



2

June 21, 2016

TO THE HONORABLE MEMBERS OF THE SCHOOL COMMITTEE:

Approval of Revisions to Gang Activity/Secret Societies Policy

Recommendation: That the School Committee approve the revisions to the Gang Activity/Secret Societies Policy as detailed in the attached document.

This is a second reading of the revisions to this policy.

Description: These revisions to the Gang Activity/Secret Societies Policy are being presented to align the policy with the expanded list of protected categories in federal and state laws.

Supporting Data: Redline of Gang Activity/Secret Societies Policy.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jeffrey M. Young".

Jeffrey M. Young, Ed.D.
Superintendent of Schools

GANG ACTIVITY/SECRET SOCIETIES

The goal of the School Committee is to keep district schools and students free from the threats or harmful influence of any gang. For purposes of this policy, gang is defined as any group, secret society, organization or association that advocates drug use, violence, intimidation and/or bullying or harassment and discrimination on the basis of race, color, sex, gender, religion, national origin, ethnicity, ancestry, gender identity or expression, or sexual orientation, physical appearance, pregnant or parenting status, disability, genetic information, socioeconomic status, homelessness or disruptive or illegal behavior or by association with a person who has or is perceived to have one (1) or more of these characteristics. The principal/head of upper school or his/her designee shall maintain supervision of school premises to deter intimidation of students and conformation between members of different gangs.

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

The Superintendent shall provide in-service training to help staff members identify gangs and gang symbols, recognize early manifestations of disruptive activities, and respond appropriately. Staff members shall be informed about conflict management techniques and alerted to intervention measures and community resources which may help students.

Symbols

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

Prevention Education

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

Secret Societies

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

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

Adopted: September 16, 2014



4

June 21, 2016

TO THE HONORABLE MEMBERS OF THE SCHOOL COMMITTEE:

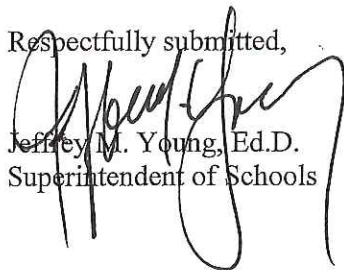
Approval of Revisions to Approval of Handbooks Policy

Recommendation: That the School Committee approve the revisions to the approval of handbooks policy as detailed in the attached document.

This is a second reading of the revisions to this policy.

Description: These revisions to the approval of handbooks policy are being presented to align the policy to the current provisions of M.G.L.c. 71, §37H and M.G.L.c. 76, §21 and to align the language of the policy in connection with the report filed by the school district in connection with the most recent Civil Rights Audit conducted by the Massachusetts Department of Elementary and Secondary Education.

Supporting Data: Redline of Approval of Handbooks Policy

Respectfully submitted,

Jeffrey M. Young, Ed.D.
Superintendent of Schools

RIGHT TO HEARING TO REDRESS DEPRIVATION OF RIGHTS

If a student and/or parent/guardian believes that the student has been deprived by an official or employee of the Cambridge Public Schools of any right set forth in this Code and if the student and/or parent/guardian are unable to resolve the grievance after a good faith attempt to use informal means in cooperation with the principal/head of upper school or other school officials, the student and/or parent/guardian shall be entitled to file a written complaint with the Superintendent or his/her designee or Chief Operating Officer. The written complaint shall state the grievance, including the specific right which is being denied the student, and shall include a brief statement of the facts and specific request for relief.

Unless after investigation the Superintendent or his/her designee or Chief Operating Officer determines that the charge is frivolous and without merit or unless the Superintendent or his/her designee or Chief Operating Officer is able to resolve the grievance to the satisfaction of the aggrieved party within seven (7) school days after receipt of the written complaint, the Superintendent or his/her designee or Chief Operating Officer shall mail a notice to the principal of the school/head of upper school, to the employee(s) of the school, if any, named in the written complaint and to the student and parent/guardian who filed the complaint. Such notice shall contain:

- a. The time and place of a conference to be held no later than ten (10) school days after receipt of the complaint, except that any party may request a postponement of the hearing date of up to five (5) school days to prepare for the hearing;
- b. A statement of the grievance as stated in the written complaint;
- c. A full statement of the facts, including names of witnesses, leading to the charge(s);
- d. A statement of the relief requested;
- e. A statement of the rights of all parties which shall include the right to have an attorney or other person represent them at the conference, to present witnesses and evidence and to question adverse witnesses.

The conference shall conform to the following guidelines:

- a. The conference shall be conducted before the Superintendent or designee;
- b. The conference shall be in closed session and conducted informally;
- c. All parties are entitled to be represented by counsel or by another person of the party's choice;

- d. All parties may inspect the school records and all other documents relevant to the complaint;
- e. All parties shall be permitted to question all witnesses;
- f. All parties shall have the right to present witnesses and evidence;
- g. The Superintendent or his/her designee may cause legal counsel to be present either for the purpose of acting as counsel for any school personnel or for the purpose of advising the Superintendent or designee in the conduct of the conference. Any counsel who advises the Superintendent or designee in the conduct of the conference may not also act as counsel for school personnel.

The Superintendent or designee shall determine whether the student has been deprived of the specific right(s) set forth in the written complaint. If the Superintendent or designee determines that a deprivation of rights has occurred, she/he shall further recommend whatever appropriate relief is necessary to assure that the deprivation of right(s) is immediately and permanently ceased. In determining appropriate relief, the diverse needs of students should be taken into account with an emphasis on addressing student needs with respect to race, color, sex, gender, religion, national origin, ethnicity, ancestry, gender identity or expression, sexual orientation, physical appearance, pregnant or parenting status, disability, genetic information, socioeconomic status, and homelessness as well as student needs with respect to equity, language, social/emotional wellness and technology.

Notwithstanding the provisions of this section, a student may use the complaint process set forth in the Cambridge Public Schools' "Non-Discrimination Policy and Prohibition Against Sexual Harassment" to seek resolution of any complaints of discrimination or harassment that is based on a characteristic protected by law such as gender, gender identity, sex, race, color, ancestry, national origin, ethnicity, religion, age, disability, genetic information, marital status, or sexual orientation, socioeconomic status or homelessness or by association with a person who has or is perceived to have one (1) or more of these characteristics; a student may use the appeal process set forth in the Rights and Responsibilities Handbook to seek resolution of any complaints regarding student discipline; and a student may use the complaint process set forth the school district's Bullying Prevention and Intervention Plan to seek resolution of complaints regarding bullying.

Any party aggrieved by the ruling and recommendation of the Superintendent or designee shall have the right to request an appeal before the School Committee. Such right of appeal, however, will not apply to rulings or recommendations of the Superintendent on decisions which by state law specify that the final appeal is to be heard by the Superintendent. The request for appeal must be filed with the School Committee within five (5) school days after receipt of the Superintendent's decision.

The School Committee shall review the findings and recommendations of the Superintendent to determine if there was sufficient evidence to find that the alleged deprivation(s) of right occurred and if the relief imposed was appropriate for the deprivation(s). The School Committee's written

decision shall be issued within ten (10) school days after the appeal has been heard, which decision shall affirm, overrule or otherwise modify the findings and recommendations of the Superintendent or designee.

All parties and their representatives, including an attorney, may address the School Committee on the evidence presented at the hearing and on the appropriateness of the relief. The School Committee in its discretion may hear witnesses and receive additional evidence.

LEGAL REFS.: M.G.L.c. 71, §§37H & 37H½; M.G.L.c. 76, §§16 & 17

| *Adopted: September 6, 2011*



June 21, 2016

TO THE HONORABLE MEMBERS OF THE SCHOOL COMMITTEE:

• Approval of Revisions to Supplementary Materials Selection and Adoption Policy

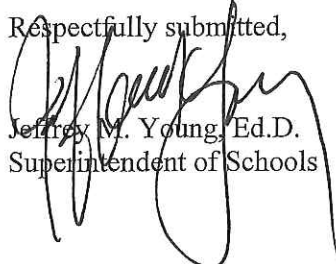
Recommendation: That the School Committee approve the revisions to the supplementary materials selection and adoption policy as detailed in the attached document.

This is a second reading of the revisions to this policy.

Description: These revisions to the supplementary materials selection and adoption policy are being presented to align the policy with the report filed by the school district in connection with the most recent Civil Rights Audit conducted by the Massachusetts Department of Elementary and Secondary Education.

Supporting Data: Redline of Supplementary Materials Selection and Adoption Policy.

Respectfully submitted,


Jeffrey M. Young, Ed.D.
Superintendent of Schools

SUPPLEMENTARY MATERIALS SELECTION AND ADOPTION

The Cambridge School Committee recognizes that knowledge is changing and expanding and that it may be necessary to use various types of supplementary materials in addition to the basic and fundamental textbooks.

Additionally, the diverse needs of students should be taken into account with an emphasis on addressing student needs with respect to race, color, sex, gender, religion, national origin, ethnicity, ancestry, gender identity or expression, sexual orientation, physical appearance, pregnant or parenting status, disability, genetic information, socioeconomic status, and homelessness as well as student needs with respect to equity, language, social/emotional wellness and technology. Consistent with the recommendations of the Massachusetts Department of Elementary and Secondary Education all educational products should be assessed concerning the ability to achieve fairness and sensitivity in content and language by excluding language or content that might disadvantage or offend a student because of gender, race, national origin, ethnicity, religion, age, sexual orientation, gender identity, disability, or cultural, economic or geographical background and to include content and language that reflects the diversity of the student population.

For the purpose of this policy, supplementary materials shall be defined as any instructional materials other than textbooks including, but not limited to, books, periodicals, newspapers, pictures, diagrams, maps, charts, slides, filmstrips, films, records, audiotapes, and suitable technological, electronic and digital applications which relate directly to the adopted curriculum.

The School Committee believes that teachers and administrators should have a large role in selection and recommendation of supplementary materials. Teachers are encouraged to use a wide range of learning aids, provided the expense incurred in purchasing these aids remains within the limits of the budget.

LEGAL REF.: 603 C.M.R. 26:05

Adopted:



10

June 21, 2016

TO THE HONORABLE MEMBERS OF THE SCHOOL COMMITTEE:

Approval of Revisions to Right to Hearing to Redress Deprivation of Rights Policy

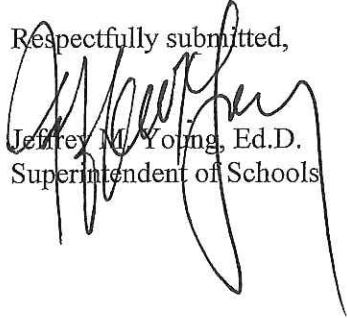
Recommendation: That the School Committee approve the revisions to the right to hearing to redress deprivation of rights policy as detailed in the attached document.

This is a second reading of the revisions to this policy.

Description: These revisions to the right to hearing to redress deprivation of rights policy are being presented to align the policy to the current provisions of state law and the existing language of the Rights and Responsibilities Handbook.

Supporting Data: Redline of Right to Hearing to Redress Deprivation of Rights Policy

Respectfully submitted,


Jeffrey M. Young, Ed.D.
Superintendent of Schools

RIGHT TO HEARING TO REDRESS DEPRIVATION OF RIGHTS

If a student and/or parent/guardian believes that the student has been deprived by an official or employee of the Cambridge Public Schools of any right set forth in this Code and if the student and/or parent/guardian are unable to resolve the grievance after a good faith attempt to use informal means in cooperation with the principal/head of upper school or other school officials, the student and/or parent/guardian shall be entitled to file a written complaint with the Superintendent or his/her designee or Chief Operating Officer. The written complaint shall state the grievance, including the specific right which is being denied the student, and shall include a brief statement of the facts and specific request for relief.

Unless after investigation the Superintendent or his/her designee or Chief Operating Officer determines that the charge is frivolous and without merit or unless the Superintendent or his/her designee or Chief Operating Officer is able to resolve the grievance to the satisfaction of the aggrieved party within seven (7) school days after receipt of the written complaint, the Superintendent or his/her designee or Chief Operating Officer shall mail a notice to the principal of the school/head of upper school, to the employee(s) of the school, if any, named in the written complaint and to the student and parent/guardian who filed the complaint. Such notice shall contain:

- a. The time and place of a conference to be held no later than ten (10) school days after receipt of the complaint, except that any party may request a postponement of the hearing date of up to five (5) school days to prepare for the hearing;
- b. A statement of the grievance as stated in the written complaint;
- c. A full statement of the facts, including names of witnesses, leading to the charge(s);
- d. A statement of the relief requested;
- e. A statement of the rights of all parties which shall include the right to have an attorney or other person represent them at the conference, to present witnesses and evidence and to question adverse witnesses.

The conference shall conform to the following guidelines:

- a. The conference shall be conducted before the Superintendent or designee;
- b. The conference shall be in closed session and conducted informally;
- c. All parties are entitled to be represented by counsel or by another person of the party's choice;

- d. All parties may inspect the school records and all other documents relevant to the complaint;
- e. All parties shall be permitted to question all witnesses;
- f. All parties shall have the right to present witnesses and evidence;
- g. The Superintendent or his/her designee may cause legal counsel to be present either for the purpose of acting as counsel for any school personnel or for the purpose of advising the Superintendent or designee in the conduct of the conference. Any counsel who advises the Superintendent or designee in the conduct of the conference may not also act as counsel for school personnel.

The Superintendent or designee shall determine whether the student has been deprived of the specific right(s) set forth in the written complaint. If the Superintendent or designee determines that a deprivation of rights has occurred, she/he shall further recommend whatever appropriate relief is necessary to assure that the deprivation of right(s) is immediately and permanently ceased. In determining appropriate relief, the diverse needs of students should be taken into account with an emphasis on addressing student needs with respect to race, color, sex, gender, religion, national origin, ethnicity, ancestry, gender identity or expression, sexual orientation, physical appearance, pregnant or parenting status, disability, genetic information, socioeconomic status, and homelessness as well as student needs with respect to equity, language, social/emotional wellness and technology.

Notwithstanding the provisions of this section, a student may use the complaint process set forth in the Cambridge Public Schools' "Non-Discrimination Policy and Prohibition Against Sexual Harassment" to seek resolution of any complaints of discrimination or harassment that is based on a characteristic protected by law such as gender, gender identity, sex, race, color, ancestry, national origin, ethnicity, religion, age, disability, genetic information, marital status, ~~or~~ sexual orientation, socioeconomic status or homelessness; a student may use the appeal process set forth in the Rights and Responsibilities Handbook to seek resolution of any complaints regarding student discipline; and a student may use the complaint process set forth the school district's Bullying Prevention and Intervention Plan to seek resolution of complaints regarding bullying.

Any party aggrieved by the ruling and recommendation of the Superintendent or designee shall have the right to request an appeal before the School Committee. Such right of appeal, however, will not apply to rulings or recommendations of the Superintendent on decisions which by state law specify that the final appeal is to be heard by the Superintendent. The request for appeal must be filed with the School Committee within five (5) school days after receipt of the Superintendent's decision.

The School Committee shall review the findings and recommendations of the Superintendent to determine if there was sufficient evidence to find that the alleged deprivation(s) of right occurred and if the relief imposed was appropriate for the deprivation(s). The School Committee's written decision shall be issued within ten (10) school days after the appeal has been heard, which

decision shall affirm, overrule or otherwise modify the findings and recommendations of the Superintendent or designee.

All parties and their representatives, including an attorney, may address the School Committee on the evidence presented at the hearing and on the appropriateness of the relief. The School Committee in its discretion may hear witnesses and receive additional evidence.

LEGAL REFS.: M.G.L.c. 71, §§37H & 37H½; M.G.L.c. 76, §§16 & 17

~~Adopted: September 6, 2011~~



14

June 21, 2016

TO THE HONORABLE MEMBERS OF THE SCHOOL COMMITTEE:

Approval of Revisions to Weapons Policy and Assaults Policy

Recommendation: That the School Committee approve the revisions to the weapons policy and assaults policy as detailed in the attached document.

This is a second reading of the revisions to these policies.

Description: These revisions to the weapons policy and assaults policy are being presented to align these policies to the current provisions of M.G.L.c. 71, §37H and M.G.L.c. 76, §21, the existing language of the Rights and Responsibilities Handbook and to align the language of these policies in connection with the report filed by the school district in connection with the most recent Civil Rights Audit conducted by the Massachusetts Department of Elementary and Secondary Education.

Supporting Data: Redline of Weapons Policy and Assaults Policy

Respectfully submitted,

Jeffrey M. Young, Ed.D.
Superintendent of Schools

WEAPONS AND ASSAULTS ON SCHOOL STAFF

It is the policy of the Cambridge School Committee that every effort should be made to help students solve conduct problems without resorting to extreme disciplinary measures. Examples of interventions that may be employed before resorting to suspension of a student include, but are not limited to, the following: apology, restitution, community referral/services, conflict mediation, restorative justice, correction assignment, restitution, counseling, exclusion from school activities, lunch detention, office discipline referral, out-of-class time out, parent/guardian contact, privilege loss, student contract, referral to guidance counselor, referral to grade level or building administrator, referral to Student Support Team (SST) for interventions, student behavior agreement, behavior support plan, teacher conference with parents/guardians, teacher conference with parents/guardians and student, teacher conference with student, warning, in-school suspension, and/or out-of-school suspension. It should be noted, however, that this list is not exhaustive and that not every intervention listed is used in every situation; rather, interventions that are utilized relate to the severity of the infraction. However, in those cases where a student's behavior is disruptive to school, hurtful to himself/herself or others or engages in activity forbidden by the laws of the Commonwealth of Massachusetts then discipline may be warranted. Based upon the specific circumstances of a violation of these requirements, a student may be disciplined and may also be referred to an appropriate city/health education program.

The Commonwealth of Massachusetts Educational Reform Act of 1993 stipulates that 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 or in possession of a controlled substance as defined in Chapter 94, C, including, but not limited to, alcohol, marijuana, cocaine, opiods and heroin, may be subject to expulsion from the school or the school district by the Principal/Head of Upper School. Additionally, any student who assaults a Principal/Head of Upper School, Assistant Principal, dean, teacher, paraprofessional or other member of the staff on school premises or at school-sponsored or school-related events, including athletic games, may be subject to expulsion from the school or the school district by the Principal/Head of Upper School.

Any staff member who observes or becomes aware of any such assault or becomes aware of any such assault shall immediately notify the Principal/Head of Upper School.

Therefore, this policy applies to the possession of dangerous weapons, the possession of controlled substances, and to assaults on staff by students.

Any student who is suspend from school under the provisions of M.G.L.c . 71, §37H shall have an opportunity to receive educational services and make academic progress during the period of removal as set forth in the applicable provisions of the Rights and Responsibilities Handbook.

I. WEAPONS

Bringing a weapon to school, using a weapon on school grounds or at a school activity, or having a weapon in your locker, pocket, or while you are at school, on the bus, or at an after-school activity, is a grave offense and is against school rules and regulations. It is also against the law. There are three kinds of weapons:

- A. Those that are "legally dangerous," which include weapons that are against the law to possess, such as anything that is carried and used in a manner to intimidate or with the intent to cause harm to another person, are considered dangerous weapons. They include the following:
- firearms of any kind, including BB guns and air rifles, -any knife that has a double-edge blade, a switch blade or any knife that has an automatic spring device by which the blade is released from the handle; any stiletto or dagger, metallic knuckles, nunchaku, shuriken or any other similar pointed star-like object that is intended to injure a person when thrown, black jacks, blow guns, any arm band that is made of leather which has metallic spikes, points or studs; any similar device made from any other substance, mace, tear gas, or any other substance that is used to incapacitate another person, fireworks or explosives of any kind, all other such weapons as described in Massachusetts General Law, Chapter 269, Section 10.
- B. **Other Prohibited Items**, which, though not defined as weapons under the Massachusetts General Laws, Chapter 269, Section 10, are not permitted on school premises, at school-sponsored and/or at school-related events, including athletic games. Possession or use of said items will result in suspension and may result in expulsion from school. The following are examples: knives of any kind, shape or length; including key chains, knives, drafting knives, blades of any size razors, box cutters, chains, whips or any other metal object of no academic purpose or any other object of no reasonable use in the school setting, on school grounds, and/or at school-sponsored events and/or school-related events, including athletic games.
- C. **Other Ordinary Items** that may become dangerous when used in a threatening way; use of these items in that manner may result in suspension or expulsion from school. Such items include: pencils, scissors, needles and pins, nails, carpentry tools, etc. Use of such items in a dangerous or threatening manner may result in suspension or expulsion from school. Additionally, engaging in or attempting to engage in any unreasonably dangerous athletic technique that endangers the health or safety of an individual, such as using a helmet or any other sports equipment as a weapon may result in suspension or expulsion from school.

NOTE: No toy or replica weapons of any kind, including guns and knives, will be permitted on school premises, at school-sponsored events and/or at school-related events, including athletic games. Items such as these will be confiscated and may result in suspension or expulsion if they are determined by the Principal/Head of Upper School or Assistant Principal to be in violation of this policy.

ASSAULTS/THREATS ON SCHOOL STAFF

Students are prohibited from assaulting, battering or harassing any school staff. These behaviors may be defined as: (1) intentionally, knowingly or recklessly causing bodily injury to another; (2) intentionally or knowingly threatening another with imminent bodily injury; or (3) intentionally or knowingly causing physical contact with another when the student knows or should reasonably believe that the other will regard the contact as offensive, provocative, or create a reasonable fear of imminent danger.

The consequences for assault may include a: (i) five day to ten day suspension and an expulsion hearing; (2) criminal complaint may be filed, and (3) police notified.

Any student who assaults a principal/head of upper school, assistant principal, dean, teacher, teacher's aide or other school staff on school premises or at a school-sponsored or school-related events, including athletic games, may be subject to expulsion from the school or school district by the Principal/Head of Upper School.

PROCEDURE

If a student is found with either a legally dangerous weapon or any other weapon, or is using an item in a threatening way, assaulting, threatening, battering of staff, and/or assaulting staff on school premises or at school-related events, the punishment is very serious. The following procedure will apply:

1. The staff member involved will contact the Principal/Head of Upper School and/or the Assistant Principal or Dean.
2. The Principal/Head of Upper School and/or the Assistant Principal or Dean will notify:
 - a) the Director of Safety and Security, and
 - b) the parent(s) or guardian(s) by telephone, with a follow-up letter, and, if necessary, by certified mail; and
 - c) the Chief Operating Officer.
3. The Director of Safety and Security will send to the Superintendent or his/her designee an incident report.
4. The student will be removed from school grounds in accordance with the applicable provisions of section 15.0 of the Rights and Responsibilities Handbook
5. When a law has been violated, the Director of Safety and Security will notify the Cambridge Police and may file a complaint with the Middlesex County District Court, and will, if necessary, take other appropriate action.
6. The Principal/Head of Upper School will conduct a suspension hearing in accordance with the applicable provisions of sections 15.0 and 16.0 of the Rights and

Responsibilities Handbook. ~~The hearing may be delayed one (1) day at the parent's/guardian's request to allow him or her to be present. The hearing will include the student, the parents or guardian, the principal or designee, and the staff member who reported the incident. Additional witnesses and evidence may be presented at the hearing. At the hearing the student will be told the reason for the contemplated suspension and be given a chance to explain to the principal or designee if he or she believes that the suspension is not deserved.~~

- 7. If the Principal/Head of Upper Schools finds the student to be in violation of the weapons policy, the Principal/Head of Upper School may suspend the student for up to ten (10) days for a violation of the weapons policy in accordance with the applicable provisions of as detailed in Sections 14 and 19 of the Rights and Responsibilities Handbook. It is recommended that the student's grade level and the nature of the infraction be considered when determining the number of days of suspension and whether to proceed with an expulsion hearing for the student for the violation. In accordance with this recommendation, suggested guidelines for suspension of a student for such an infraction are as follows:

- Grades K-2 Up to three days
- Grades 3-5 Three to five days
- Grades 6-8 Five to ten days
- Grades 9-12 Five to ten days

Based upon the specific circumstances of a violation, a student may also be referred to an appropriate city/health education program. At the conclusion of any such suspension, the Principal/Head of Upper School will request that the parents/guardians and student attend a re-entry conference meeting with the Principal/Head of Upper School.

~~During the above designated suspension period, and if the Principal/Head of Upper School's findings warrant it, the Principal/Head of Upper School shall initiate proceedings to conduct a formal expulsion hearing. To initiate an expulsion proceeding, the Principal/Head of Upper School shall notify the student and the student's parent(s) or guardian(s) in writing of an opportunity to have a hearing at the school level. The expulsion notice must be in writing and in English and in the student's home language, if different. The notice must also set forth the section of the Rights and Responsibilities Handbook violated and the facts pertaining to the alleged violation and that the student has a right to representation at the hearing along with an opportunity to present evidence and witnesses and that an interpreter will be provided if needed. In the case of students with special needs, however, a hearing may only occur after a team determination that the conduct in question was not a manifestation of a disability as detailed in accordance with the applicable provisions of Section 18 of the Rights and Responsibilities Handbook. Moreover, a student with special needs must receive a free appropriate public education during any expulsion period.~~

If, after the hearing, the Principal/Head of Upper School decides to expel the student, the Principal/Head of Upper School shall provide written notification to the student and the student's parents/guardians as to the reasons for the decision in accordance with the applicable provisions

of the Rights and Responsibilities Handbook. Such notice shall also inform the student of his/her right to file a written appeal with the Superintendent or his/her designee within ten (10) days of receipt of the notification of the expulsion decision, and the right to be represented by counsel at the appeal and shall include a request that the parents/guardians and the student attend a re-entry conference meeting with the principal/head of upper school upon the conclusion of the expulsion period.

At the hearing before the Superintendent or his/her designee, the subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provision of this policy. In presenting his/her appeal, the student should state his/her grievance, including a statement of the ground(s) for the appeal and a brief statement of the facts and the specific relief being requested.

The hearing conducted before the Superintendent or designee shall comport to the following requirements:

- a. The hearing shall be in closed session and conducted informally;
- b. All parties are entitled to be represented by counsel or by another person of the party's choice;
- c. All parties may inspect the school records and all other documents relevant to the appeal;
- d. All parties shall be permitted to question all witnesses;
- e. All parties shall have the right to present witnesses and evidence;
- f. The Superintendent or his/her designee may cause legal counsel to be present either for the purpose of acting as counsel for any school personnel or for the purpose of advising the Superintendent or designee in the conduct of the conference. Any counsel who advises the Superintendent or designee in conduct of the conference may not also act as counsel for school personnel.

The Superintendent or designee shall determine whether the student has been deprived of the specific right(s) set forth in the appeal. If the Superintendent or designee determines that a deprivation of rights has occurred, she/he shall further recommend whatever appropriate relief is necessary to assure that the deprivation of right(s) is immediately and permanently ceased. The Superintendent or designee may also request that the parents/guardians and student attend a re-entry meeting with the Principal/Head of Upper School upon the conclusion of an expulsion period.

When a student has been expelled under the provisions of this policy and applies for admission to another school, the Superintendent or his/her designee of the sending school system shall notify the Superintendent or his/her designee of the receiving school system of the reasons for the student's expulsion.

Any school that suspends or expels a student in accordance with the applicable provisions of the Rights and Responsibilities Handbook for a weapons violation shall continue to provide educational services to the student during the period of the suspension or expulsion under section

21 of chapter 76 in accordance with the applicable provisions of the Rights and Responsibilities Handbook.

The Superintendent of Schools shall take the necessary steps to ensure that students and their parents/guardians are provided with and acknowledge receipt of a copy of the weapons and assault on school staff policy at the start of each school year.

LEGAL REF: M.G.L.c. 71, §37H
M.G.L.c. 76, §21

Adopted: November 20, 2012

File: JICK

ASSAULTS

Any student who assaults a principal/head of upper school, assistant principal, dean, teacher, paraprofessional or other staff member on school premises, at school-sponsored events or at school-related events, including athletic games, may be subject to expulsion from the school or the school district by the principal/head of upper school.

Any staff member who observes or becomes aware of any such assault shall immediately notify the principal/head of upper school and the principal/head of upper school will follow the procedures set forth in section 19 of the Rights and Responsibilities Handbook.

Adopted: November 20, 2012



June 21, 2016

TO THE HONORABLE MEMBERS OF THE SCHOOL COMMITTEE:

Approval of Revisions to Substance Abuse/Drugs Policy and Alcohol Use by Students Policy

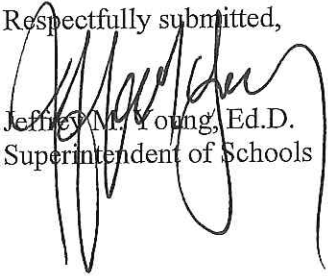
Recommendation: That the School Committee approve the revisions to the substance abuse/drugs policy and alcohol use by students policy as detailed in the attached document.

This is a second reading of the revisions to these policies.

Description: These revisions to the substance abuse/drugs policy and alcohol use by students policies are being presented to align the policy to the current provisions of M.G.L.c. 71, §37H and M.G.L.c. 76, §21, the existing language of the Rights and Responsibilities Handbook and to align the language of the policy in connection with the report filed by the school district in connection with the most recent Civil Rights Audit conducted by the Massachusetts Department of Elementary and Secondary Education.

Supporting Data: Redline of Substance Abuse Policy and Alcohol Use by Students Policy

Respectfully submitted,


Jeffrey M. Young, Ed.D.
Superintendent of Schools

SUBSTANCE ABUSE/DRUGS

It is the policy of the Cambridge School Committee that every effort should be made to help students solve conduct problems without resorting to extreme disciplinary measures, suspension should at always be considered a last resort and alternatives to suspension should always be considered first. Examples of interventions that may be employed before resorting to suspension of a student include, but are not limited to, the following: apology, restitution, community referral/services, conflict mediation, restorative justice, correction assignment, ~~restitution~~, counseling, exclusion from school activities, lunch detention, office discipline referral, out-of-class time out, parent/guardian contact, parent/guardian meeting, privilege loss, student contract, referral to guidance counselor, referral to grade level or building administrator, referral to Student Support Team (SST) for interventions, student behavior agreement, behavior support plan, teacher conference with parents/guardians, teacher conference with parents/guardians and student, teacher conference with student, warning, in-school suspension, and/or out-of-school suspension. Additionally, in certain instances, it may be necessary for a principal/head of school to consider whether it is appropriate to file a report with the Massachusetts Department of Children and Families with respect to a violation that falls under the provisions of this policy. It should be noted, however, that this list is not exhaustive and that not every intervention listed is used in every situation; rather, interventions that are utilized relate to the severity of the infraction. However, in those cases where a student's behavior is disruptive to school, hurtful to himself/herself or others or engages in activity forbidden by the laws of the Commonwealth of Massachusetts then discipline may be warranted. Based upon the specific circumstances of a violation of these requirements, a student may be disciplined and may also be referred to an appropriate city/health education program.

The principal/head of upper school has the right to expel any student who has been found to have been in possession of a controlled substance as defined in M.G.L.c. 94C, including but not limited to alcohol, marijuana, cocaine or heroin, while on school premises or at a school-sponsored or school-related event, including athletic games.

Additionally, in view of the fact that the use of alcohol can endanger the health and safety of the user, and recognizing the deleterious effect the use of alcoholic beverages can have on the maintenance of general order and discipline, the School Committee prohibits the use of, serving of, or consumption of any alcoholic beverage on school property or at any school function.

Additionally, any student, regardless of age, who has been drinking alcoholic beverages while on school grounds, prior to attendance at, or participation in, a school sponsored activity, including athletic events, will be barred from that activity and subject to disciplinary action as detailed in the Rights and Responsibilities Handbook. Furthermore, any student, regardless of age, who is found to be in possession of, using, in the presence of, distributing or selling alcoholic beverages while on school grounds, prior to attendance at, or participation in, a school sponsored activity, including athletic events, may be subject to disciplinary action as detailed in the Rights and Responsibilities Handbook.

Any student who is suspended from school under the provisions of M.G.L.c. 71, §37H shall have an opportunity to receive educational services and make academic progress during the period of removal as set forth in the applicable provisions of the Rights and Responsibilities Handbook.

Definitions:

- a. **Substance** is any drug considered illegal under federal or state law, or any drug controlled by the Food and Drug Administration.
- b. **Use** of a controlled and/or dangerous substance implies that a student is reasonably known to have made use of the same (e.g., drinking alcohol, using cocaine or an opiod, smoking marijuana, taking a pill, etc.) or is reasonably found to be under the influence of same while under the jurisdiction of school authorities. Use shall also include the unauthorized use or abuse of a prescription drug.
- c. **Possession** of such a substance implies that a student has it on his/her person or within his/her personal property, or under his/her control (e.g., locker) while under the jurisdiction of school authorities.
- d. **Distribution** of such a substance implies the transfer of such substance to another person, with or without the exchange of money or other valuables.
- e. In the **presence** of controlled and/or dangerous substance implies that a student has been found to be in the immediate area of the selling, distribution, use or possession of a controlled substance, non-prescribed controlled substance, narcotic -drug, hallucinogenic drug, amphetamine, -barbiturate, marijuana, opiod, alcoholic beverage or intoxicant of any kind on school grounds or while under school jurisdiction or the selling, distribution, use or possession of drug paraphernalia of any kind on school grounds or while under school jurisdiction where the controlled and/or dangerous substance was used, detected or confiscated, and makes no reasonable attempt to leave the area. For example, a student may be found to be in the presence of a controlled and/or dangerous substance if he/she was found to be walking down the hallway of a school in the company of one or more students who are actively in the process of selling, distributing, using and/or possessing a controlled substance, non-prescribed controlled substance, narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, opiod, alcoholic beverage or intoxicant of any kind, and the student who is accompanying the student engaged in the prohibited conduct has made no reasonable attempt to leave the area. In other words, the student is aware of the violation of the code of conduct that is occurring and continues to remain in the presence of the violation as opposed to leaving the other students and the on-going violation.

STUDENT SUPPORTS

In appropriate cases where a student is under the influence of alcoholic beverages or drugs, while in school, the principal/head of upper school or designee may send the student to the school nurse or doctor, notify the student's parent/guardian and refer the matter to appropriate medical and/or legal authorities, and a meeting with the student and the student's parent(s)/guardian(s) will be scheduled. At the discretion of the principal/head of upper school or assistant principal, such a student may be given the opportunity and encouraged to attend a facility specializing in

25

the treatment of persons with such problems. Students with drug, and alcohol or other substance abuse problems and their parents/guardians are encouraged to seek the assistance of school personnel for planning, intervention and referral to appropriate city/health agencies for substance abuse treatment and support. All communication regarding such problems is to be kept in strictest confidence.

Additionally, principals/heads of upper schools will assess each incident and its impact not only on the students involved but also those that may have witnessed the incident to ensure that appropriate emotional/social wellness measures are implemented as necessary.

PROCEDURE

If a student is found possessing, distributing alcohol or a controlled substance or in the presence of alcohol or a controlled substance on school premises or at a school-related or school-sponsored event, including athletic games, the following procedure will apply:

1. The staff member involved will contact the Principal/Head of Upper School and/or the Assistant Principal or Dean.
2. The Principal/Head of Upper School and/or the Assistant Principal or Dean will notify:
 - a) the Director of Safety and Security, and
 - b) the parent(s) or guardian(s) by telephone, with a follow-up letter, and, if necessary, by certified mail; and
 - c) the Chief Operating Officer.
3. The Director of Safety and Security will send to the Superintendent or his/her designee an incident report.
4. The student will be removed from school grounds in accordance with the applicable provisions of section 15.0 of the Rights and Responsibilities Handbook.
5. When a law has been violated, the Director of Safety and Security will notify the Cambridge Police and may file a complaint with the Middlesex County District Court, and will, if necessary, take other appropriate action.
6. The Principal/Head of Upper School will conduct a suspension hearing in accordance with the applicable provisions of sections 15.0 and 16.0 of the Rights and Responsibilities Handbook. ~~The hearing may be delayed one (1) day at the parent's/guardian's request to allow him or her to be present. The hearing will include the student, the parents or guardian, the principal or designee, and the staff member who reported the incident. Additional witnesses and evidence may be presented at the hearing. At the hearing the student will be told the reason for the contemplated suspension and be given a chance to explain to the principal or designee if he or she believes that the suspension is not deserved.~~

7. If the Principal/Head of Upper Schools finds the student to be in violation of this policy, the Principal/Head of Upper School may suspend the student for up to ten (10) days for a violation of this policy in accordance with the applicable provisions as detailed in Sections 14 and 19 of the Rights and Responsibilities Handbook. It is recommended that the student's grade level and the nature of the infraction be considered when determining the number of days of suspension and whether to proceed with an expulsion hearing for the student for the violation. In accordance with this recommendation, suggested guidelines for suspension of a student for such an infraction are as follows:

- ~~Grades K-2~~ Up to three days
- ~~Grades K-2~~ No suspension, but a meeting with the parent(s)/guardian(s) of the student will be scheduled
- ~~Grades 3-5~~ Up to ~~three~~ three to five days
- ~~Grades 6-8~~ Up to ~~five~~ five to ten days
- ~~Grades 9-12~~ Up to ~~five~~ five to ten days

Based upon the specific circumstances of a violation, a student may also be referred to an appropriate city/health education program and/or other support services or programs may be made available to the student.

For students in the presence of alcohol or a controlled substance, if it is evident that someone was using, dealing, displaying drugs or alcohol and the student made no reasonable attempt to leave, there will be up to a three day suspension and referral to an appropriate city/health agency education program on substance abuse and/or other support services or programs may be made available to the student.

At the conclusion of any such suspension, the Principal/Head of Upper School will request that the parents/guardians and student attend a re-entry conference meeting with the Principal/Head of Upper School.

During the above designated suspension period, and if the Principal/Head of Upper School's findings warrant it, the Principal/Head of Upper School shall initiate procedures to conduct a formal expulsion hearing. To initiate expulsion proceedings, the Principal/Head of Upper School shall notify the student and the student's parent(s) or guardian(s) in writing of an opportunity to have a hearing at the school level. The expulsion notice must be in writing ~~and in both~~ English and ~~in~~ the student's home language, if different. The notice must also set forth the section of the Rights and Responsibilities Handbook violated and the facts pertaining to the alleged violation and that the student has a right to representation at the hearing along with an opportunity to present evidence and witnesses and that an interpreter will be provided if needed. In the case of students with special needs an individualized education program (IEP) or Section 504 Plan, however, a hearing may only occur after a team determination that the conduct in question was not a manifestation of a disability in accordance with the applicable provisions of as detailed in Section 18 of the Rights and Responsibilities Handbook. Moreover, a special education student must receive a free appropriate education during any exclusion period.

If, after the hearing, the Principal/Head of Upper Schools decides to expel the student, the Principal/Head of Upper School shall provide written notification to the student and the student's parents/guardians as to the reasons for the decision. Such notice shall also inform the student of his/her right to file a written appeal with the Superintendent or his/her designee within ten (10) days of receipt of the notification of the expulsion decision, and the right to be represented by counsel at the appeal and shall include a request that the parents/guardians and student attend a re-entry conference meeting with the Principal/Head of Upper School upon the conclusion of the expulsion period.

At the hearing before the Superintendent or his/her designee, the subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provision of this policy. In presenting his/her appeal, the student should state his/her grievance, including a statement of the ground(s) for the appeal and a brief statement of the facts and the specific relief that is being requested.

The hearing conducted before the Superintendent or designee shall comport to the following requirements:

- a. The hearing shall be in closed session and conducted informally
- b. All parties are entitled to be represented by counsel or by another person of the party's choice
- c. All parties may inspect the school records and all other documents relevant to the appeal
- d. All parties shall be permitted to question all witnesses;
- e. All parties shall have the right to present witnesses and evidence; and
- f. The Superintendent or his/her designee may cause legal counsel to be present either for the purpose of acting as counsel for any school personnel or for the purpose of advising the Superintendent or designee in conduct of the conference. Any counsel who advises the Superintendent or designee in conduct of the conference may not also act as counsel for school personnel.

The Superintendent or designee shall determine whether the student has been deprived of the specific right(s) set forth in the appeal. If the Superintendent or designee determines that a deprivation of rights has occurred, she/he shall further recommend whatever relief is necessary to assure that the deprivation of right(s) is immediately and permanently ceased. The Superintendent or designee may also request that the parents/guardians and student attend a re-entry meeting with the Principal/Head of Upper School upon the conclusion of the expulsion period.

Any school that suspends or expels a student in accordance with the applicable provisions of the Rights and Responsibilities Handbook for an alcohol or drug violation shall continue to provide educational services to the student during the period of suspension or expulsion under section 21 of chapter 76 and in accordance with the applicable provisions of the Rights and Responsibilities Handbook.

28

When a student has been expelled under the provisions of this policy and applies for admission to another school, the Superintendent or his/her designee of the sending school system shall notify the Superintendent or his/her designee of the receiving school system of the reasons for the student's expulsion.

The Superintendent of Schools shall take the necessary steps to ensure that students and their parents/guardians are provided with and acknowledge receipt of a copy of the substance abuse/drugs policy at the start of each school year.

LEGAL REF: M.G.L.c. 272, §40A

M.G.L.c. 71, §37H

M.G.L.c. 94C

CROSS REF.: IHAMA Teaching About Drugs, Alcohol and Tobacco

GBEC Drug-Free Work Place Policy

Adopted: November 20, 2012

ALCOHOL USE BY STUDENTS

In view of the fact that the use of alcohol can endanger the health and safety of the user, and recognizing the deleterious effect the use of alcoholic beverages can have on the maintenance of general order and discipline, the school committee prohibits the use of, serving of, or consumption of any alcoholic beverage on school property or at any school function.

Additionally, any student, regardless of age, who has been drinking alcoholic beverages while on school grounds, prior to attendance at, or participation in, a school sponsored activity, including athletic events, will be barred from that activity and subject to disciplinary action as detailed in the Cambridge Public Schools Rights and Responsibilities Handbook. Furthermore, any student, regardless of age, who is found to be in possession of, using, in the presence of, distributing or selling alcoholic beverages while on school grounds, prior to attendance at, or participation in, a school sponsored activity, including athletic events, may be subject to disciplinary action as detailed in the Cambridge Public Schools Rights and Responsibilities Handbook .

LEGAL REF.: M.G.L.c. 272, §40A

CROSS REF.: IHAMA Teaching About Drugs, Alcohol and Tobacco
GBEC Drug-Free Work Place Policy

Adopted: November 20, 2012



June 21, 2016

TO THE HONORABLE MEMBERS OF THE SCHOOL COMMITTEE:

Approval of Revisions to Rights & Responsibilities Handbook

Recommendation: That the School Committee approve the revisions to the Rights & Responsibilities Handbook as detailed in the attached document.

This policy is being presented for its second reading.

Description: This document contains revisions to align the *Rights & Responsibilities Handbook* to align the language in connection with a report filed by the school district in connection with the most recent Civil Rights Audit conducted by the Massachusetts Department of Elementary and Secondary Education. These proposed language changes also are reflected in the proposed revisions to the Weapons Policy and the Assaults Policy and Substance Abuse/Drugs Policy and Alcohol Use by Students Policy that also have been presented to the School Committee.

Supporting Data: Rights and Responsibilities Handbook

Respectfully submitted,

Jeffrey M. Young, Ed.D.
Superintendent of Schools

A handwritten signature in black ink, appearing to read "Jeffrey M. Young", written over the typed name and title.

RIGHTS AND RESPONSIBILITIES

Governing Student Conduct in Cambridge Public Schools

1.0 POLICY

- 1.1 The School Committee shall establish and publish written rules governing the conduct of students under its jurisdiction.
- 1.2 The following terms as used in these rules and regulations shall have the following meanings:
 - a. "Student" shall mean any school aged person enrolled in a public school under the jurisdiction of the Cambridge School Committee.
 - b. "Parent/Guardian" shall mean any student's parent or guardian until such time as a student, 18 years of age or older, requests in writing that any or all of the rights and provisions of these rules and regulations shall no longer extend to such parent or guardian.
- 1.3 Every person shall have the right to attend public school in Cambridge subject to the written rules and regulations of the School Committee.
- 1.4 No school official or employee or School Committee member shall take any disciplinary action against any student, except pursuant to the written standards and procedures contained in the rules and regulations of the School Committee. Any disciplinary action taken against a student that is not in compliance with the rules and regulations of the School Committee shall be null and void.
- 1.5 Copies of the rules and regulations shall be made available free of charge to each student at the time such rules are adopted and at the beginning of each subsequent school year. Copies shall be made available also to parents/guardians of all students and to interested members of the community.
- 1.6 Before finally adopting and publishing all rules and regulations or before amending the same, the School Committee shall hold a public hearing. At least one week prior to the hearing, the School Committee shall provide copies on demand of the proposed rules before finally adopting and publishing all rules and regulations or before amending the same. At least one week prior to the hearing, the School Committee shall provide copies upon demand of the proposed rules and notices of the time and place of the hearing to students and their parents/guardians. The School Committee shall also publish notice of the hearing in the newspaper of general circulation within the City. The School Committee shall consider, but not be bound by, the comments made at the hearing before final adoption of rules. Final adoption of all rules shall be upon a majority vote.

- 1.7 No rules, regulations or amendments shall take effect until adopted by the School Committee, published by them, and circulated among the school community.
- 1.8 The rules and regulations set forth in this Code shall apply exclusively to the conduct of all students attending the public schools under the jurisdiction of the School Committee.
- 1.9 It is the policy of the Cambridge Public Schools to endeavor to provide a safe environment in which students can learn and participate in all programs offered or sponsored by the Cambridge Public Schools. Providing for the safety of students, employees and visitors while at school and/or participating in school-sponsored activities is the responsibility of all personnel. If a School Department employee confronts a situation that he/she considers to be unsafe for any reason, he/she should take all reasonable steps within his/her ability to eliminate the potential for harm to others and thereafter report the circumstances involved to his/her Principal/Head of Upper School. The Superintendent or his/her designee may from time to time promulgate "administrative procedures" to effectuate the goals of this policy.

2.0 ATTENDANCE

- 2.1 Regular and consistent attendance is essential to learning, to improving the achievement of all students, to maintaining a respectful school climate and to a student's successful school performance. The goal of the student attendance policy is to promote consistent, daily school and class attendance. The expectation is that all students will have, at a minimum, at least ninety-five percent (95%) attendance in school and in each class during each school day. A student who is truant, frequently absent or frequently tardy to school without adequate reason is in violation of this policy.
 - a. Parents/Guardians must call the school to give notification of an absence by no later than the morning of the absence.
 - b. If a call is not made, a note from the parent/guardian or the student's medical provider is due on the day that the student returns to school explaining the absence. No student, however, shall be sent home to obtain a written explanation from his/her parent/guardian during a school session.
 - c. In instances of chronic or irregular absence reportedly due to illness, the principal/head of upper school may request a physician's statement certifying such absences to be justifiable.
 - d. If an extended absence of a student is foreseen, the parent/guardian should contact the principal/head of upper school to make arrangements for the completion of academic requirements.

- e. The Principal/Head of Upper School will work with student and his/her parent/guardian to develop a plan to improve a student's attendance when a student has been truant, chronically absent or tardy. Additionally, a student who is truant, chronically absent or tardy will be referred to the Office of the Safety and Security. The Director of Safety and Security, after consultation with the appropriate Principal/Head of Upper School, will review each matter and initiate corrective action which may include referral to the Middlesex County Court if the student is deemed to require additional services under the direction of the Court.

Excused absences include:

- a. Personal illness or quarantine;
- b. Absences attributable to personal trauma; grieving, death in the family or serious illness in family;
- c. Observance or practice of a religious holiday;
- d. Medical appointments that absolutely cannot be made outside of school hours or counseling visits;
- e. Legal matters requiring a personal appearance;
- f. Suspensions or expulsions in or out of school;
- g. School-related trips, assemblies or meetings;
- h. College visits (two days in junior year of high school and three days in senior year of high school);
- i. One trip or educational experience of no more than five days during a student's years at high school; or
- j. Weather so inclement as to endanger health or safety of the child.

A student may also be excused for other exceptional reasons, with the approval of the school administration not exceeding seven day sessions or fourteen half day sessions in any six month period.

Unexcused absences include:

- a. Truancy from school or from individual classes or study halls;
- b. Trips not approved in advance by the principal/head of upper school;

- c. Looking for employment without prior approval from the principal/head of upper school;
- d. Staying home to avoid an examination in a given subject or to study for an examination;
- e. Leaving the school building during the school day without signing out in the principal/head of upper school's office;
- f. Oversleeping or otherwise being tardy to school (Three unexcused tardies will be counted as one unexcused absence);
- g. Remaining on or near school grounds, but not attending assigned classes; or
- h. Any other absence that is not excused or any excusable absence that is not reported by a parent/guardian by a telephone call or written note from a parent/guardian or the student's medical provider upon the student's return to school

When a student is at school, the student is under the supervision of all teachers and school authorities and must get permission from the principal/head of upper school's office to leave early. Any student who does not sign out of school in the principal/head of upper school's office before leaving will be unexcused and receive no credit for all class activities or assignments missed. Each teacher shall keep a record of the absence or tardiness of students. A student who enters the classroom after the time appointed for the beginning of the session shall be recorded as tardy. Parents/guardians will be notified when a student has any unexcused absence, or unexcused tardy or unexcused misses of two (2) or more periods of school. The school must ensure that it notifies the student's parents/guardians of a student's absence within three (3) days of the absence if the school has not received notification of the absence from the student's parent/guardian. When a child has been tardy five (5) times, has been absent five (5) days or ten (10) half-days in the previous six (6) months for which no lawful excuse is received for said tardies or absences, misses five (5) or more school days unexcused in a school year or two (2) or more periods unexcused in a school year, it shall be the duty of the principal/head of upper school in which such child is enrolled to report such attendance record to the Superintendent of Schools. The principal/head of upper school or designee also shall make a reasonable effort to meet with the parent/guardian of the student who has five (5) or more unexcused absences to develop action steps for student attendance. The action steps shall be developed jointly and agreed upon by the school principal/head of upper school or designee, the student and the student's parents/guardians and with input from other relevant school personnel and officials from relevant public safety, health and human service, housing and nonprofit agencies, as appropriate.

Any student with an excused absence from school or classes has the privilege of making up the class assignments, missed homework, quizzes, exams, papers, projects and other assignments. The principal/head of upper school shall ensure that there is a school-wide

education service plan in place for all students who are suspended or expelled from school for more than five (5) consecutive days, whether in or out of school. Additionally, the principal/head of upper school shall ensure that any student suspended or expelled from school for more than five (5) consecutive days, whether in or out of school, has an opportunity to make academic progress during the period of exclusion, to make up assignments and earn credits missed, including, but not limited to, homework, quizzes, exams, papers, projects and other assignments.

The parent/guardian of a student who is legally absent for more than five (5) school days must notify the school so that arrangements for home assignments can be offered. The parent/guardian of any student who will have a prolonged absence (2 weeks or longer) due to illness or injury must notify the school to make the necessary arrangements for homebound instruction.

Absences or tardiness without satisfactory explanation shall be grounds for disciplinary action. School officials are encouraged to take all other appropriate disciplinary action before resorting to suspension in an effort to help a student with problems of truancy, tardiness and class cutting, including referral of the student to the Juvenile Court as an habitually truant child in need of services and/or referral for evaluation as a child in need of special education. No credit will be given to students who miss school work due to truancy, tardiness or class-cutting, unless the student makes up the missed work as directed by his/her teacher and teachers should afford students a reasonable amount of time upon their return to class to make up missed homework, quizzes, exams, papers, projects and other assignments. No adverse, prejudicial or discriminatory effect shall result to any student because she/he is absent to observe a religious holiday. Teachers should, to the extent feasible, refrain from scheduling any important tests, culminating activities, major papers/reports during religious holidays.

Cambridge Rindge and Latin School and the High School Extension Program will treat four (4) absences in any class as an Attendance Violation Failure (AVF) for the quarter. After a fourth such absence the school will notify the parent/guardian. Parents/guardians may seek a medical waiver for any chronic condition, reoccurring illness or for any illnesses that exceed four (4) days. Parents/guardians will have the right to appeal any AVF to the Appeals Review Committee at Cambridge Rindge and Latin School or the High School Extension Program within ten (10) days of the issuance of the AVF and, if the appeal is denied, the parents/guardians may within ten (10) days of the denial, submit a written appeal to the Superintendent of Schools for his/her review. The decision of the Superintendent of Schools shall be final.

NOTICE REGARDING STUDENTS WHO LEAVE SCHOOL

The Cambridge Public Schools is committed to having students complete their elementary and secondary education. In the event that a student who is sixteen years of age or older seeks to leave school, the Cambridge Public Schools adheres to the requirements of M.G.L.c. 76, §18 and follows the procedures set forth below:

1. The principal or designee issues a letter to the parent/guardian of the student notifying the parent/guardian that the student either (a) has expressed an intention of withdrawing from school without an intention of returning, or (b) has had fifteen (15) consecutive absences from school and indicating the student's last date of attendance at school.

In order for the school to determine whether the student is withdrawing from school without intending to return, the school schedules a meeting with the student and his/her parent/guardian for the purpose of discussing the reasons why the student wants to leave school and to explore alternative educational and other placements for the student prior to him/her formally withdrawing from school. The parent/guardian may request that the date and time of this meeting be changed provided that the extension of time shall be no longer than fourteen (14) days from the date of issuance of the letter by the principal or designee.

2. After the meeting has been held with the parent/guardian and the student, the principal or designee issues a letter to the parent/guardian of the student summarizing what was discussed and any decision that was reached at the meeting, including but not limited to, whether the student is returning to school, pursuing an alternative educational placement, pursuing other support services or permanently leaving school.
3. In accordance with the provisions of M.G.L.c. 76, §18, any determination that a student would be permanently leaving school shall not be construed as a permanent exclusion of the student if he/she wishes to resume his/her education.

For further details with respect to this process refer to Section 22 of this Code.

3.0 SEARCH OF PERSON

Under the Fourth Amendment to the U.S. Constitution, students are protected from unreasonable searches and seizures conducted by public school officials and teachers. While students have a legitimate expectation of privacy, a search will be considered valid if there is a reasonable suspicion at its inception that the search will discover evidence of a violation of a school rule or the laws, and the scope of the search was reasonable.

- 3.1 **At the K-8 grade Level:** the Principal/Head of Upper School, Assistant Principal, or Principal/Head of Upper School's designee must authorize student searches and questioning by school security or other non-school based personnel.

At the 9-12 grade Level: the Principal, Assistant Principal, Dean or Principal's designee must authorize student searches by school security.

- 3.2 **All grade levels (K-12):** the Principal/Head of Upper School, Assistant Principal, Dean or Principal/Head of Upper School's designee, whenever reasonably possible, may request which security staff person is to be dispatched to the school and/or small learning community.

3.3 **At the K-8 grade level:** the Principal/Head of Upper School, Assistant Principal or Principal/Head of Upper School's designee, must be present during searches and questioning of students conducted by school security, or other non-school based personnel.

At the 9-12 grade level: the Principal, Assistant Principal, Dean or Principal's designee, must be present during searches of students conducted by school security or other non-school based personnel.

3.4 **At the K-8 grade level:** an individual of the same sex as the student, whenever reasonably possible, must be present for the questioning of students by school security. An individual of the same sex as the student must conduct all searches of students by school security.

At the 9-12 grade level: an individual of the same sex as the student must conduct all searches of students by school security.

3.5 **At the K-8 grade level:** the Principal/Head of Upper School, Assistant Principal, or Principal/Head of Upper School's designee must notify parent/guardian prior to a search of a student conducted by school security. If prior notice is not successful, the parent/guardian will be notified as soon as possible thereafter, and a letter will be sent the same day.

At the 9-12 grade level: the Principal, Assistant Principal, Dean, or Principal's designee must immediately notify parent/guardian after school security has conducted a search. Further, a letter will be sent the same day.

"Emergency contact" is an individual designated by the parent(s)/guardian(s) to respond to instances involving disciplinary issues, including questioning or searches. Every academic year, parent(s)/ guardian(s) will be asked to designate an emergency contact for disciplinary issues, including questioning or searches, and that contact shall act for the parent(s)/guardian(s) with respect to disciplinary issues, including questioning or searches, to the extent authorized by the parent(s)/ guardian(s).

3.6 **At the K-8 grade level:** the Principal/Head of Upper School, Assistant Principal, or Principal/Head of Upper School's designee, must notify parent/guardian or emergency contact prior to any questioning of a student by school security. If prior notice is not successful, the parent/guardian will be notified as soon as possible thereafter, and a letter will be sent the same day.

At the 9-12 grade level: parent/guardian notification is not required when school security is questioning a student.

3.7 **At the K-12 grade level:** All students will be informed by means of the *Rights*

and Responsibilities Handbook and/or the elementary school or CRLS student handbook of the following rights and responsibilities they have in connection with questioning and searches:

- a. Any student may be questioned under the direction of the Principal/Head of Upper School, Dean of Curriculum and Program, Dean of Students, or Principal/Head of Upper School's designee with respect to academic, disciplinary or other school related matters at any time.
- b. Students may be searched under the direction of the Principal/Head of Upper School, Dean of Curriculum and Program, Dean of Students, or Principal/Head of Upper School's designee when the student consents to the search, or when there is a reasonable suspicion that the search will lead to evidence of a violation of a school rule or any law.
- c. When members of the Safety and Security Department are involved in the questioning or searching of any student in grades k-8, the student, except in emergencies, will have an adult from the school of the student's same sex and a representative of the school administration present during any such search or questioning. Students at Cambridge Rindge and Latin School, except in emergencies, will have an adult from the school of the student's same sex and a representative of the school administration present during a search by a member of the Safety and Security Department.

3.8 As used in Section 3.0 of the *Rights and Responsibilities Handbook* and in the elementary schools and CRLS student handbooks the terms "questioning" and "search" are defined as follows:

"Questioning" is a formal inquiry of a student regarding academic, disciplinary or any other school-related matter.

"Search" is a physical search of a student's property or person, including but not limited to, a student's purse, bags or pockets. A search may also include a light pat-down of a student.

3.9 The Superintendent and Chief Operating Officer must be notified as soon as reasonably possible after any student searches by school security. Further, the School Committee shall receive monthly summary reports relative to searches by security, in addition to the reports currently provided.

3.10 An "independent investigation" refers to an investigation of a serious threat to the safety of students, faculty and/or staff that is ongoing and is not merely the result of an isolated incident. The investigation must also involve one or more schools or CRLS schools in the District. All "independent investigations" involving more than one school in the District must be authorized by the Superintendent or Chief

Operating Officer. When an independent investigation only involves more than one small school at the high school, an independent investigation must only be approved by the Principal.

4.0 STUDENT LOCKERS AND DESKS AND ELECTRONIC DEVICES

4.1 Student Lockers and Desks

Since lockers and desks are the property of the school department, the school department maintains the right to search lockers and desks and to periodically inspect lockers and desks and conduct announced and unannounced desk and locker inspections.

4.2 A student's locker and/or desk also may be searched if there is reasonable suspicion to believe that the locker and/or desk contains contraband or evidence that will be found linking the locker and/or desk to evidence of a violation of a school rule or regulation, or unless there is a clear and present danger of immediate physical danger to the school building or persons therein. The person(s) conducting the search shall be the Principal/Head of Upper School or designee. The Principal/Head of Upper School or Principal/Head of Upper School's designee must notify parent/guardian as soon as possible after such a search has been conducted, and a letter will be sent the same day.

4.3 All items suspected of being contraband shall be removed from the student's locker or desk unless removal represents a clear and present danger to others. Should this occur, the locker will be closed and the Principal/Head of Upper School will be notified immediately and the desk will be secured and the Principal/Head of Upper School will be immediately notified. Procedures outlined in the Building Safety and Security Plan will be instituted for removal of the contraband item(s). Any personal items or materials left in the lockers and/or desks will be disposed of at the end of the school year. The Cambridge Public Schools assumes no liability for and is not responsible for the loss, theft or damage to any property stored in a student's locker or desk and assumes no liability for and is not responsible for the loss, theft or damage of any property left in a locker and/or desk after the last day of school.

4.4 Master keys and copies of all combinations for students' lockers shall be kept in the Principal/Head of Upper School's office. Only school department issued locks are to be used. Any other locks will be removed at the student's expense.

4.5 Students will not put in their lockers or desks weapons, illegal drugs or related paraphernalia, alcoholic beverages, stolen property and any other contraband or items of no reasonable use to students while at school.

4.6 Electronic Devices

Students want the privilege of carrying electronic devices while on school property or at a school-sponsored or school-related event. With that privilege comes the responsibility of the students ensuring that the electronic devices are used

appropriately. Students must understand that they each are solely responsible for the proper use and security of any electronic device that they bring into school or to a school-related or school-sponsored event. Additionally, students should not share or loan their electronic devices. If a student does so, he/she also may be held responsible for any misuse of that electronic device by another just as though it remained in his/her possession.

- 4.7 Students may not use an electronic device in any manner that interferes with the educational process or creates a disruption. For example, if the electronic device is on, makes a noise, vibrates or otherwise calls attention to itself while in the school setting, or at a school-sponsored or school-related event, the device is creating a disruption. Misuse of electronic devices may result in the confiscation of the electronic device and may also result in the imposition of discipline.
- 4.8 The Cambridge Public Schools assumes no liability for and is not responsible for the loss, theft or damage to any electronic device that a student brings onto school property or to a school-sponsored or school-related event. Students should understand that they bring an electronic device into school or to a school-sponsored or school-related event at their own risk.

5.0 FREEDOM OF THE PERSON

- 5.1 Students shall have the right to be secure in their person while in school buildings, on school grounds or in transit to and from school, and at all times while at any authorized school function.
- 5.2 No student, teacher or school official shall use physical force in any manner to cause or attempt to cause intentional physical injury to a student, teacher or school official. However, a teacher or school official may use physical force if said physical force is reasonable and necessary:
 - a. To obtain possession of a weapon or other dangerous object; or
 - b. For the purpose of self defense; or
 - c. For the protection of another person or property.
- 5.3 No teacher or school official shall use physical force in any manner for purposes of student discipline or imposing punishment. Corporal punishment in any form is expressly forbidden.
- 5.4 No student, teacher, school official, or school employee shall intimidate, threaten or harass in any manner a student, teacher or school official, nor shall any such person degrade or abuse a student publicly in an attempt to humiliate a student.

41

5.5 Codes of Conduct, Cambridge Public Schools Non-Discrimination Policy and Prohibition Against Sexual Harassment

Any student who believes that she/he has been subjected to sexual harassment and/or any other form of discrimination or harassment based on any of the protected areas (race, color, sex, ethnicity, religion, disability, national origin, genetic information, gender identity, age or sexual orientation) has the right to file a complaint with the Office of Affirmative Action or the Executive Director of Human Resources. Students may initiate the filing of a complaint by contacting the principal/head of upper school, assistant principal, dean, the Affirmative Action Officer or the Deputy Superintendent of Teaching and Learning in compliance with the provisions of the Non-Discrimination Policy and Prohibition Against Sexual Harassment and procedures. School staff who observe any incidents of harassment or discrimination shall report such incidents immediately to the student's Principal/Head of Upper School, Assistant Principal or Dean.

Students may also file complaints with the Massachusetts Commission Against Discrimination at: Boston Office: One Ashburton Place, Room 601, Boston, MA 02108 Phone 617-994-6000; TTY: 617-994-6196; and/or Springfield Office: 436 Dwight Street, Room 220, Springfield, MA 01103 Phone 413-739-2145; the Bureau of Equal Education Opportunity, Massachusetts Department of Elementary and Secondary Education at One Congress Street, 11th Floor, Boston, MA 02114 and with the United States Department of Education, Office for Civil Rights, 8th Floor, 5 Post Office Square, Boston, MA 02109 Phone: 617-289-0111; Fax: 617-289-0150.

In some cases, the conduct complained of may constitute sexual harassment under Title IX and criminal activity. If you believe that the conduct also constitutes a crime you have a right to file a criminal complaint at any time, including during or after the school's investigation into your complaint.

5.6 Definition of Discrimination and Harassment

"Discrimination" and "Harassment" are defined as unwelcome conduct, whether verbal or physical, that is based on race, color, national origin, ethnicity, sex, sexual orientation, religious beliefs, disability, veteran status, genetic information, gender identity or age. Discrimination and/or Harassment include, but are not limited to:

- a. Display or circulation of written materials or pictures that are degrading to a person or group described above.
- b. Verbal abuse or insults about, directed at, or made in the presence of an individual or group described above.
- c. Any action or speech that is sufficiently severe, pervasive or persistent that

either (i) interferes with or limits the ability of an individual or group (as described above) to participate in or benefit from employment or a program or activity of the Cambridge Public Schools; or (ii) creates an intimidating, threatening or abusive educational or working environment.

Many forms of harassment and discrimination have been recognized as violations of the civil rights laws (including Section 504 of Rehabilitation Act of 1973, Title VI and Title IX) by federal courts, state courts, the U.S. Equal Employment Opportunity Commission, the U.S. Department of Education, Office for Civil Rights and the Massachusetts Commission Against Discrimination.

5.7 Definition of Sexual Harassment

"Sexual harassment" is defined as unwelcome sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

- a. Submission to or rejection of such advances, requests, or conduct is made either explicitly or implicitly a term or condition of employment, academic standing, school-related opportunities or as a basis for employment decisions.
- b. Such advances, requests, or conduct have the purpose or effect of unreasonably interfering with an individual's academic or work performance by creating an intimidating, hostile, humiliating, or sexually offensive work environment.

5.8 Under the definitions stated above, direct or implied requests by a teacher, supervisor or other individual in a position of work or school authority for sexual favors in exchange for actual or promised job or school benefits such as favorable reviews, salary increases, promotions, increased benefits, continued employment, better grades, recommendations or other advantages constitutes sexual harassment.

Sexual harassment includes acts of sexual violence, including without limitation, physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol, or is unable to give consent due to an intellectual impairment or other disability. A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery and sexual coercion. All such acts of sexual violence are forms of sexual harassment covered under Title IX.

While it is not possible to list all circumstances that may be considered sexual harassment, the following are examples of conduct that are inappropriate and that, if unwelcome, may constitute sexual harassment. In each case, such a determination will depend upon the totality of the circumstances, including the severity of the conduct and its pervasiveness. Sexual harassment includes, but is not limited to:

- Unwelcome sexual advances, whether they involve physical touching or not
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments
- Sexual epithets, jokes, written or verbal references to sexual conduct, comments about an individual's body, comments about an individual's sexual activity, deficiencies, or prowess
- Discussion of one's own sexual activities or inquiries into others' sexual experiences
- Displaying sexually suggestive objects, pictures, cartoons

The definitions of discrimination, harassment and sexual harassment are broad. In addition to the above examples, other unwelcome conduct, whether intended or not, that has the effect of creating a school or work environment that is hostile, offensive, intimidating, or humiliating to either male or female students or workers also may constitute discrimination, harassment and/or sexual harassment. "Work" or "school" includes school-sponsored social events, trips, sports events, work-related travel or similar events connected with school or employment, including without limitation, extracurricular and athletic activities and programs, traveling to and from school or on a school-sponsored field trip.

- 5.9 No reprisals or retaliation shall be invoked against any employee or student for processing, in good faith, a complaint, either on an informal or formal basis, or for participating in any way in complaint procedures. No reprisals or retaliation shall be invoked against any student who, in good faith, has testified, assisted or participated in any manner in any investigation, proceeding, or hearing of a complaint or for otherwise participating in any way in these complaint procedures. No teacher, school official or school employee shall, in any way, attempt to intimidate or discourage a student from attempting to appeal to higher officials of the School Department with complaints and objections. Any such attempts shall be reported to the School Committee and the Superintendent at once.
- 5.10 Any violation by any person of any of the rights set forth in this Code shall be grounds for an appeal pursuant to the provisions of Section 23.0 of this Code.
- 5.11 Physical Restraints

It is the policy of the Cambridge School Committee to promote a safe and productive workplace and educational environment for its employees and students, and to ensure that every student in the Cambridge Public Schools is free from the use of physical restraint inconsistent with the Massachusetts Department

of Elementary and Secondary Education's regulations, and that physical restraint shall only be used with extreme caution as a last resort in emergency situations, after other lawful and less intrusive alternatives have failed or been deemed inappropriate. School personnel shall only administer a physical restraint as a last resort when it is needed to protect a student and/or a member of the school community from imminent, serious, physical harm. When a physical restraint needs to be administered, school personnel shall seek to prevent or minimize any harm to the student as a result of the use of the physical restraint. This policy shall not be construed to limit the protection afforded to publicly funded students under other federal and state laws, including those laws that provide for the rights of students who have been found eligible to receive special education services. Additionally, this policy shall not be construed to preclude any teacher, employee or agent of a public education program from using reasonable and necessary force to protect students, other persons or themselves from assault or imminent, serious, physical harm.

The Cambridge Public Schools has written procedures and guidelines related to this policy which are posted on the school district's website and which can be obtained in the principal/head of upper school's office, identifying: (i) appropriate responses to student behavior that may require immediate intervention; and (ii) alternative methods that should be used first when seeking to prevent student violence, self-injurious behavior and/or de-escalating potentially dangerous behavior occurring among groups of students or with an individual student, including alternative methods in emergency situations that avoid resorting to physical restraint.

Physical Restraint Procedures

Definitions

"Consent" shall mean agreement by a parent/guardian who has been fully informed of all information relevant to the activity for which agreement is sought, in his or her native language or other mode of communication, that the parent/guardian understands and agrees in writing to the carrying out of the activity, and understands that the agreement is voluntary and may be revoked at any time. The agreement describes the activity and lists the records (if any) which will be released and to whom.

"Restraint" shall mean limitation on a student's physical movement using force against the student's resistance.

"Physical restraint" shall mean direct physical contact that prevents or significantly restricts a student's freedom of movement. The term physical restraint does not include prone restraint, mechanical restraint, or medication restraint. Additionally, physical restraint does not include: providing brief physical contact, without force, to promote student safety or limit self-injurious

44