach regarding the student's concussion history and discussing concerns
- following up with parents and students as needed prior to the student's participation in extracurricular athletic activities.

### **Medical/Nursing Review of Reports of Head Injury During the Season**

The following procedures will be followed when an athlete receives a head injury:

- Athlete is removed from the contest or practice.
- Coach completes the **Report of Head Injury During Sports Season Form**
- The Coach will give a **Report of Head Injury During Sports Season Form** to Athletic Director.
- The Athletic Director will notify the school nurse who will review the Report of Head Injury form.
- School nurse will contact the athlete's teachers, guidance counselor, and principal.

### **Procedure for Reporting Head Injuries to School Nurse and/or Certified Athletic Trainer**

Head injuries or suspected concussions (after a bump, blow or jolt to the head or body) sustained during extracurricular athletic activities must be reported by the coach as soon as possible to the school nurse and the athletic director. **Athletes who experience signs or symptoms of a concussion should not be allowed to return to play.**

### **Removing Athletes From Play and Medical Evaluation**

In the event that a student athlete receives a head injury, or is suspected of having a head injury, the student will be removed from play and will not be returned to play or practice that day. The coach should report the head injury to the athletic director or school nurse, if available, as soon as possible, for medical assessment and management and for coordination of home instructions and follow-up care. The athletic director or school nurse will be responsible for contacting the athlete's parents and providing follow-up instructions. If the athlete is injured at an away event or if the athletic director or school nurse is unavailable, the coaching staff are responsible for notifying the athlete's parents of the injury and, if warranted, call for emergency care. Coaches should seek assistance from the host site athletic trainer, coach or school nurse if at an away contest.

If the athlete is able to be sent home (rather than directly to MD):

- a. the coach or athletic director will ensure that the athlete will be with a responsible adult, who is capable of monitoring the athlete and understanding the home care instructions, before allowing the athlete to go home;
- b. the coach or athletic director will continue efforts to reach the parents;
- c. if there is any question about the status of the athlete, or if the athlete is not able to be monitored appropriately, the athlete will be referred to the emergency department for evaluation. A coach or athletic director will accompany the athlete and remain with the athlete until the parents arrive, and
- d. athletes with suspected head injuries will not be allowed to drive home.

### **Medical Clearance and Return to Play**

The school physician, if available, should be involved. **Medical clearance is meant to be provided AFTER a student has completed his or her graduated return to play plan.**

The medical provider giving medical clearance for returning to play must use the MDPH Medical Clearance Form, "**Post Sports-Related Head Injury Medical Clearance and Authorization Form**" available on the MDPH website ([www.mass.gov/dph/injury](http://www.mass.gov/dph/injury)). The Medical Clearance Form contains more detailed information than a simple statement that the student is ready to return to athletics. This additional information is necessary as school staff monitor the student returning from a concussion. Athletic staff may consider providing this form to the athlete to share with the physician. The completed forms should be kept in the student's medical record in the school health office as well as athletic department office.

### **Development and Implementation of Post Concussion Graduated Reentry Plans**

It is required 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.

Graduated return to academic plans are based on the stages of recovery framework that takes a student from rest, to gradual return to full participation in academic activities.

#### Stages of Recovery:[2]

The stages of recovery are a framework designed through a collaborative effort by health care professionals. The purpose of this framework is to create common language that will help guide students, families, school personnel and health professionals through the recuperation process. Placement in stages is based on assessment of the student's medical condition by a licensed medical professional and accompanied by written orders.

#### Red Stage (Usually 2 – 4 days, but could last weeks)

Rest

Students typically do not attend school

#### Orange Stage

Rest

Attend school half to full days

Avoid school bus and heavy backpacks

Work with designated educational personnel regarding school accommodations

No tests in school

No sports, band, chorus, physical education or outdoor recess

#### Yellow Stage

Attend school full-time if possible

Students and families work with teachers regarding homework deadlines (complete as much as possible)

See school nurse for pain management and/or rest if needed

Limit one quiz/test per day (untimed testing is recommended)

Work in 15 minute blocks

No sports

Licensed medical professional will make decisions regarding band, chorus, physical education and outdoor recess (elementary level) based on medical assessment

#### Green Stage

Attend school full time

Resume normal activities

Resume sports once school work is back on track, student is symptom-free, and has been cleared by a licensed medical professional



Graduated return to athletic plans will begin only after a student has returned to full participation in academics and is completely symptom free at rest.

### **Return to Play Schedule**

When a student athlete is completely symptom free at rest and has the approval of a medical professional, she/he may begin a graduated return to play protocol. The return to play schedule for the student should proceed as follows:

- Step 1: Light exercise, including walking or riding an exercise bike. No weight-lifting.
- Step 2: Aerobic exercise such as running in the gym or on the field. No helmet or other equipment.
- Step 3: Non-contact training drills in full equipment. Weight-training can begin.
- Step 4: Full contact controlled training followed by practice or training.
- Step 5: Full contact game play.

The written reentry plans will be signed by the student, their parent/guardian, the school nurse, the guidance counselor, principal, athletic director and coach so that all parties are in agreement as to the plan for reentry. Frequent or periodic assessments by the school personnel including the nurse, athletic director, school physician or team physician as appropriate may be necessary until full return to classroom activities and extracurricular athletic activities are authorized by medical staff. A copy of the plan will be kept in the student's medical record.

### **Providing Information, Forms and Materials to Parents and Athletes.**

#### **a. Annual Training Requirement**

For student athletes and their parents, this training can be provided in the regular pre-season meetings where written materials are also available. Attendance can be taken at such meetings and the attendance roster serves as a record of verification for participants who are trained. If parents or students are unable to attend this training, they must complete one of the approved on-line trainings and submit a certificate of completion to the athletic director to meet this participation requirement. Alternatively, parents may review DPH-approved written materials (provided by the athletic department) and sign a verification form that they have read and understood these materials.

#### **b. Procedure for the School to Notify Parents When an Athlete Has Been Removed From Play for a Head Injury or Suspected Concussion**

The athletic director or school nurse/physician will be responsible for contacting the athlete's parents and providing follow-up instructions. If the athlete is injured at an away event or if the athletic director or school nurse is unavailable, the coaching staff are responsible for notifying the athlete's parents of the injury and, if warranted, call for emergency care. The student should be sent home with the "Report of Head Injury During Sports Season Form" as well as the "Post Sports-Related Head Injury Medical Clearance and Authorization Form".



**c. Protocol for Parents/Students to Obtain Medical Clearance for Return to Play and Academics After a Diagnosed Concussion (see also #8 above)**

Parents and students are oriented about the protocol on obtaining medical clearance for return to play after a diagnosed concussion. In addition, our athletic handbook under the section for “Sports Concussion” includes our policies regarding sports concussion including obtaining medical clearance after a concussion. The website of the school at [www.gardnerk12.org](http://www.gardnerk12.org) under the Athletic Department tab has a page on sports concussion that also details these protocols. Finally, parents and students can always call the athletic department office at 978-632-1600, ext. 1800 or the school nurse’s office at 978-632-3934 (high school) or 978-632-3324 (middle school) to get further clarification or ask questions. No student will be allowed to return to play until the medical clearance form is signed by authorized medical professional, submitted and reviewed by the school nurse.

**d. Parent’s Responsibility for Completion of the Pre-Participation Form**

At the schools’ annual meeting in the fall, parents and students are oriented about the requirement to submit the pre-participation form, signed by both student and parent, which provides a comprehensive history with up-to-date information relative to concussion history. It is the parent’s responsibility to tell all the student’s coaches and school nurse if the student has ever had a concussion via this form. In addition, our athletic handbook under the section for “Sports Concussion” includes our policies regarding sports concussion including the requirement to complete the pre-participation form by student and parent at the start of every sports season. The website for the school at [www.gardnerk12.org](http://www.gardnerk12.org) under the Athletic Department tab has a page on sports concussion that also details these protocols. Finally, parents and students can always call the athletic department office at 978-632-1600, ext. 1800 or the school nurse’s office at 978-632-3934 (high school) or 978-632-3324 (middle school) to get further clarification or ask questions. These forms should be submitted to the athletic department office which copies and reviews them and then forwards them to the school nurse’s office for review. No student will be allowed to participate in athletic activities until the pre-participation form is signed, submitted by parent and student and reviewed by designated staff annually.

**e. Parent’s Responsibility for Completion of the Report of a Head Injury Form**

At the schools’ annual meeting in the fall, parents and students are oriented about the requirement to submit all forms including the Report of Head Injury Form signed by parent if their child has a head injury related to athletic activities. In addition, our athletic handbook under the section for “Sports Concussion” includes our policies regarding sports concussion including the requirement to complete and sign. The website for the school at [www.gardnerk12.org](http://www.gardnerk12.org) under the Athletic Department tab has a page on sports concussion that also details these protocols. Finally, parents and students can always call the athletic department office at 978-632-1600, ext. 1800 or the school nurse’s office at 978-632-3934 (high school) or 978-632-3324 (middle school) to get further clarification or ask questions. These forms should be submitted to the athletic department office which copies and reviews them and then forwards them to the school

nurse's office for review. No student will be allowed to participate in athletic activities until all required forms including the report of head injury form has been signed, submitted by parent and student and reviewed by school nursing and athletic department staff.

### **Inclusion of Sport-Related Head Injury Policy in the Student and Parent Handbook**

We have recently modified our student, parent handbook, and athletic handbook that are distributed at the beginning of the school year and now contain:

- Most recent Concussion information fact sheet
- Links and information about annual training
- Gardner Public Schools' protocol/policies on sports-related head injuries
  
- **Pre-participation Head Injury/Concussion Reporting Form for Extracurricular Activities, Report of Head Injury During Sports Season report form, and Post Sports-Related Head Injury Medical Clearance and Authorization forms.**

Our handbooks with information on sports-related concussions are updated every other year and are available at the school's website or within the school's website under the Athletic Department directory. Hard copies of these manuals are also available at the Athletic Director's Office at 978-632-1600, ext. 1800 and/or School Principal's Office at 978-632-1600 (high school) or 978-632-1603 (middle school).

### **Communicating With Parents With Limited English Proficiency**

Because of limited English skills, some parents may be unable to communicate with school personnel and may feel isolated from the school community. We make every attempt to communicate effectively with parents with limited English proficiency. We have translated school policies on head injury and concussions in extracurricular athletic activities and the on-line training classes and the mandated forms into Spanish and Portuguese. These documents are listed on the Gardner High School's Athletic Department website at [www.gardnerk12.org](http://www.gardnerk12.org) in these languages. We will translate other materials as requested. In the event a student receives a concussion or is suspected of having a concussion, the Athletic Director's office should notify the parent in the appropriate language. Interpreters are available by contacting the Principal's office.

### **Outreach to Parents for Form and Training Completion**

Student athletes will not be permitted to participate in extracurricular sport until both the parent and student have completed and returned the signed Pre-Participation Head Injury/Concussion Reporting Form for Extracurricular Activities before the start of each sports season. In the event the school has not received the Pre-Participation Head Injury/Concussion Reporting Form or other required forms, including documentation of an annual physical examination and documentation that both the student athlete and their parent/guardian have completed the required annual training, we will make three attempts to contact parent using the school's typical



communication methods to parents (email, snail mail, telephone, etc.). The student athlete will not be allowed to play or practice until the appropriate required signed and completed forms are returned to the Athletic Department.

### **Sharing Concussion-Related Health Information**

Informal collaboration occurs on a temporary, as-needed basis for information exchange, as when the school nurse informs (while adhering to protocols for confidentiality) the physical education teacher that a particular student may not participate in athletic activities because of a recent injury. There may be circumstances in which there is a need to share information in the student health record with authorized school personnel – either to enhance the educational progress of the student or protect his/her safety or well-being. For example, staff may need to be alerted to signs or symptoms of a medical problem on a need to know basis and offered a course of action. This type of disclosure should be made only to those authorized school personnel who work directly with the student in an instructive (academic or athletic), administrative, or diagnostic capacity. Finally, authorized school personnel should be instructed not to re-disclose the information.

If there is any question about the sensitivity of the information, the school nurse should seek the permission of the parent/guardian and student, if appropriate, prior to disclosure to authorized school personnel. Ultimately, however, federal regulations permit information in the student health record to be seen by authorized school personnel on a need to know basis, and the basis for such sharing seems even more compelling when necessary to protect the well-being or safety of the student.

There may be times when a school nurse has a legal obligation to disclose health or related information to protect a student's health or safety. Public policy requires the protection of a patient's right to privacy by medical professionals, unless there is an immediate threat or serious harm to the student or others.

### **Requirement that Coaches, Athletic Trainers, Trainers and Volunteers**

#### **Teach Strategies That Minimize Sports-Related Head Injury and Prohibit Dangerous Play**

Coaches of Gardner Public Schools are expected to be current with best practices in their sport that reduce the likelihood of head injury. In addition, coaches are prohibited from teaching or promoting dangerous practices such as using a helmet as a weapon. It is expected that all coaches and athletic department staff teach techniques that minimize sports injury and/or concussion such as proper fitting, certified (especially helmets) equipment and protective equipment.

## **Penalties**

Gardner Public Schools takes the safety of student athletes seriously. All members of the school staff are expected to follow these policies and protocols to support the health and safety of student athletes. The underlying philosophy of these policies is “when in doubt, sit them out”. Failure to comply with the letter or spirit of these policies could result in progressive discipline for staff and/or forfeiture of games. If students or parents have concerns that the policies are being violated, they should contact the Principal and also place their complaint in writing with a request for resolution.

[Adopted: 2/2012]

[Revised: April 2016]

[Reviewed: November 2020]

[1] Extracurricular Athletic Activity means an organized school sponsored athletic activity generally occurring outside of school instructional hours under the direction of a coach, athletic director or marching band leader including, but not limited to, Alpine and Nordic skiing and snowboarding, baseball, basketball, cheerleading, cross country track, fencing, field hockey, football, golf, gymnastics, horseback riding, ice hockey, lacrosse, marching band, rifle, rugby, soccer, skating, softball, squash, swimming and diving, tennis, track (indoor and outdoor), ultimate Frisbee, volleyball, water polo, and wrestling. All interscholastic athletics are deemed to be extracurricular athletic activities.

[2] Based on the work of Dr. Janet Kent of South Shore Hospital; see [http://www.southshorehospital.org/yhc/HeadSmart\\_Handbook.pdf](http://www.southshorehospital.org/yhc/HeadSmart_Handbook.pdf)



## BULLYING

The Gardner Public Schools is committed to providing a safe, positive and productive educational environment where students can achieve the highest academic standards. No student shall be subjected to harassment, intimidation, bullying, or cyberbullying.

“Bullying” is the repeated use by one or more students or by a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, directed at a 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 him/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. For the purposes of this section, bullying shall include cyber-bullying.

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

“Cyber-bullying” means bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a:

- Wire
- Radio
- Electromagnetic
- Photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.

Cyber-bullying shall also include the creation of a web page or blog in which the creator assumes the identity of another person or knowingly impersonates another person as author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in 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 the definition of bullying.

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

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

A “Target” means a student against whom bullying, cyber-bullying, or retaliation has been perpetrated.

Bullying and cyber-bullying may occur in and out of school, during and after school hours, at home and in locations outside of the home. When bullying and cyber-bullying are alleged, the full cooperation and assistance of parents and families are expected.

For the purpose of this policy, whenever the term bullying is used it is to denote either bullying, or cyber-bullying.

Bullying and retaliation are prohibited:

- On school grounds;
- On property immediately adjacent to school grounds;
- At school-sponsored or school-related activities;
- At functions or programs whether on or off school grounds
- At school bus stops;
- On school buses or other vehicles owned, leased or used by the school district; or,
- Through the use of technology or an electronic device owned, leased or used by the Gardner Public Schools

Bullying and retaliation are prohibited at a location, activity, function or program that is not school-related or through the use of technology or an electronic device that is not owned, leased or used by the Gardner Public Schools if the act or acts in question:

- Create a hostile environment at school for the target;
- Infringe on the rights of the target at school; and/or
- Materially and substantially disrupt the education process or the orderly operation of a school.

#### Prevention and Intervention Plan

The school district, shall develop, adhere to and update a plan to address bullying prevention and intervention in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents and guardians. The plan shall apply to students and members of a school staff, including,



but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity and paraprofessionals. The consultation shall include, but not be limited to, notice and a public comment period. The plan shall be updated at least biennially.

The Principal is responsible for the implementation and oversight of the bullying prevention and implementation plan within his or her school.

### Reporting

Students, who believe that they are a target of bullying, observe an act of bullying, or who have reasonable grounds to believe that these behaviors are taking place, are obligated to report incidents to a member of the school staff. The target shall, however, not be subject to discipline for failing to report bullying.

Each school shall have a means for anonymous reporting by students of incidents of bullying. No formal disciplinary action shall be taken solely on the basis of an anonymous report.

Any student who knowingly makes a false accusation of bullying shall be subject to disciplinary action.

Parents or guardians, or members of the community, are encouraged to report an incident of bullying as soon as possible.

A member of a school staff shall immediately report any instance of bullying the staff member has witnessed or become aware of to the school principal or their designee.

### Investigation Procedures

The Principal or their designee, upon receipt of a viable report, shall promptly contact the parents or guardians of a student who has been the alleged target or alleged aggressor of bullying. The school procedures for responding to the bullying or retaliation and actions being taken to prevent further acts of bullying or retaliation shall be discussed.

Notice to the parent shall be provided in the primary language of the home.

The school principal or a designee shall promptly investigate the report of bullying, using a Bullying Incident Report Form which may include interviewing the alleged target, alleged aggressor, staff members, students and/or witnesses.

Support staff shall assess an alleged target's needs for protection and create and implement a safety plan that shall restore a sense of safety for that student.



Confidentiality shall be used to protect a person who reports bullying, provides information during an investigation of bullying, or is witness to or has reliable information about an act of bullying.

If the school principal or a designee determines that bullying has occurred he/she shall take appropriate disciplinary action and if it is believed that criminal charges may be pursued against the aggressor, the principal shall consult with the school's resource officer and the Superintendent to determine if criminal charges are warranted. If it is determined that criminal charges are warranted, the local law enforcement agency shall be notified. The principal shall document the reasons for his or her decision to notify law enforcement.

The investigation shall be completed within fourteen school days from the date of the report. The parents or guardians shall be contacted upon completion of the investigation and informed of the results, including whether the allegations were found to be factual, whether a violation of this policy was found, and whether disciplinary action has or shall be taken. At a minimum the Principal or his/her designee shall contact the parents or guardians as to the status of the investigation on a weekly basis.

Disciplinary actions for students who have committed an act of bullying or retaliation shall be in accordance with district disciplinary policies.

Each school shall document any incident of bullying that is reported per this policy and a file shall be maintained by the Principal or designee. A monthly report shall be provided to the Superintendent.

If an incident of bullying or retaliation occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in the school district, the principal of the school informed of the bullying or retaliation shall notify the local law enforcement agency if the principal has a reasonable basis to believe that criminal charges may be pursued against the aggressor.

#### Confidentiality

Confidentiality shall be maintained to the extent consistent with the school's obligations under law. A principal's notification to a parent about an incident or a report of bullying or retaliation must comply with confidentiality requirements of Massachusetts Student Record Regulations, 603 CMR 23.00 and the Federal Family Educational Rights and Privacy Act Regulations.

A principal may disclose a determination of bullying or retaliation to local law enforcement without the consent of the student or parent. The principal shall communicate in a manner that protects the privacy of targets, student witnesses, and aggressors to the extent practicable under the circumstances.



A principal may disclose student record information about a target or aggressor to appropriate parties in addition to law enforcement in connection with a health or safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. It is limited to the period of emergency and does not allow for blanket disclosure of student record information. The principal must document the disclosures and reasons determined that a health or safety emergency exists.

#### Retaliation

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

#### Student Assistance

The Gardner Public Schools shall provide counselling or referral to appropriate services, including guidance, academic intervention, and protection to students, both targets and aggressors, affected by bullying, as necessary.

#### Training and Assessment

Annual training shall be provided for school employees and volunteers who have significant contact with students in preventing, identifying, responding to, and reporting incidents of bullying.

Age-appropriate, evidence-based instruction on bullying prevention shall be incorporated into the curriculum for all K to 12 students.

#### Publication and Notice

Annual written notice of the relevant sections of the bullying prevention and intervention plan shall be provided to students and their parents or guardians, in age-appropriate terms.

Annual written notice of the bullying prevention and intervention plan shall be provided to all school staff. The faculty and staff at each school shall be trained annually on the bullying prevention and intervention plan applicable to the school.

Relevant sections of the bullying prevention and intervention plan relating to the duties of faculty and staff shall be included in the school employee handbook.

The bullying prevention and intervention plan shall be posted on the Gardner Public Schools website.

Before the first day of each school year, the superintendent or designee shall communicate with

the chief of police or designee to discuss procedures and updates and any other subject appropriate to how the school district will communicate with the local law enforcement agency regarding suspected criminal charges for bullying incidents.

LEGAL REFS: Title VII, Section 703, Civil Rights Act of 1964 as amended; Federal Regulation 74676 Issued by EEO Commission; Title IX of the Education Amendments of 1972; 603 CMR 26.00; MGS 71:37O as amended; MGL 265:43, 43A; MGL 268:13B; MGL 269:14A

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

CROSS REFS: AC, Non-discrimination; ACAB, Sexual Harassment; JBA, Student-to-Student Harassment; JICFA, Hazing; JK, Student Discipline Regulations]

[Adopted: January 8, 2001]

[Reviewed: May 2003]

[Revised: June 2007]

[Revised: December 2010]

[Revised: May 2014]

[Revised: May 2017]

[Revised: March 2021]



## HAZING POLICY

### 269:17 HAZING; ORGANIZING OR PARTICIPATING; HAZING DEFINED.

Section 17. Whoever is a principal organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one, [sic] year, or both such fine and imprisonment.

The term "hazing" as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health 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.

### 269:18 FAILURE TO REPORT HAZING.

Section 18. Whoever knows that another person is the victim of hazing as defined in section seventeen and is at the scene of such crime shall, to the extent 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.

269:19 Copy of secs. 17-19; issuance to students and student groups, teams and organizations; report

Section 19. Each institution of secondary education and each public and private institution of post secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team, or student organization, a copy of this section and sections

seventeen and eighteen; provided, however, that an institution's compliance with this section's requirements that an institution issue copies of this section and sections seventeen and eighteen to unaffiliated student groups, teams, or organizations shall not constitute evidence of the institution's recognition or endorsement of said unaffiliated student groups, teams or organizations.

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

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

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

This policy can be found in both the Policy Binder and in the Procedures Binder, as it contains elements of both policy and procedure.

LEGAL REF: MGL, Chapter 269, Sections 17, 18, 19

[Adopted: January 2001]

[Reviewed: May 2003]

[Revised: February 2018]

[Revised: August 2020]



## **EQUAL EDUCATIONAL OPPORTUNITIES**

In recognition of the diversified characteristics and needs of our students and with the keen desire to be responsive to them, the school committee will make every effort to protect the dignity of the students as individuals. It also will offer careful consideration and sympathetic understanding of their personal feelings, particularly with reference to their race, color, sex, gender identity, religion, national origin, sexual orientation, disability or age.

To accomplish this, the committee and its staff will make every effort to comply with the letter and the spirit of the Massachusetts equal educational opportunities law which prohibits discrimination in public school admissions and programs. The law reads as follows:

No child shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and course of study of such public school on account of race, color, sex, gender identity, religion, national origin, sexual orientation, disability or age.

This will mean that every student will be given equal opportunity in school admissions, admissions to course content, guidance, and extracurricular and athletic activities.

All implementing provisions issued by the Board of Education in compliance with this law will be followed.

[Reference: Title VI, Civil Rights Act of 1964; Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972; Executive Order 11246, as amended by E.O. 11375; Title IX, Education Amendments of 1972; M.G.L. 76:5; 76:16 (Chapter 622 of the Acts of 1971); DESE regulations 603 CMR 26:00; DESE regulations 603 CMR 28.00; AC, Nondiscrimination]

[Adopted: March 1999]

[Reviewed: April 2003]

[Revised: March 2013]

[Revised: April 2017]

[Revised: February 2020]

## NETWORK/INTERNET/E-MAIL POLICY

### **Our Commitment to Technology**

Gardner Public Schools is committed to providing students, teachers, and staff with the technology and information literacy skills needed for learning and teaching in the 21st century. Our mission is to integrate technology into curriculum and instruction to promote student achievement and prepare students for success in today's information society both locally and globally.

Gardner Public Schools provide students and employees access to technology including equipment, applications, network resources, and the Internet for educational and communication purposes. Educational purposes shall be defined as classroom activities promoting learning, career and professional development, and high-quality self-discovery and reflection activities. Communication purposes shall refer to the use of email transmissions, online learning systems, the Internet, social media platforms, and other electronic resources to communicate and collaborate amongst students, parents, employees, professionals, and the Gardner Public Schools community for educational reasons.

Gardner Public Schools is committed to providing a safe and productive educational environment. We maintain systems preventing inappropriate intrusions from the outside world through our Internet connections and a website Internet filter in compliance with Children's Internet Protection Act (CIPA). Teachers are responsible for monitoring student technology activities. However, no system or filter is perfect and it is virtually impossible for any teacher to monitor every activity of every student in the classroom. Therefore, each user of Gardner Public Schools' technology resources is accountable for his/her own use and activity.

Access to the system/network is a privilege, not a right. The Superintendent or designee shall implement, monitor, and evaluate the use of the district's system/network for educational and communication purposes at any time. There is no right of privacy or confidentiality regarding files/documents created and stored on the district systems, or electronic communications sent internally or externally. Such files and communications are governed by the public records law and may be accessed, viewed, and/or deleted at the discretion of the Superintendent or designee at any time.

All users, parents and or legal guardians, shall be required to acknowledge receipt and understanding of all administrative regulations and procedures governing use of the system and shall agree in writing to comply with such regulations and procedures.

### **User responsibilities and acceptable use**

1. All users of Gardner Public Schools technology resources must sign the Technology Acceptable Use Agreement form prior to using schools technology resources. Students and employees are required to sign the AUP under the following circumstances:

- Upon first time enrollment/employment in the district
- Change in policy occurs



2. Users of Gardner Public Schools' technology resources are responsible for their appropriate use in accordance with this Technology Acceptable Use Policy, school rules and codes of conduct as stated in school handbooks, and city, state, and federal laws.
3. Students are obligated to abide by any guidelines set forth by teachers integrating technology resources in their classroom.
4. Network accounts are to be used only by the authorized owner of the account. Sharing of passwords and network accounts are prohibited.
5. Posting personal information on the Internet is prohibited for the safety of students and employees. Personal information includes but is not limited to passwords, full name, telephone number, address, parent/guardian information, school information.
6. Users represent Gardner Public Schools when using the schools' technology resources to participate in online communications and publishing to the Internet whether on or off school premises.
7. Users will conduct themselves with a commitment to integrity and respect of others and oneself at all times when communicating online. Any form of online harassment including, but not limited to, sexual and other protected class harassment, bullying, and offensive language, is prohibited and may be subject to appropriate laws. Any knowledge of such activities should be reported to a teacher or administrator.
8. Users are required to abide by the generally accepted rules of netiquette (network etiquette) when communicating online.
9. Student pictures, educational works, and audio and video recordings may be published to the Internet or social media to promote learning. Only first name and last initial may be published. Permission of the student and parent is required prior to publication.
10. Accessing material that is obscene or advocates illegal acts, violence, or discrimination is prohibited. Unintentional access of such material should be reported to a teacher or administrator immediately to prevent a claim of intentional access.
11. All resources should be properly cited to avoid plagiarism. Plagiarism will be dealt with according to the student handbook guidelines.
12. All copyright, privacy, and international laws are to be abided by at all times. Users should assume material is copyrighted unless explicitly stated.
13. Forgery or pretending to be someone else is prohibited.
14. Installing software is prohibited. Downloading of materials requires the permission of a teacher and/or an administrator.
15. Vandalism of any type is prohibited and will result in disciplinary and possibly legal and/or financial charges. Vandalism includes but is not limited to damage, destruction, or theft of hardware, software, data, or intellectual property; disrupting network traffic; intentionally introducing viruses, gaining unauthorized access to network resources (hacking); or using the system for inappropriate or illegal purposes.
16. Commercial use of technology resources is permissible only for the benefit of the Gardner Public Schools community. Use of technology resources for personal gain is prohibited.
17. The school maintains the right to review any individual's electronic documents and



communications made using technology resources provided to ensure a safe, secure, and orderly educational environment.

18. Any violations of the above responsibilities and acceptable uses are to be reported immediately to a teacher or administrator. Users uncertain of actions that may violate their responsibilities or acceptable use of technology resources are accountable for asking a teacher or administrator prior to performing the action(s) in question.

### **Consequences**

Failure to comply with the Technology Acceptable Use Policy may be subject to disciplinary action determined by the building principals and/or district administrators in accordance with the school handbook, educational policies, and this acceptable use policy. Noncompliance may result in the suspension or termination of a user's technology privileges. Violations of local, state, or federal laws may also result in criminal prosecution. Gardner Public Schools will cooperate fully with officials in any investigation related to illegal activities conducted via the schools' technology resources.

### **Limits of liability**

Gardner Public Schools shall not be liable for users' inappropriate use of technology resources, mistakes or negligence, violation of copyright restrictions, or costs incurred for any reason. Gardner Public Schools is not responsible for loss of data, exposure to inappropriate or inaccurate material found on the Internet or external networks, or accuracy or usability of any information found on external networks or the Internet.

[Adoption date: May 1998]

[Revision date: June 1999]

[Revised: June 2002]

[Revised: September 2009]

[Revised: December 2013 - Replaces IJNDB&IJNDB-R]

[Revised: November 2016]

[Revised: February 2019]

## **INTERNET PUBLICATION**

### **I. PURPOSE**

The School District has established a district-wide web page that links users to web pages for the district's individual schools. The School District maintains these web pages for educational purposes only, in furtherance of the educational mission of the School District. All published pages and corresponding links to other sites must relate to the district's educational mission.

### **II. SUPERVISION AND APPROVAL OF WEB PAGES**

The Superintendent (or their designee) may select the person or persons ("the Webmaster") responsible for overseeing the school district's web pages and maintaining the web pages in a manner consistent with this policy and the school district's Access to Digital Resources Policy.



The Webmaster must approve all links from the district web pages to other sites on the Internet. The Webmaster will review the links to ensure that the links are related to the district's educational mission.

Staff members may publish web pages related to their class projects or courses on their school's web site. Staff members must submit their material to the Webmaster for approval before the material can be published. Staff members may not publish or link to personal web pages as part of the school district web site.

Student or staff work (e.g. voice, likeness, quotes, written material, musical pieces and graphic or other artwork) may be published on the district's web pages, as detailed below. All work that is published will be accompanied by a copyright notice written by the Webmaster that prohibits copying the work without the written consent of the copyright holder.

### III. CONTENT STANDARDS

All web page materials are expected to be accurate, grammatically correct and free of spelling errors. Student work may deviate from this standard depending upon the age and grade level of the student. Web pages should be well-organized and professional in appearance. Web pages must not contain copyrighted or trademarked material belonging to others unless written permission to display such material has been obtained from the owner and the owner is credited on the school's web page.

### IV. SAFETY PRECAUTIONS

#### A. In general

Identifying information about students, such as first and last names, personal phone numbers or home addresses, will not be published. First names or first names and the first letter of the student's last name may be used where appropriate.

#### B. Student photographs

Student photographs may be published only with the written consent of the student's parent or guardian.

Student photographs will not be accompanied by identifying information about the student(s).

#### C. Student work

Student work, e.g. voice, likeness, quotes, written material, musical pieces, and graphic or other artwork, may be published only with the written consent of the student's parent or guardian.

D. Staff photographs, identifying information and work

Photographs of staff members, accompanied by the staff member's full name, may be published only with the staff member's written consent.

Staff work, e.g. voice, likeness, quotes, written material, musical pieces and graphic or other artwork, may be published only with the staff member's written consent.

SOURCE: MASC

[Adopted: August 2015]

[Reviewed: November 2020]



## **WEBSITE, SOCIAL MEDIA PLATFORMS AND LEARNING MANAGEMENT SYSTEMS POLICY**

Gardner Public Schools maintains district and school websites, and social media platforms, providing our community with access to up-to-date and relevant information regarding Gardner Public Schools. The primary purpose of the district and school websites is to provide public information.

We also maintain online Learning Management Systems (LMS) for all grade levels, which provide each teacher a secure web presence at the classroom level. Our primary intent for the LMS is to foster and strengthen our communication and connection regarding learning among students, parents, teachers, and administrators. The LMS provides a teacher directed environment offering educational resources and communication vehicles specific to course content and curriculum. LMS capabilities include posting educational websites and documents, uploading grades for students and parents to view, creating discussion boards for students to discuss educational content, and much more.

The websites, social media platforms, and learning management systems may also serve as an opportunity to showcase learning. This may include posting information and pictures regarding classroom activities, student work, and student accomplishments.

In all cases, the websites, social media platforms, and learning management systems will be used for educational purposes only. In addition, publishing to these resources will adhere to the following content and quality standards:

- All information published must accurately reflect the mission, goals, policies, program, and activities of the course, school, district, or community.
- All information published must include appropriate copyright citations.
- All work will be free of spelling and grammatical errors.
- Only complete pages will be available for public viewing.
- Student and parent consent must be secured for publication of student information.
- No confidential student information will be published. For students, only first name, last initial, grade level, educational works, and pictures may be published with student and parent consent.
- Publishing of personal web pages is prohibited.

The webmaster will be responsible for maintaining the official district web page and monitoring all district web page activity. Each building principal is responsible for his/her respective website and social media platform content. Teachers are responsible for publishing and monitoring their courses within the learning management systems.

[Adopted: December 2013 - /Replaces IJNDC & IJNDC-R]

[Revised: February 2019]

### **Student Dating / Relationship Violence Policy**

The Gardner Public Schools is committed to creating and sustaining a safe, caring, respectful learning environment. Consistent with this philosophy, the Gardner Public Schools seeks to increase awareness of student dating/relationship violence and help in responding to the needs of victims and students who are witnesses to such violence.

Student dating/relationship violence occurring in any setting is unlawful, and will not be tolerated. Further, retaliation against an individual who has reported about student dating/relationship violence or cooperated in an investigation of student dating/relationship violence will not be tolerated. The Gardner Public Schools will respond promptly to complaints and reports of student dating/relationship violence or retaliation and corrective action will be taken where necessary, including disciplinary action where appropriate.

#### **The Gardner Public Schools seeks to:**

- Educate all students about domestic violence and student dating/relationship violence;
- Educate all students about school district and school-based rules;
- Intervene when any acts of domestic violence or student dating/relationship violence are observed;
- To respond appropriately to students who disclose that they are victims of domestic violence and/or student dating/relationship violence;
- Implement programs to reduce student dating/relationship violence and domestic violence.

#### **MASSACHUSETTS STATE LAW REGARDING TEEN DATING ABUSE**

Massachusetts General Laws state: Health education in public schools shall include instruction in “safe and healthy relationships with a focus on preventing sexual and domestic violence.” (Section 1, Chapter 71) “Each school district in the Commonwealth, subject to appropriation, shall implement a specific policy and discipline code to address student dating/relationship violence in public schools. The policy shall clearly state that student dating/relationship violence will not be tolerated and shall include guidelines for addressing alleged incidents of dating violence. The policy may include a student dating/relationship violence prevention task force comprised of staff, students and parents to provide awareness training and education for the school community. Topics to be covered in the policy include, without limitation, defining the issue of student dating/relationship violence, recognizing the warning signs, identifying issues of confidentiality, safety and appropriate legal school-based interventions.” (Section 2C, Chapter



71)

## DEFINITIONS

**Healthy Relationships:** A connection between people that increases well-being, is mutually enjoyable, and enhances or maintains each individual’s positive self-concept.

**Teen Dating Abuse:** The use of physical, sexual, verbal, emotional or technological abuse against a current or former dating partner. It is a pattern of abusive behavior that is used by one partner to gain or maintain power and control over the other. Teen dating abuse can take many forms:

Type of Abuse	Definition	Examples
Emotional	The intentional infliction of mental or emotional distress by threat, coercion, stalking, humiliation, or unwanted verbal or non-verbal conduct	Excessive jealousy, trying to control a partner's activities or appearance, calling or texting frequently to keep tabs on a partner, stalking
Physical	Any intentional unwanted contact with the targeted student's body, either by the alleged offender or an object within the offender's control, regardless of whether such contact causes pain or injuries to the student	Hitting, slapping, punching, shoving, pinching, kicking, hair pulling, throwing objects
Sexual	Any sexual behavior or contact by the alleged offender that is unwanted by the targeted student and/or interferes with the student’s ability to consent to or control the circumstances of sexual behavior	Unwanted touching or kissing, forcing the partner to have sex or engage in any unwanted sexual activity, not allowing the partner to use birth control

Verbal	The consistent demeaning of another person	Angry outbursts, name calling, put downs, yelling or shouting, threatening the partner or the partner's family, disparaging humor
Technology	The use of digital or high-tech devices, including cell phones, computers, and the Internet, to harm, threaten, intimidate or control a current or former dating partner	Repeated calls or text messages; non-consensual access to email, social networking sites, texts or cell phone call logs; pressuring for or disseminating private or embarrassing photos and videos

**REFERENCES**

Massachusetts Department of Elementary and Secondary Education’s Adapted Guidance for Schools and Districts on Addressing Teen Dating Violence (2013); Melrose Teen Dating Abuse Policy and Implementation Guide: A Comprehensive Guide to Addressing Teen Dating Abuse, Sexual Assault, and Stalking (2015); A Guide to Preventing Bullying, Teen Dating Violence, and Sexual Violence in Rhode Island Schools, 2012 as amended

**LEGAL REFS:**

Title IX of the Education Amendments of 1972; File: JICFC, Teen Dating Violence, Mansfield Public Schools Page 7 of 7; The Criminal Offender Record Information (CORI) Reform Law, Chapter 256 of the Acts of 2010 as amended; An Act Relative to Bullying in Schools, Chapter 92 of the Acts of 2010; MGL Chapter 71, Section 1; MGL Chapter 71, Section 2C

[Adopted: October 2019]



## **ALL LUNCHESES are FREE for the 2021-2022 School Year**

### **MEAL CHARGE POLICY**

The School Committee is committed to providing students with healthy, nutritious meals each day so they can focus on school work, while also maintaining the financial integrity of meal programs and minimizing any impact on students with meal charges. However, unpaid meal charges place a large financial burden on the school district, as food services is a self-supporting entity within the district. The purpose of this policy is to ensure compliance with federal reporting requirements of the USDA Child Nutrition Program, as well as provide oversight and accountability for the collection of outstanding student meal balances.

The provisions of this Policy pertain to regular priced school meals only. The School Committee will provide a meal to students who forget or lose their lunch money.

#### **Meal Charges and Balances**

Students will pay for meals at the regular rate approved by the School Committee and for their meal status (regular, reduced-price, or free) each day. Payment options will be outlined in student handbooks and provided to parents of incoming students. After the balance reaches zero and enters the negative, students will not be allowed to purchase a la carte items including but not limited to a second entrée, snack, ice cream, or an additional beverage. The student will still be provided a meal, and that meal will continue to be charged to the account at the standard lunch rate based on their meal status. The parent/guardian is responsible for any meal charges incurred. If there is a financial hardship, a parent/guardian should contact food services directly to discuss payment options such as an individualized repayment plan.

#### **Payments**

Parents/Guardians are responsible for all meal payments to the food service program. Notices of low or deficit balances will be sent directly to parents/guardians via email or regular postal mail at regular intervals during the school year. At no time shall any staff member give payment notices to students unless that student is known to be an emancipated minor who is fully responsible for themselves or over the age of 18. If parents/guardians have issues with student purchases they should contact food services for assistance.

Parents/Guardians may pay for meals in advance. Further details are available on the school district webpage and in student handbooks. Funds should be maintained in accounts to minimize the possibility that a child may be without meal money on any given day. Any remaining funds for a particular student, whether positive or negative, will be carried over to the next school year.



All school cafeterias possess computerized point of sale/cash register systems that maintain records of all monies deposited and spent for each student and those records are available to parents by setting up an online account (see student handbooks for more details) or by speaking with the school's food service manager. The point of sale system is designed to prevent direct identification of a student's meal status. Parents will receive automated low-balance emails or mailed notices weekly, if applicable. If notices do not result in payment, parents will receive a phone call from food services. If the phone call does not result in payment the food service manager shall turn the account over to the business office.

### **Refunds**

Refunds for withdrawn and/or graduating students require a written request (email, postal, or in person) for a refund of any money remaining in their account to be submitted. Graduating students also have the option to transfer funds to a sibling's account or to donate to a student in need with a written request.

### **Delinquent Accounts/Collections**

Failure to maintain up to date accounts may result in a delay of a student's extra-curricular school services, especially those that are fee based. Graduating seniors may lose the ability to participate in certain graduation related activities.

The Superintendent shall ensure that there are appropriate and effective collection procedures and internal controls within the school district's business office that meet the requirements of law.

If a student is without meal money on a consistent basis, the administration may investigate the situation more closely and take further action as needed. If financial hardship exists, parents and families are encouraged to apply for free or reduced price lunches for their child. Each school handbook shall contain detailed instructions for parental assistance.

### **Policy Communications**

This Policy shall be communicated to all staff and families at the beginning of each school year and to families transferring to the district during the year.

[Reference: M.G.L. 71:72; USDA School Meal Program Guidelines, May 2017]

[Adopted: November 2018]



## **FACE COVERINGS**

The Gardner Public School District is committed to providing a safe environment as schools reopen during the COVID-19 pandemic. According to public health experts, one of the best ways to stop the spread of coronavirus and to keep members of our school community safe is the use of face masks or face coverings. Therefore, in accordance with guidance from the Center for Disease Control (CDC), the Department of Elementary and Secondary Education (DESE) and the Massachusetts Department of Public Health (DPH), the following requirements are in place until further notice.

A face covering that fully covers the nose and mouth, secured appropriately per CDC guidelines, must be worn by all individuals in school buildings, on school grounds and on school transportation, even when social distancing is observed in accordance with the District Face Mask/Face Covering Protocol for Staff & Students document.

Individuals may be excused from the requirement per CDC guidance.

Exceptions to this policy under certain circumstances, such as for students with medical, behavioral or other challenges who are unable to wear masks, must be approved by the building principal in consultation with the school nurse. Face shields or physical barriers may provide an alternative in some instances.

A student's mask or face covering is to be provided by the student's family. Staff members are responsible for providing their own face coverings. However, PPE will be provided for specific identified circumstances per CDC guidelines.

Visitors in violation of this policy will be denied entry to the school/district facility.

Please see the Face Covering protocol/procedure document regarding exceptions and violations of this policy.

LEGAL REF.: Commonwealth of Massachusetts, COVID-19 Order No. 31 -

<https://www.mass.gov/doc/may-1-2020-masks-and-face-coverings/download>

REFS.: Center for Disease Control and Prevention - Considerations for Wearing Masks -

<https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-face-cover-guidance.html>

Massachusetts Department of Elementary and Secondary Education - Reopening Guidelines - <http://www.doe.mass.edu/covid19/>

Commonwealth of Massachusetts - Mask Up MA! -

<https://www.mass.gov/news/mask-up-ma>

SOURCE: MASC - August 2020

[Adopted: September 2020]



## MENTAL HEALTH SCREENING PASSIVE CONSENT AND OPT-OUT FORM

In an effort to promote the health and well being of students in Gardner Public Schools, students will be periodically provided with questionnaires, surveys, and screeners that address issues related to mental health. The information gained will support the district's ability to provide comprehensive and timely support for your son or daughter if they require any assistance. Students can opt-out of filling out any questionnaire, survey, or screener that they are not interested in taking and you can opt-out your son or daughter at any time by contacting the Guidance Department at your son's/daughter's school or by filling out this opt-out form

We are committed to ensuring your son or daughter is supported academically, socially, and emotionally, and we look forward to partnering with each of you toward achieving this goal.

If you would like your child to participate in the screenings offered to all students you do not need to do anything further or complete a form.

If you wish your child to Opt out of the screening process please complete the form below and return to your child's school counselor.

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**FOR OPT OUT ONLY** (please complete and return)

\_\_\_\_\_ I would like to **opt-out** my child from taking periodic mental health screenings, questionnaires, etc

**Child's Name:**

**School:**

**Grade:**

**Parent/Guardian Name:**

**Parent Signature:**

**Date:**

ACKNOWLEDGEMENT OF RECEIPT OF THE STUDENT CODE OF CONDUCT

**Gardner Public Schools Student Agreement**

I, \_\_\_\_\_(print student's name), have received and read the Student Code of Conduct (SCC) for the Gardner Public Schools. I am aware of my rights and responsibilities under the SCC. Furthermore, I understand that acts of misconduct or inappropriate student behavior will result in interventions and consequences as stated under the SCC.

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Student Signature and Date

**Parent/Guardian Agreement**

Dear Parent or Guardian;

Gardner Public Schools believes that you should be informed regarding our effort to create and maintain a safe and secure learning environment for all students. Please read the Student Code of Conduct (SCC) and sign the document below to acknowledge your receipt and understanding of the SCC.

I am the parent or guardian of the above named student. I have received and read the SCC. I understand that by signing this document, I agree to support and promote the goals of the SCC and make every effort to work with the school in resolving all disciplinary matters.

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Parent/Guardian Signature and Date