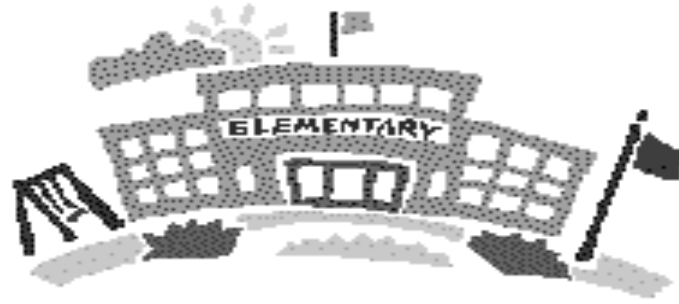


STUDENT-PARENT HANDBOOK 2011-2012



Westfield Elementary Schools

ABNER GIBBS K-5

Maggie Adams, Principal

**50 West Silver Street
Westfield, MA 01085**

(413) 572-6418

<http://www.schoolsofwestfield.org/ag/index.html>

FRANKLIN AVENUE K-5

Leslie Clark-Yvon, Principal

**22 Franklin Avenue
Westfield, MA 01085**

(413) 572-6424

<http://www.schoolsofwestfield.org/fa/index.html>

HIGHLAND K-5

James Kane, Principal

Christopher Manfredi, Assistant Principal

**34 Western Avenue
Westfield, MA 01085**

(413) 572-6428

<http://www.schoolsofwestfield.org/hlnd/index.html>

JUNIPER PARK K-3

Arlene Speigel, Interim Principal

**715 Western Avenue
Westfield, MA 01085**

(413) 572-8280

<http://www.schoolsofwestfield.org/jp/index.htm>

MUNGER HILL K-5

Carla Lussier, Principal

Dorothy O'Neil, Assistant Principal

33 Mallard Lane

Westfield, MA 01085

(413) 572-6520

<http://www.schoolsofwestfield.org/mh/index.htm>

PAPER MILL K-5

Susan Dargie, Principal

Jennifer Roux, Assistant Principal

148 Paper Mill Road

Westfield, MA 01085

(413) 572-6519

<http://www.schoolsofwestfield.org/pm/index.html>

SOUTHAMPTON ROAD K-5

Jennifer Williard, Principal

Kathleen O'Donell, Assistant Principal

330 Southampton Road

Westfield, MA 01085

(413) 572-6435

<http://www.schoolsofwestfield.org/sr/index.html>

WESTFIELD PUBLIC SCHOOLS
WESTFIELD, MASSACHUSETTS
<http://www.schoolsofwestfield.org>
WESTFIELD SCHOOL COMMITTEE

Mayor, Daniel Knapik, Chairperson
Mrs. Mary Beth Ogulewicz Sacco
, Vice Chairperson
Mrs. Mary Ann Cleland, Secretary
Mrs. Cindy Sullivan
Mrs. Laura Maloney
Mr. William Duval
Mr. Kevin Sullivan

SUPERINTENDENT OF SCHOOLS

Dr. Suzanne Scallion
22 Ashley Street
Westfield, MA 01085
Tel: (413) 572-6403
Fax: (413) 572-6518
Answering Machine: (413) 572-6417
Email: suptsofc@schoolsofwestfield.org

CHIEF OFFICER OF OPERATIONS AND HUMAN RESOURCES

TBD

@schoolsofwestfield.org

ADMINISTRATOR OF SPECIAL EDUCATION AND STUDENT SUPPORT

Dr. Joseph A. Dupelle
j.dupelle@schoolsofwestfield.org

CHIEF FINANCIAL OFFICER

Mr. John Kane
jo.kane@schoolsofwestfield.org

TRANSPORTATION AND RELATED BUSINESS SUPPORT DIRECTOR

Mrs. Pamela Kotarski
p.kotarski@schoolsofwestfield.org

DIRECTOR OF OPERATIONS, MAINTENANCE AND FOOD SERVICES

Mr. Frank Maher
f.maher@schoolsofwestfield.org

DIRECTOR OF INSTRUCTION AND CURRICULUM

Ms. Denise Ruzala
d.ruzala@schoolsofwestfield.org

DIRECTOR OF GRANTS AND RESEARCH

Mrs. Michelle Santangelo
m.santangelo@schoolsofwestfield.org

Receipt of Handbook
PreK-12 Parents and Students

September 2011

Dear Parent/Guardian/Student:

This handbook has been prepared to tell you about your school. In it you will find the rules, regulations and other important information that make it possible for all of us to live, learn and work together. This handbook will tell you exactly what is expected of you at your school. **Read this thoroughly and carefully now. Do not wait.** Be sure you and your children understand everything in it. If you have any questions about the information in the handbook, please contact the building principal.

Dr. Suzanne Scallion
Superintendent of Schools

Thank you for reading this handbook. Please note:

Westfield High School and Vocational-Technical High School Parents and Students: In addition to signing your receipt of this handbook (below), please also sign the **NCLB Recruiter Access to Student Information** page. **Both** must be returned to your homeroom teacher within 10 days of receipt.

Parent/Guardian Signature

Date

Parent/Guardian Signature

Date

Student Signature

Date

Student Homeroom Number

Release of Student Images

I hereby authorize and consent that the Westfield Public Schools and their representatives and assigns shall have the right to copyright, publish or use any and all photographic portraits, pictures, movie films, computer/internet images, videotapes, and/or sound recordings they have taken or made of my child while attending the Westfield Public Schools in any program in conjunction with the Westfield Public Schools for any lawful purpose. I understand that my child's name may be released in conjunction with the above.

I understand that the images of my child will be used for the purpose of educating parents, professionals, students and community members regarding the implementation and maintenance of quality education for all students and not for any financial gain.

I hereby waive all claims for any compensation for such use or for damages.

I hereby waive any right I may have to inspect and/or approve the finished product that may be used.

I hereby certify I am duly authorized to enter into this agreement on behalf of my child. I state further that I have read the above authorization and release prior to its execution and that I am fully familiar with the contents thereof.

If I choose to revoke consent, I will advise the school of my revocation in writing.

Child's Name: _____ Room: _____

Parent's Signature: _____ Date: _____

.....
I **do not** consent to publication with respect to my child.

Child's Name: _____ Room: _____

Parent's Signature: _____ Date: _____

Index

RECEIPT OF HANDBOOK	iii
RELEASE OF STUDENT IMAGES	iv

Section I

School Handbook

Letter to Students and Parents	1
Abuse/Neglect Reporting	1
Dismissal	1
Bicycles	1
Building Utilization	1
Cafeteria-Breakfast/Lunch	1
Entrance Requirements	1
Field Trips	1
Lost/Stolen Property	2
Parent/School Contacts	2
Report Cards/Progress Reports	2
Grade/Classroom Placement	2
Care of School Property	2
Student Dress	2
Bus Transportation	2-3
School Insurance	3
School Sessions	3
Attendance/Visitors	3
Cancellation of School	4

Section II

District Policies

SECTION I – Elementary Schools Handbook

LETTER TO STUDENTS AND PARENTS

This handbook was developed by the elementary principals to answer questions concerning general policies and practices followed in the elementary schools. For more precise statements of formal school committee policies, consult the policy binder on file at each school. Frequent contact and communication between parents and school personnel are essential to your child's success in school.

ABUSE/NEGLECT REPORTING

Public school teachers, principals, nurses, psychologists and counselors are mandated by law to report any signs of possible child abuse or neglect to the appropriate authorities.

DISMISSAL

Students should not be dismissed from school for any reasons except in an emergency. The following rules are observed in our schools, and your cooperation is requested.

1. No teacher will dismiss a student without the principal's authorization.
2. If the parent does not appear in person a note must be presented to the principal or the principal must be personally acquainted with the situation.
3. No student will be excused into the custody of any person not properly identified.
4. Students will be dismissed at the close of the school day and parents will assume responsibility at that time.

BICYCLES

Bicycles ridden to school must be parked in the designated area. Helmets must be worn in accordance with the state regulations for bicycle safety. It is the rider's responsibility to secure the bicycle. They should not be left overnight or used during the school day. Parents must assume liability with regard to the use, loss, or damage to bicycles brought to school.

BUILDING UTILIZATION

A floor plan of each building is available upon request at the individual school offices.

CAFETERIA-BREAKFAST/LUNCH

Well-balanced breakfast and lunch meals are available at a nominal cost to students. Menus for the month are published and a copy sent home with each student. Those who bring a lunch from home may purchase milk. Free and reduced rates are available for those who meet the criteria.

ENTRANCE REQUIREMENTS

The following requirements must be met to enroll a child in school:

1. The entrance age for all kindergarten students shall be five (5) years of age on or before August 1st.
2. The entrance age for grade 1 shall be six (6) years of age on or before August 1st.
3. All children entering kindergarten must present evidence of having been screened for lead poisoning.
4. A birth certificate must be presented. This will be returned to the parent/guardian.
5. A doctor's certificate must be presented certifying that the child has been successfully immunized against diphtheria, pertussis, tetanus, measles, polio, rubella, and mumps, unless exempted for medical or religious reasons or as otherwise provided by law.
6. Registration forms available at school offices must be completed and submitted to the school office.
7. A Massachusetts licensed physician must examine each child. Medical exemptions must be in writing from a physician.
8. State law mandates a pre-kindergarten screening be conducted for each entering kindergartner.
9. Parents of transfer students must complete a records release form except as otherwise provided by law.
10. Changes of address, home phone numbers and emergency numbers should be reported to the school office promptly.

FIELD TRIPS

Field trip notices will be sent home to advise parents of field trips and the amount of money that may be needed for transportation and admission. Parents must sign notification forms for trips outside the Westfield area. When children are on field trips they are expected to behave and follow the rules that have been set up in the classroom. A child who is disruptive or endangers the safety of other children will not be allowed to continue the field trip. The parent will be contacted to come and pick up the child. A child may be excluded from a field trip if, in the judgment of the principal, he/she may present a potential safety problem.

LOST/STOLEN PROPERTY

Children should not bring money or valuables to school. The Westfield Public Schools assumes no responsibility for any lost or stolen items. Lost and found items are sent to the office and placed there in a box. Students should check the box for lost items. It is recommended that all articles brought to school be labeled. Parents are encouraged to look through the lost and found items at any time.

PARENT - SCHOOL CONTACTS

When a question or problem arises, parents should feel free to contact the classroom teacher first. If further information or action is required, the building principal should be contacted. If a resolution is not reached the Superintendent of Schools should be contacted.

REPORT CARDS/PROGRESS REPORTS

The Westfield Public Schools issues elementary report cards four times each year. These quarterly reports, in conjunction with parent teacher conferences, are the method for reporting your child's progress to you. The reports are curriculum based, and as such, are constructed to be directly related to particular grade levels. The Kindergarten programs have three progress reports per year, the first is a social one and the other two will be reflective of all areas. Kindergarten progress reporting is handled in the parent-teacher conference. At that time a written "checklist for kindergarten conferences" is given to the parent. This checklist is not intended as a report card but rather as a written reference to the parent-teacher conference.. Teachers are always willing to confer with parents when needed regarding a child's progress in school. We urge you to maintain frequent contact with your child's teacher.

GRADE/CLASSROOM PLACEMENT

In general, students transferring into the system will be placed in the same grade level as in the school from which they transferred. Grade and classroom placement is made at the discretion of the principal. Retention may be considered when:

1. The child is achieving significantly below ability and grade level.
2. Retention would not cause an undue social and emotional adjustment.
3. Retention would have reasonable chance of benefiting the child.

Whenever such retention is being considered, the parents shall be invited to a meeting with the teacher and principal. This discussion shall consist of an explanation to the parents of the child's current academic standing in relationship to the group and his or her individual ability. The principal will make the final decision. A decision to retain a student may be followed by a special education evaluation, if one has not already been conducted.

CARE OF SCHOOL PROPERTY BY STUDENTS

It is the responsibility of students to ensure that books and materials belonging to the Westfield Public Schools are returned in acceptable condition. Students responsible for lost, damaged or defaced property must pay for the property.

STUDENT DRESS

Students are expected to dress in accordance with the Student Dress policy of the Westfield School Committee.

BUS TRANSPORTATION

The Westfield Public Schools provides free bus transportation for all eligible students in accordance with applicable laws. The authority of the school begins and ends at the bus stops, both in the morning and in the afternoon. As such, all school rules apply to student activity during these times. Students who violate school rules may have their privilege to ride the school bus revoked in addition to any standard disciplinary action. If a student is suspended from riding the bus, it becomes the responsibility of the student and his/her parents to provide transportation to and from school. Additional rules that apply specifically to riding the school bus are:

1. Abusive language is prohibited on school buses.
2. No smoking will be permitted on a school bus.
3. Horseplay of any kind will not be allowed on the bus regardless of whether the bus is standing or moving. This means that all students will:
 - a. not kneel on bus seats and talk to persons on seats behind them;
 - b. not tamper with the bus and its equipment, especially the windows.
 - c. not put arms, legs, head or any part of their body out of the window;
 - d. not move around or change seats in the bus once it is in motion.
4. No throwing of objects, regardless of whether the bus is standing still or moving.
5. No rough or disorderly physical misbehavior will be permitted on the bus.
6. Chewing gum, eating food or drinking beverages is not allowed on the bus.

7. No items may be carried on the bus except materials that will be held by the student or placed on the floor under the seat directly in front of the student.
8. The emergency doors of school buses are for emergency use only.
9. When getting on and off the bus, students shall cross in front of the bus and only upon the receiving of a signal to cross from the bus driver.

Students being transported are under the authority of the bus driver. The bus driver is required to report rule violations. Continued disorderly conduct or refusal to submit to the authority of the bus driver is sufficient cause for a student to be refused transportation on school buses. A student may be suspended from bus transportation upon the principal's receipt of the student's third Bus Conduct Report and the receipt of any subsequent Bus Conduct Report could result in a subsequent suspension.

BUS CONDUCT REPORTS

Unfulfilled disciplinary assignments will be carried forward and continued at the start of the following school year.

ALTERNATE BUSES: On occasion, and with prior approval of the transportation company and the principal, a bus student may be eligible to ride an alternate bus.

1. No bus will be rerouted to provide transportation for any individual or group without directions from the transportation office.
2. Buses will only stop to discharge students at regularly scheduled stops. No additional stops will be scheduled without directions from the Transportation Office.
3. The principal should receive a written request from the parent for any alternative transportation. If, in the bus company's judgment, the request is valid and there is adequate room on the bus, and items #1 and #2 above are observed, the bus company may grant this request.

SCHOOL INSURANCE

A reasonably priced accident insurance policy is available for all children. Early in the school year you will receive literature which describes the various options that are available. Children who enter school after the beginning of the year are eligible to apply for insurance by obtaining an application form from the school office. You should remember that the school department's only function in this matter is one of service. All matters relating to claims are the responsibility of the family and the insurance company.

SCHOOL SESSIONS 2011-2012

All Elementary Schools Kindergarten through Grade 5: 9:00 A.M. - 3:00 P.M.

ATTENDANCE

Students are expected to adhere to the attendance policy of the Westfield School Committee. Below are set forth specific procedures applicable to the Elementary Schools.

MORNING PROCEDURES: at the elementary schools, school officially starts at 9:00. **STUDENTS ARE NOT ALLOWED TO ENTER THE BUILDING BEFORE 8:45 UNLESS THEY HAVE SCHOOL BREAKFAST.** Once students have arrived on school grounds they may not leave. The only exception is under special circumstances, when a principal may allow a student to leave the school grounds during the day.

TARDINESS TO SCHOOL/HOMEROOM: Students are expected to arrive to school and to classes on time. Time missed from class constitutes absenteeism, whether in part or in whole. Students who demonstrate a pattern of unexcused tardiness may be subject to disciplinary measures. Students must be in their homeroom at 9:00. Otherwise they are tardy. If a student reports to school after 9:00 the parent must report to the office and sign the late sheet. Parents of students who are chronically tardy will be contacted informing them of the consequences of their child's further tardiness.

CHILDREN SHOULD NOT ARRIVE ON SCHOOL GROUNDS MORE THAN 15 MINUTES PRIOR TO SCHOOL OPENING. WHEN ADULT SUPERVISION BEGINS.

VISITORS

The school policy is to accept those visitors who have legitimate business at the school. Visitors and guests must register in the school office immediately upon entering the building. All visitors and guests must display at all times an appropriate identification badge assigned by the school office. Upon completion of their business all visitors and guests must sign out in the school office, return their badge and promptly leave the building.

CANCELLATION OF SCHOOL

There may be days when schools will be closed because of inclement weather or hazardous driving conditions. Such closings will be announced on radio stations WNNZ (AM-640), WHYN (FM-93.1), WACE (AM-730), WMAS (FM94.7/AM-1450), WTIC (FM-1080), WPIX *FM-97.9) and WAQY (FM-102), as well as on TV Channels 22 and 40 and on the Community Access Cable Channel 5. During periods of potential and actual storms the school administration is in contact with all relevant public safety and municipal agencies. The decision to close or not close school is made as early as possible to cancel all school transportation and lunch programs and to notify the media, traffic, and school personnel. On occasion, it may be wiser to have a two-hour delayed opening of school instead of closing for the full day. Dismissal will be at the normal time. There may also be weather conditions that would necessitate the closing of school during normal school hours. Every child should know what to do and where to go in case of an early dismissal. If there is school during bad weather, the final decision concerning school attendance must rest with the individual parent. Announcements of bus breakdowns or other delays will be broadcast on the same outlets whenever possible. The district also uses "Blackboard Connect" which is an automated phone notification system for school announcements.

Section II

District Policies

Administration of Student Medications in School	1
Administrative Regulations Regarding Physical Examinations/Assessments/Screenings	1-3
Administrative Regulations Regarding Immunizations of Students	3-4
Administrative Regulations Regarding Contagious Diseases	4
Regulations Relating to Suspected Impetigo	5
Regulations Relating to Suspected Bacterial Conjunctivitis	5
Regulations Relating to Streptococcal Infection	5
Life Threatening Allergies (LTA)	5
English Language Learners.....	5
Student Attendance, Absences and Excuses	5-6
Procedures for Attendance, Absences and Excuses	6-7
Bullying and Cyberbullying.....	7-12
Dress	12
Bus Transportation	12
Drug & Alcohol Use by Students	13
Procedures-Drug and Alcohol Use by Students	13-14
Emergency Evacuation Procedures	14
Grievance Procedure Title IX-Chapter 662	14
Hazing	14
Interim Alternative Educational Setting (I.A.E.S.)	14
Internet Safety Policy	14-17
Student Acceptable Use of Technology Agreement	17-19
Parent Notification.....	19
Personal Possessions	19
Policy Regarding Sex Discrimination and Sexual Harassment (Students).....	19-20
Non-Discrimination of Students	20
Administrative Regulations Regarding Sex Discrimination and Sexual Harassment.....	20-22
Student Progress Reports to Parents.....	22
Student Interrogations, Searches and Arrests	22-23
Student Assistance Program	23
Section 504 of the Rehabilitation Act of 1973	23-24
Section 504 Grievance Procedure.....	24-25
Special Education Services	25-26
Student Discipline-Suspension and Expulsion	26-32
Suspension or Expulsion Related to Felony or Felony Delinquency Proceeding	32
Physical Restraint Policy and Procedures	32-35
Procedures-Student Complains and Grievances	35

Student Privacy	36-38
Non-Custodial Parents Rights	38
Student Records	38-39
Student Records-Regulations	39-40
Directory Information	40
Collection of Student Data	40
Confidentiality of Education Records	40-41
Accessibility to Student Records	41-42
Notification of Rights Under FERPA	42
Hearing Rights and Procedures	42-43
Waiver of Rights	43
Amendment of Student Records	43
Destruction of Student Records	43-44
Parental Access to Instructional Material	44
Summary of Westfield Public Schools Safety Policies	44-45
Summer Reading Program	45
Teacher Mailboxes	45
Visitors and Parking	45
Policy Regarding Wellness	45
Freedom of Speech, Assembly or Congregation-High School Level	45-47
Student Speech at Elementary and Middle Schools	47
Cancellation of School	47
School Calendar for 2011-2012	48
Support Resources and Hotlines	49
Domestic Violence and Sexual Assault	49
Psychiatric Services	49
Substance Abuse Services	49
Hotlines and Other Support Services	49

SECTION II - DISTRICT POLICIES

This section of the policy manual is composed of district-wide policies. Should any provisions of section I of the policy manual be in conflict with Section II, district policy prevails.

ADMINISTRATION OF STUDENT MEDICATIONS IN THE SCHOOLS

This policy is designed to provide minimum standards for the safe and proper administration of medications to students in the Westfield Public Schools. Except as provided in this policy and its accompanying regulations, the Westfield School Committee prohibits the administration of any medication by school personnel, or the self-administration of any medication by any student.

GENERAL POLICIES

- A. The school nurse shall supervise and provide for the safe administration and documentation of all medications dispensed in schools. All medication will be administered by a school nurse whenever possible. The School Committee may approve a proposal by the school nurse to delegate the administration of medication to designated, unlicensed school personnel in accordance with the procedures outlined in the regulations. No medication may be administered by any school personnel without proper procedures as set forth in the regulations accompanying this policy
- B. No medications may be administered by any school personnel without:
 - 1. the written order of a licensed prescriber;
 - 2. written parental consent;
 - 3. an individual medication plan completed by the school nurse; and
 - 4. documentation of an individual student log which becomes part of the student's school health record.
- C. The Westfield Public Schools encourages collaboration between parents/guardians and the school so that students requiring medication administration during the school day may be able to attend school and medications may be safely handled and administered. Parents/guardians of students requiring medication while at school must assume responsibility for informing appropriate school personnel of any change in their child's health or medication requirements
- D. A copy of this policy and its accompanying regulations will be provided to parents/guardians upon their request for administration of medication to their child.
- E. In accordance with standard nursing practice, the school nurse may refuse to administer, or to allow to be administered, any medication which, based on his/her individual assessment and professional judgment, has the potential to be harmful, dangerous or inappropriate. In such cases, the school nurse will immediately notify the parents/guardians and licensed prescriber of this decision.
- F. In the event that a parent/guardian disagrees with any decision by the school with regard to the administration of medication to his/her child, the parent/guardian may appeal the decision in writing to the school principal. A meeting will be held with the Appeals Team and the parent/guardian to review the decision.
- G. Regulations shall be developed outlining the procedures to be followed regarding the administration of medication, the documentation of medication administration, the storage and safe handling of medication, the response to medication emergencies and the reporting of medication errors.

Ref: JHCD-R

ADMINISTRATIVE REGULATIONS REGARDING PHYSICAL EXAMINATIONS/HEALTH ASSESSMENTS/SCREENINGS

The Westfield School Committee requires each student enrolled in the Westfield Public Schools to have certain physical examinations, health assessments and screenings as mandated by state law. The purpose of such examinations, assessments and screenings shall be to ascertain whether a student has any physical disability tending to prevent him/her from receiving the full benefit of school work, to ascertain whether school work should be modified in order to prevent injury to the student or to secure a suitable program of education for him/her, and to insure that diseases dangerous to the public health and other contagious or communicable diseases are recognized whenever they occur. School screenings under these regulations are intended to supplement, not supplant, oversight of care by the student's health care provider.

The School Committee recognizes that, along with the Board of Health, it may provide for more frequent and more specialized examinations in accordance with state and federal law.

I. PHYSICAL EXAMINATIONS

- A. Every student will be given a general physical examination:
 - (1) before entering school
 - (2) upon admittance to the fourth, seventh, and tenth grades.
- B. Physical examinations must be conducted by a physician duly registered in Massachusetts who is licensed under state statute, or by the school physician.
- C. Students entering school must have their physical examination within twelve months prior to their entrance to school or within thirty days after school entry.
- D. A student transferring from another school system shall be examined as an entering child unless school health records are transferred with the child showing that he/she has had an adequate health appraisal in the school year of transfer.
- E. The school committee shall ensure that a student in the public schools, if not examined by the student's health care provider, is examined by the school physician under the following circumstances:
 - (1) Frequent absences due to unexplained illness.
 - (2) Known or suspected physical disabilities or medical concerns that require appraisal.
 - (3) Referral from a teacher-nurse conference because the student is not making expected progress in school or because of signs of illness noted by the teacher or nurse.
 - (4) Students under 16 and over 14 years of age requesting employment certificates.
 - (5) Prior to a student's participation in competitive athletics, on an annual basis

II. VISION AND HEARING SCREENINGS

- A. The Westfield Public Schools shall provide vision and hearing screenings on the following schedule:
 - (1) a hearing screening using some form of discrete frequency hearing test such as the Massachusetts Hearing Test will be done on students in the year of entry; annually through grade 3; once in grades 6 through 8; and once in grades 9 through 12.
 - (2) a vision screening using the Massachusetts Vision Test of other similar method approved by the Massachusetts Department of Public Health will be done on students in the year of entry; annually through grade 5; once in grades 6 through 8; and once in grades 9 through 12..
- B. Screenings of sight and hearing in the Westfield Public Schools shall be performed by professional staff who are approved by the Massachusetts Department of Public Health for this purpose and in accordance with instructions set up by the Department. (The Department's instructions regarding vision and hearing testing may be procured from the Division of Family Health Services, 39 Boylston Street, Boston.)
- C. Any student failing the screenings shall be retested at a later date.
- D. Referrals may be sent to parents/guardians for follow-up with the health care provider or medical specialist if student fails the screening retest.

III. POSTURAL SCREENINGS

Postural (scoliosis) screening will be done annually in grades 5 (five) through 9 (nine). Postural screening will also be done by the physical education department on all 10th graders with follow-up provided by the school nurse. Parents/guardians will be notified of any abnormal findings.

IV. ASSESSMENT OF PHYSICAL GROWTH AND DEVELOPMENT

The Westfield Public Schools shall provide a measurement of weight and height for students in grades 1, 4, 7, and 10. A report with an explanation of Body Mass Index (BMI) and corresponding percentile results and information on healthy foods and activities will be communicated in writing to the parents or legal guardians of each student screened. It is recommended that questions about a student's healthy weight be discussed with the student's health care provider. Parents and legal guardians may request in writing that their child not participate in the program.

V. EXAMINATION OF STUDENTS OF COMMUNICABLE OR CONTAGIOUS DISEASE

In addition to the above physicals, assessments and screenings, the school physician shall examine at any time, including the required intervals, and previous to participation in competitive athletics, any student to determine the presences or absence of communicable or contagious diseases.

VI. PROCEDURES OF HEATH APPRAISALS

- A. Since family physicians have a comprehensive knowledge of the health status of their student patients, the Westfield Public Schools encourages parents to have their child's physician perform any required health appraisals, including physical examinations, assessments or screenings. Verification of such out of school examinations must be received by the school nurse.
- B. The child's physician performing any required health appraisal of a school child shall be furnished with a copy of the record of screening tests performed in the school.

- C. The Westfield Public Schools or the Board of Health shall provide the services of a school physician to carry out health appraisals on such children as do not have this service performed by their own health care provider. The following procedures shall apply to health appraisals conducted by a school physician:
 - (1) The health appraisal shall be done with such care and detail as to command medical respect and be a desirable educational experience for the child. Rectal and vaginal examinations shall not be done by the school physician.
 - (2) The appraisal shall be done in the presence of a third person and in a reasonable degree of privacy. The child shall be undressed sufficiently to permit an adequate appraisal.
 - (3) Sufficient time shall be allotted for an adequate appraisal of each child.
 - (4) The appraisal shall include time for a conference with the parent or child concerning the child's growth and development and the findings of the health appraisal.
 - (5) The school authorities shall invite the parent or parents of a child entering the public school, and those of a child in the fourth grade, to be present during the appraisal by the physician.
 - (6) The appraisal should include a careful examination of the child's feet.

VII. HEALTH RECORD FORMS

Results of any health appraisals, including physical examinations, assessments and screenings, shall be recorded in detail on health record forms provided by, or approved by, the Massachusetts Department of Public Health.

VIII. FOLLOW-UP APPRAISALS

Disabilities and defects found on health appraisal of an individual child shall be brought to the attention of the family. The school or health department shall encourage the family to take the child with physical defects to the child's health care provider or other source of care.

IX. EXEMPTIONS

Any child shall be exempt on religious grounds from the examination requirements, including assessments and screenings, upon written request of his/her parent or legal guardian, provided that such exemption would not violate any law or regulation relating to communicable diseases.

ADMINISTRATIVE REGULATIONS REGARDING IMMUNIZATIONS OF STUDENTS

In accordance with state law, the Westfield Public Schools requires that, prior to being admitted to school, each child must present a physician's certificate that the child has been successfully immunized against diphtheria, pertussis, tetanus, measles, poliomyelitis and such other communicable diseases as may be specified from time to time by the Department of Public Health.

DEFINITIONS

For purposes of this policy, the following definitions apply:

- A. **Certification of immunization** is either:
 - (1) a form or letter signed and dated by a physician or designee; or
 - (2) a dated report from the Massachusetts Immunization Information system which specifies the month and year of administration and the type/name of the vaccine(s) administered to the student.
- B. **Preschool** is a program offered by a public school system on a regular basis, whether known as day care, pre-school or other term, which provides care and custody during all or part of the day, separate from parents, for pre-kindergarten children and which is not regulated by the Department of Early Education and Care.
- C. **Student** is any individual attending, or enrolled or registered to attend, a pre-school program as defined in 105 CMR 220.400, or kindergarten through 12th grade in a public or private school. The term student shall also include any individual from another country attending or visiting classes or educational programs as part of a formal academic visitation or exchange program.

REQUIRED IMMUNIZATIONS

A. **Preschool Students**

In accordance with state law, no student shall attend a preschool program in the Westfield Public Schools without a certificate of immunization documenting that the child has been successfully immunized in accordance with current Department of Public Health (DPH) recommended schedules against diphtheria, tetanus, pertussis (whooping cough), poliomyelitis, measles, mumps, rubella, Haemophilus influenza, type b (Hib) hepatitis B, varicella and other communicable diseases as specified from time to time by the Department, in accordance with the recommendations of the Advisory Committee on Immunization Practices of the Centers for Disease Control, or any successor committee serving a comparable function.

B. **Kindergarten through Grade 12**

In accordance with state law, no student shall attend kindergarten through 12th grade without a certificate of immunization or a copy of a school immunization record that the student has received at least the following immunizations:

- (1) four (five for kindergarten) doses of diphtheria, tetanus, pertussis (DTP), or diphtheria, tetanus, acellular pertussis (DTaP) vaccines;
- (a) where pertussis vaccine is medically contraindicated diphtheria-tetanus toxoid (DT) is to be substituted for DTP/DTaP vaccine;
- (b) where the student is seven or more years of age and requires additional immunizations to satisfy 105 CMR 220.500(B1) (described in Part B(1) above), tetanus-diphtheria toxoid (Td) is to be substituted for DTP/DTaP or DT vaccine;
- (2) three (four for kindergarten) doses of trivalent polio vaccine.
- (3) two doses of measles and one dose each of mumps and rubella vaccine given at or after 12 months of age. The second doses of measles vaccine must be given at least 4 weeks after the first dose;
- (4) three doses of hepatitis B vaccine;
- (5) Varicella vaccine for all students as follows:
 - (a) one dose is required for all students receiving vaccine at less than 13 years of age; and
 - (b) two doses are required for students receiving their first dose of vaccine at 13 years of age or older.
- (6) a booster of Td (Tdap is preferred) vaccine for students attending grades seven through twelve (or in the case of an ungraded classroom, for students 12 years of age or older), if it is five years or more since the last dose.

EXEMPTIONS

- A. Exemption from the pertinent requirements of these administrative regulations shall be granted to any student who:
 - (1) presents written documentation that he/she meets the standards for medical or religious exemption set forth in M.G.L. c. 76, § 15 (described below);
 - (2) presents appropriate documentation, including a copy of a school immunization record, indicating receipt of the required immunizations;
 - (3) in the case of measles, mumps, rubella and hepatitis B, presents laboratory evidence of immunity; or
 - (4) in the case of varicella, presents laboratory evidence of immunity or a statement signed by a physician that the student has a history of chickenpox disease.
- B. Enrollment of homeless children and youth may not be denied or delayed due to the lack of any document normally required for enrollment. If a homeless student cannot produce sufficient documentation regarding immunizations, the student and/or the student's parents or guardians shall be referred to the school district's Homeless Liaison who will assist in obtaining the necessary immunizations or immunization/medical records.
- C. Medical exemptions:
 - (1) To qualify for a medical exemption, a student must present certification from a physician that he/she has personally examined such student and that in his/her opinion, the physical condition of the student is such that the student's health would be endangered by the required vaccination or immunization.
 - (2) Such certification must be submitted at the beginning of each school year to the physician in charge of the school health program.
 - (3) If the school physician disagrees with the opinion of the student's physician, the matter shall be referred to the DPH.
- D. Religious exemptions:
 - (1) To qualify for a religious exemption, the parent and/or guardian of a student must present in writing a statement that the required vaccination or immunization conflicts with his/her sincere religious beliefs.
 - (2) No religious exemption shall be granted in the event of an emergency or epidemic of disease declared by the DPH.

ADMINISTRATIVE REGULATIONS REGARDING CONTAGIOUS DISEASES

- A. The Westfield Public Schools may exclude any student infected, or in a household where a person is infected, with a disease dangerous to the public health (as determined by the Department of Public Health), or in a household exposed to contagion from any such disease. A student returning to school after having been absent due to such infection or exposure shall present a certificate from the Board of Health, or its representative, that the student no longer presents a danger of conveying such disease.
- B. If a student returns without such a certificate, the student shall immediately be referred to a school physician for examination to determine whether the student may remain at school .
- C. If any student is found to be suffering from any disease, or if the student is found to have an injury or disability requiring treatment, the Westfield Public Schools shall promptly notify the parent or guardian of such student regarding the student's illness or injury.
- D. The Westfield Public Schools shall comply with the quarantine requirements issued by the Department of Public Health with respect to contagious diseases, including, but not limited to measles, mumps, rubella, and varicella (chickenpox).

REGULATIONS RELATING TO SUSPECTED IMPETIGO

When a student is suspected of having a possible "Impetigo" lesion, the following procedure is to be followed:

1. Call parent - child must be dismissed from school until diagnosis is made and confirmed in writing by M.D.
2. Child may return to school no sooner than 48 hours after prescribed treatment has begun and lesion is crusted with no drainage from blisters.
3. Children with widespread lesions or those who have them in areas that cannot be covered by dressings may be excluded from school for a longer period.

REGULATIONS RELATING TO SUSPECTED BACTERIAL CONJUNCTIVITIS

When a student is suspected of having "Bacterial Conjunctivitis" the following procedure is to be followed.

1. Call parent, child must be dismissed from school until diagnosis is made and confirmed in writing by M.D.
2. Child may return to school no sooner than 48 hours after treatment has been started.
3. If a child requires medication in school, the policy with regard to medications in school will be followed.

REGULATIONS RELATING TO STREPTOCOCCAL INFECTION

When a student is suspected of having streptococcal infection, (i.e. strep throat or scarlet fever) the following procedure is to be followed:

1. Call parent, child must be dismissed from school until a diagnosis is made and confirmed in writing by the child's physician.
2. If the diagnosis is positive for streptococcal infection, the child may return to school no sooner than 48 hours after prescribed treatment has begun.
3. If the child requires medication in school, the policy with regard to medication in school will be followed.

LIFE THREATENING ALLERGIES (LTA)

The Westfield Public Schools (WPS) understand that some students have life-threatening allergies and the WPS are committed to minimizing the incidence of life-threatening allergic reactions. In order for the WPS to appropriately assist student, parents/guardians must notify school administration (including the school nurse) about allergies and health issues with their children. Once the school administration has been alerted to a student with a life-threatening allergy by the parent/guardian and with complete documentation from the child's physician, the school will develop a plan of care. In order to help students with LTA develop life long skills in maintaining individual safety, the WPS guidelines pertaining to LTA will shift as children advance through the primary, middle and high schools.

Adopted: July 7, 2010

ENGLISH LANGUAGE LEARNERS

The District shall provide suitable research-based language instructional programs for all identified English language learners in grades Kindergarten through 12 in accordance with the requirements of state and federal statutes and Massachusetts Department of Elementary and Secondary Education regulations and guidelines.

The District shall identify students whose dominant language may not be English through home language surveys that identify a primary home language is other than English (PHLOTE), observations, intake assessments, and recommendations of parents, teachers and other persons. Identified students shall be assessed annually to determine their level of proficiency in the English language.

The District shall certify to the Massachusetts Department of Elementary and Secondary Education each year those students whose dominant language is not English, including specification of the number of non-English languages identified as dominant languages and the number and percent of students who speak each non-English language as their dominant language.

The District shall provide additional information as required by the Massachusetts Department of Elementary and Secondary Education to comply with the No Child Left Behind Act.

STUDENT ATTENDANCE, ABSENCES AND EXCUSES

The Westfield Public School System recognizes that excessive absenteeism from school is potentially detrimental to students' ability to perform successfully in school. It is expected that students should be absent from school only when conditions or circumstances render them otherwise unable to attend. In the event a student is absent in excess of 10% of the membership days official written verification, documenting the need for absence, must be submitted. Students who have undocumented absences in excess of 10% may be subject to denial of course credit or promotion. The following are legitimate reasons for absence:

1. Illness.
2. Bereavement.
3. Family or catastrophic emergency.

4. Observation of major religious holidays or participation in required religious instruction.
5. Necessary court appearance.
6. DYS confinement
7. DSS commitment.
8. Suspension.
9. Weather related conditions so serious as to pose a threat to health or safety.
10. Approval of the Superintendent of Schools.

Students in attendance at school sponsored activities (i.e., field trips) or in attendance in approved alternative educational programs (i.e., tutoring) are considered present at their school of enrollment.

The Westfield schools encourage open channels of communication between the home and school as the key to understanding and resolving problems that may occur regarding attendance.

PROCEDURES FOR ATTENDANCE, ABSENCES AND EXCUSES

General

1. When a student returns from an absence, the parent/guardian must provide the school with a signed, written excuse citing the date(s) and reason(s) for absence. This written excuse must be submitted even if prior notification of intended absences was provided. Parents are requested to notify the school in advance of planned absence and to make phone contact on the morning of an illness or other reasons for absence.
2. Following an absence of three consecutive days without notification from home, or anytime a questionable situation or pattern of absenteeism occurs, the principal or designee will contact the parent/guardian informing him/her of the student's absence. Parents/guardians are required by law to provide the school with a phone number at which they can be contacted or accessed during school hours.
3. Beginning with the end of the first marking period, written professional and/or verifiable documentation will be required whenever a student's absenteeism exceeds 10% of the membership days. For example, in case of illness, a physician's statement will be mandated, noting that absence was medically necessary for the dates the student was out; diagnostic information need not be provided at the discretion of the parent/student. For all other absences, written verification such as a court summons, letter from DSS or official documentation of catastrophic event will be required. When a student reaches 10% absenteeism, no reasons for absence beyond those previously listed as legitimate will be considered acceptable.
4. Parents and/or guardians of students whose absenteeism exceeds 10% will be notified in writing of the need to supply appropriate documentation. Such documentation will continue to be mandated for all absences until the rate of absenteeism falls below 10%.
5. Should the parent/guardian fail to provide the necessary verifications or should the student subsequently be absent for a reason not listed as legitimate, the principal or designee will contact the parent/guardian to address the situation. When deemed necessary by the school personnel, a parent/guardian will be notified of the need for a conference to discuss, and mutually plan for, the resolution of an attendance problem. Upon notification, it is expected that a parent/guardian will appear for the appointed conference or contact the school to reschedule. It must be understood that participation in such conferences is viewed as a parent/guardian's responsibility. While the district will make every reasonable effort to accommodate the needs of parents who are working or facing other difficulties, we will expect parents to play an active role in problem solving both to benefit the student and to comply with the law regarding parental responsibility for regular school attendance.
6. If the problem remains unresolved, a referral will be made to the building administrator or designee who serves as attendance officer, who will assess the situation and decide on the need for formal intervention and on-going attendance related services
 - a. In situations in which non-compliance continues, the building administrator will make a determination regarding agency or court action.
 - b. Court action may include truancy proceedings against a willfully absent student or the filing of charges against a parent/guardian for failure to provide for the educational needs of his/her child.
7. Referrals to the building administrator will also be made when any acute or chronic absenteeism involving students of mandatory school age cannot be resolved at the building level. The building administrator will assess each referral and implement appropriate intervention efforts which could include court or DSS action in situations involving lack of cooperation or compliance.

Credit/Promotion Implications

When a student's absenteeism exceeds 10% of the membership days (9 absences in a semester or 18 in a full year) the school may act to deny credit or promotion:

- a. When a decision to deny credit or promotion is made, the school will notify the parents of the intended action.

- b. The parent/guardian and/or student have the right to appeal loss of credit/promotion decisions. The appeal must be in writing and submitted to the school within the timeframe noted on the loss of credit notification.
- c. A hearing by the school's review committee will be scheduled, at which point the parent and/or student will have the opportunity to provide documentation for the absences under discussion or to explain extraordinary circumstances.
- d. A letter stating the decision of the review committee will be sent to the parent/guardian within 5 school days of the review committee meeting.
- e. The parent/guardian and/or student may appeal the decision to the superintendent. The appeal must be in writing and sent within 5 school days of receipt of the review committee letter. A hearing will be conducted by the superintendent or his/her designee and a written decision provided. The decision of the superintendent will be the final decision of the district.

BULLYING AND CYBERBULLYING

I. PROHIBITION AGAINST BULLYING AND RETALIATION

Acts of bullying, which include cyberbullying, are prohibited:

- i. on school grounds and property immediately adjacent to school grounds, at a school-sponsored or school--related activity, function, or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased, or used by a school district or school; or through the use of technology or an electronic device owned, leased, or used by a school district or school, and
- ii. at a location, activity, function, or program that is not school-related through the use of technology or an electronic device that is not owned, leased, or used by a school district or school, if the acts create a hostile environment at school for the target or witnesses, infringe on their rights at school, or materially and substantially disrupt the education process or the orderly operation of a school.

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

As stated in M.G.L. c. 71, § 37O, nothing in this Plan requires the district or school to staff any non-school related activities, functions, or programs.

II. DEFINITIONS

Aggressor is a student who engages in bullying, cyberbullying, or retaliation.

Bullying, as defined in M.G.L. c. 71, § 37O, is the repeated use by one or more students of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:

- i. causes physical or emotional harm to the target or damage to the target's property;
- ii. places the target in reasonable fear of harm to himself or herself or of damage to his or her property;
- iii. creates a hostile environment at school for the target;
- iv. infringes on the rights of the target at school; or
- v. materially and substantially disrupts the education process or the orderly operation of a school.

Cyberbullying is bullying through the use of technology or electronic devices such as telephones, cell phones, computers, and the Internet. It includes, but is not limited to, email, instant messages, text messages, and Internet postings. See M.G.L. c. 71, § 37O for the legal definition of cyberbullying.

Hostile environment, as defined in M.G.L. c. 71, § 37O, is a situation in which bullying causes the school environment to be permeated with intimidation, ridicule, or insult that is sufficiently severe or pervasive to alter the conditions of a student's education.

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

Staff includes, but is not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, support staff, or paraprofessionals.

Target is a student against whom bullying, cyberbullying, or retaliation has been perpetrated.

III. LEADERSHIP

As required by M.G.L. c. 71, § 37O, the Plan has been developed in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents, and guardians. Consultation has included team input sessions, notice to parents and other interested members of the community and a public comment period before the Plan is adopted by the School Committee. Each of the various constituencies will also be involved in future plan review and refinement.

Students with Disabilities

When a student has been determined to have a disability through the special education evaluation process, it is the responsibility of the Team to consider social emotional issues. When the IEP Team determines the student has a disability that affects social skills development or the student may participate in or is vulnerable to bullying, harassment, or teasing because of his disability, the Team will consider what should be included in the IEP regarding this issue.

Linguistically and Culturally Diverse Students/English Language Learners

When a staff member believes that a culturally diverse student is a target of bullying due to lack of language proficiency or cultural differences, pertinent staff members will gather to address concerns and put a plan of action into place to protect the targeted students and to deter bullying behaviors.

VI. ACADEMIC AND NON-ACADEMIC ACTIVITIES

The Westfield Public Schools will provide instruction on bullying prevention throughout the K-12 curricula. Curricula will be evidence-based in addition to locally generated programming. Effective instruction will include classroom approaches, whole school initiatives, and focused strategies for bullying prevention and social skills development. Students will also be taught about the Bully Prevention and Intervention Plan and their role in fostering a safe school environment. The age appropriate curricula offerings will emphasize the following approaches:

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

Other school wide approaches to insure a safe school environment and support bullying prevention efforts will include:

- setting clear expectations for students and establishing school and classroom routines;
- creating safe school and classroom environments for all students, including students with disabilities, lesbian, gay, bisexual, transgender students, non-native speaking students and homeless students;
- using appropriate and positive responses and reinforcement, even when students require discipline;
- using positive behavioral supports;
- encouraging adults to develop positive relationships with students;
- modeling, teaching, and rewarding pro-social, healthy, and respectful behaviors;
- using positive approaches to behavioral health, including collaborative problem-solving, conflict resolution training, teamwork, and positive behavioral supports that aid in social and emotional development;
- using the Internet safely; and
- supporting students' interest and participation in non-academic and extracurricular activities, particularly in their areas of strength.

VII. POLICIES AND PROCEDURES FOR REPORTING AND RESPONDING TO BULLYING AND RETALIATION

- A. Reporting bullying or retaliation. Reports of bullying or retaliation may be made by staff, students, parents or guardians, or others, and may be oral or written. Oral reports made by or to a staff member shall be recorded in writing. A school or district staff member is required to report immediately to the principal or designee any instance of alleged bullying or retaliation the staff member becomes aware of or witnesses. Reports made by students, parents or guardians, or other individuals who are not school or district staff members, may be made anonymously. The school or district will make a variety of reporting resources available to the school community

including, but not limited to, an Incident Reporting Form,¹ a voicemail box, a dedicated mailing address, and an email address. If the person making the report has concerns regarding reporting to the Principal or designee, the report may be made to the Superintendent or Administrator of Student Support Services directly for further action.

Use of an Incident Reporting Form is not required as a condition of making a report. The school or district will: 1) include a copy of the Incident Reporting Form in the beginning of the year packets for students and parents or guardians; 2) make it available in the school's main office, the counseling office, the school nurse's office, and other locations determined by the principal or designee; and 3) post it on the school's website. The Incident Reporting Form will be made available in the most prevalent language(s) of origin of students and parents or guardians.

At the beginning of each school year, the school or district will provide the school community, including administrators, staff, students, and parents or guardians, with written notice of its policies for reporting acts of bullying and retaliation. A description of the reporting procedures and resources, including the name and contact information of the principal or designee, will be incorporated in student and staff handbooks, on the school or district website, and in information about the Plan that is made available to parents or guardians.

1. Reporting by Staff

A staff member will report immediately to the principal or designee when he/she witnesses or becomes aware of conduct that may be bullying or retaliation. The requirement to report to the principal or designee does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with school or district policies and procedures for behavior management and discipline.

2. Reporting by Students, Parents or Guardians, and Others

The school or district expects students, parents or guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the principal or designee. Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report. Students, parents or guardians, and others may request assistance from a staff member to complete a written report. Students will be provided practical, safe, private and age-appropriate ways to report and discuss an incident of bullying with a staff member, or with the principal or designee.

B. Responding to a report of bullying or retaliation.

1. Safety

Before fully investigating the allegations of bullying or retaliation, the principal or designee will take steps to assess the need to restore a sense of safety to the alleged target and/or to protect the alleged target from possible further incidents. Responses to promote safety may include, but not be limited to, creating a personal safety plan; pre-determining seating arrangements for the target and/or the aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a "safe person" for the target; and altering the aggressor's schedule and access to the target. The principal or designee will take additional steps to promote safety during the course of and after the investigation, as necessary.

The principal or designee will implement appropriate strategies for protecting from bullying or retaliation a student who has reported bullying or retaliation, a student who has witnessed bullying or retaliation, a student who provides information during an investigation, or a student who has reliable information about a reported act of bullying or retaliation.

2. Obligations to Notify Others

- a. Notice to parents or guardians. Upon determining that bullying or retaliation has occurred, the principal or designee will promptly notify the parents or guardians of the target and the aggressor of this, and of the procedures for responding to it. There may be circumstances in which the principal or designee contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.
- b. Notice to Another School or District. If the reported incident involves students from more than one school district, charter school, non-public school, approved private special education day or residential school, or collaborative school, the principal or designee first informed of the incident will promptly notify by telephone the principal or designee of the other school(s) of the incident so that each school may take appropriate action. All communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR 49.00.

- c. Notice to Law Enforcement. At any point after receiving a report of bullying or retaliation, including after an investigation, if the principal or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the principal will notify the local law enforcement agency. Notice will be consistent with the requirements of 603 CMR 49.00 and locally established agreements with the local law enforcement agency. Also, if an incident occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in school, the principal or designee shall contact the local law enforcement agency if he or she has a reasonable basis to believe that criminal charges may be pursued against the aggressor.

In making this determination, the principal will, consistent with the Plan and with applicable school or district policies and procedures, consult with the school resource officer, if any, and other individuals the principal or designee deems appropriate.

- C. Investigation. The principal or designee will investigate promptly all reports of bullying or retaliation and, in doing so, will consider all available information known, including the nature of the allegation(s) and the ages of the students involved.

During the investigation the principal or designee will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The principal or designee will remind the alleged aggressor, target, and witnesses that retaliation is strictly prohibited and will result in disciplinary action.

Interviews may be conducted by the principal or designee, other staff members as determined by the principal or designee, and in consultation with the school counselor, as appropriate. To the extent practicable, and given his/her obligation to investigate and address the matter, the principal or designee will maintain confidentiality during the investigative process. The principal or designee will maintain a written record of the investigation.

Procedures for investigating reports of bullying and retaliation will be consistent with school or district policies and procedures for investigations. If necessary, the principal or designee will consult with legal counsel about the investigation.

- D. Determinations. The principal or designee will make a determination based upon all of the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the principal or designee will take steps reasonably calculated to prevent recurrence and to ensure that the target is not restricted in participating in school or in benefiting from school activities. The principal or designee will: 1) determine what remedial action is required, if any, and 2) determine what responsive actions and/or disciplinary action is necessary, and 3) provide written notice to the Superintendent of Schools.

Depending upon the circumstances, the principal or designee may choose to consult with the students' teacher(s) and/or school counselor, and the target's or aggressor's parents or guardians, to identify any underlying social or emotional issue(s) that may have contributed to the bullying behavior and to assess the level of need for additional social skills development.

The principal or designee will promptly notify the parents or guardians of the target and the aggressor about the results of the investigation and, if bullying or retaliation is found, what action is being taken to prevent further acts of bullying or retaliation. All notice to parents must comply with applicable state and federal privacy laws and regulations. Because of the legal requirements regarding the confidentiality of student records, the principal or designee cannot report specific information to the target's parent or guardian about the disciplinary action taken unless it involves a "stay away" order or other directive that the target must be aware of in order to report violations.

- E. Responses to Bullying.

1. Teaching Appropriate Behavior Through Skills-building

Upon the principal or designee determining that bullying or retaliation has occurred, the law requires that the school or district use a range of responses that balance the need for accountability with the need to teach appropriate behavior. M.G.L. c. 71, § 37O(d)(v). Skill-building approaches that the principal or designee may consider include:

- offering individualized skill-building sessions based on the school's/district's anti-bullying curricula;
- providing relevant educational activities for individual students or groups of students, in consultation with guidance counselors and other appropriate school personnel;
- implementing a range of academic and nonacademic positive behavioral supports to help students understand pro-social ways to achieve their goals;

- meeting with parents and guardians to engage parental support and to reinforce the anti-bullying curricula and social skills building activities at home;
- adopting behavioral plans to include a focus on developing specific social skills; and
- making a referral for evaluation.

2. Taking Disciplinary Action

If the principal or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the principal or designee, including the nature of the conduct, the age of the student(s) involved, and the need to balance accountability with the teaching of appropriate behavior. Discipline will be consistent with the district's code of conduct.

Discipline procedures for students with disabilities are governed by the federal Individuals with Disabilities Education Improvement Act (IDEA), which should be implemented in conjunction with state laws regarding student discipline.

If the principal or designee determines that a student knowingly made a false allegation of bullying or retaliation, that student may be subject to disciplinary action.

3. Promoting Safety for the Target and Others

The principal or designee will consider adjustments, needed in the school environment to enhance the target's sense of safety and that of others as well. One strategy that the principal or designee may use is to increase adult supervision at transition times and in locations where bullying is known to have occurred or is likely to occur.

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the principal or designee will contact the target to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are needed. If so, the principal or designee will work with appropriate school staff to implement them immediately.

VIII. COLLABORATION WITH FAMILIES

A. Parent education and resources. The school or district will offer education programs for parents and guardians that are focused on the parental components of the anti-bullying curricula and any social competency curricula used by the district or school. The programs will be offered in collaboration with the Building Based Parent School Organizations, School Councils, Special Education Parent Advisory Council, Coordinated School Health Advisory Council, WHIPS (Westfield Helps Its Public Schools), Title I Parent Outreach or similar organizations. Efforts will be made to have parent resources available to parents in the home language of the family to assist culturally diverse families in understanding policies and procedures and practices related to bullying. The school/district will provide the family members of targets or aggressors referrals to appropriate community based counseling agencies for services as needed.

B. Notification requirements. Each year the school or district will inform parents or guardians of enrolled students about the anti-bullying curricula that are being used. This notice will include information about the dynamics of bullying, including cyberbullying and online safety. The school or district will send parents written notice each year about the student-related sections of the Plan and the school's or district's Internet safety policy. All notices and information made available to parents or guardians will be in hard copy and electronic formats, and will be available in the language(s) most prevalent among parents or guardians. The school or district posts the Plan and related information on its website.

IX. RELATIONSHIP TO OTHER LAWS

Consistent with state and federal laws, and the policies of the school or district, no person shall be discriminated against in admission to a public school of any town or in obtaining the advantages, privilege and courses of study of such public school on account of race, color, sex, religion, national origin, or sexual orientation. Nothing in the Plan prevents the school or district from taking action to remediate discrimination or harassment based on a person's membership in a legally protected category under local, state, or federal law, or school or district policies.

In addition, nothing in the Plan is designed or intended to limit the authority of the school or district to take disciplinary action or other action under M.G.L. c. 71, §§ 37H or 37H½, other applicable laws, or local school or district policies in

response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.

DRESS

It is largely the responsibility of the student, with parent guidance, to determine what is appropriate dress for school or school related activities, however, Westfield Public Schools reserves the right to prohibit clothing or manner of dress which constitutes a health or safety concern or is so unusual as to be disruptive or distracting to the educational process. Students are required to dress in a manner that is not distracting to other students or teachers. No shirts that advertise alcohol, drugs, or cigarettes will be allowed. The school has the right to ban any clothing that indicates any criminal act or affiliation, or that advocates the violation of school policy. Clothing is forbidden if it contains profanity, indecent, or offensive language or graphics. Examples of appropriate attire for boys include jeans, slacks and walking shorts, as well as short-sleeved shirts, long-sleeved shirts, sweaters and polo-type shirts. Short cut-off shorts and play shorts are not permitted, nor are tank tops and midriff-styled tops. Examples of appropriate attire for girls include dresses, skirts, slacks, walking shorts and jeans, along with short-sleeved blouses, long-sleeved blouses, short-sleeved shirts, long-sleeved shirts, sweaters and polo-type shirts. Short cut-off shorts and play shorts are not permitted, nor are halter or midriff-styled tops and tank tops. Hats, visors, bandanas, headbands or similar head covering may not be worn or visibly displayed in school upon entering the building, throughout the school day and until the students exit the building.

BUS TRANSPORTATION

The Westfield Public Schools provides free bus transportation for all eligible students in accordance with applicable laws. The authority of the school begins and ends at the bus stops, both in the morning and in the afternoon. As such, all school rules apply to student activity during these times. Students who violate school rules may have their privilege to ride the school bus revoked in addition to any standard disciplinary action. If a student is suspended from riding the bus, it becomes the responsibility of the student and his/her parents to provide transportation to and from school. Additional rules that apply specifically to riding the school bus are:

1. Abusive language is prohibited on school buses.
2. No smoking will be permitted on a school bus.
3. Horseplay of any kind will not be allowed on the bus regardless of whether the bus is standing or moving. This means that all students will:
 - a. not kneel on bus seats and talk to persons on seats behind them;
 - b. not tamper with the bus and its equipment, especially the windows.
 - c. not put arms, legs, head or any part of their body out of the window;
 - d. not move around or change seats in the bus once it is in motion.
4. No throwing of objects, regardless of whether the bus is standing still or moving.
5. No rough or disorderly physical misbehavior will be permitted on the bus.
6. Chewing gum, eating food or drinking beverages is not allowed on the bus.
7. No items may be carried on the bus except materials that will be held by the student or placed on the floor under the seat directly in front of the student.
8. The emergency doors of school buses are for emergency use only.
9. Students, when getting on and off the bus, shall cross in front of the bus and only upon the receiving of a signal to cross from the bus driver.

Students being transported are under the authority of the bus driver. The bus driver is required to report rule violations. Continued disorderly conduct or refusal to submit to the authority of the bus driver is sufficient cause for a student to be refused transportation on school buses. A pupil may be suspended from bus transportation upon the principal's receipt of the pupil's third Bus Conduct Report and the receipt of any subsequent Bus Conduct Report could result in a subsequent suspension.

BUS CONDUCT REPORTS and recommendations made with respect to students for the last day of the school year will be implemented in the following school year. Unfulfilled disciplinary assignments will be carried forward and continued in September of the following school year.

ALTERNATE BUSES: On occasion and with prior approval of the transportation company and the principal, a bus student may be eligible to ride an alternate bus.

1. No bus will be rerouted to provide transportation for any individual or group without directions from the transportation office.
2. Buses will only stop to discharge students at regularly scheduled stops. No additional stops will be scheduled without directions from the Transportation Office.
3. The principal should receive a written request from the parent for any alternative transportation. If, in the bus company's judgment, the request is valid and there is adequate room on the bus, and items #1 and #2 above are observed, the bus company may grant this request.

DRUG & ALCOHOL USE BY STUDENTS

The Westfield Public School System believes controlled substance use is a community issue necessitating the commitment of a broad range of individuals, organizations, departments and the business sector a collaborative effort at education, assistance and interdiction. Our district is committed to playing a significant role in meaningful endeavors to address substance use issues. The School System also believes that a student's involvement with drugs or alcohol constitutes a family, individual and school problem. Given that position, we commit our support and assistance to students and families whenever possible.

We expect parents/guardians to cooperate with our efforts and, should a problem arise, act appropriately in a mutual effort to secure resolution that will ensure the well-being of the student. The Westfield Public School System is dedicated to providing a tobacco, alcohol and drug free educational environment. To that end:

1. The district will not tolerate any tobacco, alcohol, or other drug related offense in school buildings, on school grounds, on school transportation or at school related events. All legal means will be utilized, as appropriate, to identify and discipline offenders.
2. The district believes that prevention is a key to ensuring substance free attitudes and behaviors. Education therefore plays a critical role in establishing life long health habits for its students. Major goals of the district include a comprehensive K-12 curriculum emphasizing the effects and dangers of drug and alcohol use, annual parent awareness seminars, and periodic in-service training for staff in identifying symptoms and implementing district policies and procedures.
3. The district will attempt to assist students in accessing appropriate treatment as needed. The district will also encourage and support efforts within the community to provide healthy and legal alternatives to substance use.

Substance Related Offenses

Such behaviors include, but are not limited to:

- Consuming or having consumed
- Under the influence of
- Use
- Possession
- Transfer
- Having domain over
- Sale
- Intent to sell
- Distribution
- Growing or manufacturing
- Misuse of prescription drugs or violation of the district's medication policy
- Any violation of state or federal law relating to drugs or alcohol. (Policy File: JICH)

PROCEDURES – DRUG AND ALCOHOL USE BY STUDENTS

General Procedures

1. The secondary school principals will hold assemblies for students during the fall of each school year. Presentations will include comprehensive overviews of the Drug and Alcohol and Student Discipline policies.
2. All school principals will provide students and families with information regarding educational and assistance efforts available through their school. Each building will maintain, or have access to, a substance related resource guide inclusive of early warning signs and community resources.
3. Staff are required to report any suspected violations of the Drug and Alcohol policy to the principal or designee. The principal or designee will investigate the suspicions/allegations. To do so, he/she may interview the potential offender, consult with appropriate staff, interview students or staff, interview any potential witnesses, conduct searches and utilize any measures allowable by law. If the principal or designee determines that there is reasonable cause to believe that a violation has occurred:
 - a. The student will be informed.
 - b. The parent/guardian will be notified.
 - c. The police will be notified.
 - d. Counseling, medical or support staff may be informed as needed.
 - e. The student will be subject to disciplinary action.
 - f. The principal or designee will notify the superintendent who will inform the school committee.
4. The superintendent will establish an internal drug and alcohol team of staff to document and report on substance related activity within the system, act as consultants to other school staff on substance use issues, meet quarterly with the Westfield Police Department for purposes of joint planning, work with the Westfield District Court

regarding commission of substance related felonies, develop or secure a resource directory, and provide the superintendent with information and recommendations regarding on-going issues related to substance use. (Policy File: JICH-R)

EMERGENCY EVACUATION PROCEDURES

The Westfield Fire Department requires a standard evacuation procedure for all Westfield Public Schools. This procedure allows students to learn the evacuation procedure when they first enter the school and follow the same instructions until they leave the Westfield Public Schools. Each room will have a sign at the primary exit door to be used during an emergency. The sign will instruct students to leave the room and follow the arrows to the nearest exit. The standard procedure is as follows:

IN CASE OF EMERGENCY: EXIT ROOM THROUGH THIS DOOR AND FOLLOW RED ARROWS TO NEAREST EXIT. STAY TOGETHER AND WITH YOUR TEACHER. IF EXIT IS BLOCKED REVERSE DIRECTION AND PROCEED TO EXIT IN OPPOSITE DIRECTION. STAY IN SAFE LOCATION OUTSIDE THE BUILDING AND AWAIT FURTHER INSTRUCTIONS

GRIEVANCE PROCEDURE TITLE IX- CHAPTER 662

Westfield Public Schools conforms to the provisions of Chapter 622 of the Acts of 1971 and Title IX which provides that all activities and courses of study shall be open and available to all students without regard to race, creed, color, national origin, sex, sexual orientation, marital status, age, or disability. Any suspected failure to abide by the provisions is to be reported to the principal. Any student or employee of the Westfield School Department, who believes he/she has been discriminated against, denied a benefit or excluded from participation in any district education program or activity on the basis of race, creed, color, national origin, sex, sexual orientation, marital status, age, or disability, in violation of this policy, may file a written complaint. A local complaint procedure has been established and any such complaint should be addressed to: Chapter 622/Title IX District Coordinator, 22 Ashley Street, Westfield, MA 01085, Telephone 413-572-6403. The compliance administrator shall cause a review of the written complaint within ten working days after receipt of the written complaint.

If the complainant is not satisfied with such response, he/she may submit a written appeal to the School Committee indicating with specifics the nature of the disagreement, stating his/her reasons for such disagreement. A copy of the written complaint shall then be provided to each member of the School Committee. The School Committee shall consider the appeal, which will be listed for action by the School Committee on the next regularly scheduled School Committee agenda. The School Committee shall permit the complainant to address the School Committee in public or in closed session, as appropriate and lawful. Any individual has the right at any time to address inquiries regarding their civil rights to the Office of Civil Rights, Boston, MA.

HAZING

Any organized or individual acts of intimidation or hazing by students are prohibited. Extortion, coercion, or intimidation will not be tolerated, and will result in immediate referral to the office for disciplinary action

Chapter 536 of the Massachusetts General Laws no reads in part: The term "hazing", 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.

INTERIM ALTERNATIVE EDUCATIONAL SETTING (I.A.E.S.)

Students may be assigned to an Interim Alternative Educational Setting (I.A.E.S.) in accordance with the policy of the Westfield School Committee.

INTERNET SAFETY POLICY

The School Committee recognizes that as telecommunications and other new technologies shift the ways that information may be accessed, communicated and transferred by members of the society, those changes may also alter instruction and student learning. The School Committee generally supports access by students to information rich resources along with the development by staff of appropriate skills to analyze and evaluate such resources. Telecommunications, electronic information sources and networked services significantly alter the information landscape for schools by opening classrooms to a broader array of resources. Telecommunications may lead to any

publicly available fileservers in the world and may open classrooms to electronic information resources which have not been screened by educators for use by students of various ages. While the benefits of the Internet are enormous, as a student you need to be aware that the Internet is an open system which contains some material that is not appropriate for children. In order to be in compliance with the Children's Internet Protection Act (CIPA) filtering software has been installed throughout the City of Westfield's Wide Area Network. This software blocks access to visual depiction of material that is obscene or otherwise considered harmful to minors. In addition, student use of the Internet while at school may be supervised by staff members. Realizing that no filtering software is perfect, we cannot, however, guarantee that your child will not encounter text, pictures or references that are objectionable. If you and/or your parent/guardian object to the use of the Internet at school, you must notify the principal on or before September 15th of each new school year. Computers and software, including electronic mail (e-mail) provided by Westfield Public Schools are the property of the school district. Westfield reserves the right to access or monitor all inbound and outgoing e-mail and computer use, including stored files, with or without notice. Westfield also reserves the right to monitor and review Internet use including, but not limited to, Internet sites visited, the duration of a student's internet use, and files which have been viewed, accessed, or downloaded. Information accessed on Westfield's e-mail and computer system can be retrieved and/or subpoenaed. You should not use the email and other systems for any personal or private communication. Personal or other non-approved software shall not be loaded or used on the school's computer systems. Email messages shall not contain content that may reasonably be considered offensive or disruptive to any other student or staff member. Offensive content includes, but is not limited to sexual contents or images, racial slurs or other comments that may offend someone on the basis of his/her age, gender, race, sexual orientation, ethnic background, religious beliefs, national origin or disability. Examples of inappropriate use of the computer include but are not limited to:

- a. Placing unapproved or illegal information on a system.
- b. Using abusive or otherwise objectionable language in messages.
- c. Causing the loss of another's work.
- d. Sending a message that would represent an embarrassment to the Westfield Public Schools by virtue of the sender's address or other means of identification and/or would be harmful to the school district's interest.
- e. Using a computer to provide services to others for profit and/or accessing or distributing illicit/unacceptable materials (e.g. pornography).
- f. Breaching the confidentiality or privacy of other staff members/students.
- g. Unauthorized downloading, copying or transmission of software, files or materials found on the Internet.

Electronic information research skills are now fundamental to preparation of citizens and future employees during an Age of Information. The School Committee expects that staff will blend thoughtful use of such information throughout the curriculum and that staff will provide guidance and instruction to students in the appropriate use of such resources. Staff will consult the curriculum guidelines as developed by the Westfield Public Schools for instructional materials. Students are responsible for good behavior on school computer networks just as they are in a classroom or a school hallway. Communications on the network are often public in nature. General school rules for communications and behavior apply. The network is provided for students to conduct research and communicate with others. Access to network services will be provided to students who agree to act in a considerate and responsible manner. Use of the City of Westfield's Wide Area Network is a privilege, not a right. Student use of telecommunications and electronic information resources will be permitted upon submission of permission forms and agreement forms by students and by parents/guardians of minor students (less than 18 years of age). Access to telecommunications will enable students to explore thousands of libraries, databases, and bulletin boards while exchanging messages with people throughout the world. The School Committee believes that the benefits to students from access in the form of information resources and opportunities for collaboration exceed the disadvantages. To that end the Westfield Public Schools support and respect each family's right to decide whether or not to apply for access. The School Committee authorizes the Superintendent to prepare appropriate procedures for implementing this policy and for reviewing and evaluating its effect on instruction and student achievement. Although our intent is to make Internet access available to further educational goals and objectives of the Westfield Public Schools, students may find ways to access other materials as well. Students may have access to the Internet and the City of Westfield's Wide Area Network (WAN) while working on staff assigned or approved projects in a supervised setting. This includes computers in media centers, classrooms and computer lab facilities. The student and parent must read the policy and complete the User Agreement Form to the Internet.* Students must follow all rules contained within this policy at all times when using the WAN or the Internet.

The use of the City of Westfield's Wide Area Network is a privilege, not a right. Inappropriate use will result in limitation or cancellation of user privileges and possible disciplinary actions. Students must also follow the directions of faculty and staff members supervising any area where networked resources can be accessed. *The School Committee delegates responsibility to the Superintendent or his/her designee to develop contracts or other procedural documents. It is the responsibility of the building principal to enforce the contracts and other procedural documents.

WESTFIELD PUBLIC SCHOOL'S GOALS

- 1) To support the implementation of Westfield Public Schools' Performance Standards and Curriculum Goals and Objectives.
- 2) To enhance learning opportunities by focusing on the application of skills in information retrieval, searching strategies, research skills, and critical thinking.
- 3) To promote life-long learning.

ACCESS INCLUDES

- 1) Information, news and resources from businesses, libraries, educational institutions, government agencies, research institutions and a variety of other sources.
- 2) Telecommunications with individuals and groups around the world and public domain and shareware software.

SECURITY AND SAFETY

- Students will demonstrate personal responsibility by agreeing never to meet with someone they contact on-line without first checking with parents and teachers.
- Students will accept the responsibility for keeping from entering the school via the Internet all pornographic material, gambling material, files, material dangerous to the health and safety of students and staff, or files dangerous to the integrity of the wide area network.
- Students will demonstrate responsibility by not transmitting any material in violation of United States, Massachusetts, or Westfield Public Schools regulations. This includes, but is not limited to, copyrighted material, threatening, harassing, or obscene material, pornographic material, or material protected by trade secret.
- If a student identifies a security problem on the Internet or the City of Westfield's Wide Area Network, he/she is responsible to notify the teacher in charge or administrator. Students should not demonstrate the problem to other students. Students should not use another individual's account as security on any computer system especially when the system involves many students.
- Students have the responsibility to use computer resources for academic purposes only. Playing games or using networked resources for non-academic purposes is not permitted. Students may not conduct commercial activities for profit, advertise products, or conduct political lobbying on the network.
- Student generated files can only be uploaded to the School District Network by the network administrator, or designated building staff member, after approval by the teacher and building principal.

PROPERTY

- Students must respect others' privacy and intellectual property. Any traffic from this network that traverses another network is also subject to that network's acceptable use policy (AUP).
- Students are responsible for citing sources and giving credit to authors during the research process. All communication and information accessible via the network should be assumed to be private property.
- Students will honor the legal rights of software producers, network providers, copyright and license agreements.

COURTESY OR E-MAIL ETIQUETTE

- 1) Classroom projects may involve the sending and receiving of e-mail to a class account. Responsibility for content lies with the student who either sends or receives e-mail.
- 2) Students may come across web sites which ask for comments or a reply. Certain communications and e-mail behaviors have gained acceptance on the network, some because they save misunderstanding and maintain privacy, others because they help students avoid wasting time or help conserve system resources. Since many students have e-mail accounts at home, this set of guidelines will be helpful for home use also. As students join the on-line community, they should practice these accepted behaviors:
- 3) Include your first name, last initial and school at the bottom of e-mail messages, but never give your home address or phone number.
- 4) Do not post photos, addresses or phone numbers of yourself or other students.
- 5) Be careful when you use sarcasm and humor; without face-to-face communications, your joke may be misinterpreted or viewed as criticism.
- 6) Do not be vulgar, offensive, or swear.
- 7) Do not publicly criticize or anger others.
- 8) When quoting in a message, attribute the quotation to its author or source.
- 9) Use all capitals only to highlight a word; if you use them for an entire message, people will think you are shouting.

BEHAVIORS AND CONSEQUENCES

Appropriate Codes of Conduct and Disciplinary Measures are outlined in the Westfield School District Policy Manual.

- A. Any violation of the policy may result in a cancellation of network privileges and/or disciplinary action. The network administrators may deny access at any time as required. The administration, faculty and staff of the Westfield Public Schools may request the network administrators to deny, revoke, or suspend specific student privileges. Any student identified as a security risk or having a history of problems with other computer systems may be denied access to the Westfield Wide Area Network/Internet.

- B. Tampering with computer security systems and/or applications and/or documents will be considered vandalism, destruction, and defacement of school property (see school handbooks). Financial and legal consequences of such actions are the responsibility of the student and parent/guardian.
- C. Vandalism will result in cancellation of privileges and disciplinary action. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the Internet, or other networks. This includes, but is not limited to, the uploading or creation of computer viruses.
- D. The Westfield Public Schools makes no warranties of any kind, whether expressed or implied, for the services it is providing. The Westfield Public Schools will not be responsible for any damages suffered. This includes loss of data resulting from delays, non-deliveries, mis-deliveries, or service interruptions caused by the individual school's own negligence or the user's errors or omissions. Use of any information obtained via the Westfield Public Schools is at the user's own risk. The Westfield Public Schools specifically denies any responsibility for the accuracy or quality of information through its services. (Policy: EHAA - Student)

STUDENT ACCEPTABLE USE OF TECHNOLOGY AGREEMENT

The Westfield Public School District believes technology, including computers, electronic devices and the Internet, provides access to vast, diverse and unique resources in a global community. Our goal in providing electronic tools, a computer network and Internet access to teachers, staff and students is to promote educational excellence by facilitating resource sharing, communication and enabling new types of educational pursuits. All users are encouraged to use technology to pursue intellectual activities, seek resources, access libraries, collaborate and engage in learning activities however, it is important to remember that access is a privilege, not a right, and the user is responsible at all times for its proper use.

ACCESS TO ONLINE MATERIALS

Educational Purpose: The materials accessed by students through the district's Internet system should be for class assignments or for personal research on subjects similar to that studied in a class or in the school library. A student may not attempt to access any Internet resource without the prior consent of the teacher. The Internet is an extension of the classroom and teachers are responsible for and must be aware of where his/her student goes on the Internet. Use for entertainment purposes is not allowed.

Content Filtering: In order to be in compliance with the Children's Internet Protection Act (CIPA), filtering software has been installed throughout the City of Westfield's Wide Area Network. This software blocks access to visual depictions of material that is obscene or otherwise considered harmful to minors. Realizing that no filtering software is perfect, we cannot however guarantee that users will not encounter text, pictures or references that are objectionable. Students who try to access appropriate sites which are blocked, should report this to a school librarian, computer lab coordinator, principal, or teacher. Proxy sites or other technologies cannot be used to bypass the filtering software.

Students are responsible for avoiding access to inappropriate material and reporting incidents should they occur.

Prohibited Internet uses include, but are not limited to:

- a) Any violation of federal, state and local law.
- b) Accessing threatening, offensive or profane material. Offensive content includes, but is not limited to sexual comments or images, racial slurs or other comments that may offend someone on the basis of his/her age, gender, race, sexual orientation, ethnic background, religious beliefs, national origin or disability.
- c) Using a computer to provide services to others for profit.
- d) Committing plagiarism by taking the ideas or writings of others and presenting them as if they are your own.
- e) Committing copyright infringement by inappropriately reproducing a piece of work that is protected by a copyright.
- f) Committing vandalism by attempting to harm or destroy network resources, data of another user, the Internet, or other networks, including the creation of, or uploading of, computer viruses on the Internet or host site.
- g) Using another individual's network access including use of another individual's network username and password without authorization.
- h) Consuming large amounts of bandwidth, resulting in disruption of the network, including but not limited to:
 - Network/Internet games
 - Streaming video and audio for non-educational purposes
 - Non-educational teleconferencing
 - Downloading very large files without prior approval of technology staff

ELECTRONIC COMMUNICATION

As part of 21st century learning, teachers and students will be using Web tools including, but not limited to email, blogs, wikis, podcasts, videocasts and virtual classrooms. These technologies improve student communication and collaboration skills, provide a real audience and extend learning beyond the classroom walls while building digital citizenship skills. The following terms and conditions relate to these New Web Tools.

Privacy and Communication Safety Requirements:

- Most electronic communication is a matter of public record and should never be considered private or secure
- Students will act safely by keeping personal information about themselves or others out of Web projects. This information includes last names, personal email addresses, home addresses, phone numbers, school names or other information that could help locate someone in person. No identifying photos or videos can be posted without proper permission.
- Students will treat blog and wiki spaces as they would a classroom space, and use appropriate and respectful language. Posts, including pictures and videos, must be school-appropriate.
- When posting a link in a blog, podcast, videocast or wiki, students must first read the information carefully to be certain that it is appropriate for the school community.
- Students will promptly disclose to a teacher or other school staff member, any form of electronic communication that is inappropriate or makes them feel uncomfortable. Students should not delete such messages until instructed to do so by a staff member.

Publishing of Photos and Student Work:

- Parental permission **must** be obtained for the publishing of student work at each grade level.
- **Unidentifiable** photos of K-12 students and teachers may be published on school websites, illustrating school projects and achievements.
- **Unidentified** photos (face clearly visible, no name) of K-12 students may be published on school websites, illustrating school projects and achievements, with parent permission.
- **Unidentified** photos (face clearly visible, no name) of district teachers and staff may be published on school websites, illustrating school projects and achievements, only with their permission.
- Student work in grades K-5 is published with student first initials only.
- Student work in grades 8-12 is published with first name only.
- Published documents cannot include any personal information of staff or students.

Unauthorized use of electronic communication includes, but is not limited to:

- a) Accessing social media or blogging sites, without prior approval of a teacher.
- b) Creating and exchanging offensive, harassing, obscene, or threatening messages.
- c) Creating and exchanging communications that use impolite, abusive, or objectionable language.
- d) Impersonating any other person, entity, or organization.
- e) Posting information that could cause damage or danger of disruption to the student's school or any other organization or person.

SECURITY AND SAFETY**Privacy**

All student use of the Internet will be supervised and monitored. The district's monitoring of Internet usage can reveal all activities students engage in using the district Internet system. Network and Internet access is provided as a tool for education. The District reserves the right to monitor, inspect, copy, review and store at any time and without prior notice any and all usage of the computer network and Internet access and any and all information transmitted or received in connection with such usage. All such information files shall be and remain the property of the District and no user shall have any expectation of privacy regarding such materials.

Password Protection:

Students are responsible for their individual accounts and should take all reasonable precautions to prevent others from being able to use their account. Students must not compromise the privacy of their password by giving it to another student or exposing it to public view.

Personally-owned devices:

Users should not connect or install any personally owned computer hardware or hardware components to or in the district's technology resources without the prior approval of the appropriate school/district technology personnel.

Personally-owned devices that are connected to the network must be used in compliance with this Acceptable Use Policy.

The District is not responsible or liable for issues and/or damages caused by the connection of personal devices to the District's network.

Limitations and Liability

The district will not guarantee that the functions or services provided through the district Internet service will be

without error. The district will not be responsible for any damages suffered, including but not limited to loss of data, interruptions of service, or exposure to inappropriate material or people. The district will not be responsible for the accuracy or quality of the information obtained through the system. The district will not be responsible for financial obligations arising through the unauthorized use of the system. Parents can be held financially responsible for any harm that may result from their child's intentional misuse of the system.

BEHAVIORS AND CONSEQUENCES

Appropriate Codes of Conduct and Disciplinary Measures are outlined in school handbooks and the Westfield School District Policy Manual. Any violation of the agreement may result in a cancellation of network privileges and/or disciplinary action. The network administrators may deny access at any time as required. The administration, faculty and staff of the Westfield Public Schools may request the network administrators to deny, revoke, or suspend specific student privileges. Any student identified as a security risk or having a history of problems with other computer systems may be denied access to the Westfield Wide Area Network/Internet.

The District has no duty to regulate or review off-campus Internet messages, statements, postings, or acts but adds that when those acts threaten violence against another student or otherwise disrupts the learning environment or orderly conduct of the school, the school can take action.

STUDENT AND PARENTAL CONSENT

Student use of telecommunications and electronic information resources will be permitted upon submission of consent forms, signed by students and by parents/guardians of minor students.

PARENTAL NOTIFICATION

The Westfield Public Schools will ensure that parents and/or guardians are afforded the flexibility to exempt their children from any portion of the human sexual education or human sexuality issues curriculum that is taught within the K-12 grade levels. Parents and/or guardians who wish to avail themselves of this flexibility shall do so through written notification to their child's school principal. No child so exempted shall be penalized by reason of such exemption. To the extent practical, program instruction materials for this curriculum shall be made reasonably accessible to parents, guardians, educators, school administrators, and others for inspection and review. This policy will be distributed to all building principals, prior to September 1, each year. Upon receipt of said policy building principals are responsible for notification to parents of their rights. Parents will be notified of this policy on an annual basis.

PERSONAL POSSESSIONS

Radios, tape recorders (including "walkman" type), other musical instruments, or other personal possessions of value may not be used at anytime during the school day unless under the direct supervision of a staff member. Possession of personal video or audio recorders by students is prohibited unless expressly permitted by school administration for an education purpose. Video or audio taping of individuals without their knowledge or express consent is prohibited. Such conduct, in addition to a violation of school rules, may constitute a violation of privacy and/or violation of federal and state wire tapping laws, resulting in referral to law enforcement officials.

POLICY REGARDING SEX DISCRIMINATION AND SEXUAL HARASSMENT (STUDENTS)

It is the policy of the Westfield Public Schools that any form of sex discrimination or sexual harassment is forbidden, whether by students, school employees or third parties subject to the control of the board. Students, school employees and third parties are expected to adhere to a standard of conduct that is respectful of the rights of students. Any student or employee who engages in conduct prohibited by this policy shall be subject to disciplinary action. The Superintendent of Schools shall develop Administrative Regulations implementing this Policy.

Definitions

Sex discrimination occurs when a person, because of his or her gender, is denied participation in or the benefits of any education program receiving federal financial assistance. Sexual harassment is a form of sex discrimination. Sexual harassment in the education environment and retaliation for reporting or cooperating with a sexual harassment investigation are unlawful under both state and federal law and will not be tolerated. In Massachusetts, the legal definition for sexual harassment is this: "sexual harassment" means 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 employment or education or a basis for employment or educational decisions; or

- 2) Such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work or educational performance by creating an intimidating, hostile, humiliating or sexually offensive environment.

Be advised that our policy prohibits conduct or behavior of an offensive or sexual nature including that which may go beyond what is prohibited by law. The Administrative Regulations implementing this Policy provide more specific examples of conduct that is prohibited by this Policy.

Procedure

It is the express policy of the Westfield Public Schools to encourage victims of sex discrimination or sexual harassment to report such claims. Students are encouraged to promptly report complaints of sex discrimination or sexual harassment to the appropriate personnel, as set forth in the Administrative Regulations implementing this Policy. The school district will investigate such complaints promptly and will take corrective action where appropriate. The district will maintain confidentiality to the extent possible. The school district will not tolerate any reprisals or retaliation that occurs as a result of the good faith reporting of charges of sexual harassment or sex discrimination. Any such reprisals or retaliation will result in disciplinary action against the retaliator. The school district will periodically provide staff development for district administrators and periodically distribute this Policy and the implementing Administrative Regulations to staff and students in an effort to maintain an environment free of sexual harassment and sex discrimination. (File: ACAC)

NON-DISCRIMINATION OF STUDENTS

The School Committee complies with all applicable federal, state, and local laws prohibiting the exclusion of any person from any of its educational programs or activities, or the denial to any person of the benefits of any of its educational programs or activities because of race, creed, color, national origin, sex, religion, sexual orientation, marital status, age or disability, subject to the conditions and limitations established by law.

Discrimination or harassment based on any of the above factors should be reported immediately to school officials. The complaint process outlined in the sexual harassment policy or general student complaint procedure, may be utilized by any student who believes the policy to be violated.

ADMINISTRATIVE REGULATIONS REGARDING SEX DISCRIMINATION AND SEXUAL HARASSMENT

It is the policy of the Westfield Public Schools that any form of sex discrimination or sexual harassment is forbidden, whether by students, school employees or third parties subject to the control of the board. Students, school employees and third parties are expected to adhere to a standard of conduct that is respectful of the rights of students. Any student or employee who engages in conduct prohibited by the Westfield Public Schools sex discrimination and sexual harassment policy shall be subject to disciplinary action.

Definitions

Sex discrimination occurs when a person, because of his or her gender, is denied participation in or the benefits of any education program receiving federal financial assistance. Sexual harassment is a form of sex discrimination. Sexual harassment in the education environment and retaliation for reporting or cooperating with a sexual harassment investigation are unlawful under both state and federal law and will not be tolerated. In Massachusetts, the legal definition for sexual harassment is this: "sexual harassment" means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

- 1) Submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or education or a basis for employment or educational decisions; or
- 2) Such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work or educational performance by creating an intimidating, hostile, humiliating or sexually offensive environment. Although not an exhaustive list, the following are examples of the type of conduct prohibited by the policy against sexual harassment:
- 3) Statements or other conduct indicating that a student's submission to, or rejection of, sexual overtures or advances will affect the student's grades and/or other academic progress.
- 4) Unwelcome attention and/or advances of a sexual nature, including verbal comments, sexual invitations, leering and physical touching.
- 5) Display of sexually suggestive objects, or use of sexually suggestive or obscene comments, invitations, letters, notes, slurs, jokes, pictures, cartoons, epithets or gestures.

* Sexual harassment is not limited to conduct by a male towards a female. The victim of sexual harassment, or likewise, the harasser, may be either male or female.

The Westfield Public Schools Policy regarding sex discrimination and sexual harassment prohibits conduct or behavior of an offensive or sexual nature including that which may go beyond what is prohibited by law. While it is not possible to list all the additional circumstances that may constitute sexual harassment, the following are some examples of conduct which violate our policy and may also constitute sexual harassment under the law, depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness.

- 1) Linking a student's academic or athletic progress to the student's submission to or participation in certain sexual activities.
- 2) Making continued unwelcome sexual advances - whether they involve physical touch or not.
- 3) Communicating sexual epithets, jokes, making written or oral references to sexual conduct, gossip regarding one's sex life, or commenting on an individual's body, or about an individual's sexual activity, deficiencies, or prowess.
- 4) Displaying sexual suggestive objects or materials, including photographs, drawings, cartoons, post cards, calendars and tapes.
- 5) Leering, whistling and brushing against another person's body.
- 6) Inquiring about another person's sexual experiences.
- 7) Discussing one's own sexual activities.
- 8) Making sexual gestures or body motions.
- 9) Transmitting or accessing sexually explicit materials by computerized or other means.
- 10) Making sexual comments or telling sexual jokes or stories.
- 11) Touching, pinching, groping, kissing or patting the body of another person.
- 12) Repeatedly asking a person for a date or to socialize outside of work after being informed such conduct is unwelcome.
- 13) Exerting pressure on another person for sexual or a romantic relationship.
- 14) Following, "shadowing" or stalking a person.

Complaint Procedure

- 1) It is the express policy of the Westfield Public Schools to encourage victims of sex discrimination or sexual harassment to promptly report such claims. Timely reporting of complaints facilitates the investigation and resolution of such complaints.
- 2) As soon as a student feels that he or she has been subjected to sex discrimination or sexual harassment, he/she should make a written complaint to the principal, or his/her designee. The student will be provided a copy of this Policy and Regulation and made aware of his or her rights when he/she files the complaint.
- 3) The complaint should state the:
 - a. Name of the complainant,
 - b. Date of the complaint,
 - c. Date(s) of the alleged harassment/discrimination,
 - d. Name(s) of the harasser(s) or discriminator(s),
 - e. Location where such harassment/discrimination occurred,
 - f. Names of any witness(es) to the harassment/discrimination, and
 - g. Detailed statement of the circumstances constituting the alleged harassment/discrimination.

*Students who have a complaint of sexual harassment or who wish to learn more about the subject may contact either one of the following persons:

Chief Operations Officer/Legal Counsel
22 Ashley Street, Westfield, MA 01085
(413) 572-6550

Administrator of Student Services
22 Ashley Street, Westfield, MA 01085
(413) 572-6556

Student complaints of sexual harassment should be filed in the following manner:

LEVEL ONE: Report the alleged charge immediately to the principal of the building or, if the principal is the subject of the alleged charge, to the superintendent or his/her designee. If the Superintendent is the subject of the alleged charge the complaint should be filed with the Title IX Coordinator, the Administrator of Student Services

All complaints will be reduced to writing following an informal discussion of the allegation in order for the matter to proceed further. The principal (or superintendent) will investigate and will try to render a decision regarding the complaint and any action or recommended action to be taken within ten (10) calendar days. The building principal or designee shall make a written report summarizing the results of the investigation and proposed disposition of the matter. Consistent with state and federal law and as deemed appropriate by the Title IX Coordinator or designee, the findings of the investigation shall be shared with persons involved in the investigation.

LEVEL TWO: If the student wishes to carry the complaint beyond the decision reached at Level One, he/she may, within five (5) days of the decision, file his/her complaint with the Superintendent. The Superintendent will evaluate the evidence and will try to render his/her decision within (10) days after receiving the appeal. If after a thorough investigation, there is reasonable cause to believe that sexual harassment or sex discrimination has occurred, the school

district shall take appropriate corrective action in an effort to ensure that the harassment/discrimination ceases and will not recur.

Confidentiality

Investigations of sexual harassment complaints shall be conducted in such a manner as to disclose information only to those with a need to know or those who may have information pertinent to the investigation. The Westfield Public Schools shall endeavor to keep such information as confidential as it can without compromising the thoroughness of the investigation. No retaliation for filing a complaint or cooperating with an investigation: No employee or student shall be retaliated or discriminated against in any way for making a complaint of sexual harassment or for cooperating in the investigation of such a complaint.

Discipline

Any student who violates the Westfield Public Schools Sexual Harassment Policy will be subject to disciplinary action that may range from detention, suspension from schools, up to and including expulsion from Westfield Public Schools. In appropriate circumstances, the Administration may also refer the matter to law enforcement officials for possible prosecution.

Identity of State and Federal Authorities

The Massachusetts Commission Against Discrimination (MCAD) enforces the state law prohibiting sexual harassment. The MCAD can be reached as follows, if you wish to file a formal complaint with them:

Massachusetts Commission
Against Discrimination
436 Dwight Street, Suite 220
Springfield, MA 01103
Telephone (413) 739-2145

Massachusetts Commission
Against Discrimination
One Ashburton Place, Room 601
Boston, MA 02108-1532
Telephone (617) 727-3990

The Equal Opportunity Commission (EEOC) enforces the federal law prohibiting sexual harassment. The EEOC can be reached as follows if you wish to file a formal complaint with them:

Equal Employment Opportunity Commission
One Congress Street, Room 1001
Boston, MA 02114
Telephone (617) 565-3200

Equal Employment Opportunity Commission
1801 L St. N.W.
Washington, DC 20507
Telephone (202) 663-4900 (File: ACAC-R)

STUDENT PROGRESS REPORTS TO PARENTS

The Westfield School Committee regards the following principals as the key to an effective system of student progress reporting.

1. Parents are entitled to a maximum amount of information concerning the progress of their child.
2. The information shall emphasize the positive aspects of a child's progress in school indicating, therefore, what he has accomplished. Every effort shall be made to prevent progress reporting from being punitive in nature.
3. Parent-teacher conferences are considered extremely important to both the teacher and the parent and must take place on a regularly scheduled basis. Special additional parent-teacher conferences should be scheduled, as the need exists.
4. Parents shall, upon request, be provided with an explanation of the source of difficulties and level of achievements of their child in school.
5. Progress reporting must be based upon a child's placement in relation to an established set of educational objectives.
6. In addition to the quarterly marking periods already in place, the committee also recognizes the need for academic updates within each marking period. These updates will be used as a means of notifying parents of difficulties and/or achievements.

STUDENT INTERROGATIONS, SEARCHES AND ARRESTS

Searches

The storage, on one's person, in one's belongings or in school property, of contraband such as, but not limited to, illegal substances or articles or any item prohibited by district policy or building rules, is strictly forbidden. Violations will result in confiscation of such materials. The student in violation will be subject to disciplinary action.

School Property

Lockers, desks, computers, books and other items issued to students by the district for their temporary use, remain the property of the school. As such, students should have no expectation of privacy as it relates to their use. School property may be randomly inspected without notice by school administrators or designees to insure cleanliness, safety

and adherence to federal, state and local laws and regulations. School property may also be searched when an administrator or designee has reason to believe that contraband, as described above, may be stored within. Trained dogs accompanied by experienced handlers, may be used in conducting periodic sweeps of the campus including but not limited to parking areas and lockers.

Person/Personal Possessions

When an administrator or designee has reasons to believe that contraband as described above is being stored on one's person or in one's possessions, he/she may conduct a personal search appropriate to the nature of the potential violation.

INTERROGATIONS, INVESTIGATIONS AND ARRESTS

It is the policy of the Westfield Public Schools to cooperate with law enforcement and social service agencies in the interest of the larger welfare of all citizens. At the same time, schools have responsibility to parents for the welfare of the students while they are in the care of the school. To carry out this responsibility school officials shall observe the following:

1. A student in school may not be interrogated by authorities without permission of the superintendent or his/her designee.
2. Any interrogation by authorities must be done in private with an official school representative present.
3. A student may not be released to the custody of persons other than the parent/legal guardian or legal authority. The district is obligated by law to release students to the custody of law enforcement officials when placed under arrest and to the custody of DSS when presented with a court order or when informed that the agency is acting upon its powers of presumptive custody.
4. When a student is removed from the school by legal authority, school officials should make every reasonable attempt to notify parents as soon as possible.

STUDENT ASSISTANCE PROGRAM

The goal of the district is to provide students needing educational supports with the opportunity to receive educational assistance within the general education program whenever possible. The first level of intervention for students who may require such educational supports will typically be referred to the Student Assistance Team. The purpose of Student Assistance Team is to assess the needs of any student who is having academic difficulty and to provide educational supports and/or develop appropriate accommodations for the student. Such efforts to meet the student's needs in the regular education classroom may include, but are not limited to: curriculum accommodations, alternative teaching strategies, adaptations of teaching environments or materials, support services, consultation services and building-based teams. All accommodations and their results will be documented and placed in the student's records. Those students who are clearly in need of additional services will be efficiently and effectively identified. A student with a disability may also be provided with accommodations in accordance with Section 504 of the Rehabilitation act of 1973. Section 504 is a federal law that provides for appropriate accommodations that enable students to meet with success within the general education program. Eligibility for support under Section 504 is determined through a Team process. Should a student be eligible under Section 504, the Team will develop an appropriate Section 504 Plan for the student. If the Student Assistant Team determines that a student may be in need of special education services, the student may be referred for further evaluation and consideration of eligibility under federal and state special education laws.

If a student is identified as a student in need of special education, an appropriate IEP (Individualized Education Program) will be developed. Special Services has as its aim the provision of programs which meet the needs, interests and abilities of each student, focusing on the individual's talents rather than on limitations. Whether these needs are academic, physical, emotional, psychological or sociological, all children shall be provided with an equal educational opportunity. The school district adheres to all state and federal laws with respect to the education of students with disabilities.

SECTION 504 OF THE REHABILITATION ACT OF 1973

Section 504 of the Rehabilitation Act of 1973 is a broad civil rights law that protects the handicapped or disabled individuals in programs that receive federal funds. Under this Act, a qualified disabled person is "one who has had a physical or mental disability which substantially limits a major life activity or, has a record of such or is regarded as disabled by others. On September 25, 2008, the "American with Disabilities Act Amendments Act of 2008" was enacted. It became effective January 1, 2009. The act expands the definition of "major life activities" by including two non-exhaustive lists:

- Activities that have long been recognized (e.g., caring for oneself, seeing, hearing, eating, sleeping, walking, standing, speaking, breathing, and learning) as well as activities that were not previously expressly recognized (e.g., performing manual tasks, lifting, bending, reading, concentrating, thinking, communicating, working).
- Includes major bodily functions (e.g., immune system, normal cell growth, digestive, bowel, bladder, neurological, respiratory, circulatory, endocrine, and reproductive functions). The student's disability must substantially impair or limit a major life activity for an individual to be eligible. These disabilities might include students with Attention Deficit Disorder (AD/HD), students with AIDS, heart conditions, and other physical disabilities such as severe asthma, juvenile diabetes, severe arthritis, cerebral palsy, etc. Services given to students under section 504 are considered the responsibility of all of the student's service providers. Many of the specific regulations found in Chapter 766 or IDEA do not apply to Section 504. However, the due process rights of students and parents or guardians are protected and a specific grievance procedure must be in place including the right to mediation or an impartial hearing and the right to be represented by an attorney. If students are thought to have a disability under Section 504, they have a right to an evaluation. If a student has a disability that substantially limits a major life activity, a team knowledgeable about the student will develop a written Accommodation Plan documenting the accommodations that will be made. Services given to students under Section 504 are considered the responsibility of regular education.

GRIEVANCE PROCEDURE
Section 504 of the Rehabilitation Act of 1973

Under Section 504, a person with a disability is anyone who (a) has, (b) has a record of having or (c) is regarded as having, a physical or mental impairment which substantially limits a major life activity such as learning, self-care, walking, seeing hearing, speaking, breathing, working and performing manual tasks and includes major bodily functions .

A complaint alleging discrimination on the basis of disability/impairment in admission, access to services, or treatment in programs and activities shall be filed in the following manner:

I. Procedures

- A. It is the express policy of the district to provide for the prompt and equitable resolution of complaints alleging any violation of Section 504. In order to facilitate the timely resolution of such complaints, any eligible person, including any student, parent/guardian, staff member or other employee who feels that discrimination has occurred on the basis of disability should contact the district's designated Section 504 Coordinator within thirty (30) calendar days of the alleged occurrence. The complainant should provide the Section 504 Coordinator the following information:
 1. The name of the complainant;
 2. The date of the complaint;
 3. The date(s) of the alleged discrimination;
 4. The names of any witness(es) or individuals relevant to the complaint; and
 5. A detailed statement describing the circumstances in which the alleged discrimination occurred.
- B. If the Section 504 Coordinator is the subject of the complaint, the complaint should be submitted directly to the Superintendent, who shall investigate or appoint a designee to do so.
- C. Complaints will be investigated promptly and corrective action will be taken when allegations are verified. Confidentiality will be maintained by all persons involved in the investigation to the extent possible.
- D. Upon receipt of the complaint, the Section 504 Coordinator (or Superintendent, as outlined above), shall:
 1. Provide a copy of the written complaint to the Superintendent of Schools;
 2. Meet with the complainant within 14 calendar days of receiving the complaint, to discuss the nature of the complaint;
 3. Provide the complainant with a copy of the district's Section 504 Policy and applicable administrative regulations within 14 calendar days of receiving the complaint;
 4. Investigate the factual basis for the complaint, including interviews with individuals with information relevant to the complaint;
 5. Attempt to resolve the complainant's concerns, whenever possible;

6. Maintain confidentiality to the extent practicable throughout the investigative process, in accordance with state and federal law;
 7. Regularly update the complainant on the investigation;
 8. Communicate the findings of the investigation to the complainant, along with the intended remedial actions, whenever appropriate, while keeping in mind confidentiality obligations; and
 9. Ensure that appropriate remedial and/or disciplinary action is taken whenever allegations are verified.
- E. If, following the investigation by the Section 504 Coordinator, the complainant is not satisfied with the results of the investigation or the proposed resolution, the complainant may request, in writing, that the Superintendent reviews the findings of the Section 504 Coordinator. Upon receipt of a written request from the complainant, the Superintendent shall review the investigative results of the Section 504 Coordinator and determine if further action and/or investigation is warranted.

II. Complaints to the District

Title: Superintendent of Schools, Westfield Public Schools
 Address: 22 Ashley Street, Westfield, MA 01085
 Tel #: (413) 572-6403

Title: Director of Curriculum and Instruction, 504 Coordinator
 Address: 22 Ashley Street, Westfield, MA 01085
 Tel #: (413) 562-2298

III. Complaints to State and Federal Agencies

The complainant has the right to file a formal complaint with the U.S. Department of Education, Office for Civil Rights, 33 Arch Street, Suite 900, Boston, MA 02100-4557 (Phone Number 617-289-0111). Any such complaints must be filed within one hundred and eighty (180) days of the date of the alleged violation of Section 504, or within sixty (60) days of the completion of the district's internal grievance procedures or including the district's impartial hearing process.

Any employee who believes that he or she has been discriminated against on the basis of disability may also file a complaint with the Massachusetts Department of Elementary and Secondary Education (Phone Number: 617-338-3700), the Massachusetts Commission Against Discrimination (Phone Number: 617-994-6000) and/or the Equal Employment Opportunity Commission (EEOC), Boston Area Office, John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02114 (Phone Number: 617-565-3200). Massachusetts law requires that a formal written complaint be filed with the EEOC within one hundred and eighty (180) days of the date when the alleged discrimination occurred. Remedies for discrimination include cease and desist orders, back pay, compensatory damages, hiring, promotion or reinstatement.

SPECIAL EDUCATION SERVICES

Requirements

The requirements regarding special education are based upon state and federal law. The relevant laws are as follows:

- A. State Law: The state special education law, Section 28, popularly known as "Chapter 766" after the session law number under which it was passed in 1972, is contained in the Massachusetts General Laws (MGL) at Chapter 71B.
- B. The regulations implementing the statute are found in the Code of Massachusetts Regulations (CMR), 603 CMR, Section 28.00.
- C. Federal Law: The federal special education law is known as "IDEA" (Individuals with Disabilities Education Act). The statute is located in the United States Code (USC) at 20 U.S.C. §1400. In 1997, Congress re-authorized the IDEA and the amended statute is popularly known as "IDEA-2004".

In Massachusetts, in order to be found eligible for special education, a student must demonstrate the presence of a disability that prevents the student from making effective progress in education and requires specially designed

instruction or related services in order to access the general curriculum. Examples of a disability include autism; developmental delay; an intellectual, sensory, neurological, emotional, communication, physical, or health impairment; or specific learning disability. An initial evaluation to determine eligibility will seek sufficient evaluative information to make a fair determination that considers all of these factors. A parent, teacher, guidance counselor, administrator, or doctor may recommend a student be referred for special education evaluation. The parent must sign permission for the district to provide an evaluation of the student. The district has 45 days to complete assessments and to make a determination of eligibility. Any parent with questions or concerns should contact the Director of Special Services at (413) 572-6556.

Discipline

The Westfield Public Schools recognizes its responsibility to educate all special education eligible students from the ages of 3 through 21. All students are expected to meet the requirements for behavior as set forth in this handbook and to abide by Westfield's Code of Conduct. Chapter 71B of the Massachusetts General Laws and 20 U.S.C. §1415 et. seq. requires that certain due process discipline procedures be implemented for students who have been identified as having special needs.

Westfield will adhere to and implement the various provisions of state and federal law regarding the disciplining of students who have been identified as having special needs. Under certain circumstances disciplinary actions for special needs students may include suspension, expulsion, placement in an Alternative Interim Educational Setting (IAES), and/or notification to law enforcement officials. A student with special needs who violates disciplinary standards may be subject to suspension in excess of ten (10) days (which constitutes a change in placement) or expulsion, provided certain additional procedures are met. An Individual Education Program (IEP) for a student with special needs must indicate whether or not the student is able to follow the regular discipline code, or if required, it will be written into the IEP.

At the time of any suspension that exceeds ten (10) days in any school year the following procedures apply:

- a. A procedural due process hearing provided to a student without a disability;
- b. A review of whether a relationship exists between the child's disability and the behavior that is the subject of the disciplinary action, ("manifestation determination") which the parent has the right to participate in, the appropriateness of the current plan, and whether or not the current plan is fully implemented; and
- c. A functional behavior assessment, if one was not previously conducted, and if one was conducted, a review of that assessment to determine its adequacy.

If a finding is made that no relationship exists between the behavior and disability, relevant disciplinary procedures applicable to children without disabilities may be applied to students with disabilities. Services will be provided to identified special education students suspended for more than 10 (ten) cumulative days during any school year, or expelled, that will enable the special education student to make appropriate educational progress in the general curriculum and toward the goals of the child's IEP. A child with special needs who is suspended for less than ten (10) cumulative days will not be provided services if services are not provided to a student without disabilities similarly removed. If a parent disagrees with any of the findings of the IEP team, the parent may request a due process hearing before the Bureau of Special Education Appeals. In addition, a student with special needs may be placed unilaterally by the school district in an Interim Alternative Educational Setting for up to forty-five (45) days if the child possesses, uses, sells or solicits illegal drugs on school premises or at school events, or possesses a weapon on the school premises or at a school-sponsored event or causes serious bodily injury.

STUDENT DISCIPLINE - SUSPENSION AND EXPULSION

The purpose of the public schools is to enable students to become educated to their potential and to prepare them to become contributing and responsible members of their community. Rules that govern the behavioral limits of a student body and authorize teachers and administrators to enforce these rules are a necessary component of a system intent on accomplishing these goals. Each student will be responsible for providing a positive and healthy environment for others by maintaining order, self-discipline, and having consideration for the rights and property of others. Each student will bear responsibility for his or her own conduct. Expectations for student behavior in the Westfield Public Schools are based on a belief in self-discipline and the need for respect and consideration for the rights and safety of oneself and others. To that end, each student will:

- A. Respect students, teachers, administrators, and other school personnel and visitors as human beings and fellow citizens of the school community. Individual differences, perceived by a student in others, will be treated with respect and not made the subject of teasing, horseplay or harassment.
- B. Be responsible for appropriateness and cleanliness of personal attire and hygiene.

- C. Respect the personal property of others and refrain from causing damage or unnecessary wear and tear to books, facilities, school materials, school buildings and furnishings, and the personal property of others.
- D. Be responsible for using the learning environment appropriately and refrain from cheating, plagiarism, habitual tardiness, cutting classes, or unexcused absences.
- E. Refrain from excessive noisiness, rudeness, using profanity or foul language, creating disturbances, denying others the use of school facilities or buildings, engaging in gambling, extortion, theft, or any other activity which is disruptive, unsafe, in violation of district policy, or illegal under state or federal law.
- F. Refrain from fighting, assault, intentionally injuring another person or acting in such a manner as to expose others to risk or danger of harm or injury.
- G. A student will not use threats, intimidation or harassment against any other person. A student will not coerce another student or other individual into any disruptive or illegal activity. A student will not use or be in possession of any weapon.
- H. Respect the health and safety of oneself and others and will refrain from using tobacco; or using, possessing, transmitting, selling or being under the influence of any alcoholic beverage, narcotic substance, illegal or prohibited drug or substance.
- I. Respect the educational process and learning environment by refraining from activities which diminish the rights of, and the opportunity for, students to receive an education and obtain the maximum benefit from a public education.

While it is the goal of the Westfield Public Schools to employ methods of progressive and positive discipline, the district supports the need to suspend and/or expel students when behaviors of an acute or chronic nature cause disruption, destruction or pose a threat to the safety of others. Restrictions on student behavior shall be concerned with speech or action that disrupts the work of the school or interferes with the rights or safety of others. Students and parents/guardians have a responsibility to know and respect the rules and regulations of the district and individual schools within the district. These rules, based on district policies, shall be developed by the building principal in consultation with the school council, approved by the administration and adopted by the school committee. Principals, in consultation with their staff and school councils, will establish specific practices relative to the needs of their buildings. These practices will be reviewed annually by the school committee to ensure compliance with overall district policy.

I. DEFINITIONS

Suspension - the removal of a student from his/her educational program for a specified period of time.

- a. Short term suspension - the removal of a student from his/her educational program for up to, but not more than, ten (10) consecutive school days in any one suspension.
- b. External suspension - a student is suspended from school and required to remain off school grounds.
- c. Internal suspension - a student is suspended from attending classes and required to report and remain at an assigned location in a particular school building.
- d. Long term suspension - the removal of a student from his/her educational program for more than ten (10) consecutive school days but no more than forty-five (45) consecutive school days. Removal of a student from his/her educational program for more than forty-five (45) days shall be considered an expulsion except under the provisions of M.G.L. 71:37H ½.
- e. Expulsion - the exclusion of a student from school either permanently or for the remainder of the school year.

II. SCOPE OF THE STUDENT DISCIPLINE POLICY

- a. Conduct on School Grounds or at a School-Sponsored Activity
 - 1. Students may be disciplined for behavior(s) in the school building, on school property, on the bus or school sanctioned transportation, or at school sponsored functions when such behavior(s) cause disruption, destruction or pose a threat to the health or safety of others.
 - 2. Students may also be suspended or expelled when other methods or progressive discipline have proven unsuccessful in resolving behaviors detrimental to the student or the general welfare of the school.
- b. Conduct off School Grounds:

Students may be disciplined for behavior(s) off school grounds, including being charged with or convicted of a felony, when their presence would have a substantial detrimental effect on the general welfare of the school or, when such behavior(s) would present a danger or health hazard within the school setting.

III. SUMMARY OF OFFENSES THAT COULD LEAD TO SUSPENSION OR EXPULSION

Conduct which may lead to disciplinary action (including, but not limited to, removal from class, suspension and/or expulsion) includes conduct on school grounds or at a school-sponsored activity, and conduct off school grounds, as set forth above. Such conduct includes, but is not limited to, the following:

- a. Any organized or individual acts of intimidation or hazing by students, including but not limited to, conduct surrounding initiation of others into any student organization.
- b. Bullying.
- c. Extortion, coercion, or intimidation of other students or school employees.
- d. Possession and/or use of tobacco and/or tobacco products.
- e. The carrying, possession, having domain over or use of a gun, knife or another object or facsimile which may be considered a weapon.
- f. The use, possession of, or domain over, a dangerous weapon.
- g. The possession, carrying or use of beepers. Exceptions for unusual circumstances, such as medical considerations, must be approved at the superintendent level.
- h. Possession, use or distribution of illegal or controlled substances and/or alcohol.
- i. Assault of a staff member.
- j. Conduct that constitutes a continual, material and substantial disruption of the educational process.
- k. Circumstances under which continued presence of student in school represents a danger to the physical safety of others.
- l. Gambling.
- m. Altering of school records or documents and/or forging parents' or staffs' signature on passes or notes.
- n. Possession of Lasers, Cell Phones, Beepers, Headphones, Walkmans & other electronic devices.
- o. Possession and/or use of explosive materials and objects, including firecrackers and smoke "bombs."
- p. Intentionally plagiarizing material, cheating on school work or tests, omitting to give proper information for the purposes of personal gain and/or dishonesty.
- q. Use of obscene, profane, defamatory or inciteful statements or expressions which are disruptive to the educational setting or any other educationally disruptive statements or expressions.
- r. Possession of personal video or audio recorders. Video or audio taping of individuals without their knowledge and express consent.

IV. PROCEDURES GOVERNING SUSPENSION

The principal of a school, or designee on the administrative staff of the school, shall have the right to suspend any student for breach of conduct as noted in Sections II and III of this policy. In such cases the following procedures shall be followed.

A. Procedures for Short Term Suspension

The building principal, or designee, is responsible for providing the student the following:

- a. Notice of the charges;
- b. Explanation of the evidence;
- c. Opportunity to present his/her version of the facts;
- d. Notice of the decision to suspend;
- e. Reasonable efforts to notify the parent or guardian by telephone prior to effecting the suspension; and
- f. Written notice of the suspension decision, sent within 24 hours to the parent or guardian informing him/her of the grounds, duration, type of suspension and any requirements related to the student's return.
- g. The principal will notify the Superintendent in writing.

Students under internal or external suspension remain responsible for completion of all schoolwork and will be given credit accordingly. All suspended students shall have the opportunity to take and receive a grade for tests and examinations which were given during the period of suspension. It is the students' responsibility to take the tests and examinations within five school days after return from suspension unless this period is extended by the school principal. Students who are suspended from school for disciplinary reasons who miss labs may be given readings as a substitute for the learning related to the labs. Work that is unique to the classroom experience and cannot be replicated in another form cannot be made up.

While students are on suspension, teachers are under no obligation to provide extra help other than listing assignments to be completed and stating the date(s) when assignments are due. At the determination of the principal or designee, a parent conference may be convened. The student, parent and a representative of the administration will be in attendance. In some cases of suspension, the student may not be allowed to return to school until the conference has been held. In all cases where a conference is required the conference shall take place within ten (10) days of the suspension. Within this time period, every effort will be made to schedule the conference at the mutual convenience of the parent/guardian and the school. Individual schools may establish programs, such as after-school service, in which

students have the opportunity to voluntarily participate in activities as an alternative to short term suspension except in situations involving offenses of an illegal or injurious nature.

B. Procedures for Long Term Suspension

The building principal is responsible for providing the student/parent:

- a. Written notice, in the dominant language of the home, of the charges and the right to a formal hearing before the principal prior to effecting suspension and the right to be represented by counsel or other advocate of choice (at the student's expense);
- b. Adequate time to prepare for the hearing;
- c. Access to documented evidence before the hearing;
- d. The right to present evidence and/or witnesses;
- e. The right to question the district's witnesses except when there is information indicating that doing so may put said witnesses at risk of harm; and
- f. A prompt decision, written in the dominant language of the home, including specific grounds for the decision and any reasonable conditions which must be met to ensure the student's return. The letter will include student's right to appeal to the Superintendent within ten (10) days from the date of receipt of notification of suspension.
- g. The principal will notify the Superintendent in writing.

C. Appeal of Long Term Suspension to Superintendent

- a. Upon receiving written notice of a request for an appeal within ten (10) days of the notification of suspension, the superintendent shall schedule a hearing at which time the student may be represented by counsel (at the student's expense) and present oral and written testimony on his/her behalf.
- b. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section. The Superintendent may modify the long-term suspension of a student on a case-by-case basis.
- c. The Superintendent shall render a written decision in the dominant language of the home. Such ruling will be the final decision of the school district.

D. Conditions for Long Term Suspensions

Students under long-term suspension continue to be responsible for completion of school work as stated in situations involving short term suspension. Depending upon the individual circumstances, a principal may opt to suspend with services, in which case a tutor or other approved program alternative would be implemented. Return of a student from long term suspension must be preceded by a parent conference. The student, parent/guardian, representative of the administration and other relevant staff will be present. Every effort will be made to schedule the conference at the mutual convenience of the parent/guardian and the school. Reasonable conditions for a student's return from long term suspension may be imposed by the building principal. Failure of a student to meet such conditions may be grounds for a decision to effect expulsion proceedings.

V. PROCEDURES GOVERNING EXPULSION

A. Initial Hearings in Expulsions by School Principal (MGL c. 71, §37H)

School principals are authorized to expel students in certain situations occurring within the jurisdiction of the school. These situations include the following student conduct on school premises or at school sponsored or school-related events, including athletic games:

- a. Possession, use or distribution of illegal or controlled substances, including but not limited to marijuana, cocaine and heroin;
- b. Use, possession of, or domain over, a dangerous weapon, including but not limited to a gun or a knife;
- c. Assault of a staff member of the Westfield Public Schools.

The principal is responsible for providing the student/parent:

- a. Written notice, in the dominant language of the home, of the charges and the right to a formal hearing before the principal prior to effecting expulsion and the right to be represented by counsel or other advocate of choice (at the student's expense);
- b. Adequate time to prepare for the hearing;
- c. Access to documented evidence before the hearing;
- d. The right to present evidence and/or witnesses;
- e. The right to question the district's witnesses except when there is information indicating that doing so may put said witnesses at risk of harm;
- f. A prompt decision, written in the dominant language of the home, including specific grounds for the decision and any reasonable conditions which must be met to ensure the student's return. The letter will include the student's right to appeal to the Superintendent within ten (10) days from the date of receipt of the notification of the expulsion; and

- g. The principal will notify the Superintendent in writing of the expulsion. The Superintendent will in turn inform the school committee, without identifying the student, of the facts and circumstances surrounding the expulsion.

B. Appeal to Superintendent in Expulsions by School Principal (MGL c. 71, § 37H)

- a. Upon receiving written notice of a request for an appeal within ten (10) days of the notification of expulsion, the superintendent shall schedule a hearing at which time the student may be represented by counsel (at the student's expense) and present oral and written testimony on his/her behalf.
- b. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section. The Superintendent may modify the expulsion of a student on a case-by-case basis.
- c. The Superintendent shall render a written decision in the dominant language of the home. Such ruling will be the final decision of the school district.

C. Admission of Students Expelled by School Principal (MGL c. 71, §37H)

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

D. Expulsions by the School Committee (MGL c. 71, §§ 16, 17)

Upon the recommendation of the building principal and the superintendent, the School Committee may act to expel students for behavior not addressed by Massachusetts General Laws, Chapter 71, Sections 37H (See (V) (A-C) above) and 37H1/2 (See Policy JFK). The School Committee, through the Superintendent's office, is responsible for providing the student/parent:

- a. Written notice, in the dominant language of the home, of the charges and the right to a formal hearing before the principal prior to effecting expulsion and the right to be represented by counselor or other advocate of choice (at the student's expense);
- b. Adequate time to prepare for the hearing;
- c. Access to documented evidence before the hearing;
- d. The right to present evidence and/or witnesses;
- e. The right to question the district's witnesses except when there is information indicating that doing so may put said witnesses at risk of harm; and
- f. A prompt decision, written in the dominant language of the home, including specific grounds for the decision and any reasonable conditions which must be met to ensure the student's return. This letter shall be the final decision of the School Committee.

VI. PROCEDURES GOVERNING SUSPENSION AND EXPULSION OF STUDENTS IDENTIFIED AS ELIGIBLE FOR SERVICES UNDER THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT ("IDEA")

A. Suspension of IDEA Students where Suspension Does not Constitute a Change in Placement

Notwithstanding the foregoing, if the administration suspends a student identified as eligible for services under the IDEA (an "IDEA student") who has violated any rule or code of conduct of the school district that applies to all students, the following procedures shall apply:

- a. The administration shall make reasonable attempts to immediately notify the parents of the student of the decision to suspend on the date on which the decision to suspend was made, and a copy of the special education procedural safeguards must either be hand-delivered or sent by mail to the parents on the date that the decision to suspend was made.
- b. During the period of suspension, the school district is not required to provide educational services to the IDEA student beyond that which is provided to all students suspended by the school district.

B. Expulsion and Suspensions that Constitute Changes in Placement for IDEA Students

Notwithstanding any provision to the contrary, if the administration recommends for expulsion an IDEA student who has violated any rule or code of conduct of the school district that applies to all students, the procedures described in this section shall apply. The procedures described in this section shall also apply for students whom the administration has suspended in a manner that is considered under the IDEA, as it may be amended from time to time, to be a change in placement:

- a. The parents of the student must be notified of the decision to recommend for expulsion (or to suspend if a change in placement) on the date on which the decision to suspend was made, and a copy of the special education procedural safeguards must either be hand-delivered or sent by mail to the parents on the date that the decision to recommend for expulsion (or to suspend if a change in placement) was made.
- b. The school district shall immediately convene the IEP team, but in no case later than ten (10) school days after the recommendation for expulsion or the suspension that constitutes a change in placement was made. The student's IEP team shall consider the relationship between the student's disability and the behavior that led to the recommendation for expulsion or the suspension which constitutes a change in placement, in order to determine whether the student's behavior was a manifestation of his/her disability.
- c. If the IEP team finds that the behavior was a manifestation of the student's disability, the administration shall not proceed with the recommendation for expulsion or the suspension that constitutes a change in placement. The IEP team shall consider the student's misconduct and revise the IEP to prevent a recurrence of the misconduct and to provide for the safety of other students and staff.
- d. If the IEP team finds that the behavior was not a manifestation of the student's disability, the administration may proceed with the recommended expulsion or suspension that constitutes a change in placement. The expulsion or suspension shall then proceed in accordance with the procedures set forth above for suspension and/or expulsion of all students.
- e. During any period of expulsion, or suspension of greater than ten (10) days per school year, the administration shall provide the student with an alternative education program in accordance with the provisions of the IDEA.
- f. The special education records and disciplinary records of the student must be transmitted to the individual(s) who will make the final determination regarding a recommendation for expulsion or a suspension that results in a change in placement.

C. Transfer of IDEA Students for Certain Offenses

School personnel may transfer an IDEA student to an appropriate interim alternative educational setting for not more than forty-five (45) calendar days if the student:

- a. Was in possession of a dangerous weapon, as defined in 18 U.S.C. 930(g)(2), as amended from time to time, on school grounds or at a school-sponsored activity, or
- b. Knowingly possessed or used illegal drugs or sold or solicited the sale of a controlled substance while at school or at a school-sponsored activity, or
- c. Causing serious bodily injury.

As used in this subsection VI.(C.), the term "dangerous weapon" means a weapon, device, instrument, material, or substance, animate or inanimate, that is used for, or is readily capable of, causing death or serious bodily injury, except that such term does not include a pocket knife with a blade of less than 2.5 inches in length. The term "controlled substance" means a drug or other substance identified under schedules I, II, III, IV, or V in section 202(c) of the Controlled Substances Act, 21 U.S.C. 812(c). The term "illegal drug" means a controlled substance but does not include a substance that is legally possessed or used under any other authority under the Controlled Substances Act or under any other provision of federal law.

VII. PROCEDURES GOVERNING EXPULSIONS AND LONG TERM SUSPENSION FOR STUDENTS IDENTIFIED AS ELIGIBLE FOR EDUCATIONAL ACCOMMODATIONS UNDER SECTION 504 OF THE REHABILITATION ACT OF 1973 ("SECTION 504")

Notwithstanding any provision to the contrary, if the administration recommends an expulsion, or a long term suspension that meets the definition of change in placement under federal law, for a student identified as eligible for educational accommodations under Section 504 who has violated any rule or code of conduct of the school district that applies to all students, the following procedures shall apply:

- a. The parents of the student must be notified of the decision to recommend the student for expulsion.
- b. The district shall immediately convene the student's Section 504 team ("504 team") for the purpose of reviewing the relationship between the student's disability and the behavior that led to the recommendation for expulsion. The 504 team will determine whether the student's behavior was a manifestation of his/her disability.
- c. If the 504 team finds that the behavior was a manifestation of the student's disability, the administration shall not proceed with the recommended expulsion. The 504 team shall consider the student's misconduct and revise the 504 plan to prevent a recurrence of the misconduct and to provide for the safety of other students and staff.
- d. If the 504 team finds that the behavior was not a manifestation of the student's disability, the administration may proceed with the recommended expulsion.

VIII. DISSEMINATION OF POLICY

The School Committee shall, at the beginning of each school year and at such other times as it may deem appropriate, provide for an effective means of informing all students, parent(s) and/or guardian(s) of this policy. (File: JK)

SUSPENSION OR EXPULSION RELATED TO FELONY OR FELONY DELINQUENCY PROCEEDING

Upon the issuance of a criminal complaint charging a student with a felony or the issuance of a felony delinquency complaint, a principal may suspend the student for a period of time determined by the principal, based upon the principal's judgment that the continued presence of the student would have a substantial detrimental effect on the general welfare of the school. Prior to such action by the principal, the student shall receive written notification of the charges and the reasons for such contemplated suspension. The student shall also receive written notification of right to appeal before the superintendent of schools; however, such appeal does not stay the suspension from going into effect.

Upon a student being convicted of a felony or upon an adjudication or admission in court of guilt with respect to such a felony or felony delinquency, the principal may expel the student 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. The student shall receive written notification of the charges and reasons for such expulsion prior to such expulsion taking effect. The student shall also receive written notification of right to appeal before the superintendent of schools; however, such appeal does not stay the expulsion from going into effect.

The student shall have the right to appeal any suspension or expulsion under this section to the superintendent of schools. The student shall notify the superintendent in writing of his/her request for hearing no later than five (5) calendar days following the effective date of the action. The superintendent shall hold a hearing with the student and the student's parent or guardian within three (3) calendar days of the appeal. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The superintendent shall render a decision within five (5) calendar days of the hearing. The superintendent shall have the right to overturn or alter the decision of the principal, including recommending an alternate education program for the student.

Upon expulsion of such student, the school district shall not be required to provide educational services to the student.

PHYSICAL RESTRAINT POLICY AND PROCEDURES

Physical restraint is defined as the use of bodily force to limit a student's freedom of movement. Physical restraint can only be used in Massachusetts public education programs in emergency situations, when all less intrusive methods of behavior management have failed or are deemed inappropriate. In the event that physical restraint is required to protect a student and/or a member of the school community from imminent, serious physical harm, the school district has enacted the following policy and procedures to prevent or minimize any harm to the student as a result of the use of physical restraint. These procedures will be reviewed annually, provided to school staff, and made available to parents of reenrolled students. Nothing in this policy precludes any teacher, employee or other representative of a public school program from using reasonable force to protect students or other persons, including themselves, from assault or imminent, serious physical harm.

I. Staff Training

- A. All staff will receive information regarding the school district's physical restraint policy within the first month of each school year and, for employees hired after the school year begins, within a month of their employment.
- B. Only designated staff who have received 16 hours of in-depth training will be authorized to administer physical restraint but all staff must review information on the following:
 1. The District's Restraint Policy;
 2. Interventions that may preclude the need for restraint, including de-escalation of problem behaviors;
 3. Types of restraints and related safety considerations, including information regarding the increased risk of injury to a student when an extended restraint (a physical restraint for more than twenty minutes) is used;
 4. Administering physical restraint in accordance with known medical or psychological limitations and/or behavioral intervention plans applicable to an individual student; and
 5. The identity of staff members who have received in-depth training in the use of physical restraint.
- C. The principal or other administrator will designate certain staff members to participate in at least sixteen hours of in-depth training in the use of physical restraint. These designated staff members will be authorized to administer physical restraint when needed to protect a student and/or a member of the school community from imminent, serious physical harm and will serve as a school wide resource. In-depth training in the proper administration of physical restraint will include, but may not be limited to:

1. Appropriate procedures for preventing the need for physical restraint, including the de-escalation of problematic behavior, relationship building, and the use of alternatives to restraint;
2. A description and identification of dangerous behaviors on the part of students that may indicate the need for physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted;
3. The simulated experience of administering and receiving physical restraint, instruction regarding the effect(s) on the person restrained, including instructions on monitoring physical signs of distress and obtaining medical assistance;
4. Instruction regarding documentation and reporting requirements and investigation of injuries and complaints; and
5. Demonstration of proficiency in administering physical restraint.

II. Determining When Physical Restraint May Be Used

- A. Physical restraint may be used only in the following circumstances:
 1. As a last resort;
 2. When non-physical interventions would not be effective; and
 3. The student's behavior poses a threat of imminent, serious, physical harm to self and/or others.

III. Limitations and/or Prohibitions on the Use of Physical Restraint

- A. Physical restraint in a public education program shall be limited to the use of such reasonable force as is necessary to protect a student or another member of the school community from assault or imminent, serious, physical harm.
- B. 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.
- C. Physical restraint may be used only by school personnel who have received in-depth training pursuant to this policy. Whenever possible one adult witness, who does not participate in the actual restraint should be present.

IV. Proper Administration of Physical Restraint and Safety Requirements

- A. A person administering a physical restraint shall use only the amount of force necessary to protect the student or others from physical injury or harm.
- B. A person administering physical restraint shall use the safest method available and appropriate to the situation. Floor or prone restraints shall be prohibited unless the staff member administering the restraint has received in-depth training and, in the judgment of the trained staff member, such method is required to provide safety for the student or others present.
- C. A person administering restraint shall discontinue such restraint as soon as possible. If, due to unusual circumstances, a restraint continues for more than twenty minutes, it shall be considered an "extended restraint" for purposes of the reporting requirements in the regulations.
- D. No restraint shall be administered in such a way that the student is prevented from breathing or speaking. A staff member shall continuously monitor the physical status of the student, including skin color and respiration. A restraint shall be released immediately upon determination by the staff member that the student is no longer at risk of causing imminent physical harm to himself or others.
- E. Restraint shall be administered in such a way so as to prevent or minimize physical harm. If the student demonstrates significant physical distress, the student shall be released from the restraint immediately and school staff shall seek medical assistance.
- F. Staff shall review and consider any known medical or psychological limitations and/or behavior intervention plans regarding the use of physical restraint on an individual student.
- G. Following the student's release from restraint, the incident should be reviewed with the student to address the behavior that precipitated the restraint. The administrator or his or her designee shall review the incident with the staff person who administered the restraint to discuss whether proper restraint procedures were followed and consideration of whether any follow-up is appropriate for students who witnessed the incident.

V. Reporting Requirements

- A. Staff shall report the use of physical restraint:
 1. when use of physical restraint results in any injury to the student or staff member;
 2. where the restraint occurs for longer than five minutes.
- B. The staff member who administered the restraint must verbally inform the administrator of the restraint as soon as possible, and by written report no later than the next school working day.

- C. The written report shall be provided to the principal or his/her designee except that the principal shall prepare the report if he/she has actually administered the restraint.
 - 1. The principal or his or her designee shall maintain an ongoing record of all reported instances of physical restraint, which must be available for review by the Department of Education upon request.
 - 2. The principal or his or her designee must verbally inform the student's parents of the restraint as soon as possible and by written report postmarked no later than three school working days following the use of restraint.
 - 3. The school must provide the parent or guardian with a copy of the written restraint report in a language other than English if report cards and other necessary notices are prepared in a language other than English for the parent.
- D. The school must also maintain documentation in the student's file regarding when and how the parent or guardian will be informed about the administration of all restraints to the student.
- E. A written report of the restraint incident must include:
 - 1. The names and job titles of the staff who administered the restraint and any observers; the date of the restraint; the time the restraint began and ended; and the name of the administrator who was verbally informed following the restraint;
 - 2. A description of the activity in which the restrained student and other students and staff in the room or vicinity were engaged immediately preceding the use of physical restraint; the behavior that prompted the restraint; the efforts made to de-escalate the situation; attempted alternatives to restraint; and the justification for initiating physical restraint.
 - 3. For extended restraints, the written report shall describe the alternatives to extended restraint that were attempted, the outcome of those efforts and the justification for administering the extended restraint;
 - 4. Information regarding any further action(s) that the school has taken or may take, including any disciplinary sanctions that may be imposed on the student and;
 - 5. Information regarding opportunities for the student's parents or guardians to discuss with school officials the administration of the restraint, any disciplinary sanctions that may be imposed on the student and/or any other related matter.
- F. Report to the Department of Education
 - 1. Within five (5) school working days of the reported restraint, the school must provide the Department of Education with a copy of the written report and a copy of the record of physical restraints maintained by the program administrator for the thirty-day period prior to the date of the reported restraint when:
 - a. a restraint has resulted in a serious injury to a student or staff member; or
 - b. when an extended restraint (longer than twenty minutes) has been administered.
- G. Waiver of Reporting Requirements
 - 1. A parent or guardian of a student restrained may waive the reporting requirements for restraints which do not result in serious injury to the student or a staff member, and do not constitute an extended restraint.
 - 2. Extended restraints and restraints that result in serious injury to a student or staff member must be reported regardless of any individual waiver to which the parent or guardian may have consented.
 - 3. Waivers should be sought only for students who present a high risk of frequent, dangerous behavior that may require frequent use of restraint.
 - 4. A public school may not require a parent or guardian to consent to waive the reporting requirement as a condition of admission to a program or the provision of services.
 - 5. A parent or guardian may withdraw consent to the reporting waiver at any time without penalty.
 - 6. The school district must maintain documentation of a parent's or guardian's written consent to the waiver, specifying those reporting requirements that the parent or guardian agrees to waive in the student's file and shall make such documentation available for inspection by the Department of Education at any time.

VI. Methods of Physical Restraint

- A. Methods may include but are not limited to:
 - 1. Team Control Position
 - 2. Children's Control Position
 - 3. Interim Control Position
 - 4. Transport Technique
- B. Chemical/Mechanical/Seclusion restraints are prohibited

VII Grievance Procedures

- A. Any and all complaints regarding the District's restraint practices or use of physical restraints within the District should be presented to the building principal in writing, specifying in as much detail as possible the nature of the complaint.
- B. The building principal or his or her designee will investigate the complaint and will issue a written reply upon completion of the investigation within five (5) school days of receipt of the written complaint, whenever possible.

PROCEDURES STUDENT COMPLAINTS AND GRIEVANCES

A. Applicability

The procedures herein apply only to those situations not otherwise specifically provided by other district policy or procedure.

B. Rights of a Student

Nothing in these procedures shall be construed as limiting the rights of any student having a complaint to discuss the matter with an appropriate school administrator. No reprisals of any kind shall be taken by anyone against any student as a result of a complaint or appeal.

B. Staff

Contractual and collective bargaining provisions and procedures will not be superseded by these procedures or any process to affect them.

D. Local School Level

In implementing the policy statement at the local school level, the principal is responsible for:

1. Ensuring that procedures for considering student problems and processing complaints and appeals are cooperatively developed by students, faculty, School Council and building administrators.
2. Determining that the procedures are precise and clearly stated, afford due process and include provisions for appeal.
3. Forwarding an informational copy of the procedures to the superintendent.
4. Making such procedures available to each student.
5. Performing an annual review and revision, if appropriate, of the procedures at the local school level.

E. Appeal of the Decision of the Principal

If a student is dissatisfied with the decision rendered at the local school level, he / she may appeal the decision to the superintendent.

1. **Submitting an Appeal:** If the student is requesting an appeal, he/she must do so in writing within ten (10) school days to the superintendent. The statement should include all pertinent factual information, the remedy requested, and a request for either (a) an informal review of the principal's decision by the superintendent or (b) a hearing before the superintendent.
2. **Informal Review of an Appeal:** Upon receipt of a request for a review, the superintendent acknowledges receipt of the request and makes a decision based on the information submitted by the student, school administration and other relevant sources. Within ten (10) school days of the date the appeal is received, the superintendent notifies the student and principal, in writing, of the decision concerning the appeal.
3. **Hearing Before the Superintendent:** Upon receipt of a request for a hearing, the superintendent, (1) schedules a hearing date which must be within ten (10) school days from the date the request was received, (2) informs all individuals concerned, in writing, of the time, date, and place of the hearing, and (3) notifies the student of his right to present information, evidence, and to have witnesses. The superintendent or designee is responsible for conducting the hearing, questioning parties to the hearing, and providing an opportunity for the student to question parties to the hearing (note: a student's opportunity to question witnesses may be negated in situations in which a potential threat to health or safety is deemed to exist). Within five (5) school days after the hearing, the superintendent reviews all data and information presented at the hearing, renders a decision, and notifies the student and principal, in writing, of the finding. This is the final decision of the school district.

STUDENT PRIVACY

In accordance with federal law, the Westfield Public Schools adopts, in consultation with parents, the following provisions related to student privacy.

I. Definitions

- a. "Invasive physical examination" means any medical examination that involves the exposure of private body parts, or any act during such examination that includes incision, insertion, or injection into the body, but does not include a hearing, vision, or scoliosis screening.
- b. "Parent" includes a legal guardian or other person standing in loco parentis (such as a grandparent or stepparent with whom the child lives, or a person who is legally responsible for the welfare of the child).
- c. "Personally identifiable information" includes, but is not limited to, the name and address of the student, student's parent, or other family member, the student's personal identifier, such as social security number or student identification number, or a list of characteristics or other information that would make the student's identity easily traceable.
- d. "Personal information" means individually identifiable information including-
 1. a student's or parent's first and last name;
 2. a home or other physical address (including a street name and the name of a city or town);
 3. a telephone number; or
 4. a Social Security identification number.
- e. "Survey" includes an evaluation, but does not include a survey or evaluation administered to a student in accordance with the Individuals with Disabilities Education Act (20 U.S.C. § 1400 et seq.).

II. Student Surveys

- a. Surveys Funded in Whole or in Part by the U.S. Department of Education:
 1. The administration shall make available for inspection by parents all instructional materials, including teacher's manuals, films, tapes or other supplementary material which will be used in connection with any survey, analysis, or evaluation funded in whole or in part by the U.S. Department of Education.
 2. The administration shall obtain the prior written consent of the parent or student (if the student is an adult or an emancipated minor), prior to requiring a student to submit to a survey, analysis, or evaluation funded in whole or part by the U.S. Department of Education that reveals information concerning any of the following topics:
 3. political affiliations or beliefs of the student or the student's parent;
 4. mental or psychological problems of the student or the student's parent;
 5. sex behavior or attitudes;
 6. illegal, anti-social, self-incriminating, or demeaning behavior;
 7. critical appraisals of other individuals with whom respondents have close family relationships;
 8. legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers;
 9. religious practices, affiliations, or beliefs of the student or of the student's parent; or
 10. income (other than that required by law to determine eligibility in a program or for receiving financial assistance under such program).
- b. Surveys Funded by Sources Other than the U.S. Department of Education:
 1. Third Party Surveys
 - i. Prior to distributing any third party survey, the administration shall give notice to parents of the district's intent to distribute a survey on behalf of a third party.
 - ii. Upon request, the administration shall permit parents to inspect any third party survey before it is administered or distributed by a school to a student. The administration shall grant reasonable access to the survey within a reasonable period of time after a parental request is received.
 - iii. Student responses to third party surveys that contain personally identifiable information shall be considered student records, and shall be subject to the district's Confidentiality and Access to Student Records Policy and any administrative regulations or procedures governing the confidentiality of student records.
 2. Confidential Topic Surveys
 - i. The provisions of this subsection apply to any survey (sponsored by the school district or a third party) which contains questions pertaining to one or more of the following items ("Confidential Topic Surveys"):
 - political affiliations or beliefs of the student or the student's parent,
 - mental or psychological problems of the student or the student's parent, sex behavior or attitudes,
 - illegal, anti-social, self-incriminating, or demeaning behavior,
 - critical appraisals of other individuals with whom respondents have close family relationships,

- legally recognized privileged or analogous relationships, such as those of lawyers, physicians, and ministers,
 - religious practices, affiliations, or beliefs of the student or of the student's parent,
 - income (other than that required by law to determine eligibility in a program or for receiving financial assistance under such program).
- ii At the beginning of the school year, the administration shall give direct notice to parents of affected students of the district's intent to distribute a Confidential Topic Survey(s). Such notice shall include the specific or approximate dates during the school year of such distribution.
 - iii Upon request, the administration shall permit parents to inspect any Confidential Topic Survey before it is administered, distributed or used by a school to or with a student. The administration shall grant reasonable access to the Confidential Topic Survey within a reasonable period of time after a parental request is received.
 - iv Student responses to any Confidential Topic Survey that contains personally identifiable information shall be considered student records, and shall be subject to the district's Confidentiality and Access to Student Records Policy and any administrative regulations or procedures governing the confidentiality of student records. Upon written request, the administration shall permit the parent or student (if an adult or emancipated minor) to opt out of participation in any Confidential Topic Survey described in this subparagraph.

III. Collection of Personal Information

- a. The provisions of this subsection apply to any instrument designed to collect personal information from a student for the purpose of marketing, selling or otherwise distributing such information or providing that information to others for that purpose.
- b. At the beginning of the school year, the administration shall give direct notice to parents of affected students (or to the students aged eighteen or older or emancipated minors) of the district's intent to collect, disclose or use personal information collected from students for the purpose of marketing, selling or otherwise distributing such information or providing that information to others for that purpose. Such notice shall include the specific or approximate dates during the school year of such collection, disclosure or use of personal information.
- c. Upon written request, the administration shall permit parents to inspect an instrument designed to collect personal information of students before it is administered or distributed by a school to a student. The administration shall grant reasonable access to the instrument within a reasonable period of time after a parental request is received.
- d. Upon written request, the administration shall permit parents (or students aged eighteen or older or emancipated minors) to opt out of participation in the collection, disclosure or use of personal information obtained from students for the purposes of marketing, selling or otherwise distributing the personal information to others.
- e. The provisions regarding the collection, disclosure and/or use of personal information do not apply to personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions, such as the following:
 1. college or other post-secondary education recruitment, or military recruitment*;
 2. book clubs, magazines, and programs providing access to low-cost literary products;
 3. curriculum and instructional materials used by elementary schools and secondary schools;
 4. tests and assessments used by elementary schools and secondary schools to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students;
 5. the sale by students of products or services to raise funds for school-related or education-related activities;
 6. student recognition programs.

*Note: Notwithstanding the foregoing, the district will permit parents and students over the age of eighteen or emancipated minors to prevent disclosure of secondary school students' names, addresses and telephone numbers to military recruiters and institutions of higher education, in accordance with the district's Confidentiality and Access to Student Records Policy.

IV. Non-Emergency Invasive Physical Examinations and Screenings

The provisions described in this subparagraph shall apply to any non-emergency, invasive physical examinations/screenings conducted by the school district, when such examinations/ screenings meet the following conditions:

- a. they are required as a condition of attendance;
- b. they are administered by the school and scheduled by the school in advance;
- c. they are not necessary to protect the immediate health and safety of the students; and
- d. they are not required by state law.

At the beginning of the school year the administration shall give direct notice to parents of affected students (or the affected student if eighteen or older or an emancipated minor) of the district's intent to conduct non-emergency invasive physical examination(s) /screening(s) described above except for hearing, vision or scoliosis screenings. Such notice shall include specific or approximate dates during the school year of the administration of such non-emergency invasive physical examination(s)/screening(s). Upon written request the administration shall permit parents of affected students or the affected students (if adults or emancipated minors) to opt out of participation in the non-emergency invasive physical examination(s)/screening(s) described in this subparagraph.

V. Complaint Procedure

Parents or students (if adults or emancipated minors) who believe that their rights under this policy have been violated may file a complaint with: Family Policy Compliance Office, United States Department of Education, 400 Maryland Avenue, SW, Washington, D.C. 20202-4605 (File: JS.)

NON-CUSTODIAL PARENTS RIGHTS

As required by Massachusetts General Law Chapter 71, Section 34H, a non-custodial parent may have access to the student record in accordance with law and Department of Education Regulations. The school district will follow the law and the regulations developed by the Massachusetts Department of Education to standardize the process by which public schools provide student records to parents who do not have physical custody of their children ("non custodial parents").

As required by M.G.L. c. 71, §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 the school or district has been given documentation that:
 1. The parent has been denied legal custody or has been ordered to supervised visitation, based on a threat to the safety of the student and the threat is specifically noted in the order pertaining to custody or supervised visitation, or
 2. The parent has been denied visitation, or
 3. The parent's access to the student has been restricted by a temporary or permanent protective order, unless the protective order (or any subsequent order modifying the protective order) specifically allows access to the information contained in the student record, or
 4. There is an order of a probate and family court judge which prohibits the distribution of student records to the parent.
- (b) The school shall place in the student's record documents indicating that a non-custodial parent's access to the student's record is limited or restricted pursuant to 603 CMR 23.07(5) (a).
- (c) In order to obtain access, the non-custodial parent must submit a written request for the student record to the school principal.
- (d) Upon receipt of the request 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 the 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 all electronic and postal address and telephone number information relating to either work or home locations of the 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 G.L. c. 71, §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.

STUDENT RECORDS

In order to provide students with appropriate instruction and educational services, it is necessary for the Westfield Public Schools to maintain personally identifiable information about its students. It is essential that personally identifiable information contained in student 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 Westfield Public Schools complies with the state and federal regulations regarding confidentiality and access to and amendment of student records. The Committee shall implement procedures that protect the privacy of parents and students while providing proper access to records. Availability of these procedures shall be made known annually to parents of students currently in attendance and eligible students currently in attendance. The School Committee shall adopt regulations relative to the maintenance of student records, the retention, duplication and storage of student records, and except as otherwise required by law, may authorize the periodic destruction of any such records at reasonable times. (File: JRA)

STUDENT RECORDS – REGULATIONS

Westfield's Student Records Regulations are designed to ensure parents' and students' rights of confidentiality, inspection, amendment, and destruction of students' records and to assist local school systems in adhering to the law. 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 parents. 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. 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 federal and state law, the parent of a student may inspect the student record regardless of student's age.

I. DEFINITIONS

Access shall mean inspection or copying of a student record, in whole or in part. Authorized school personnel shall consist of the following:

1. School administrations, teachers, counselors and other professionals who are employed by the Westfield Public Schools or who are providing services to the student under an agreement between the Westfield Public Schools 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 Westfield Public Schools shall have access only to the student record information that is required for them to perform their duties
2. Administrators, teachers and counselors employed by an educational collaborative who are working directly with students in an administrative, teaching, counseling or diagnostic capacity are considered authorized school personnel.
3. Administrative office staff and clerical personnel, including operators of data processing equipment or equipment that produces microfilm/microfiche, who are either employed by the Westfield Public Schools or are employed under a Westfield Public Schools 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.
4. The evaluation team which evaluates a student.

Directory information includes information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to: a parent's name and/or email address, a student's name, address, telephone number, email address, photographic, computer and/or video images, date and place of birth, major field(s) of study, grade level, dates of attendance, weight and height of members of athletic teams, participation in school-sponsored activities and sports, degrees, honors and awards, the most recent previous school attended, and post-high school plans.

Eligible student shall mean any student who is 14 years of age or older or who has entered 9th grade, unless the Westfield Public Schools 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 MGL 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 the purposes of this policy.

This includes parents who by court order do not reside with or supervise the student, even for short periods of time.

Personally identifiable information includes, but is not limited to, the name and address of the student, student's parent, or other family member, the student's personal identifier, such as social security number or student identification number, or a list of characteristics or other information that would make the student's identity easily traceable.

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

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 the Westfield Public Schools maintains information. The term shall not include a person about whom the Westfield Public Schools maintains information relative only to the person's employment by the Westfield Public Schools.

The student record (or a student's educational record) includes any information directly relating to a student that is recorded in any manner (e.g., in writing, on film, on a tape or disk) and maintained by the public schools of the Commonwealth, or any person acting on behalf of the public schools. The student record shall consist of the transcript and the temporary record, including all information, regardless of physical form or that is organized in a way that such student may be individually identified. Student record shall not include:

1. private, personal, or working notes are the sole possession of the maker thereof, and which are not accessible or revealed to any other individual except a "substitute";
2. employment records used only in relation to the student's employment by the school district;
3. alumni records that contain information about the student after he/she is no longer in attendance at the school;
4. records on an eligible student maintained by a physician, psychologist, professional or paraprofessional, made in connection with the treatment of the student and disclosed only to individuals providing such treatment; and
5. records maintained by a law enforcement unit of an educational agency or institution that were created by that unit for the purpose of law enforcement. 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.

II. DIRECTORY INFORMATION

The school district will notify parents (of students currently enrolled within the district) or eligible students (currently enrolled in the district) annually of any categories of information designated as directory information. Unless notified in writing by a parent or eligible student to the contrary within two weeks of the date of this notice, the school district will be permitted to disclose "Directory Information" concerning a student. Directory Information means information contained in an education record of a student that would not generally be considered harmful or an invasion of privacy if disclosed. It includes, but is not limited to, the parent's name and/or email address, the student's name, address, telephone number, email address, photographic and video images, data and place of birth, major field(s) of study, grade level, participation in school-sponsored activities or athletics, weight and height (if the student is a member of an athletic team), dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attended. The written objection to the disclosure of directory information shall be good for only one year. School districts are legally obligated to provide military recruiters and institutions of higher learning, upon request, with the names, addresses, and telephone numbers of secondary school students, unless a parent or eligible student objects to such disclosure in writing. Such information shall be in writing and shall be effective for one year. In all other circumstances, information designated as directory information will not be released when requested by a third party unless the release of such information is determined by the administration to be in the educational interest of the school district and is consistent with the district's obligations under both state and federal law.

III. COLLECTION OF STUDENT DATA

All information and data contained in or added to the student record shall be limited to information relevant to the educational needs of the student. Information and data added to the temporary record shall include the name, signature and position of the person who is the source of the information and the date of entry into the record. Standardized group test results that are added to the temporary record need only include the name of the test and/or publisher, and the date of testing. Specific procedures governing the administration of surveys or evaluations concerning certain confidential survey topics (i.e. religious practices, political beliefs, and income) as well as procedures governing the collection, disclosure or use of personal information for marketing purposes are contained within the Westfield Public Schools Student Privacy Policy.

IV. CONFIDENTIALITY OF EDUCATION RECORDS

All school staff must understand that personally identifiable information in student records is confidential. Each person who has access to student records is responsible for ensuring personally identifiable information is protected from

disclosure at collection, storage, disclosure, and destruction stages. Student records are not public records and any disclosure other than to persons authorized to receive the records without prior parent consent violates the law and Westfield Public Schools policy, except as provided in federal and state statutes. The school principal or his/her designee shall be responsible for the privacy and security of all student records maintained in the school. The Superintendent or his/her designee shall be responsible for the privacy and security of all student records that are not under the supervision of a school principal. Both the school principal and Superintendent shall insure that student records are kept physically secure, that authorized school personnel are informed of the procedures governing student records and the importance of information confidentiality and that any computerized systems are electronically secure. No health care provider, including the school nurse, shall disclose any information about a student's HIV/AIDS status without the written informed consent of the student and/or his parent or guardian.

V. ACCESSIBILITY TO STUDENT RECORDS

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:

1. authorized school personnel under 603 CMR 23.02(9)(a) who inspect the student record;
2. 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
3. school nurses who inspect the student health record.

Access of Eligible Students and Parents: The eligible student or the parent, subject to the provisions of 603CMR 23.07(5), shall have access to the student record. Access shall be provided as soon as practicable and within ten days after the initial request, except in the case of non-custodial parents as provided in 603 CMR 23.07(5). Upon request for access, the entire student record regardless of the physical location of its parts shall be made available. Upon request, copies of any information contained in the student record shall be furnished to the eligible student or the parent. A reasonable fee, not to exceed the cost of reproduction, may be charged. However, a fee may not be charged if to do so would effectively prevent the parents or eligible student from exercising their right, under federal law, to inspect and review the records. Any student, regardless of age, shall have the right pursuant to M.G.L. c.71, section 34A to receive a copy of his/ her transcript. The eligible student or the parent shall have the right upon request to meet with professionally qualified school personnel and to have any of the contents of the student record interpreted. The eligible student or the parent may have the student record inspected or interpreted by a third party of their choice. Such third party shall present specific written consent of the eligible student or parent, prior to gaining access to the student record. **Access of Authorized School Personnel:** Subject to 603 CMR 23.00, authorized school personnel shall have access to the student records of students to whom they are providing services, when such access is required in the performance of their official duties.

The consent of the eligible student or parent shall not be necessary. **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 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 school may release the following directory information: a student's name, address, telephone listing, date and place of birth, major field of study, grade level, email address, photographic and video images, 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 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. Upon receipt of a court order or lawfully issued subpoena the school shall comply, provided that the school makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance. A school may release information regarding a student upon receipt of a request from the Department of Social Services, a probation officer, a justice of any court, or the Department of Youth Services under the provisions of M.G.L. c.119, sections 51B, 57, 69, and 69A respectively. Federal, state and local education officials, and their authorized agents shall have access to student records as necessary in connection with the audit evaluation or enforcement of federal and state education laws, or programs; provided that except when collection of personally identifiable data is specifically authorized by law, any data collected by such officials shall be protected so that parties other than such officials and their authorized agents

cannot personally identify such students and their parents; and such personally identifiable data shall be destroyed when no longer needed for the audit, evaluation or enforcement of federal and state education laws.

A school may disclose information regarding a student to appropriate parties in connection with a health or safety emergency if knowledge of the information is necessary to protect the health and safety of the student or other individuals. This includes, but is not limited to, disclosures to the local police department and the Department of Social Services under the provisions of M.G.L. c.71, section 37L and M.G.L. c.119, section 51A. Upon notification by law enforcement authorities that a student, or former student, has been reported missing, a mark shall be placed in the student record of such student. The school shall report any request concerning the records of such child to the appropriate law enforcement authority pursuant to the provisions of M.G.L. c.22A, section 9. Authorized school personnel of the school to which a student seeks or intends to transfer may have access to such student's record without the consent of the eligible student or parent, provided that the school the student is leaving, or has left, gives notice that it intends to forward student records to schools in which the student seeks or intends to enroll. Such notice may be included in the routine information letter required under 603 CMR 23.10. School health personnel and local and state health department personnel shall have access to student records, including but not limited to immunization records, when such access is required in the performance of official duties, without the consent of the eligible student or parent.

VII. NOTIFICATION OF RIGHTS UNDER FERPA

The following information will be disclosed on an annual basis to parents of students currently in attendance, or eligible students currently in attendance. The Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232g, et seq., affords parents and eligible students (i.e. students over 18, emancipated minors, and those attending post-secondary educational institutions) certain rights with respect to the student's education records. They are:

1. The right to inspect and review the student's education records within forty-five (45) calendar days of the day the District receives a request for access. Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The principal (or appropriate school official) will make arrangements for access and notify the parents or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student's education records that the parent or eligible student believe are inaccurate or misleading, or otherwise violates the student's privacy rights. Parents or eligible students may ask the District to amend a record that they believe is inaccurate, misleading, or otherwise violates the student's privacy rights. Parents or an eligible student should write the school principal (or appropriate school official), clearly identifying the part of the record that the parents or eligible student want changed, and specify why it is inaccurate or misleading, or otherwise violates the student's privacy rights. If the District decides not to amend the record as requested by the parents or eligible student, the District will notify the parents or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding hearing procedures will be provided to the parents or eligible student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception that permits disclosure without consent is disclosure to a school official with legitimate interests. A school official is a person employed by the District as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement personnel); a person serving on the Board of Education; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the District will disclose a student's education record without consent to officials of another public school, including a public charter school, in which the student seeks or intends to enroll.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is:
Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, DC 20202-4605

VIII. HEARING RIGHTS AND PROCEDURES

1. If a parent or eligible student is dissatisfied with the decision of the school principal regarding a request to amend a student's educational record, the parent or eligible student may make a written request to the Superintendent for a hearing to challenge the content of a student's education records on the grounds that information contained in the education records is inaccurate, misleading, or otherwise in violation of the privacy rights of the student.

2. The Superintendent or his/her designee shall within two weeks after being notified of such request for appeal (longer should the appellant request a delay) review the issues presented and render a written decision to the appellant, stating the reason(s) for the decision.
3. If, as a result of the hearing, the Superintendent or his/her designee decides in favor of the appellant, the school district shall promptly take such steps as may be necessary to put the decision into effect.
4. If, as a result of the hearing, the Superintendent or his/her designee decides that information contained in the education records of a student is not inaccurate, misleading, or otherwise in violation of the privacy rights of the student, the appellant shall have the right of appeal to the School Committee. Request for such appeal shall be in writing to the chairperson of the School Committee.
5. The School Committee shall within four weeks after being notified of such appeal (longer should the appellant request delay) conduct a fair hearing to decide the issues presented by the appellant. School officials shall have the burden of proof on issues presented by the appellant. The appellant shall have the right to be represented by an advocate of his/her choosing, to cross-examine witnesses, to present evidence, to make a tape or other recording off the proceedings, and to receive a written decision within two weeks after the hearing. If the appeal concerns statements by an employee of the Westfield Public Schools, such person(s) shall have the right to be present and to have an advocate of his/her choosing.
6. If the decision by the School Committee is not satisfactory to the appellant in whole or in part, the appellant shall be informed of the right to place in the student's records a statement setting forth the reasons for disagreement with the decision.
 - a. Any explanation placed in the records of the student shall be maintained by the school system as part of the records of the student as long as the record or contested portion is maintained by the school system.
 - b. If the records of the student or the contested portion are disclosed by the school system, the statement of disagreement by the parents and/or eligible student shall also be disclosed.

IX. WAIVER OF RIGHTS

A student, who is an applicant for admission to an institution of post-secondary education or is in attendance at an institution of post-secondary education, may waive his or her right to inspect and review confidential letters and confidential statements of recommendations with the following limitations:

1. The student is notified, upon request, of the names of all individuals providing the letters or statements.
2. The letters or statements are used only for the purpose for which they were originally intended.
3. The waiver is not required by the agency as a condition of admission to or receipt of any other service or benefit from the agency.
4. The waiver is in writing and executed by the student, regardless of age, rather than by the parent.

A waiver may be revoked with respect to any actions occurring after the revocation. Revocation of a waiver must be in writing. If a parent of a student executes a waiver, that waiver may be revoked by the student at any time after he/she reaches the age of 18. The school district may not require the waiver as a condition for providing the necessary recommendations for college application.

X. AMENDMENT OF STUDENT RECORDS

- A. If a parent or an eligible student believes that information in the student's records is inaccurate, misleading or in violation the student's right to privacy, he/she is entitled to request in writing that the school district amend the student's records by adding relevant written material to the student record or requesting deletion of information contained in the record. Information inserted into the record by an Evaluation Team shall not be subject to a request to amend until after the acceptance of the Evaluation Team Educational Plan, or, if the Plan is rejected, after the completion of the special education appeal process.
- B. If a parent or an eligible student believes that adding information is insufficient to explain, clarify or correct objectionable material in the student record, either the parent or student shall present the objection in writing and/or have the right to a conference with the principal or his/her designee to make the objection known.
- C. The principal or his/her designee shall, within one week after the conference or receipt of the objection if no conference was requested, render a decision in writing to the parent or student, stating the reason(s) for the decision.
- D. If the principal or his/her designee decides to amend the records, the school district shall promptly take such steps as may be necessary to put the decision into effect with respect to the requested amendments.
- E. If the school district decides that an amendment of the records in accordance with the request is not warranted, it shall so inform the parent or eligible student and advise him/her of the right to a hearing. The hearing shall be held in accordance with the procedures set forth in Section VIII, above.

XI. DESTRUCTION OF STUDENT RECORDS

The student's transcript shall be maintained by the school district and may only be destroyed 60 years following the student's graduation, transfer, or withdrawal from the school system. During the time a student is enrolled in a school, the principal or his/her designee shall periodically review and destroy misleading, outdated, or irrelevant information

contained in the temporary record provided that the eligible student and his/her parent are notified in writing and are given opportunity to receive the information or a copy of it prior to its destruction. A copy of such notice shall be placed in the temporary record. The temporary record of any student shall be destroyed no later than seven years after the student transfers, graduates, or withdraws from the school system. Written notice to the eligible student and his/her parent(s) of the approximate date of destruction of the record and their right to receive the information in whole or in part shall be made at the time of the transfer, graduation, or withdrawal. Such notice shall be in addition to the routine annual notice regarding student records. School registers, pupil census, IEPs and other documentation used to support data reported to the Department of Education on the annual End of Year Pupil and Financial Report must be maintained for seven years after its submission, in accordance with 603 CMR § 10.21(9). Any records that are the subject of an audit or investigation should be maintained until the audit or investigation is complete. Documentation of immunizations must be maintained for at least 10 years following the end of the calendar year in which the vaccine was administered. The score of any group intelligence test administered to a student shall be removed from the record at the end of the school year in which such test was administered. (File: JRA-R)

PARENTAL ACCESS TO INSTRUCTIONAL MATERIAL

In accordance with federal law, regulations of 34 CFR §99.37, rights under FERPA, and the policy of Westfield Public Schools, parents shall be permitted access to instructional material used as part of the educational curriculum for any student. "Instructional Material" means any instructional content that is provided to a student, regardless of its format, including printed or representational materials, audio-visual materials, and materials in electronic or digital formats (such as materials accessible through the Internet). Academic tests or academic assessments may be reviewed on site and in the presence of teachers, counselors or administrators but may not be removed, duplicated or copied. No notes may be taken when tests or assessments are being reviewed. Distribution and/or dissemination of any academic tests or assessments are strictly prohibited. Upon request, the district shall permit parents to review any instructional material. The district shall grant reasonable period of time after a parental request is received. (File: IIA- 1)

SUMMARY OF WESTFIELD PUBLIC SCHOOLS SAFETY POLICIES

Criminal Offender Registration (CORI): The Office of Human Resources processes all required information in this area. The CORI will be utilized only for employment purposes and not disseminated to any other party. (Contact Human Resources Office)

Emergency Procedures: Advance planning for emergencies and disasters is essential to provide for the safety of students and staff. Schools must be prepared to respond immediately and responsibly to any combination of events which threaten to result in an emergency and/or disaster. (Policy Files: EBC, EBC-R, EBCB-R.)

Fire Safety: Building principals will meet all requirements for conducting fire drills to give students practice in moving with orderly dispatch to designated areas under emergency conditions. (Policy Files: EBC, EBC-R, EBCB-R.)

Identification of Students and Staff: An effective picture identification system enhances the control and management of the school system.

Injury Reports: All injuries must be reported to the classroom teacher/school nurse as soon as possible. The injury report is to be filled out on the appropriate form.

Inspections (Playgrounds, Buildings, Buses, Etc.): Regular inspection of buildings, grounds, facilities, equipment and buses to uncover hazards and/or dangerous conditions in an ongoing effort to address any safety concerns.

Locker and Student Search: Lockers issued to students by the school system for their temporary use remains the property of the school. The storage, on one's person, in one's belongings or in school property, of contraband such as, but not limited to, illegal substances or articles or any item prohibited by district policy or building rules, is strictly forbidden. (Policy File: JIH.)

Mediation and Alternate Dispute Resolution: Unified Life Curriculum. (Contact Director of Curriculum)

Memorandum of Understanding (MOU): The Westfield Police Department and the Westfield Public Schools are committed to safe schools. The parties agree to meet to collaborate on the implementation of the MOU and establish lines of communication to support a safe, secure school and community.

Reporting Requirements to DSS: Section 51A of the General Laws of the Commonwealth of Massachusetts, Chapter 119, Child Welfare Statutes, requires that certain identified professionals, among them school personnel, report suspected instances of child abuse/neglect, including sexual abuse and domestic violence, to the appropriate staff of the Massachusetts Department of Social Services. (Policy Files: JHG-E-2, JLF, JLF-R.)

Reporting Requirements to Law Enforcement: Cooperation with law enforcement agencies is essential for the protection of students, for maintaining a safe environment in the schools, and for safeguarding all school property. The Westfield Public Schools will comply with all Federal, State and Local mandates with respect to reporting requirements. (Policy Files: JICH-R, JIH.)

Student Interrogation: It is the policy of the Westfield Public Schools to cooperate with law enforcement and social service agencies in the interest of the larger welfare of all citizens. At the same time, schools have responsibility to parents for the welfare of the students while they are in the care of the school. (Policy File: JIH.)

Additional information regarding any of the information outlined in this handbook may be obtained by contacting the office of the Superintendent of Schools, 22 Ashley Street, Westfield, or any building principal at their respective school.

SUMMER READING PROGRAM

Westfield Public School's remain committed to the improvement of reading and writing, the primary components of the learning process. As the district continues to improve literacy programs, it has turned attention to summer reading through the creation of *Reading Around Westfield*, a district-wide summer reading program. The goals of the program are to reinforce the habit of reading for pleasure, enrichment and information, and encourage continuous reading during the summer months. Research indicates that the more students read or listen to books read aloud the better they will read. Research also indicates that students who do not read regularly throughout the summer lose reading skills that must be rebuilt once school begins again. Our expectation is that every student will read over the summer. A list of recommended authors and/or titles may be found on the Westfield Public Schools Website (www.k12.westfield.ma.us) and the Westfield Athenaeum Website (www.westath.org). Students' reading choice(s) may be made from the list provided for the grade the student will enter in the fall or may be any other book suitable for the reading level of the student. It is important to select books that are neither too easy nor too hard and to select books of interest. Books may be obtained from a variety of local bookstores, the Westfield Athenaeum, and the Boys and Girls Club. Every student will receive a booklet containing a list of recommended authors/titles, a log to record books read and a contract. It is expected that all students will read at least one book appropriate for their grade/reading level. The contract should be signed by a parent and/or guardian at the end of summer to indicate the fulfillment of the Reading requirement. Students should return the contract to their home-room teacher during the first week of school. Participation in the Summer Reading Program will be recorded on the students' report card.

TEACHER MAILBOXES

Teacher mailboxes are private and under no circumstances are students or visitors to REMOVE OR PUT ANYTHING in a teacher's mailbox.

VISITORS AND PARKING

VISITORS: The school's policy is to accept visitors who have legitimate business at school. Visitors and guests must register in the school office immediately upon entering the building. All visitors and guests must display, at all times, an appropriate identification badge assigned by the school office. Upon completion of their business all visitors and guests must sign out in the school office, return their badge and promptly leave the building.

PARKING REGULATIONS: Parents/guardians, students, and visitors should familiarize themselves with the parking regulations of the school and park in a legal parking space only. Violators will be subject to fines or towing of their vehicles. This applies to morning drop-off and after school pick-up as well as evening programs, workshops and conferences.

POLICY REGARDING WELLNESS

The Westfield Public Schools promotes healthy schools by supporting wellness, good nutrition, health education, and regular physical activity as part of the total learning environment. The District supports a healthy school environment for staff and students through policies and procedures that promote safety and wellness, and encourages children to participate in positive dietary and lifestyle practices. The basic health status of children is facilitated by schools through the support and promotion of good nutrition, positive mental health, physical education, and nursing and related health office services. The Westfield Public Schools also fosters public awareness of the positive relationship between physical and mental wellbeing and the capacity of students to develop and learn. (File: ADF)

FREEDOM OF SPEECH, ASSEMBLY OR CONGREGATION

Westfield High School and Westfield Vocational Technical High School

The Westfield Public Schools recognize the free speech rights of high school students in the public schools. In order to protect the valid exercise of those rights as well as the maintenance of a sound educational process and a constructive school environment in which to conduct the goals of teaching and learning, this policy provides guidelines for oral and written speech offered within the confines of the high school campus or its off campus sponsored events and activities. This policy recognizes a distinction between school-sponsored speech, such as posters advertising the election of students to the school sponsored Student Council, which is subject to

reasonable control as hereinafter defined, and school tolerated speech which is the private speech of individual students or of voluntary associations of students which is allowed provided that it conforms to the terms of this policy. This policy does not apply to the speech of, or to speech produced by, individuals or organizations that are neither students nor employees of the Westfield Public Schools. The duties and privileges of such unaffiliated individuals, including commercial enterprises, are the subjects of a separate policy. Students are free to engage in private speech at the high school during non-instructional time so long as their speech:

- (a) is not disruptive to the normal operation of the school; or
- (b) does not infringe on the rights of other students, including the rights to be free of sexual harassment and to be free of bullying in the school, or
- (c) does not constitute an assembly.

For purposes of this policy, the following terms have the following meanings:

Speech: The term speech means “pure speech” that is, the act of communicating by unamplified voice. It also includes forms of communication used by the speech or hearing impaired in lieu of communication by voice and communication through written materials such as handbills and posters.

Non-instructional time: Before or after class hours, between class & during lunch. Homeroom & study halls are considered “classes.”

Class hours: The hours of the day when students are scheduled to be in class at the high school.

Reasonable control: In the context of school sponsored speech, reasonable control means restrictions on speech that are rationally related to the goal of teaching students. The goal of teaching students is not limited only to academic subjects but includes the promotion of conduct consistent with the shared values of a civilized social order such as civility, appreciation of different cultures, leadership skills, and the avoidance of such self destructive behaviors as the use of illegal drugs. The exercise of editorial control by the faculty advisor over articles concerning abortion rights submitted by students for publication in the high school newspaper is an example of reasonable control.

Assembly: The term “assembly” means a pre-planned gathering of six or more students for the purpose of influencing the behavior, conduct or beliefs of others.

School hours: Those hours in which the high school is open for use by high school students.

Infringes on the rights of other students: This term includes conduct that is proscribed by the criminal laws and such conduct, as that which could subject the actor of school district to civil liability.

Disruptive to the normal operation of the school: This term includes violence, but also includes any speech or associated conduct that is designed to or does unreasonably interfere with the primary goal of the school system which is to provide a positive atmosphere to foster the optimal learning of the students. Examples of speech or associated conduct that would be disruptive to the normal operation of the school are set forth, below. Students may not:

- a) interfere with, impede or cause blockage of the flow of traffic or of passage;
- b) commit any act likely to create an imminent health or safety hazard;
- c) commit any act that is likely to induce immediate breach of the peace;
- d) use sticks or other hard objects to hold up signs inside the school building;
- e) interfere with an event by blocking audience view or orally interrupting a speaker or performance;
- f) use voice amplification systems that interfere with school activities, or make loud or raucous sounds, which disturb others due to the decibel level of the sound.
- g) willfully or recklessly engage in destruction of property;
- h) attempt by force to impair classes, events or normal business operations;
- i) use language commonly understood by a reasonable person to be vulgar or lewd;
- j) use language that includes “fighting words”, which are those words, including racial or ethnic slurs, that by their very utterance inflict injury or tend to incite an immediate breach of the peace.

When engaged in written speech, students and voluntary associations of students who choose to publish, post or otherwise distribute speech shall by name identify on the writing the principal sponsor of the speech, be it an

individual student name or the name of the sponsoring student organization or group. Students and voluntary associations of students engaged in private speech (“school tolerated speech” as opposed to “school sponsored speech”) are not authorized to use the words “Westfield Vocational Technical High School” in their written materials nor may they use any similar words that could mislead other high school students into reasonably concluding that the speech was school sponsored.

In the event that students wish to engage in an assembly during school hours, they shall make written request to the principal or his designee specifying the date, time, place and purpose of the assembly. On or before the end of the next school day following receipt of the request, the principal or his designee shall determine whether the assembly would be disruptive to the ordinary operation of the school or would infringe on the rights of other students. If the principal or designee denies the request, he /she will specify his/her reasons in writing. If modifying the time, place or manner of the proposed assembly would eliminate the potential for disruption, the principal or his designee must offer in the written response a reasonable alternative so as to allow the assembly to take place. If the principal or his designee does not act upon the request by the end of the next school day following receipt of the request, the request is deemed approved. Any student aggrieved by the action of a teacher, the principal or the principal’s designee may obtain review by access to the procedures set forth in this handbook under the heading “Equal Opportunity Grievance Procedure”. (Policy JFA)

STUDENT SPEECH AT ELEMENTARY AND MIDDLE SCHOOLS

The Westfield Public Schools recognizes its responsibility to create an educational environment that encourages appropriate student expression and speech. In order to promote an educational atmosphere conducive to learning, and which balances student rights against the need to maintain an orderly and efficient school environment, the school district reserves the right to regular student speech during the school day, on school grounds and at school-sponsored activities and events. Any regulation of student speech will be done in accordance with state and federal law. Students who engage in activities that violate any district rule, regulation or policy may be subject appropriate disciplinary consequences.

For purposes of this policy, speech includes any form of expression that communicates a message or idea, whether expressed verbally, symbolically, in writing or by other means.

The school district will not tolerate any speech that is disruptive of the normal operation of the school or that violates any other district policy, rule or regulation. Examples of such speech include, but are not limited to expressions that: 1) contain libelous, vulgar or obscene language; 2) advocate illegal actions; 3) would subject any person to hatred, ridicule, contempt; 4) advocate actions that would threaten the health or safety of others; and 5) encourages the violation of rules. (Policy JFAAA)

CANCELLATION OF SCHOOL

There may be days when schools will be closed because of inclement weather or hazardous driving conditions. Such closings will be announced on radio stations WNNZ (AM-640), WHYN (FM-93.1), WACE (AM-730), WMAS (FM94.7/AM-1450), WTIC (FM-1080), WPIX *FM-97.9) and WAQY (FM-102), as well as on TV Channels 22 and 40 and on the Community Access Cable Channel 5. During periods of potential and actual storms the school administration is in contact with all relevant public safety and municipal agencies. The decision to close or not close school is made as early as possible to cancel all school transportation and lunch programs and to notify the media, traffic, and school personnel. On occasion, it may be wiser to have a two-hour delayed opening of school instead of closing for the full day. Dismissal will be at the normal time. There may also be weather conditions that would necessitate the closing of school during normal school hours. Every child should know what to do and where to go in case of an early dismissal. If there is school during bad weather, the final decision concerning school attendance must rest with the individual parent. Announcements of bus breakdowns or other delays will be broadcast on the same outlets whenever possible. The district will also be using “Blackboard Connect” which is an automated phone notification system for school announcements.

SCHOOL CALENDAR FOR 2011-2012

August 24, 2011	In-service Day (new teachers only)
August 25, 2011	In-service Day (all teachers)
August 26, 2011	In-service Day (all teachers)
August 29, 2011	1 st Day of School Grades 1-12
September 5, 2011	Labor Day Holiday, No School
September 6, 2011	First Day for Kindergarten Students
October 10, 2011	Columbus Day Holiday, No School
October 25, 2011	Evening Parent/Teacher Conferences-grades PreK-5 students ½ day for Elementary Students (PreK-5), Full day for Secondary Students (6-12)
October 26, 2011	Evening Parent/Teacher Conferences for grades 6-12 students ½ day for Secondary Students (6-12), Full day for Elementary Students (PreK-5)
November 8, 2011	No School for Students – In-service Day for all teachers
November 11, 2011	Veterans Day Holiday (for November 11 th) No School
November 23-25, 2011	Thanksgiving Recess, No School
Dec. 26, – Dec. 30, 2011	Holiday Recess, No School (Schools close end of day Dec. 23, 2011 – reopen January 3, 2012)
January 16, 2012	Martin Luther King Holiday, No School
February 7, 2012	In-service Day for All Teachers—No School for Students
February 20-24, 2012	Mid-Winter Recess
March 7, 2012	Evening Parent/Teacher Conferences-grades PreK-5 students ½ day for Elementary Students (PreK-5), Full day for Secondary Students (6-12)
March 8, 2012	Evening Parent/Teacher Conferences for grades 6-12 students ½ day for Secondary Students (6-12), Full day for Elementary Students (PreK-5)
April 6, 2012	Good Friday, - No School
April 16-20, 2012	Spring Recess
May 28 2012	Memorial Day Holiday, No School
June 19, 2012	*Last Day of School - ½ Day for Students *(June 12 is last day with no emergency closing days)

Support Resources and Hotlines

Domestic Violence and Sexual Assault

Donna Suckau, Domestic Violence Advocate, Westfield Police Department: 562-5411
press option 5, 642-9377 or 478-9955

YWCA ARCH Program: 733-7100 (24-hours) Shelter, counseling and information for
battered women and their children, sexual assault services

New Beginnings: 562-5739 counseling and information

Safe Link 24-hours 800-796-8711

Psychiatric Services

Westfield Crisis Program: 568-6386

24- hour service for psychiatric crisis and suicidal behavior

Individual, group and family counseling for youth and families:

Carson Center for Children and Youth, Westfield: 568-1421

James Levine and Assoc., Westfield: 572-9900

MSPCC, Holyoke and Springfield: 734-4978

Child and Family Services, West Springfield: 737-4718

Agawam Counseling Center: 786-6410

Substance Abuse Services

Massachusetts Substance Abuse Information Helpline: 800-327-5050 (information
and referral for inpatient and outpatient services in Massachusetts)

Providence Hospital, Holyoke,

- Clinical Assessment Center for outpatient services: 539-2973
- Clinical Assessment Center for inpatient services: 539-2981

Baystate Medical Center, Central Intake for inpatient and outpatient services: 794-5555

Alcoholics Anonymous meeting schedule: www.westernmassaa.org or listed in your
local paper

Al-Anon and Alateen: 782-3406/ 888-327-5050 (self help organization for those living
with a substance abuser)

Hotlines and Other Support Services

United Way: 737-2712 MA 211 Information: dial 211

AIDS information and support: 800-235-2331

Missing children: 800-843-5678

National Runaway Switchboard (24 hours): 800-RUNAWAY

Department of Children and Families, Holyoke Office: 493-2600, 24 hour line: 800-
792-5200

Parents Helping Parents and Parental Stress Line: 800-632-8188

Western Mass Legal Services (Legal Aid): 781-7814

