Students’ Rights and Responsibilities Handbook 2015-2016

Includes Administrative Policies & Procedures

Newton Public Schools
Newton, Massachusetts
Important School Phone Numbers

Integrated Pre-school
Walnut Street and Lincoln-Eliot – 559-6050

Elementary Schools
• Angier – 559-9300
• Bowen – 559-9330
• Burr – 559-9360
• Cabot – 559-9400
• Countryside – 559-9450
• Franklin – 559-9500
• Horace Mann – 559-9510
• Lincoln-Eliot – 559-9540
• Mason-Rice – 559-9570
• Memorial-Spaulding – 559-9600
• Peirce – 559-9630
• Underwood – 559-9660
• Ward – 559-6450
• Williams – 559-6480
• Zervas – 559-6750

Middle and High Schools
• Bigelow – 559-5800
• Brown – 559-6900
• Day – 559-9100
• Oak Hill – 559-9200
• Newton North – 559-6400
• Newton South – 559-6700

On the Web
• Newton Public Schools: www.newton.k12.ma.us
• School Committee: www.newton.k12.ma.us/schoolcommittee/ or email to schoolcommittee@newton.k12.ma.us

Newton Public Schools
• Superintendent of Schools, Dr. David Fleishman – 617-559-6100
• Deputy Superintendent/Chief Administrative Officer, Sandra Guryan – 617-559-9025
• Assistant Superintendent for Teaching and Learning, Mary Eich – 617-559-6125
• Assistant Supt. for Elementary Education, Cynthia Paris Jeffries – 617-559-6105
• Assistant Superintendent for Secondary Education, Toby Romer – 617-559-6115
• Asst. Superintendent for Student Services, Dr. Judy Levin-Charns – 617-559-6025
• Director of Information Technology, Leo Brehm – 617-559-6190
• Director of Human Resources, Heather Richards – 617-559-6005
• Chief of Operations, Michael Cronin – 617-559-9000
• Director of Newton METCO, Maricel Sheets – 617-559-6132
• Director of Language Acquisition (ELL), Jody Klein – 617-559-6043

Please call the ELL teacher at your child’s school if you need this document translated.
September 2015

Dear Parents, Guardians and Students,

In the Newton Public Schools, we strive to meet the learning needs of all students by ensuring that the K-12 curriculum offers a coherent course of study yet remains flexible enough to allow for differentiation according to children's needs. In addition to this academic goal, we are committed to creating a responsible school community and providing a safe, respectful learning environment for all students. To that end, the school system has adopted a number of policies and procedures to ensure that all students and staff members understand what is expected of them.

This handbook outlines Students' Rights and Responsibilities. It is important to review this booklet with your child, as it is through the shared understanding and acceptance of these policies that we promote the orderly environment that is so conducive to student learning. Please pay attention to the section at the back of the Handbook containing forms that require your signature. They should be returned to your child's school by October 2nd.

In any society, there is a critical balance to be struck between freedom and responsibility. We seek to achieve this balance through the daily implementation of the guidelines contained in this handbook. Each year, this handbook is reviewed and updated to reflect changes in State and Federal law, as well as recently enacted School Committee policies. Please familiarize yourself with the handbook's contents.

Parents will still be able to update their emergency contact information directly within ParentCONNECT, a parent portal from Newton Public Schools. Required emergency contact information includes present home addresses and phone numbers, parents'/guardians' work, cell phone numbers, email addresses, and names and phone numbers of two neighbors or nearby relatives who can be called in the case of an accident or emergency, should the school be unable to locate the parents/guardians. It is vital that this information be kept up to date and accurate. Parents/guardians should adjust/update this information, (e.g., change of address, phone number, business, marital status) on an on-going basis. Accurate information is extremely important, as this is used to update our Reverse 911 communication system.

Best wishes for an excellent school year.

Sincerely,

David A. Fleishman
Superintendent of Schools

DAF/mb
The Mission of the Newton Public Schools

To educate, prepare, and inspire all students to achieve their full potential as lifelong learners, thinkers, and productive contributors to our global society.

Our Core Values:

The following Core Values are guiding principles for the Newton Public Schools. These values represent how we want to "live" within our school communities. Core Values are for children and adults to embrace, internalize, model and live by. They are an expression of what is deep and enduring in our school system.

**Excellence:**
We will
- Set high expectations and standards for all students and staff
- Educate the whole child by striving for excellence in academic, artistic, physical, interpersonal and vocational pursuits
- Inspire a lifelong love of learning in students and staff

**Innovation:**
We will
- Be a recognized leader in education and curriculum development
- Foster inventiveness, open-mindedness, critical thinking, creativity and collaborative problem-solving in our students and staff
- Continuously assess and improve our teaching and learning

**Respect:**
We will
- Create an environment where everyone feels known, safe, and valued
- Recognize the uniqueness and dignity of individuals of differing races, religions, classes, ethnicities, sexual orientations, learning styles and abilities
- Build upon the strengths of our diverse community

**Responsibility:**
We will
- Foster an environment in which all students and adults take responsibility for their individual and collective behavior
- Create a culture of collaboration, collegiality and honest communication
- Cultivate citizens who contribute to and care about their community and the world

Approved by School Committee 10-14-08
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Bullying Prevention and Intervention Policy
Community Use of Buildings
HIV/AIDS Policy
Internet, Email and Web Publishing Policies
Life-Threatening Food Allergies Guidelines
Memorandum of Understanding between the Schools and the Newton Police Department
Parental Notification Relative to Sex Education
Security Policy including Protocol for Security Camera Recorded Data
Sports Related Head Injury
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INTRODUCTION TO STUDENTS’ RIGHTS AND RESPONSIBILITIES

The tradition of care and respect for individual students has long been a hallmark of the Newton Public Schools. This handbook is intended to extend that tradition by explaining to students their individual rights and their responsibilities to themselves and to their community. All members of the community should be able to feel safe and to expect that their person, property and opinions will be respected. Each member of the community is expected to contribute to this atmosphere of trust. School should be a setting where respect for rules and common decency are accepted by all as the necessary structure for both learning and community – and where those in authority try always to strike a balance between individual rights and the general good.

I. RIGHT TO AN EQUAL EDUCATION

Massachusetts General Laws, Chapter 76, Section 5.
Every person shall have a right to attend the public schools of the town where he actually resides, subject to the following section. No school committee is required to enroll a person who does not actually reside in the town unless said enrollment is authorized by law or by the school committee. Any person who violates or assists in the violation of this provision may be required to remit full restitution to the town of the improperly-attended public schools. No person shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex, gender identity, religion, national origin or sexual orientation.

A. Non-Discrimination Policy

State and federal laws prohibit discrimination in education. In the Newton Public Schools, we do not discriminate on the basis of race, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, homelessness, active military/veteran status, ancestry, or national or ethnic origin with regard to admission and in the administration of its educational policies, employment policies, and other administered programs and activities.

In the Newton Public Schools:

1. No student shall be excluded from participation in, denied the benefit of, or subjected to discrimination, or subjected to harassment in any academic, extracurricular, research, vocational or other school-sponsored activity because of such student's race, color, sex, gender identity, homelessness, religion, national origin, disability or sexual orientation (i.e., protected status).

2. English language learners have the right to counseling and course information (high school) in a language they understand. Families of English learners have a right to school information in a language and/or way they understand. School staff will arrange for interpreters for conferences or meetings related to the education of their child.

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

4. After giving birth, a student is permitted to return to the same academic and extracurricular programs as before her leave. The district does not require a pregnant student to obtain certification of a physician that the student is physically and emotionally able to continue in school, other than the same health and immunization records that are required of all students. The only limitations or accommodations implemented for a pregnant student will be those deemed necessary by the student's physician, as documents in writing by that physician.
B. Definitions

**Discrimination**: Treating people differently, or interfering with or preventing a student from enjoying the advantages, privileges or courses of study because of a student's actual or perceived race, color, sex, gender identity, homelessness, religion, national origin, disability or sexual orientation (i.e., protected status).

**Harassment**: Harassment is verbal, written, graphic, electronic or physical conduct on school property or at a school-related event, function or activity relating to a student's actual or perceived race, color, sex, gender identity, homelessness, religion, national origin, disability or sexual orientation (i.e., protected status) that is sufficiently severe, pervasive or persistent so as to interfere with or limit a student's ability to participate in or benefit from the school's programs or activities, by creating a hostile, humiliating, intimidating, or offensive educational environment. For purposes of this policy, harassment shall also mean conduct, if it persists, that will likely create a hostile, humiliating, intimidating or offensive educational environment.

**Retaliation**: Any form of intimidation, reprisal, or harassment, against a student who reports a complaint of discrimination or harassment, provides information during an investigation, or witnesses or has reliable information about discrimination or harassment.

**Sexual Harassment**: Unwanted sexual attention from peers, staff, or anyone the person may interact with on school property or at a school-related event, function or activity. The range of behaviors include: verbal comments, leering, pinching, patting and other forms of unwanted touching, subtle pressure for sexual activity, as well as rape or attempted rape.

C. Procedure for Filing Complaints Related to Discrimination or Harassment

If a student feels he or she has been discriminated against, harassed or has been subject to retaliation by a student or staff member, the student may lodge a complaint with appropriate school staff or the principal of his or her school. All reports of discrimination, harassment, or retaliation will be investigated promptly and in an impartial and as confidential a manner as possible, to ensure prompt and appropriate action. Any individual who is found, after appropriate investigation, to have engaged in discriminatory conduct, or harassing conduct, or retaliation will be subject to disciplinary action up to and including suspension or termination of employment.

It is the policy of the Newton Public Schools to deal with discrimination and harassment complaints at the individual school level whenever possible. However, if a satisfactory resolution cannot be achieved, a student may file a written complaint with the Superintendent of Schools or his/her designee. The Superintendent or his/her designee shall respond in writing within 30 days. If the individual is not satisfied with the response, he/she may take the complaint to Massachusetts Department of Elementary and Secondary Education, Program Quality Assurance, 75 Pleasant Street, Malden, MA 02148-4096 or other appropriate federal or state agency. The Assistant Superintendent for Student Services Judy Levin Charns is the Section 504 and Student Civil Rights Coordinator, the Title VI and Title IX Coordinator for Newton. The office is located at 100 Walnut Street, Newtonville, MA, (617) 559-6025.

Sexual harassment may constitute child abuse under Massachusetts's law (G.L. c.119, §51A). Newton Public Schools will comply with Massachusetts law in reporting suspected cases of child abuse, including those involving sexual harassment, to the Department of Children and Families and/or the Newton Police Department.

**Bullying Prevention Professional Development for Staff**

*Please note: The School Committee is in the process of updating the Bullying Prevention and Intervention Policy and Plan. Upon approval, the updated Bullying and Intervention Procedures policy will be posted on the Newton Public Schools Website, and a hard copy insert of the corresponding revision to the 2015-2016 Student Rights & Responsibilities Handbook will be provided to students.*
The Newton Public Schools will provide professional development, to all staff members, that will review the
district’s policies and procedures, refer staff to information on the district’s Bullying Prevention and Intervention
website, and provide training that includes the following components:

a. Strategies for intervention to stop bullying.
b. Information regarding the complex interaction and power differential that can take place among an
aggressor, a target and witnesses to bullying.
c. Information on students who are at risk for bullying.
d. Information on cyberbullying.
e. Internet safety issues as they relate to cyberbullying.

Newton has developed a comprehensive Bullying Prevention and Intervention website. It will offer easy access
to the policy and procedures, and it will provide a vehicle for reporting instances of bullying on-line. In general,
it serves to educate students, parents, and staff on the subject of bullying – providing useful resources and
links to related sites. The web address for the Newton Public Schools Bullying Prevention and Intervention
webpage is as follows: http://respect.newton.k12.ma.us.

Parent/Guardian/Community Information

Newton has developed a comprehensive Bullying Prevention and Intervention website. It will offer easy access
to the policy and procedures, and it will provide a vehicle for reporting instances of bullying on-line. In general,
it serves to educate students, parents, and staff on the subject of bullying – providing useful resources and
links to related sites. The web address for the Newton Public Schools Bullying Prevention and Intervention
webpage is as follows: http://respect.newton.k12.ma.us

Newton’s Bullying Prevention and Intervention webpage, to which parents/guardians will be referred, will include information about the following:

a. how to reinforce the school/school district’s bullying prevention curricula at home.
b. the dynamics of bullying.
c. online safety and cyber bullying.

D. Rights of Eighteen-Year-Old Students

When a student reaches the age of 18, he or she shall have the following rights:

1. He or she may sign his or her own absence notes, though school officials may require satisfactory
verification as to the cause of the absence.
2. He or she may sign his or her own permission slips for field trips.
3. He or she may authorize or limit access to his or her own school records.
4. He or she may withdraw from school without permission of a parent or guardian.
5. He or she has all the rights, which would belong to a parent or guardian in connection with the special
education process, including the right to consent to or object to his or her individual education plan (IEP).

E. Rights of Students with Disabilities

Under G.L. c. 71B and the Individuals with Disabilities Education Act of 2004 (IDEA-04), every student must be
given a free and appropriate education with specialized instruction and related services when needed. A
student is entitled to these services if the student meets all three of the following requirements:

1. The student is between the ages of 3 and 22.
2. The student has not obtained a high school diploma or its equivalent.
3. The student has a physical, emotional or educational disability, which keeps the student from
progressing effectively in a regular education classroom.
One year prior to the student’s reaching age 18, the IEP Team must inform the student of the right at age 18 to make all decisions in relation to special education programs and services. Upon reaching the age of eighteen, the student has decision-making authority and can sign the IEP.

There are three exceptions, however, that can be made:

1. If the parent has sought and received guardianship from a court of competent jurisdiction, then the parent retains full decision-making authority.
2. The student, upon reaching the age of majority (18) and in the absence of any court actions to the contrary, may choose to share decision-making with his or her parent (or other willing adult), including allowing the parent to co-sign the IEP. Such choice is made in the presence of the Team and is documented in written form. The student’s choice prevails at any time that a disagreement occurs between the adult student and the parent or other adult with whom the student has shared decision-making.
3. The student, upon reaching the age of majority and in the absence of any court actions to the contrary, may choose to delegate continued decision-making to his or her parent or other willing adult. Such choice is made in the presence of at least one representative of the school district and one other witness and is documented in written form and maintained in the student record.

State regulations governing the special education process are available in all schools for review.

1. **Section 504 Accommodation Plan**

   Section 504 Accommodation Plans are developed and implemented to protect students with disabilities by eliminating barriers and allowing full participation in education. A Section 504 Accommodation Plan is designed to articulate and implement a program of instructional services, including general classroom modifications, to assist students with impairments who are educated in the regular education setting.

   In order to be eligible for a 504 Accommodation Plan, the student must be identified as disabled. To qualify as disabled, the student must have a physical or mental impairment, which substantially limits one or more major life activities; or must have a record of such impairment; or must be regarded as having such impairment. Major life activities include, but are not limited to caring for one’s self, performing manual tasks, walking, seeing, hearing, speaking, breathing, working, and learning.

2. **Home or Hospital Instruction**

   Students who must be absent from school or remain in the hospital for medical reasons will be provided with educational services in the home or hospital. To be eligible for these services, students need to have a physician's written order and to be in the home or hospital for a period not less than fourteen school days in any school year. To obtain home or hospital services, parents should contact their child’s principal or school counselor and provide the requested written documentation from the physician. Such educational services shall not be considered special education unless the student has been determined eligible for such services and the services include requirements of the student’s IEP.

3. **Early Childhood Special Education**

   Under Special Education regulations, the Newton School Department provides a preschool program and related support services for children with disabilities starting at age three. For more information, call the Director of NPS Early Childhood Programs at (617) 559-6050 or check the website at www.newtonpreschool.com.

4. **Parent Advisory Council for Special Education (PAC)**

   The Newton Parent Advisory Council for Special Education (NewtonPAC) provides advocacy, information, and community connection for Newton families whose children receive special education services. Special
Education regulations require that every school district establish a PAC “to advise the School Committee on matters that pertain to education, health and safety of children with special needs.” The NewtonPAC is an all-volunteer group that welcomes parents, educators, providers, and interested community members. NewtonPAC holds monthly meetings that offer opportunities to network with other parents, with school staff, and with outside speakers, as well as information about Newton’s current education programs and about topics of particular interest to NewtonPAC families. You may check the website, [www.newtonPAC.org](http://www.newtonPAC.org), with the Student Services Office at (617) 559-6025 or with your school principal for the name of your school’s NewtonPAC representative.

II. RIGHTS OF FREEDOM OF EXPRESSION

A. Freedom of Speech
All students are free to express their own points of view and are protected from those who would inhibit that expression. However, freedom of speech is a right that carries with it certain responsibilities; and its exercise is subject to certain limitations as to time, manner and place.

B. Freedom of the Press

The Newton School Committee passed the following on March 14, 1988:

"The Newton Schools have a proud tradition of publications and performances which have provided a legitimate forum for student opinions and views. Our secondary schools have always supported an atmosphere where it has been possible for students and faculty members to exercise their First Amendment rights in a responsible manner. The Newton School Committee is confident that the principals will continue to appoint highly qualified faculty advisers and that the students will continue to uphold the highest standards of freedom of expression, avoiding libel, slander and that which would substantially interfere with the work of the school or impinge on the rights of other students."

C. Freedom of Assembly

Associations may be organized within the school for political, social, athletic or other proper and lawful purposes, subject to reasonable limitations as to time, manner and place of assembly.

D. Freedom of Petition

Students are free to collect signatures on petitions concerning either in-school or out-of-school issues so long as this activity does not interfere with the regular operation of classes.

E. Freedom of Religion

Newton Public Schools shall not interfere with or infringe upon the religious freedom of its students. The study of religion or of the Bible from a literary or historical point of view is permitted but must be presented objectively.

III. RIGHTS OF STUDENTS AND FAMILIES REGARDING STUDENT RECORDS

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student’s education.

They are

1. The right to inspect and review the student’s education records within 45 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 will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request Newton Public Schools amend the student's education records that the parent or eligible student believes are inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the district decides not to amend the record as requested by the parent or eligible student, the district will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent 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, which permits disclosure without consent, is disclosure to school officials with legitimate educational 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 unit personnel); a person serving on the School Committee; 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.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA. The name and address of the office that administers FERPA is Family Policy Compliance Office, U. S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-8520.

Access to student records is also subject the Massachusetts Student Record Regulations, which regulations are similar to FERPA. See 603 CMR 23.00. However, 603 CMR 23.07 states “The eligible student or the parent, subject to the provisions of 603 CMR 23.07(5), shall have access to the student record. Access shall be provided as soon as practicable and within ten (10) 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.

In the Newton Schools, the student's permanent school record (i.e. transcript with name, address, phone number, parent information, course titles, grades, grade level completed and year completed) is kept for 60 years. The temporary record (all other information, including health records) is destroyed no later than five years after the student leaves or graduates.

No individual or organization other than the parent, guardian, eligible student or school personnel working directly with the student is allowed access to a student's record without specific written consent of the parent, guardian or eligible student except in limited instances, as specified above. A school principal or his or her designee may destroy misleading, outdated or irrelevant information contained in the temporary record during the time the student is enrolled in the school system, provided the parent, guardian or eligible student has been notified in writing and given the opportunity to inspect and copy any of the information prior to its destruction.

Parents and students 14 years of age or older, or in grade 9, (whichever is first) have the right to see appropriate records, including medical records. They should contact the school principal and ask for an appointment. Parents and eligible students may obtain a copy of all or any portion of the student's record upon request. They have the right to add relevant comments, information or other written material to the student's record or to request that information contained in the record be amended or deleted (except for information inserted in the record by a team evaluation), following FERPA procedures. Within a week after the conference, the principal must render a decision in writing on their objections to the record. If the parent, guardian or eligible student is not satisfied with the principal's decision, he or she may appeal such decision to the Superintendent and, ultimately, to the School Committee.

When a student transfers to a new school from the Newton Public Schools, the entire student record will be released to the new school without prior consent of the parent. Notification of this policy is given in accordance with G.L. c.71, §37L and 603 CMR 23.10(1). Parents have the right to receive a copy of the student record
that is forwarded and to request a hearing regarding the amendment of any inaccurate or misleading information that they feel may be contained in the student record.

A. IMPORTANCE OF ACCURATE CONTACT INFORMATION

Parents are responsible for updating their emergency contact information directly within ParentCONNECT, a parent portal from Newton Public Schools. This feature allows parents and guardians to review and update their contact information in a secure, online format. Required emergency contact information includes present home addresses and phone numbers, parents'/guardians’ work, cell phone numbers, email addresses, and names and phone numbers of two neighbors or nearby relatives who can be called in the case of an accident or emergency, should the school be unable to locate the parents/guardians. (Permission of these people should be obtained prior to the use of their names.) It is vital that this information be kept up to date and accurate. Parents/guardians should adjust/update this information, (e.g., change of address, phone number, business, marital status) on an on-going basis. Accurate information is extremely important, as this information is used to update our Reverse 911 communication system. This is the school-to-parent communication system that enables the schools to communicate by telephone about emergency situations, school events and important issues impacting students. It allows school administrators to send personalized voice messages and/or email to the family’s home, work or cell phone.

The ParentCONNECT web site can be found here: https://parentconnect.newton.k12.ma.us.

IV. RESPONSIBILITY FOR REGULAR ATTENDANCE

Regular attendance in school is required by Massachusetts’s law (G.L. c.76, §2) for all persons between the ages of 6 and 16. It is the shared responsibility of each student, his or her family, and the school to ensure that the student attends school each day that he or she is not sick. Failure to attend school, except under extraordinary circumstances, will require school personnel to seek help for the student and the student's family through court action and/or through the Massachusetts Department of Children and Families.

When a student reaches the age of 16, he or she may withdraw from school with the permission of his or her parent or guardian. The parent(s) or guardian(s) may meet with the Superintendent or his or her designated representative prior to the student's withdrawal from school for the purpose of discussing the reason for the student's withdrawal and the alternative educational programs available to the student. The student will be told that he or she may resume his or her education even if he or she has withdrawn from school pursuant to this procedure.

G.L. c.76, §1, sets forth a process for establishing that a student has permanently left school. As amended, Section 8 requires that the administrator of the school last attended by the student:

• Send notice within a period of five days from the student’s tenth consecutive absence to the student and parent or guardian in both the primary language of the home, to the extent practicable, and English, which contains information prescribed in the statute. Among other things, the notice must initially offer at least two dates and times for an exit interview.
• Convene an exit interview, which may proceed without the parent or guardian if the Superintendent or designee has made a good faith effort to include the parent or guardian.
• Include a team of school personnel in the exit interview such as the principal, guidance counselor, teachers, attendance officer and other relevant school staff, and give the student information about the benefits of earning a high school diploma, the detrimental effects of early withdrawal, and alternative education programs and services available to the student.

For more information on High School Exit Intervention, go to: http://www.doe.mass.edu/dropout/2014-05ExitProtocol.pdf
A student may be re-enrolled in school after an extended absence, but academic credits and promotion to the next grade are likely to be seriously jeopardized by the student’s lack of academic progress during the extended absence. Therefore, lengthy absences for extended trips are strongly discouraged by the Newton Public Schools, as teachers cannot provide the advance assignments or study aides a child would need over long periods of time to maintain the pace of learning in his or her classroom.

When a student is in school, he or she must attend all scheduled classes. At the high school level, more than two unauthorized absences from a class during a term will result in a grade of “N” for that term. More than eight absences from a class that meets four times a week, or more than four absences from a class that meets two times a week, will also result in an “N” for that term. If these absences are due to prolonged illness or extraordinary circumstances, a letter grade may be given after consultation among the teacher, counselor and housemaster. Absences due to participation in foreign exchange trips, special needs evaluations, untimed standardized tests (MCAS for example), or Individual Education Plan (I.E.P.) meetings do not count toward a grade of “N”. All other absences, including field trips and participation in athletic events, do count towards a grade of “N”.

Elementary and middle schools must be notified before 9:00 a.m. and high schools before 10:00 a.m. of a child’s absence each time the student will be late or not in attendance. The school principal will provide parents the appropriate number to call. Should a child in grades K-5 not report to school as anticipated, information on the student’s emergency card will be used to alert a parent or guardian of the situation.

If a child is to be dismissed from school early, a note from the parent or guardian is necessary. A child will not be dismissed from school under any circumstances unless he or she is picked up at the office at the designated time by a parent or guardian.

V. RESPONSIBILITY FOR ACADEMIC HONESTY

Students in the Newton Public Schools have a great deal of freedom to pursue individual research and writing. However, they are expected to do this work honestly and never to represent any other person’s work as their own, to allow any other student to copy their work, or to obtain test information ahead of time or pass such information to others.

As early as second grade, teachers begin to explain to students the importance of using their own words when taking notes for a project, and the value of honesty in relaying information is reinforced at every level. Teachers at both Newton high schools discuss plagiarism, cheating, and forgery at the beginning of each academic course and talk with students about the academic and ethical reasons for avoiding these behaviors. Teachers also make clear that they will be vigilant about plagiarism, cheating, and forgery.

Consequences/penalties for plagiarism, cheating, and forgery: If a teacher and department head or housemaster believe that an offense has occurred, they meet with the student. When they determine that the student has committed a first offense:

- The student receives a zero for the assignment. The teacher and department head decide whether the student deserves a chance to redo the work and how the zero will affect the term grade.
- The teacher or department head informs the housemaster. The housemaster then keeps records by student of each offense without putting an official letter in the student's file. The housemaster may choose to suspend a student for a first offense.
- The teacher, department head or housemaster informs the parent(s) or guardian(s).

When they determine that the student has committed a second offense:

- The student receives a zero for the assignment with no make-up, and the term grade reflects this zero.
- The student receives disciplinary consequences.

Further offenses result in more serious disciplinary action.
The Newton Public Schools also have a clear policy on Internet use, which is explained to students by librarians. The full policy is available on the Newton Public Schools website www.newton.k12.ma.us and in school libraries.

**VI. RESPONSIBILITY FOR APPROPRIATE USE OF ELECTRONIC DEVICES**

Individual electronic equipment (CD players, iPods, MP3 players, television sets, radios, beepers, cell phones, cameras, etc.) may not be used in school buildings, with the exception of specific designated areas depending on individual school policy. Use of such equipment in designated areas on school property may not violate a student, faculty or staff member’s privacy.

In classrooms, these devices must be concealed and turned off, unless used with specific teacher permission. Violators risk having the equipment confiscated and taken to a housemaster, principal or designee. Failure to turn over any electronic equipment to a faculty member or administrator, as requested, may result in disciplinary consequences. Confiscated equipment will not be returned until after school and then only at the discretion of the housemaster, principal or designee.

**VII. RESPONSIBILITY FOR APPEARANCE**

Although Newton Public Schools has no dress code per se, it is the responsibility of the students to dress appropriately for the school learning environment. Clothing should not be disruptive of the education process and should not pose a danger to the student or others. This limitation shall include clothing and any accessories. A student has a right to choose his or her hair length, clothing and other aspects of appearance using these guidelines.

**VIII. RESPONSIBILITY FOR POSITIVE BEHAVIOR**

All members of the school community, including all school personnel, have the responsibility to demonstrate respect for other individuals and their property. This expectation applies to peers as well as to all school personnel while in school or on school property and during all school-sponsored activities, both on and off campus, including those times when they are riding school buses or other school-provided vehicles. It is specifically noted that, for the purposes of these rules and regulations, buses and other school transportation vehicles are considered school property and bus drivers are considered school personnel.

Students are expected to behave in accordance with these rules and regulations and to remove themselves from situations, which involve illegal activity; the possession or use of illicit drugs, alcohol, or weapons, or the violation of the discipline codes. Students who do not remove themselves from such situations may be subject to D20 of the discipline code.

Schools provide supports and behavioral interventions to help students to behave as positive members of the Newton Public Schools community. School officials will attempt to help students solve behavioral problems without interrupting the daily program of studies. However, certain types of behavior may require disciplinary action including suspension or expulsion.

In addition to this disciplinary action, violation of the Discipline Codes may result in police notification pursuant to state statute and/or the Memorandum of Understanding between the Newton Public Schools and the Newton Police Department (See the full Memorandum at www.newton.k12.ma.us under the Families page.)

**A. Emergency Intervention**

1. **Physical Restraint**

The use of restraints of students in all publicly funded Massachusetts schools is governed by state regulation 603 CMR 46.00 that was revised by the Department of Elementary and Secondary Education and will take effect on January 1, 2016. Under the revised regulations, mechanical restraint, medication restraint, and
reclusion shall be prohibited. Seclusion is the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving and does not include a time-out, which is a behavioral strategy as defined in and permitted by 603 CMR 46.02.

Physical restraint shall be considered an emergency procedure of last resort and shall be prohibited except when a student’s behavior poses a threat of assault, or imminent, serious physical harm to self or others and the student is not responsive to less intrusive behavior interventions, or such interventions have been deemed inappropriate, under the circumstances.

Physical restraint is defined as direct physical contact that prevents or significantly restricts a student’s freedom of movement and does not include brief physical contact to promote student safety or a physical escort without the use of force for the purpose of guiding or inducing a student to walk to a safe location. 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. All physical restraints must be terminated as soon as the student is no longer an immediate danger to himself or others, the student indicates that s/he cannot breathe, or is observed to be in severe distress.

Only school personnel who have received training pursuant to 603 CMR 46.04(2) or 603 CMR 46.04(3) shall administer physical restraint on students. The staff member who administered the restraint shall verbally inform the principal of the restraint as soon as possible and by written report no later than the next school working day. The principal or his/her designee shall verbally inform the student’s parent/guardian of the restraint within 24 hours of the event and shall notify the parent by written report within three school working days of the restraint either by email or by regular mail postmarked no later than three school working days of the restraint. When a physical restraint has resulted in an injury to student or program staff member, the program shall send a copy of the written report to the Department of Elementary and Secondary Education (DESE) by regular mail postmarked no later than three school working days of the restraint. The District will report data regarding the use of physical restraints to DESE annually in a form and manner directed by DESE.

2. Risk Assessment

Further, in cases where a student threatens the safety to self or others, the school may require a risk assessment by a qualified professional before allowing the student to continue in school.

B. Responsibility Regarding Alcohol and Illicit Drugs

A goal of the Newton Public Schools is to promote and maintain a safe and drug-free learning environment for all students and staff. The use of alcohol and/or illicit drugs interferes with the learning, growth and well being of students, families and the entire school community. Alcohol and illicit drugs do not have a place in an educational environment and will not be tolerated on school property or at any school-sponsored event.

Illicit drugs include:

- Controlled substances as defined in G.L., c.94C (e.g. cocaine, marijuana, LSD, steroids)
- The misuse of prescription or over-the-counter drugs
- Products misused for the purpose of mind-altering effects (e.g. aerosols, solvents).

Students are strictly prohibited from having alcohol and/or illicit drugs in their system during school hours, on school property or at any school-sponsored event. Prohibited activities include, but are not limited to:

- Using or being under the influence
- Possession
- Attempting to purchase
- Intending or attempting to sell/distribute
- Selling or distributing
- Possession of drug paraphernalia.
Additionally, students who know they are in the company of any individual using or selling illicit drugs or alcohol and who do not remove themselves from that situation may be subject to discipline pursuant to D20 of the discipline code.

Students who violate this policy will be subject to disciplinary action up to and including expulsion as delineated in the discipline codes and suspensions/expulsion section of this handbook. Also, the schools will fully cooperate with the Police Department to deal with violations of the law as outlined in the Memorandum of Understanding between NPS and the Newton Police Department. See the full Memorandum at www.newton.k12.ma.us under the Families page.

In addition to, or as part of, the disciplinary response to such abuses, prevention and intervention services will be offered to students and families to support the system-wide goal of a safe and drug free environment.

In a case where a student self-discloses or seeks help regarding an alcohol or other drug use problem, which is not in current violation of school policy, no disciplinary action will be taken. However, because the use of alcohol and/or drugs by students at any time creates potential problems, a range of supportive services will be offered based on the best interest of the student and school community. The student support program is designed to provide a wide range of services for students dealing with alcohol and other drug-related problems. A multi-disciplinary student support team - made up of the student's housemaster or assistant principal, guidance counselor, and prevention/intervention counselor - carries out the activities of the program at each school. The school will consult with a police youth officer if a child is found under the influence, in possession of or selling a controlled substance. To access support programs or for further information, call the middle school's guidance department, the prevention/intervention counselor at Newton North at (617) 559-6237, the prevention/intervention counselor at Newton South at (617) 559-6577, or the Physical Education, Health and Wellness K-12 coordinator at (617) 559-9090.

In addition to the rules and regulations outlined above, student athletes will also be responsible for complying with the rules and regulations of the Massachusetts Interscholastic Athletic Association.

1. Breathalyzers and Protective Custody

In keeping with the expressed goal of Newton Public Schools of having all school activities remain free and safe from alcohol use, principals or their designees will have the discretion to use either a passive or an active individual breathalyzer on any student attending school or any school activity if they have a reasonable suspicion that the student is under the influence of alcohol. Students found to be under the influence of alcohol will be subject to the Discipline Code M12. If a student is found to be under the influence of alcohol or other drugs at school or school events, attempts will be made to contact parents or guardians. If no parent or guardian is available, the student may be taken into protective custody by the police.

C. Responsibility Regarding Tobacco

In accordance with G.L. c.71, §2A, and consistent with the City of Newton Ordinance, it is the policy of the Newton Public Schools to prohibit the use of all tobacco products of any type within all school facilities, on all school grounds, and on all school buses by any individual, including school personnel.

The types of tobacco products include but are not limited to:

a. Smoking
All types of smoking tobacco, including but not limited to cigarettes, cigars, little cigars or cigarillos, pipes, clove cigarettes, blunt wraps and any other burning of a tobacco product resulting in smoking.

b. Smokeless
Smokeless tobacco products, such as dip, snuff, tobacco chew, snus, spit packs, flavored tobacco and dissolvable as well as any other type of tobacco product that is ingested but not burned.

c. Non-FDA Approved Nicotine Delivery Products
Electronic cigarettes (E-cigarettes), personal vaporizer (PV), or electronic nicotine delivery products
In addition, at Newton North High School, there are further restrictions as specified in the “Smoke Free Zone Ordinance” passed by the Board of Alderman on December 17, 2007. (See the full Ordinance on page 33.)

D. Responsibility Regarding Weapons

It is imperative to ensure a safe school environment for all students and staff; therefore, any student in possession of a weapon or object, which might be used as a weapon, will be suspended from school awaiting the outcome of an expulsion hearing. Weapons used in a threatening manner may require that a student undergo a risk assessment evaluation prior to that hearing.

E. Responsibility Regarding Fires

It is required that the principal of any Newton school submit a written report of any incident involving unauthorized ignition of a fire to the head of the Fire Department within 24 hours under G.L. c.148, §2A. It is also required that the Newton Police Department be notified.

F. BULLYING PREVENTION AND INTERVENTION POLICY (Approved by School Committee – 12/13/10)

Please note: The School Committee is in the process of updating the Bullying Prevention and Intervention Policy and Plan. Upon approval, the updated Bullying and Intervention Procedures policy will be posted on the Newton Public Schools Website, www.newton.k12.ma.us under the Families page and a hard copy insert of the corresponding revision to the 2015-2016 Student Rights & Responsibilities Handbook will be provided to students.

All members of the school community deserve the opportunity to work and learn in an environment of mutual respect. In order to create and maintain such an environment, students must treat each other with courtesy and consideration.

The Newton Public Schools is committed to adhering to a policy of non-discrimination based on race, gender, color, religion, sexual orientation, ethnicity/national origin, age, gender identity, homelessness, or handicap/disability, in accordance with state and/or federal laws. These policies, as described in the “Right to an Equal Education” section of the Rights and Responsibilities Handbook (page 1), specifically prohibit harassment based upon each of these protected classifications. In addition, Newton Public Schools recognize that bullying, or intimidation on any basis, whether or not it is related to membership in a protected class, has a negative effect on school climate. Students who are intimidated and fearful cannot give their education the single-minded attention they need for success. Bullying and intimidation for any reason are prohibited in the Newton Public Schools. Their prevention begins with a strong educational program and the establishment of a positive, caring school environment.

Creating a school culture free of harassment and bullying demands that all individuals recognize such behaviors and take action to stop them. Every student in the Newton Public Schools has the potential and the responsibility to affect the school culture positively and is strongly urged to act in accordance with the following guidelines:

• Treat others with courtesy, consideration and respect.
• Tell individuals behaving in a disrespectful manner towards you that you want them to stop.
• Tell individuals behaving in a disrespectful manner towards someone else that you want them to stop.
• Report behavior to a trusted adult.

We understand that members of certain student groups, such as students with disabilities, students who are gay, lesbian, bisexual, or transgender, and homeless students may be more vulnerable to becoming targets of bullying, harassment, or teasing. The school or district seeks to create a safe, supportive environment for vulnerable populations in the school community, and provide all students with the skills, knowledge, and strategies to prevent or respond to bullying harassment, or teasing.
Whenever the evaluation of the Individualized Education Program team indicates that the child has a disability that affects social skills development or that the child is vulnerable to bullying, harassment or teasing because of the child's disability, the Individualized Education Program shall address the skills and proficiencies needed to avoid and respond to bullying, harassment or teasing.

The intent of this policy is to meet the obligations of M.G.L. c.71 sec. 37O.

DEFINITIONS

**Bullying** (including cyberbullying) is the repeated use by one or more students of a written, verbal, or electronic communication, or a physical act or gesture or any combination thereof, directed at a target. Bullying results in the outcomes that:
- cause physical or emotional harm to the target or damage to his or her property;
- place the target in reasonable fear of harm to him or herself or of damage to his or her property;
- create a hostile environment at school for the target;
- infringe on the rights of the target at school; or
- materially and substantially disrupt the education process or the orderly operation of a school.

**Cyberbullying** is bullying through the use of technology or any electronic means, and includes the distribution of electronic communications or the posting of electronic material that may be accessed by one or more persons.

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

Bullying can include any form of repeated behavior, either in person or via electronic means, that involves an imbalance of power or strength and a pattern of behavior which interferes with another person’s sense of safety, dignity, comfort or productivity in the school environment. Possible behaviors may include, but are not limited to, the following:
- Physical intimidation or assault
- Name calling (verbal/written), teasing, mimicking, slurs, or other derogatory remarks
- Displaying materially and substantially disruptive graffiti, symbols, posters, pictures, cartoons/caricatures, notes, book covers, or designs on clothing
- Phone calls, and/or electronic communications
- Touching of a person or person’s clothing
- Words, pranks or actions which provoke feelings or embarrassment, hurt, or intimidation
- Stalking
- Threats, threatening gestures or actions
- False accusations or rumors
- Social isolation

The above behaviors are not necessarily bullying in isolation, but they constitute bullying when they occur in a repeated context and they:
- have the purpose or effect of creating an intimidating, hostile, or offensive school or work environment;
- have the purpose or effect of substantially or unreasonably interfering with an individual’s academic or work performance; or
- otherwise adversely affect an individual’s educational opportunities.

**SCOPE OF SCHOOL AUTHORITY**

The Newton Public School System prohibits bullying (including cyberbullying):
- at school and at all school facilities;
- at school-sponsored or school-related functions, whether on or off school grounds;
- on school buses and school bus stops;
- through the use of technology or an electronic device owned, licensed or used by a school; and
• at non-school-related locations and through non-school technology or electronic devices, if the bullying affects the school environment.

For procedures relating to the implementation of this policy, refer to the Bullying Prevention and Intervention Procedures posted on the Newton Public Schools website- www.newton.k12.ma.us under the Families page.

G. Responsibility for Preventing Hazing

All students are welcome into every aspect of our school community. Therefore, it is imperative that each individual feel safe. The hazing of students as part of an initiation into any student organization or class conducted by any individual or group will not be tolerated.

As used in this handbook, “hazing” is defined as “any conduct or method of initiation into any student organization which willfully or recklessly endangers the physical or mental health of any student or other person.” See G.L. c 269, §§17-19.

Any such initiation, which happens during or after school hours, will be referred for disciplinary action, as will persons who, through intimidation, may try to prevent any person or persons from reporting such acts. All team captains and club officers will be required to sign a statement acknowledging this policy.


M.G.L., Chapter 269, Section 17 – Crime of Hazing Definition; Penalty
Whoever is a principle organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or both such fine and imprisonment. The term "hazing" as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

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

M.G.L., Chapter 269, Section 18 – Duty to Report Hazing
Whoever knows that another person is a victim of hazing as defined in Section 17 and is at the scene of such crime, shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars.

M.G.L., Chapter 269, Section 19 – Hazing Statutes to be Provided; Statement of Compliance and Discipline Policy Required
Each institution of secondary education and each public and private institution of post secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections seventeen and eighteen; provided, however, that an institution’s compliance with this section’s requirements that an institution issue copies of this section and sections seventeen and eighteen to unaffiliated student groups, teams or organizations shall not constitute evidence of the institution’s recognitions or endorsement of said unaffiliated student groups, teams and organizations.
Each such group, team or organization shall distribute a copy of this section and sections seventeen and eighteen to each of its members, plebes, pledges or applicants for membership. It shall be the duty of each such group, team or organization, acting through its designated officer, to deliver annually, to the institution an attested acknowledgment stating that such group, team or organization has received a copy of this section and said sections seventeen and eighteen, that each of its members, plebes, pledges, or applicants has received a copy of sections seventeen and eighteen, and that such group, team or organization understands and agrees to comply with the provisions of this section and sections seventeen and eighteen.

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

Each institution of secondary education and each public or private institution of post secondary education shall file, at least annually, a report with the board of higher education and in the case of secondary institutions, the board of education, certifying that such institution has complied with its responsibility to inform student groups, teams or organizations and to notify each full-time student enrolled by it of the provisions of this section and sections seventeen and eighteen and also certifying that said institution has adopted a disciplinary policy with regard to the organizers and participants of hazing, and that such policy has been set forth with appropriate emphasis in the student handbook or similar means of communicating the institution’s policies to its students. The board of higher education and, in the case of secondary institutions, the board of education, shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general any such institution, which fails to make such report. Approved January 5, 1988.
IX. RULES OF BEHAVIOR AND DISCIPLINE OF STUDENTS

A. Student Discipline

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

Suspension

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

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

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

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

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

In-school Suspension

At the discretion of the principal, in-school suspension may also be imposed for violation of the student code of conduct. In-school suspension means the student is removed from regular classroom activities, but not from the school premises, for no more than 10 consecutive school days. In-school suspension for less than 10 days shall not be considered a short-term suspension. An in-school suspension of more than 10 days shall be deemed a long-term suspension.

For an in-school suspension, the principal shall inform the student of the disciplinary offense charged and the basis for the charge. The principal shall also provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident. If the principal determines that the student committed the disciplinary offense, the principal shall inform the student of the length of the student's in-school suspension, which shall not exceed 10 days, cumulatively or consecutively, in a school year.

On the same day as the in-school suspension decision, the principal shall make reasonable efforts to notify the parent verbally of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension. The principal shall also invite the parent to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. Such meeting shall be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the principal is unable to reach the parent after making and documenting at least (2) attempts to do so, such attempts shall constitute reasonable efforts for purposes of verbally informing the parent of the in-school suspension.

The principal shall send written notice to the student and parent about the in-school suspension, including the reason and the length of the in-school suspension, and invite the parent to a meeting with the principal, if such
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meeting has not already occurred. The principal shall provide such notice on the day of the suspension by hand-delivery, certified mail, first-class mail, or email to an address provided by the parent for school communications, or by other method of delivery agreed to by the principal and the parent.

**Opportunity for Academic Progress During Suspension/Expulsion**

Any student receiving an in-school suspension, short-term suspension, or long-term suspension shall have the opportunity to make up assignments, tests, papers, and other school work as needed to make academic progress during the period of removal from the classroom or school.

Any student who is expelled or suspended from school for more than 10 consecutive days shall have an opportunity to receive educational services that will enable the student to make academic progress toward meeting state and local requirements through the school-wide educational services plan.

**B. Discipline Guidelines and Codes**

In accordance with the student’s right to due process on page 19, the Newton Public Schools may discipline a student according to the following guidelines and discipline codes.

1. These offenses will require disciplinary consequences and may also include denial of participation in graduation exercises:

   M1. Possession of firearms (mandatory police notification).
   M2. Striking a teacher or other school personnel (grades 6-12) (possible police notification).
   M3. Possession, sale, distribution, use or manufacture of illegal drugs or alcohol (mandatory police notification).
   M4. Setting fires (grades 6-12) (mandatory police and fire department notification).
   M5. Use of, or threatened use of a knife, including a pocketknife, as a weapon (grades 6-12) (mandatory police notification).
   M6. Possession of a dangerous weapon, or use of, or threatened use of any object as a weapon (grades 6-12) (mandatory police notification).
   M7. Fighting or any assault or act of violence committed against another student or any school personnel (grades 9-12) (possible police notification).
   M8. Failure to identify one’s self truthfully upon request of any school personnel (grades 6-12).
   M10. Use of, or threatened use of a knife, including a pocketknife, as a weapon (grades K-5) (mandatory police notification).
   M11. Unauthorized sounding of a fire alarm or tampering with defibrillators (grades 6-12).
   M12. Being under the influence of illegal drugs or alcoholic beverages, or in possession of any drug paraphernalia (mandatory police notification for possession of drug paraphernalia).
   M13. Violence, intimidation or extortion, or threat of hazing, violence, intimidation or extortion, directed toward another student or school personnel (grades 6-12) (possible police notification).
   M14. Hazing directed toward another student (grades 6-12) (possible police notification).
   M15. Bullying or retaliation related to a bullying incident, reporting, or investigation (grades 6-12) (possible police notification).

2. The following offenses may require disciplinary consequences and the denial of participation in graduation exercises:

   D1. Violation of any Newton Public Schools policy, including, but not limited to, the Drug/Alcohol and Internet Safety Policy for Technology.
D2. Discrimination against or harassment of another student or school personnel on the basis of, but not limited to race, color, sex, gender identity, homelessness, national origin, religion, handicap or sexual orientation (possible police notification).

D3. Stealing and/or willful destruction of school or personal property (possible police notification).

D4. Persistent or excessive truancy and/or tardiness to class and class cutting.

D5. Cheating, plagiarism or forgery.

D6. Fighting or any assault or act of violence committed against another student or school personnel (grades K-8) (possible police notification).

D7. Use of obscene, abusive or profane language or gestures, or rude or defiant behavior, either of which disrupts the educational process or school activity.

D8. Failure to identify one's self truthfully upon request of any school personnel (grades K-5).

D9. A pattern of defiant behavior towards any school personnel or policy.

D10. Behavior, which endangers persons or property or substantially disrupts the educational process or school activity (possible police notification).

D11. Giving off a strong odor of alcohol or marijuana (possible police notification).


D13. Using tobacco products of any type in any school facility, school bus, or on school grounds.

D14. Unauthorized sounding of a fire alarm or tampering with defibrillators (grades K-5).

D15. Violation of any criminal law of the Commonwealth of Massachusetts, including, but not limited to, gambling or stalking, not already covered by these rules (possible police notification).

D16. Possession of a dangerous weapon, or use of, or threatened use of any object as a weapon (grades K-5) (mandatory police notification).

D17. Unauthorized use of school materials, equipment or property.

D18. Violence, intimidation or extortion, or threat of hazing, violence, intimidation or extortion directed toward another student or school personnel (grades K-5) (possible police notification).

D19. Hazing directed toward another student (grades K-5) (possible police notification).

D20. Being present in the company of a person the student knows is using or selling illicit drugs or alcohol, or is otherwise violating an item on the discipline code and who fails to remove themselves from the situation (possible police notification).

D21. Bullying, or retaliation related to a bullying incident, reporting, or investigation (grades K-5) (possible police notification)

D22. Aiding, abetting or encouraging bullying or making a false allegation of bullying or retaliation.

Please note that designation of "M" and "D" serves to distinguish between rules for which a consequence is mandatory and rules for which the penalty is at the discretion of the student's principal or designee. Unless otherwise noted, the penalty for prohibited behavior is the same for grades K through 12.

The term "dangerous weapon" shall include, but not be limited to, any type of firearm, knife or martial arts equipment, explosive devices including fireworks, or a facsimile of a dangerous weapon. Any dangerous weapon in the possession of a student shall be removed from the student's custody, and any illegal weapon shall be turned over to the Newton Police Department. All other weapons shall be returned to the student or parent/guardian at the discretion of the principal or his/her designee. There shall be notification of the possession of a weapon to parents or guardians before the weapon is returned.

The term "illegal drugs" shall include all controlled substances as defined in G.L. c.94C, including, but not limited to, marijuana and cocaine or prescription drugs for which the student does not have a valid prescription. (See page 10 for more information.)

All of the above offenses may involve the exclusion of a student from school and/or school-sponsored activities. The principal or his/her designee will conduct disciplinary investigations and hearings.
1. **Due Process** - This applies to all short-term and long-term out of school suspensions

The legal term “due process” comes from the Fifth and Fourteenth Amendments to the United States Constitution. The Fifth Amendment provides in part: "...nor shall any person be . . . deprived of life, liberty, or property without due process of law." The Fourteenth Amendment reads as follows:

All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law, which shall abridge the privileges or immunities of citizens of the United States, nor shall any state deprive any person of life, liberty, or property, without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws.

In January 1975, the United States Supreme Court ruled that public school students facing suspension are protected by the Due Process Clause of the Fourteenth Amendment. Because state statutes require school districts to maintain schools and require students to attend them, the Court stated that public education is a property interest. Deprivation of education (through suspension) without minimum procedural protections is thus a violation of the property interest protection of the Due Process Clause of the Fourteenth Amendment.

Students facing suspension also have liberty interest. Because suspension may damage the reputation of the student and hamper his or her future opportunities (employment, college, etc.), lack of minimum procedural protections is contrary to the Fourteenth Amendment's prohibition against arbitrary deprivation of liberty.

In the Newton Public Schools, due process is assured in accordance with M.G.L. c. 71, §37H and M.G.L. c. 71, §37H ½ and §37H ¾. In administering discipline, school officials will be careful to observe the right to due process under the law for each student. The nature of the violation determines the due process that school officials follow.

2. **Due Process Rights for students charged with possession of a dangerous weapon, possession of a controlled substance, assault on school staff and/or students who have been charged with or convicted of a felony (M.G.L. c. 71, §37H and M.G.L. c. 71, §37H ½).**

   A. **M.G.L. c. 71, §37H**

   State law permits principals to expel any student in grades 9-12 who, on school premises or at school-sponsored or school-related events, including athletic games

   1. is found in possession of a dangerous weapon, including, but not limited to, a gun or knife; or of a controlled substance as defined in G.L. c.94C; or, including, but not limited to, marijuana, cocaine or heroin; or
   2. assaults a principal, assistant principal, teacher, teacher's aide or other educational staff.

   Any student who is charged with a violation of the above shall be notified by telephone and in writing of an opportunity for a hearing, at which the student and his/her parent(s)/guardian(s) may have legal representation at their own expense, and the opportunity to present evidence and witnesses at said hearing before the principal/designee. After said hearing, a principal/designee may, at his/her discretion, decide to suspend rather than expel a student who has been determined by the principal/designee to have violated the above.

   Any student who has been expelled from a school district pursuant to these provisions shall have the right to appeal to the superintendent. The expelled student shall have ten (10) days from the date of the expulsion in which to notify the superintendent of his/her appeal. The student shall have the right to counsel, at his or her own expense, at a hearing before the superintendent/designee. 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. Pending the outcome of any appeal, the disciplinary sanction imposed shall remain in effect.
B. M.G.L. c. 71, §37H ½

State law permits principals/designee to suspend students charged with a felony or a felony delinquency, or to expel students convicted of or admitting guilt to a felony or a felony delinquency if the principal/designee determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school (§37H1/2). A student subject to suspension or expulsion under this provision of the General Laws shall receive written notification of the charges and the reasons for such suspension or expulsion prior to the suspension or expulsion taking effect. Unless the proposed suspension is for 10 days or less, the student shall be afforded the procedural rights set out for suspensions greater than 10 days or for expulsions, whichever is applicable, as such rights are described in this handbook. The student shall also receive written notification of his/her right to appeal the suspension or expulsion to the superintendent provided, however, that such suspension or expulsion shall remain in effect prior to any appeal hearing conducted by the superintendent.

A student may appeal the suspension or expulsion by giving a written notice requesting an appeal to the superintendent no later than five (5) calendar days following the effective date of the suspension or expulsion. The superintendent shall hold a hearing with the student and the student's parent(s) or guardian(s) within three (3) calendar days of the student's request for an appeal. The student may be represented and may present verbal and written testimony at the appeal hearing before the superintendent. The superintendent may overturn or alter the decision of the principal/designee and may recommend an alternate educational program for the student. The superintendent shall issue a decision on the appeal within five (5) calendar days of the hearing, which decision shall be the final decision of the school district with regard to the student's suspension or expulsion. Pending the outcome of any such appeal, the disciplinary sanction imposed shall remain in effect.

3. Due Process Rights for students charged with other violations (M.G.L. c. 71, §37H ¾)

Notice and Principal’s meeting:

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

The principal or designee shall make reasonable efforts to notify the parent verbally of the opportunity to attend the hearing. The meeting may take place without the student’s parent(s)/guardian(s) so long as the principal/designee has sent written notice and has documented at least two (2) attempts to contact the parent in the manner specified by the parent for emergency notification.

The purpose of the principal/designee’s hearing is to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction.

The principal/designee shall determine the extent of the rights to be afforded the student at a disciplinary hearing based on the anticipated consequences for the disciplinary offense.

a. Short-term Out-of School Suspension

The principal/designee shall discuss the disciplinary offense, the basis for the charge, and any other pertinent information. The student also shall have an opportunity to present information, including mitigating facts, which the principal/designee should consider in determining whether other remedies and consequences may be appropriate. The principal/designee shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating
circumstances, that the principal/designee should consider in determining consequences for the student.

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

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

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

b. Long-term Out-of-School Suspension

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

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

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

If the student is suspended for more than ten (10) days for a single infraction or for more than ten (10) days cumulatively for multiple infractions in any school year, the notice will include written notification of the right to appeal to the Superintendent and the process for appealing in English and the primary language spoken in the student's home. No student will be suspended for greater than 90 days, beginning on the first day the student is removed from the building.
4. **Appeals of In-School or Short-Term Out-of-School Suspensions**

   A. For elementary school students, an appeal is filed with the Superintendent of Schools or his/her designee. For middle school or high school students, the appeal is filed with the principal of the school. An appeal must be in writing and must be filed by the student’s parent/guardian (or student if 18 or older) within five (5) days of the student having served the suspension.

   B. The principal’s decision on the above appeal will be made expeditiously and will be in writing. Middle school and high school students may then further appeal the principal/designee’s decision in writing by the student’s parent/guardian (or student if 18 years or older) but must file within five (5) days from the date the principal/designee’s decision is issued. Those appeals shall be filed in writing with the Superintendent of Schools or his/her designee. Decisions on the appeal of the principal/designee’s decision will be issued expeditiously in writing and will be final.

   Pending the outcome of any such appeal, the disciplinary sanction imposed shall remain in effect.

5. **Appeals of Long-Term Out-of-School Suspensions – Superintendent’s Hearing**

   The parent(s)/guardian(s) shall have five (5) calendar days following the effective date of the suspension or expulsion to submit a written request for an appeal to the Superintendent but may be granted an extension of time of up to seven (7) additional calendar days. If the appeal is not timely filed, the Superintendent or his/her designee may deny the appeal, or may allow the appeal in his or her discretion, for good cause.

   The Superintendent or his/her designee will hold a hearing with the student and the parent(s)/guardian(s) within three (3) school days of the student’s request for an appeal. The time may be extended up to seven (7) additional calendar days if requested by the parent(s)/guardian(s). The Superintendent’s hearing may proceed without the parent(s)/guardian(s) if a good faith effort was made to include parent(s)/guardian(s). The Superintendent or his/her designee shall be presumed to have made a good faith effort if he or she has made efforts to find a day and time for the hearing that would allow the parent and Superintendent to participate. The Superintendent or his/her designee shall send written notice to the parent of the date, time, and location of the hearing.

   At the hearing, the Superintendent or his/her designee shall determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence shall be. Students shall have all of the rights afforded to students at the principal/designee’s hearing for long-term suspensions. The Superintendent or his/her designee will issue a written decision within five (5) calendar days of the hearing. If the Superintendent/designee determines that the student committed the disciplinary offense, the Superintendent/designee may impose the same or a lesser consequence than the principal/designee, but shall not impose a suspension greater than that imposed by the principal/designee decision. Pending the outcome of any such appeal, the disciplinary sanction imposed shall remain in effect. Superintendent’s decision is the final decision of the district.

6. **Involuntary Transfer**

   The Superintendent of Schools, at his or her discretion, as a disciplinary consequence, may transfer a student from one school district to another within the Newton Public Schools.

7. **Emergency Removal**

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

In the event of an emergency removal, the principal/designee shall make immediate and reasonable efforts to verbally notify the student and the student's parent(s)/guardian(s) of the emergency removal and the reason for the need for emergency removal. The principal/designee shall provide written notice to the student and parent(s)/guardian(s) as provided above, and provide the student an opportunity for a hearing with the principal/designee as provided above, and the parent(s)/guardian(s) an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the principal/designee, student, and parent(s)/guardian(s).

The principal/designee shall render a decision verbally on the same day as the hearing, and in writing no later than the following school day, which meets the requirements as described above.

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

C. Bus Privileges

A student's bus privileges may be revoked if the Discipline Code violation occurs on a school bus or while waiting to board, boarding or exiting said school bus.

D. Search and Seizure

Freedom from unreasonable search of one's person and property is guaranteed to students by the Fourth and Fourteenth Amendments to the United States Constitution. Equipment assigned to students, such as lockers and desks, belong to the Newton Public Schools. Therefore, school officials reserve the right to inspect such equipment in accordance with the procedures set forth below. The search of students or their property or vehicles parked on school property shall comply with the following procedure:

1. There shall be reasonable suspicion for school personnel to believe that a search will disclose evidence of a violation of a school rule or law.
2. When such reasonable suspicion exists, a search may be conducted under the explicit authorization of the principal or his or her designee.
3. Items, which might be used to disrupt or interfere with the educational process, such as weapons, will be removed from the student's possession.
4. School personnel will assist or permit the police to search a student, his or her possessions, or school equipment assigned to such student where the police have obtained a search warrant authorizing the search.

E. Use of Force

Corporal punishment is prohibited by state law. However, a teacher or other school personnel may use physical force against a student if that force is reasonable and necessary:

1. to obtain possession of a weapon or other dangerous object; or
2. to protect any person or property, provided there is a clear and present danger to that person or property; or
3. in self-defense.

F. Discipline of Students with Disabilities [Includes students currently on 504 Accommodation Plans or Individual Educational Programs.]

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

1. Students with disabilities may be excluded from their programs for up to ten (10) school days to the extent that such sanctions would be applied to all students. Before a student with a disability can be excluded from his/her program for more than ten (10) consecutive school days in a given school year or ten (10) cumulative school days in a given school year, building administrators, the parents/guardians and relevant members of the student’s IEP or Section 504 Team will meet to determine the relationship between the student’s disability and behavior (manifestation determination). During disciplinary exclusions exceeding ten (10) school days in a single school year, the student shall have the right to receive services identified as necessary to provide him/her with a free appropriate public education during the period of exclusion.

2. If building administrators, the parents/guardians and relevant members of the student’s IEP or Section 504 Team determine that the student’s conduct was not a manifestation of the student’s disability, the school may discipline the student in accordance with the procedures and penalties applicable to all students but will continue to provide a free appropriate public education to those students with IEPs. The student’s IEP Team or Section 504 Team will identify the services necessary to provide a free appropriate public education during the period of exclusion, review any existing behavior intervention plan or where appropriate, conduct a functional behavioral assessment.

3. If building administrators, the parents/guardians, and relevant members of the student’s IEP or Section 504 Team determine that the conduct giving rise to disciplinary action was a manifestation of the student’s disability, the student will not be subjected to further removal or exclusion from the student’s current educational program based on that conduct (except for conduct involving weapons, drugs or resulting in serious bodily injury to others) until the IEP or Section 504 Team develops, and the parent/guardians consent to, a new placement, or unless the District obtains an order form a court or from the Bureau of Special Education Appeals (BSEA) authorizing a change in the student’s placement. The Student’s Team shall also review the student’s IEP, and modify as appropriate, any existing behavioral intervention plan or arrange for a functional behavioral assessment.

4. If a student with a disability possesses or uses illegal drugs, sells or solicits a controlled substance, possesses a weapon, or causes serious bodily injury to another on school grounds or at a school function, the District may place the student in an interim alternative educational placement (IAES) for up to forty-five (45) school days. A court or BSEA hearing officer may also order the placement of a student who presents a substantial likelihood of injury to self or others in an appropriate interim setting for up to forty-five (45) school days.

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

A. If prior to the disciplinary action, a district had knowledge that the student may be a student with disability, then the district makes all protections available to the student until and unless the student is subsequently determined not to be eligible. The district may be considered to have prior knowledge if:
   1. The parent/guardian had expressed concern in writing: or
   2. The parent/guardian had requested an evaluation: or
   3. School district staff had expressed concern that the student had a disability.

B. If the district had no reason to consider the student disabled, and the parent/guardian requests an evaluation subsequent to the disciplinary action, the district must have procedures to conduct an evaluation to determine eligibility. If the student is found eligible, then he/she receives all procedural protections subsequent to the finding of eligibility.

C. The school district has developed procedures consistent with the federal requirements to expedite evaluations.
X. HEALTH INFORMATION

The Newton School Health Program is administered by the Newton Health and Human Services Department. The school health team includes: Health and Human Services Commissioner, Deputy Commissioner of Health and Human Services, Director of School Health Services, School Nurses, Health Assistants, and School Physician. This team of professionals is dedicated to providing the best care for the school community. They are committed to the idea that a child must be healthy to learn, and a child must learn to be healthy.

A. Confidentiality

All medical information is confidential. For the health and safety of students, pertinent health information will be shared with school staff who have a “need to know.”

B. Immunizations

The Code of Massachusetts Regulations specify minimum immunization requirements for enrollment in school (105 CMR 220.000). These requirements apply to all students attending a preschool program (as defined in 105 CMR 220.400), kindergarten through twelfth grade. Regulations currently require students to be vaccinated against polio, diphtheria, tetanus, pertussis, measles, mumps, rubella, hepatitis B, and varicella. In addition, meningococcal vaccine is required for some students. The law and regulations provide for exclusion of students from school if immunizations are not up to date, but exemptions are permitted at school entry for medical and religious reasons. The only exception for exclusion of unimmunized or partially immunized children without medical or religious exemptions is for homeless children (McKinney-Vento Homeless Assistance Act).

Note: When a case of a vaccine-preventable disease emerges, susceptible individuals (including those with medical or religious exemptions) who are not vaccinated will need to be excluded for the appropriate time periods as outlined in Reportable Diseases, Surveillance and Isolation & Quarantine Requirements (105 CMR 300.000).

Documentation of immunizations or exemptions must be presented upon entry to school. No child will be allowed to start school until this documentation is received.

C. Physical Examinations

The Newton Public Schools are responsible for the care, safety, and well being of students in the educational setting. Therefore, a student’s health history and physical examination results are necessary components of the school health record.

Massachusetts General Laws c.71, §57 and related amendments and regulations (105 CMR 200.000–200.920) require physical examinations of schoolchildren within one year prior to entrance to school or within 30 days after school entry, and at intervals of either 3 or 4 years thereafter. In Newton, physical examinations are required at entry, in grades three and six and for participation in competitive athletics.

D. Required Screening Programs

Population-based screening for health problems can detect previously unrecognized conditions or preclinical illnesses as early as possible. This enables timely intervention and remediation, which can limit potential disability, medical costs, and negative impact on scholastic performance. Screening tests are not diagnostic in nature. They are designed simply to indicate students who may need further attention.

Massachusetts General Laws mandate population-based screening for vision, hearing, growth and posture for students in public schools. Parent(s)/guardian(s) are notified of any findings that do not fall within normal limits.
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- **Vision** – The vision-screening program is required because there is a critical relationship between vision quality and learning. In Newton, students are screened for vision in kindergarten (by October 31) and grades 1, 2, 3, 4, 5, 7 and 9.
- **Hearing** – The hearing-screening program identifies children with an educationally significant hearing impairment who would otherwise not have been identified. In Newton, students are screened for hearing in kindergarten (by October 31) and grades 1, 2, 3, 7 and 9.
- **Growth** – The growth screening program combines height and weight measurements to allow school health professionals to
  - monitor students’ growth and development patterns,
  - detect growth abnormalities that may indicate a serious physical problem,
  - identify students who may be at nutritional risk,
  - identify students who are overweight or at risk of becoming overweight.
In Newton, students are measured for height and weight with a Body Mass Index (BMI) calculation in grades 1, 4, 7 and 10.
- **Postural** – The postural screening program is conducted to
  - detect early signs of spinal problems that should have further medical evaluation,
  - provide regular monitoring,
  - reduce the need for surgical remedies.
Screening must be done annually in grades 5–9 because of growth spurts and diverse rates of physical maturation. If a parent/guardian refuses postural screening by the school, written documentation provided by a health care provider must be submitted to the school nurse, including the date of screening, results, and physician’s name. In Newton, students have postural screening in grades 5, 6, 7, 8 and 9.
- **Lead Screening** – Students entering kindergarten must have documentation of being tested for lead poisoning at least once in their lifetime. Requirements for lead screening on entry into kindergarten are codified under G.L. c.111, §193 and in Massachusetts Department of Public Health’s (MDPH) lead poisoning prevention and control regulations (150 CMR 460.040-460.070).

E. Illness at School

Many factors increase the risk of transmission of communicable diseases at school. Any student who is suspected to have a contagious health condition may be restricted from school at the discretion of the school nurse. No student will be re-admitted to school until the condition has resolved and/or evidence of evaluation by a healthcare provider is provided.

To stop the spread of disease, please keep your child home if he/she has

- A fever over 100 degrees during the past 24 hours
- A cold in the active stages
- A sore throat and/or swollen neck glands
- An undiagnosed rash or skin eruptions
- Vomiting or diarrhea within the past 24 hours

F. Medication for Students in the Schools

The Newton Health and Human Services Department policy for the administration of medication is available in each school health room. The main points of the policy are as follows:

Whenever possible, medication administration should be scheduled at times other than during school hours. When students require medication administration during the school day the following conditions must be met:

- Medication orders must be renewed at the beginning of each school year.
- All medication, including over-the-counter medication, must have a written medication order from a licensed prescriber and a completed Medication Permission Form - available online at:
Students’ Rights and Responsibilities

http://www.newtonma.gov/medicationpermission

- Short-term medications, i.e. for 10 school days or less, can use the pharmacy labeled container in lieu of a physician’s order.
- Medication must be delivered by a parent/guardian.
- Medication must be delivered in a pharmacy or manufacturer labeled container.
- A 30-day supply of medication is the maximum amount that will be accepted at one time.
- Consent for field trip medication delegation is allowed under certain conditions.
- Self-medication is allowed in certain circumstances after consultation with the school nurse.

G. HIV/AIDS

Students with AIDS or HIV infection pose no risk of transmitting HIV through casual contact in a school setting and have the same right to attend classes or participate in school programs and activities as any other student. The only exception is in the rare situation in which a student bleeds uncontrollably or exhibits behaviors that put others at risk.

The privacy of students with HIV infection or AIDS is protected under state privacy law (G.L. c.214, §1B).

The student’s parent(s)/guardian(s) are the gatekeepers of information relating to the student's AIDS/HIV status. They are not obliged to disclose this information to school personnel. However, in consultation with the student’s primary care physician, the student's parent(s)/guardian(s) may decide to inform certain school personnel about the student's AIDS/HIV status, particularly the school nurse or school physician. If they so choose, the following guidelines are recommended:

- The student's parent(s)/guardian(s) may inform the school nurse or school physician directly.
- Alternatively, the student's parent(s)/guardian(s) may request that their primary care physician make the disclosure. In this case, specific, informed, written consent of the student's parent(s)/guardian(s) is required.
- Further disclosure of a student's HIV status by the school nurse or school physician to other school personnel requires the specific, informed, written consent of the student's parent/guardian.

The complete HIV/AIDS policy can be found online at www.newton.k12.ma.us under the Families page.

H. Life-Threatening Food Allergy

It is the policy of the Newton School Committee to set age-appropriate guidelines for students and schools within the Newton system that minimize the risk for children with life-threatening food allergies (LTA) to be exposed to offending allergens that may trigger a life-threatening reaction. Such guidelines shall include: building-based general medical emergency plans, life-threatening food allergy emergency plans, individual healthcare plans for all students diagnosed with LTA, appropriate training of staff, availability on site of medical equipment for quick response to life-threatening allergic reactions, and such other guidelines that will ensure that students with LTA can participate fully in school activities without undue fear of harm from exposure to life-threatening food allergens.

It is the School Committee’s expectation that specific building-based guidelines/actions will take into account the health needs and well being of all children without discrimination or isolation of any child. It is the School Committee’s belief that education and open and informative communication are vital for the creation of an environment with reduced risks for all students and their families. In order to assist children with LTA to assume more individual responsibility for maintaining their safety as they grow, it is the policy of the School Committee that the guidelines shift as children advance through the primary grades and through secondary school.

The complete Life-Threatening food Allergy Guidelines can be found at www.newton.k12.ma.us under the Families page.
I. Wellness Policy

The Newton Public Schools strives to meet the academic, physical, social, and emotional needs of all of its students. To accomplish this goal, the district has implemented and continues to modify a comprehensive school wellness program at all elementary, middle, and high schools. Components of this wellness program include a nutrition program, nutrition education, wellness/physical education, and other school-based activities that are designed to promote student wellness.

The complete Wellness Policy can be found at www.newton.k12.ma.us under the Families page.

J. Head Injury Prevention and Management

It is the policy of the Newton School Committee to provide standardized procedures for protecting the health and safety of students in grades 6 through 12 who incur a head injury while involved in extracurricular athletic activities. Protocols have been developed, which are reviewed and revised as necessary, or at a minimum of every two years. See M.G.L. c. 111 §222; 105 C.M.R. 201.001 et seq.

The complete Sports-Related Head Injury and Concussion Prevention and Management Policy can be found at: www.newton.k12.ma.us under the Families page.

XI. POLICIES, PROCEDURES AND OTHER IMPORTANT SCHOOL INFORMATION

A. Accident Insurance

There is information available on our website for parents or guardians to obtain a voluntary student accident insurance plan, if they so choose, to provide protection for children during school hours. Newton Public Schools provides information about this voluntary student accident insurance option for out-of-pocket medical expenses as a convenience to parents and does not endorse any particular insurance company. You can access this insurance information at: http://www.newton.k12.ma.us/Page/1168

B. Advertising in the Schools

Advertising materials seeking direct contribution from teachers and students shall not be displayed or distributed unless endorsed by a vote of the School Committee. No donated goods, which include advertising, shall be accepted for use in the schools unless deemed by the Superintendent's office as a useful educational experience.

C. Assessment Policy

Teaching and Learning in the Newton Public Schools is assessed using national, state and local instruments. Since 1998, student progress has been measured, in part, using the Massachusetts Comprehensive Assessment System (MCAS). The purpose of the state-mandated MCAS testing program is to assess student's proficiency levels on standards-based curriculum. More information can be found at the Massachusetts Department of Elementary and Secondary Education website: http://www.doe.mass.edu/mcas/

For the second year, elementary and middle school students will be assessed in English Language Arts and Mathematics using the Partnership for Assessment of Readiness for College and Careers (PARCC) assessment. This assessment was developed specifically to assess the Common Core State Standards. More information can be found at http://www.parcconline.org/parcc-assessment

MCAS will continue to be the assessment instrument for science in all tested grades (5th, 8th and 9th), and English and Math at the high schools. In addition to MCAS and now PARCC, Newton Public Schools assesses students more frequently using a variety of other assessments chosen for particular purposes.
Data from individual and school based assessments are used to determine student needs for additional instruction - either more challenging materials or more time in a particular skills or concepts. At the district level, data is used to identify long-term trends and to inform large-scale curricular and instructional initiatives.

D. Care of Books and Equipment

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

E. Career and Technical Cooperative Education Opportunities

Massachusetts Chapter 74 laws require that each community provide for the Career and Vocational Technical Education (CVTE) needs of its students. Newton Public Schools maintains a citywide program open to students from Newton North and Newton South High Schools, which is held at Newton North High School. Newton South students may attend the CVTE major courses while pursuing their academic program at Newton South. If a Newton South student wishes to transfer to Newton North as a full-time student to pursue a major in CVTE, then the district policy concerning out-of-district transfer must be followed. Students who complete a CVTE Exploratory and decide they want to pursue a career major must complete the CVTE application. The application can be accessed on the Newton Public Schools website through the CVTE section. For additional information, contact the Director of Career and Technical Education at (617) 559-6250 and/or (617) 559-6254.

Career and Technical Cooperative Education work experience is available to Career and Technical Education students who are in a Major 3 course of study. The cooperative education program offers students an additional learning dimension to their educational experience and is designed to expand their knowledge and skills in a real-time workplace-learning environment. This is a paid, supervised, instructional experience that is directly related to their career and technical program; and it carries school credit. The student’s days are divided between their academic studies and their work-site training. To be eligible for a cooperative experience, students must demonstrate mastery in their competency skills, have a good attendance record, be in good academic standing, develop a resume, complete a six-year Career Plan, and receive the recommendation of their teacher.

F. Crossing Guard Coverage

Elementary Only (K-5) - Police crossing guards are on duty at major intersections for forty-five minutes before the start of the school day and forty-five minutes after the close of the school day. Parents or guardians should instruct students to walk to and from school during these times. Guards are on duty until 1:15 p.m. on Tuesdays and on early release days. The schedule is

- M, W, Th, F – 7:50 a.m. – 8:35 a.m. and 3:00 p.m. – 3:45 p.m.
- Tuesdays and early release days: 7:50 a.m. – 8:35 a.m. and 12:30 p.m. – 1:15 p.m.

Day Middle School at Minot Place and Walnut Street

- M, W, Th, F – 7:30 a.m. – 8:15 a.m. and 2:30 p.m. - 2:55 p.m.
- Tuesdays – 7:30 a.m. – 8:15 a.m. and 1:45 p.m. – 2:10 p.m.

G. English Language Learners Program (ELL)

The Newton ELL program serves approximately 900 students in grades K-12 at all elementary and secondary schools. All students entering the Newton Public Schools who speak a language other than or in addition to
English at home are evaluated for English language proficiency. If services are recommended, parents or guardians are advised of their choices and have the right to accept or reject the services available. Speaking, listening, reading and writing skills to increase English proficiency are taught by ESL teachers and instructional aides. Instruction is tailored to the individual linguistic, cultural, and educational needs of the student. Native language support in our seven major languages (Chinese-Cantonese/Mandarin, Spanish, Russian, Portuguese, Korean, Japanese, and Hebrew) may also be provided as needed. English learners have equal rights of access to all courses of study in regular, special, technical and vocational school programs. They also have the right to participate in all school-sponsored activities. English learners have the right to counseling and course information (high school) in a language they understand. Families of English learners have a right to school information in a language and/or way they understand. School staff will arrange for interpreters for conferences or meetings related to the education of their child. For further information, call the ELL Department at (617) 559-6043.

H. Field Trips

Attendance on school-sponsored trips, not part of required class activities, is not a student's right, but is a privilege. If, in the determination of the principal or his or her designee, the student's pattern of behavior has been so inappropriate as to be deemed unsafe or disruptive to the planned trip, the principal or his or her designee may decide that the student may not attend.

No student may be permitted on a school trip without a signed consent and release form from the parent(s)/guardian(s). No student shall be denied access to any school trip due to financial constraints. In such cases, parents or guardians should contact the principal for assistance. Parent chaperones will be required to authorize the District to obtain CORI/SORI information on them as a condition of future or continuing service.

I. Gifts for Teachers Policy

If a gift for an individual educator is being considered, Newton Public Schools encourages only “class gifts” (not to exceed $150) as long as the gift is identified as being from the class and the identity of the givers and the individual amounts are not identified to the recipient. This differs from a gift for the classroom *. Individual gifts of appreciation in the form of sentimental tokens are allowed. Personal gifts of value to staff are not permitted. For any questions about this policy and our procedures, please contact the Department of Human Resources.

*Please see the Equity Policy for information on classroom gifts or donations.

J. Kindergarten Registration and Screening

Registration and screening for kindergarten will be held in the spring at a date to be set by each neighborhood school. Parents may call their neighborhood school in January before the September entry date in order to make an appointment for kindergarten registration. The staff at the school will conduct a developmental screening and will notify parents of the outcome.

In order to enter kindergarten, a child must be five years old on or before August 31. In addition, the child must be six years old on or before August 31 in order to enter grade one.

K. No School Announcements / Delayed Openings

When school sessions are cancelled or there is a delay in opening, parents will be notified via the school system’s Reverse-911 calling service. The announcement will also be made over the following Television stations: Channel 4, Channel 5 and Channel 7, Fox25 or the Newton Public School website: http://www.newton.k12.ma.us. Parents or students may also call the District’s emergency access line at (617) 559-9699 for a pre-recorded message. Please do not call the Fire Department or the Police Department. Watch television, check the website or call the school emergency access line for a recorded message.
Although schools may be open on days following snow or ice storms, parents or guardians should use their own judgment in determining whether road conditions in their area permit students to proceed safely to school. The judgment of the parent or guardian will be accepted as a legitimate reason for student absence.

L. Notification of a Parent’s Right to Know Teacher Qualifications

The No Child Left Behind Act (NCLB) allows parents or guardians to request information about the professional qualifications of their children’s classroom teachers. Parents/Guardians can request this information from the school principal. The parent/guardian will be provided with the following information on request:

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

M. Notification of Rights under the Protection of Pupil Rights Amendment (PPRA)

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

Consent before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education:

1. political affiliations or beliefs of the student or student’s parent/guardian;
2. mental or psychological problems of the student or student’s family;
3. sex behavior or attitudes;
4. illegal, anti-social, self-incriminating, or demeaning behavior;
5. critical appraisals of others with whom respondents have close family relationships;
6. legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. religious practices, affiliations, or beliefs of the student or parent/guardian; and
8. income, other than as required by law to determine program eligibility.

Receive notice and an opportunity to opt a student out of:

1. any other protected information survey, regardless of funding;
2. any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
3. activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

Inspect, upon request and before administration or use:

1. protected information surveys of students;
2. instruments used to collect personal information from students for any of the above marketing, sales or other distribution purposes; and
3. instructional material used as part of the educational curriculum.

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

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

Parents/guardians/eligible students who believe their rights have been violated may file a complaint with Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-5920. This information comes from the U.S. Department of Education.

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

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

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

This requirement also applies to the collection, disclosure or use of student information for marketing purposes (“marketing surveys”), and certain physical exams and screenings. Parents/guardians will be sent notification prior to any of these activities. This information comes from the U.S. Department of Education.

**N. Out-of-Assigned District Policy – General Guidelines**

- Out-of-Assigned District placements for Newton students who wish to attend a school in Newton other than their district school are limited. Such placements are made on a space available basis only. Interested families should contact 617-559-6105 for grades K through 5 and 617-559-6115 for grades 6 through 12 for information.
- Applications for the following school year must be submitted on forms, which will be available at the Education Center in Room 218 (for K-5), Room 214 (for 6-12) or online at www.Newton.k12.ma.us beginning November 2, 2015.
- Completed applications, signed by the in-district principal, can be submitted no earlier than March 1 and no later than May 2. Those received after May 2 and before Labor Day may, under special circumstances, be considered for placement after all other placement decisions have been made.
- Approval for out-of-assigned district placements is subject to space availability in the requested school and grade, and for all subsequent grades as well. Expected class, team and school sizes will be based on the most recent projections by the School Department. Size will be considered for both the requested year and for any future year for which the School Department provides projections.
- Parents/guardians will be responsible for transporting their child to the out-of-district school.
O. Research Policy

The Newton Public Schools regularly conducts studies in the areas of student performance and curriculum development/implementation or focuses on research questions in special areas such as early childhood education, and elementary and/or secondary education. From time to time Newton Public Schools receives requests from individuals, institutions, and/or organizations to conduct research in the schools. Any such request must be submitted in writing for the approval of the Assistant Superintendent for Secondary Education and Special Programs. Information on conducting research within the Newton Public Schools can be found at: www.newton.k12.ma.us under Secondary Education.

P. School Committee Public Meetings

The Newton School Committee meets on the second and fourth Monday of each month from September through June. If Monday is a holiday, the meeting will be held on Tuesday. Meetings are generally held at the Education Center, 100 Walnut Street, Newtonville, in the Frazier Room 210. The meetings are open to the public. For further information go to the website http://www.newton.k12.ma.us/schoolcommittee

Q. School Councils

The Massachusetts Education Reform Act of 1993 requires that each public school form a school council consisting of the principal, teachers elected by the professional staff, an equal number of parents/guardians elected by the parent community, and community members who do not have children in the school. The purposes of the council are to assist and advise the principal in adopting educational goals, identifying the educational needs of the students, reviewing the annual school budget, and formulating a school improvement plan.

R. Smoke Free Zone Ordinance

The Smoke Free Zone Ordinance (Z-17) was passed by the Board of Alderman on December 17, 2007 and revised on June 16, 2014, and is currently a program at Newton North that might be extended to other Newton Public Schools.

Be it ordained by the Board of Aldermen of the city of Newton as follows: That the Revised Ordinances of Newton, Massachusetts, 2007, as amended, be and are hereby further amended with respect to Section 20-7 and with the addition of Section 20-8 (Rev. Ords. 2012, Ord. A-42, 06-16-14), as follows:

Sec. 20-7: Smoking prohibited – Sidewalks and Other Public Property

(a) No person shall smoke, possess or carry a lighted or smoldering cigarette, cigar, or pipe of any kind or any other smoking article at the following locations:

(1) Upon the sidewalk at Albemarle Road, East side of easterly roadway from its intersection with Watertown Street northerly 299 feet; Edinboro Street, West side from its intersection with Watertown Street northerly 257 feet; Watertown Street, North side from its intersection with Albemarle Road (easterly roadway) easterly to its intersection with Edinboro Street;

(2) Upon the sidewalk or other public property within a nine hundred (900) foot perimeter of the property line of Newton North High School grounds.

(b) The Commissioner of Public Works shall erect and maintain signs indicating the locations designated for the smoking prohibition. Signs shall be erected so as to adequately notify the public of such prohibition and the areas affected thereby.
(c) The Commissioner of Health and Human Services and/or his or her designee(s) shall enforce the provisions of this ordinance. The Commissioner or his or her designee(s) shall, for an initial violation of this section, and may for any subsequent violation, afford the violator the option of enrolling in a smoking cessation/education program approved by the Commissioner and/or his or her designee(s). Proof of completion of a smoking cessation/education program approved by the Commissioner or his or her designee shall serve in lieu of the civil fines set forth in Section 20-21. (Rev. Ords. 2001, Ord. X-14, 4-1-02; Ord. No. Z-17, 12-17-07)

Sec. 20-8 E-cigarette usage – locations prohibited

The use of e-cigarettes is prohibited wherever smoking is prohibited under M.G.L Chapter 270, Section 22 (the Smoke-Free Workplace Law”), and in all locations listed in Section 20-7 of this ordinance. The Commissioner of Health and Human services and/or his or her designee(s) shall enforce this section in accordance with Sec. 20-7(c). (Rev. Ords. 2012, Ord. A-42, 06-16-14)

The Health and Human Services Commissioner has deputized Newton North personnel to enforce the provisions of this ordinance.

S. Student Activities Involving Photographs, Videotapes, Audiotapes, and Mobile Devices*

Students may be photographed, videotaped or audiotaped by other students or by school staff as part of the educational activities of a class or in connection with student activities such as the production of class or school yearbooks, school newspapers, video magazines shown on NewTV, drama productions, etc. If parents/guardians do not want their child to be photographed, videotaped or audiotaped when participating in school activities, they must contact the principal of their child’s school. Principals may impose additional limitations on the photographing, videotaping, or audiotaping of student events or activities on a case-by-case basis.

However, except when students are participating in events open to the public or in the production of programming to be cablecast via NewTV, news media and media related companies do not have immediate access to students while under the supervision of school personnel. In cases where the system approves media coverage, students will be required to submit a permission form signed by a parent or legal guardian before the student can participate in the covered activity.

*A mobile device can be defined as an iPod, iPod touch, iPhone, iPad, Smartpen, Smartphone and any other digital device that can record, take pictures, record video, or access the Internet.

T. Student Fees

Programs and/or services that are subject to a fee include: bus transportation, student parking, school lunch, elementary early morning program, athletics, elementary instrumental music, Newton Public Schools All City Band, Orchestra and Chorus, middle school student activities (with drama option), and high school drama.

Below is a list of the fees (many of which have family caps), an explanation of the “Super Cap” or overall family cap which is set to establish a maximum amount a family might pay in fees and information on financial waivers so that no student is denied participation due to financial hardship.

The fees are set by the School Committee as follows for the 2015-2016 school year.

<table>
<thead>
<tr>
<th>Type of Fee</th>
<th>Fee/Cap</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bus Transportation – Annual Round Trip</td>
<td>$310 per student/family cap of $620</td>
</tr>
<tr>
<td>All students in grades K-5 and students in grade 6</td>
<td></td>
</tr>
<tr>
<td>who live more than 2.0 miles from their school are</td>
<td></td>
</tr>
<tr>
<td>exempt from the fee. All other riders in grades 6-12</td>
<td></td>
</tr>
<tr>
<td>are subject to the fee, including students who live</td>
<td></td>
</tr>
<tr>
<td>in a safety zone. Parents/guardians can query</td>
<td></td>
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<tr>
<td></td>
<td>$155 per elementary student for after school</td>
</tr>
<tr>
<td></td>
<td>transportation only.</td>
</tr>
<tr>
<td></td>
<td>Passes are checked regularly at all schools.</td>
</tr>
</tbody>
</table>
Students' Rights and Responsibilities

Abuse of the bus pass system or violation of the school system's rules of behavior will result in disciplinary action including suspension of transportation privileges and forfeiture of fees.

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Fee Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elementary Instrumental Music - Instruction - Grade 4</td>
<td>$150 per participant per year with option to pay $75 per semester</td>
</tr>
<tr>
<td>Elementary Instrumental Music - Ensemble - Grade 5</td>
<td>$150 per participant per year</td>
</tr>
<tr>
<td>Elementary Early Morning Program</td>
<td>$12 per day with payment by semester</td>
</tr>
<tr>
<td>NPS All City Band, Chorus and Orchestra</td>
<td>$150 per participant; Students who pay either the Grade 4 or Grade 5 Instrumental Music Fee are exempt from paying the All City Fee</td>
</tr>
<tr>
<td>Student Activities – Middle School</td>
<td>$60 for annual unlimited participation in all clubs or $100 per student (if the student also participates in drama)</td>
</tr>
<tr>
<td>Athletics – Middle School</td>
<td>$160 per sport/Family cap of $480</td>
</tr>
<tr>
<td>High School Drama</td>
<td>$150 per participant per production, maximum of $450 per participant per year</td>
</tr>
<tr>
<td>Athletics – High School</td>
<td>$300 per sport, (Hockey &amp; Football are $400)/Family cap of $900</td>
</tr>
<tr>
<td>Parking Fees – High School (North and South)</td>
<td>$310 per year, payable on a semester basis</td>
</tr>
<tr>
<td>School Lunch for Type A Meal</td>
<td></td>
</tr>
<tr>
<td>Elementary</td>
<td>$3.00</td>
</tr>
<tr>
<td>Middle School</td>
<td>$3.25</td>
</tr>
<tr>
<td>High School</td>
<td>$3.50</td>
</tr>
<tr>
<td>Adult</td>
<td>$4.50 plus tax</td>
</tr>
</tbody>
</table>

Super Cap
The School Committee has set an overall cap on fees so that no family will pay more than $1,200 per year. Because the bus fee applications will be required before the opening of school, no family will pay more than $620 for busing. The remainder of the cap will apply to all other fees except for the Elementary Early Morning Program, student parking and preschool tuition. The school administration maintains records of payment for each student so that individual caps or the family “super cap” can be applied appropriately.

Fee Waivers
Waivers will be available in all qualified cases of financial hardship so that no student is denied participation in school-sponsored activities or bus transportation due to an inability to pay. Federal and state guidelines for waivers are based on income and family size. Additional consideration may be given for special circumstances such as unforeseen medical problems, change in family status, and change in employment status or other emergencies. The financial assistance form can be downloaded from the Newton Public Schools website or is available at schools.

Online payment of fees
Parents may pay all school-related fees electronically via the online payment system accessed through the Newton Public Schools website at: http://www.newton.k12.ma.us/feebasedprograms. Payment is accepted in the form of ACH transfer from checking account, or by credit card (MasterCard or Discover only). The service

the NPS website at http://www.newton.k12.ma.us/transportation for the walking distance from their home to school and other frequently asked questions.
is free for ACH checking account transfers and a convenience fee assessed for credit card use that is paid directly to the online payment system provider. Newton Public Schools does not charge a fee for this service.

Payment in person or by U.S. Mail
Parents may make payments in person or via U.S. mail. Most forms can be downloaded from the Newton Public Schools website or are available at schools.

U. Transportation

All information and forms regarding Newton Public Schools student transportation can be found at www.newton.k12.ma.us/transportation.

Special education transportation is authorized through the Student Services Office, (617) 559-6025, and scheduled through the Transportation Office, (617) 559-9051. MBTA student badges that allow for reduced fares are available through each school’s main office. MBTA monthly passes can be purchased through the Transportation Office, (617) 559-9051.

1. Bus Safety

Newton Public Schools must comply with Chapter 246 of the Acts of 1986, relative to certain school bus safety practices, which amends G.L. c.90, §7B.

This legislation requires that during the school year all school districts provide classroom instruction in safe bus riding practices to all students transported in a school bus (including field trips, athletics, etc.). Classroom instruction should occur at least three times during the following periods: (1) the first week of the school year, (2) the period between the months of September and January, and (3) the period between January and the end of the school year. The Act also requires that all students transported on school buses participate at least twice during each school year in bus emergency evacuation drills.

All yellow school buses are equipped with lap belts to be used at discretion of students K-12. Students must be seated at all times.

V. Visitors to the Schools – Expectations and Procedures

All visitors to school buildings must obtain a visitor’s badge from the Main Office and sign the logbook. Visitors will be directed to sign-out in the log book immediately prior to leaving so that the Main Office has a record of who is in the building an anytime. Staff members and students should be aware of and report to the main office any visitor in the building without a badge.

Elementary and Middle Schools
At elementary and middle schools all doors will be locked during the school day with the exception of student arrival time in the morning. Parents who accompany their children in the morning will be asked to sign in and wear visitor’s badges if they plan to stay in the building when the school day officially begins.

Once the school day begins, the doors will lock and all visitors must request admission at the main entrance. The main entrance has a video/audio buzzer device that will ring the Main Office and allow a staff member to activate a door release to unlock it. Staff members in the Main Office may first ask for the visitor’s name, reason for visit and to see identification, such as a license, if required to establish identity. Visitors will be directed to the Main Office to obtain a visitor’s badge and sign the logbook. In the event that a visitor attempts to follow a staff member into the building, the staff member should request that the visitor wait to be properly signed in by the Main Office. Doors will remain locked at dismissal. Parents meeting students at dismissal are expected to wait outside the assigned dismissal exit doors. Following dismissal, access to elementary school after school programs is available only at the designated afterschool program door which will also have a video/audio/buzzer device controlled by afterschool program staff.
High Schools
High Schools will continue to have an open campus; therefore, doors will not be locked during the school day. Nevertheless, all visitors are required to obtain a visitor’s badge from the Main Office.

Procedure for Someone without a Visitor’s Badge
- Approach visitor(s) and offer assistance.
- Escort visitor(s) to the main office to obtain a visitor’s badge and sign the logbook.
- If the staff member or student is uncomfortable approaching a visitor without a visitor’s badge, he/she should ask one or two staff members to assist with confronting the visitor.
- If a visitor(s) refuses to cooperate, do not escalate the situation. If it can be done safely, monitor the direction the intruder is going, then call the office and give a detailed description of the visitor(s). Adults should not send a student to the office to get an administrator.
- The Newton Police Department may be contacted to address intruder violations.

Definition of Intruder
An intruder is defined as anyone in the school building or on school grounds who refuses to cooperate with the visitor’s policy or appears to pose a potential safety threat. In addition to the procedure for approaching someone inside a school without a visitor’s badge, particular attention will be paid to cars lingering in the parking lot or on the street near the school, or to someone watching children on the playground, as these situations might suggest a danger to students.
Elementary OPT-OUT Forms for Release of Student Record Information

PERMISSION TO RELEASE STUDENT INFORMATION TO PTOS, SCHOOL PHOTOGRAPHERS AND OTHER THIRD PARTIES

Pursuant to the federal and state regulations governing student records, Newton Public Schools may release certain information concerning your child/you to third parties without first obtaining your consent, unless you notify Newton Public Schools in writing that you do not want such information to be released. "Third Parties" are defined in these regulations to be "... any person, private or public agency ... or organization other than the eligible student, his/her parent, or authorized school personnel." 603 CMR 23.02. For example, third parties to whom Newton Public Schools may release student record information would include PTOs, school photographers, the Newton Schools Foundation, NewTV and newspapers which report on student activities, etc.

The information that may be released is limited to the following: Student's name, ID number, address, telephone listing, date and place of birth, major field of study, dates of attendance, weight and height of members of athletic teams, class, participation in officially recognized activities and sports, degrees, honors and awards, and post-high school plans.

You will be asked to review this policy annually.

I give permission for information concerning my child/myself to be released to third parties.  

I give permission for information to be released to school photographers so that student pictures can be identified.

I give permission for information to be released to the PTO to be included in the school directory.

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Publishing of Student Photographs on School Websites

Properly organized and constructed web sites contain key information for students, staff, and parents, as well as the local and global communities. The Web allows students not only to be users of up-to-the-minute data available but also be producers in an interactive dialogue in the online global community.

Publishing district, school, and classroom Web pages on the World Wide Web integrates many educational skills with electronic technology – writing, editing, word-processing, desktop publishing, graphic design, and media literacy among others. As appropriate, the school department approves of student pictures posted on the Web.

I give permission for a portrait, photograph or video production containing an image of my child to be posted on the Newton Web Pages. A student's name will not be placed with the student's picture unless the picture is being posted to give special recognition to that particular student, i.e., as the recipient of an award or an actor in a play.
Student Teacher Filming in Classroom

Student teachers are often required to use a portrait, photograph or video production containing an image of your child. This image will be used for internal college/university use only for student teacher evaluation purposes.

Parent/Guardian “OPT-OUT” Contract (For Students under 18 Years of Age)

I give permission for a student teacher to use a portrait, photograph or video production containing an image of my child.

Is the student part of a military family? (Select “yes” if your student has a parent, sibling or other close family contact who is:

1. An active duty member of the United States Military or a National Guard and Reserve member on active duty orders, or
2. A veteran who has retired or been discharged, or
3. An active duty member who died while on active duty.)

_________________________  __________________
Student’s Name

_________________________  __________________
Signature                  Date

2015/mb
Secondary OPT-OUT Forms for Release of Student Record Information

PERMISSION TO RELEASE STUDENT INFORMATION TO PTOs, SCHOOL PHOTOGRAPHERS AND OTHER THIRD PARTIES

Pursuant to the federal and state regulations governing student records, Newton Public Schools may release certain information concerning your child/you to third parties without first obtaining your consent, unless you notify Newton Public Schools in writing that you do not want such information to be released. "Third Parties" are defined in these regulations to be "any person, private or public agency ... or organization other than the eligible student, his/her parent, or authorized school personnel." 603 CMR 23.02. For example, third parties to whom Newton Public Schools may release student record information would include PTOs, school photographers, the Newton Schools Foundation, NewTV and newspapers which report on student activities, etc.

The information that may be released is limited to the following: Student's name, ID number, address, telephone listing, date and place of birth, major field of study, dates of attendance, weight and height of members of athletic teams, class, participation in officially recognized activities and sports, degrees, honors and awards, and post-high school plans.

You will be asked to review this policy annually.

I give permission for information concerning my child/myself (if over 18 years of age) to be released to third parties.

I give permission for information to be released to school photographers so that student pictures can be identified.

I give permission for information to be released to the PTO to be included in the school directory.

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Publishing of Student Photographs on School Websites

Properly organized and constructed web sites contain key information for students, staff, and parents, as well as the local and global communities. The Web allows students not only to be users of up-to-the-minute data available but also be producers in an interactive dialogue in the online global community.

Publishing district, school, and classroom Web pages on the World Wide Web integrates many educational skills with electronic technology – writing, editing, word-processing, desktop publishing, graphic design, and media literacy among others. As appropriate, the school department approves of student pictures posted on the Web.

I give permission for a portrait, photograph or video production containing an image of my child/me (if over 18 years of age) to be posted on the Newton Web Pages. A student's name will not be placed with the student's picture unless the picture is being posted to give special recognition to that particular student, i.e., as the recipient of an award or an actor in a play.

---

Student Teacher Filming in Classroom

Student teachers are often required to use a portrait, photograph or video production containing an image of your child. This image will be used for internal college/university use only for student teacher evaluation purposes.

Parent/Guardian “OPT-OUT” Contract (For Students under 18 Years of Age)

I give permission for a student teacher to use a portrait, photograph or video production containing an image of my child/me (if over 18 years...
For Middle and High School Students Only
OPT-OUT Form for Release of Student Record Information To Military Recruiters

Military Recruiters Access to Student Information under the "No Child Left Behind Act of 2001"

The "No Child Left Behind Act of 2001" requires public schools receiving federal funds to provide the names, addresses and telephone numbers of secondary school students upon a request made by military recruiters. The Act also provides that the parent/guardian of the student or the secondary school student may request that the school not release this information without the prior written consent of the parent/guardian or student. You will be asked to renew this request annually.

I give permission to release student information on my child/me (if over 18 years of age) to military recruiters.  
Yes         No

Opt-Out Form for Release of Student Record Information to Institutions of Higher Education

Institutions of Higher Education Access to Student Information Under the "No Child Left Behind Act of 2001"

The "No Child Left Behind Act of 2001" requires public schools receiving federal funds to provide the names, addresses and telephone numbers of secondary school students upon a request made by institutions of higher education. The Act also provides that the parent/guardian of the student or the secondary school student may request that the school not release this information without the prior written consent of the parent/guardian or student. You will be asked to renew this request annually.

I give permission to release student information on my child/me (if over 18 years of age) to institutions of higher education.  
Yes         No

Is the student part of a military family?  
Yes         No

(SELECT “yes” if your student has a parent, sibling or other close family contact who is:
   1. An active duty member of the United States Military or a National Guard and Reserve member on active duty orders, or
   2. A veteran who has retired or been discharged, or
   3. An active duty member who died while on active duty.)

_________________________  __________________
Student’s Name

Signature        Date
Newton Public Schools  
School Hours 2015 - 2016

<table>
<thead>
<tr>
<th></th>
<th>Morning</th>
<th>Monday</th>
<th>Tuesday</th>
<th>Wednesday</th>
<th>Thursday</th>
<th>Friday</th>
</tr>
</thead>
<tbody>
<tr>
<td>Elementary Schools*</td>
<td>8:30 a.m.</td>
<td>3:00 p.m.</td>
<td>12:30 p.m.</td>
<td>3:00 p.m.</td>
<td>3:00 p.m.</td>
<td>3:00 p.m.</td>
</tr>
<tr>
<td>Bigelow Middle</td>
<td>8:15 a.m.</td>
<td>2:45 p.m.</td>
<td>2:00 p.m.</td>
<td>2:45 p.m.</td>
<td>2:45 p.m.</td>
<td>2:45 p.m.</td>
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<tr>
<td>Brown Middle</td>
<td>8:30 a.m.</td>
<td>3:00 p.m.</td>
<td>2:15 p.m.</td>
<td>3:00 p.m.</td>
<td>3:00 p.m.</td>
<td>3:00 p.m.</td>
</tr>
<tr>
<td>Day Middle</td>
<td>8:05 a.m.</td>
<td>2:35 p.m.</td>
<td>1:50 p.m.</td>
<td>2:35 p.m.</td>
<td>2:35 p.m.</td>
<td>2:35 p.m.</td>
</tr>
<tr>
<td>Oak Hill Middle</td>
<td>8:00 a.m.</td>
<td>2:30 p.m.</td>
<td>1:45 p.m.</td>
<td>2:30 p.m.</td>
<td>2:30 p.m.</td>
<td>2:30 p.m.</td>
</tr>
<tr>
<td>Newton North High</td>
<td>7:50 a.m.</td>
<td>3:20 p.m.</td>
<td>2:35 p.m.</td>
<td>2:55 p.m.</td>
<td>3:20 p.m.</td>
<td>2:20 p.m.</td>
</tr>
<tr>
<td>Newton South High</td>
<td>7:40 a.m.</td>
<td>3:20 p.m.</td>
<td>1:55 p.m.</td>
<td>3:20 p.m.</td>
<td>3:20 p.m.</td>
<td>1:55 p.m.</td>
</tr>
</tbody>
</table>

*Kindergarten Group A: 8:30 a.m. – 3:00 p.m. Monday and Wednesday; 8:30 a.m. – 12:30 p.m. Tuesday, Thursday and Friday. First full day – Monday, October 5.

*Kindergarten Group B: 8:30 a.m. – 3:00 p.m. Thursday and Friday; 8:30 a.m. – 12:30 p.m. Monday, Tuesday, and Wednesday. First full day – Thursday, October 1.

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**Early Release Days 2015 - 2016**

<p>| | | | | |</p>
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<thead>
<tr>
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<tbody>
<tr>
<td><strong>Elementary Schools</strong></td>
<td>October 8</td>
<td>12:30 p.m.</td>
<td>October 8</td>
<td>11:30 a.m.</td>
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<tr>
<td></td>
<td>November 5</td>
<td>12:30 p.m.</td>
<td>November 5</td>
<td>11:30 a.m.</td>
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<tr>
<td></td>
<td>December 3</td>
<td>12:30 p.m.</td>
<td>December 3</td>
<td>11:30 a.m.</td>
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<tr>
<td></td>
<td>February 3</td>
<td>12:30 p.m.</td>
<td>February 3</td>
<td>11:30 a.m.</td>
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<tr>
<td></td>
<td>March 10</td>
<td>12:30 p.m.</td>
<td>March 10</td>
<td>11:30 a.m.</td>
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<tr>
<td></td>
<td>May 5</td>
<td>12:30 p.m.</td>
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</tr>
<tr>
<td><strong>Middle Schools</strong></td>
<td>October 8</td>
<td>11:30 a.m.</td>
<td>October 8</td>
<td>11:00 a.m.</td>
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<tr>
<td></td>
<td>November 5</td>
<td>11:30 a.m.</td>
<td>November 5</td>
<td>11:00 a.m.</td>
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<tr>
<td></td>
<td>December 3</td>
<td>11:30 a.m.</td>
<td>December 3</td>
<td>11:00 a.m.</td>
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<tr>
<td></td>
<td>February 3</td>
<td>11:30 a.m.</td>
<td>February 3</td>
<td>11:00 a.m.</td>
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<tr>
<td><strong>High Schools</strong></td>
<td>October 8</td>
<td>11:00 a.m.</td>
<td>October 8</td>
<td>11:00 a.m.</td>
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<td></td>
<td>November 5</td>
<td>11:00 a.m.</td>
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<td></td>
<td>December 3</td>
<td>11:00 a.m.</td>
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<td>February 3</td>
<td>11:00 a.m.</td>
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<td>March 10</td>
<td>11:00 a.m.</td>
<td>March 10</td>
<td>11:00 a.m.</td>
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<td></td>
<td>May 5</td>
<td>11:00 a.m.</td>
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<td>Year</td>
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<tr>
<td>2015</td>
<td>September</td>
<td>First day for teachers</td>
<td>2016</td>
<td>January</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Teachers off</td>
<td></td>
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<td></td>
<td></td>
<td>Labor Day</td>
<td></td>
<td>March</td>
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<tr>
<td></td>
<td></td>
<td>First day for students</td>
<td></td>
<td>April</td>
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<td></td>
<td></td>
<td>Rosh Hashanah</td>
<td></td>
<td>May</td>
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<td></td>
<td></td>
<td>Yom Kippur</td>
<td></td>
<td>June</td>
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<td></td>
<td></td>
<td>This includes five (5) snow days</td>
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</tbody>
</table>

*Calendar approved by School Committee November 24, 2014

**September 8 - Group A kindergarten start
**September 9 - Group B kindergarten start

Elementary Schools Afternoon Release:
10/8, 11/5, 12/3, 2/3, 3/10, 5/5

Secondary Schools Afternoon Release:
10/8, 11/5, 12/3, 2/3, 3/10