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STUDENT POLICIES GOALS

The student is the focal point of all operations of a school system.

The School Committee can expect to spend much of its time in study, deliberation, and policy formulation on matters directly related to students.

The Committee and staff will work together to promote the attainment of the following goals:

1. To differentiate instruction in order to provide for each student according to his/her specific background, capabilities, learning styles, interests, and aspirations.
2. To protect and observe the legal rights of students.
3. To enhance the self-image of each student by helping him/her feel respected and worthy through a learning environment that provides positive encouragement through frequent success.
4. To provide an environment of reality in which students can learn personal and civic responsibility for their actions through meaningful experiences as school citizens.
5. To deal with students in matters of discipline in a just and constructive manner.
6. To provide in every way possible for the safety, health, and welfare of students.
7. To encourage good attendance.
8. To challenge students with a standards-based curriculum.

LEGAL REF.: 603 CMR 26:00

STUDENT POLICIES GOALS

Active Efforts

- (1) The School Committee of each school district shall establish policies, promote regulations and procedures, and implement monitoring and evaluation practices that support and promote affirmative action and stimulate necessary changes to endure that all obstacles to equal access to school programs for all persons regardless of race, sex, color, national origin, religion or limited English-speaking ability, no matter how subtle or unintended are removed. Such policies shall include a requirement for an annual evaluation of all aspects of the K through 12 school program to insure that all students regardless of race, color, sex, religion, disability, sexual orientation or national origin are given an opportunity to develop skills, competence, and experience, and to receive appropriate guidance so that they may be able to participate in all programs offered by the school including athletics and other extra-curricular activities. Special attention shall be given in this examination to schools and programs in which students of either sex or of racial or national origin groups present in the community are markedly under-represented.
- (2) The School Committee shall make active efforts to insure that equal access to all school sponsored programs or activities be provided within the system.
- (3) It shall be the responsibility of the School Committee and the Superintendent to provide necessary information and in-service training for all school personnel in order to:
 - (a) Advance means of achieving educational goals in a manner free from discrimination on account of race, color, sex, religion, disability, sexual orientation, or national origin.
 - (b) Enhance consciousness of the kinds of discriminatory and prejudicial practices and behavior which may occur in the public schools.
- (4) The Superintendent, as an agent of the School Committee, shall promote and direct effective procedures for the full implementation of 603 CMR 26.00, and shall make recommendations to the Committee for the necessary policies, program changes, and budget resource allocations needed to achieve adherence to 603 CMR 26.00.
- (5) At the beginning of the school year, Superintendent of each school system shall be responsible for sending to the parents of all school age children, in their primary language, a notice of the existence of s. 1971 c. 622 and its implications. Such notice shall include the information that all courses of study, extra-curricular activities, and services offered by the school are available without regard to race, color, sex, religion, disability, sexual orientation or national origin. This notice may be included with other communications sent to parents by the school system. Upon request, the Department of Education shall provide a translation in requested languages to assist superintendents in complying with this section. The

superintendent shall inform the community of the existence of the law and of its implications through newspaper releases or radio or television announcements.

- (6) The Superintendent shall ensure that all students are annually informed in a manner certain to reach them of the existence of St. 1971, c.622 and its implications. Students shall be informed that all courses of study, extra-curricular activities, services, and facilities offered by the school are available without regard to race, color, sex, religion or national origin.
- (7) The Superintendent of each school system shall make certain that employers who recruit new employees in and through the schools of that district, do not discriminate on account of race, color, sex, religion, disability, sexual orientation, or national origin in their hiring and recruitment practices within the schools. Before any employer is allowed to recruit at or through any school, the employer shall be required to sign a statement that he/she does not discriminate in hiring or employment practices on account of race, color, sex, religion, disability, sexual orientation, or national origin.
- (8) Since adults serve as role models for students, school authorities shall utilize adults in a variety of jobs, and as members of policy making committees, to the extent consistent with their contractual obligations, without regard to race, color, sex, religion, disability, sexual orientation, or national origin.
- (9) Adults serving on athletic regulatory boards shall fairly represent the interest of both male and female students.
- (10) Because selective secondary schools have had atypical student bodies in the past, such selective secondary schools, including but not limited to selective academic high schools, regional vocational-technical schools and trade schools, shall admit qualified applicants of each sex and racial and ethnic groups in numbers proportionate to the existence of members of such class in the secondary school population of the geographic area served by that school. After the period for application to the school has closed, if it is found that qualified applicants of one of the above classes have not applied in numbers sufficient to maintain this proportion, qualified students of the other categories may be selected to fill the remaining openings.
- (11) Any contributions to a school for activities and monetary awards within or sponsored by the school or for scholarships administered by the school made after the effective date of 603 CMR 26.00 by any person, group or organization shall be free from any restrictions based upon race, color, sex, religion, disability, sexual orientation, or national origin.
- (12) The opportunity to receive guidance and counseling in a student's primary language should be made available to students from homes where English is not the primary language spoken.

EQUAL EDUCATIONAL OPPORTUNITIES

In recognition of the diversified characteristics and needs of our students and with the 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, disability, sexual orientation or homelessness.

To accomplish this, the Committee and its staff will make every effort to comply with the Massachusetts equal educational opportunities law (known as Chapter 622 of the Acts of 1971), 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, disability, sexual orientation or homelessness.

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

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

LEGAL REFS.:	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) BESE regulations 603 CMR 26:00 BESE regulations 603 CMR 28:00
CROSS REF.:	AC, Nondiscrimination

SC Approved 4/27/17

STUDENT-TO-STUDENT HARASSMENT

Harassment of students by other students will not be tolerated in the Weymouth Public Schools. This policy is in effect while students are on school grounds, school district property or property within the jurisdiction of the school district, school buses, or attending or engaging in school activities.

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

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

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

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

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

The district will promptly and reasonably investigate allegations of harassment. The Principal, or principal's designee, will be responsible for handling all complaints by students alleging harassment.

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

Administrative guidelines and procedures for the implementation of this policy are found in the student handbook.

LEGAL REF.: M.G.L. 151B:3A
Title VII, Section 703, Civil Rights Act of 1964 as amended
Board of Education 603 CMR 26:00

STUDENT SEXUAL HARASSMENT

It is the position of the Weymouth School Committee and the Weymouth Public Schools that all students have the right to attend school in an environment free from sexual harassment.

Sexual harassment is a violation of both federal and state law under Title VII of the Civil Rights Act of 1964 and Chapter 151 B, Section 4 (16a) of the Massachusetts General Laws. Further, it is unlawful to retaliate against, a student involved in a sexual harassment case whether by filing a complaint or for cooperating in an investigation of sexual harassment.

Definitions

Sexual harassment means any sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:

1. Submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of schooling or is used as the basis for an educational decision; or
2. Such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, humiliating or sexually offensive schooling environment.

Complainant is the person bringing the complaint of sexual harassment; i.e., the victim.

Respondent is the person charged with the sexual harassment; i.e., the accused.

The Sexual Harassment Investigator is the person appointed by the Superintendent to investigate all charges of sexual harassment. The process for reporting any instances of sexual harassment is outlined in the student handbook.

Reprisal is an action that is retaliatory in nature. That is, a reprisal shall be considered to be any other form of harassment.

Examples:

Sexual harassment may take many forms including, but not limited to:

- staring or leering with sexual overtones or sexual implications, or that is sexually suggestive;

- spreading gossip of a sexual nature;
- unwanted sexual comments;

- pressure for sexual activity;
- any unwanted physical contact of a sexual nature;
- intentional brushing against another's body;
- sexually degrading words used to describe a person,
- the display in a school building of sexually suggestive objects or pictures;
- graphic verbal comments about a person's body.

Procedure

If a student believes that he/she has been sexually harassed, or that he/she has witnessed such harassment, he/she shall report it immediately to his/her Principal, to the sexual harassment investigator (Assistant Superintendent of Schools, 111 Middle Street, Weymouth, MA 02189 (781) 335-1460 x317) or to the Superintendent of Schools. If the investigator is party to the harassment charge, either as the accused or a witness, the Superintendent or the School Committee will designate an alternate investigator.

Investigation

In all cases involving sexual harassment, all parties involved will be given the utmost protection of privacy.

After a report of an incident of sexual harassment, the sexual harassment investigator shall immediately begin the investigation. The investigation shall consist of interviewing both the complainant and the alleged harasser, individually and privately. The investigator shall document the statements of both the complainant and the alleged harasser.

The alleged harasser shall be informed of the complainant's identity. The alleged harasser will also be informed that recriminations/reprisals against the complainants shall not be tolerated and shall be the basis for independent disciplinary action.

If there are any witnesses to the incident of harassment, they will be interviewed, individually or privately, without either the complainant or the alleged harasser present. The investigator shall document the statements of the witnesses.

After the investigation is completed, the sexual harassment officer shall file a written report with the Superintendent and the School Committee.

If it has been determined by the investigation that sexual harassment has occurred, in the case of a student, the harasser shall be subject to discipline. In the case of students, the harasser shall be subject to options

of discipline available to the building Principal or expulsion by the Weymouth School Committee and the recommendation of the Superintendent of Schools. Report of the discipline shall be filed in the harasser's personnel file, in the case of an employee, or in the students file. Also, corrective action shall be taken. Both the disciplinary action and the corrective action shall be taken as quickly as possible.

If the investigator concludes that the charge of sexual harassment is not substantiated, then nothing is placed in the alleged harasser's personnel file or student file. It should be noted that recrimination/reprisal against a complainant even after a finding of no harassment shall not be tolerated.

Both parties shall be provided with a copy of the investigator's report.

If either party is dissatisfied with the results of the investigation of the harassment charge, he/she may discuss his/her dissatisfaction directly with the Superintendent of Schools.

State and Federal Employment Agencies

If you believe that you have been subjected to sexual harassment, you may file a formal complaint with either or both of the following government agencies.

The United States Equal Employment Opportunity Commission
1 Congress Street
Boston, MA 02114
(617) 565-3200

The Massachusetts Commission against Discrimination
One Ashburton Place – Room 601
Boston, MA 02108
(617) 727-3990

ASSIGNED SCHOOL ZONES

Assigned School Zones shall be designated by the Superintendent and approved by the School Committee. The primary considerations that govern the establishment of assigned school zones are school capacity and transportation considerations. Generally, students attend the school in the assigned school zone in which they live.

In establishing a zone the following general guidelines shall apply:

1. Ability of students to have safe walking conditions consistent with the Committee's transportation policies; where possible, major traffic thoroughfares and natural barriers will be used for boundaries.
2. Where possible, assigned school zones will incorporate community patterns.

Overcrowding in an existing school, the development of new residential areas, or the opening of a new school may require the establishment or change of previously established assigned school zones.

The Committee will confer with community representatives prior to adding or modifying assigned school zones. However, the Committee's primary basis for adding or modifying assigned school zones must consider the equality of educational opportunity for all students.

The Superintendent or designee is authorized to approve out-of-zone placements for individual children when it is deemed to be in the best interest of the student and the school.

LEGAL REFS.: M.G.L. 71:37C; 71:37D; 71:37I; 71:37J
Board of Education Regulations Pertaining to
Section 8 of Chapter 636 of the Acts of 1974,
Regarding Magnet School Facilities and Magnet
Educational Programs, adopted 2/25/75
Board of Education Regulations Pursuant to
Chapter 636 of the Acts of 1974, adopted
9/10/74
Board of Education Regulations Pertaining to
the Preparation of Racial Balance Plans which
Involve Redistricting, adopted 4/24/73

CROSS REF.: JCA, Assignment of Students to Schools

SC Approved: 1.5.17

ASSIGNMENT OF STUDENTS TO SCHOOLS

Generally, students will be required to attend school in the assigned school zone in which they reside, unless special permission has been granted by the Superintendent or designee.

The School Department shall not provide school bus transportation for students attending schools outside their school zone when the change in assignment is made at the request of the parent or guardian.

LEGAL REFS.: M.G.L. 71:37C; 71:37D; 71:37I; 71:37J
Board of Education Regulations Pertaining to
Section 8 of Chapter 636 of the Acts of 1974,
Regarding Magnet School Facilities and Magnet
Educational Programs, adopted 2/25/75
Board of Education Regulations Pursuant to
Chapter 636 of the Acts of 1974, adopted
9/10/74
Board of Education Regulations Pertaining to the
Preparation of Racial Balance Plans which
Involve Redistricting, adopted 4/24/73

CROSS REF.: JC, Attendance District

SC Approved: 1.5.17

ENTRANCE AGE

Children who enter kindergarten must be five years of age, and children who enter first grade must be six years of age by August 31st of the year of entrance. A certified birth certificate must be presented at registration.

Kindergarten and first grade transfers from other public or private school systems will be entered according to the age criteria given above. After twenty school days, the Principal, with the recommendation of the classroom teacher(s) involved, may reassign the child if a change in grade level is in the child's best interest. The Superintendent of Schools is authorized, if the transfer occurs during the second half of the school year, to waive the twenty school day period.

Registrations for kindergarten are held in the spring. Specific dates are announced in the local newspaper and on radio and television stations, and by notice from the individual primary schools.

No child will be admitted to a Massachusetts school without presentation of a physician's immunization certificate unless protected under the McKinney-Vento Act, or unless a medical or religious exemption is presented.

Children entering school for the first time must present proof of immunization against Diphtheria, Pertussis, Tetanus, Polio, Hepatitis B, Measles, Mumps, Rubella, Varicella and such other communicable diseases as may be specified from time to time by the Department of Public Health. All students entering must present evidence that they have been screened for lead poisoning.

SCHOOL ADMISSIONS

All children of school age who reside in the town will be entitled to attend the public schools, as will certain children who do not reside in the town but who are admitted under School Committee policies relating to nonresident students or by specific action of the School Committee.

Advance registration for prospective kindergarten students will take place in the spring. Every student seeking admission to school for the first time must present a birth certificate or equivalent proof of age acceptable to the Principal, proof of vaccination and immunizations as required by the state and the School Committee, and proof of residency.

LEGAL REFS.: M.G.L. 15:1G; 76:1; 76:5; 76:15; 76:15A
 603 CMR 26:01; 26:02; 26:03

CROSS REFS.: JLCA, Physical Examination of Students
 JLCB, Inoculations of Students
 JFBB, School Choice

SCHOOL ADMISSIONS

Admission to Course of Study

- (1) Every course of study offered by a public school shall be open and available to students regardless of race, color, sex, religion, disability, sexual orientation, or national origin. Nothing herein shall be construed to prohibit the use of prerequisite requirements that have been demonstrated to be essential to success in a given program. However, if participation in a course or program is dependent upon completion of a prerequisite which was previously limited to students of one gender, or if close scrutiny reveals that access mechanisms or other administrative arrangements have limited the opportunities of any class of students to participate in such prerequisites, then all members of the previously excluded group shall be given the opportunity to acquire the prerequisites or be allowed to enter the program without such prerequisites. If it cannot be shown that a prerequisite is essential for success in a given program, the prerequisite shall be abolished.
- (2) The determination of what courses or units of study are to be required of any student shall also be made without regard to the race, color, sex, national origin, disability, sexual orientation, or religion of that student.
- (3) The scheduling of students into courses or units of study shall not be done on the basis of sex, color, race, religion, disability, sexual orientation, or national origin.
- (4) Each student, regardless of race, color, sex, national origin, disability, sexual orientation, religion, or primary language, shall have equal rights of access to courses of study and other opportunities available through the school system of the city or town in which he/she resides, along with appropriate bilingual instruction and programs or other curriculum offerings of a supportive nature such as appropriate remedial programs.
- (5) Nothing in 603 CMR 26.03 shall be construed to prevent particular segments of a program of instruction from being offered separately to each gender when necessary in order to respect personal privacy.

LEGAL REFS.: M.G.L. 15:1G; 76:1; 76:5; 76:15; 76:15A
603 CMR 26:01; 26:02; 26:03

ADMISSIONS PROCEDURES

No child will be admitted to a Massachusetts school except upon presentation of a physician's immunization certificate unless protected under the McKinney-Vento Act.

Transfer students will not be admitted without a valid transfer record from the former school. If a parent is unable to present a complete valid transfer record, the school will evaluate the child by appointment to determine the child's instructional level in basic skill areas, as well as possible special needs as defined in Chapter 28 of the General Laws Relating to Education.

Any child admitted to the Weymouth Public Schools with or without a transfer record will be assigned to a grade, class, and program on a provisional basis for a period of twenty school days. This will allow the school an opportunity to assess the ability of the child to perform satisfactorily with the class, and to change the final grade, class, or program assignment if the provisional placement appears to be inappropriate in the judgment of the child study team.

CROSS REF.: JLCB, Inoculations of Students

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 pre-school programs, Title I, special education, career and technical education programs, gifted and talented programs and school nutrition programs.

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 or economic hardship;
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. Awaiting foster care placement;
6. Living in public or private places not designed for or ordinarily used as regular sleeping accommodations for human beings;
7. Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations or similar settings;
8. Migratory children living in conditions described in the previous examples.
9. Unaccompanied youth not in the physical custody of a parent or guardian.

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

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 may request enrollment in the school in the attendance area in which the student is actually living, or other schools. 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.

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.

Homeless students are entitled to transportation to their school of origin or the school where they are to be enrolled. 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.

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.

LEGAL REFS: Title I, Part C
No Child Left Behind Act 2002

SCHOOL CHOICE

It is the policy of this school district not to admit non-resident students under the terms and conditions of the Interdistrict School Choice Law (M.G.L. 76:12).

1. The administration will determine by May 1 every year the number of spaces in each school available to choice students, if any.
2. By June 1 of every school year, if consideration is being given to withdraw from the provisions of the choice law, a public meeting will be held to review this decision.

If the School Committee elects to participate in the Interdistrict School Choice Law, the following conditions apply:

1. That resident students be given priority placement in any classes or programs within the district.
2. That the selection of non-resident students for admission when the number of requests exceed the number of available spaces be in the form of a random drawing. There will be two drawings for this purpose. The first will take place during the last week of the current school year but no later than July 1st. The second will be conducted during the week immediately preceding the opening of the next school year and will be based on the possibility of unexpected additional openings.
3. Any student who is accepted for admission under the provisions of this policy is entitled to remain in the district until graduation from high school except if there is a lack of funding of the program.
4. The School Committee affirms its position that it shall not discriminate in the admission of any child on the basis of race, color, religious creed, national origin, sex, age, sexual orientation, ancestry, athletic performance, physical handicap, special need, academic performance or proficiency in the English language.

STUDENT ABSENCES AND EXCUSES

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

Each school's student handbook contains specific guidelines for student absences and excuses.

LEGAL REFS.: M.G.L. 76:1; 76:16; 76:20

EXCLUSIONS AND EXEMPTIONS FROM SCHOOL ATTENDANCE

Denial of Admission

Denial of admission means the withholding of the privilege of enrolling in a school of the District.

The following shall be the grounds for denial of admission to school or diversion to an appropriate alternative program:

Graduation from the twelfth grade of any school or receipt of any document evidencing completion of the equivalent of a secondary curriculum;

Failure to meet the requirements of age, by a student who has reached the age of six years at a time after the beginning of the school year, as fixed by the School Committee as provided in Massachusetts General Laws;

Having been expelled during the same school year from this district or any district in the Commonwealth;

Not being a resident of the District and the District has opted not to participate in the School Choice Law;

Failure to comply with the provisions of the Massachusetts School Entry Immunization Law.

LEGAL REFS.: M.G.L. 71:37H; 76:12; 76:12A; 76:12B
603 CM 26:00

STUDENT RIGHTS AND RESPONSIBILITIES

The School Committee has the responsibility to afford students the rights that are theirs by virtue of guarantees offered under the federal and state constitutions and statutes. In connection with rights there are responsibilities that must be assumed by students.

Among these rights and responsibilities are the following:

1. Civil rights—including the rights to equal educational opportunity and freedom from discrimination; the responsibility not to discriminate against others.
2. The right to attend free public schools; the responsibility to attend school regularly and to observe school rules essential for permitting others to learn at school.
3. The right to due process of law with respect to suspension, expulsion, and decisions the student believes injure his/her rights.
4. The right to free inquiry and expression; responsibility to observe reasonable rules regarding these rights.
5. The right to privacy, which includes privacy in respect to the student's school records.

It is the School Committee's belief that as part of the educational process students should be made aware of their legal rights and of the legal authority of the School Committee to make, and delegate authority to its staff to make, rules regarding the orderly operation of the schools.

Students have the right to know the standards of behavior that are expected of them, and the consequences of misbehavior.

The rights and responsibilities of students, including standards of conduct, will be made available to students and their parents through handbooks distributed annually.

LEGAL REFS.: M.G.L. 71:37H; 71:82 through 71:86

DUE PROCESS

Under the law, students are entitled to due process in matters dealing with possible suspension.

In general the following is required for a fair hearing:

- Oral or written notice of the charges against him or her;
- An explanation of the evidence; and
- The opportunity to present his or her side of the story to an impartial decision-maker (e.g., the school administrator.)

In matters which involve a possible expulsion for over ten days the student's rights are extended to include the following:

- Written notice of the charges;
- The right to be represented by a lawyer or advocate (at the student's expense);
- Adequate time to prepare for the hearing;
- Access to documented evidence prior to the hearing;
- The right to have witnesses present at the hearing when it is deemed the witness's personal safety is not in jeopardy, and the right to question those witnesses.

In the case of exclusion or expulsion of high school students pursuant to General Law, Chapter 71, Section 37H, the hearing will be held before the building Principal. The student will have the right to appeal the decision to the Superintendent of Schools.

All other cases of exclusion or expulsion will be heard by the School Committee.

LEGAL REF.: M.G.L. 76:17

STUDENT INVOLVEMENT IN DECISION-MAKING

As appropriate to the age of students, class, or school organizations and school government organizations, such as student councils may be formed to offer practice in self-government and to serve as channels for the expression of students' ideas and opinions.

The Committee will take into consideration student opinions in establishing policies that directly affect student programs, activities, privileges and other areas of student sensitivity.

Students will be welcomed at Committee meetings and granted privileges of speaking in line with the privileges extended to the general public.

A Student Advisory Committee must be established to meet regularly with the School Committee. The purpose of such a committee is to maintain communication between the School Committee and students and to give students a voice in matters affecting them. The Student Advisory Committee will be composed of five students elected by the student body of the high school in a general election. The School Committee would like to encourage students from every grade level to participate.

The members of the SAC do not have the right to attend executive sessions unless it is expressly granted by the School Committee. Student Advisory Committee members are subject to all School Committee rules and regulations and serve without compensation. Since the Student Advisory Committee election is generally held at the same time as the Town election, it is customary to welcome and introduce the new members at the first meeting of the School Committee following the Town election.

CROSS REF.: BDF, Advisory Committees to the School Committee

STUDENT CONDUCT

Good citizenship in schools is based on respect and consideration for the rights of others.

Students will be expected to conduct themselves in a way that the rights and privileges of others are not violated. They will be required to respect constituted authority, to conform to school rules and to those provisions of law that apply to their conduct.

Prohibited actions and consequences will be printed in a handbook or other publication and made available to students and parents.

LEGAL REF: M.G.L. 71:37H
 Student Handbooks

STUDENT DRESS CODE

The responsibility for the dress and appearance of the students will rest with individual students and parents.

They have the right to determine how the student will dress providing that attire is not destructive to school property, complies with requirements for health and safety, and does not cause disorder or disruption. The administration is authorized to take action in instances where individual dress does not meet the stated requirements.

This does not mean that student, faculty, or parent groups may not recommend appropriate dress for school or special occasions. It means that a student will not be prevented from attending school or a school function, or otherwise be discriminated against, so long as his/her dress and appearance meet the requirements set forth ~~above~~ **as outlined in the handbook.**

STUDENT CONDUCT ON SCHOOL BUSES

The School Committee and its staff share with students and parents or guardians the responsibility for student safety during transportation to and from school. The authority for enforcing School Committee requirements of student conduct on buses will rest with the Principal.

The policy of the School Committee regarding student conduct on school buses is that the school day begins when the student leaves home and ends when the student returns home. Consequently, students are under the jurisdiction of the school administration during this entire period and will be held to the Code of Conduct in the student handbook.

To ensure the safety of all students who ride in buses, it may be necessary to revoke the privilege of transportation from a student who abuses this privilege. Any violation of the rules and regulations for student behavior on school buses must be reported by the bus driver, on the ~~form~~ school bus incident report form provided by WPS, at the end of each trip to the staff member in charge. This staff member must obtain all pertinent information and report it to the school principal. The report shall be forwarded to the school principal no later than the following school day of the occurrence of the incident. The principal or designee is responsible for communicating pertinent bus related information to transportation personnel within three school days of receiving the school bus incident report form.

Parents or guardians of children whose behavior and misconduct on school buses endangers the health, safety, and welfare of other riders will be notified that their children face the loss of transportation privileges in accordance with regulations contained in the student handbooks which are approved by the School Committee. All decisions will be made by the principal, following a thorough investigation.

Cross Reference: EEAEC

SC Approved: 1/19/17

STUDENT PUBLICATIONS

Students will enjoy the constitutional rights of freedom of expression. They will have the right to express their views in speech, writing, or through any other medium or form of expression within limitations comparable to those imposed on all citizens but specifically designed for children and youth in a school setting.

The School Committee will encourage student publications not only because they offer an educational activity through which students gain experience in reporting, writing, editing, and understanding responsible journalism, but also because they provide an opportunity for students to express their views.

All student publications will be expected to comply with the rules for responsible journalism. This means that libelous statements, unfounded charges and accusations, obscenity, defamation of persons, false statements, material advocating racial or religious prejudice, hatred, violence, the breaking of laws and school regulations, or materials designed to disrupt the educational process will not be permitted.

The Superintendent will establish guidelines that are in keeping with the above and provide for the review of the content of all student publications prior to their distribution.

Review of content prior to publication is not censorship, but part of the educational process as this concerns student publications. It can be pointed out to students, as it frequently is to journalists, that a publisher (in this case, the school system) enjoys freedom to determine what it will and will not publish.

Distribution of Literature

Students have a right to the distribution of literature on school grounds and in school buildings, except that the Principal may prohibit the distribution in school buildings and grounds of a specific issue or publication if it does not comply with rules for responsible journalism. The Principal may require that no literature be distributed unless a copy is submitted to him/her in advance.

The time, place, and manner of distribution of literature will be reasonably regulated by the Principal.

LEGAL REF.: M.G.L. 71:82

GANG ACTIVITY/SECRET SOCIETIES

The goal of the School Committee is to keep district schools and students free from the threats or harmful influence of any gang. For purposes of this policy, gang is defined as any group, secret society, organization or association that advocates drug use, violence, ethnic intimidation, or disruptive or illegal behavior. The Principal or his/her designee shall maintain supervision of school premises to deter intimidation of students and confrontations between members of different gangs.

The Superintendent shall establish open lines of communication with local law enforcement agencies so as to share information and provide mutual support in this effort within appropriate legal guidelines.

Symbols

The School Committee finds that gang symbols are inherently disruptive to the educational process, and therefore prohibits the presence of any insignia, apparel, jewelry, accessory, notebook or other school supply, or manner of grooming which by virtue of its color, arrangement, trademark, or any other attribute denotes membership in gangs. The School Committee further prohibits any demonstration of gang membership through the use of hand gestures, graffiti, or printed materials. This policy shall be applied by the Principal or his/her designee as the need for it arises at individual school sites. A student may be suspended or expelled for failure to comply with the provisions of this policy.

Prevention Education

The School Committee realizes that students may become involved in gangs without understanding the consequences of such membership. Early intervention is a key component of efforts to break the cycle of such memberships. Therefore, gang violence prevention information shall be made available in the elementary, middle, and high schools as appropriate.

Secret Societies

Fraternities, sororities and/or secret societies shall not receive District or building recognition in any manner.

A student may be suspended or expelled for failure to comply with the provisions of this policy.

HAZING

Ch. 269, S.17. Crime of Hazing; Definition; Penalty

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

The term "hazing" as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation. Notwithstanding any other provisions of this section to be contrary, consent shall not be available as a defense to any prosecution under this action.

Ch. 269, S.18. Duty to Report Hazing

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

Ch. 269, S.19. Hazing Statutes to Be Provided; Statement of Compliance and Discipline Policy Required

Each secondary school and each public and private school or college shall issue to every group or organization under its authority or operating on or in conjunction with its campus or school, and to every member, plebe, pledge or applicant for membership in such group or organization, a copy of this section and sections seventeen and eighteen. An officer of each such group or organization, and each individual receiving a copy of said sections seventeen and eighteen shall sign an acknowledgment stating that such group, organization or individual has received a copy of said sections seventeen and eighteen.

Each secondary school and each public or private school or college shall file, at least annually, a report with the regents of higher education and in the case of secondary schools, the Board of Education, certifying that such institution has complied with the provisions of this section and also certifying that said school has adopted a disciplinary policy with regards to the organizers and participants of hazing. The Board of Regents and in the case of secondary schools, 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 a report.

BULLYING

Bullying is defined as the act of one or more individuals intimidating one or more persons through verbal, physical, mental, or written interactions. Bullying can take many forms and occur in virtually any setting. It can create unnecessary and unwarranted anxiety that will affect attending school, walking in corridors, eating in cafeterias, playing in the school yard or recreation areas, participating in or attending special and extracurricular activities, or riding on the bus to and from school each day.

Examples of bullying include but are not exclusive to:

1. Intimidation, either physical or psychological
2. Threats of any kind, stated or implied
3. Assaults on students, including those that are verbal, physical, psychological and emotional
4. Attacks on student property

The School Committee expects administrators and supervisors to make clear to students and staff that bullying in the school building, on school grounds, on the bus or school-sanctioned transportation, or at school-sponsored functions will not be tolerated and will be grounds for disciplinary action up to and including suspension and exclusion for students, and termination for employees.

The Principal of each building will be responsible for handling all complaints by students alleging harassment, including bullying.

**ALCOHOL, TOBACCO, AND DRUG USE BY STUDENTS
PROHIBITED**

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

Additionally, any student who is under the influence of drugs or alcoholic beverages prior to, or during, attendance at or participation in a school-sponsored activity, will be barred from that activity and may be subject to disciplinary action.

This policy shall be posted on the district's website and notice shall be provided to all students and parents of this policy in accordance with state law. Additionally, the district shall file a copy of this policy with DESE in accordance with law in a manner requested by DESE.

SOURCE: MASC March 2016

LEGAL REFS.: M.G.L.71:2A; 71:96; 272:40A

CROSS REFS.: IHAMB, Teaching About Alcohol, Tobacco and
Drugs
GBEC, Drug Free Workplace Policy

SC Approved: 10.13.16

PREGNANT STUDENTS

School-age mothers, unless they receive adequate assistance, might drop out of school without acquiring the necessary education or without marketable skills.

Pregnant students will be permitted to continue in school in all instances when continued attendance has the sanction of the expectant mother's physician. The physician's approval of this continued attendance must be on file at the school. The student and her physician, in cooperation with the school staff, will develop an appropriate educational plan if it is agreed she should no longer attend school regularly.

Every effort will be made to see that the educational program of the student is disrupted as little as possible; that health counseling services, as well as instruction are offered; that return to school after delivery is encouraged; and that every opportunity to complete high school is provided.

LEGAL REF.: M.G.L. 71:84

INTERROGATIONS AND SEARCHES

Searches

The right of inspection of students' school lockers is inherent in the authority granted School Committees and administrators. This authority may be exercised as needed in the interest of safeguarding children, their own and school property.

Nevertheless, exercise of that authority by school officials places unusual demands upon their judgment so as to protect each child's constitutional rights to personal privacy and protection from coercion and to act in the best interest of all students and the schools.

Searches by school officials of students' automobiles or the student will be conducted in a way that protects the students' rights consistent with the responsibility of the school system to provide an atmosphere conducive to the educational process.

Interrogations by Police

The schools have legal custody of students during the school day and during hours of approved extracurricular activities. It is the responsibility of the school administration to make an effort to protect each student's rights with respect to interrogations by law enforcement officials. Therefore:

1. When law enforcement officials find it necessary to question students during the school day or periods of extracurricular activities, the school Principal or his/her designee will be present when possible. An effort will be made to contact the student's parent or guardian so that the responsible individual may be notified of the situation.
2. If custody and/or arrest is involved, the Principal will request that all procedural safeguards, as prescribed by law, be observed by the law enforcement officials.

STUDENT COMPLAINTS AND GRIEVANCES

The School Committee recognizes that there may be conditions in the school system that are in need of improvement and that students should have some means by which their concerns may be effectively expressed, considered, and dealt with fairly. Such means, if well conceived and understood in advance, can do much to maintain harmonious relationships among the schools and the students and community.

The traditional "open door" policy in the public school system will be continued. Students—and their parents and/or guardians—who believe that the students have received unfair treatment in the form of disciplinary action will have the right to appeal. Any applicable provisions of the Massachusetts General Laws or federal law will be followed by school officials in conducting hearings and reviews of student grievances. In general, appeals procedures will begin with the authority imposing the penalty (for example, Principal or teacher) and may ultimately be referred to the Superintendent and on to the School Committee, which possesses the ultimate authority for discipline in the school system.

Every attempt will be made to seek a satisfactory solution to any legitimate grievance in a friendly and informal manner. In order to keep such discussions within a practical size, no more than six student representatives will be permitted to participate with the Principal, staff members, or School Committee members who may be involved.

LEGAL REF.: M.G.L. 76:17

CO-CURRICULAR AND EXTRACURRICULAR ACTIVITIES

The School Committee believes that student activities are a vital part of the total educational program and should be used as a means for developing wholesome attitudes and good human relations and knowledge and skills. Therefore, the schools will provide a broad and balanced program of activities geared to the various ages, interests, and needs of students.

The following will serve as guides in the organization of student activities:

1. The schools will observe a complimentary relationship to the home and community, planning activities with due regard for the widespread and rich facilities already available to students.
2. The assistance of parents in planning activity programs will be encouraged.
3. The goal for each student will be a balanced program of appropriate academic studies and activities to be determined by the school, the parents, and the student. This should be a shared responsibility.
4. Guidance will be offered to encourage participation of all students in appropriate activities and to prevent over-emphasis on extracurricular activities at the cost of academic performance.
5. All activities will be supervised; all clubs and groups will have a Principal-appointed advisor.

LEGAL REF.: M.G.L. 71:47
 603 CMR 26:06

**CO-CURRICULAR AND EXTRACURRICULAR ACTIVITIES
RELEASE**

Prior to any student participating in voluntary athletic programs, the student and his/her parent(s)/guardian(s) must complete and submit to the Principal or designee the Release from Liability and Indemnity Agreement provided by the school.

The agreement will include the following statement:

"We the undersigned father and mother or guardian of (student name) a minor, do hereby consent to his/her participation in voluntary athletic programs and do forever RELEASE, acquit, discharge, and covenant to hold harmless the Town of Weymouth, a municipal corporation of the State of Massachusetts, and its successors, departments, officers, employees, servants and agents, of and from any and all actions, causes of actions, claims, demands, damages, costs, loss of services, expenses and compensation on account of or in any way growing out of directly or indirectly, all known and unknown personal injuries or property damages which we may now or hereafter have as the parent(s) or guardian(s) of said minor, and also all claims or right of action for damages which said minor has or hereafter may acquire, either before or after he/she has reached his/her majority resulting or to result from his/her participation in the Weymouth Public Schools Physical Education Department's Voluntary athletic programs; FURTHERMORE, we/I hereby agree to protect the Town of Weymouth and its successors, departments, officers, employees, servants and agents, against any claims for damages, compensation or otherwise on the part of said minor growing out of or resulting from injury to said minor in connection with his/her participation in the Weymouth Public Schools Physical Education Department's voluntary athletic programs, and to INDEMNIFY, reimburse or make good to the Town of Weymouth or its successors, departments, officers, employees, servants and agents, any loss or damages or costs, including attorney's fees, the Town or its representatives may have to pay if any litigation arises from said minor's intentional, grossly negligent, or reckless acts or omissions while participating in said sports programs. "

The agreement must be signed by the student, his/her parent(s)/guardian(s) and include the students school and sport/activity.

STUDENT ORGANIZATIONS

Student Organizations

Student organizations in the District shall be encouraged when they meet the criteria of contributing to student self-esteem and performance and should operate within the framework of state statutes, Board policies, and administrative procedures.

Each building Principal shall develop general guidelines for the establishment and operation of student organizations within the particular school. Among other provisions, such guidelines shall require the approval of the Principal prior to the formation of any club or organization in the school and the assignment of at least one faculty or designated adult advisor to each approved student organization. Within such guidelines will be provisions for a periodic review of all student organizations.

All student organizations shall be required to open membership to all interested and/or eligible students. Disruptive groups, secret societies, and/or gangs shall not receive recognition in any manner under this policy (see also Policy JICF).

All forms of hazing in initiations shall be prohibited in a student organization. No initiation shall be held for a student organization which will bring criticism to the school system or be degrading to the student.

The faculty or designated adult advisor must attend every meeting of the student organization whether conducted on school premises or at another location.

Student Organizations – High Schools

In addition to the above requirements, all clubs or organizations at the high school level will relate to the subject matter covered by the curriculum. The Principal is responsible for determining that the purpose of a student organization is related to the curriculum. The Principal is authorized to deny requests by unauthorized student organization desiring to meet or form in a particular school, the Principal shall inform the group of the reasons for the denial. The students and/or group may submit a written request to the appropriate District administrator for review of the Principal's decision.

LEGAL REF.: 603 CMR 26.06

STUDENT TRAVEL REGULATIONS

1. Transportation

Private vehicles shall not be used for school sponsored trips that occur during the regular school day.

School sponsored trips that may include late night or overnight student transportation shall use commercial motor coaches and shall include a pre-trip check of companies, drivers, and vehicles, in accordance with Massachusetts General Laws Chapter 71, section 38R.

The Superintendent or designee will ensure that the selected carrier is licensed for passenger transportation by the Federal Motor Carrier Safety Administration (FMCSA). The district will not contract with any carrier that has a safety rating of “conditional” or “unsatisfactory”. FMCSA ratings are available at <http://www.saferys.org/>.

The contract with the carrier will prohibit the use of subcontractors unless sufficient notice is given to the district that allows verification of the subcontractor’s qualifications.

2. Trip Scheduling

Overnight accommodations shall be made in advance with student safety and security in mind. Whenever possible, trip schedulers should avoid planning student travel between the hours of midnight and 6:00 a.m., due to the increased risk of vehicular accidents during this time period.

Whenever possible, overnight trips shall be scheduled on weekends or during school vacations to minimize lost classroom time. Non-academic trips are considered “optional school programs” and do not count toward meeting structured learning time requirements. (Refer to the Massachusetts Department of Education publication Student Learning Time Regulations Guide)

Trip itineraries must leave enough time for drivers to rest in conformity with federal hour-of-service requirements and common sense.

Trip scheduling should take into account the likelihood of delays due to weather, traffic, and other unanticipated factors.

If substantially all members of a class are participating in a trip, the school should provide appropriate substitute activities for any students not participating.

3. Fundraising

The amount of time to be devoted to fundraising shall be reasonable and shall consider students' obligations for homework, after-school activities, and jobs.

Group fundraising activities are preferred. Students should not be assigned individual fundraising targets.

If students are charged individual fees for participation, every effort should be made to provide scholarships where needed.

Additional Resources

Federal Motor Carrier Safety Administration (FMCSA)
<http://www.fmcsa.gov>

United Motorcoach Association – Student Motorcoach Travel Safety Guide (includes “Motorcoach Safety Checklist”)
<http://www.uma.org/consumerhelp/studentguide.asp>

CROSS REFS.: IJOA Field Trips; EEAG Student Transportation in Private Vehicles

LEGAL REFS.: CHAPTER 346 OF THE ACTS OF 2002 (et al)
approved on October 9, 2002
M.G.L. 69:1B; 71:37N; 71:38R
603 CMR 27.00

Approved by School Committee: 4/27/17

STUDENT FUNDRAISING ACTIVITIES

Student fundraising activities will be limited to the following:

1. Sale of tickets to scheduled athletic events and school dramatic and musical performances.
2. Sale of advertising space in school publications.
3. A fund-raising activity approved by the Superintendent.
4. Proposals to raise funds for charitable purposes or for benefit of the school or community (for example: American Field Service activities, United Nations, or scholarship funds) provided such proposals have been individually approved by the building Principal and Superintendent.

CROSS REFS. KHA, Public Solicitations in the Schools

STUDENT ACTIVITY ACCOUNTS

Funds may be raised to finance the activities of authorized student organizations. Student activity funds are considered a part of the total fiscal operation of the district and are subject to policies established by the School Committee and the office of the Superintendent. The finds shall be managed in accordance with sound business practices which include accepted budgetary and accounting practices.

In compliance with Massachusetts General Law Chapter 71, Section 47:

1. Such accounts are intended to provide support for student activities. Interest earned on such accounts shall be maintained in the Agency Account and annually distributed among Student Activity Accounts in a proportion based upon average monthly balances.
2. Monies can be raised by conducting a program for which a fee is charged or donation solicited, by selling a product (i.e.: a candy bar) or by simply seeking donations from the community in support of a particular student activity.
3. Expenditures shall be for the express benefit of students. Expenditures can include, but shall not be limited to:
 - a. Supplies and materials used in the conduct of specific student activity.
 - b. Stipends or fees to individuals who are performing a service directly associated with the student activity.
 - c. Registrations or contracted services to provide workshops, speakers or entertainment for students.
4. When a senior class graduates, monies in the Senior Class Student Activity account shall remain available for ninety days after the close of the school year to allow time for outstanding bills to be received and paid. After this waiting period, the remaining funds shall be transferred to the incoming freshman class account.
5. Other monies such as interest earned, commissions received, portions of ticket sales or profits from such activities as a general school store and juice machines shall be expended only for the following purposes:
 - a. Supplies for after-school activities, library materials, computers used in a supplemental fashion such as in a library.

- b. Tokens of appreciation for those who volunteer to help with an activity.
- c. Student incentives.
- d. Scholarships
- e. Speaker fees for student assemblies

LEGAL REFS.: M.G.L. 71:47

STUDENT ACTIVITY ACCOUNTS

Chapter 71. Section 47

Notwithstanding the provisions of the preceding paragraph or section fifty-three of chapter forty-four, the School Committee of a city, town or district may authorize a school Principal to receive money in connection with the conduct of certain student activities and to deposit such money, with the municipal or regional school district treasurer, into an interest bearing bank account, hereinafter referred to as the Student Activity Agency Account, duly established by vote of the School Committee to be used for the express purpose of conducting student activities. Interest earned by such Student Activity Agency Account shall be retained by the fund and the School Committee shall determine for what purpose such earnings may be used. In addition to such Student Activity Agency Account, the School Committee may authorize the municipal or regional school district treasurer to establish a checking account, hereinafter referred to as the Student Activity Checking Account, to be operated and controlled by a school Principal and from which funds may be expended exclusively for student activity purposes for the student activities authorized by the School Committee. Such account shall be used for expenditures only and funds received for student activities may not be deposited directly into such account.

The School Committee shall vote to set the maximum balance that may be on deposit in such Student Activity Checking Account. The Principal designated to operate and control such Student Activity Checking Account shall give bond to the municipality or district in such amount as the treasurer shall determine to secure the Principal's faithful performance of his/her duties in connection with such account. To the extent that the funds are available in such Student Activity Agency Account, funds up to the maximum balance set by the School Committee shall be transferred from the Student Activity Agency Account through the warrant process to initially fund such Student Activity Checking Account.

Periodically, to the extent that funds are available in such Student Activity Agency Account, the municipal or regional school district treasurer shall reimburse such Student Activity Checking Account, through the warrant process, to restore the limit set by the School Committee. The Principal shall adhere to such administrative procedures as the municipal or regional school district treasurer or accountant may prescribe. There shall be an annual audit of the student activity funds which shall be conducted in accordance with the procedures as agreed upon between the School Committee and the auditor based upon guidelines issued by the department of education.

Amended by St.1935, c.199; St.1950, c.658; St.1951, c.411, 5.1; St.1952, c.316, 5.1; St.1954, c.271; St.1959, c.113; St.1962, c.301, 55.3-4; St.1969, c.66; St.1969, c.678; St.1970, c.721; St.1982, c.137; St.1996, .66.

LEGAL REF.: M.G.L. 71:47

INTERSCHOLASTIC ATHLETICS

The School Committee believes that students will benefit from the experiences in self-discipline and team effort made possible through participation in inter-school sports.

Participation in interscholastic athletics will be subject to approval by the School Committee and will be in accordance with regulations and recommendations of the Massachusetts Interscholastic Athletic Association.

At the high school level, interscholastic athletic competition will include a variety of sports. Students will be allowed to participate in individual sports on the basis of their abilities and desire. Additionally, intramural athletic activities will be offered as an outgrowth of class instruction in physical education.

The School Committee is aware that team participation in athletic contests by members of the student body requires that "away games" be scheduled. The Superintendent will establish regulations to ensure the safety and well being of students and staff members who participate in these activities.

LEGAL REFS.: M.G.L. 71:47; 71:54A
 603 CMR 26.06

CROSS REFS.: AC, Nondiscrimination (and subcodes)

STUDENT DISCIPLINE

Discipline is the dual responsibility of the home and school.

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 implementation of the general rules of conduct is the responsibility of the Principal and the professional staff of the building. Students at each level shall adhere to the code of conduct delineated in the student handbook.

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.

LEGAL REFS.: M.G.L. Chapter 71, S. 37H and 37L;
M.G.L. Chapter 76, S. 16 and 17;
Chapter 380 of the Acts of 1993 and Chapter 766
Regulations, S. 338.0
Mass. Dept. Of Education, Advisory Opinion on
Student Discipline, January 27, 1994

STUDENT DISCIPLINE

Students are expected to act with proper behavior at all times while they are traveling to and from school, on school premises, on school buses, at bus stops or at school-sponsored or school related events, including athletic events.

Violations or disregard for school rules and regulations will lead to disciplinary action which could result in a parental conference, suspension from one to ten days, exclusion from school or expulsion from school.

Student handbooks at each level contain specific information on discipline that is appropriate to that level.

CORPORAL PUNISHMENT

State law provides that:

The power of the School Committee or of any teacher or other employee or agent of the Committee to maintain discipline on school property shall not include the right to inflict corporal punishment upon any student.

Established by law

LEGAL REF.: M.G.L. 71:37G

PHYSICAL RESTRAINT OF STUDENTS

Maintaining an orderly, safe environment conducive to learning is an expectation of all staff members of the Weymouth School District. Further, students of the District are protected by law from the unreasonable use of physical restraint.

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

1. To administer a physical restraint only when needed to protect a student and/or a member of the school community from immediate, serious, physical harm; and
2. To prevent or minimize any harm to the student as a result of the use of physical restraint.

The following definitions appear at 603 CMR 46.02:

1. Extended Restraint: A physical restraint the duration of which is longer than twenty (20) minutes.
2. Physical escort: Touching or holding a student without the use of force for the purpose of directing the student.
3. Physical restraint: The use of bodily force to limit a student's freedom of movement.

The use of mechanical or chemical restraint is prohibited unless explicitly authorized by a physician and approved in writing by the parent/guardian. The use of seclusion restraint is prohibited in public education programs.

Mechanical restraint – The use of a physical device to restrict the movement of a student or the movement or normal function of a portion of his or her body. A protective or stabilizing device ordered by a physician shall not be considered a mechanical restraint.

Seclusion restraint – Physically confining a student alone in a room or limited space without access to school staff. The use of “Time out” procedures during which a staff member remains accessible to the student shall not be considered “seclusion restraint”.

Chemical restraint – the administration of medication for the purpose of restraint.

The Superintendent will develop written procedures identifying:

Appropriate responses to student behavior, that may require immediate intervention;
Methods of preventing student violence, self injurious behavior, and suicide;
Descriptions and explanations of the school's method of physical restraint;
Descriptions of the school's training and reporting requirements;
Procedures for receiving and investigating complaints.

Each building Principal will identify staff members to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. These staff members will participate in an in-depth training program in the use of physical restraint, which the department of education recommends be at least 16 hours in length.

Only school personnel who have received training pursuant to 603 CMR 46.00 shall administer physical restraint on students. Whenever possible the administration of physical restraint shall be administered in the presence of at least one adult who does not participate in the restraint. A person administering physical restraint shall only use the amount of force necessary to protect the student from injury or harm.

In addition, each staff member will be trained regarding the school's physical restraint policy. The Principal will arrange training to occur in the first month of each school year, or for staff hired after the beginning of the school year, within a month of their employment.

Physical restraint is prohibited as a means of punishment, or as a response to destruction of property, 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 to the student or others.

A member of the School Committee or any teacher or any employees or agent of the School Committee shall not be precluded from using such reasonable force as is necessary to protect pupils, other persons or themselves from an assault by a pupil.

The program staff shall report the use of physical restraint that lasts longer than five minutes, or results in injury to a student or staff member. The staff member shall inform the administration of the physical restraint as soon as possible, and by written report, no later than the next school day. The Principal or director or his/her designee shall maintain an ongoing record of all reported instances of physical restraint, which, upon request, shall be made available to the Department of Education.

When a restraint has resulted in serious injury to a student or program staff member or when an extended restraint has been administered, the program shall provide a copy of the required report to the Department of Education within five (5) school working days of the administration of the restraint.

In special circumstances waivers may be sought from parents either through the Individual Education Plan (IEP) process or from parents of students who present a high risk of frequent, dangerous behavior that may frequent the use of restraint.

LEGAL REF.: 603 CMR 46.00
 M.G.L. 71:37G

SUSPENSION/EXPULSION

Suspension is a very serious consequence for violations of school rules. An out-of-school suspension is a consequence that requires a student be sent home to be supervised by his/her parent/guardian. Parental contact must be made before home suspension is enforced.

An in-house suspension is a consequence which requires a student to remain under the direct supervision of a staff member. During that time, the student will be provided with school work by his/her teachers. The assigned work must be completed and returned to teachers by the end of the day.

In the case of either an in-house or out-of-school suspension, a parental conference is required with a school administrator before the student will be readmitted to his/her program.

Suspension and/or Expulsion

The following provisions relate to the possible exclusion of students. These provisions are excerpted from recent statutes.

1. Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or knife; or a controlled substance as defined in chapter ninety-four C, including, but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from the school or the school district by the Principal.
2. Any student who assaults a Principal, Assistant Principal, teacher, teacher's aide or other educational staff on school premises or at school-sponsored or school-related events, including athletic games, may be subject to expulsion from the school by the Principal.
3. Upon the issuance of a criminal complaint charging a student with a felony delinquency complaint, the Principal may suspend such student for a period of time determined appropriate by the Principal, 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.
4. Any student convicted of a felony or upon an adjudication or admission of guilt may be subject to expulsion as defined by Massachusetts law (s.37 H ½).

5. Any student who is charged with a violation of the previous paragraphs shall be notified in writing of an opportunity for a hearing; the student may have representation, along with the opportunity to present evidence and witnesses at said hearing.

LEGAL REF.: M.G.L. 71:37H; 71:37H1/2

SPECIAL EDUCATION STUDENTS – DISCIPLINE

The disciplining of students with disabilities eligible for special education is governed by federal and state special education laws and the regulations promulgated thereunder. These laws include the Individual with Disabilities Education Act (20 U.S.C. 1401 et seq.), its implementing regulations (34 C.F.R. 300 et seq.), Section 504 of the Rehabilitation Act of 1973 and its implementing regulations, and Massachusetts General Laws, chapter 71B and its implementing regulations (603 CMR §28.00).

Students with disabilities who violate school rules are entitled to due process and are subject to disciplinary removal (suspensions/expulsions) from their current educational placement to the same extent that such a removal would be applied to students without disabilities. However, a functional behavioral assessment must be completed before a student can be removed for more than ten (10) school days in a school year. In addition, when a disciplinary removal in excess of ten (10) school days would constitute a change in placement, the TEAM must decide whether or not a student's misconduct is related to his/her disability(ies).

School personnel may unilaterally order a change in the educational placement of a child with a disability to an appropriate Interim Alternative Education Setting (IAES) for the same amount of time that a child without a disability would be subject to discipline, but not more than forty-five (45) calendar days (unless there is a hearing at the Bureau of Special Education Appeals) if the student:

- Carries or possesses a weapon to or at school, on school premises or to or at a school function.

- Knowingly possesses or uses controlled substances without a physician's authorization at school, a school function, or school sponsored event.

- Sells or solicits the sale of a controlled substance while at school, a school function, or a school sponsored event.

School personnel may also seek an order from the Department of Education Bureau of Special Education Appeals (BSEA) or a court placing a student in an IAES for up to forty-five (45) calendar days when the student is a danger to himself or others.

For a copy of the Massachusetts Department of Education brochure on Special Education Parents' Rights, available in many languages visit www.doe.mass.edu/sped/parents or contact the Administrator of Special Education at (781) 335-1460, ext 316 or 320.

DUE PROCESS

A student facing a suspension of up to ten (10) days shall be given written or oral notice of the charge(s) against him/her, with an explanation of the facts supporting the charges. The student will be afforded the opportunity to present his/her side of the story .The hearing precedes the suspension unless it is believed the student is a threat to the health and safety of the school community in which case the suspension can take place prior to the hearing.

LEGAL REF.: M.G.L. 71:37H, 71:37H ½; 71B

STUDENT WELFARE

Supervision of Students

School personnel assigned supervision are expected to provide for the safety of the students in their charge.

No teacher or other staff member will leave his/her assigned group unsupervised.

Student Safety

Instruction in courses in industrial technology, science, family consumer science, art, physical education, health, and safety will include and emphasize 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 eye devices in appropriate activities.

Safety on the Playground and Playing Field

The District shall provide safe play areas. Precautionary measures which 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;

File: JLA

STUDENT INSURANCE PROGRAM

A noncompulsory accident insurance plan totally administered by an insurance company may be made available to students. The District does not assume any responsibility regarding service, claims, or other matters relating to the insurance program.

All students participating in competitive athletics shall be required to be covered by a medical insurance plan.

STUDENT HEALTH SERVICES AND REQUIREMENTS

Activities may include identification of student health needs, health screening tests (including vision and hearing screening tests), communicable disease prevention and control, promotion of the correction of remediable health defects, emergency care of the ill and injured, health counseling, health and safety education, and the maintenance of a healthful school environment.

The District recognizes that parents have the primary responsibility for the health of their students. The school will cooperate with appropriate professional organizations associated with maintaining individual and community health and safety.

The District shall provide the services of a medical consultant who shall render medical and administrative consultative services for personnel responsible for school health and athletics.

Procedures for Emergency at School

School personnel shall give only emergency care to students who become ill or injured on school property, buses, or while under school supervision.

Each year parents shall supply information including the name, address, and phone number of designated persons to be contacted in case the parent is not available; and any allergies or diseases the student might have.

The District shall maintain a Safety and Security Manual which shall be utilized by District personnel for handling emergencies.

Emergency procedures shall include the following:

- Provision for care beyond First Aid, which would enable care by the family or EMS is required, every effort shall be made to provide the EMS unit with the student's emergency contact card which lists any allergies or diseases the student might have.

- A plan for medication administration in the schools.

- Provisions for reporting all accidents and cases of injury. Provisions shall be made (in all cases of injury or illness involving possible legal or public relations implications) for reporting such to the office of the Superintendent and the school nurse.

- Prompt reporting by teachers to the Principal or designee of any accident or serious illness.

Student Illness or Injury

In case of illness or injury, the parent or guardian will be contacted and asked to call for the student or provide the transportation.

File: JLC

Transportation of an ill or injured student is not normally to be provided by the school. If the parent cannot provide transportation and the student is ill or injured, an ambulance may be called. Expense incurred as a result of emergency ambulance use will not be borne by the District.

Transportation of a student by school personnel will be done only in an emergency and by the individual so designated by the school administrator.

LEGAL REF.: M.G.L. 71:53;54;54A;54B;55;55A;55B;56;57

CROSS REF.: EBB, First Aid

PHYSICAL EXAMINATIONS OF STUDENTS

Every student will be examined once every two years for screening in vision and hearing and for other physical problems as provided in the laws. A record of the results will be kept by the school nurse.

Every student must submit documentation of physical examination four times: upon entering school (K) and upon admittance to the fourth, seventh and tenth grades unless the student is protected under the McKinney-Vento Act or presents a religious exemption. The results of examinations will be a basis for determining what corrective measures or modifications of school activities, if any, should be recommended. A record of all examinations and recommendations will be kept by the school nurse.

In accordance with Massachusetts Interscholastic Athletic Association regulations, Weymouth School Committee policy requires that all students who participate in interscholastic athletics must pass a yearly physical examination by a physician before try-outs, practices, or games. The student may receive this physical examination from a family physician or when available, from the school physician. Weymouth school nurses will advise coaches of unique or special medical conditions with parental consent.

Whenever the school nurse finds a child suffering from any disease or medical problem, the situation will be reported to the parent if remedial treatment is recommended. Documentation of such notification will be kept on file by the school nurse.

The Coordinator of Health Services is responsible for oversight of all requirements regarding student health records.

LEGAL REFS.: M.G.L. 71:53; 71:54; 71:56; 71:57

CROSS REF.: JF, School Admissions

INOCULATIONS OF STUDENTS

Every child before entering school must be immunized against diphtheria, pertussis, tetanus, measles, mumps, rubella (German Measles), poliomyelitis, hepatitis B, chicken pox or produce a certificate from a physician stating that there is a physical reason why the immunization should not be done. Proof of a lead poisoning screening must also be presented.

Any student "whose parent or guardian states in writing that immunization conflicts with his/her sincere religious beliefs" or any student who is protected by the McKinney-Vento Act, may be exempted from these requirements.

The certificates of immunization should be presented either at the registration of the child in the spring or on the first day of school in September. Parents are urged to obtain this certificate before the registration in the spring.

After records are completed, immunization certificates should be returned to the parent or guardian.

Established by law

LEGAL REF.: M.G.L. 76:15

CROSS REF.: JFA, Admissions Procedures

COMMUNICABLE DISEASES

The District is required to provide educational services to all school age children who reside within its boundaries. By law, however, admission to school may be denied to any child diagnosed as having a disease whereby attendance could be harmful to the welfare of other students and staff, subject to the District's responsibilities to handicapped children under the law.

The School Committee recognizes that communicable diseases which may afflict students range from common childhood diseases, acute and short-term in nature, to chronic, life-threatening diseases such as Acquired Immune Deficiency Syndrome (AIDS).

Management of common communicable diseases shall be in accordance with Massachusetts Department of Health guidelines. A student who exhibits symptoms of a communicable disease may be temporarily excluded from school attendance. The District reserves the right to require a physician's statement authorizing the student's return to school.

The educational placement of a student who is medically diagnosed as having a life-threatening communicable disease shall be determined on an individual basis in accordance with this policy and accompanying administrative procedures. Decisions about the proper educational placement shall be based on the student's behavior, neurological development, and physical condition; the expected type of interaction with others in school setting; and the susceptibility to other diseases and the likelihood of presenting risks to others. A regular review of the placement decision shall be conducted to assess changes in the student's physical condition, or based on new information or research that may warrant a change in a student's placement.

In the event a student with a life-threatening communicable disease qualifies for services as a handicapped child under state and federal law, the procedures for determining the appropriate educational placement in the least restrictive environment shall be used in lieu of the procedures designated above.

Neither this policy nor the placement of a student in any particular program shall preclude the administration from taking any temporary actions including removal of a student from the classroom as deemed necessary to protect the health, safety, and welfare of the student, staff, and others.

In all proceedings related to this policy, the District shall respect the student's right to privacy. Only those persons with a direct need to know shall be informed of the specific nature of the student's condition. The determination of those who need to know shall be made by the Superintendent.

AIDS POLICY

Students with AIDS/HIV Infection have the same right to attend classes or participate in school programs and activities as any other student.

The student's parent(s) or guardian(s) are the gatekeepers of information relating to the student's AIDS/HIV status. They are not obliged to disclose this information to school personnel.

Disclosure of the student's HIV status by the school nurse or physician to the other school personnel requires the specific, informed, written consent of the student's parent(s) or guardian(s).

AIDS/HIV GUIDELINES

INTRODUCTION

More scientific evidence about the transmission of HIV has become available since publication of the 1986 Massachusetts policy concerning school attendance of children with AIDS/HIV, which is based on the best medical evidence available at the time. This policy is in line with current knowledge about HIV transmissions. This policy offers recommendations for universal precautions when dealing with blood spills in a school setting. Further, it includes suggested procedures regarding the disclosure within a school of a student's AIDS diagnosis or HIV infection status in keeping with laws regulating the confidentiality of this information.

Students with AIDS/HIV infection have the same right to attend classes or participate in school Programs and activities as any other student.

HIV can be transmitted through unprotected sexual intercourse, through blood-to-blood contact (such as sharing of injection drug needles and syringes) and from an infected woman to her baby at or before birth. A large body of research has demonstrated that HIV is not transmitted through casual contact, such as in a school setting. Therefore, except in rare cases (Appendix A), there is no legitimate public health reason to exclude students with AIDS/HIV infection from attending school.

The student's parent(s) or guardian(s) are the gatekeepers of information relating to the student's AIDS/HIV status. They are not obliged to disclose this information to school personnel.

A student who is diagnosed with AIDS is at a greater risk of contracting infections. This means there may be good reasons to inform the school nurse of the student's AIDS diagnosis or HIV infection status.

Therefore after consultation with the student's primary care physician, the student's parent(s) or guardian(s) may decide to inform certain school personnel about the student's AIDS/HIV status, particularly the school nurse. Parents of children with HIV are strongly urged to communicate with the school nurse in the building when there is an outbreak of a threatening communicable condition such as chicken pox until the outbreak is no longer a threat to their child.

- The student's parent(s) or guardian(s) may inform the school nurse.
- Alternatively, the student's parent(s) or guardian(s) may request that their primary physician make the disclosure. In this case, specific, informed, written consent of the student's parent(s) or guardian(s) is required.

- Further disclosure of the student's HIV status by the school nurse or school physician to the other school personnel requires the specific, informed, written consent of the student's parent(s) or guardian(s).

**MEDICAL GUIDELINES REGARDING STUDENTS WHO BLEED
IN AN UNCONTROLLABLE FASHION IN A SCHOOL SETTING**

A number of serious infectious diseases are spread by contact with human blood. Among these blood-borne infections is my (the virus that causes AIDS).

Consequently, students who bleed uncontrollably should not have routine contact with other individuals in school settings.

As a public health measure, students who exhibit the following conditions should be advised not to attend school until such time as these conditions are resolved.

- If a student has weeping or bloody skin or mouth sores that cannot successfully covered or controlled with medications.
- If the student exhibits biting of an unusual frequency or severity that would be accompanied by actual transfer of blood from the biter, as might happen only from a student with chronically bloody gums or mouth.
- If a student exhibits bloody diarrhea.

These conditions are grounds for the exclusion of any student from a school setting, regardless of whether she/he is known or suspected to harbor a blood-borne infection.

REF: Updated from Medical Update to Policy Guidelines: (Department of Public Health)

UNIVERSAL PRECAUTIONS FOR SCHOOL SETTINGS

Universal precautions refer to the usual and ordinary steps all school staff need to take in order to reduce their risk of infection with my, the virus that causes AIDS.

They are universal because they refer to the steps that need to be taken in all cases, not only when a staff member or student is known to be HIV infected.

They are precautions because they require foresight and planning, and should be integrated into existing safety guidelines.

Appropriate equipment (mops, buckets, bleach or other disinfectant, hot water, hand soap, disposable towels and protective gloves) must readily be available to staff members who are responsible for the clean-up of body fluid spills.

- Treat human blood spills with caution.

- Clean up blood spills promptly.

- Inspect the intactness of skin on all body parts, especially the hands.

- Cover any and all open cuts or broken skin, or ask another staff member to do the clean up. Gloves contribute an added measure of protection, but are not essential if skin is intact.

- Clean up blood spills with a solution of one part household bleach to ten parts water or other disinfectant, pouring the solution around the periphery of the spill. Disinfect mops, buckets and other cleaning equipment with fresh solution.

- Always wash hands after any contact with body fluids. This should be done immediately in order to avoid contaminating other surfaces or parts of the body (be especially careful not to touch your eyes before washing up). Soap and water will kill HIV.

- Clean up other body fluid spills (urine, vomitus, feces) unless grossly blood contaminated, in the usual manner. They do not pose a significant risk of HIV infection.

All staff receive Universal Precaution Kits containing gloves and gauze sponges. These should be kept readily available and used in the event a staff person is involved in immediate first aid when a student has a laceration of the skin or a nosebleed or when a student has been involved in an altercation.

REF: Adapted from Universal Precautions for School Settings, Massachusetts Department of Education and Medical Update to Massachusetts Policy Guidelines.

ADMINISTERING MEDICATIONS TO STUDENTS

Medication may not be administered to students while at school unless such medication is given to them by the school nurse acting under specific written request of the parent or guardian and under the written directive of the student's personal physician or school physician (see below for exceptions). When the school nurse is not present, a student who needs medication during the school day may be called to the office at the scheduled hour and reminded by the secretary to take the medication. This provision only applies when the correct dosage of the medication has been placed in an individual container clearly marked with the student's name, the dosage to be administered, and the time and/or conditions under which the medication is to be taken. In addition, the student must be able to recognize the medication that he/she is taking.

No one but the school nurse, and those others listed in the medical administration plan acting within the above restriction, may give any medication to any student.

Exceptions:

The school district shall, through the district nurse leader, register with the Dept. of Public Health and train personnel in the use of epinephrine auto-injectors.

The school district may, in conjunction with the School Physician and the School Nurse Leader, stock nasal naloxone (Narcan) and trained medical personnel and first responders may administer nasal naloxone to individuals experiencing a life threatening opiate overdose in a school setting.

If the school district wishes medical personnel to train non-medical staff in the administration of nasal naloxone, the School Committee shall vote to approve such training. The Superintendent shall ensure that said medical personnel have a written protocol which complies with medical directives and regulations from the Dept. of Public Health.

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

1. Students with asthma or other respiratory diseases may possess and administer prescription inhalers.
2. Students with cystic fibrosis may possess and administer prescription enzyme supplements.
3. Students with diabetes may possess and administer glucose monitoring tests and insulin delivery systems.
4. Students with life threatening allergies may possess and administer prescription epinephrine.

SOURCE: MASC March 2016

LEGAL REF.: M.G.L. [71:54B](#)

Dept. of Public Health Regulations: 105 CMR 210.00; 244 CMR 3.00

Approved by School Committee: 11.10.16

SCHOOL-BASED PUBLIC ACCESS DEFIBRILLATION PROGRAM

Introduction

Each year approximately 250,000 people die from sudden cardiac arrest (SCA). The chance of survival decreases an estimated 10% each minute without defibrillation even when prompt bystander Cardiopulmonary Resuscitation (CPR) is initiated. Use of an Automated External Defibrillator (AED) is intended to maximize the chance of survival based upon the steps taken during the critical minutes before emergency medical services (EMS) providers arrive and assume responsibility for the care of the patient. The following policy and procedures are designed to direct trained responders in the Weymouth Public Schools to deliver early defibrillation to victims of sudden cardiac arrest.

Purpose

The purpose of this policy is to define and establish standard operating guidelines in order for the Weymouth Public Schools Health Services to acquire maintain and utilize Automatic External Defibrillators (AED). The policy is intended to greatly increase the chance of survival of a sudden cardiac arrest prior to the arrival of the local EMS. This policy does not create an obligation to use the AED's nor to create any expectation that either an AED or trained employee will be present at every event. This policy will identify the AED Medical Director, EMS Liaison, Program Coordinator/Weymouth Public Schools Nurse Leader and Site Coordinator/School Nurse. It will include, regulatory and documentation requirements, AED storage sites, use and training requirements as well as roles and responsibilities of all AED providers.

Policy

- 1.0 An AED will be available to faculty, staff, students and visitors in participating school buildings (Phase I: WHS Phase II: Other school buildings as defibrillators become available)
- 2.0 The Site Leader/School Nurse is responsible for the AED.
- 3.0 The AED will be stored and maintained by the Site Leader/School Nurse in each participating nurse's office.
 - The AED will be kept in the nurse's office during regular school hours and at the end of the regular school day until such time as designated alarmed wall cabinets can be installed.
 - After school hours, the AED may be moved from its designated location by an AED-trained athletic trainer for use during sports activities. A log will be kept in the designated location and the AED must be signed in and out with the name of the athletic trainer and the location of the athletic event.

- 4.0 Whenever the school nurse is called to an emergency outside the confines of the Nurse's Office, the AED will be taken by him/her in addition to a medical emergency bag and walkie-talkie if available.
- 5.0 Only trained AED certified staff and bystanders are authorized to use an AED.
- All AED certified faculty and staff must maintain certification and participate in practice drills annually.
 - Bystanders who are trained to use an AED may, after identifying themselves as being trained, request and use the AED if it is accessible in the event of a sudden cardiac arrest on school grounds.
- 6.0 The Weymouth Public Schools, which is the AED provider agency, will meet all Department of Public Health requirements for AED implementation.
- 7.0 Responsibilities (as defined by the American Heart Association and as stated in the AED Program Memorandum of Agreement)
- The Medical Director will:
 - Oversee all medical aspects of the program
 - Ensures compliance with appropriate regulatory requirements, including specific requirements of M.G.L. c.112 §12V and 12V ½
 - Ensure proper skills training and maintenance of skills for targeted AED faculty and staff responders
 - Establish and review procedures for AED use
 - Establish a quality review and improvement program, that includes event information downloaded from the AED to obtain event information, post-drill and post debriefing
 - Establish and maintain a relationship with local EMS.
 - The School Nurse Leader (Program Coordinator) will:
 - Assist with the development and implementation of the AED program
 - Act as a liaison among the AED program participants
 - Coordinate and oversee non-medical aspects of the program
 - Coordinate documentation (relating to training, maintenance, use and post incident data collection including downloading and transmission of event information from the AED by Fallon Ambulance Service

- Coordinate training of AED certified Weymouth Public Schools staff
 - Maintain a master list of all AED certified Weymouth Public Schools staff and training records.
- The School Nurse (Site Leader) will:
 - Be responsible for the day-to-day accountability of the AED program at his/her site during the contracted school year.
 - Check AED equipment and accessories (by School Nurse and/or designees) and document, in accordance with maintenance procedures
 - Maintain a list of and documentation of training for all targeted AED responders at the site and forward copies to the Nurse Leader
 - Coordinate and document site-specific drills and refresher training
 - Maintain documentation regarding use of AED
 - Notify the Nurse Leader if the AED is out of service.
 - The EMS Liaison will:
 - Act as a resource to the Medical Director and School Nurse Leader
 - Conduct immediate post incident debriefing
 - Retain a copy of usage report for documentation

8.0 Training

- All School Nurses are required to maintain certification by the American Heart Association: BLS for Healthcare Providers.
- *All Building Medical Response Team Members* are required to have current documentation of successful completion of a course of basic life support (BLS) that includes cardiopulmonary resuscitation and the use of AED's according to standards and guidelines of the American Heart Association, preferably the Heartsaver AED Program. *First Aid training is an additional voluntary credential for Building Medical response Team Members.*
- The Nurse Leader and School Nurses will be responsible for coordinating and documenting initial AED training and annual refresher and biennial training for Building Medical Response Team Members/AED responders.
- At each participating school the Medical Response Team Leaders will make recommendations as to the number and identity of targeted responders.

- All employees of the Weymouth Public Schools will be offered the opportunity to receive CPR/AED training.
- Upon request by the Nurse Leader or Medical Director, the EMS Liaison will assist the school district as needed to accomplish AED training requirements.
- On site drills will be conducted at least once during the school calendar year by the School Nurse and/or EMS Liaison. Documentation of the drills will be done by School Nurse. Drills will include but not limited to:
 - Review of site-specific emergency communication and response plans
 - Use of specific AED device

Procedures

1.0 Location of the AED

PHASE I:

Weymouth High School/Gold has one AED device which is located in an alarmed wall unit in corridor by the security entrance and maintained by the school nurse in the Gold building.

Weymouth High School/Maroon has one AED device which is located in an alarmed wall unit in the maroon lobby opposite the Humanities Center and maintained by the school nurse in the Maroon building.

PHASE II:

Maria Weston Chapman Middle School has one AED which is stored and maintained in the nurse's office.

Abigail Adams Middle School has one AED device which is stored and maintained in the nurse's office.

Weymouth High School has one AED which is stored and maintained in the office of the athletic trainer. The AED is available and will be taken to athletic events by the athletic trainer.

Other school nurses offices will receive and store one AED as they become available. Each AED will be the responsibility of and maintained by the School Nurse.

PHASE III:

With the acquisition of additional AED's, the EMS Liaison, Medical Director and Program Coordinator will determine AED locations.

2.0 Maintenance

- Maintenance of the AED shall be the responsibility of the Weymouth Public Schools.
 - See the AED manufacture's Operating Instructions Manual for detailed maintenance information and instructions. The School Nurse and/or designee responsible for an AED will perform and document, during the school year as follows on the AED Log Sheet
 - Daily and after each use:
 - Check readiness display and confirm no battery indicator or service indicator displayed
 - Visually inspect the AED: Proper location, clean, no tampering.
 - Monthly and after each use:
 - Inspect AED case, connectors, and battery according to Operator's Checklist
 - Check station against inventory, and restock as needed
 - After each use:
 - Inspect exterior for dirt and contamination, clean if needed (See Operating Instructions)
 - Complete AED incident report
 - If the unit needs immediate service or supplies, remove from service and notify the Nurse Leader immediately. If the unit is still operational but requires service or supplies will expire soon, the School Nurse is to notify the Nurse Leader promptly.

3.0 Use of AED Chain of Survival

- Early access to EMS (911 or 8-911)
 - Assess responsiveness - tap victim and shout "Are you OK?"
 - If unresponsive, activate emergency response system
 - If alone, activate EMS by calling 911 and get AED
- If not alone, stay with victim and assign someone to activate EMS

Implement WPS/Crisis Response Plan for Medical
Emergency if during school hours

Early CPR

Check ABC's (Airway, Breathing, Circulation)

If no breathing, provide rescue breathing

If no circulation:

- If AED is immediately available, attempt early defibrillation
- If AED is not immediately available, perform CPR and prepare to attempt defibrillation when AED arrives

- Early Defibrillation

NOTE: Do not use AED on victim <8 years old or <55 lbs/25kgs.

Remove victim from contact with water and dry chest

- Power on AED
- Attach AED electrodes to victim's bare chest
- Allow AED to analyze (do not touch victim)
 - Clear victim during analysis (I'm clear, you're clear, everyone's clear")
- If advised to shock (do not touch victim)
 - Clear victim (I'm clear, you're clear, everyone's clear")
 - Press shock button
- Continue to follow AED prompts until EMS arrives

- Early Advanced Care

- EMS takes charge of victim upon arrival
- Provide victim information to EMS: name, age, known medical problems, details of incident, victim condition and aid provided including number of shocks administered
- Electrodes remain in place on victim (detached from device) School's AED remains with representative of school who returns device to Site Leader as soon as possible

4.0 Post Incident

- Responder notifies Site leader. Site Leader notifies the Principal and the Program Coordinator.
- Program Coordinator notifies the Superintendent of Schools, the Medical Director and the EMS Liaison.
- Responder must complete the event summary form and return to Site Leader or provide the information to Site leader to

complete the form. Site leader copies to Program Coordinator, who retains a copy and forwards a copy to the Medical Director. Site Leader documents additional information relating to the incident as appropriate. The Program Coordinator provides appropriate documentation to the Principal and Superintendent

- Site Leader takes AED out of service. Any AED data will be downloaded or printed from AED by or under the direction of the Program Coordinator. The Program Coordinator will retain one copy of the data report and forward one copy to the Medical Director.
- Before AED is entered back into service, Site Leader will inspect the AED according to "Maintenance"
- The Medical Director, Program Coordinator and EMS Liaison will conduct a post incident review (including quality improvement) and debrief program staff and those involved in the incident. As appropriate, the Medical Director and program Coordinator will also ensure patient outcome monitoring and a trained rescuer emotional support process.

GUIDANCE PROGRAM

Guidance is defined as helping individuals understand themselves in the light of their abilities, aptitudes, interests, attitudes, strengths and limitations. This process should assist students in the development of their potential; their decisions relating to personal, educational, and vocational matters, and also in becoming capable of mature self-guidance.

The school system's guidance program will be based on this definition and developed from these broad fundamental principles:

1. Individuals are different from one another in their capabilities, aptitudes, interests, needs, goals, desires and values.
2. Conditions may be improved. Equality of educational opportunity will benefit the individual and society.
3. Guidance is a continuous and developmental process. Every experience of the individual influences his/her performance in some way.
4. Guidance does not propose to program an individual's course of action but rather tries to assist him/her in arriving at his/her own satisfactory solutions.

Guidance services will include: educational guidance; testing programs; occupational, career, and higher education assistance and information; study aids; consultation services; and personal developmental guidance as needed. These services will be available to all students.

Guidance Counselors and other personnel shall represent to the students a broad spectrum of education and career opportunities. Race, color, sex, national origin, sexual orientation, disability and religion shall not be considered as limiting factors in career determination.

No material or tests shall be employed for guidance purposes which discriminate and/or limit choices on the bases of race, color, sex, religion, sexual orientation, disability or national origin.

While some of the problems of the individual may relate to behavior and consequently entail guidance on behavior, student discipline will not be a regular function of guidance personnel.

LEGAL REFS.: M.G.L. 71:38A through 71:38F; 71:46G
 603 CMR 26.04

MANAGEMENT OF LIFE THREATENING ALLERGIES

Policy

In order to minimize the incidence of life threatening anaphylactic allergic reactions, the Weymouth Public Schools will maintain a system-wide plan for addressing life threatening allergic reactions. This plan shall include: building-based general medical emergency plans, an Individual Epinephrine Emergency Action Plan (EEAP) for students with known life threatening allergies (LTA), appropriate staff training, age appropriate guidelines for students with LTA, and other such guidelines that will ensure that students with LTA can participate fully in school activities without fear of discrimination or isolation. For students and staff who have an anaphylactic allergic reaction for the first time while in school, emergency epinephrine medication is available and would be administered by a registered nurse following the Anaphylactic Reaction Protocol to minimize the incidence of a life-threatening situation.

Background

The number of students with life-threatening allergies has increased substantially over the last five years. As with all children with special health care needs, it is important that students with life-threatening allergies are able to access all education and education related benefits.

Every allergic reaction has the possibility to develop into a life-threatening and potentially fatal anaphylactic reaction. This can occur within minutes of exposure to the allergen. Some students who are very sensitive to their allergen may react to just touching or inhaling the allergen. For others, ingesting even the tiniest portion of their allergen or an insect sting can cause death.

Severe Allergic Reaction (Anaphylaxis)

Description: This is a rare and extremely serious form of allergy. It usually develops suddenly and requires rapid management to prevent shock and possible death.

Causes of an allergic reaction include:

- Foods such as peanuts, tree nuts, shellfish, spices, milk, food dyes
- Insect bite or sting, usually bee or wasp or fire ants
- Idiopathic
- Medication – oral, injected or immunizations
- An inhaled substance (dust, pollen, or chemicals)

- An absorbed substance (certain chemicals when in contact with the skin such as latex)

Signs and Symptoms:

- Sudden onset
- Hives, itchy red rash, swelling of the face or extremities
- Tightness of chest, shortness of breath, wheezing
- Itchy, tingling sensation or swelling of lips, tongue, throat, difficulty swallowing
- Repetitive throat clearing, change in quality of voice
- Sneezing, runny nose, itchy eyes, cough
- Pallor or flushing, dizziness, feeling of apprehension
- Nausea, abdominal cramps, vomiting
- Sweating and weakness
- Weak rapid pulse and low blood pressure
- LOSS OF CONSCIOUSNESS, SHOCK, COMA

Injection of Epinephrine or Epi-Pen auto injector is the treatment of choice for allergic emergencies (anaphylactic reactions). It quickly constricts blood vessels, relaxes smooth muscles in the lungs to improve breathing, stimulates the heartbeat, and works to reverse hives and swelling around the face and lips.

Procedures:

The School Nurse will be responsible for coordinating the management of students with life threatening allergies (LTA) in school. The management of LTA takes a multidisciplinary approach of collaboration between the family, student, principal/administrator, nurse, classroom teacher(s)/specialists, support staff, counselors, food services/cafeteria staff, lunch/recess paraprofessionals, transportation department, and custodial staff. Awareness, prevention and emergency preparedness are crucial elements in the management of a student with LTA. Each student with known LTA will have an Individual Epinephrine Emergency Action Plan (EEAP) on file that is signed by the student's physician, parent/guardian and school nurse. An Individual Health Care/504 Plan will be developed as deemed necessary by the parent, school nurse and building 504 coordinator.

Care Team Responsibilities

Family's Responsibility

- Notify the school nurse and Principal of the child's allergies.

- Provide written medical documentation and instructions as directed by a physician including completion of the Individual Epinephrine Emergency Action Plan.
- Provide a small photo of the child to be attached to the EEAP.
- Deliver/provide physician ordered medications in proper containers to the school nurse on or before the first day of school.
- Work with the school team to develop a plan that accommodates the child's needs throughout the school, including in the classroom, cafeteria, during field trips and on the bus.
- Parent/Guardian is responsible for sharing all allergy information including a copy of the EEAP with all before and after school programs/activities and with the transportation department.
- Participate in developing an Individual Health Care Plan or Section 504 plan with the school nurse and school psychologist/guidance counselor as necessary.
- Notify the school nurse of any changes in the EEAP including emergency contact phone numbers.
- Provide a list of foods and ingredients to avoid for those students with food allergies.
- Educate their child in the self-management of their food allergy including:

Safe and unsafe foods

Strategies to avoid exposure to their allergens

Symptoms of an allergic reaction

How and when to tell an adult about an allergy related

problem

How to read food labels (age appropriate)

- Provide safe snacks (to be kept in the classroom at the elementary level) for classroom parties and other special events.
- Provide safe meals from home, if possible. This is the safest option for a child with life-threatening food allergies.
- Obtain a medical alert bracelet/necklace and encourage your child to wear it at all times.
- Provide the school nurse with annual updates on your child's allergy status.
- Work with the food services director and building cafeteria staff to ensure that a safe school meal option is selected if the student will eat food prepared by the school.
- Sign release to share information with staff pertaining to LTA and to post information if appropriate.
- Make a plan with the school nurse as to when the student would be responsible enough to carry his or her own Epi-Pen auto injector.
- Provide the school nurse with the licensed provider's statement if student no longer has allergies.

Student's Responsibility

- Learn to recognize symptoms of an allergic reaction.

- Notify an adult immediately if he/she is experiencing signs/symptoms of an allergic reaction.
- Do not share or trade food, drinks or eating utensils with others.
- Avoid eating anything with unknown ingredients or known to contain any allergen.
- Be proactive in the care and management of his/her allergies and reactions based on his/her developmental level.
- Report teasing, bullying and threats to an adult immediately.
- Carry his/her own Epi-Pen auto injector when deemed appropriate.
- Understand the importance of hand washing before and after eating.

The ultimate goal is that children with LTA will eventually learn to keep themselves safe.

Principal/Administrator (or designee) Responsibilities

- Support faculty, staff and parents in implementing all aspects of the LTA program.
- Provide opportunities for training and education for faculty, staff and substitutes regarding:
 - Life threatening allergies (foods, insect stings, medications, latex)
 - Risk reduction procedures
 - Emergency procedures
 - How to administer an Epi-Pen auto injector in an emergency.

School Nurse Responsibilities

The school nurse is the key resource for medical direction and staff/student training. The school nurse **MUST** be contacted as soon as a student is identified with an allergy.

- Work with the parent/guardian and physician to develop an EEAP and if deemed necessary, an IHCP or section 504 plan prior to the student starting school or immediately after the diagnosis of a LTA condition.
- Assure that the EEAP includes the student's name, photo, allergens, and symptoms of allergic reaction, emergency procedures and required signatures.
- Communicate the EEAP and IHCP/504 plan with school staff that have a "need to know" designation (e.g. principal, classroom teachers, specialists, food service personnel, lunch/recess paraprofessionals, custodian, coaches)
- As necessary, arrange and convene a meeting with the principal, classroom teacher(s), specialists, and building 504 coordinator to explain the EEAP and IHCP/504 and other accommodations that the student may require.
- At the beginning of each school year and in February, provide education and training to all school personnel who have agreed to be trained in the administration of emergency epinephrine. (See medication policy for training protocol)

- Maintain open and frequent communications between home and school. Review the EEAP annually and update as needed.
- Monitor emergency medication expirations dates.
- Meet with student and show him/her how to get to the health office and where the Epi-pen medication is stored (unlocked).
- Student education on LTA will be based on individual need within the schools and classrooms. The school nurse will facilitate and conduct programs, as the need is determined. (Video is available)
- Assess the student for his/her ability to self-administer epinephrine and determine the appropriateness of the student carrying his/her Epi-Pen. If the student carries his/her own Epi-Pen, a second Epi-Pen must be left in the health office as backup.
- If an Epi-Pen is administered, the Massachusetts Department of Public Health form must be completed and mailed to the address on the form. A copy is to be sent to the Health Services Coordinator and a copy placed in the student's health record.

Classroom Teacher/Specialist Responsibilities

The teacher has the greatest impact on the student and classroom environment. Making the school a place where the student can be accepted is very important. Key responsibilities are:

- Review the EEAP with the school nurse and incorporate any classroom accommodations as specified in the IHCP/Section 504 plan.
- Participate in a meeting with the parent/guardian, nurse, principal and other care team members as deemed necessary to develop a plan for the student with LTA.
- Review the signs and symptoms of anaphylaxis.
- Follow the medical emergency policy if a student develops symptoms associated with anaphylaxis. Faculty/staff who have been trained in administration of emergency epinephrine (Epi-Pen) may do so and then immediately notify the school nurse.
- Develop a system for notifying a substitute teacher of which students have LTA in the classroom. (See attached form)
- Avoid the use of foods for classroom activities such as craft and science projects as well as special celebrations.
- Inform the parent/guardian of any school event where food will be served.
- Review plans for field trips and avoid high-risk places. Consider eating situations on field trips and plan for prevention of exposure to the student's LTA.
- Notify the nurse as soon as a field trip is planned so a substitute nurse can be obtained. If a nurse is unavailable, then at least one staff member must be trained in the administration of emergency Epi-Pen and in emergency procedures. At the elementary level,

invite the parent of the child with LTA to attend the field trip if possible.

- At the elementary level, establish procedures for snacks that are eaten in the classroom. Prohibit students from sharing and trading foods.
- Avoid cross contamination of foods by wiping down eating surfaces with soap and water after eating.
- Reinforce hand washing before and after eating when ever possible.
- If outdoors, take a walkie-talkie or have cell phone available for emergencies.

Food Service Manager Responsibilities

- Participate in a meeting with the school nurse and other care team members as deemed necessary to develop a plan for the student with LTA.
- Know the ingredients of school food items and recheck labels routinely for potential food allergens.
- Train all food service staff and their substitutes to read product labels and recognize food allergens.
- Label peanut and nut products that are produced by food services.
- Review and follow sound food handling practices to avoid cross contamination.
- Strictly follow cleaning and sanitation protocol to avoid cross contamination.
- Use only non-latex gloves
- Provide advanced copies of menus, food ingredients and menu changes in writing if requested by parent/guardian.

School Bus Company Responsibilities

- Inform individual school bus drivers that he/she is transporting a child with a Life Threatening Allergy. Information will be provided by health services coordinator.
- Provide guidelines supplied by the health services coordinator to all school bus drivers and substitute drivers on managing LTA.
- Provide time for training in emergency response as deemed necessary by the school nurse.
- Review medical emergency procedures.
- Enforce a “no eating” policy on school buses with exceptions made only to accommodate special need under federal or similar laws.

REPORTING CHILD ABUSE AND NEGLECT

Massachusetts General Laws requires that administrators, school nurses, and teachers report suspected cases of child abuse. Teachers and all other staff should report suspicion of child abuse orally to the building Principal.

The principal or designee shall file a written report with the D.S.S. Office, 541 Main St., So. Weymouth (331-6600) within 48 hours of the initial call. A copy should be forwarded to the Superintendent's Office. The appropriate forms are available in each building or in the Administration Building.

STUDENT FEES, FINES, AND CHARGES

The School Committee recognizes the need for student fees to fund certain school activities. It also recognizes that some students may not be able to pay these fees; principal or designee will assist families who request, through a written waiver, payment plan or reduction of fees.

A school may exact a fee or charge only upon School Committee approval. The schools, however, may:

- Charge students enrolled in certain courses for the cost of materials used in projects that will become the property of the student.
- Charge for lost and damaged books, materials, supplies, and equipment.

Economically disadvantaged students are not exempt from charges for lost and damaged books, locks, materials, supplies, uniforms and equipment.

All student fees and charges, both optional and required, will be listed and described annually as part of the each school's fee schedule for primary and middle schools. High School fee schedules will be distributed by the assigned appropriate department, as determined by the building principal or designee. Permissible penalties for non-payment include the loss of privilege to participate in extracurricular activities.

All outstanding debts must be resolved (payment, payment plan or waiver) in order for students to participate in any extracurricular activities.

SC approved: 5.24.18

STUDENT RECORDS

In order to provide students with appropriate instruction and educational services, it is necessary for the school system to maintain extensive and sometimes personal information about them and their families. It is essential that pertinent information in these records be readily available to appropriate school personnel, be accessible to the student's parents or legal guardian and/or the student in accordance with law, and yet be guarded as confidential information.

The Superintendent will provide for the proper administration of student records in keeping with state and federal requirements, and shall obtain a copy of the state student records regulations (603 CMR 23.00). The temporary record of each student enrolled on or after June 2002 will be destroyed no later than seven years after the student transfers, graduates or withdraws from the school district. Written notice to the eligible student and his/her parent of the approximate date of destruction of the temporary record and their right to receive the information in whole or in part, shall be made at the time of such transfer, graduation, or withdrawal. The student's transcript may only be destroyed 60 years following his/her graduation, transfer, or withdrawal from the school system.

The Committee wishes to make clear that all individual student records of the school system are confidential. This extends to giving out individual addresses and telephone numbers.

LEGAL REFS: Family Educational Rights and Privacy Act of 1974,
 P.L. 93-380, Amended
 P.L. 103-382, 1994
 M.G.L. 66:10 71:34A, B, D, E, H
 Board of Education Student Record Regulations
 adopted 2/10/77, June 1995 as amended June
 2002
 603 CMR: Dept. Of Education 23.00 through 23:12
 also
 Mass Dept. Of Education publication Student
 Records; Questions, Answers and Guidelines,
 Sept. 1995

CROSS REF: KDB, Public's Right to Know

STUDENT RECORDS

603 CMR 23.00 is promulgated by the Board of Education pursuant to its powers under M.G.L.c.71, s.34D which directs that “the board of education shall adopt regulations relative to the maintenance of student records by the public elementary and secondary schools of the commonwealth,” and under M.G.L.c.71, s.34F which directs that “the board of education shall adopt regulations relative to the retention, duplication and storage of records under the control of School Committees, and except as otherwise required by law may authorize the periodic destruction of any such records at reasonable times.” 603 CMR 23.00 was originally promulgated on February 10, 1975, and was reviewed and amended in June 1995. 603 CMR is in conformity with federal and state statutes regarding maintenance of and access to student records, and are to be construed harmoniously with such statutes.

Application of Rights

603 CMR 23.00 is promulgated to insure parents’ and students’ rights of confidentiality, inspection, amendment, and destruction of students’ records and to assist local school systems in adhering to the law. 603 CMR 23.00 should be liberally construed for these purposes.

- (1) These rights shall be the rights of the student upon reaching 14 years of age or upon entering the ninth grade, whichever comes first. If a student is under the age of 14 and has not yet entered the ninth grade, these rights shall belong to the student’s parent.
- (2) If a student is from 14 through 17 years or has entered the ninth grade, both the student and his/her parent, or either one acting alone, shall exercise these rights.
- (3) If a student is 18 years of age or older, he/she alone shall exercise these rights, subject to the following. The parent may continue to exercise the rights until expressly limited by such student. Such student may limit the rights and provisions of 603 CMR 23.00 which extend to his/her parent, except the right to inspect the student record, by making such request in writing to the school Principal or Superintendent of Schools who shall honor such request and retain a copy of it in the student record. Pursuant to M.G.L. c.71, s.34E, the parent of a student may inspect the student record regardless of the student’s age.
- (4) Notwithstanding 603 CMR 23.01(1) and 23.01(2), nothing shall be construed to mean that a School Committee cannot extend the provisions of 603 CMR 23.00 to students under the age of 14 or to students who have not yet entered the ninth grade.

Definition of Terms

The various terms as used in 603 CMR 23.00 are defined below:

Access: shall mean inspection or copying of a student record, in whole or in part.

Authorized school personnel: shall consist of three groups:

- (1) School administrators, teachers, counselors and other professionals who are employed by the School Committee or who are providing services to the student under an agreement between the School Committee and a service provider, and who are working directly with the student in an administrative, teaching, counseling and/or diagnostic capacity. Any such personnel who are not employed directly by the School Committee shall have access only to the student record information that is required for them to perform their duties.
- (2) Administrative office staff and clerical personnel, including operators of data processing equipment or equipment that produces microfilm/microfiche, who are either employed by the School Committee or are employed under a School Committee service contract, and whose duties require them to have access to student records for purposes of processing information for the student record. Such personnel shall have access only to the student record information that is required for them to perform their duties.
- (3) The evaluation team that evaluates a student.

Eligible student: shall mean any student who is 14 years of age or older or who has entered 9th grade, unless the School Committee acting pursuant to 603 CMR 23.01(4) extends the rights and provisions of 603 CMR 23.00 to students under the age of 14 or to students who have not yet entered 9th grade.

Evaluation Team: shall mean the team, which evaluates school-age children pursuant to M.G.L.c.71B (St. 1972, c.766) and 603 CMR 28.00.

Parent: shall mean a student's father or mother, or guardian, or person or agency legally authorized to act on behalf of the child in place of or in conjunction with the father, mother, or guardian. Any parent who by court order does not have physical custody of the student, is considered a non custodial parent for purposes of M.G.L. c. 71, s.34H and 603 CMR 23.00. This includes parents who by court order do not reside with or supervise the student, even for short periods of time.

Release: shall mean the oral or written disclosure, in whole or in part, of information in a student record.

School-age child with special needs: shall have the same definition as that given in M.G.L. c. 71B (St. 1972, c.766) and 603 CMR 28.00.

School committee: shall include a school committee, a board of trustees of a charter school, a board of trustees of a vocational-technical school, a board of directors of an educational collaborative and the governing body of an M.G.L. c.71B (Chapter 766) approved private school.

Student: shall mean any person enrolled or formerly enrolled in a public elementary or secondary school or any person age three or older about whom a School Committee maintains information. The term as used in 603 CMR 23.00 shall not include a person about whom a School Committee maintains information relative only to the person's employment by the School Committee.

The student record: shall consist of the transcript and the temporary record, including all information, recording and computer tapes, microfilm, microfiche, or any other materials, regardless of physical form or characteristics concerning a student that is organized on the basis of the student's name or in a way that such student may be individually identified, and that is kept by the public schools of the Commonwealth. The terms as used in 603 CMR 23.00 shall mean all such information and materials regardless of where they are located, except for the information and materials specifically exempted by 603 CMR 23.04.

The temporary record: shall consist of all the information in the student record which is not contained in the transcript. This information clearly shall be of importance to the educational process. Such information may include standardized test results, class rank (when applicable), extracurricular activities, and evaluations by teachers, counselors, and other school staff.

Third party: shall mean any person or private or public agency, authority, or organization other than the eligible student, his/her parent, or authorized school personnel.

Log of Access: A log shall be kept as part of each student's record. If parts of the student record are separately located, a separate log shall be kept with each part. The log shall indicate all persons who have obtained access to the student record, stating: the name, position and signature of the person releasing the information; the name, position and, if a third party, the affiliation if any, of the person who is to receive the information; the date of access; the parts of the record to which access was obtained; and the purpose of such access. Unless student record information is to be deleted or released, this log requirement shall not apply to:

Authorized school personnel under 603 CMR 23.02(9)(a) who inspect the student record;

Administrative office staff and clerical personnel under 603 CMR 23.02(9)(b), who add information to or obtain access to the student record; and

School nurses who inspect the student health record.

Access of Third Parties. Except for the provisions of 603 CMR 23.07(4)(a) through 23.07(4)(h), no third party shall have access to information in or from a student record without the specific, informed written consent of the eligible student or the parent. When granting consent, the eligible student or parent shall have the right to designate which parts of the student record shall be released to the third party. A copy of such consent shall be retained by the eligible student or parent and a duplicate placed in the temporary record. Except for the information described in 603 CMR 23.07(4)(a), personally identifiable information from a student record shall only be released to a third party on the condition that he/she will not permit any other third party to have access to such information without the written consent of the eligible student or parent.

- (a) A school may release the following directory information: a student's name, address, telephone listing, date and place of birth, major field of study, dates of attendance, weight and height of members of athletic teams, class, participation in officially recognized activities and sports, degrees, honors and awards, and post-high school plans without the consent of the eligible student or parent; provided that the school gives public notice of the types of information it may release under 603 CMR 23.07 and allows eligible students and parents a reasonable time after such notice to request that this information not be released without the prior consent of the eligible student or parent. Such notice may be included in the routine information letter required under 603 CMR 23.10.

Access Procedures for Non-Custodial Parents. As required by M.G.L. c.71, s.34H, a non-custodial parent may have access to the student record in accordance with the following provisions.

- (a) A non-custodial parent is eligible to obtain access to the student record unless:
 - 1. The parent has been denied legal custody based on a threat to the safety of the student or to the custodial parent, or
 - 2. The parent has been denied visitation or has been ordered to supervised visitation, or
 - 3. The parent's access to the student or to the custodial parent has been restricted by a temporary or permanent

protective order, unless the protective order (or any subsequent order modifying the protective order) specifically allows access to the information contained in the student record.

- (b) In order to obtain access, the non-custodial parent must submit a written request for the student record to the high school Principal annually. The initial request must include the following:
 - 1. A certified copy of the court order or judgment relative to the custody of the student that either indicates that the requesting parent is eligible to receive access as set forth in 603 CMR 23.07(5)(a), or a certified copy of a court order specifically ordering that the student records be made available to the non-custodial parent, and
 - 2. An affidavit from the non-custodial parent that said court order or judgment remain in effect and that there is no temporary or permanent order restricting access to the custodial parent or any child in the custodial parent's custody.
- (c) The non-custodial parent must submit a written request for a access each year stating that said parent continues to be entitled to unsupervised visitation with the student and is eligible to obtain access as set forth in 603 CMR 23.07(5)(a).
- (d) Upon receipt of the request (initial and annual) the school must immediately notify the custodial parent by certified and first class mail, in English and the primary language of the custodial parent, that it will provide the non-custodial parent with access after 21 days, unless the custodial parent provides the Principal with documentation that the non-custodial parent is not eligible to obtain access as set forth in 603 CMR 23.07(5)(a).
- (e) The school must delete the address and telephone number of the student and custodial parent from student records provided to non-custodial parents. In addition, such records must be marked to indicate that they shall not be used to enroll the student in another school.
- (f) Upon receipt of a court order which prohibits the distribution of information pursuant to M.G.L. c.71, s.34H, the school shall notify the non-custodial parent that it shall cease to provide access to the student record to the non-custodial parent.

At least once during every school year, the school shall publish and distribute to students and their parents in their primary language a routine information letter informing them of the following:

- (a) The standardized testing programs and research studies to be conducted during the year and other routine information to be collected or solicited from the student during the year.
- (b) The general provisions of 603 CMR 23.00 regarding parent and student rights, and that copies of 603 CMR 23.00 are available to them from the school.

LEGAL REFS: Family Educational Rights and Privacy Act of 1974
 P.L. 93-380, Amended
 P.L. 103-382, 1994
 M.G.L. 66:10 71:34 A, B, D, E, H
 Board of Education Student Record Regulations
 adopted 2/1077, June 1995 as amended June
 2002.
 603 CMR: Dept. Of Education 23.00 through 23:12
 also
 Mass Dept. Of Education publication Student
 Records; Questions, Answers and Guidelines,
 Sept. 1995

CROSS REF: KDB, Public's Right to Know

STUDENT PHOTOGRAPHS

Individual schools may arrange, in cooperation with either the school's parent organization, student council, designated student committee, or a staff committee, to take individual student and/or class group pictures. Awarding of the photographic services shall be conducted through bidding procedures.

Individual and/or class group pictures may be taken at the school facility and during the regular school day hours. The pictures shall be made available for purchase by students and/or parents on a voluntary basis. The building Principal or his/her designee shall have final authority in authorizing the picture-taking program and will be responsible for overseeing the process.

Students may be required to have an individual picture taken for the cumulative file or identification purposes; however, no student shall be pressured or required to purchase photographs.

The purpose of the policy is to:

- Enhance the safety of students through visual identification in an emergency situation.
- Facilitate the social, educational, and administrative activities conducted in the school.
- Provide a service to parents and students.
- Allow the profits gained from the picture-taking program to be used by the sponsoring group and authorized by the building Principal.

Death of a Weymouth High School Student

Within two (2) months after the death of a WHS student, the high school principal will contact the Weymouth High School student's parents or guardians by phone. The principal will invite the parents or guardians to meet with the Weymouth Public School's "Remembrance Committee". This phone call will be followed up with written information within 7 days.

A Remembrance Committee will be convened and consist of the following:

Remembrance Committee:

- WPS Superintendent or his/her designee
- One member of School Committee
- WHS Principal or his/her designee
- One faculty member (who knew the student)
- One member of the counseling staff
- Parents/ guardians of the deceased student

The Remembrance Committee will provide the following options:

1. Receipt of a Posthumous Diploma* at the WHS graduation held the year he or she would have graduated as part of the natural flow of the ceremony.
2. Receipt of a Posthumous Diploma* at a private ceremony to be determined by the Remembrance Committee.
3. Receipt of a Posthumous Diploma in the mail.
4. None of the above

*Wording on the WHS Posthumous Diploma will be determined by the Remembrance Committee.