



NEWMAN
ELEMENTARY
WHERE LEARNING ROCKS!

School Handbook 2022–2023

**1155 Central Ave.
Needham, MA 02492
(781) 455-0416 Phone
(781) 453-2523 Fax**

Language Assistance Services

ATTENTION: If you speak a language other than English, language assistance services are available to you free of charge. **Contact your child's school for assistance.**

Spanish: ATENCIÓN: Si usted habla un idioma que no sea el inglés, hay servicios de asistencia lingüística disponibles gratis. **Contacte la escuela de su hijo para asistencia.**

Portuguese: ATENÇÃO: Se fala um idioma diferente do Inglês, os serviços de assistência linguística estão disponíveis gratuitamente para si. **Entre em contato com a escola do seu filho para obter assistência.**

Russian: ВНИМАНИЕ: Если вы не говорите на английском языке, для вас доступны бесплатные языковые сервисы на вашем языке. Обратитесь за помощью в школу, в которой учится ваш ребенок.

Haitian Creole: ATANSYON: Si ou pale yon lòt lang ke lang Anglè, sèvis asistans lang yo disponib pou ou gratis. Kontakte lekòl timoun ou an pou kapab jwenn asistans.

Cape Verdean: ATENSON: Si bu ta fala un língua diferente di Ingles, Servíus di Apoiu Linguístiku stá disponível sen kustus. Kontakta skóla di bu fidju pa dá-bu apoiu.

Arabic: انتباه: إن كنتم تتحدثون بلغة أخرى غير الإنجليزية، فإن خدمات المساعدة اللغوية متوفرة بشكل مجاني. تواصلوا مع مدرسة طفلكم من أجل طلب المساعدة.

Chinese: 请注意：如果您的母语不是英语，我们将免费提供您语言辅助服务。如需协助，请与您孩子的学校联系。

Mandarin: 请注意：如果您的母语不是英语，我们将免费提供您语言辅助服务。如需协助，请与您孩子的学校联系。

Taiwanese: 請注意：如果您的母語不是英語，我們將免費提供您語言輔助服務。如需協助，請與您孩子的學校聯繫。

Burmese: အထူးဂရုပြုရန်- အကယ်၍သင်သည် အင်္ဂလိပ်ဘာသာစကားမဟုတ်ဘဲ အခြားဘာသာစကား ပြောပါက၊ သင့်အတွက် အခမဲ့ ဘာသာစကားဝန်ဆောင်မှုများရရှိနိုင်ပါသည်။ သင့်ကလေးငယ်၏ ကျောင်းသို့ အကူအညီ ရယူရန် ဆက်သွယ်ပါ။

Vietnamese: CHÚ Ý: Nếu Quý vị nói một ngôn ngữ khác ngoài Tiếng Anh, có các dịch vụ hỗ trợ ngôn ngữ miễn phí dành cho Quý vị. Vui lòng liên hệ với trường của con Quý vị để nhận được sự hỗ trợ.

Cantonese: 請注意：如果您的母語不是英語，我們將免費提供您語言輔助服務。如需協助，請與您孩子的學校聯繫。



Korean: 주의: 영어 외 타국어를 사용하시는 경우, 언어 지원 서비스를 무료로 제공받을 수 있습니다. 지원 문의는 자녀의 학교로 연락해 주시기 바랍니다.

Japanese: 注意: 英語以外の言語でお話されたい場合は、言語支援サービスを無料でご利用になれます。お子様の学校にサポートのご相談ください。

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2022-2023 School Calendar																												
Aug/September (21)							February (15)							AUGUST 2022 - SEPTEMBER 2023														
S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	8/29-8/30	Staff Returns/Professional Development													
28	29	30	31	1	2	3				1	2	3	4	8/31	First Day of School - Grades 1-12													
4	5	6	7	8	9	10	5	6	7	8	9	10	11	9/1	First day kindergarten/Preschool Orientation													
11	12	13	14	15	16	17	12	13	14	15	16	17	18	9/5	No School (Labor Day)													
18	19	20	21	22	23	24	19	20	21	22	23	24	25	9/21	PreK-8 Early Release													
25	26	27	28	29	30		26	27	28					9/26	No School (Rosh Hashanah)													
														OCTOBER 2022														
October (19)							March (23)							10/5											No School (Yom Kippur)			
S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	10/10	No School (Indigenous Peoples Day)													
						1				1	2	3	4	10/12	PreK-12 Early Release													
2	3	4	5	6	7	8	5	6	7	8	9	10	11	10/25	PreK-8 Early Release													
9	10	11	12	13	14	15	12	13	14	15	16	17	18	NOVEMBER 2022														
16	17	18	19	20	21	22	19	20	21	22	23	24	25	11/9	PreK-12 Early Release													
23	24	25	26	27	28	29	26	27	28	29	30	31		11/11	No School (Veterans' Day)													
30	31													11/23	No School - Professional Development													
November (18)							April (14)							11/24-25											Thanksgiving Recess			
S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	DECEMBER 2022														
			1	2	3	4	5						1	12/7	PreK-12 Early Release													
6	7	8	9	10	11	12	6	7	8	9	10	11	12	12/21	PreK-8 Early Release													
13	14	15	16	17	18	19	13	14	15	16	17	18	19	12/24-1/2	Winter Recess													
20	21	22	23	24	25	26	16	17	18	19	20	21	22	JANUARY 2023														
27	28	29	30				23	24	25	26	27	28	29	1/2	No School (New Year's Day Observed)													
December (17)							May (22)							1/3											Classes Resume			
S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	1/11	PreK-12 Early Release													
				1	2	3		1	2	3	4	5	6	1/16	No School (Dr. Martin Luther King Jr.)													
4	5	6	7	8	9	10	4	5	6	7	8	9	10	1/25	PreK-8 Early Release													
11	12	13	14	15	16	17	11	12	13	14	15	16	17	FEBRUARY 2023														
18	19	20	21	22	23	24	18	19	20	21	22	23	24	2/6	PreK-12 Early Release													
25	26	27	28	29	30	31	21	22	23	24	25	26	27	2/20-2/24	February Recess													
January (20)							June (11)							MARCH 2023														
S	M	T	W	Th	F	S	S	M	T	W	Th	F	S	3/6	PreK-8 Early Release													
1	2	3	4	5	6	7					1	2	3	3/22	PreK-12 Early Release													
8	9	10	11	12	13	14	8	9	10	11	12	13	14	3/27	PreK-12 Early Release													
15	16	17	18	19	20	21	11	12	13	14	15	16	17	4/7	No School (Good Friday)													
22	23	24	25	26	27	28	18	19	20	21	22	23	24	4/17-4/21	April Recess													
29	30	31					25	26	27	28	29	30		4/25	PreK-8 Early Release													
														MAY 2023														
														5/3											PreK-12 Early Release			
														5/29											No School (Memorial Day)			
														5/31											PreK-8 Early Release			
														JUNE 2023														
														6/4											GRADUATION: SUNDAY, JUNE 4			
														6/15											Last day of school - No snow days Early Release			
														6/19											No School (Juneteenth) if school is in session			
														6/23											Last day 5 snow days - Early Release			
														Approved by School Committee 2-15-22														

	No School
	PreK-12 Early Release (ER)
	PreK-8 Early Release (ER)
	Professional Development Day
Needham High School classes begin at 8:35 a.m. on Fridays	

School Procedures

Newman Elementary School
1155 Central Ave.
Needham, MA 02492
(781) 455-0416 Phone
(781)-453-2523 Fax

Nurse's Office: Ext. 55379

School Hours, Grades K-5

School hours are 8:45am to 3:10pm. Students should begin to arrive at 8:30am. On District Early Release Days, students are dismissed at 12:40pm. See the [NPS Calendar](#) for specific dates.

School-Wide Expectations

At the Newman School, students are reminded:

Take care of yourself.

Take care of others.

Take care of our school.

These school-wide expectations reflect rules developed with student input in each classroom at the start of the year. They apply to all spaces in our school, including the playground, hallways, specialist areas, and buses.

Curriculum Nights

Parent/Teacher Nights are held in the fall to introduce parents to their child's teachers and the curriculum being taught in the classroom. Teachers explain grade level expectations, methods of teaching, classroom routines, and how parents can support their child's learning at home.

Arrival & Dismissal

Children are welcome in the building anytime after 8:30 a.m. Prior to this time doors are locked, faculty are not assigned to duties, and supervision is not available for children. In the event that children arrive before this time, the principal or assistant principal will contact the family. All students should be ready to begin the school day at 8:45am. Please ensure that your child is punctual.

The [Needham Extended Day Program \(NEDP\)](#) is available for families who need to drop their children off prior to 8:30. This is an independent organization that provides before and after school programming at the Newman School. They can be reached at 1-800-444-NEDP.

Crossing Guards

We encourage students to walk and bike to school. The Needham Police provide crossing guards stationed at the following intersections:

- Central Avenue at Newman
- Central Avenue at High Rock Street
- High Rock Street at Marked Tree Road

At 8:30, a Newman staff member serves as a crossing guard between the Needham Historical Society and our school building.

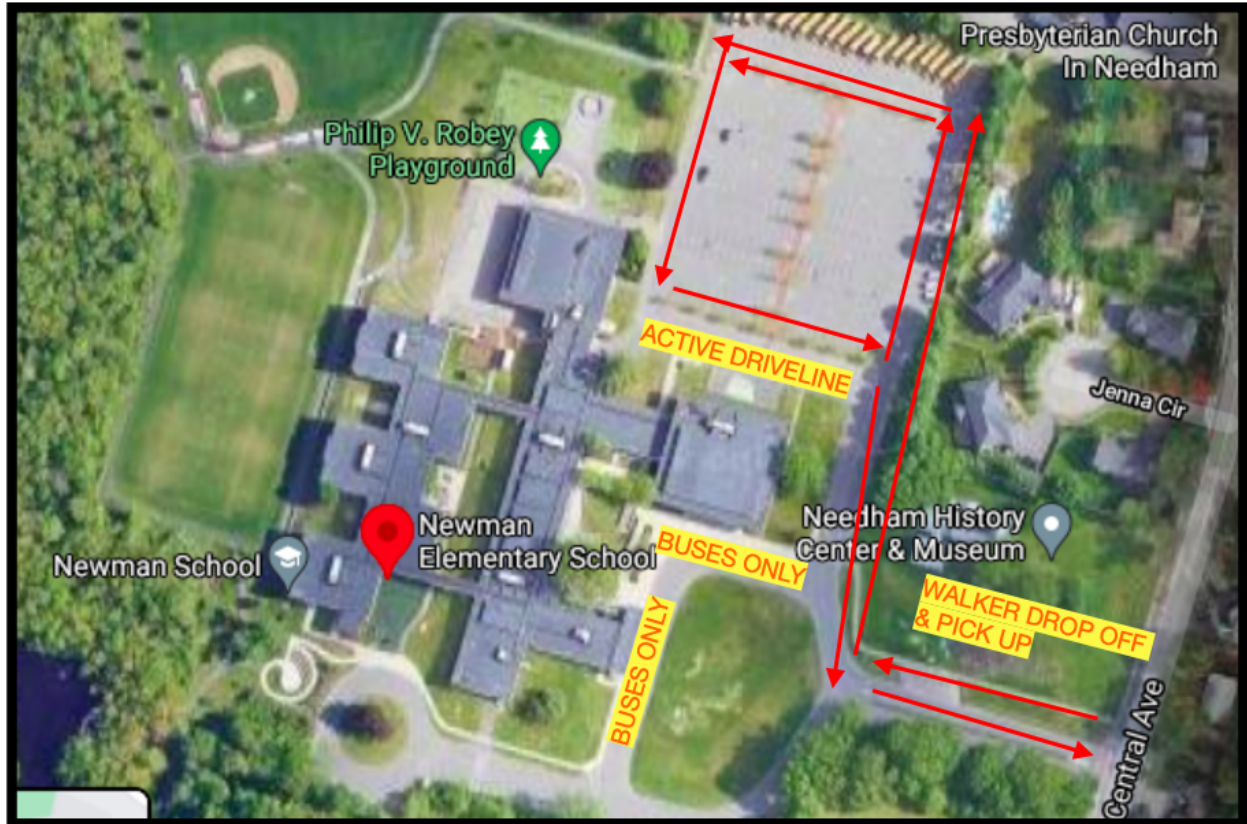
Walking or Biking to School

Students walking or biking to school may enter and leave via the front entrance. Children in grades 4 and 5 may ride their bikes to school. Third graders may ride to school provided they pass a bike safety course given in the fall. Bicycles should be locked in the bike rack (located in the front of the school to the right) for the entire time that school is in session. The school is not responsible for lost or stolen bicycles. Cyclists are required to wear a helmet.

Arrival and Dismissal by Active Driveline

As shown on the map below, cars should enter the Newman grounds and proceed to the right of the building, follow the driveline around the lot, and drop off or pick up students near the cafeteria doors. Please follow signs for a double lane around the lot to help mitigate traffic. Cars must pull all the way forward in the driveline to allow for multiple students entering or exiting cars at a time. Please share these procedures with anyone picking up or dropping off your student(s).

Cell phone use in the driveline is strictly prohibited. Needham police officers regularly assist with arrival and dismissal and may ticket parents if rules for student safety are not followed.



Busing

All bus traffic comes to the main driveway, except for vehicles carrying children who need assisted transportation. Bus passes are issued in the fall to all riders. This entitles students to transportation from their designated bus stop to school and back. In the interest of safety, students are not allowed to ride on a bus that is not on their regular route. Please see page 14 for more information about expected bus conduct.

Change of Dismissal

Consistent routines are important for students and help support a smooth dismissal process. Please use this [**Online Change of Dismissal Form**](#) to communicate with any change in your child's regular dismissal plan, including early dismissal or late arrival for appointments. PLEASE DO NOT EMAIL TEACHERS DIRECTLY OF ANY CHANGES. Changes sent through email cannot be guaranteed. In addition, please fill out a dismissal form for EACH child. If students must leave school early, they will be sent to the office at the time indicated the change of dismissal form, and caregivers will meet them there.

Absences

If your child is going to be absent, please call the "Safe Arrival and Delivery" line at the school's main number and leave a message before 8:45 am. If your child arrives to school late, they will check in at the front desk before going to class. Please see page 12 for important information about school attendance.

Visitors

When health conditions allow for public access to school buildings, all visitors are welcomed through the main entrance and should sign in at the front desk. During instructional time, visitors should leave any forgotten essentials, lunches, or supplies in the designated drop off area located by the main entrance. The items will be delivered by a staff member to your child. Visitors are not permitted to deliver items directly to a student's classroom in order to ensure minimal disruption during the school day.

CORI Process for Volunteers

All volunteers who may have direct and unmonitored contact with children will be required to participate in the Criminal Offender Record Information check prior to volunteering in the school. The school secretary will provide the form to you for completion and then submit it to the Director of Personnel for processing with the Criminal History Systems Board. Based on the CORI information, the superintendent or his designee will determine if the volunteer may have unmonitored contact with children. All parents who will be working in the Newman Media Center, volunteering in the classroom, and/or chaperoning a field trip must have a completed and approved CORI form on record before they will be permitted to work with students in the school.

Appropriate Dress Guidelines

Responsibility for student dress resides with parents/caregivers. Students are expected to dress for school in a manner that is appropriate and helpful to the general learning environment. The Principal or designee reserves the final judgment regarding the appropriateness of student clothing. If necessary, parents/guardians will be called to bring a change of clothing for their child. **Please NO** clothes that expose the mid-torso or undergarments or clothes with inappropriate language or pictures. We encourage students to be active during all seasons and weather. Please make sure your child has appropriate clothing for INDOOR and OUTDOOR activities.

Spirit Wear

At Newman, we take pride in our great school spirit! For the latest in t-shirts, sweatshirts, pants, hats, and other fashion items with the Newman logo, please see the [Newman PTC website](#).

Cell Phones & SMART Devices

Students are prohibited from using cell phones and SMART devices (watches, etc.) on school grounds. If a student needs to make a phone call or contact home, they may go to the office and ask to use the phone.

School/Home Communications

Communication with Faculty and Staff

Effective communication between home and school is an essential characteristic of successful schools. Your child's teacher is usually the best person to answer your questions. Please remember that teachers are busy with students during school hours, and they may not see, hear, or respond to your communication until the end of the school day.

Contact any Employee via Email

Any employee of the Needham Public Schools-- faculty, staff or administrator-- can be contacted via email using the following format:

Newman News

The Newman News is sent via email every 1-2 weeks. These newsletters provide important communication for parents about school events, additional activities, and practices for supporting learning. Please be sure to have an up to date email address in PowerSchool to receive this important information.

No School Announcements

School may be canceled or delayed during inclement weather or in emergency. The Needham Public Schools use an emergency notification system that will contact your home phone, cell phone, and email using the information you have provided in PowerSchool. Such announcements will also be carried by television channels 4, 5, 7, and FOX25, and the local cable channel. Information regarding schools during inclement weather is also prominently displayed on the [Needham Public Schools' website](#) and provided through [Dr. Gutekanst's Twitter account](#), likely the fastest source for weather-related information and school closures.

Scholastic Information

Conferences and Progress Reports

Parent-teacher conferences are scheduled in the fall and spring. During these conferences, teachers use examples of classwork and assessments to discuss your child's progress and goals. Written progress reports are sent home at mid-year and on the last day of school for Grades K–5.

If you have concerns at any other time during the year, please contact your child's teacher to set up a time to speak with him or her.

Student Support Team (SST)

In order to best support the diverse needs of our Newman students, Newman faculty meet regularly at SST (Student Support Team) to discuss concerns and brainstorm strategies and solutions that best support students. It is during this time that experts from a variety of fields are able to share their knowledge with one another in order to provide the best educational support to students. Interventions for academic and behavior concerns are discussed; as well accommodations or further supports students may need to be successful. The SST process is an opportunity for staff to get information and support from other professionals to help provide an education that meets the needs of all learners.

Counseling and Guidance Services

Our guidance staff works very hard to address the social and emotional needs of all students. Age-related issues such as developing empathy, friendships, and conflicts at home are often topics discussed with our counselors. All students have the opportunity to access support from our guidance staff through “lunch

bunch” groups and/or private sessions. In addition, our guidance staff often works closely with classrooms providing group lessons to address important topics such as bullying and respecting others in order to promote the healthy social and emotional growth of all students. If your child is experiencing challenges at school and you would like more information about counseling, please contact your child’s teacher or Newman administrators.

English Learners (EL)

Students for whom English is not their first language may qualify for support services from EL Teachers. After initial screening and assessment, if students are found eligible, students will receive programming and support to help promote English language acquisition as well as support the student’s academic success.

Coaches

For students who qualify, additional reading and math support is available from coaches who specialize in these areas. In addition to providing intervention, coaches also collaborate with teachers to ensure that instructional supports are put in place to help facilitate the growth of all students.

Special Education Services

Special education services provide individualized instruction to students who have been identified through testing as having a disability that prevents them from making effective progress in the classroom. Parents/guardians are a large part of this process in sharing their insights and concerns for their children. If a child is found eligible for special education services a TEAM meeting is called, including parents and teachers, to develop the student’s Individualized Education Program (IEP). This program is designed to support the student’s access to the general education curriculum. Special Education evaluation and services can only be provided with parent permission. If you would like more information or believe your child may have a disability, please contact your child’s teacher and see the [Needham Public Schools website](#).

For parents of students with special needs looking for additional support and resources, please visit [Needham’s SEPAC \(Special Education Parent Advisory Council\)](#) for helpful information.

Health Services

Communication with the Health Office

The school nurse can be reached by telephone, email or via a dedicated fax line.

Phone 781-455-0416, ext 55379

Fax 781-453-5607

We encourage parents/guardians to call any time they have concerns and specifically for the following reasons:

- A new medical diagnosis or a change in your child’s health status
- A newly prescribed medication
- A change in a current medication
- A serious injury, illness or hospitalization
- A fracture, sprain, stitches, or a cast
- A contagious disease such as COVID, chicken pox, flu, strep throat, whooping cough
- If a child is absent for an extended period of time
- If there are any recent changes in your family that may affect your child, such as a birth, recent loss or sudden illness

Serious Injuries and Communicable Diseases:

To allow sufficient time to recover from an illness or injury, and to minimize the spread of an infectious illness, your child should be kept home from school if they has:

- A communicable disease
- Fever greater than 100 degrees F within the last 24 hours
- Vomiting/diarrhea within the last 24 hours
- Pain that requires the use of narcotic medications
- An upper respiratory illness with significant coughing and/or nasal discharge

COVID-19

Please see the [Needham Public Schools website](#) for information regarding practices to reduce the risk of COVID transmission at school.

More detailed information regarding health service policies begins on page 18 of this handbook.

Ways to Get Involved

Newman PTC

The Newman Elementary School Parent Teacher Council serves to ENRICH the EDUCATION of all of our children and foster a sense of COMMUNITY.

What we do for your family and our community:

- Enrich the curriculum by bringing the world of theater, music, authors, and artists into the classroom
- Fund teacher grants and extra supplies for **every** classroom
- Invest in our school and classrooms with playground equipment, technology, and more
- Orchestrate all kinds of community and family fun
- Encourage health and environmental awareness with Family Fitness, Safe Routes to School, Mayrathon, etc.
- Communicate about activities to well over 600 Newman families through a weekly newsletter, social media, school directory, yearbook, and website
- Appreciate our teachers and administrators with luncheons, parent-teacher events, and more!

For more information about the PTC or to get involved, please see the [Newman PTC website](#) .

School Advisory Council

The School Advisory Council is a representative, school building-based committee composed of the principal, assistant principal, parents, teachers and community members. School Advisory Council members assist school administrators by developing, assessing, and reporting on progress related to the [School Improvement Plan](#). Please contact the principal or assistant principal if you are interested in joining these important efforts.

Elementary Handbook District Sections 2022-23

DAILY PROCEDURES AND EXPECTATIONS

SCHOOL ATTENDANCE

The education of children is a responsibility shared by the school and parents/guardians. Teachers and parents/guardians work together to develop characteristics important in the educational growth of children. Regular attendance is essential to the learning process and helps to establish good student work habits. Participation in classroom activities is an important factor in educational success. Student absences, tardiness, and early dismissals affect this learning process. Therefore students are expected to be in attendance every day of the school year from arrival to dismissal. Students should be home when they are ill; otherwise, all efforts should be made to have them in school. To the greatest extent possible, all appointments should be made before or after school, and recreational trips scheduled during school vacations.

Under Massachusetts General Laws Chapter 76, Section 1 states that all children between the ages of six and sixteen must attend school. A school district may excuse up to seven days or fourteen half-days in any period of six months. In addition to this law, each school may have its own attendance policy with which parents/guardians should be familiar. Parents/guardians are required under the law to ensure regular school attendance of their children and are subject to a fine for failure to comply with the law. If a child is absent for five (5) or more consecutive days, a doctor's note (certificate) is required when the child returns to school. Failure to provide a medical note will result in the absence being considered as unexcused.

ABSENCES-REPORTING

In the event a child will be absent for the day, parents/guardians are expected to call the school office before the beginning of school. Parents/guardians must furnish the school with a home, work, or other emergency telephone number where they can be contacted during the school day. Parents/guardians will be contacted as soon as practical and within three (3) days of the student's absence if the parents/guardians have not contacted the school regarding an absence.

ABSENCES-EXCESSIVE

Parents/guardians will be notified when a student has at least five days in which the student has missed two or more classes/periods (unexcused) or who has five or more unexcused absences in the school year. The building principal (or his/her designee) will make a reasonable effort to meet with the parents/guardians of a student who has 5 or more unexcused absences to develop an action plan to improve the student's attendance. In all circumstances, parents/guardians are encouraged to contact school staff and work collaboratively with them to correct the reasons that the student is missing school. Excessive, unexcused absences may also result in the school taking legal action to remedy this situation.

ABSENCES-PLANNED

School vacations are planned well in advance, at appropriate intervals during the school year and parents/guardians should make family plans accordingly. It should be realized that teachers cannot realistically provide work in advance of planned absences that will adequately make up for missed instruction; therefore, teachers shall not be required to provide work for any student prior to a planned absence. Parents/guardians who allow their child to be out of school for vacations are assuming responsibility for their child's educational program. When a student returns to school, they will complete work not available during their absence. The time limit for completion is the length of the absence.

SCHOOL/HOME COMMUNICATIONS

DISTRICT MEETINGS, PROGRAMS, ACTIVITIES

The Public Schools, recognizing that some areas in its school department buildings are inaccessible to individuals with disabilities, adopts the following policy:

- All meetings, conferences, programs, and activities in school department buildings are available, without discrimination, to individuals with disabilities as defined by the Rehabilitation Act of 1973

and/or Title II of the Americans with Disabilities Act.

- Whenever an individual with a disability(ies) wishes to attend or participate in a meeting, conference, program, or activity that is inaccessible, that meeting, conference, program, or activity will be relocated to an accessible area. Forty-eight-hour notice of the need for relocation should be made by the person with a disability(ies) to the Superintendent's Office:

Needham Public Schools
1330 Highland Avenue
Needham, MA 02492
(781) 455-0400 x 11203

The Superintendent is responsible for implementing this policy by relocating meetings, conferences, programs, or activities.

Whenever an individual with impaired vision seeks to obtain information under this procedure, the information will be communicated as follows:

- A Braille copy of the posting; a tape recording of the notice; and the use of a reader, where necessary, will be provided upon request.

Whenever an individual who is Deaf or Hard of Hearing seeks to obtain information under this procedure, the district will seek to provide access to that person as follows:

- A communication option will be offered that reflects the individual's preference: interpretation by a sign language interpreter or oral interpreter; live transcription services; or another method, which could include written notes. This assistance will be arranged through the Massachusetts Commission for the Deaf and Hard of Hearing. Please contact the Assistant Superintendent for Student Support Services for more information: (781) 455-0400 x 11213.

This policy will be posted in prominent and, where possible, accessible places in all School Department buildings, Town Hall, and the Public Library.

NUTRITION SERVICES

The school cafeteria is open every school day for breakfast and lunch, serving many choices of nutritious hot and cold lunches for all K-5 grade students. On Early Release Days, breakfast is served, and a portable "to-go" lunch is available to students at the end of the short day. (Just a reminder – food cannot be eaten on the bus.)

The Nutrition Services Department is dedicated to being a leader in quality nutritious food. The menus are carefully written by a Registered Dietitian to assure nutritional integrity. The Cafeteria Staff at each school are dedicated, talented and kind people who are there because they love to care for children by preparing and serving excellent food in their "nutrition classroom," and encouraging the students to make good food choices to enhance their well-being.

Much thought and planning is put into providing a variety of entrées and other lunch menu components, which are delicious, kid-friendly and nutritious. The menu of the day changes, but every day there are a variety of other lunch options available daily. Plentiful supplies of many choices of delicious fresh fruits, cut veggie sticks and salads are always available as part of the school lunch.

A printed copy of the Needham Elementary Lunch Menu is sent home with each child at the end of each month for the following month. The menu and nutritional information, as well as allergy and ingredient information, are available on the Nutrition Services Department website: [Nutrition Services - Needham Public Schools](#).

Breakfast

Breakfast is available every morning before school for all students. A variety of items are available and the menu varies daily (see website). Students who qualify for free or reduced-price meals can get one complete breakfast per day at no charge.

Included in a breakfast meal (free, reduced or full price) are:

- 2 grains (or one grain and one protein item)
- Fruit
- Milk

Lunch

Lunch includes 5 components per USDA: Meat (or Meat Alternate), Grain, Fruit, Vegetable & Milk. The student must take at least 3 components and must take a fruit or vegetable for it to be considered a "meal."

Free or Reduced Priced Lunches:

Families who may automatically qualify for free or reduced-price meals through a match with the Massachusetts Health and Human Services Agency will be notified before school begins in August. Other families may apply for free or reduced lunches by completing a current school year meal application. A new application must be filled out at the beginning of each school year, or at any time throughout the year if the financial situation in the home changes. Meal applications are sent home at the beginning of every school year and are available on our website, in the school office, or in the Nutrition Services office at the Administration Building. An online application is also available in the [Free and Reduced Applications](#) section on the Nutrition Services website.

What do you get with a LUNCH (and what is NOT included)?

Students who qualify for free or reduced-price meals are able to get one complete breakfast and lunch for free or reduced-price per day. (NPS waives the reduced price fee.)

Included in a lunch (free, reduced, or full price) is:

- One Entree – (Any choice)
 - o "Entrée" is the protein item and grain item (usually together, ie: hamburger on bun)
- Fruits & Vegetables – We don't limit (within reason) and we encourage students to take LOTS
- Milk, 8 oz. – 1%, Fat-free, Fat-free Chocolate, Lactaid (for documented lactose intolerant students)
- Dessert – if it is on the menu for the day (usually once a week)

A la carte items are available at the elementary schools **FOR SALE** and are **NOT** included in the lunch price:

- 8 oz. water
- 4 oz. yogurt
- 8 oz. milk (if purchased as a 2nd milk or if a student has not purchased a school lunch)

Students who qualify for free or reduced lunch can purchase a la carte items with cash, or money can be deposited into their lunch account for purchases of those items.

How the Automated Cafeteria Payment System Works:

- Every student has their own personal lunch account and PIN number (automatically assigned when enrolled whether or not they ever use it).

- Parents/Guardians deposit money into the student's account by check via the school cafeteria, on-line (credit card or electronic check) or cash (see **How to Prepay** information below).
- Sales are automatically deducted from the student's account. Details of account use are tracked in the system.
- Prepayment into the account is strongly encouraged, as it is much faster. However, paying with a check (made out to NPS Nutrition Services) or cash is also an option.
- Students who qualify for free or reduced-price lunches are processed at the cash register like all other students, avoiding any potentially uncomfortable situation for the student. A la carte items (above) are not free nor available at a reduced price – only the meal.
- All students access their accounts at the cash register by entering their 4-digit PIN number on the PIN pad located at the register. Each child's unique PIN number is confidential and should not be shared.

When the lunch account gets low:

- An automated "Low Balance Email" is sent to the parent/guardian of a student whose lunch account is at \$15.00 or below.

Negative Lunch Accounts

- When an account goes below zero, only a complete breakfast and/or lunch can be purchased.
- A la carte items cannot be purchased if an account is negative.
- Another automated email is sent when the account goes below \$0.00 as a further reminder and request to deposit money into the lunch account.
- If we have no email address in our lunch account system, a negative balance letter is printed out and mailed to the home, requesting deposit into the lunch account.

Credit limit /Negative Balance follow-up

- If a student's lunch account reaches a negative balance, families will be notified within 30 days of uncollected meal debt. Students will not be denied a reimbursable meal during this time. Families will be offered a free and reduced meal application.

Please make sure the school secretary has your correct email address in PowerSchool, as our lunch software system uploads the information from PowerSchool.

How to Prepay:

1. Deposit funds via online. There is a link to the current online payment vendor on the NPS website home page, as well as on the Nutrition Services page under [Lunch Payment System](#). You will need to know the student's 5-digit Online Payment ID number specifically assigned for online payments for lunch. You can get that number and instructions for setting up an account in PowerSchool or from your school secretary or Nutrition Services Secretary.
2. Bring/send a check (payable to NPS Nutrition Services) to your school in an envelope marked "Cafeteria." Deposits are made at the school cafeteria register. Please record on the memo line of the check: Student's full name and 5-digit PIN number that the student uses at the cash register in the cafeteria.

Food Allergies:

It is important to keep the school nurse up-to-date about your child's allergies. Nutrition Services is informed by the school nurse as to any food allergies students have. This allergy information is entered into the computerized point of sale system so that an alert comes up to the cashier about what the student is allergic to. The cashier must acknowledge that alert, and will do their best to check the tray to assure there are no foods on the tray that the student is allergic to. To check the allergens in the menu items, visit the [Food Allergens](#) site on the Nutrition Services website. We accommodate documented food allergies.

For more details, please visit our website: [Nutrition Services - Needham Public Schools](#). Here you will find valuable information, as well as pictures of the cafeterias and meals. Check it out!

To contact the Cafeteria Manager at your school, visit our website: [Cafeteria Managers - Needham Public Schools](#).

Feel free to call the Nutrition Services Office at the NPS Administration Building with any questions or comments: 781-455-0400:

- x11216 for Colin Boisvert, Nutrition Services Director
- x11237 for Jen Tuttelman, Nutrition Services Assistant Director
- x11285 for Barb Pitney, Nutrition Services Secretary
- x11219 for Mirella Santucci, Nutrition Services Bookkeeper

HEALTH SERVICE POLICIES

The Needham Public Schools, in accordance with the regulations of the Massachusetts Department of Public Health, requires the following health information before a student enters school.

Health History

The Health History Form, which provides important health and developmental history about your child, must be completed by the parent/guardian and submitted to the school nurse prior to school entry for all students.

Required Immunizations

Massachusetts Department of Public Health Regulation 105 CMR 220 requires students to be immunized before admission to the school. An immunization certificate/record that includes the month, day, and year the immunizations were administered needs to be submitted to and reviewed by, the school nurse before the student begins school. State regulations also require each child to meet the grade entry immunization requirements.

Exemption

Only documentation of medical and religious exemptions from immunization requirements is acceptable by the law in Massachusetts. If there are medical reasons why your child has not been immunized, a certificate must be obtained from your physician annually and forwarded to the school nurse. For a religious exemption, the parent/guardian must submit a letter annually to the school nurse stating that a vaccine conflicts with their sincere religious beliefs.

Physical Examination

The Massachusetts Department of Public Health Regulation 105 CMR 200 requires a physical examination for all new students that was completed within 12 months prior to the entrance to school, or within 30 days after school entry, and at intervals of three or four years after school entrance. Per these regulations, documentation of a current physical examination is required for students entering preschool, kindergarten, grades 4, 7, and 10. If a student is participating in competitive athletics, an annual physical exam is required.

A student transferring from another school system shall be examined as an entering student. Health records transferred from the student's previous school may be used to determine compliance with this requirement.

Lead Poisoning Screening and Vision Screening (Kindergarten entry requirement)

Each child must present documentation of lead poisoning screening, tested at ages 2- 5 years, upon entry to kindergarten. Vision screening must be completed by the student's primary care provider upon entry to kindergarten (within the previous 12 months), or within 30 days of the start of the school year; certification that kindergarteners have passed acuity and stereopsis screenings is required.

Tuberculosis (TB) Testing

Documentation of either:

- Screening for student's low risk of tuberculosis exposure
- Testing for tuberculosis of students at high risk of exposure to tuberculosis.

The Confidential Nurse Emergency Form must be completed on Powerschool **annually** by the parent/guardian and returned to the school nurse with updated information and authorization including emergency contact information, student medical history, consent for student to receive emergency medical treatment, communication of pertinent medical information, and administration of select over the counter medication by the school nurse, per the NPS Protocols.

Medication Policy

The Needham Public Schools Medication Policy complies with state and federal laws and Massachusetts Department of Public Health Regulation 105 CMR 210. The following statements highlight the main points of the policy:

- The Health Services policy in alignment with the Department of Public Health encourages that medication be administered before and after school hours, if possible.
- All medication, prescription or over-the-counter, requires an order from a health care provider who is a licensed prescriber as well as a completed parental permission form. **Medication will not be administered until all required documents are completed and received by the School Nurse.** These required forms are available in the health offices or may be downloaded from the Needham Public Schools Department of Health Services website
- After consultation with the school nurse and the development of a medication administration plan, students who fall into the following exceptions may self-administer medication:
 - students with asthma or other respiratory diseases may possess and self-administer prescription inhalers
 - students with life-threatening allergies may possess and self-administer epinephrine via an auto-injector
 - students with cystic fibrosis may possess and self-administer prescription enzyme supplements
 - students with diabetes may possess and self-administer a glucose monitoring test and insulin delivery system
- Medications must be delivered to the School Nurse in a correctly labeled pharmacy or manufacturer's medication container by the parent, guardian or responsible adult. (Medications are not accepted in containers such as plastic bags.) **Students are not permitted to bring medication to school.** Only a 30 day supply may be given to the school.

- **Medication orders including Asthma Action Plans, Seizure Action Plans, and Allergy Action Plans must be renewed each summer (After July 1) and sent to the school nurse prior to the start of school.** All medication orders expire at the end of each school year.
- All medications must be picked up by a parent/guardian before the close of the school year. Any medications that are not picked up by the close of school will be destroyed.

Children with Special Health Care Needs

If your child has asthma, allergies, diabetes, seizures, attention deficit disorder, or any other medical or mental health condition requiring special health services in the school and/or is assisted with medical technology, it is vital that the parent/guardian meet with the school nurse and develop an Individual Health Care Plan (IHCP) prior to school entry.

Concussions

Concussion or Traumatic Head Injury can occur whenever there is a blow or jolt to the head that causes complicated chemical changes in the brain that take several days to resolve. Many concussions occur during organized (especially contact) sports, but are also common as a result of skiing, snowboarding, skateboarding, gymnastics or ballet falls, etc. Many concussions can go undetected initially because there has been NO loss of consciousness and the person is able to resume activity following the initial blow to the head or whiplash. Concussions may be life-altering or life-threatening if not treated correctly or aggressively. The Needham Public Schools (NPS) seeks to prevent concussions and provide a safe return to activity for all students after injury, particularly after a head injury. Although every concussed student is different, the care and management of all students who have sustained concussions requires education, supervision, and close collaboration between students, parents/guardians, school nurses, coaches, athletic trainers, athletic director, administrators, guidance counselors, school physician, teachers, neuropsychologists, and the students' primary care providers and medical specialists. In accordance with the Needham Public School (NPS) Policy on Head Injuries and Concussions in Extracurricular Athletic Activities 2012, protocols and procedures that are implemented are compliant with Massachusetts General Law c. 111, §222, An Act Relative to Safety Regulations for School Athletic programs, the Massachusetts Department of Public Health regulations 105 CMR 201.000, Head Injuries and Concussions in Extracurricular Athletic Activities, and the Massachusetts Department of Public Health regulations 105 CMR 200.000, Physical Examination of School Children.

The NPS Protocol Post Student Head Injury and Concussions- Re-entry to Academics and Return to Physical Activity and Athletics:

- Student sustains head injury during school, extracurricular athletics or activities, or other setting
- Student is removed from "play" from sports, physical education, or other physical activity until medically evaluated
- Student is assessed by school nurse during school day and certified athletic trainer during NHS sports, as available
- Coach, certified athletic trainer, or school nurse completes head injury report
- Parent/guardian is notified and student is dismissed from school or athletic activity and referred for medical evaluation
- Medical provider evaluates student and documents diagnosis of traumatic brain injury or concussion
- Parent/guardian provides school nurse with documentation of head injury from medical provider and plan of care including orders for brain and physical rest

- School nurse notifies guidance department and teachers/coaching staff of injury and initiates a re-entry meeting with teachers, guidance, special education liaison, parent/guardian, and student (as applicable)
- A graduated academic re-entry plan and accommodations are implemented per protocol unless severity of head injury or prolonged recovery necessitate development of a 504 plan or amendment to IEP
- Nurse will review symptoms with student each day to assess recovery, update return to academics checklist, and advise guidance and teachers of student's readiness to progress with return to academics plan
- Teachers, students and parents/guardians will maintain an open dialogue regarding work expectations and progress
- Medical provider provides updated documentation about student's medical recovery and clearance for progression to full academic program including physical activity and physical education
- School Nurse notifies guidance and teachers of progression to full academic program without accommodations due to head injury
- School Nurse notifies certified athletic trainer to initiate graduated return to athletics per protocol
- Certified athletic trainer consults with medical provider for authorization to clear student to return to full athletics as applicable

Symptoms to look for following a blow to the head:

Headache or "pressure in head"	Forgets sports plays
Nausea or vomiting	Unsure of game, score, or opponent
Loss of consciousness (even briefly) or groggy	Moves clumsily
Sensitive to noise and/or light	Shows behavior or personality changes
Blurred or double visions	Feeling sluggish, hazy, foggy
	Concentration or memory problems changes
Appears dazed or stunned	Balance problems or dizziness
Is confused about assignment	Can not recall events after hit or fall
Confusion: cannot recall events prior to hit or fall	Answers questions slowly

Some of these symptoms will appear immediately after the blow. Some may quickly disappear while other symptoms can increase or develop hours or even days after the injury.

What to do if your child has experienced a concussion:

1. **Seek medical consultation.** If there has been loss of consciousness (even briefly) person should be taken immediately to the hospital or MD office for evaluation. For concussions not involving loss of consciousness, report symptoms to primary care provider (PCP) right away for advice about how to proceed.
2. **Brain and Physical Rest** is the main treatment for a concussion. Doing as little as possible will allow symptoms to begin clearing and a graduated return to school and sports will be planned.
3. **Proper evaluation.** Make sure to get written clearance from PCP or specialist who understands current concussion management protocols before resuming activities. Progression is very individualized and is determined on a case-by-case basis. Factors affecting progression include: duration and type of symptoms, previous history of concussion, and type of sport/activity participation.
4. **Inform your child's school nurse** if they/they has experienced a concussion and to discuss the procedures and plans for your child's return to academics, physical activity, and athletics.

Life-Threatening Food Allergy

The Needham Public Schools (NPS) recognizes the increasing prevalence of student food allergies and the life- threatening nature of allergies for many students. The implementation of the Policy for Life-Threatening Food Allergy aims to minimize the risk of exposure to allergens that pose a threat to students, to assist students with assuming more individual responsibility for their health and safety as they grow older, and to ensure full participation in their educational programs and school sponsored activities. The management of students with food allergies requires the awareness, support, and response of the entire school community.

If your child has a life-threatening allergy, please make sure they has access to emergency medication (Epinephrine) at all times and be sure that the school nurse has the necessary medical information about your child's emergency allergy action plan.

Key points of the policy for Life-threatening Food Allergy include the following:

- NPS recognizes the increasing prevalence of student food allergies and the life-threatening nature of allergies for many students.
- An individualized health care plan including accommodations for prevention, management and emergency response is developed for each students with a medically diagnosed life-threatening food allergy
- The school programs are not declared as “allergen free” and foods with known allergens (peanuts, tree nuts, milk, eggs, shellfish, fin fish, soy, wheat) are not banned
- Communication, planning, and education with faculty/staff, parents/guardians, and students will aim to minimize the risk of exposure to allergens that pose a threat to students.
- Non- curriculum related classroom-based celebrations and parties are food free
- Use of food as a reward or incentive during the school day is prohibited unless approved as part of an Individualized Education Program (IEP).
- Inclusion of food for curriculum instruction and related activities or special school events, requires strict adherence to the management protocol
- Sales of competitive foods and beverages (including bake sales/fundraisers) will not be permitted district wide during the school day and beyond school hours at the preschool-elementary level. Beyond the school day sales of competitive foods are permitted in grades six- twelve.
- NPS Staff employed by the NPS, to supervise and/or coach students participating as members of school-sponsored athletic teams, clubs, and other extracurricular activities beyond the school day, are responsible for implementing the applicable portions of the Food Allergy Policy and related protocols and procedures for the management of students with LTA
- NPS staff are not responsible for implementing the Food Allergy Policy and related protocols and procedures during (1) school sponsored events beyond the school day that are open to the public (e.g. school athletic contests, plays, or ceremonies) or (2) programs or events on NPS property that are sponsored by various parent, community, and private groups.

SCHOOL PROGRAMS AND RESOURCES

GUIDELINES FOR THE ASSIGNMENT OF ELEMENTARY STUDENTS

These guidelines are intended to provide direction and to promote understanding about class assignments for students in all elementary programs. The primary goal of the class assignment or

“placement” process at these levels is to construct balanced classes that address the needs of individual students and provide an appropriate learning environment for all.

We recognize that each student possesses personal experiences, skills, and characteristics and that the student brings these attributes into the classroom to strengthen and enrich the classroom experience. We value classrooms that promote diversity, equity, and inclusion for all students. We believe the learning environment is stronger for everyone when students from different racial, ethnic, learning, language, socioeconomic, religious, and cultural backgrounds have the opportunity to interact and engage in learning together.

The process for developing classes for each school year is a student-centered activity that involves the school staff, including appropriate program staff, (i.e., METCO, ELL), the child’s current teacher(s), support staff, guidance counselor, assistant principal, and principal. In addition, families are encouraged to provide information about special or unique circumstances regarding their child that may inform the student placement process. Ultimately, the final decision about student placement in classes rests with the principal.

INDIVIDUALS WITH DISABILITIES ACT (IDEA)

A student may be referred for an evaluation by a parent or any person in a caregiving or professional position who is concerned with the student’s development. Upon consent of the parent/guardian, the school will arrange for the evaluation of the student by a team of specialists in the areas related to the suspected disability. A team meeting is held to determine if the student has a disability and if the disability significantly affects the student’s progress. If it is determined that the student has a disability and requires specially designed instruction, an Individualized Education Program (IEP) is developed, and special education services are implemented upon written parent consent. If you would like more information or believe your child may have a disability, please contact your child’s school principal.

Additional Information can be found on the [Needham Public Schools Special Education Website](#).

SECTION 504 OF THE REHABILITATION ACT

Section 504 of the Rehabilitation Act of 1973 is a federal statute that prohibits discrimination based upon a disability. It covers eligible students, employees and other individuals with disabilities for reasonable accommodations that enable them to work or learn. All 504 referrals must be submitted in writing by the parent/guardian and/or student or school staff to the student’s Guidance Counselor.

The Needham Public Schools 504 Coordinator is the Director of Guidance who can be reached at 781-455-0800 x22130.

The U.S. Department of Education’s, Office for Civil Rights address is: Office for Civil Rights/ED, 8th floor, 5 Post Office Square, Boston, MA 02109-3921, (617) 289-0111.

EDUCATIONAL STABILITY FOR STUDENTS WHO ARE HOMELESS, IN FOSTER CARE, OR IN MILITARY FAMILIES

The Needham Public Schools comply with federal and state laws and regulations to ensure the enrollment, attendance, and opportunity to succeed in school for children and youth who are homeless, in foster care, or in a military family. A brief overview of each requirement is included here:

Students who are homeless

In accordance with requirements of the McKinney-Vento Act, the Superintendent has designated the Assistant Superintendent for Student Support Services as the Homeless Education Liaison. The responsibility of the Liaison includes assisting homeless students in enrollment, working to obtain student records by contacting districts of previous attendance, and ensuring each child and youth has equal access to the same free appropriate public education, including public preschool, as provided to other children and youth. Additional information about Educational Stability for students who are homeless can be found at <https://www.doe.mass.edu/sfs/mv/>

Students in foster care

In accordance with the Every Student Succeeds Act (ESSA), the Superintendent has designated the Assistant Superintendent for Student Support Services and the Executive Director of Special Education as the Foster Care Points of Contact responsive for ensuring educational stability and rights of students in foster care. The first step in this process is to ensure a child in foster care remains in their school of origin unless a determination is made that it is not in the child's best interest to attend the school of origin. Additional information about Educational Stability for students in foster care can be found at <https://www.doe.mass.edu/sfs/foster/>

Students in military families

As a result of the passage of the Valor Act of 2012, Massachusetts became a member of the Military Interstate Children's Compact Commission or MIC3. In accordance with the Valor Act and MIC3 and the Massachusetts Department of Elementary and Secondary Education (DESE), the Needham Public Schools is committed to providing support and assistance to the students of active duty military families, including the timely enrollment and graduation of this mobile population. Additional information about Educational Stability for students in military families can be found at <https://www.doe.mass.edu/sfs/mic3/>

For further assistance contact the Assistant Superintendent for Student Support Services

Mary Lammi, Assistant Superintendent for Student Support Services
mary_lammi@needham.k12.ma.us
781-455-0400 x11213

SCHOOL SAFETY AND EXPECTATIONS

NEEDHAM PUBLIC SCHOOLS COMMITMENT TO EQUITY

Equity: *Fair and just access, inclusion, and participation; the practice of nurturing a learning environment in which all children are empowered to grow, create, and achieve; freedom from bias and discrimination; an understanding that each child possesses personal gifts and attributes and brings these to the classroom which strengthen learning for all; a process by which we promote justice, engender respect, and inspire hope.*

The district's working definition of equity (captured above) is the basis for the development of curriculum and assessments, the design of learning activities, the purchase of books and materials, hiring staff, the facilitation of meetings, and just generally going about the business of school. Equity is in the forefront, and staff take action based on its intent and meaning as we continue to make progress toward this district priority.

There is no place for bigotry, racism, homophobia, or hate in the classrooms of the Needham Public Schools. All students and staff, regardless of race, color, sex, homeless status, gender identity, religion, national origin, sexual orientation, ability, socioeconomic status, or immigration status, have dignity and are valued and contributing members of our learning community.

ELEMENTARY SCHOOLS CODE OF CONDUCT

GUIDING PRINCIPLES

The goal of the Social and Emotional Learning program in the Needham Public Schools is to help students develop self-awareness, self-management, social awareness, responsible decision-making, and relationship skills. The promotion of a social and emotional learning framework in our schools is designed to foster a school culture that promotes respect, inclusion, and a strong classroom and school culture. The implementation of this framework supports a healthy, safe, and supportive learning environment for all students.

The elementary school faculties establish a system of rules that govern their teaching and common spaces. Teachers engage students in establishing classroom rules and procedures that provide a structure to support all students as they learn and grow. Students are expected to demonstrate behavior appropriate to specific settings within the school, on the bus, and on the playground. Teachers are asked to communicate clearly the rules of these settings to their students. School rules should be simple and few and emphasize a spirit of cooperation, high expectations, and caring for one another. The rules will be stated in the affirmative wherever possible.

Children benefit from the consistency of having adult models both at school and at home in order to develop acceptable social behavior. The partnership between school and home is a critical support to our students in their social and emotional development. One of our guiding principles is the fostering of this partnership so that teachers and parents/guardians can share information, strategies, ideas, insights, and, when needed, can problem-solve to assist our students in developing and maintaining appropriate behavior in the school setting.

STRATEGIES TO HELP CHILDREN MODIFY BEHAVIOR

All students are expected to demonstrate respect for other individuals, their rights, and their property in school and during all school-sponsored activities, including those times when they are riding school buses. Students are expected to behave in accordance with school rules and regulations. When appropriate, school personnel will modify environments to help prevent the likelihood of misbehavior.

Behavior expectations will be in keeping with each child's developmental readiness. Through classroom structures and direct skill instruction, children will be instructed in how to:

1. Make sound decisions and seek adult help (assistance when needed)
2. Behave responsibly
3. Cooperate with teachers and peer groups

The process for communicating with parents/guardians regarding problems with behavior will be initiated early on. Teachers are expected to contact parents/guardians for a conference, following the emergence

of a behavior difficulty. Our schools believe that a strong home/school partnership is helpful in addressing the student's progress. Likewise, parents/guardians should contact their child's teacher with any concerns about social or behavioral problems. It is expected that most behavior problems will be solved at the parents/guardians-teacher level. However, if necessary, the Principal may communicate directly with parents/guardians regarding challenging behavior. The following are examples of steps that may be taken in order to help students modify their behavior:

1. Parents/guardians-teacher conference - At the first sign of an emerging behavioral pattern or difficulty
2. The teacher creates a behavior plan and/or contracts with the student for improvement
3. Involvement of the principal, school counselor, and/or resource teacher as a collaborative consultant to the teacher
4. The teacher applies to the Teacher Support Team for review of the student's progress and the development of a behavior intervention

BUS CONDUCT

The school bus is an extension of the school itself and rules regarding behavior are the same as in the school. School bus safety is a primary concern of the Needham Public Schools, and we reserve the right to take whatever action is necessary to maintain a high level of safety. The school reserves the right to exclude students from school and/or the bus for misconduct of a serious nature that occurs on the bus or at the bus stop that may impact the school environment. The right of a student to school bus transportation is a qualified right dependent on good behavior. In a case where a student seriously or continuously misbehaves, parents/guardians will be notified by the principal or designee of the school to which the student is assigned. The bus pass may be revoked if, in the opinion of the principal, such action is necessary for the general safety and well-being of other students. In cases where a student's conduct jeopardizes the safety and well-being of other students that student may immediately be excluded from the bus.

POTENTIAL CONSEQUENCES FOR SERIOUS BEHAVIOR

The following behaviors may serve as grounds for suspension or other disciplinary action, including loss of student privileges.

1. Use of obscene, abusive, or profane language or gestures
2. Harassment of another student especially on the basis of race, color, homeless status, sex, national origin, religion, disability, gender identity, or sexual orientation
3. Bullying, cyber-bullying, or other intimidation of another student, regardless of the basis of such conduct
4. Behavior that endangers persons or property or disrupts the educational process or school activity
5. Fighting or any assault or act of violence committed against another student or school personnel

Please refer to the section titled: **PROCEDURES FOR SUSPENSION & EXPULSION** of this handbook for detailed information regarding Needham Public Schools Procedures for Suspension

INVESTIGATION (Interviews & Searches)

Under Needham School Committee policy, school administrators have the authority, as deemed necessary, to interview students regarding matters that are relevant to the school environment. In addition, school administrators may search students and their personal belongings on school property when the

administrator has a reasonable basis for believing that the search will produce evidence that the student has violated a school rule or a state or federal law.

Lockers, desks, and similar areas assigned to students remain the property of the school and are therefore subject to inspection by the school administration at any time.

DISCRIMINATION/HARASSMENT GRIEVANCE PROCEDURES

The Needham Public Schools does not discriminate against students, parents/guardians, employees, or the general public based on race, color, sex, homeless status, gender identity, religion, national origin, sexual orientation, disability, or age. Discrimination or harassment by administrators, teachers, certified and support personnel, students, vendors and other individuals at school or at school-sponsored events is unlawful and is strictly prohibited. The Needham Public Schools requires all employees and students to conduct themselves in an appropriate manner with respect to their fellow employees, students, and all members of the school community.

This Grievance Procedure is adopted to assist school staff in responding to claims of discrimination and/or harassment based on race, color, sex, homeless status, gender identity, religion, national origin, sexual orientation, disability, or age, including those claims brought under to Title VI of the Civil Rights Act of 1964 ("Title VI"), Title VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, M.G.L c. 76, § 5; M.G.L. c. 151B and 151C; and 603 C.M.R. § 26.00 and the Age Act, provided that claims of sexual harassment that fall within the parameters of Title IX will be processed under the District's Title IX Grievance Procedure. This policy applies to all students, and staff, as well as members of the general public.

Definitions

For the purposes of this procedure:

- A. A "Complaint" is defined as an allegation that a student, employee or other individual has been discriminated against or harassed on the basis of race, color, sex, homeless status, gender identity, religion, national origin, sexual orientation, disability, or age.
- B. "Discrimination" means discrimination or harassment on the basis of race, color, sex, homeless status, gender identity, religion, national origin, sexual orientation, disability, or age by which an individual is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any program or activity of the school.
- C. "Harassment" means unwelcome conduct on the basis of race, color, sex, homeless status, gender identity, religion, national origin, sexual orientation, disability, or age that is sufficiently severe, persistent or pervasive to create a hostile environment for the individual at school. Harassment may include insults, name-calling, off-color jokes, threats, comments, innuendoes, notes, display of pictures or symbols, gestures, or other conduct which rises to the level of a hostile environment.
- D. "Sexual Harassment" means unwelcome, sexually offensive, or gender-based conduct which is sufficiently severe, persistent, or pervasive to create a hostile environment for the individual at school. Specifically, under regulations promulgated under Title IX, sexual harassment includes three types of misconduct:
 - 1. Any instance of "quid pro quo" conduct (conditioning an educational benefit or service upon a person's participation in unwelcome sexual conduct.) by an employee.

2. Any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it denies a person equal educational access.
3. Any instance of sexual assault, dating violence, domestic violence or stalking (all as defined by federal laws.)

Additionally, under M.G.L. c. 151C, § 1, the term “sexual harassment” may also include, but is not limited to, sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (i) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of the provision of the benefits, privileges or placement services or as a basis for the evaluation of academic achievement; or (ii) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual’s education by creating an intimidating, hostile, humiliating or sexually offensive educational environment. Under M.G.L. c. 151B, § 1, the term “sexual harassment” shall mean sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (i) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; or (ii) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual’s work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment.

When determining whether an environment is hostile, the school district examines the context, nature, frequency, and location of the sexual or gender-based incidents, as well as the identity, number, and relationships of the persons involved. The school district must consider whether the alleged harassment was sufficient to have created such an environment for a reasonable person of the same age, gender, and experience as the alleged victim, and under similar circumstances.

Harassment and Retaliation Prohibited

Harassment in any form or for any reason is absolutely forbidden. This includes harassment by administrators, certified and support personnel, students, vendors and other individuals in school (1) on school grounds, (2) at school related events and (3) at all locations and events where the district exercises substantial control of the context of the harassment and the person accused of it. The District will also address circumstances in which conduct took place in other locations but may nevertheless have a significant impact on the school environment, with the understanding that such circumstances do not fall within the parameters of Title IX. Retaliation against any individual who has brought harassment or other inappropriate behavior to the attention of school officials or who has cooperated in an investigation of a complaint under this policy is unlawful and will not be tolerated by the Needham Public Schools.

Persons who engage in harassment or retaliation may be subject to disciplinary action, including, but not limited to reprimand, suspension, termination/expulsion, or other sanctions as determined by the school administration and/or School Committee, subject to applicable procedural requirements.

How to make a complaint

- A. Any student, employee, or other individuals who believe that they have been discriminated against or harassed should report their concern promptly to the school principal, or to the District’s Civil Rights Coordinator. If the school principal receives the report, they will notify the Civil Rights Coordinator of the Complaint. Students, employees, or other individuals who are unsure whether discrimination or harassment has occurred are encouraged to discuss the situation with the school principal.

The District's Civil Rights Coordinators are:

For employees:	Alexandra McNeil Assistant Superintendent for Human Resources Alexandra_mcneil@needham.k12.ma.us 781-455-0400 x11208
For students and families:	Mary Lammi Assistant Superintendent for Student Support Services Mary_lammi@needham.k12.ma.us 781-455-0400 x11213

- B. All employees of the Needham Public Schools including, but not limited to principals, teachers, school counselors, coaches, paraprofessionals, school bus drivers, administrative assistants, custodians, and food service staff who observe harassment or who receive a report of harassment relating to a student or another staff member are required to immediately report such conduct. All employees must recognize that under the Title IX regulations, the District is deemed to have actual knowledge of an alleged incident of sexual harassment (and must thus address it) when any employee has knowledge of such conduct. Thus, all employees who have knowledge of sexual harassment must report it and do not have the option of ignoring it. Parents/guardians and other adults are also encouraged to report any concerns about possible discrimination or harassment of students, employees, or other individuals which have allegedly occurred on school grounds, at school-related events, or actions that occurred outside of school but possibly create a hostile environment for a student or employee while they are at school.
- C. Students, employees, and other individuals are encouraged to utilize the District's Complaint Procedure. However, individuals are hereby notified that they also have the right to report complaints to: The United States Department of Education; Office for Civil Rights, 5 Post Office Square, 8th Floor; Boston, Massachusetts 02110-1491, Telephone: (617) 289-0111, Fax: 617-289-0150, TDD: 877-521-2172; or Program Quality Assurance Services, Massachusetts Department of Elementary and Secondary Education, 75 Pleasant Street, Malden, MA 02148-4906, Telephone: 781-338-3700, TTY: N.E.T. Relay: 1-800-439-2370, FAX: 781-338-3710. Employees also have the right to seek a remedy at any time at the Equal Employment Opportunity Commission (EEOC), JFK Federal Building, 15 New Sudbury Street, Room 475, Boston, MA 02203-0506; 1-800-669-4000 or 1-800-669-6820 (TTY) and the Massachusetts Commission Against Discrimination (MCAD) at One Ashburton Place, Suite 601, Boston, MA 02018; 617-994-6000 or 617-994-6196(TTY), mass.gov/orgs/massachusetts-commission-against-discrimination.

Complaint Handling and Investigation

- A. The school principal or designee shall promptly inform the relevant Civil Rights Coordinator and the person(s) who is the subject of the Complaint that a Complaint has been received.
- B. After notifying the appropriate Civil Rights Coordinator, the school principal or designee may pursue an informal resolution of the Complaint with the agreement of the parties involved. Informal resolution is optional, and the Complainant may elect to proceed according to the formal resolution procedure at any time prior to the completion of the informal resolution.

- C. Under the formal resolution procedure, the Complaint will be investigated by the school principal or other individual designated by the school principal or Civil Rights Coordinator. Any Complaint about an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. Any Complaint about the Superintendent should be submitted to the School Committee Chair, who will consult with legal counsel concerning handling the investigation of the Complaint.
1. The Complainant shall have the opportunity to identify witnesses and other relevant evidence to the investigator.
 2. The person who is the subject of the Complaint will be provided with an opportunity to be heard as part of the investigation including the opportunity to provide relevant information and identify witnesses for the investigator's consideration.
 3. The privacy rights of all parties to the Complaint shall be maintained in accordance with applicable state and federal laws.
 4. The investigator will keep a written record of the investigation process.
 5. The investigator may take interim remedial measures to reduce the risk of further discrimination or harassment while the investigation is pending.
 6. The investigation shall be completed within fifteen (15) school days of the date of the receipt of the Complaint.
 7. The investigator may extend the investigation period beyond fifteen (15) school days because of extenuating circumstances, including but not limited to availability and cooperation of witnesses, the complexity of the investigation, school vacation periods, and the involvement of law enforcement and other outside agencies investigations. If the investigator extends the investigation, he or she will notify the Complainant of the extension.
 8. If a complaint or report of discrimination or harassment is received after June 1 of a given school year, the investigator will attempt to complete the investigation by the end of the school year. In the event that the investigation extends beyond the last day of school, the District will make reasonable efforts to complete the investigation within the above-referenced time frame but may extend the investigation period to account for the availability of witnesses during the summer vacation period. If the investigator extends the investigation, they will notify the Complainant of the extension and make reasonable efforts to interview the witnesses during the summer vacation period.
 9. Nothing in this procedure will preclude the investigator, in their discretion, from completing the investigation sooner than the fifteen (15) school days described above.
- D. If the investigator determines that discrimination or harassment has occurred, they shall take steps to eliminate the discriminatory hostile environment, which may include but is not limited to:
1. Determining what disciplinary action should be taken against the person(s) who engaged in discrimination or harassment if any;
 2. Determining what steps are necessary to prevent recurrence of any discriminatory behavior, including but not limited to harassment, and to correct its discriminatory effects if appropriate; and
 3. Informing the Complainant and the person(s) who was the subject of the Complaint of the results of the investigation (in accordance with applicable state and federal privacy laws)

within twenty (20) school days of receipt of the Complaint, unless the investigation is extended under the provision described above.

- E. If the Complainant or, in the case of a student, the student's parents/guardians, are dissatisfied with the results of the investigation, an appeal may be made to the appropriate Civil Rights Coordinator within ten (10) school days after receiving notice of the outcome of the investigation. In the appeal, the appellant should identify any specific alleged factual or legal errors and explain why the errors should result in a different conclusion. The Civil Rights Coordinator shall review the investigation and may conduct further investigation if deemed appropriate. Within seven (7) school days of receipt of any such appeal, the Civil Rights Coordinator shall decide whether or not to reopen the investigation, uphold the principal or designee's determination, or reverse the principal or designee's determination. The Civil Rights Coordinator shall provide written notification of that determination to both the Complainant and the accused. The Civil Rights Coordinator's decision shall be final, subject to further appeal to the Superintendent.
- F. If the Complainant or, in the case of a student, the student's parents/guardians, are dissatisfied with the decision of the Civil Rights Coordinator, an appeal may be submitted to the Superintendent within seven (7) calendar days after receiving notice of the Civil Rights Coordinator's decision. The Superintendent will consider the appeal. The Superintendent's decision shall be final.

TITLE IX GRIEVANCE PROCEDURES

The Needham Public Schools ("District") will promptly respond to all reports alleging sexual harassment as defined by Title IX regulations. The District will ensure a fair and equitable resolution and will provide supportive measures to both the alleged victim and the respondent. If sexual harassment is found to have occurred, the District will take steps to prevent recurrence and to provide remedies designed to restore or preserve equal access to the District's programs.

The Title IX Coordinator ("Coordinator") is responsible for ensuring the District's compliance with Title IX and this Grievance Process. The Coordinator's contact information is as follows:

For employees:

Alexandra Montes McNeil, Assistant Superintendent for Human Resources
781-455-0400 x 11208
alex_mcneil@needham.k12.ma.us
1330 Highland Avenue
Needham, MA 02492

For Students and Families:

Director of Guidance
781-455-0800 x 22130
609 Webster Street
Needham, MA 02494

Principals also serve in the role of Title IX Coordinator

Process Before the Filing of a Formal Complaint

Any District employee who has knowledge of an allegation of sexual harassment must inform the Title IX Coordinator or the Building Principal (who shall take responsibility for notifying the Title IX Coordinator). The employee's knowledge may be based upon personal observation or upon a report from the alleged victim or from anyone else.

Once the Title IX Coordinator learns of an allegation of sexual harassment, the Coordinator will contact the alleged victim ("the Complainant") to gather preliminary information and describe the Complainant's right to file a "Formal Complaint" against the alleged perpetrator ("the Respondent"). The Coordinator will discuss and offer "Supportive Measures" and will explain that they are available whether or not the Complainant files a Formal Complaint.

A "Formal Complaint" is a document filed by the Complainant alleging sexual harassment against a respondent and requesting that Needham Public Schools initiate the Grievance Process. Formal Complaints may be filed with the Title IX Coordinator in person, by mail, or electronic mail. If a Formal Complaint is dismissed because the alleged events do not fall within the parameters of Title IX, the District will promptly notify the parties of its dismissal and the reasons therefor. When the Complainant chooses not to file a Formal Complaint, the Coordinator may elect to do so, particularly when the Coordinator deems that an investigation and potential sanctions are necessary to address safety or similar concerns within the District. If electing to override a Complainant's decision, the Coordinator must document the reasons in writing.

"Supportive Measures" are non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the Complainant or the Respondent. They may be provided before or after the filing of a Formal Complaint or where no Formal Complaint is filed. Such measures are designed to restore or preserve equal access to the District's education and activities, including measures designed to protect the safety of all or the educational environment or to deter sexual harassment. The District will maintain the confidentiality of any Supportive Measures to the extent possible. Examples of supportive measures include, but are not limited to the following: counseling, deadline extensions, course adjustments, work or schedule modifications, and increased security.

Process After the Filing of a Formal Complaint

Once the Formal Complaint is filed, the Grievance Process begins. The District will provide the Complainant and Respondent with written notice of the allegations and information about the Grievance Process. This written notice will include details of the specific allegations including (if known) the individuals involved, the alleged conduct, and its date and location. The notice must include a statement that the Respondent is presumed not responsible for the alleged conduct and that a determination of responsibility is to be made at the conclusion of the Grievance Process. The parties will be informed of the right to have an advisor of their choice (who may be, but is not required to be, an attorney) who may accompany them at any point during the process. Each party will also be informed of his/her right to inspect and review evidence that is gathered. The parties will also be reminded of the school's prohibition against knowingly making false statements during this process and of the District's policy prohibiting retaliation against anyone who participates in the Grievance Process.

After the Formal Complaint is filed and the parties have been advised of their rights, the Title IX Coordinator will offer the parties the option of participating in an informal resolution process if appropriate. Before beginning an informal resolution process, the District will obtain written consent from the Complainant and Respondent. A Facilitator assigned by the Coordinator will conduct a mediation. If a resolution is reached, the Facilitator will maintain the result in writing, and no further action need be taken. As the process is entirely voluntary, either party may withdraw from the informal resolution process at any time.

If either party declines informal resolution, or in the event, no agreement is reached, the Grievance Process will resume. The Coordinator will assign an “Investigator” and a separate “Decision-Maker.” In the event of an appeal, a separate Appeal Office must also be appointed. All individuals involved in processing a Formal Complaint must be free of bias and conflict of interest and must receive training regarding this policy and their respective roles.

The Investigator will complete an investigation into the Formal Complaint. Both the Complainant and Respondent will have an equal opportunity to present witnesses and other evidence. Prior to any interviews with a witness, the Investigator will provide the witness with notice of the date, time, location, participants, and sufficient time to prepare for that interview. Both parties will have an equal opportunity to examine and inspect evidence. At the conclusion of the investigation, the Investigator will create an initial Investigative Report that summarizes the relevant evidence and will send it simultaneously to each party and the party’s Advisor. The parties will have 10 days to review and respond to the report if they so choose. After considering any response, the Investigator will then finalize the Investigative Report and provide a copy to each party, his/her Advisor, and to the Decision-Maker.

The Decision-Maker will afford each party the opportunity (1) to submit written, relevant questions that a party wishes to ask of any party or witness, (2) to provide answers, and (3) to submit additional, limited follow-up questions. The Decision-Maker must provide an explanation in the event they excludes a question as not relevant.

In addition, or in the alternative, the District has the discretion (and is not required) to conduct a live hearing as part of the Grievance Process. At such a hearing, the Decision-Maker will permit each party’s Advisor to ask the other party and any witnesses relevant questions. If a party does not have an Advisor for the hearing, the District will provide one at no cost. Upon the request of the Complainant or Respondent, the District will utilize technology to separate the parties during the hearing process. If a party or witness does not submit to cross-examination at the live hearing, the Decision-Maker will not consider any statement of that party or witness in determining responsibility.

Following the written or live hearing process, the Decision-Maker will issue simultaneously to both parties a written decision as to whether Respondent engaged in Sexual Harassment, using a preponderance of the evidence standard. The report must include a description of the allegations, the procedural steps followed in the grievance process, a finding of facts, the conclusions reached, and the rationale, therefore, and if applicable, any discipline imposed (subject to applicable procedures). If applicable, the Decision-Maker will also include remedies designed to restore or preserve equal access to education and activities within the District.

Appeal

Both the Complainant and Respondent shall have the right to appeal the decision by notifying the Title IX Coordinator in writing within 10 business days of receiving the decision. The District will provide written notice of the appeal to the other party. The grounds for appeal are limited to: Procedural irregularity, new evidence that was not reasonably available at the time of the determination or dismissal, or an alleged conflict of interest. Both parties shall have an opportunity to provide a written statement supporting their position on Appeal. The Appeal shall be reviewed by a person who is not the original Facilitator, Investigator, Decision-Maker, or Title IX Coordinator. The Appeal Officer shall issue simultaneously to the parties a written decision and rationale, therefore.

Records

The District will maintain for seven years a record of the alleged conduct and of any actions taken, including supportive measures provided and the basis for the District’s conclusion with respect to the alleged conduct.

BULLYING PREVENTION AND INTERVENTION

Bullying, cyberbullying, and retaliation will not be tolerated in the Needham Public Schools. This includes forms of bullying that involve Needham students either on campus, on buses, or anywhere on school grounds or while engaged in school-sponsored events or activities. While it is recognized that we have an obligation to our students and school community to respond effectively to all bullying that happens while school is in session, personnel will also make every reasonable attempt to intervene with situations where bullying might happen outside of school, but the ramifications are brought into the school building.

In addition, Needham Public Schools will not tolerate retaliation against any individual who has brought harassment, bullying, and/or other inappropriate behavior to the attention of the school. Persons who engage in such behavior may be subject to disciplinary action including, but not limited to: reprimand, suspension, expulsion, or other sanctions as determined by the school administration to be appropriate.

Further, the Needham Public Schools recognizes that students may be more vulnerable to bullying based upon actual or perceived differences related to race, color, religion, ancestry, national origin, sex, socio-economic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parents/guardians status, sexual orientation, mental, physical developmental or sensory disability or by associations with other people who have one or more of these characteristics. Needham Public Schools will provide support to students whose vulnerability is brought to the attention of a teacher, guidance counselor, or administrator through observation or direct report from a student, staff member, or parents/guardians. This support may be in the form of counseling, education to support both the student's ability to report bullying and their skills, knowledge and strategies to respond to bullying or harassment.

Preventing and reducing bullying will be addressed in the following ways:

- By establishing a school-wide culture where bullying is not acceptable and where students recognize that helping students who are bullied is the right thing to do
- By training staff in the identification of bullying, prevention, and intervention techniques for bullying
- By providing time in the classroom for teachers to focus on bullying prevention so that they can provide tools for students
- By establishing and enforcing school rules and policies related to bullying

A. Definitions

Aggressor is a student or a member of school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity, or paraprofessional who engages in bullying, cyberbullying, or retaliation.

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

- a. causes physical or emotional harm to the target or damage to the target's property;
- b. places the target in reasonable fear of harm to himself or of damage to his property;
- c. creates a hostile environment at school for the target;
- d. infringes on the rights of the target at school, or
- e. materially and substantially disrupts the education process or the orderly operation of a school.

Bullying may include conduct such as physical intimidation or assault, including intimidating an individual into taking an action against their will; oral or written threats; teasing; putdowns; name-calling; stalking; threatening looks, gestures, or actions; cruel rumors; false accusations; and social isolation.

Cyber-bullying, as defined in M.G.L. c.71, s. 37O is bullying through the use of technology or any electronic communication, which shall include, but not be limited to, any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications. Cyber-bullying also includes:

- i. the creation of a web page or blog in which the creator assumes the identity of another person;
- ii. the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated above in clauses (i) to (v), inclusive, of the definition of bullying; and
- iii. the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated above in clauses (i) to (v), inclusive, of the definition of bullying.

Cyber-bullying may include conduct such as sending derogatory, harassing, or threatening email messages, instant messages, or text messages; creating websites that ridicule, humiliate, or intimidate others; and posting on websites or disseminating embarrassing or inappropriate pictures or images of others.

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

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

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

B. Bullying and Retaliation Are Prohibited and Will Lead to Discipline

The Needham Public Schools absolutely prohibits bullying, cyber-bullying, and retaliation as defined above. Students who engage in bullying or retaliation will be subject to disciplinary action, however, such disciplinary action must balance the need for accountability with the need to teach appropriate behavior. The range of disciplinary action for students includes, but is not limited to, one or more of the following: verbal warnings, written warnings, reprimands, detentions, short-term or long-term suspensions, or expulsions from school as determined by the school administration and/or school committee. Staff who engage in bullying or retaliation will be subject to disciplinary action, based upon appropriate standards and expectations in light of the staff member's role and responsibilities. All discipline is subject to applicable procedural requirements. Nothing in this policy is intended to prevent the school administration and/or school committee from taking disciplinary action against a student for conduct that does not meet the definition of bullying or cyberbullying, as defined above, but nevertheless is inappropriate for the school environment.

C. Reporting Obligations

Reporting by Staff: A member of school staff, including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional, shall immediately report any instance of bullying or retaliation they witnessed or become aware of to the school principal or designee.

Reporting by Students, parents/guardians, and Others: The district expects students, parents/guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to

report it to the school principal or designee. An individual may make an anonymous report of bullying or retaliation, however, no disciplinary action may be taken against a student solely on the basis of an anonymous report. A student who knowingly makes a false accusation of bullying or retaliation shall be subject to disciplinary action.

Reporting to the Superintendent: A staff member, parents/guardians, student or others who witness or become aware of conduct by the principal or assistant principal that may be bullying or retaliation are expected to report it to the Superintendent or designee, who shall then be responsible for taking steps otherwise assigned to the principal under this Policy.

Reporting to School Committee: If the Superintendent is the alleged aggressor, the School Committee or its designee shall be responsible for investigating the report, and other steps necessary to address the safety of the alleged victim.

Reporting to parents/guardians: Upon determining that bullying or retaliation has occurred, the principal or designee will notify the parents/guardians of the target and of the aggressor of this finding, and of the school's procedures for responding to it. If the alleged target and alleged aggressor attend different schools, the principal receiving the report shall inform the principal of the other student's school, who shall notify the student's parents/guardians of the report and procedures.

Reporting to Local Law Enforcement: At any point after receipt of a report of bullying or retaliation, or during or after an investigation, if the school principal or designee has a reasonable basis to believe that the incident may involve criminal conduct, the school principal or designee will notify the local law enforcement agency. In addition, if an incident of bullying or retaliation occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in a local school district, charter school, non-public school, approved private day or residential school, or collaborative school, the Superintendent of the Needham Public Schools or designee will notify local law enforcement if they believe that criminal charges may be pursued.

Reporting to Administrator of another School District or School: If an incident of bullying or retaliation involves students from more than one school district, charter school, non-public school, approved private day or residential school or collaborative school and the Needham Public Schools is the first to be informed of the bullying or retaliation, then the Superintendent of the Needham Public Schools or designee must, consistent with state and federal law, promptly notify the appropriate administrator of the other school district or school so that both may take appropriate action.

D. Investigation

The school principal or designee shall investigate promptly a report of bullying or retaliation, giving consideration to all the circumstances at hand, including the nature of the allegations and the ages of the students involved. The following are general guidelines for responding to a report of bullying or retaliation. The guidelines will be adapted as necessary to respond appropriately to the complaint.

Pre-Investigation: Even before fully investigating allegations of bullying or retaliation, school personnel will consider whether there is a need to take immediate steps to support the alleged target and/or protect the alleged target from further potential incidents of concern. In taking any such action, however, the rights of both the alleged target and alleged aggressor must be considered.

Written statement of the complaint: The investigator will seek to determine the basis of the complaint, gathering information from the complainant, including such matters as: what specifically happened, who committed the alleged acts, who was present or may have information about the events, when the events occurred (date, time of day), and where the events occurred.

It is helpful to have these facts in writing. If age-appropriate, the complainant may be asked to put the

complaint in writing and to sign and date it. If the complainant cannot or chooses not to write a complaint, the investigator will record the allegations, read them to the complainant to confirm the accuracy and ask the complainant to sign the document. If the complainant cannot or chooses not to sign, the investigator may sign and date the document themselves.

Interviews: Once the allegations of the complainant are established, the investigator will gather other evidence, which often involves interviews of the alleged aggressor and/or other witnesses. If appropriate, the investigator should remind the alleged aggressor and witnesses that retaliation against persons whom they believe might have reported the incidents or cooperated with the investigation is strictly prohibited and will result in disciplinary action.

Confidentiality:

The confidentiality of the complainant and the other witnesses will be maintained to the extent practicable given the school's obligation to investigate and address the matter.

E. Determination

School personnel must weigh all of the evidence objectively to determine whether the alleged events occurred and, if they did, whether the events constitute bullying or retaliation. The determination must be based upon all of the facts and circumstances and the perspective of a reasonable person. When applied to children, the "reasonable person" standard is generally "that of a reasonable person of like age, intelligence, and experience under like circumstances." See *Ellison v. Brady*, 924 F.2d 872 (9th Cir. 1991).

If bullying or retaliation is substantiated, the school will take steps reasonably calculated to prevent recurrence and ensure that the target is not restricted in participating in school or in benefiting from school activities. As with the investigation, the response will be individually tailored to all of the circumstances, including the nature of the conduct and the age of the students involved. In addition to taking disciplinary action, the following are examples of steps that may be taken to prevent the recurrence of bullying or retaliation where appropriate:

- Holding parents/guardians conferences;
- Enhancing adult supervision on school premises
- Limiting or denying students access to a part, or area, of a school
- Excluding from participation in school-sponsored or school-related functions, after-school programs, and/or extracurricular activities
- Providing relevant educational activities for individual students or groups of students. Guidance counselors and others in the school setting who have been trained in working with students on interpersonal issues may be helpful in providing such programs
- Personalized Action Plan and directives for future conduct, including providing the target with a process for reporting any concerns about future conduct immediately. It is critical to involve the student in creating an action plan that involves a reporting process that works for that particular student
- Arranging for communication between the parties, if appropriate, to assist them in resolving issues that have arisen between them. (Such an approach will be used cautiously since communication can sometimes exacerbate, rather than alleviate, the target's concerns and since the conduct often involves an imbalance of power.)
- Providing counseling (or other appropriate services) or referral to such services for the target and/or the student aggressor and/or for appropriate family members of said students
- Transferring student's classroom or school

F. Notice of Investigative Findings

Upon determining that bullying or retaliation has occurred, the principal or designee will promptly notify parents/guardians of the target and aggressor of this, and of the procedures for responding to it. While prior notice of an investigation shall not be required, the principal shall not be precluded from notifying the parents/guardians of a target or aggressor prior to completion of the principal's investigation. This communication will be done in the primary language of the home.

In notifying the parents/guardians of a target or aggressor of an investigation or the principal's findings thereon, the principal shall maintain the privacy and confidentiality of any individual or child who is not the child of the parents/guardians to whom the notice is provided. The principal shall ensure that any notice to the parents/guardians complies with applicable state regulations including, but not limited to, 603 CMR 49.00, and shall not report specific information to the target's parents/guardians about the disciplinary action taken against an aggressor unless it involves a "stay away" order or other directives that the target must be aware of in order to report violations.

The notice to the parents/guardians of the victim shall include information about the Massachusetts Department of Elementary and Secondary Education's ("DESE") problem resolution system and the process for seeking assistance or filing a claim through the problem resolution system. The parents/guardians of the victim should be provided the following contact information: Program Quality Assurance Services, Massachusetts Department of Elementary and Secondary Education, 75 Pleasant Street, Malden, MA 02148-4906, Telephone: 781-338-3700; TTY: N.E.T. Relay: 1-800-439-2370.

Please see School Committee Policy JCFC Bullying for full statement on the district's policy regarding bullying and cyber-bullying.

RESPONSIBLE USE OF DIGITAL RESOURCES

Students and their parent/guardian are required to sign and submit an acknowledgment that they together have reviewed the Responsible Use of Digital Resources Policy and agree that the student will comply with its terms.

Student email

Needham Public Schools may provide students with an email account. Email can be a powerful communication tool for students to increase communication and collaboration. Email is intended to be used for school and educational purposes only. Teachers may send emails to middle and high school students to communicate reminders, course content, pose questions related to classwork, or for other reasons. Students may send emails to their teachers with questions or comments regarding class. Students may send emails to other students to collaborate on group projects and assist with school classes.

Student Roles and Responsibilities

Our network systems provide access to educational resources. The destruction, vandalism, hacking, or damaging of data, networks, hardware, software, and backend systems, or disruption of this or other resources used by NPS are prohibited.

- Resources must be used in a manner consistent with the mission of NPS
- Network and account security is the responsibility of all members of the NPS community. Any security risks should be reported to a teacher or network administrator
- Students will not use the internet or any technology resource to perform any act that can be construed as illegal or unethical
- Students will immediately report any suspicious or unusual activity to the supervising teacher or other appropriate staff member
- Computers not owned and managed by NPS must use the public guest NPS network
- Devices, including student-owned devices, that disrupt the educational process or operation of the

NPS are prohibited and will be removed. Such devices may be held and searched.

- Students will not deliberately damage any of the District's systems or cause the loss of other users' work
- Students will not override or encourage others to override any firewalls, desktop management or security measures established on the network.

Respect and protect the intellectual property of others

- Users must respect others' privacy and intellectual property. Any traffic from this network that traverses another network is also subject to that networks' acceptable use policy (AUP)
- Students are responsible for citing sources and giving credit to authors during the research process. All communication and information accessible via the network should be assumed to be private property
- Users have a right to be informed about the personal information that is being or has been, collected about them, and to review this information.

Safety and privacy of self and others

All users are expected to adhere to principles of safety and privacy.

- Students will not share passwords
- Students will login to their own accounts, not accounts belonging to someone else
- Students will not view, use, or copy passwords, data, or access networks to which they are not authorized
- Students will not capture, record, or distribute audio, video, or pictures of any school activity without permission from the staff and students involved.
- Students will not distribute private information (e.g. address, phone number, etc.) about themselves or others without permission, and only as necessary and specifically related to the educational process.
- Students will not pretend to be someone else online.
- Students will not agree to meet with someone they have met online without the approval or participation of a parent or guardian or teacher

Respect and practice the principles of community

Students are expected to be courteous and to use appropriate language and will communicate only in ways that are kind and respectful.

- Students will report threatening or discomfoting materials to a teacher or trusted adult
- Students will not access, transmit, copy, or create material that violates the school's code of conduct (such as messages that violate the prohibitions against bullying and harassment, including sexual harassment).
- Students will not access, transmit, copy, or create material that is illegal (such as obscenity, pornography, stolen materials, or illegal copies of copyrighted works).
- Students will not use NPS resources to further other acts that are criminal or violate the school's code of conduct.
- Students will not send spam, chain letters, or other mass unsolicited mailings
- Students will not buy, sell, advertise, or otherwise conduct business unless approved as a school project.

Violation of any portion of the Student Responsible Use of Digital Resources policy may result in not only revocation of the privilege of using IT, but also in disciplinary action, up to and including suspension from school. In addition, legal action may be taken for conduct that is unlawful.

Notification of Student Access to Digital Tools

In addition to Google Workspace for Education and PowerSchool, there will be a number of digital resources that teachers may use as educational tools. This is our notice to you that your child may have access to digital tools such as apps and websites. These tools will be vetted regarding the educational value, age-appropriate content, and student data privacy. We are members of the Massachusetts Student Privacy Alliance, and through our affiliation with that organization, have signed privacy agreements with companies that represent many of the digital tools that we use. Such tools will typically be accessed

through your student's Needham Google Account, using their Google ID and Password. A complete list of our vetted and adopted digital tools can be found at [NPS Media and Digital Learning](#)

Please see School Committee Policy IJNDB-2 for full statement on the district's policy regarding Student Responsible Use of Digital Resources

SCHOOL DISCIPLINE

PROCEDURES FOR SUSPENSION & EXPULSION

GENERAL INFORMATION REGARDING SUSPENSION

Any student who is suspended from school will be given the opportunity to make up school work as needed to make academic progress. If the student is excluded from school for more than ten (10) consecutive days the student will have an opportunity to receive education services in order to make academic progress through the school-wide education service plan.

Except in the case of Statutory Offenses described later in this handbook, students may not be suspended for more than 90 days in a school year and school staff will avoid suspensions of more than 10 days until alternatives such as positive behavioral interventions and supports have been tried as appropriate.

If a student in preschool or in grades K through 3 is to be suspended, the principal will provide written notice to the superintendent and explain the reasons for imposing an out-of-school suspension, before the suspension takes effect.

DUE PROCESS: PROCEDURES FOR SUSPENSION FOR CONDUCT OTHER THAN STATUTORY OFFENSES (M.G.L. c. 71, § 37H3/4)

A. In-School Suspension For Less Than 10 Cumulative Days During A School Year

An in-school suspension is a removal of a student from regular classroom activities, but not from the school premises.

The principal may use in-school suspension as an alternative to short-term suspension for disciplinary offenses. The procedure for an in-school suspension of no more than (10) school days (consecutive or cumulatively for multiple infractions during the school year) will be as follows:

1. The administrator will inform the student of the disciplinary offense charged, the basis for the charge, and provide the student an opportunity to respond. If the administrator determines that the student committed the disciplinary offense, the administrator will inform the student of the length of the student's in-school suspension, which may not exceed 10 days, cumulatively or consecutively, in a school year.
2. On the same day as the in-school suspension decision, the administrator will make reasonable efforts to notify the parents/guardians orally of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension. The administrator will also invite the parents/guardians to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. Such a meeting will be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the administrator is unable to reach the parents/guardians after making and documenting at least (2) attempts to do so, such attempts will constitute reasonable efforts for purposes of orally informing the parents/guardians of the in-school suspension.
3. The administrator will send written notice to the student and parents/guardians about the in-school suspension, including the reason and the length of the in-school suspension, and invite the parents/guardians to a meeting with the administrator to discuss the student's academic performance and behavior, strategies for student engagement and possible response to the behavior. Such a

meeting will be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the administrator is unable to reach the parents/guardians after making and documenting at least (2) attempts to do so, such attempts shall constitute reasonable efforts for purposes of orally informing the parents/guardians of the in-school suspension.

4. The administrator will send written notice to the student and parents/guardians about the in-school suspension, including the reason and the length of the in-school suspension, and inviting the parents/guardians to a meeting with the principal for the purpose set forth above, if such meeting has not already occurred. The administrator will deliver such notice on the day of the suspension by hand-delivery, certified mail, first-class mail, email to an address provided by the parents/guardians for school communications, or by other methods of delivery agreed to by the administrator and the parents/guardians.

An in-school suspension of more than 10 cumulative days in a school year will be subject to the procedures for long-term suspension (see section C).

B. Procedures For Short-Term, Out-Of-School Suspensions (10 Cumulative Days Or Less In A School Year)

Except in the case of an Emergency Removal (see section D) prior to imposing a short-term out-of-school suspension **(10 days or less in a school year) an administrator will** provide the student and their parents/guardians oral and written notice and an opportunity to participate in an informal hearing.

1. **Notice:** The written notice to the student and the parents/guardians will be in English and in the primary language of the home if other than English or other means of communication where appropriate and will include the following:
 - a) the disciplinary offense;
 - b) the basis for the charge;
 - c) the potential consequences, including the potential length of the student's suspension;
 - d) the opportunity for the student to have a hearing with the administrator concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident, and for the parents/guardians to attend the hearing;
 - e) the date, time, and location of the hearing;
 - f) the right of the student and the student's parents/guardians to interpreter services at the hearing if needed to participate;

Written notice to the parents/guardians may be made by hand delivery, first-class mail, certified mail, email to an address provided by the parents/guardians for school communications, or any other method of delivery agreed to by the school and parents/guardians.

2. **Efforts to Involve parents/guardians:** The administrator will make reasonable efforts to include the parents/guardians in the hearing. To conduct a hearing without the parents/guardians present, the administrator must be able to document reasonable efforts to include the parents/guardians. The administrator is presumed to have made reasonable efforts if the administrator has sent written notice and has documented at least two (2) attempts to contact the parents/guardians in the manner specified by the parents/guardians for emergency notification.
3. **Format of Hearing:** The administrator will discuss the disciplinary offense, the basis for the charge, and any other pertinent information. The student also will have an opportunity to present information, including mitigating facts, that the administrator should consider in determining whether other remedies and consequences may be appropriate. The administrator will provide the parents/guardians, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the administrator should consider in determining consequences for the student.
4. **Decision:** The administrator will provide written notice to the student and parents/guardians of their determination and the reasons for it, and, if the student is suspended, the type and duration of the 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 notice of determination may be in the form of an update to the original written notice of hearing.

If the student is in preschool or grade K-3, the administrator will send a copy of the written determination to the Superintendent and Assistant Superintendent for Student Support Services and explain the reasons for imposing an out-of-school suspension before the short-term suspension takes effect.

C. Procedures For Long-Term Suspension

Except in the case of an Emergency Removal (see Section D) prior to imposing a long-term suspension **(more than 10 days of suspension, whether in-school or out-of-school, whether consecutive or cumulative for multiple offenses during a school year), an administrator will follow the procedures for short-term suspension plus additional** procedures as follows:

1. **Notice:** The notice will include all of the components for a short-term suspension in Section B above, plus the following:
 - a) In advance of the hearing, the opportunity to review the student's record and the documents upon which the administrator may rely in making a determination to suspend the student or not;
 - b) the right to be represented by counsel or a layperson of the student's choice, at the student's/parent's/guardian's expense;
 - c) 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;
 - d) the right to cross-examine witnesses presented by the school district;
 - e) the right to request that the hearing be recorded by the administrator and a copy of the audio recording provided to the student or parents/guardians upon request; and
 - f) the right to appeal the administrator's decision to impose long-term suspension to the superintendent.
2. **Format of Hearing:** The Hearing will afford the rights set forth in the notice above. The administrator will also provide the parents/guardians, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the administrator should consider in determining consequences for the student.
3. **Decision:** Based on the evidence, the administrator will determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to long-term suspension, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension. The administrator will send the written determination to the student and parents/guardians by hand-delivery, certified mail, first-class mail, email to an address provided by the parents/guardians for school communications, or any other method of delivery agreed to by the school and the parents/guardians. If the administrator decides to suspend the student on a long-term basis, the written determination will:
 1. Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing;
 2. Set out the key facts and conclusions reached;
 3. Identify the length and effective date of the suspension, as well as a date of return to school;
 4. Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school (if more than 10 cumulative days);
 5. Inform the student of the right to appeal the administrator's decision to the superintendent or designee. Notice of the right of appeal will be in English and the primary language of the home if other than English, or other means of communication where appropriate, and will include the following information stated in plain language:

- a) the process for appealing the decision, including that the student or parents/guardians must file a written notice of appeal with the superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parents/guardians may request and receive from the superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days; and that
- b) the long-term suspension will remain in effect unless and until the superintendent decides to reverse the administrator's determination on appeal.

No long-term suspension will last more than 90 school days in a school year nor extend beyond the end of the school year in which such suspension is imposed.

D. Exception For Emergency Removal

Notwithstanding the provisions for short or long-term suspension set forth above, a student who is charged with a disciplinary offense may be removed temporarily from school if 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 administrator's judgment, there is no alternative available to alleviate the danger or disruption.

The administrator will immediately notify the superintendent in writing of the removal and the reason for it, and describe the danger [or disruption] by the student.

The temporary removal will not exceed two (2) school days including the day of the emergency removal, during which time the administrator will provide the following, as applicable to the length of suspension:

- Make immediate and reasonable efforts to orally notify the student and the student's parents/guardians of the emergency removal, the reason for the need for emergency removal, and other applicable matters;
- Provide written notice to the student and parents/guardians as provided in Section B & C above, as applicable;
- Provide the student an opportunity for a hearing with the administrator, as applicable, and the parents/guardians an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for a hearing is otherwise agreed to by the administrator, student, and parents/guardians.
- Render a decision orally on the same day as the hearing, and in writing no later than the following school day.

An administrator may not remove a student from school on an emergency basis for a disciplinary offense until adequate provisions have been made for the student's safety and transportation.

E. Appeal To The Superintendent

If a decision by an administrator, following the parents/guardians meeting, results in suspension of a student for more than 10 cumulative school days for the school year, the student may appeal the decision to the superintendent. In order to do so, the student or parents/guardians must file a notice of appeal with the superintendent within five (5) calendar days with a seven (7) day postponement option. The superintendent must hold the hearing within three (3) school days of the student's request, unless the student or parents/guardians requests an extension of up to seven (7) additional calendar days. If the appeal is not filed within this time frame, the superintendent may deny the appeal, or may allow the appeal in his or her discretion, for good cause.

The following applies:

- The superintendent will make a good faith effort to include the parents/guardians in the hearing. The superintendent will 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 parents/guardians and superintendent to

participate. The superintendent will send written notice to the parents/guardians of the date, time, and location of the hearing.

- The superintendent will conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence will be. The superintendent will arrange for an audio recording of the hearing, a copy of which will be provided to the student or parents/guardians upon request. The superintendent will inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parents/guardians upon request.
- The student will have all the rights afforded the student at the administrator's hearing for long-term suspension as described in Section C above.
- The superintendent will issue a written decision within five (5) calendar days of the hearing which meets the requirements for a long-term suspension as described in Section C above. If the superintendent determines that the student committed the disciplinary offense, the superintendent may impose the same or a lesser consequence than the administrator, but will not impose a suspension greater than that imposed by the administrator's decision.

The decision of the superintendent constitutes the final decision of the school district.

Conduct Which May Lead To Expulsion (Statutory Offenses)

Students are subject to suspension/expulsion by the Principal for the conduct listed below, subject to the procedures set forth in M.G.L. ch. 71, § 37H.

- Possession of a dangerous weapon*
- Possession of a controlled substance (such as marijuana, cocaine, or prescription drugs not authorized by the school nurse)
- Assault on teachers, administrative staff or other educational personnel
- This includes not only knives and guns, explosive devices and realistic replicas of such weapons/devices, but also other objects used to assault another person or to otherwise create a dangerous situation, such as a baseball bat, a pair of scissors, matches or a lighter. While such objects would not always constitute "dangerous weapons", administrators and educational professionals will review the circumstances of each case and make a reasonable determination about whether a particular object in a student's possession constitutes a dangerous weapon in the school setting. Any illegal weapon will be turned over to the Police Department. Any student who brings a firearm to school must be expelled for a minimum of one school year, with exceptions granted only by the superintendent. (The definition of a firearm includes but is not limited to guns (including a starter gun), bombs, grenades, rockets, missiles, mines and similar devices.

Students are also subject to long-term suspension/expulsion by the Principal when charged/convicted of a felony based upon the standards and procedures set forth in M.G.L. c.71, §37H1/2 (see below).

Gun Free Policy

In accordance with the Gun-Free Schools Act of 1994, any student who is determined to have brought a firearm to school or to a school-related event will be excluded from Needham Public Schools for a period of not less than one year except as determined by the Superintendent on a case by case basis. The definition of a firearm includes but is not limited to guns (including a starter gun, bombs, grenades, rockets, missiles, mines, and similar devices). 20 U.S.C. S8921

STATUTORY OFFENSES: DUE PROCESS AND PROVISIONS OF LAW:

When considering the exclusion of a student from school for possession of a dangerous weapon, possession of a controlled substance (such as marijuana, cocaine, or prescription drugs not authorized by the school nurse), or assault on teachers, an administrator may place a student on short term suspension (ten days or less) based upon an informal hearing, to be followed by a formal hearing before the Principal within that period of suspension to determine whether to take additional disciplinary action, up to and including expulsion from school.

1. The informal hearing will be in the form of a conference between the student and the principal or designee. At this conference, the student (1) shall be informed of the reason for the conference, (2) shall be given the opportunity to present his or her side of the story, and (3) shall be given a decision on the suspension. If the administrator deems delay of the hearing necessary to avoid danger or substantial disruption, this process may occur immediately after, rather than before, the suspension.
2. Prior to putting a suspension into effect, the principal or designee shall make a reasonable effort to telephone and inform the student's parents/guardians of the impending suspension; this shall include attempts to contact the parents/guardians at home and at work. parents/guardians may contact the school for additional information regarding the suspension.
3. A letter will be mailed to the parents/guardians of the suspended student stating:
 - a. The reason for the suspension
 - b. A statement of the effective date and duration of the suspension
 - c. A statement regarding whether or not the Principal will schedule a formal hearing to consider further discipline, up to and including expulsion from school in accordance with M.G.L. c. 71, §37H

When considering a suspension/expulsion of a student charged with/convicted of a felony, the Principal will use the standards and procedures set forth in M.G.L. c.71, §37H1/2. In addition, prior to initiating such procedures, the Principal may meet informally with the student and/or his parents/guardians to review the charge and the applicable standards if the Principal deems appropriate.

STATUTE: CONTROLLED SUBSTANCES, DANGEROUS WEAPONS & ASSAULTS ON EDUCATIONAL PERSONNEL (MASS. GEN. LAWS, CHAPTER 71 SECTION 37H)

- a. Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but limited to, a gun or a knife; or a controlled substance as defined in chapter 94 C, including but not limited to, marijuana, cocaine, and heroin may be subject to expulsion from the school or school district by the Principal.
- b. Any student who assaults a principal, assistant principal, teacher, teacher's aide or other educational staff on school premises or at school-sponsored or school-related events, including athletic games, may be subject to expulsion from the school or school district by the principal.
- c. Any student who is charged with a violation of either paragraph a or b shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the Principal. After said hearing, a Principal may, in their discretion, decide to suspend rather than expel a student who has been determined by the Principal to have violated either paragraph a or b.
- d. Any student who has been expelled from a school district pursuant to these provisions shall have the right to appeal to the Superintendent. The expelled student shall have 10 days from the date of the expulsion in which to notify the Superintendent of his appeal. The student has the right to counsel at a hearing before the Superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section.
- e. Any school district that suspends or expels a student under this section shall continue to provide educational services to the student during the period of suspension or expulsion under section 21 of chapter 76. If the student moves to another district during the period of suspension or expulsion, the new district of residence shall either admit the student to the school or provide educational services to the student in an education service plan, under section 21 of chapter 76.

STATUTE: FELONY COMPLAINTS & FELONY CONVICTIONS (MASS GEN. LAWS, CHAPTER 71 SECTION 37H1/2)

Notwithstanding the provisions of section 84 and sections 16 and 17 on chapter 76;

1. Upon the issuance of a criminal complaint charging a student with a felony or upon the issuance of a felony delinquency complaint against a student, the Principal of a school in which the student is enrolled may suspend such student for a period of time determined appropriate by said Principal if said Principal determines that the student's continued presence in school would have

a substantially detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and the reasons for such suspension prior to such suspension taking effect. The student shall also receive written notification of their right to appeal and the process for appealing such suspension; provided, however, that such suspension shall remain in effect prior to any appeal hearing conducted by the Superintendent. The student shall have the right to appeal the suspension to the Superintendent. The student shall notify the Superintendent in writing of their request for an appeal no later than 5 calendar days following the effective date of the suspension. The Superintendent shall hold a hearing with the student and the student's parents/guardians within 3 calendar days of the student's request for an appeal. At the hearing, the student shall have the right to present oral and written testimony on their behalf and shall have the right to counsel. The Superintendent shall have the authority to overturn or alter the decision of the Principal, including recommending an alternate educational program for the student. The Superintendent shall render a decision on the appeal within 5 calendar days of the hearing. Such decision shall be the final decision of the city, town, or regional school district with regard to the suspension.

2. Upon a student being convicted of a felony or upon adjudication or admission in court of guilt with respect to such a felony or felony delinquency, the Principal of a school in which the student is enrolled may expel said student if such Principal determines that the student's continued presence in school would have a substantially detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and reasons for such expulsion prior to such expulsion taking effect. The student shall also receive written notification of their right to appeal and the process for appealing such expulsion; provided, however, that the expulsion shall remain in effect prior to any appeal hearing conducted by the Superintendent. The student shall have the right to appeal the expulsion to the Superintendent. The student shall notify the superintendent, in writing, of their request for an appeal no later than 5 calendar days following the effective date of the expulsion. The superintendent shall hold a hearing with the student and the student's parents/guardians within 3 calendar days of the expulsion. At the hearing, the student shall have the right to present oral and written testimony on their behalf and shall have the right to counsel. The superintendent shall have the authority to overturn or alter the decision of the Principal, including recommending an alternate educational program for the student. The superintendent shall render a decision on the appeal within 5 calendar days of the hearing. Such decision shall be the final decision of the city, town, or regional school district with regard to the expulsion.

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

DISCIPLINE OF SPECIAL EDUCATION STUDENTS

The Individuals with Disabilities Education Act at 20 U.S.C., §1400, et. seq. and related regulations and 34 C.F.R., §300 et.seq., ("IDEA") provide eligible students ("students") with certain procedural rights and protections in the context of student discipline, as set forth below. These rights are in addition to the due process rights applicable to all students as described above.

Short-term removals. Students who violate school rules are subject to removal from their current placement for up to ten (10) consecutive school days to the extent that such a removal would be applied to students without disabilities, without a prior determination of whether the conduct is a manifestation of the student's disability. Students may be removed for additional periods of up to ten (10) consecutive school days in the same school year for separate incidents of misconduct without a manifestation determination, so long as the removal does not constitute a "change of placement" as described below. However, during such additional removals the district must provide the student with services to the extent necessary for progress in the general curriculum and the student's IEP goals, as determined by the Principal in

consultation with at least one teacher. In addition, if appropriate, the district must conduct a functional behavioral assessment and develop or revise an existing behavioral plan for the student.

Change of Placement. A suspension of longer than 10 consecutive days or a series of shorter-term suspensions that constitute a pattern are considered to represent a “change in placement.” Prior to a suspension that constitutes a change in placement, the student’s Team, including the student’s parents/guardians, must convene to determine whether the behavior is a manifestation of the student’s disability. In making this determination, the Team must review all relevant information in the student’s file, including the IEP, teacher observations, and any relevant information provided by the parents/guardians, to determine if the conduct was caused by, or had a direct and substantial relationship to the student’s disability, or was the direct result of any failure by the school to implement the IEP.

Results of the Manifestation Determination. If the Team determines that the behavior is not a manifestation of the disability, then the school may suspend or expel the student consistent with the policies applied to students without disabilities, except that the district must still provide an appropriate educational program to the student, as determined by the Team, which program may be in a different setting. If the Team determines that the behavior is a manifestation of a disability, the Team must conduct a functional behavioral assessment and develop a behavioral intervention plan or where a behavioral intervention plan was previously developed, must review the plan and, if necessary, modify it to address the behavior. Except in circumstances involving drugs, weapons, or serious bodily injury as described below, the student will be returned to the placement from which the student was removed unless the placement is changed by agreement or through the Team process.

Exception for Drugs, Weapons, and Serious Injury. Regardless of the Team’s decisions regarding the manifestation determination, school personnel may order a change in the placement of a student to an interim alternative educational setting, such setting to be determined by the Team, for not more than forty-five (45) school days if the student (1) carries a weapon to school or to a school function; (2) knowingly possesses, uses illegal drugs, or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function; or has inflicted serious bodily injury upon another person at school, on school premises, or at a school function. Additionally, a Massachusetts Department of Education Hearing Officer, under certain circumstances, may order a change in the placement of a student with a disability to an interim alternative education setting for up to forty-five (45) days if the hearing officer determines that maintaining the current placement is substantially likely to result in injury to the child or others.

When parents/guardians disagree with the Team’s decision on the “manifestation determination” or with a decision regarding placement, the parents/guardians have the right to request an expedited due process hearing from the Bureau of Special Education Appeals.

Additional information regarding the procedural protections for special education students eligible for services under laws providing for services for students with disabilities can be obtained from the Assistant Superintendent for Student Support Services.

Discipline of Students Whose Eligibility for Special Education is Suspected

The IDEA protections summarized above also apply to a child who has not yet been found eligible for services under the statute if the district is “deemed to have knowledge” that the child was eligible for such services before the conduct that precipitated the disciplinary action occurred. The IDEA provides that a school district is “deemed to have knowledge” if: (1) the child’s parents/guardians had expressed concern in writing to district supervisory or administrative personnel or the child’s teacher that the child needs special education and related services; (2) the child’s parents/guardians had requested an evaluation of the child to determine eligibility for special education services; or (3) the teacher of the child or other school district personnel had expressed specific concerns about a pattern of behavior by the child directly to the district’s director of special education or to other supervisory personnel. However, a school district is not “deemed to have knowledge” if the district evaluated the student and determined that the child was not eligible for special education services or the child’s parents/guardians refused an evaluation of the child or IDEA services.

If the school district has no knowledge that a student is an eligible student under the IDEA before taking disciplinary measures against the student, the student may be disciplined just as any other student may be. If, however, a request is made for an evaluation to determine eligibility while the student is subject to

disciplinary measures, the district must conduct the evaluation in an expedited manner. Pending the results of the evaluation, the student must remain in the educational placement determined by school authorities, which may include suspension or expulsion without services. If the student is determined eligible for an IEP as a result of the evaluation, the school district must provide the student with special education and related services in accordance with the IDEA.

DISCIPLINE OF STUDENTS WITH DISABILITIES UNDER SECTION 504 OF THE REHABILITATION ACT

Section 504 of the Rehabilitation Act of 1973 ("Section 504") provides students with disabilities with certain procedural rights and protections in the context of student discipline. Prior to imposing a "significant change in placement" for disciplinary reasons, the district must determine whether the conduct is a manifestation of the student's disability. A significant change of placement results not only from the exclusion for more than 10 consecutive school days but also from a pattern of shorter suspensions accumulating to 10 schools days during a school year. Whether a pattern exists must be decided on a case-by-case basis, considering such factors as the length of each suspension, the nature of the alleged conduct, the proximity of the suspensions to one another, and the total amount of time the student is excluded from school.

Prior to any significant change in placement for disciplinary reasons, a group of individuals knowledgeable of the student, the evaluation data, and the school program must determine whether the conduct at issue is related to the student's disability. If the conduct is directly related to the disability, the district will not impose the discipline and will develop an individual behavior management plan if the behavior significantly interferes with the student's ability to benefit from his education. If the conduct is not directly related to the student's disability, the district may discipline the student as it does general education students.

PREVENTION OF PHYSICAL RESTRAINT AND REQUIREMENTS IF USED

Schools are committed to establishing safe and supportive learning environments for students that address academic, social-emotional, and behavioral needs. To that end, staff members in every school are trained to prevent and deescalate unsafe student behavior and make every effort to use these strategies to maintain the safety of the individual student and those around them. When an emergency situation arises, and deescalation strategies have failed or been deemed inappropriate, physical restraint can be used as a last resort and with extreme caution to prevent a student from injuring themselves or from assault or imminent, serious, physical harm to others.

Physical Restraint

Physical restraint means direct physical contact that prevents or significantly restricts a student's freedom of movement. It does not include: brief physical contact to promote student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing comfort, or a physical escort. While the use of physical restraint is generally restricted to personnel who have received appropriate training, this training requirement does not preclude personnel from using reasonable force to protect students, other persons, or themselves from assault or imminent, serious, physical harm.

Time-out

Time-out is a behavioral support strategy in which a student temporarily separates from the learning activity or the classroom, either by choice or by direction from staff, for the purpose of calming. During a time-out, a student must be continuously observed by a staff member, and a staff member must be with the student or immediately available to the student at all times. Time-out must cease as soon as the student has calmed.

The District adheres to the Massachusetts regulations regarding the [*Prevention of Physical Restraint and Requirements If Used at 603 CMR 46.00*](#)

STUDENT RECORDS

Federal and state laws provide parents and eligible students (those who are age 14 or older) with rights of confidentiality, access, and amendment relating to student records. Copies of the [*Massachusetts Student Records Regulations, 603 CMR 23.00*](#), ("Regulations"), which detail these rights are available in the office of the Principal and the office of the Assistant Superintendent for Student Support Services. The following is a general overview of the provisions in the Regulations.

Access and Amendment

A parent/guardian or eligible student has a right to access student records and to seek their amendment if the parent or eligible student believes them to be inaccurate, misleading, or otherwise in violation of the student's privacy rights. In order to obtain access or to seek an amendment to student records, please contact the Building Principal. Records must be made available within ten days of the initial request, except in the case of non-custodial parents, as described below.

Access by non-custodial Parents

Massachusetts General Laws c. 71, §34H ("Section 34H") govern access to student records by a parent who does not have physical custody of a student. Section 34H requires a non-custodial parent seeking access to submit a written request and other documentation to the Principal on an annual basis. Information may not be provided to non-custodial parents until they have complied with the statutory requirements. Parents who have questions or concerns regarding access to records by non-custodial parents are requested to contact the building Principal.

Confidentiality

Release of student records generally requires the consent of the parent/guardian or eligible student. However, the regulations provide certain exceptions. For example, staff, employed or under contract to the district, have access to records as needed to perform their duties. The Needham Public Schools also releases a student's complete student record to authorized school personnel of a school to which a student seeks or intends to transfer without further notice to, or receipt of consent from, the eligible student or parent/guardian.

Release Of Student Record Information

With few exceptions, information in a student's record is not released to a third party without the written consent of the eligible student and/or a parent having physical custody of a student less than 18 years of age. Two notable exceptions are:

1. Directory Information - Directory information includes a student's name, address, telephone listing, date, and place of birth, major field of study, dates of attendance, weight and height of members of athletic teams, class, participation in officially recognized activities and sports, degrees, honors and awards, and post-high school plans.
2. Recruiting Information for the Armed Forces and Post Secondary Educational Institutions - Upon request from military recruiters and/or representatives of post-secondary educational institutions, the Needham Public Schools will provide the name, address, and telephone listing of all secondary students.

If an eligible student and/or parent/guardian do not want Directory Information or Recruiting Information released, they must notify the Principal in writing no later than **October 1st**. Otherwise, this information is released without further notice.

Please be aware that a parent/guardian and/or eligible student may specify that only certain types of Directory Information or Recruiting Information may be released and that the parent/guardian and/or eligible student may rescind a release at any time during the school year by providing notice in writing to the Principal.

Please refer to the regulations for a description of other circumstances in which student records may be released without the consent of a parent/guardian or eligible student.



The Newman Lion is our school mascot!