

SECTION J

STUDENTS

JA	STUDENT POLICIES GOALS
JB	EQUAL EDUCATIONAL OPPORTUNITY
JBA	STUDENT-TO-STUDENT HARASSMENT (Revised 05/26/10)
JC	ATTENDANCE AREAS
JEA	ATTENDANCE (Revised 05/26/10)
JEBA	REQUIREMENTS FOR ENTRANCE POLICY (Revised 01/20/10)
JEC	ENTRANCE AGE POLICY (Revised 01/20/10)
JFAA	PLACE OF ATTENDANCE (Revised 05/26/10)
JFAB	ATTENDANCE OF NON-RESIDENT STUDENTS (Revised 08/22/12)
JFABC	GRADE PLACEMENT AND ELIGIBILITY FOR HIGH SCHOOL GRADUATION FOR STUDENTS SEEKING TO ENROLL IN THE DISTRICT
JFABD	HOMELESS STUDENTS: ENROLLMENT RIGHTS AND SERVICES
JG	TRANSFER CREDITS
JHA	EXTRA INSTRUCTION
JHB	TRUANCY
JHBB	ATTENDANCE RECORDS
JHD	EXCLUSIONS AND EXEMPTIONS FROM SCHOOL ATTENDANCE
JI	STUDENT RIGHTS AND RESPONSIBILITIES
JIB	STUDENT INVOLVEMENT IN DECISION-MAKING
JIC	STUDENT CONDUCT
JICC	STUDENT CONDUCT ON SCHOOL BUSES
JICE	STUDENT PUBLICATIONS

JICFA	POLICY ON HAZING
JICFA-E	HAZING
JICFB	POLICY PROHIBITING BULLYING
JICH	DRUG POLICY STATEMENT
JICH-R	DRUG POLICY FOR STUDENTS
JICJ	STUDENT USE OF ELECTRONIC DEVICES
JIE	PREGNANT STUDENTS
JIH	SEARCHES AND INTERROGATIONS
JII	STUDENT COMPLAINTS AND GRIEVANCES
JJ	CO-CURRICULAR AND EXTRACURRICULAR ACTIVITIES
JJ-E	CO-CURRICULAR AND EXTRACURRICULAR ACTIVITIES
JJE	STUDENT FUND-RAISING ACTIVITIES
JJF	STUDENT ACTIVITY FUNDS
JJH	STUDENT TRAVEL
JJH-R	STUDENT TRAVEL REGULATIONS
JJIB	INTERSCHOLASTIC ATHLETICS
JJIF	POLICY TO ADDRESS SUSPECTED SPORTS RELATED HEAD INJURY / CONCUSSION
JK	STUDENT DISCIPLINE
JKA	CORPORAL PUNISHMENT
JKAA	PHYSICAL RESTRAINT POLICY AND PROCEDURES
JKB	DETENTION
JKD	SUSPENSION OF STUDENTS
JKE	EXPULSION

JL	STUDENT WELFARE
JLA	STUDENT INSURANCE PROGRAM
JLC	STUDENT HEALTH SERVICES AND REQUIREMENTS
JLCA	PHYSICAL EXAMINATIONS
JLCAA	SCREENING PROGRAMS
JLCB	IMMUNIZATION POLICY
JLCBA	IMMUNIZATION EXCLUSION POLICY
JLCC	COMMUNICABLE DISEASES
JLCCA	STUDENTS WITH AIDS
JLCCA-B	BODY MASS INDEX POLICY
JLCCA-E	MEDICAL GUIDELINES/UNIVERSAL PRECAUTIONS RELATED TO AIDS
JLCD	ADMINISTERING MEDICINES TO STUDENTS
JLCE	FIRST AID AND EMERGENCY CARE
JLD	GUIDANCE PROGRAM
JLF	CHILD ABUSE POLICY
JP	STUDENT GIFTS AND SOLICITATIONS
JQ	STUDENT FEES, FINES, AND CHARGES
JRA	STUDENT RECORDS
JRA-R	STUDENT RECORDS
JRAB	ATTENDANCE RECORDS
JRD	STUDENT PHOTOGRAPHS

STUDENT POLICIES GOALS

The student is the focal point of all operations of a school system. This top priority is shared with no one. The Hanover School Committee believes the Hanover Schools have an obligation to foster the highest academic achievement, ethical values and moral behavior possible in our students. While our focus is on encouraging students to achieve academic success; the School Committee realizes that discipline and character development are essential to quality education.

The school system's policies and procedures should have as a basis the following expectations:

1. Courtesy, good conduct and citizenship. Respect for others, authority, and property should be emphasized in each school by teachers, staff and administrators.
2. Disruptive students must not be allowed to deprive their peers of a quality education. The school environment shall be one where the safety, health and welfare of all students is paramount.
3. There shall be an emphasis on personal responsibility, individual effort, self-motivation and a positive social attitude. Quality work habits should be developed, and individuality should be encouraged. All students do not work in the same way or at the same rate, requiring equal educational opportunities but not identical ones. Flexibility and variety within classrooms, as well as diversified instruction must be utilized to meet students' individual intellectual needs and learning styles.
4. Each child deserves the best and most appropriate education possible within a stimulating and supportive learning environment. Hanover's schools shall be places where all students can realize their potential.

LEGAL REF.: 603 CMR 26:00

EQUAL EDUCATIONAL OPPORTUNITY

The Hanover Public Schools provides all students, regardless of race, color, sex, gender identity, religion, national origin, limited English proficiency, sexual orientation, disability, or housing status, equal access to all programs, including educational, non-academic, extracurricular (including intramural and interscholastic sports) and ancillary programs.

Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(a),(b);

EEOA: 20 U.S.C. 1703(f);

Title IX: 20 U.S.C. 1681; 34 CFR 106.31, 106.34, 106.35;

Section 504: 29 U.S.C. 794; 34 CFR 104.4;

Title II: 42 U.S.C. 12132; 28 CFR 35.130;

IDEA 2004: 20 U.S.C. 1400; 34 CFR 300.110;

NCLB: Title III, Part A, Sec. 3121(c)(1)(C); Title X, Part C, Secs. 721, 722(g)(4);

Mass. Const. amend. art. 114; M.G.L. c. 71A, s. 7; c. 76, s. 5; 603 CMR 26.03 as amended by Chapter 199 of the Acts of 2011

603 CMR 28.06(5); 34 CFR 300.101, 300.113

CROSS REF.: AC, Nondiscrimination

STUDENT-TO-STUDENT HARASSMENT

Harassment of students by other students will not be tolerated in the Hanover Public Schools. This policy is in effect while students are on school grounds, School District property or property within the jurisdiction of the School District, school buses, or attending or engaging in school activities. Even Conduct that takes place outside of School may be considered a violation of this policy if it causes a substantial disruption to the educational environment or creates a hostile environment for the victim or otherwise infringes on the rights of the victim at school.

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

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

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

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

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

Such conduct is prohibited, whether it takes in person or in written format, or by another mean including using electronic devices such as cell phones, computers, etc.

The District will promptly and reasonably investigate allegations of harassment. The Principal of each building and/or his/her designee will be responsible for handling all complaints by students alleging harassment. Administrators will notify parents and/or guardians promptly when a pre investigation or investigation will occur.

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

Principals and/or their designees should follow the administrative guidelines and procedures described in Policy JICFB-Policy Prohibiting Bullying

LEGAL REF.: M.G.L. 151B:3A

Title VII, Section 703, Civil Rights Act of 1964 as amended
Board of Education 603 CMR 26:00

REFS: "Words that Hurt," American School Board Journal, September 1999 National Education Policy Network, NSBA

ATTENDANCE AREAS

Attendance areas for the various schools of the town will be drawn up by the Superintendent and approved by the School Committee. The primary considerations that govern the establishment of a school attendance area are school capacity and transportation considerations. Generally, students will attend the school in the attendance area in which they live.

In establishing an attendance area, the following general guidelines will also be applied:

1. Use of safe walking conditions consistent with the Committee's transportation policies; where possible, major traffic thoroughfares and natural barriers will be used for boundaries.
2. Honoring community of interest; where possible, school attendance zones will incorporate community patterns.

From time to time an overcrowded condition in an existing school, the development of new residential areas, or the opening of a new school may require the establishment or change of previously established school attendance areas.

The Committee will confer with community representatives prior to setting new attendance lines. However, the Committee's primary basis for judgment must be equality of educational opportunity for all students rather than the personal desires of any one group.

The Superintendent is authorized to make exceptions to attendance lines for individual children in the best interests of the student and/or the school.

School bus transportation will not be provided for students attending schools outside their attendance area unless they can be accommodated on existing bus routes and schedules, or an exceptional child is involved; or unless specific permission is granted by the School Committee.

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

CROSS REF.: JCA, Assignment of Students to Schools

ATTENDANCE

A student is expected to attend school and class every day school is in session unless prevented by personal illness, family emergency or unless absence has been prearranged with the school principal.

When a student is absent from school, the principal may require a note from a physician when the principal deems appropriate. In the event a student is absent due to infection or exposure to a disease dangerous to the public health as defined by M.G.L. c 111, Sec 6, the student must present a certificate from the board of health or from a physician stating that the danger of conveying such disease is passed prior to the student's return to school.

Principals will investigate cases of chronic absences aided by the supervisor of attendance, school nurse or adjustment counselor when appropriate. If a student between the ages of 6 and 16 is absent more than seven days (or 14 half days) in any six-month period, upon investigation, the supervisor of attendance may initiate court proceedings relating to such absence in a court of competent jurisdiction.

LEGAL REFS.: M.G.L. 71: 54, 55, 55A
 M.G.L. 76: 2, 19, 20

REQUIREMENTS FOR ENTRANCE POLICY

An original birth certificate or an appropriate document verifying age must be presented when a child registers to enter Hanover Public School. A child seeking to enroll in the Hanover Public school must show evidence of all required *immunizations* before admittance. Exceptions from required immunizations may only be made as specified in M.G.L. Ch 76, Sec 15. A physical examination by a physician is required prior to entering any school and documentation of a physical exam must be recorded on state-approved forms, which are available from the school nurses. Exceptions from such physical exam may only be made as specified in M.G.L. Ch 71, Sec 57.

A student transferring from another school system must present a complete school record from the student's prior school, which must include the following: academic, attendance, health, discipline, and other pertinent records.

Hanover Public Schools is not required to place a student at the same grade and/or level indicated on the sending school's academic transcripts. The principal will determine placement of a student who transfers in accordance with the Hanover Public Schools academic programs and/or age requirements.

LEGAL REFS.: M.G.L. 71: 57, 37L
 M.G.L. 76: 15

ENTRANCE AGE POLICY

To be admitted to kindergarten in the Hanover Public Schools, a child must have reached his/her fifth birthday before September 1 of the year of his/her enrollment. No child may be enrolled in grade one unless he/she attains the age of six before September 1.

PLACE OF ATTENDANCE

Any person who actually resides in the town of Hanover shall have the right to attend the Hanover Public Schools, subject to school committee policy and to the following provisions. The Hanover School Committee is not required to enroll a person who does not actually reside in the town unless said enrollment is authorized by law or by the school committee. Any person who violates or assists in the violation of this provision may be required to remit full restitution to the town of the improperly attended public schools. No person shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges, and courses of study of such public school because of race, color, sex, religion, national origin, or sexual orientation.

If there is reasonable basis for questioning the actual residence of a student, the administrative staff and/or attendance officer may authorize an investigation.

LEGAL REF.: M.G.L. 76: 5

CROSS REF: JLCA, Physical Examinations
 JFAB, Attendance of Non-Resident Students

ATTENDANCE OF NON-RESIDENT STUDENTS

Except as noted below, person(s) who do not actually reside in the town of Hanover will not be enrolled in the Hanover Public Schools. If a child resides temporarily in Hanover for the special purpose of attending school there and Hanover is not the legal residence of his/her parent or guardian, the child may attend school in Hanover only if (1) the School Committee so authorizes and (2) the parent or guardian pays tuition to the town. If it is determined that a child resides in Hanover for the special purpose of attending school therein, Hanover, at the discretion of the Superintendent of Schools, may recover tuition from the parent or guardian for the period of attendance. Said tuition will equal the latest Department of Elementary and Secondary Education average expense per pupil in the school for the period of attendance. M.G.L. c.76, sec. 5 and 6. If it is determined that a child is traveling to Hanover from a residence outside Hanover for the purpose of attending school in the town, the School Department shall expel the child from the system

I. HOMELESS STUDENTS: The Hanover Public Schools adheres to the federal McKinney-Vento Homeless Assistance Act (Act) and related state provisions in permitting or continuing the enrollment of children or youth identified as homeless under the provisions of the Act.

II. COMPLETION OF SENIOR YEAR

A high school senior who will not be a resident of Hanover during his or her senior year may be permitted to continue his/her education in Hanover. Such continued attendance requires satisfaction of all of the following conditions:

- A. Residency in Hanover as of June 30 of the junior year
- B. Recommendation of the High School Principal
- C. Parents' agreement to provide transportation
- D. The vote of the Hanover School Committee

III. END OF SCHOOL YEAR:

- A. Any pupil who becomes a non-resident within thirty-(30) days of the end of the school year will be permitted to complete the school year if his parents provide transportation.
- B. A vote of the School Committee is required to enroll non-resident students beyond the 30-day period.
- C. If the residency of any student is questionable, the school attendance officer will investigate the situation and report to the Superintendent of Schools.

IV. PROSPECTIVE RESIDENTS OF HANOVER AWAITING OCCUPANCY

- A. In the event prospective residents are waiting to occupy their Hanover home and desire to have their child/children attend Hanover Public Schools, the Hanover School Committee authorizes the Superintendent of Schools to enroll their child/children in the Hanover Public Schools for up to 120 calendar days prior to taking possession of the home provided that such parent petition in writing the Superintendent of Schools for enrollment prior to June 1st of the preceding school year. The parent shall assume all responsibility for transportation during this period.
 - B. The prospective resident must furnish the Superintendent of Schools and/or her designee with the following documents to qualify:
 - A signed and accepted Purchase and Sale Agreement
 - A signed statement by a Bank Officer that a Financial Commitment has been approved
 - C. Such documentation must be provided within ten (10) business days of a written request from the Superintendent of Schools. In the event that the prospective resident does not occupy the property within 120 calendar days of his child's/children's enrollment in the District, the District will recover tuition for the period of time during which the child/children has/have been enrolled.
 - D. A prospective resident, who will not have occupied the property within the calendar days indicated in Section A, shall have the right to go before the School Committee to ask for an extension. At the discretion of the School Committee, the Committee may vote to extend enrollment beyond the 120 calendar days with the condition that tuition will be paid until the prospective resident occupies the property. The parent shall continue to assume responsibility for transportation during this time period.
- V. Current Hanover Public School students whose families are (1) moving from one residence to another in Hanover, or (2) who are renovating their current Hanover residence, and who must briefly reside elsewhere during the transition, may continue to attend the Hanover Public Schools if they have a house under construction or renovation in Hanover and can provide the Superintendent with satisfactory evidence in the form of a building contract for renovation or construction, that they intend to move back to Hanover within 30 days following the date of completion specified in the contract with the builder. The Superintendent may, in his/her discretion, grant an extension of this deadline on a case-by-case basis provided that such extension is, in the Superintendent's professional opinion, "in the best interest of the enrolled student(s)." The parent shall continue to assume responsibility for transportation during this time period.

The School Committee reserves the right to limit the space available to ensure the maintenance of appropriate class sizes and to avoid overcrowding.

LEGAL REF.: M.G.L. 76: 5, 6
42 USC 11431 et. seq.

**GRADE PLACEMENT AND ELIGIBILITY FOR HIGH SCHOOL GRADUATION
FOR STUDENTS SEEKING TO ENROLL IN THE DISTRICT**

The district recognizes that a student may withdraw from a Commonwealth charter school, a virtual innovation school, another school program or an approved home education program or may change residences at any time. In such circumstances, a school age child who resides in Hanover and/or who is otherwise eligible to attend the Hanover Public Schools may immediately enroll in the district. To maintain enrollment stability, encourage promotion based on academic standards, and discourage social promotion, the principal and/or the principal's designee will review the previous course of study and level of academic attainment of the student and will seek input from the student's prior school regarding grade level placement and eligibility for graduation. The district will enroll the student at the grade level the principal determines appropriate. In addition, the principal may consider the time of the school year when enrollment is sought as a factor in determining the student's grade level placement, eligibility for promotion and eligibility for graduation in a particular year. For example, the principal may determine that a student seeking enrollment after the mid-point of the academic year is not eligible for promotion or graduation in that academic year.

Legal Ref: M.G.L c. 76, §1, 5
M.G.L c. 71, §89
603 CMR 48.00

HOMELESS STUDENTS: ENROLLMENT RIGHTS AND SERVICES

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

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

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

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

To the extent feasible, homeless students will continue to be enrolled in their school of origin while they remain homeless or until the end of the academic year in which they obtain permanent housing. Instead of remaining in the school of origin, parents or guardians of homeless students may request enrollment in the school in the attendance area in which the student is actually living, or other schools. Attendance rights by living in attendance areas, other student assignment policies, or intra and inter-district choice options are available to homeless families on the same terms as families resident in the district.

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

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

Homeless students are entitled to transportation to their school of origin or the school where they are to be enrolled. If the school of origin is in a different district, or a homeless student is living in another district but will attend his or her school of origin in this district, the districts will coordinate the transportation services necessary for the student, or will divide the costs equally.

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

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

TRANSFER CREDITS

The Principal determines the grade placement and credits acceptable for transfer for all students moving from another school into Hanover. Upon actual performance in Hanover the Principal also has the right to reassign a transferred student. This policy outlines some guidelines to be considered by the Principal.

In high school, credits towards Hanover graduation requirements can be awarded for courses equivalent to those taught in the Hanover schools during their regular session on the same basis as if the student had attended the Hanover schools. If there is a question as to whether the course is equal to the one at Hanover, the school has the right to insist the student to take an examination, the results to be used as an aid in credit determination. Courses of a religious nature taken in a private/parochial school are not acceptable for transfer.

In the event that a student successfully completes a course at the college level, the Principal has the right to determine what, if any, credit the course should receive towards Hanover graduation standards.

Students transferring into a grade below high school shall be accepted based on the recommendation of the prior school and subject to the right of the Principal to determine and reassign students based upon the record and performance in Hanover.

A student transferring into the Hanover schools must produce his/her academic, discipline and health record from the sending school.

LEGAL REF.: Education Reform Act of 1993

Revised

Approved by School Committee on 08/27/08

EXTRA INSTRUCTION

Extra instruction beyond that offered in the regularly scheduled classroom periods shall be available in each Hanover school. It shall be the responsibility of each Principal to insure that every teacher in his/her building is available for the specific purpose of giving extra instruction help to all students.

TRUANCY

Truancy shall be any unexcused absence which indicates a willful and premeditated violation of the attendance regulations. This shall include either for the school day or for a school class. Every attempt shall be made to determine the cause of repeated truancy and the resolution of the same. There are penalties both for truancy and for contributing to the absence of a minor from school.

Truancies from class and truancies from school will be handled by policies determined by the Principal and detailed in the student handbooks, which are approved by the School Committee as official policy of the Hanover schools. Unverified absence from school (those without a note) will be considered truancies.

LEGAL REFS.: M.G.L. 76:1, 76:4

ATTENDANCE RECORDS

Daily attendance is reported by each teacher to the school office where an official record is maintained as prescribed by state law. Student attendance is recorded in an electronic student information management system. Principals will investigate cases of chronic absences aided by the attendance officer and school nurse or adjustment counselor when appropriate.

EXCLUSIONS AND EXEMPTIONS FROM SCHOOL ATTENDANCE

Denial of Admission

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

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

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

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

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

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

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

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

STUDENT RIGHTS AND RESPONSIBILITIES

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

Among these rights and responsibilities are the following:

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

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

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

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

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

STUDENT INVOLVEMENT IN DECISION-MAKING

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

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

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

Student Advisory Committee

As required by state law, the Committee will meet at least once every other month while school is in session with its student advisory committee, which is composed of five students elected by the high school student body. The chair of the student advisory committee shall be an ex-officio nonvoting member of the School Committee without the right to attend executive sessions unless such right is expressly granted by the School Committee.

LEGAL REF.: M.G.L. 71:38M

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

STUDENT CONDUCT

CONDUCT ON SCHOOL PROPERTY

Disorderly conduct, as herein defined, in schools and on school property or at school activities is prohibited. All persons present on school property or at school-sponsored events, whether or not admission is charged, are prohibited from such conduct.

STUDENTS ASSAULTING STAFF

As stated in “An Act Establishing the Education Reform Act of 1993”, any student who assaults a Principal, Assistant Principal, teacher, teacher’s aide, or other person 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. Any student who is charged with a violation of this regulation 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. The student will be subject to a suspension of up to 10 days prior to the expulsion hearing.

STUDENTS ASSAULTING STUDENTS

Any student who assaults another student will be subject to expulsion based upon a hearing with the Principal. Refer to school handbook.

POSSESSION OF DANGEROUS WEAPON OR DRUGS

Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including but not limited to a gun or a knife; or a controlled substance as defined in chapter 94C including but not limited to marijuana, cocaine, and heroin, may be subject to expulsion from the school by the Principal.

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

STUDENT CONDUCT ON SCHOOL BUSES

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

To ensure the safety of all students who ride in buses, it may occasionally be necessary to revoke the privilege of transportation from a student who abuses this privilege. Parents of children whose behavior and misconduct on school buses endangers the health, safety, and welfare of other riders will be notified that their children face the loss of transportation privileges in accordance with regulations approved by the School Committee.

STUDENT PUBLICATIONS

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

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

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

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

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

Distribution of Literature

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

The Principal will reasonably regulate the time, place, and manner of distribution of literature.

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

POLICY ON HAZING

Hazing is a violation of state law and notices about this law have been issued by the Department of Education.

The Hanover Schools prohibit the practice of “hazing” in the schools. The School Department will act to investigate all complains and, should such acts be determined to have occurred, discipline may include procedures up to expulsion as well as reporting the situations to suitable authorities.

HAZING

The Hanover School Committee prohibits the practice of “hazing” in the public schools may result in suspension/expulsion. School administrators are expected to report occurrences to proper authorities.

CH. 269, S. 177 CRIME OF HAZING; DEFINITION; PENALTY

Whoever is the principle organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than three thousand dollars (\$3,000) or by imprisonment in a house of correction for not more than one (1) year, or both such fine and imprisonment. The term “hazing” as used in this section and in section eighteen shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or person or simply intimidating another student to do something which they would not normally do. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation. Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action. Added by ST.1985, c.536; amended by ST.1987, c. 665.

CR 269, S.18. DUTY TO REPORT HAZING

Whoever knows that another person is the victim of hazing as defined in section seventeen and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars (\$1,000).

POLICY PROHIBITING BULLYING

The Hanover Public Schools is committed to maintaining a school environment where students are free from bullying and cyber-bullying and the effects (retaliation) thereof. Acts of bullying and cyber-bullying are prohibited:

- i. on school grounds, property immediately adjacent to school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by the school district; or through the use of technology or an electronic device owned, leased or used by the school district and
- ii. at a location, activity, function or program that is not school-related, or through the use of technology or an electronic device that is not owned, leased or used by the school district, if the acts create a hostile environment at school for the target(s), infringes on the rights of the target(s) at school or materially and substantially disrupts the education process or the orderly operation of a school. Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying also is prohibited.

A. Definitions:

Aggressor(s) is a student who engages in bullying, cyber-bullying, or retaliation

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

- i. causes physical or emotional harm to the target(s) or damage to the target's property
- ii. places the target(s) in reasonable fear of harm to himself or of damage to his property
- iii. creates a hostile environment at school for the target(s)
- iv. infringes on the rights of the target(s) at school
- v. 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 his/her will; oral or written threats; teasing; putdowns; name-calling; stalking; threatening looks, gestures, or actions; cruel rumors; false accusations; and social isolation.

Cyber-Bullying is 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
- 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 is 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(s) is a student against whom bullying, cyber-bullying or retaliation has been perpetrated.

B. Bullying And Retaliation are Prohibited & Will Lead to Discipline:

Hanover 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, disciplinary action taken must balance the need for accountability with the need to teach appropriate behavior. The range of disciplinary action 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, 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 cyber-bullying, as defined above, but nevertheless is inappropriate for the school environment.

C. Reporting Obligations:

1. 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 s/he has witnessed or become aware of to the principal, assistant principal, or designee.

2. 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 principal, assistant 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.

3. Reporting to Parents/Guardians

Upon determining that bullying or retaliation has occurred, the principal, assistant principal, or designee will promptly notify the parents or guardians of the target(s) and the aggressor(s) of this. If the alleged target(s) and alleged aggressor(s) 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 of the report and procedures.

4. 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 principal, assistant principal, or designee has a reasonable basis to believe that the incident may involve criminal conduct, the principal, assistant 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 Schools or designee will notify local law enforcement if s/he believes that criminal charges may be pursued.

5. 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 Hanover Public Schools is the first to be informed of the bullying or retaliation, then the Superintendent of 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 principal, assistant 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.

1. 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(s) and/or protect the alleged target(s) from further potential incidents of concern. A reasonable effort will be made to contact the target(s) parents or guardians. In taking any such action, however, the rights of both the alleged target(s) and alleged aggressor(s) must be considered.

2. Written Statement of the Complaint

The principal, assistant principal, or designee will seek to determine the basis of the complaint, gathering information from the complainant, including such matters as: (1) what specifically happened, (2) who committed the alleged acts, (3) who was present or may have information about the events, (4) when the events occurred (date, time of day), and (5) 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 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 her/himself.

3. Interviews

Once the allegations of the complainant are established, the principal, assistant principal, or designee will gather other evidence, which often involves interviews of the alleged aggressor(s) and/or other witnesses. If appropriate, the principal, assistant principal, or designee should remind the alleged aggressor(s) 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.

4. 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.

5. 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(s) 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:

- i. hold parent conferences;
- ii. transfer student's classroom or school;
- iii. limit or deny student access to a part, or area, of a school;
- iv. enhance adult supervision on school premises;
- v. exclude from participation in school-sponsored or school-related functions, after-school programs, and/or extracurricular activities;

- vi. provide relevant educational activities for individual and groups of students with guidance counselors and others in the school setting who have been trained in working with students on interpersonal issues may helpful in providing such programs
- vii. personalized action plan and directives for future conduct, to include; providing the target(s) with a process for reporting any concerns about future conduct immediately because it is critical to involve the student in creating an action plan that involves a reporting process that works for that particular student
- viii. arranging for communication between the parties, if appropriate, to assist them in resolving issues which 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)
- ix. provide counseling (or other appropriate services) or referral to such services for the target(s) and/or the aggressor(s) and/or for appropriate family members of said students

E. Closing the Complaint and Possible Follow-up:

The principal, assistant principal, or designee will promptly provide notice to the parent/guardian of a target(s) and an aggressor(s) about whether or not the complaint was substantiated and, if substantiated, what action is being taken to prevent any further acts of bullying or retaliation. Specific information about disciplinary action taken generally will not be released to the target's parents or guardians—unless it involves a “stay away” or other directive that the target(s) must be aware of in order to report violations.

If appropriate, within a reasonable time period following closure of the complaint, the principal, assistant principal, or designee will contact the target(s) to determine whether there has been any recurrence of the prohibited conduct.

The district will retain a report of the complaint, containing the name of the complainant, the date of the complaint, investigator, school, a brief statement of the nature of the complaint, the outcome of the investigation, and the action taken.

DRUG POLICY STATEMENT

In order to guard the individual and general welfare and safety of all students, the School, Committee has established the following rules and regulations for the conduct of students and administrative action regarding the use, sale or other activities dealing with narcotic drugs, as defined by the Controlled Substance Act under the General Laws of the Commonwealth of Massachusetts, alcohol or other mind altering substances. All students are prohibited from possessing, ingesting, selling or otherwise dispensing narcotic drugs, alcohol or any mind altering substances and equipment connected with drug use, during and after school, at every authorized school activity during or after school hours, whether on or away from school premises, and also on buses to and from school or school approved events.

Referrals as herein after defined concerning drug incidents should be made by all school personnel (teachers, secretaries, aides, custodians, etc.). Should a student be suspected of possession of drugs, school authorities do have the right to conduct searches of all school property including individual lockers. Possession, sale, or exchange of drugs in any of the above mentioned areas by a student, shall be sufficient grounds for disciplinary action against the student which may result in suspension or expulsion from school and subsequent police action.

The School Committee reaffirms that it will be the duty of its administrative staff and members of the faculty to act as follows:

- (A) To instruct the students on the harmful effects of drugs, tobacco and alcohol.
- (B) To inform the students of the school drug policy and the legal ramifications and penalties for sale, possession and the use of illegal substances.
- (C) To take all the necessary measures to prevent the use or sale of drugs and alcohol prior to, during, and after school hours, on school premises, at school authorized events, also to and from school or school authorized events.

DRUG/ALCOHOL PHILOSOPHY

The purpose of the drug policy is to offer to the student body, the professional staff, the community, and all parties related to a drug incident, a consistent set of regulations regarding the various types of drug abuse infractions. The consistency in the policy is the same basic treatment of all students involved in similar offenses. The school system is dedicated to helping the individual students, but such help must be consistent with existing laws.

DRUG POLICY FOR STUDENTS

Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a controlled substance as defined in Chapter 94C of “An Act Establishing the Education Reform Act of 1993” including but not limited to, marijuana, cocaine, LSD and heroin, will be subject to expulsion from the school or the school district by the Principal.

The Drug Free School Zone Law: Anyone convicted of selling drugs within 1,000 feet of school property will be subject to a minimum mandatory two-year jail sentence. In addition to the jail sentence, individuals convicted of dealing drugs near schools could face fines up to \$10,000. Any student who is charged with a violation of this regulation 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. The student will be subject to a suspension of up to 10 days prior to the expulsion hearing.

This policy shall be posted on the district website and filed with the Massachusetts Department of Elementary and Secondary Education in a manner and form prescribed by the Department

STUDENT USE OF ELECTRONIC DEVICES

In order to minimize the disruption of the teaching, learning, educational environment or the interference with other educational or school related activities, students' personal electronic communication devices, including but not limited to beepers, pagers, cellular telephones and camera telephones, personal data assistants, digital or other cameras, camcorders, or laser pointers are not allowed at school or at school-sponsored activities.

In the event that the planned activity includes the need for the use of cameras, camcorders, etc. the Principal will be informed by the teacher or person responsible for the educational activity. The Principal will make the final determination regarding use.

If a parent/guardian determines that it is necessary that a student bring an electronic communication device to school or to a school-sponsored activity, the electronic communication device must remain in the off position and stored away. If a parent or guardian needs to contact a student he or she should contact the school office directly.

Students who bring electronic communication devices to school without parental approval and students who do not comply with maintaining electronic communication devices in the off position and stored away will be asked to leave the device with the Principal or designee until the close of the school day. Violation of the policy will result in disciplinary action.

The Hanover Schools are not responsible for any lost or stolen electronic communication devices.

PREGNANT STUDENTS

Pregnant students are permitted to remain in regular classes and participate in extracurricular activities with non-pregnant students throughout their pregnancy, and after giving birth are permitted to return to the same academic and extracurricular program as before a leave relating to pregnancy. Exceptions will be made only when a physician expressly prohibits the student's participation. The district does not require a pregnant student to obtain the certification of a physician that the student is physically and emotionally able to continue in school unless it requires such certification for all students for other physical or emotional conditions requiring the attention of a physician.

In the event a physician determines that a student must remain at home and/or in a hospital for medical reasons relating to pregnancy, the district will offer tutoring services to the same extent applicable to other medical reasons.

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

SEARCHES AND INTERROGATIONS

Searches by Staff

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

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

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

Interrogations by Police

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

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

STUDENT COMPLAINTS AND GRIEVANCES

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

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

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

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

CO-CURRICULAR AND EXTRACURRICULAR ACTIVITIES

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

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

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

It shall be the respective department personnel's and Principal's responsibilities to assess student needs and recommended programs.

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

EXTRA-CURRICULAR ACTIVITIES

- (1) Advantages and privileges of public schools include all extra-curricular activities made available, sponsored or supervised by any public school. No school shall sponsor or participate in the organization of outside extra-curricular activities conducted at such school that restrict student participation on the basis of race, color, sex, gender identity, religion, national origin or sexual orientation. 603 CMR 26.06 (1) does not prohibit school committees from allowing use of school premises by independent groups with restrictive membership.
- (2) No student shall be denied the opportunity in any implied or explicit manner to participate in an extra-curricular activity because of the race, color, sex, gender identity, religion, national origin or sexual orientation of the student except as provided in 603 CMR 26.06(5). Participation in extra-curricular activities shall be actively encouraged by each school for all students regardless of race, color, sex, gender identity, religion, national origin or sexual orientation.
- (3) Each school system shall provide equal opportunity for male and female students to participate in intramural and interscholastic sports.
- (4) In order to provide equal athletic opportunity, public schools that operate or sponsor intramural or interscholastic sports teams shall ensure that budgetary allocations and the provision of athletic activities and services are fairly distributed between students of both sexes based upon student interests and abilities.
- (5) A school may establish or sponsor separate teams for males and females for interscholastic and intramural competition in a particular sport where selection for the team is based upon competitive skill provided that the requirements of 603 CMR 26.06(6) are satisfied. A student shall have the opportunity to participate on the team that is consistent with the student's gender identity.
- (6) Teams comprised primarily or solely of students of one sex shall be granted equal instruction, training, coaching, access to available facilities, equipment and opportunities to practice and compete as teams engaged in a similar activity comprised primarily or solely of students of the opposite sex.

LEGAL REF.: 603 CMR 26.00
 M.G.L. c.76, § 5.

STUDENT FUND-RAISING ACTIVITIES

School related fund-raising activities pertaining to a particular school shall be conducted only with the prior review and written approval of the principal of the school or such principal's designee, with the approval of the Superintendent.

Fund raising activities involving more than one school shall be conducted only with the prior review and written approval of the Superintendent of Schools or the Superintendent's designee.

Fund-raising activities for the benefit of organizations not directly related to the Hanover Schools shall be approved only if requested by a student organization, a student representative of which has signed the application request for the proposed fund-raising activity.

The Superintendent or the principal involved, as the case may be, shall take into consideration the good name and reputation of the Hanover Schools, the specific purpose of the proposed fund-raising activity, the expected duration, and the fund-raising procedure (including proposed advertising, if any) to be employed in determining whether to grant or withhold approval of each such proposed fund-raising activity.

All school sales and money raising activities shall be under the supervision of teachers with the approval of the Principal and Superintendent, and shall be conducted in such a manner and at such times as not to encroach upon instructional time nor interfere with formal classes.

STUDENT ACTIVITY FUNDS

In accordance with MGL Chapter 71, Section 47 (as amended by Chapter 66 of the acts of 1996) school principals may receive monies in connection with the conduct of various student activities and must deposit said monies with the Town Treasurer. The Town Treasurer shall maintain an interest bearing account for each school referred to as the “Student Activity Agency Account” All monies collected through student activities must be deposited to this account.

Each Principal may maintain a checking account for the purpose of paying expenditures in conjunction and associated with School Committee authorized student activities. Deposits into each checking account shall be made from each school’s Student Activity Agency Account to the extent monies are available in said account. The process of obtaining funds for deposit into the Student Activity Checking Account shall be made through the warrant process.

Interest earned by such Student Activity Agency Account shall remain in the account and be recorded as a separate line item by the building Principal. The School Committee shall determine for what purpose such earnings may be used.

Any student activity organization inactive for a period of three (3) years or more, and for which there has been no receipts or disbursements recorded on their behalf, shall require the following actions:

Written notification by the advisor or student officer/treasurer to the principal or other authorized administrator that the particular activity will cease to be a viable account. If an advisor or student officer/treasurer is not available, such discontinuance shall be by vote of the School Committee.

All assets of the student activity organization shall be determined and stated in writing.

Any disposition of assets of an inactive student activity organization shall be determined by the School Committee, but in no case shall the disposition benefit specific individuals. (The primary goal in disposition should be to benefit the student body.)

Class accounts shall remain open for ninety (90) days after graduation, at which time the monies remaining shall be paid to the class.

Each Principal shall maintain a ledger of sub-accounts depicting the balance and activity for each separate student activity. This sub-ledger shall be reconciled to the municipal Student Activity Agency Account and the school’s Student Activity Checking Account on a monthly basis. In addition, each Principal shall ensure that his/her school’s Student Activity Checking Account is reconciled to the bank statement each month and a monthly financial report provided to the Superintendent or his/her designee. The Principals will return reconciled bank statements along with the canceled checks to the Town Treasurer.

An annual report of each Student Activity Checking Account shall be prepared by each Principal displaying how the interest was used, the activity in each sub-account and the balance remaining at the end of the fiscal year to be submitted to the Superintendent or his/her designee no later than July 31st.

Gifts and Donations

The School Committee authorizes the acceptance of all gifts, including donations of money, items and all other gifts or donations from any educational foundation, PTA, other organization or entity, or any individual or group of individuals. The School Committee will accept gifts and donations provided it deems that the gift can be used in a manner compatible with its educational objectives and policies. In accepting said gifts, the School Committee, through the Superintendent, will avoid creating significant differences or inequities among the classrooms, programs, or facilities of the various schools.

The Superintendent shall report such gifts to the Committee for its formal approval at a regularly scheduled business meeting. All such gifts and donations shall be deposited into a specially designated account under School Committee control and shall be expended without further appropriation for the designated purpose of the donor as long as the purpose complies with all applicable federal and state laws, statutes, and regulations.

Any gifts or donations earmarked for the payment of stipends are to be issued pursuant to a warrant authorized and signed by the School Committee and drawn upon an account under the control of the School Committee. Monies may not be paid directly to employees or other individuals working in any activities involving Hanover School pupils nor should monies be given directly to any Hanover School employee.

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

STUDENT TRAVEL

All student trips which include late night or overnight travel must have prior approval of the School Committee. Initial approval by the School Committee is required before engaging students in fundraising activities. The School Committee will also consider the educational value of the trip in relation to the cost prior to granting initial approval. Overnight trips should offer significant educational benefits to students that clearly justify the time and expense of the trip. Such trips should be appropriate for the grade level.

Final approval will not be granted until all preparations for the trip have been completed including, but not limited to, all logistical details involving transportation, accommodation arrangements and fundraising efforts. The School Committee requires that final approval be sought no less than 30 days prior to the scheduled trip dates.

Teachers and other school staff are prohibited from soliciting for privately run trips through the school system and in the schools. The School Committee will only review for approval school-sanctioned trips. The School Committee will not review or approve trips that are privately organized and run without school sanctioning.

CROSS REFS.: IJOA, Field Trips

LEGAL REFS.: Chapter 346 of the Acts of 2002 (et al) approved on October 9, 2002
M.G.L. 69:1B; 71:37N

STUDENT TRAVEL REGULATIONS

1. Transportation

The use of vans or private automobiles for trips planned to include late night or overnight student travel is prohibited. Late night or overnight trips will use commercial motor coaches.

Trips planned to include late night or overnight student travel will include a pre-trip check of companies, drivers, and vehicles. CORI checks will be conducted in accordance with Massachusetts General Laws Chapter 71, section 38R.

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

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

2. Trip Scheduling

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

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

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

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

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

3. Fundraising

The amount of time to be devoted to fundraising should be reasonable and commensurate with students’ obligations for homework, after-school activities, and jobs.

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

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

Additional Resources

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

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

Department of Defense’s approved list of motor carriers
<http://www.mtmc.army.mil/content/504/approvedlist.pdf>

CROSS REFS.: IJOA, Field Trips

LEGAL REFS.: Chapter 346 of the Acts of 2002 (et al) approved on October 9, 2002
M.G.L. 69:1B; 71:37N; 71:38R
603 CMR 27.00

INTERSCHOLASTIC ATHLETICS

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

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

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

The School Committee is aware that team participation in athletic contests by members of the student body requires that "away games" be scheduled. It also recognizes that there is a need to regulate certain aspects of student participation in such contests. Therefore, the Superintendent will establish regulations to ensure the safety and well being of students and staff members who participate in these activities.

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

CROSS REFS.: AC, Nondiscrimination (and subcodes)

POLICY TO ADDRESS SUSPECTED SPORTS RELATED HEAD INJURY/CONCUSSION

The Hanover School Committee has adopted this policy to address the identification and proper handling of suspected head injury for Student(s) in grades 6-12 who are participating in school-sponsored extracurricular athletic activities in accordance with Mass. Gen. L. c. 111, Section 222 and accompanying regulations (105 CMR 201. et seq.) (“Regulations”). Affirmation of an Interim Policy was provided to the Department of Public Health on school letterhead in January 2012, with affirmation of the Final Policy to be provided by March 1, 2012. Review and affirmation of the Policy will again be provided no later than September 30, 2013, and bi-annually thereafter.

I. Definitions

The definitions of terms used in this policy are those set forth in the Regulations at 105 CMR 201.005. The following are selected for reprinting here:

Coach means an employee or volunteer responsible for organizing and supervising student athletes to teach them the fundamental skills of Extracurricular Athletic Activities. The term coach includes both head coaches and assistant coaches (and per the definition of Extracurricular Athletic Activity below, marching band directors).

Concussion means a complex disturbance in the brain function due to direct or indirect trauma to the head, related to neurometabolic dysfunction, rather than structural injury.

Extracurricular Athletic Activity means an organized school sponsored athletic activity generally occurring outside of school instructional hours under the direction of a coach, athletic director or band director. (Among the examples listed in the definition are cheer leading and marching band. Thus, any reference to Extracurricular Athletic Activities in this policy includes the Hanover High School Band.)

Head Injury means a direct or indirect trauma to the head including a concussion or traumatic brain injury.

Second impact syndrome means a potentially lethal condition that can occur when a person sustains a head injury prior to the complete healing of a previous brain injury causing deregulation of cerebral blood flow with subsequent vascular engorgement.

Traumatic Brain Injury (TBI) means a complex pathophysiological process affecting the brain, induced by traumatic biomechanical forces. TBI may be caused either by a direct blow to the head, face, neck or elsewhere on the body with an impulsive force transmitted to the head. TBI includes, but is not limited to, a concussion.

II. Roles and Responsibilities

Athletic Director

The Athletic Director shall be responsible for the general implementation of this policy and any accompanying procedures. These responsibilities include the following:

1. Supporting and enforcing protocols, documentation, training and reporting requirements
2. Supervising, reviewing and properly distributing all documentation received
3. Reviewing the policy every two years and recommending changes and/or updates to the school committee for adoption
4. Reviewing and recommending updated training programs and student and parent(s)/guardian(s) handbooks at least once every two years
5. Reviewing all *Pre-Participation Forms* and forwarding to the school nurse and Athletic Trainer those forms that indicate a history of head injury
6. Coordinating outreach to parent(s)/guardian(s) who have not provided required pre-participation forms and documentation

School Nurse and Other School Based Staff

As reflected throughout this policy, various members of the school staff play an important role in implementation of this policy. The School Nurse's role is particularly key, involving responsibilities for the following:

1. Reviewing the completed *Pre-Participation Forms* forwarded by the Athletic Director; in the event that the *Pre-Participation Form* indicates a concussion subsequent to the most recent physical, the school nurse will notify the parent(s)/guardian(s) of the requirements to seek clearance from their physician
2. Communicating with coaches regarding a student's history of head injury
3. Following up with parent(s)/guardian(s) and student as needed prior to the student's participation in Extracurricular Athletic Activities
4. Reviewing *Department Report of Head Injury During Sports Season Form* which a parent(s)/guardian(s) submits as a result of a head injury occurring outside of extracurricular activities, with follow-up reporting requirements outlined herein

Coaches

As reflected in this policy, coaches also have a key role in its implementation. In addition to their other responsibilities listed herein, all coaches are required to instruct students in form, technique and skills that minimize athletic-related head injury and are required to discourage and prohibit students from engaging in any unreasonably dangerous athletic technique that endangers the health and safety of a student, including using a helmet or any other equipment as a weapon.

Students

A student is expected to adhere to skills and instructions designed to minimize athletic related injuries. A student who engages in unreasonably dangerous behavior while participating in Extracurricular Athletic Activities may be excluded from the privilege of further participation and, further, may be subject to disciplinary consequences in accordance with the code of conduct.

III. Training

The following personnel, both those employed and those serving in a volunteer capacity, shall be required to participate in an annual training approved by the Massachusetts Department of Public Health (MDHP) in the prevention and recognition of a sports-related head injury, including second impact syndrome: coaches (as noted above, this term includes marching band directors), certified athletic trainers, school physicians, school nurses, Athletic Director. In addition, students who wish to participate in an Extracurricular Athletic Activity and their parent(s)/guardian(s) shall be required to participate in such training annually

The trainings available for school for school staff, parent(s)/guardian(s) and student athletes are MDPH Approved Training On-line courses annually listed below. They are on line, available free of charge, and last only about 30 minutes.

- [Center for Disease Control and Prevention Heads Up Concussion in Youth Sports On-Line Training Program](http://www.cdc.gov/concussion/HeadsUp/online_training.html)
http://www.cdc.gov/concussion/HeadsUp/online_training.html
- [National Federation of State High School Associations Concussion in Sports – What you Need to Know](http://www.nfhslearn.com/electiveDetail.aspx?courseID=15000) <http://www.nfhslearn.com/electiveDetail.aspx?courseID=15000>

The training materials are available at Hanover High School's athletic department website (www.hanoverschools.org/highschool/athletics/index.html), and hard copies are available upon request in the main office.

A student seeking to participate in an Extracurricular Athletic Activity and his/her parent(s)/guardian(s) will be invited to an evening meeting in the Fall where training will be conducted in a large group setting. A student will be ineligible to participate unless the student and a parent(s)/guardian(s) attend the large group training or complete the training online and submit documentation verifying their completion of the training on an annual basis to the Athletic Director.

IV. Prerequisites for Student Participation in an Extracurricular Athletic Activity

Prior to a student beginning (or continuing) participation in any Extracurricular Athletic Activity, whether involving tryouts, practices, contests, or performances, the following must occur:

1. Parent(s)/guardian(s) and the student must submit to the Athletic Director a certification that they have completed the training requirements described in Section III above. Once submitted, the certification is valid for one school year.
2. Parent(s)/guardian(s) and the student must submit to the Athletic Director documentation of an annual physical examination for the student providing medical clearance for the student to participate in the relevant Extracurricular Athletic Activity. Physical examinations must have occurred within the past 12 to 13 months. If the student's physical exam expires during the season of participation, the student must submit an updated exam in order to continue participating. The Athletic Director will forward all exam reports to the School Nurse, who shall maintain them as part of the student health record. The Athletic Director shall notify a student in the event his/her physical exam expires during the season of participation.
3. Prior to a student's participation in an Extracurricular Athletic Activity as noted in the definition above, the parent(s)/guardian(s) and student must provide to the Athletic Director a completed form for *Pre- Participation Head Injury/ Concussion Reporting For Extracurricular Activities* ("*Pre-Participation Form*") which shall include the following:
 - a. A comprehensive history with up-to-date information relative to concussion history; any history regarding head, face or cervical spine injury and/or any history of co-existent concussion injuries; and
 - b. Signatures of both the parent(s)/guardian(s) and student;
4. During the season of participation if a student sustains a head injury outside of the extracurricular activity, his/her parent(s)/guardian(s) are required to complete and submit *Department Report of Head Injury During Sports Season Form* to the Athletic Director.
5. The Athletic Director will forward to the coach the *Pre-Participation Forms* and all *Reports of Head Injury During Sports Season* for each student member of that coach's team. In addition, the Athletic Director will forward the *Pre-Participation Forms* indicating a history of head injury and all *Reports of Head Injury During Sports Season* to the school nurse, who will consult with the school physician and athletic staff regarding whether the student will be allowed to begin (or continue) to participate and if so, whether limitations may apply.
6. Prior to the start of the school year all students seeking to participate in an Extracurricular Athletic Activity shall be required to participate in Neurocognitive Baseline Testing.

In the event a parent(s)/guardian(s) and/or student has not provided the documentation set forth above to the Athletic Director in a timely manner, school staff will make two attempts to contact the parent using the district's typical communication methods (e.g., email, first class mail or telephone). The student will be ineligible to begin (or continue if applicable) participation in an Extracurricular Athletic Activity until all documentation has been received and reviewed by appropriate school personnel.

V. Removal Due to Head Injury and Protocols for Reentry

Any student who sustains a head injury or suspected concussion, or exhibits signs and symptoms of a concussion, or loses consciousness, even briefly, during participation in an Extracurricular Athletic Activity shall be removed from the activity immediately and may not return to the activity that day even if the condition seems to resolve itself. If there is an athletic trainer on site, the coach must immediately report the suspected injury to the trainer or nurse for a medical assessment. If no athletic trainer or school nurse is on-site, the coach is responsible for notifying the student's parent and contacting EMS for emergency service and transport to a local hospital if in his/her reasonable judgment such intervention is appropriate.

In all circumstances, the coach must complete a *Department Report of Head Injury During Sports Season Form* and follow all Reporting Requirements outlined below in Section VII.

Any student removed from an Extracurricular Athletic Activity due to a suspected head injury must provide a *Department Post Sports-Related Head Injury Medical Clearance and Authorization Form* completed by a licensed medical professional (physician, nurse practitioner in consultation with a physician, certified athletic trainer in consultation with a physician, or neuropsychologist in coordination with the physician managing the student's recovery) to the Athletic Director prior to the student's return to normal physical activities (including physical education class). The Athletic Director will consult with the school nurse and athletic trainer in reviewing such forms if appropriate. In the event a student exhibits symptoms of head injury following return to participation, the coach will immediately remove the student from the activity and will inform the athletic trainer, school nurse and/or the parent(s)/guardian(s) in order to initiate further consultation.

VI. Graduated Reentry Plan and Medical Clearance Following Diagnosis of Concussion

In the event the student has been diagnosed with a concussion, the student may not resume full participation in Extracurricular Athletic Activities until he/she has participated in a graduated re-entry plan and provided a completed *Department Post Sports-Related Head Injury Medical Clearance and Authorization Form* to the Athletic Director.

In addition, school personnel, including but not limited to teachers, school nurse, and certified athletic trainer, along with parent shall develop a written graduated entry plan for return to academics and other school based activities, including Extracurricular Athletic Activities. Accommodations, may include, as appropriate: provision for physical or cognitive rest; graduated return to classroom studies; estimated time intervals for resuming activities; assessments by the school nurse; periodic medical assessment by a physician until the student is authorized to full classroom and extracurricular activities. The school

physician and/or student's physician may be consulted as appropriate in devising the graduated entry plan.

In the event of a head injury, the School District will offer the results of the Neurocognitive Baseline Testing to the physician.

VII. Additional Communication and Reporting

The Athletic Director shall disseminate to each coach copies of the completed *Pre-Participation Form* for each member of that coach's team or student group. The Athletic Director shall ensure that the nurse receives a copy and reviews any forms that indicate a history of head injury, with review by the school physician and certified athletic trainer if appropriate. The Athletic Director shall also ensure proper dissemination and review of any *Department Report of Head Injury During Sports Season Form*.

All coaches are required to report any circumstances in which the student under their supervision was removed from participation for suspected head injury, suspected concussion, or loss of consciousness and the nature of the suspected injury to the student's parent(s)/guardian(s) in person or by telephone immediately after the competition or practice, with written confirmation to the parent by paper or electronic format no later than the end of the next business day. The coach must also notify the Athletic Director, school nurse, and athletic trainer of the removal from play and the nature of the suspected injury no later than the end of the next business day. The coach is responsible for ensuring that a *Department Report of Head Injury During Sports Season Form* has been completed and provided to the Athletic Director, parent(s)/guardian(s), certified athletic trainer and school nurse.

The School Nurse shall inform the principal and guidance counselor of the injury so that an appropriate graduated reentry plan can be initiated.

VIII. Maintenance of Records and Confidentiality

Copies of all documentation received by the school department under this policy will be maintained for a minimum of three years. Such documentation includes Verification of Training Completion, which will be kept by the Athletic Director. The School Nurse shall maintain copies of *Annual Physical Exams, Pre-Participation Forms, Reports of Head Injury During Sports Season, Department Report of Head Injury During Sports Season, Department Post Sports Related Head Injury and Medical Clearance and Authorization Forms*, and any *Graduated Reentry Plans* that may be necessary.

Medical information received by the district in implementing this policy is part of the student health record and may be disclosed only as authorized by the laws governing student records. Generally, authorized school personnel who work *directly with* the student(s) in an instructive (academic or athletic), administrative, or diagnostic capacity will have access to the information on a need to know basis. Authorized school personnel should be instructed not to disclose the information to others. Notwithstanding these limitations, there may be times when school officials may or must disclose health or related information to others in order to protect a student's health or safety.

IX. Notification of Policy Information to Parent(s) /Guardian(s) and Student

The Athletic Director in consultation with the Principal shall disseminate to parent(s)/guardian(s) and student on an annual basis, information regarding this policy, including but not limited to the following:

1. Pre-requisites for students to participate in Extracurricular Athletic Activities, including opportunities for students and parent to fulfill their obligations to participate in training under this policy;
2. Requirements for parent(s)/guardian(s) to report to the Athletic Director a head injury occurring outside of school;
3. Procedures for notifying parent(s)/guardian(s) of a student's removal from play due to head injury;
4. Protocols for medical clearance prior to return to participation;
5. Contact information for key personnel.

In addition, information regarding this policy shall be incorporated into the Student Handbook. Copies of forms referenced in this policy may be obtained from the Hanover High School Athletic Website, www.hanoverschools.org/highschool/athletics/index.html.

School staff will work with parent(s)/guardian(s) of limited English proficiency to facilitate effective notice of this policy and effective communication regarding suspected head injury. In the event an interpreter is needed, parent(s)/guardian(s) and/or staff should contact the Principal's office.

X. Consequences

The Hanover Public Schools takes the safety of student athletes seriously. All members of the school staff are expected to follow the policies and protocols set forth herein and in Massachusetts Law to support the health and safety of students who participate in Extracurricular Athletic Activities. The underlying philosophy of these policies is "when in doubt, sit them out." Failure to comply with the letter or spirit of these policies could result in progressive discipline for staff and/or forfeiture of games. If a student or parent(s)/guardian(s) have concerns that the policies are being violated, they should contact the Superintendent or Principal.

Parent(s)/guardian(s) are also expected to do their part in supporting the health and safety of student by ensuring that all documentation required by this policy is submitted in a timely manner.

Each student must also adhere to the rules of safe play as instructed by their coaches. A student must also immediately inform a coach or other adult in the event the student believes he/she may have been injured during an activity. No student will be permitted to participate in an Extracurricular Athletic Activity unless the student and his/her parent(s)/guardian(s) have complied with their obligations under this policy.

Cross Ref: Mass. Gen. L. ch. 111, Section 222
105 CMR 201.000 et seq.
603 CMR 23.07 (access to Student records)
Student Handbook Policies

Forms: *Pre-Participation Head Injury/ Concussion Reporting For Extracurricular Activities Form*
Department Post Sports-Related Head Injury Medical Clearance and Authorization Form
Department Report of Head Injury During Sports Season Form

Forms/policy/head injury/12-01-30 Stoneman Chandler Miller LLP-RB

STUDENT DISCIPLINE

The Massachusetts General Laws require the School Committee to adopt written policies, rules and regulations not inconsistent with law, which may relate to study, discipline, conduct, safety and welfare of all students, or any classification thereof, enrolled in the public schools of the District.

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

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

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

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

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

CORPORAL PUNISHMENT

State law provides that:

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

Established by law

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

POLICY ON RESTRAINT OF STUDENTS

The Hanover Public Schools complies with the Department of Elementary and Secondary Education (hereinafter “DESE”) regulations governing the use of restraint, which can be found at 603 CMR 46.00 et seq. (hereinafter “Regulations”). According to their terms, the Regulations apply not only at school but also at school-sponsored events and activities, whether or not on school property. A brief overview of the Regulations is provided below.

Purpose. The purpose of this policy is to ensure that every student attending the Hanover Public Schools is free from the unlawful use of physical restraint. Physical restraint shall be used only in emergency situations of last resort, after other lawful and less intrusive alternatives have failed or been deemed inappropriate, and with extreme caution. School personnel shall use physical restraint with two goals in mind:

- (a) To administer a physical restraint only when needed to protect a student and/or a member of the school community from assault or imminent, serious, physical harm; and
- (b) To prevent or minimize any harm to the student as a result of the use of physical restraint.

Use of Restraint. Physical restraint¹ shall be considered an emergency procedure of last resort, and shall be prohibited in public education programs except when a student’s behavior poses a threat of assault, or imminent, serious, physical harm to self or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions and/or alternatives, or such interventions and/or alternatives are deemed to be inappropriate under the circumstances. Prone restraint² is prohibited except in limited circumstances set forth in the 603 CMR 46.03. All physical restraints, including prone restraints where permitted, shall be administered in compliance with 603 CMR 46.05

Physical restraint shall not be used:

- (a) as a means of discipline or punishment;
- (b) when the student cannot be safely restrained because it is medically contraindicated for reasons including, but not limited to, asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting;

¹ **Physical restraint** shall mean direct physical contact that prevents or significantly restricts a student’s freedom of movement. Physical restraint does not include: brief physical contact to promote student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing comfort, or a physical escort.

² **Prone restraint** shall mean a physical restraint in which a student is placed face down on the floor or another surface, and physical pressure is applied to the student’s body to keep the student in the face-down position.

(c) as a response to property destruction, disruption of school order, a student's refusal to comply with a policy or directive, or verbal threats when those actions do not constitute a threat of assault, or imminent, serious, physical harm;

(d) as a standard response for any individual student. No written individual behavior plan or individualized education program (IEP) may include use of physical restraint as a standard response to any behavior. Physical restraint is an emergency procedure of last resort.

Mechanical restraint³, medication restraint⁴, and seclusion⁵ shall be prohibited in public education programs. Seclusion does not include a time-out, as defined within the Regulations.⁶

The Regulations do not limit the protection afforded publicly funded students under other state or federal laws, including those laws that provide for the rights of students who have been found eligible to receive special education services.

Proper Administration of Physical Restraint. Only personnel of the Hanover Public Schools who have received training pursuant to the Regulations shall administer physical restraint on students. Whenever possible, the administration of a restraint shall be witnessed by at least one adult who does not participate in the restraint. Nothing in this policy shall preclude a teacher, employee or agent of the Hanover Public School from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm. When administering a physical restraint, trained staff shall comply with the requirements regarding use of force, method, duration of the restraint, and safety, as set forth in the Regulations.

Staff Training. All school staff must receive training with respect to the district's restraint prevention and behavior support policy and requirements when restraint is used. Training shall include information on the role of various individuals in preventing restraint, the restraint prevention and behavior support policy and procedures, interventions that may preclude the need for restraint, types of permitted physical restraints and related safety considerations, and administering physical restraint in accordance with medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans applicable to an individual student.

Additionally, the school must identify specific staff that is authorized to serve as school-wide resources to assist in ensuring proper administration of physical restraint. These individuals must participate in in-depth training in the use of physical restraint and implementation of the Regulations.

³ Mechanical restraint means the use of any device or equipment to restrict a student's freedom of movement.

⁴ Medication restraint means the administration of medication for the purpose of temporarily controlling behavior.

⁵ Seclusion means the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving.

⁶ Time-out means a behavioral support strategy developed 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 time-out, a student must be continuously observed by a staff member. Staff shall be with the student or immediately available to the student at all times. The space used for time-out must be clean, safe, sanitary, and appropriate for the purpose of calming. Time-out shall cease as soon as the student has calmed.

Reporting Requirements. Program staff shall report the use of any physical restraint, as required by the Regulations. The staff member who administered the restraint shall notify the principal verbally as soon as possible and in writing no later than the next school working day. The report shall be maintained by the school and made available for review by the Parent(s) or the DESE upon request.

The principal or designee shall make reasonable efforts to inform the Parent(s) of the restraint within 24 hours of the event, and shall notify the Parent(s) by written report within three school working days of the restraint. The information in the report shall be in conformance with 603 CMR 46.06(4). The written restraint report must be provided to the Parent(s) in the language in which report cards and other necessary school-related information are customarily provided.

The Principal or designee shall review restraint data weekly to determine whether one or more students may have been restrained multiple times during the week. If so, the Principal shall convene one or more teams as deemed appropriate to assess the students' progress and needs, with the goal of reducing or eliminating the need for restraint. The Principal shall also conduct a monthly review of school-wide restraint data and take steps to reduce or eliminate the use of restraint within the school where appropriate.

All physical restraints that result in injury must be reported to DESE. In addition, the district will collect and annually report data relating to the district's use of restraints to DESE.

Prevention of Dangerous Behavior. As set forth in the Regulations, the Hanover Public Schools shall develop methods for preventing student violence, self-injurious behavior, and suicide, including individual crisis planning, behavior intervention plans, and de-escalation of potentially dangerous behavior occurring among groups of students or with an individual student.

Parent Engagement. In accordance with the regulations, the Hanover Public Schools shall engage parents in discussions about restraint prevention and the use of restraint solely as an emergency procedure.

Complaints. Complaints and investigations regarding restraint practices are covered by Hanover Public School Policy File: KE, Public Complaints

Additional information, including a copy of the regulations, can be obtained from the Director of Student Services who can be reached at 781-878-0786. A copy of the regulations may also be obtained at www.doe.mass.edu/lawsregs/603cmr46.html.

DETENTION

A school administrator or teacher may detain a student for disciplinary reasons during school hours. Further, a school administrator or teacher may detain a student for disciplinary reasons after school hours provided, for elementary school students and middle school students, the parent has been notified of the detention and, in the case of bus students, arrangements have been made for the student's transportation home. In cases where parent transportation is required, 24 hours' notice will be given so that transportation may be arranged.

Parents may be asked to arrange for the transportation of the detained student. If the parents cannot personally pick up the student they should be encouraged to arrange for transportation. Failure to serve a detention for any reason can be cause for more severe disciplinary action.

SUSPENSION OF STUDENTS

The Principal/Assistant Principal shall have the authority and it shall be his/her duty to suspend any student from school for violations of the code of conduct contained within the Student Handbooks.

As in the case of all disciplinary measures, actions by the student on school premises, both when school is in session and when it is not, at school sponsored or school related events whether on school property or not, are subject to these rules.

Before a student is suspended, oral or written notice must be given to the student of the charge(s) against him/her as well as an explanation of the basis of the accusation(s). The student shall have the opportunity to present his/her version of the situation.

Unless the student's continued presence at school endangers persons or property or threatens disruption of the academic process as judged by the principal or his/her designee, the hearing must precede rather than follow the suspension.

In the exceptional case where immediate suspension is justified, the necessary notice and hearing must follow as soon as practicable.

In all cases of suspension, a notice will be mailed by the Principal or his/her designee to the parents setting forth the reasons and duration of the suspension.

LEGAL REFS: M.G.L. 71.37H; 17.37H ½

CROSS REF: Student Handbook Codes of Conduct

EXPULSION

Expulsion of Students

In most circumstances, the Principal may expel a student with the approval of the Superintendent. The parents or guardians and the student will be notified in writing of the situation and be given all the rights provided by the law M.G.L. c. 71, §. 37H and §37H ½.

The Hanover Schools adheres to Massachusetts General Law regarding providing educational services to expelled students.

A student with defined special needs may not be suspended for more than ten days in a given school year or expelled by following procedures stated in Chapter 766, Section 338. A school must convene an emergency team meeting who would make a determination followed by a suspension/expulsion hearing before the appropriate authorities (Department of Education Opinion December 14, 1993).

Expulsion by the School Committee

Students should be aware that serious or repeated misconduct other than that outlined in M.G.L. c.71, §37H and §37H ½ may result in an expulsion hearing before the School Committee.

Expulsion for Possession of Dangerous Weapon, Controlled Substances, or Assault on School Personnel

Any student in possession or who has used a dangerous weapon or an object to bring harm, including but not limited to, a gun or knife; or a controlled substance, including but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion. Any student who assaults a Principal, Assistant Principal, teacher, or other educational staff may be subject to expulsion. Student expelled for the aforementioned reasons shall be expelled from the Hanover Schools for a period of not less than one year except as determined by the Superintendent on a case-by-case basis.

As required by federal law, any student who is determined to have brought a firearm to school or to a school-related function shall be excluded from the Hanover 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.

LEGAL REFS: M.G.L. 71:16; 71:37H and 37H ½
 Chapter 766, Section 338
 Gun Free Schools Act
 Definition of firearm found at U.S.C. Title 18, Chapter 44, 921, §(3) and (4)

STUDENT WELFARE

Supervision of Students

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

In keeping with this expected prudence, no teacher or other staff member will leave his/her assigned group unsupervised except when an arrangement has been made to take care of an emergency.

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

Reporting to Authorities - Suspected Child Abuse or Neglect

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

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

Student Safety

Instruction in courses in industrial arts, science, homemaking, art, physical education, health, and safety will include and emphasize accident prevention.

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

Safety on the Playground and Playing Field

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

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

Fire Drills

The District shall cooperate with the Hanover Fire Department in conducting fire drills.

STUDENT INSURANCE PROGRAM

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

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

STUDENT HEALTH SERVICES AND REQUIREMENTS

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

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

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

The Hanover Schools employ certified school nurses who are in attendance or on call at each school during school hours. Other health professionals such as the school physician and health educators provide services as needed. The school department works in cooperation with other recognized medical and public health groups towards a health program for all students.

Procedures for Emergency at School

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

Each year parents shall supply information indicating where the student is to be taken in case of an emergency; the name, address, and phone number of a neighbor to be contacted in case the parent/guardian is not available; and any allergies or diseases the student might have.

The District shall maintain an Emergency Procedures Handbook, which shall be utilized by District personnel for handling emergencies. Emergency procedures shall include the following:

- Provision for care beyond First Aid, which would enable care by the family or its physician or the Paramedic Assistance Unit of the Fire Department. In instances when the Paramedic Assistance Unit is required, every effort shall be made to provide the unit with the student's Emergency Card which lists any allergies or diseases the student might have;
- Information relative to not permitting the administration of any form of medicine or drugs to students without written approval of parents. Requests made by parents for such administration of medication shall be reviewed and approved by the Principal or designee;
- Provisions for reporting all accidents, cases of injury, or illness to the Principal. Provisions shall be made (in all cases of injury or illness involving possible legal or public relations implications) for reporting such to the appropriate executive director of education immediately.
- Prompt reporting by teachers to the Principal or designee any accident or serious illness. Such reports will be filed with the Business Office.

Student Illness or Injury

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

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

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

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

CROSS REF.: EBB, First Aid

PHYSICAL EXAMINATIONS

A physical examination is required for each student entering the public schools for the first time and periodic examinations may be required for certain students grades 1-12. The physical examinations should be done by the family's physician. All students participating in interscholastic athletics must have a physical examination prior to participation and within a year. A current medical history signed by the student's parent or guardian must be presented to the coach for review prior to participation in each sport. The nurse or physician may require an additional physical examination based upon the student's history of injury or illness.

LEGAL REFS.: M.G.L. 71:53; 71:54; 71:56; 76:15

CROSS REF.: JFAA, School Attendance

SCREENING PROGRAMS

Visual, auditory and postural assessments are given to students by persons approved by the Mass. Department of Public Health and using approved equipment. Screening tests for other departmental problems may be carried out from time to time. If, as a result of screening tests, a student is identified with a suspected defect, the parents/guardians are notified and should take the responsibility for obtaining a definitive diagnosis and treatment for the student.

IMMUNIZATION POLICY

Admission to Hanover Schools requires complete documentation of immunization against Diphtheria, Pertussis, Tetanus, Polio, Measles, Mumps, Rubella, Varicella (chicken pox) Haemophilus Influenza type B (HIB) according to Massachusetts General Law, Chapter 76, Section 15. Families must also demonstrate their child is in the process of completing the Hepatitis B vaccine series.

No child will be admitted unless the following conditions are met:

1. A physician's certificate of immunization in accordance with current state requirements.
2. A physician's statement is acceptable evidence of protection for measles, mumps, polio, diphtheria, tetanus, pertussis and varicella, and will meet the Immunization Law requirements. It is not acceptable for rubella. Because history of rubella disease is not a reliable indicator of immunity, all children and adults should be immunized unless there are contra-indications. A physician's certificate that immunization is contra-indicated for medical reasons or proof of an acceptable titer is acceptable.

There are two (2) exceptions to this law: (1) medical reasons and (2) religious reasons. However, these will not be accepted as valid unless accompanied by:

1. A physician's written statement-outlining reasons for the medical exemption. This statement must be submitted annually.
2. A parent/guardian's statement that immunizations conflict with sincere religious beliefs. This statement must be submitted annually.

Non-immunized children will not be admitted to school. If a student is inadvertently admitted, he/she will be excluded unless parent/guardian is able to provide the required information within 15 calendar days.

In addition to the immunization requirements listed, proof of a lead-screening test must be submitted before entrance to kindergarten.

IMMUNIZATION EXCLUSION POLICY

Any student who is not full compliance with the immunization requirements set forth by the Massachusetts Department of Public Health and Massachusetts General Law, Chapter 76, Section 15, shall be subject to the following action:

1. Written notification of non compliant immunizations will be sent to the parent/guardian requesting compliance within two (2) weeks. The building Principal and the Superintendent of schools will receive copies of the students' who are non-compliant.
2. If documentation of full compliance is not received, a second written notification is sent to the parent/guardian with an exclusion date of within two (2) weeks. This will originate from the nurse manager and the Superintendent of Schools.
3. The student may be allowed to remain in school only if there is documentation that an appointment has been made with the primary care physician. This appointment should be within two (2) weeks.
4. The student will be excluded from school 2 weeks from notification if no immunization documentation has been received and the school nurse has not received written documentation that an appointment has been made.

COMMUNICABLE DISEASES

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

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

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

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

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

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

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

LEGAL REF.: M.G.L. 71:55

STUDENTS WITH AIDS

HIV Infection/AIDS remains a considerable concern throughout the United States. This disease spreads every day as the number of cases continues to increase. The impact that this disease is having in all phases of health care delivery is reaching levels that were predicted.

AIDS is a disease that affects the human immune system, rendering the body unable to fight off infection. A virus, known as Lily (Human Immunodeficiency Virus) has been identified as the cause of AIDS. This virus is not highly contagious and requires intimate contact for transmission. While a small number of HIV Infection/AIDS cases have been caused by transfusion of infected blood or use of certain blood products, this mode of transmission has been virtually eliminated through blood donor screening, and by manufacturing processes that inactivate the virus. The primary avenues of transmission of AIDS are sexual contact with an infected person and the sharing of blood-contaminated needles by illicit drug users.

To date, there is no record of transmission of HIV Infection/AIDS to family members through every-day casual contact (non-sexual). This fact is also observed with medical personnel who directly care for HIV Infection/AIDS cases. Since no evidence of casual transmission by sitting near, living in the same household, or playing together with an individual with HIV Infection/AIDS, the following guidelines will be implemented:

1. All children diagnosed as having HIV Infection/AIDS and receiving medical attention are able to attend regular classes.
2. Restrictions:

No child should attend classes in the event of:
 - A. Weeping or bloody skin or mouth sores that cannot be successfully covered or controlled with medications.
 - B. Biting of an unusual frequency or severity that would be accompanied by actual transfer of blood from the biter, as might happen only from a child with chronically bloody gums or mouth.
 - C. Bloody diarrhea and/or bloody urine.
 - D. Children diagnosed as having HIV Infection/AIDS who are too ill to attend school should have an appropriate alternative education plan.
 - E. Siblings of children diagnosed as having HIV Infection/AIDS or with clinical evidence of infection with the AIDS associated virus (HTLV III) are able to attend school without any further restrictions.
 - F. Please see attached Medical Guidelines Appendix A.
3. The student's parents/or guardians are the keepers of information relating to the student's HIV Infection/AIDS status. They are not obligated to disclose this information to school personnel.

- A. In consultation with the student's primary care physician, the student's parent or guardian may decide to inform the school nurse or school physician about the student's HIV Infection/AIDS status. If they so choose, the following guidelines will be implemented:
1. The student's parents or guardians may inform the school nurse/school physician directly.
 2. The primary care physician may make the disclosure. In this case, specific informed written consent of the student's parents or guardians is required.
 3. Further disclosure of a student's HIV Infection/AIDS status by the school personnel requires the specific, informed, written consent of the student's parents or guardians. If the school nurse/school physician and the child's personal physician are in conflict, then the case should be referred to the Department of Public Health for review by an appointed physician, who would determine the permissibility of school attendance.
 4. Since the child diagnosed as having HIV Infection/AIDS has a much greater risk of encountering infections in the school setting, the child should be excluded from school if there is an outbreak of a threatening communicable disease, such as chicken pox or measles, until he/she is properly treated (possibly with hyperimmune gamma globulin) and/or the outbreak has no longer become a threat to the child.
 5. Blood, or any other body fluids, including vomitus and fecal or urinary incontinence in any child, should be treated with extreme caution. It is recommended that gloves be worn when cleaning up any body fluids. (Gloves are available to all staff upon request).
 - a. These spills shall be disinfected with bleach (one part bleach to ten parts water), by pouring the solution around the perimeter of the spill, extending well beyond the spill.
 - b. All disposable materials, including gloves, shall be discarded into a plastic bag. The mop should also be disinfected with the bleach solution described in 5A.
- C. Persons involved in the clean-up shall wash their hands afterward.
1. Hand washing Guidelines:

HAND WASHING IS THE FIRST LINE OF DEFENSE AGAINST THE SPREAD OF INFECTIONS. Strict hand washing must be practiced by children and staff including, but not limited to, the following items:

 - Upon arrival at the program
 - BEFORE eating or handling food,
 - AFTER going to the bathroom or assisting in toileting or diapering.
 - AFTER contact with body fluid (blood, mucus, feces, vomitus, etc.)
 - AFTER cleaning areas contaminated with body fluids
 - AFTER handling pets or their equipment

Hands should be washing with running water and liquid soap, using friction for 15-30 seconds. Hands should be dried with disposable towels or a labeled personal towel which is not used by anyone else. The faucet should be turned off with a disposable towel so that clean hands are not dirtied.

2. Sanitation Guidelines:

Commonly used surfaces should be sanitized with a standard bleach solution (solution: small amount = 1 tablespoon household bleach in a quart of water; large amounts = 1/4 cup of bleach in a gallon of water). Make the solution fresh daily, and keeping a spray bottle out of children's reach. Spray on used surfaces, including bathrooms, sinks, etc. Air dry.

3. Universal Precautions for school settings will be strategically placed in each building. See Appendix B (JLCCA-E).

LEGAL REF.: M.G.L. 71:57

CROSS REF.: JLC, Student Health Services and Requirements

BODY MASS INDEX POLICY

As required by Massachusetts Department of Public Health (“MDPH”) regulation 105 CMR 200.500, the Hanover Schools will conduct Body Mass Index (BMI) screenings for each student in grades 1, 4, 7 and 10. The school will calculate the corresponding BMI percentile and will record the results in the student medical record.

The screening and reporting process shall be conducted as follows:

- (A) Measurement of weight and height shall be done by trained school personnel employed by the Hanover Schools, and in accordance with guidelines of the MDPH.
- (B) Prior notice of the screening and the benefits of the screening shall be provided by the parent or legal guardian by any reasonable means.
- (C) Every effort shall be made to protect the privacy of the student during the screening process. To ensure confidentiality, trained school personnel shall not disclose the height, weight or BMI calculations of an individual student, either verbally or in written form, to anyone other than the parent or individual student without written permission of the parent.
- (D) The student’s height, weight, BMI score and corresponding percentile shall be recorded and maintained in the student’s school health record. Upon request of the parent and/or legal guardian, the BMI score shall be provided to the parent and/or legal guardian.
- (E) A letter recommending an evaluation of the student’s BMI results may be sent privately to the student’s parent or guardian at the school nurse’s discretion.
- (F) The school or school district will provide the MDPH annually with aggregate student BMI data including totals by grade, gender and BMI category, as specified in guidelines of the department.
- (G) Parents and legal guardians shall be provided with an opportunity to request, in writing, that their child’s measurements not be taken. Such requests shall be directed to the building principal and/or the school nurse.

Legal references: 105 C.M.R. 200.500
 M.G.L. c. 71, sec. 57
 20 U.S.C. 123h (PPRA)

MEDICAL GUIDELINES/UNIVERSAL PRECAUTIONS RELATED TO AIDS

APPENDIX A

Medical Guidelines Regarding Students who Bleed in an Uncontrollable Fashion in a School Setting

A number of serious infectious diseases are spread by contact with human blood. Among these blood-borne infections are the Hepatitis B virus and HIV (the virus that causes AIDS). Consequently, students who bleed uncontrollably should not have routine contact with other individuals in school settings.

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

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

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

Adapted from Medical Update to Policy Guidelines: Infants, Toddlers, and Preschoolers with HIV/Infection/AIDS in Early Child Settings Department of Public Health.

APPENDIX B

Universal Precautions for School Settings

Universal precautions refer to the usual and ordinary steps all school staff need to take in order to reduce their risk of infection with HIV, the virus that causes AIDS, as well as all other blood-borne organisms (such as the Hepatitis B virus).

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

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

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

1. Treat human blood spills with caution.
2. Clean up blood spills promptly.
3. Inspect the intactness of skin on all exposed body parts, especially the hands. Cover any and all open cuts or broken skin, or ask another staff member to do the clean up. Latex gloves contribute an added measure of protection, but are not essential if skin is intact.

4. Clean up blood spills with a solution of one part household bleach to ten parts water, pouring the solution around the periphery of the spill. Disinfect mops, buckets, and other cleaning equipment with fresh bleach solution.
5. Always wash hands after any contact with body fluids. This should be done immediately in order to avoid contaminating other surfaces or parts of the body (be especially careful not to touch your eyes before washing up). Soap and water will kill HIV.
6. Clean up other body fluids (urine, vomitus, feces), unless grossly blood contaminated, in the usual manner. They do not pose a significant risk of HIV infection.

Adopted from Universal Precautions for School Settings Massachusetts Department of Education and Medical Update to Massachusetts Policy Guidelines: Infants, Toddlers, and Preschoolers with HIV Infection/AIDS in Early Childhood Settings

ADMINISTERING MEDICINE TO STUDENTS

Whenever possible, medications should be given at home before and/or after school. If it is necessary for a student to receive medication at school, Hanover Public School will follow the guidelines outlined by the Massachusetts Department of Health Regulations (105 CMR 210).

1. Responsibility of the School Nurse

- a. The school nurse shall have responsibility for the development and management of the prescription medication administration program in each school.
- b. Medication Orders
 - i. The school nurse shall ensure that there is a proper medication order from a licensed prescriber which is renewed as necessary including the beginning of each academic year. Only the school nurse shall receive a telephone order or an order for any change in prescription medication. Any verbal order must be followed by a written order within three school days. Whenever possible, the medication order shall be obtained, and the medication administration plan specified in 105 CMR 210.005(E) shall be developed before the student enters or re-enters school.
 - ii. In accordance with standard medical practice, a medication order from a licensed prescriber shall contain:
 1. The student's name;
 2. The name and signature of the licensed prescriber and business and emergency phone numbers;
 3. The name, route and dosage of medication;
 4. The frequency and time of medication administration;
 5. The date of the order;
 6. A diagnosis and any other medical condition(s) requiring medication, if not a violation of confidentiality or if not contrary to the request of a parent, guardian or student to keep confidential;
 7. Specific directions for administration.
 - iii. Every effort shall be made to obtain from the licensed prescriber the following additional information, as appropriate:
 1. Any special side effects, contraindications and adverse reactions to be observed;
 2. Any other medications being taken by the student;
 3. The date of return visit, if applicable.
- c. Special Medication Situations
 - i. For short-term prescription medications, i.e., those requiring administration for ten school days or fewer, the pharmacy-labeled container may be used in lieu of a licensed prescriber's order. If the nurse has a question, she may request a licensed prescriber's order.
 - ii. For "over-the-counter" medications, i.e., non-prescription medications, the school nurse shall follow the Board of Registration in Nursing's protocols regarding administration of over-the-counter medications in schools.

- iii. Investigational new drugs may be administered in the schools as specified in 105 CMR 210.005.
- iv. Epinephrine shall be stored in a secure but unlocked place, as determined by the school nurse, accessible only to authorized persons
- v. As long as the conditions of the regulations concerning self-administration of medication are met (105 CMR 210.006), students with:
 - 1. Asthma or other respiratory diseases may be allowed to possess and administer prescription inhalers;
 - 2. Life threatening allergies may possess and administer epinephrine;
 - 3. Cystic Fibrosis may possess and administer prescription enzyme supplements;
 - 4. Diabetes may possess and administer a glucose monitoring test and insulin delivery system.

d. Parental Permission

- i. The school nurse shall ensure that there is a written authorization by the parent or guardian which contains:
 - 1. The parent or guardian's printed name and signature and a home and emergency phone number;
 - 2. A list of all medications the student is currently receiving, if not a violation of confidentiality or contrary to the request of the parent, guardian or student that such medication not be documented;
 - 3. Approval to have the school nurse or school personnel designated by the school nurse administer the prescription medication;
 - 4. Persons to be notified in case of a medication emergency in addition to the parent or guardian and licensed prescriber

- e. Medication Administration Plan: The school nurse, in collaboration with the parent or guardian whenever possible, shall establish a medication administration plan for each student receiving a prescription medication. Whenever possible, a student who understands the issues of medication administration shall be involved in the decision-making process and his/her preferences respected to the maximum extent possible. If appropriate, the medication administration plan shall be referenced in any other health or educational plan developed pursuant to St. 1972, c. 766 the Massachusetts Special Education Law (Individual Education Plan under Chapter 766) or federal laws, such as the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973.

- f. Procedures for Administration of Prescription Medications are outlined in the Hanover Public Schools Health Services Resource Manual.

2. Handling, Storage and Disposal of Prescription Medications

- a. A parent, guardian or parent/guardian-designated responsible adult shall deliver all prescription medications to the school nurse or other responsible person designated by the school nurse.
- b. The prescription medication must be in a pharmacy or manufacturer labeled container.
- c. The school nurse receiving the prescription medication shall document the quantity of the prescription medication delivered.
- d. All prescription medications shall lie stored in their original pharmacy or manufacturer labeled containers and in such manner as to render them safe and effective.
- e. All prescription medications to be administered by school personnel shall be kept in a securely locked cabinet used exclusively for medications, which are kept locked except when opened to obtain medications.

- f. Prescription medications requiring refrigeration shall be stored in either a locked box in a refrigerator or in a locked refrigerator maintained at temperatures of 380 F to 420 F.
- g. Access to stored prescription medications shall be limited to persons authorized to administer prescription medications and to self-medicating students, to the extent permitted by school policy developed pursuant to 105 CMR 210.006(B)(8). Access to keys and knowledge of the location of keys shall be restricted to the maximum extent possible. Students who are self-medicating shall not have access to other students' medications.
- h. Parents or guardians may retrieve the prescription medications from the school at any time.
- i. No more than a 30 school day supply of the prescription medication for a student shall be stored at the school.
- j. Where possible, all unused, discontinued or outdated prescription medications shall be returned to the parent or guardian and the return appropriately documented. In extenuating circumstances, with parental consent when possible, such prescription medications may be destroyed by the school nurse in accordance with any applicable policies of the Massachusetts Department of Public Health, Division of Food and Drugs.

3. Documentation and Record-Keeping

- a. Each school shall maintain a medication administration record for each student who receives prescription medication during school hours.
- b. Such record at a minimum shall include a daily log and a medication administration plan, including the medication order and parent/guardian authorization.
- c. The medication administration plan shall include the information as described in 105 CMR 210.005(E).
- d. The daily log shall contain:
 - i. The dose or amount of prescription medication administered;
 - ii. The date and time of administration or omission of administration, including the reason for omission;
 - iii. The signature or electronic signature of the nurse administering the prescription medication.
- e. The school nurse shall document in the medication administration record significant observations of the prescription medication's effectiveness, as appropriate, and any adverse reactions or other harmful effects, as well as any action taken.
- f. All documentation shall be recorded in the electronic medical record or ink and shall not be altered.
- g. Medication errors, as defined in 105 CMR 210.005(F)(5), shall be documented by the school nurse on an accident/incident report form. These reports shall be retained in a location as determined by school policy and made available to the Department of Public Health upon request. All suspected diversion or tampering of drugs shall be reported to the Department of Public Health, Division of Food and Drugs. All medication errors resulting in serious illness requiring medical care shall be reported to the Department of Public Health, Bureau of Family and Community Health.
- h. The school district shall comply with the Department of Public Health's reporting requirements for prescription medication administration in the schools.

4. Self Administration of Prescription Medication

- a. Students may self administer prescription medication provided the conditions outlined in CMR 210.006 are met including:

- i. Student, school nurse and parent/guardian, where appropriate, enter into an agreement which specifies the conditions under which prescription medication may be self administered
- ii. The school nurse, as appropriate, develops a medication administration plan which contains elements necessary to ensure safe self administration of prescription medication, including safe storage, documentation, monitoring and evaluation
- iii. The school nurse evaluates the student's health status and deems self-administration safe and appropriate. As necessary, the school nurse shall observe initial self administration of the prescription medication;
- iv. The school nurse is able to identify the appropriate prescription medication, know the frequency and time of day for which the prescription medication is ordered, and follows the school self administration protocols
- v. There is written authorization from the student's parent or guardian that the student may self-medicate, unless the student has consented to treatment under MGL c. 112 section 12 F or other authority permitting the student to consent to medical treatment without parental permission;
- vi. If requested by the school nurse, the licensed prescriber provides a written order for self administration
- vii. The student follow a procedure for documentation of prescription medication

5. Administration of Epinephrine

- a. The district will register with the Department of Public Health for the limited purpose of permitting properly trained school personnel to administer epinephrine by auto injector in a life-threatening situation during the school day when a school nurse is not immediately available, including field trips and before and after school programs.
- b. The district will have a written protocol, signed by the school physician, authorizing the school nurse to administer epinephrine to individuals who experience symptoms of anaphylaxis in the school setting. The school nurse should maintain stock supplies of epinephrine for this purpose.
- c. The nurse leader or responsible school nurse will develop policies governing administration of epinephrine by auto injector. This approval must be renewed every two years;
 - i. The school committee, in consultation with the nurse leader or responsible school nurse, provides a written assurance to the Department that the requirements of the regulations will be met;
 - ii. In consultation with the school physician, the designated school nurse leader or responsible school nurse manages and has final decision making authority about the program. This person, or school nurses designated by this person, shall select the individuals authorized to administer epinephrine by auto injector. Persons authorized to administer epinephrine shall meet the requirements of section 210.004(B)(2);
 - iii. The school personnel authorized to administer epinephrine by auto injector are trained and tested for competency by the designated school nurse leader or responsible school nurse, or school nurses designated by this person, in accordance with standards and a curriculum established by the Department of Public Health.
 - iv. The designated school nurse leader or responsible school nurse, or school nurses designated by this person, shall document the training and testing of competency.
 - v. The designated school nurse leader or responsible school nurse, or a designee, shall provide a training review and informational update at least twice a year.

- vi. The school shall maintain and make available upon request by parents or staff a list of those school personnel authorized and trained to administer epinephrine by auto injector in an emergency, when the school nurse is not immediately available.

6. Administration of Nasal Naloxone

- a. The Hanover Public School district may have a written protocol, signed by the school physician, authorizing the school nurse to administer nasal naloxone to individuals who experience a life threatening opiate overdose in the school setting. Stock supplies of nasal naloxone may be maintained by the school nurse for this purpose.
- b. Per MGL c. 94C, 19(d), nasal naloxone may be prescribed and dispensed to a person in a position to assist a person at risk of experiencing an opiate-related overdose. All nurses in all practice settings, including schools, as part of their professional responsibility may teach individuals to administer nasal naloxone in the school setting.
- c. In the Hanover Public Schools, the designated Nurse Leader and designated School Nurses may train approved personnel in the administration of nasal naloxone in the school setting to individuals with life-threatening opiate overdose events.
- d. The school nurse leader in consultation the school physician will manage the training program, with full decision-making authority.
- e. School nurses are responsible and accountable for their nursing judgments, actions and competence related to teaching of nasal naloxone administration, but not for the performance of the activity or the outcome.
- f. Nasal naloxone should be administered in accordance with DPH competencies and trainings.
- g. Nasal naloxone may be stored in any school building in an area that is secure but not locked during those times when nasal naloxone is most likely to be administered, as determined by the school nurse.

Legal Reference: Department of Public Health Regulations: 105 CMR 210

M.G.L. 71:54B

M.G.L. C. 94C, 19(d)

Medical Directive: Department of Public Health, *Administration of Nasal Naloxone to Individuals Experiencing Life-Threatening Opiate Overdoses*

FIRST AID AND EMERGENCY CARE

In the event of sudden illness or injury parents will be notified. The school nurse shall be promptly notified of all, injuries or sudden illness occurring to students and school employees. Emergency cards containing the information necessary for contacting the student's parent or guardian are required of all students upon entry to school each September. Emergency cards shall be available to school faculty as required. Emergency cards are maintained in school offices and updated annually. Emergency care shall consist of first aid or cardiopulmonary resuscitation. All other treatment is the responsibility of the parent and family physician or hospital.

Automatic External Defibrillator

An AED will be available to faculty, staff and students throughout school day and after hours in school sponsored activities. The Hanover Schools, which is the AED provider agency, will meet all Department of Public Health requirements for AED implementation. The Hanover School Committee will ensure that a Memorandum of Agreement is in place establishing training, credentialing, and quality assurance of AEDs. Only trained AED certified staff would be able to use an AED. It will be the goal of the Hanover Schools to have at least six AED certified staff at each school. All AED certified staff must maintain certification and participate in practice drills every six months.

GUIDANCE PROGRAM

The ASCA National Standards serve as the foundation for the Guidance Program of the Hanover Schools, incorporating the themes of leadership, advocacy, collaboration and systemic change. The guidance and counseling programs are an integral part of the educational program and are available to all students and parents/guardians. It shall be the goal of the Committee to provide adequate guidance and counseling programs in all of the schools.

An effective guidance program facilitates student development in three broad domains: academic, career, and personal/social, to promote and enhance the learning process. Student competencies define the knowledge, attitudes or skills students should obtain or demonstrate as a result of participating in the school counseling program.

The program shall provide direct services in educational and occupational planning as well as personal development and adjustment. The primary function of guidance services at the high school level is to assist students in reassessing their abilities, interests, and needs so that can make intelligent decisions concerning their education and future.

Guidance Counselors link together the many people involved in a student's education. Guidance services shall include: educational guidance; testing programs; occupational, career, and higher education assistance and information; study aids; consultation services; and personal development. These services will be available to all students.

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

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

CHILD ABUSE POLICY

Any public school teacher, educational administrator, guidance or family counselor, nurse, or social worker, as well as certain other professionals, who in his/her professional capacity believes that a child under eighteen years of age is suffering serious physical or emotional injury resulting from such abuse or neglect, must immediately report such cases to the Department of Public Welfare.

STUDENT GIFTS AND SOLICITATIONS

Because of the embarrassment that might result among children, students will be discouraged from giving gifts to classroom teachers and other school personnel. For the same reason, there will be no formal exchange of gifts between students in the classroom.

Solicitation of funds for charitable purposes from students of the school system will be made only as approved by the School Committee.

Any organization desiring to distribute flyers or other materials to students in connection with fund drives may do so only with the approval of the Superintendent.

CROSS REFS.: GBEBC, Staff Gifts and Solicitations
 JJE, Student Fund-Raising Activities
 KHA, Public Solicitations in the Schools
 KHB, Advertising in the Schools

STUDENT FEES, FINES AND CHARGES

Students are responsible for textbooks and school materials and must ensure they receive proper care. Any item lost or defaced will result in the student paying for said item at its replacement value. Also, any defacement or vandalism to school property and grounds will lead to the costs of repair being paid by the individual(s) responsible. Payment will be made to the school office.

Students may be assessed fees for use of instructional materials when the product is to be kept by the student, such as in industrial arts, under procedures established by the principal and approved by the superintendent.

Textbooks are issued to each student who shall maintain them in reasonable condition. Textbooks must be covered. On occasion the student may be issued special equipment as part of the curricular or extracurricular program such as library books or uniforms. Should the book or item be lost or severely damaged in the opinion of the teacher in charge, the student is required to pay a reasonable cost to replace the item. Said costs will equal the cost of replacement of materials.

STUDENT RECORDS

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

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

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

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

CROSS REF: KDB, Public's Right to Know

STUDENT RECORDS

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

Application of Rights

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

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

Definition of Terms

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

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

Authorized school personnel: shall consist of three groups:

- (1) School administrators, teachers, counselors and other professionals who are employed by the School Committee or who are providing services to the student under an agreement between the School Committee and a service provider, and who are working directly with the student in an administrative, teaching, counseling and/or diagnostic capacity. Any such personnel who are not employed directly by the School Committee shall have access only to the student record information that is required for them to perform their duties.

- (2) Administrative office staff and clerical personnel, including operators of data processing equipment or equipment that produces microfilm/microfiche, who are either employed by the School Committee or are employed under a School Committee service contract, and whose duties require them to have access to student records for purposes of processing information for the student record. Such personnel shall have access only to the student record information that is required for them to perform their duties.
- (3) The evaluation team that evaluates a student.

Eligible student: shall mean any student who is 14 years of age or older or who has entered 9d~ grade, unless the School Committee acting pursuant to 603 CMR 23.0 1(4) extends the rights and provisions of 603 CMR 23.00 to students under the age of 14 or to students who have not yet entered 9d~ grade.

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

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

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

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

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

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

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

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

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

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

- (a) Authorized school personnel under 603 CMR 23.02(9)(a) who inspect the student record;
- (b) Administrative office staff and clerical personnel under 603 CMR 23.02(9)(b), who add information to or obtain access to the student record; and
- (c) School nurses who inspect the student health record.

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

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

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

- (a) A non-custodial parent is eligible to obtain access to the student record unless:
 - 1. The parent has been denied legal custody based on a threat to the safety of the student or to the custodial parent, or
 - 2. The parent has been denied visitation or has been ordered to supervised visitation, or
 - 3. The parent's access to the student or to the custodial parent has been restricted by a temporary or permanent protective order, unless the protective order (or any subsequent order modifying the protective order) specifically allows access to the information contained in the student record.
- (b) In order to obtain access, the non-custodial parent must submit a written request for the student record to the high school principal annually. The initial request must include the following:

1. A certified copy of the court order or judgment relative to the custody of the student that either indicates that the requesting parent is eligible to receive access as set forth in 603 CMR 23.07(5)(a), or a certified copy of a court order specifically ordering that the student records be made available to the non-custodial parent, and
 2. An affidavit from the non-custodial parent that said court order or judgment remain in effect and that there is no temporary or permanent order restricting access to the custodial parent or any child in the custodial parent's custody.
- (c) The non-custodial parent must submit a written request for a access each year stating that said parent continues to be entitled to unsupervised visitation with the student and is eligible to obtain access as set forth in 603 CMR 23.07(5)(a).
- (d) Upon receipt of the request (initial and annual) the school must immediately notify the custodial parent by certified and first class mail, in English• and the primary language of the custodial parent, that it will provide the non-custodial parent with access after 21 days, unless the custodial parent provides the principal with documentation that the non-custodial parent is not eligible to obtain access as set forth in 603 CMR 23 .07(5)(a).
- (e) The school must delete the address and telephone number of the student and custodial parent from student records provided to non-custodial parents. In addition, such records must be marked to indicate that they shall not be used to enroll the student in another school.
- (f) Upon receipt of a court order which prohibits the distribution of information pursuant to M.G.L. c.71, s.34H, the school shall notify the non-custodial parent that it shall cease to provide access to the student record to the non-custodial parent.

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

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

LEGAL REFS: Family Educational Rights and Privacy Act of 1974,
 P.L. 93-380, Amended
 P.L. 103-382, 1994
 M.G.L. 66:10 71:34 A, B, D, E, H
 Board of Education Student Record Regulations adopted 2/10/75, as amended
 June 2002
 603 CMR: Dept. Of Education 23.00 through 23:12
 Mass Dept. Of Education publication Student Records: Questions. Answers and
 Guidelines, Sept. 1995

CROSS REF: KDB, Public's Right to Know

ATTENDANCE RECORDS

Daily attendance is reported by each teacher to the school office where an official record is maintained as prescribed by state law. Principals should investigate unusual absences aided by the attendance officer and school nurse or adjustment counselor where appropriate.

STUDENT PHOTOGRAPHS

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

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

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

The purpose of the policy is to:

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