



Guide to Policies for Students & Parents

ALL forms in the enclosed *Annual Required Student Forms* booklet must be completed and returned with students to their homeroom teacher
ON THE FIRST DAY OF SCHOOL.

This publication is available in English, Portuguese, Haitian Creole, Spanish, Chinese and Korean at the Family Resource Center and in the schools.

Cambridge Public Schools

Guide to Policies for Students & Parents

This handbook is not intended to be a complete directory of all laws and policies relating to students and their parents and guardians. Federal and state laws and Cambridge Public School policies, procedures, and practices are subject to change. Many of the CPS policies can be accessed from our web site at <http://www.cpsd.us>. The *Rights and Responsibilities Handbook* as well as copies of individual policies can be requested through your student's school.

The Cambridge Public Schools is an equal opportunity employer and is committed to the provision of quality educational programs for all students. CPS does not discriminate on the basis of race, color, sex, religion, national origin, disability, genetic information, age or sexual orientation.

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Cambridge Public Schools

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Table of Contents

2	STUDENT PRIVACY	15	Care and Protection Actions
2	STUDENT RECORDS	15	Student Searches and Questioning
3	Release of Basic Contact Information to Military Recruiters, Prospective Employers, Colleges and Universities	16	Unaccounted For or Missing Child
3	NOTICE OF RIGHTS UNDER THE FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)	16	Transportation
4	STANDARDIZED TESTING	17	Rights and Privileges
4	SEXUALITY EDUCATION	17	Reasonable Accommodations Policy and Procedure
4	PHYSICAL RESTRAINTS	17	Notice of Rights Under Section 504 of the Rehabilitation Act of 1973
7	CODES OF CONDUCT	18	Special Education
7	Introduction	18	Affirmative Action/Non-discrimination Notice
8	Philosophy	18	Homeless Education Liaison
8	Behavior and Discipline Policies	18	Freedom of Assembly
8	Drug Policy	18	Freedom of Expression
8	Hazing	18	Freedom of the Person
9	Smoking: Tobacco-Free Policy	19	Non-Discrimination Policy and Prohibition Against Sexual Harassment
9	Staff Assault	19	Student Marriage and Pregnancy
10	Student Charged with or Convicted of a Felony	19	Notice Regarding Students Who Leave School
10	Vandalism	20	Title IX Coordinator
10	Fighting/Physical Assault	20	Freedom of Religion
11	Statutory Prohibition Against Drugs, Weapons and Assault on School Staff	20	Pledge of Allegiance Guidelines
11	Weapons Policy	20	School Visitors
12	Discipline Proceedings (Due Process)	20	No Idling of Motor Vehicles
12	Suspensions	21	Student Lockers
13	Expulsions	21	GENERAL POLICIES
13	Student Grievance Process	21	Acceptable Use Policy for Computer Network
14	Participation in Extracurricular Activities	24	Software Code of Ethics
14	Child Abuse (Mandated Reporter 51A)	24	Anti-Bullying Policy
15	Child in Need of Services (CHINS)	24	Criminal Offender Record Information
15	Attendance	25	Field Trip Policy
15	Truancy and Habitual School Offender	25	Immunizations
		26	Parent/Family Involvement
		27	Promotion and Retention
		27	Prescription Medication and Food Allergies
		SEPARATE INSERT	ANNUAL REQUIRED STUDENT FORMS TO COMPLETE, SIGN & RETURN

Student Privacy

The Cambridge Public Schools seeks to ensure the privacy of students attending its schools in a manner consistent with the federal and state law, including the Federal Family Educational Rights Privacy Act and Massachusetts student records regulations as well as the Cambridge School Committee's Student Privacy Policy. For further information on student privacy issues, contact your school principal.

The Protection of Pupil Rights Amendment (PPRA), section 1232h of title 20 of the United States Code, affords parents/guardians certain rights regarding the school district's conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

- Consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED): (1) political affiliations or beliefs of the student or student's parent/guardian; (2) mental or psychological problems of the student or student's family; (3) sex behavior or attitudes; (4) illegal, anti-social, self-incriminating, or demeaning behavior; (5) critical appraisals of others with whom respondents have close family relationships; (6) legally recognized privileged relationships, such as with lawyers, doctors, or ministers; (7) religious practices, affiliations, or beliefs of the student or parents/guardians; or (8) income, other than as required by law to determine program eligibility.
- Receive notice and an opportunity to opt a student out of: (1) any other protected information survey, regardless of funding; (2) any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and (3) activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.
- Inspect, upon request and before administration or use: (1) protected information surveys of students; (2) instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and (3) instructional material used as part of the educational curriculum.

These rights transfer to from the parents/guardians to a student who is 18 years old or an emancipated minor under State law.

The Cambridge Public Schools has adopted policies, in consultation with parents/guardians, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The school district will directly notify parents/guardians of these policies at least annually at the start of each school year and after any substantive changes. The school district will also directly notify, such as through U.S. Mail or email, parents/guardians of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. The school district will make this notification to parents/guardians at the beginning of the school year if the school district has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents/guardians will also be provided an opportunity to review any pertinent surveys. In accordance with the school districts Student Privacy Policy, the principal of your child's school will notify you of any activities requiring parental/guardian notice and consent or opt-out during the school year. Following is a list of the specific activities and surveys covered under this requirement: (1) collection, disclosure, or use of personal information for marketing, sales or other distribution; (2) administration of any protected information survey not funded in whole or in part by ED, and (3) any non-emergency, invasive physical examination or screening as described above.

Parents/guardians who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202-5901

Student Records

Under Massachusetts law, a parent of any student, or a student who has entered ninth grade or who is at least 14 years old, has the right, upon request, to inspect the student's record. The parent or eligible student should receive the student record no later than ten days after

the request, and may ask to have the record interpreted by a qualified professional or amended by the principal. Additionally, in 1998, Massachusetts enacted a law that set out specific procedures which public schools must follow before student record information is provided to non-custodial parents. All requests to see a student's record should be directed to the attention of the principal at the student's school.

The Family Educational Rights and Privacy Act (FERPA), a Federal law, and Massachusetts student record law, requires that the school district, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the school district may disclose appropriately designated "directory information" without written consent, unless you have advised the school district to the contrary in accordance with its procedures. The primary purpose of directory information is to allow the school district to include this type of information from your child's education records in certain school publications, such as a playbill, showing your child's role in a drama production; the annual yearbook; honor roll or other recognition lists; graduation programs; and sports activity sheets.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent/guardian's prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories—names, addresses and telephone listings—unless parents/guardians have advised the LEA that they do not want their student's information disclosed without their prior written consent.

The Cambridge Public Schools releases the following information without the consent of the parent/guardian: student's name, class or grade, participation in officially recognized activities, membership on athletic teams, degrees, honors and awards and post high school plans. If you do not want this information released without your consent, you must notify the principal of your school in writing by October 1 of each school year. A written opt-out form is enclosed with this handbook for completion by those students and their parents/guardians who do not want to have this information released.

Copies of state regulations on student records and parents' rights and students' rights to student records are available at each school.

Release of Basic Contact Information to Military Recruiters, Prospective Employers, Colleges and Universities

A provision of the *No Child Left Behind Act of 2001*, a federal law, requires secondary schools, upon receipt of a request, to release the names, addresses and telephone numbers of students attending the high school to United States military recruiters, colleges, universities and other educational institutions and prospective employers. **Secondary school students and their parents/guardians have the option of requesting that secondary schools not release their basic information when such requests are received.** If, however, secondary school students and/or their parents/guardians do not take this affirmative step to block the release of the information, the law requires that the contact information be released when a request is received. A written opt-out form is enclosed with this handbook for completion by those secondary school students and their parents/guardians who do not want to have their contact information released.

Notice of Rights Under the Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights And Privacy (FERPA) affords parents and students over eighteen (18) years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

- The right to inspect and review the student's education records within forty-five (45) days from the day the school receives a request for access. Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
- The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading, or otherwise in violation of the student's privacy rights under FERPA. Parents/guardians or eligible students who wish to ask the school to amend a record should write the school principal, clearly identify the part of the record they want changed, and specify why it should be changed. If the school decides not to amend the record as requested by the parent or eligible student, the school will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for the amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible

student when notified of the right to a hearing.

- The right to privacy of personally identifiable information in the student's education records, except to the extent that FERPA authorizes disclosure without consent.
- One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has outsourced services or functions it would otherwise use its own employees to perform (such as an attorney, auditor, medical consultant, or therapist); a parent/guardian or student serving on an official committee, such as a disciplinary or grievance committee; or a parent/guardian, student, or other volunteer assisting another school official in performing his or her tasks.
- A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
- Upon request, the school discloses education records without consent to officials of another school district in which a student seeks or intends to enroll, or is already enrolled if the disclosure is for purposes of the student's enrollment or transfer.
- The right to file a complaint with the United States Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The name and address of the office that administers FERPA are:

Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-8520

Standardized Testing

The Cambridge Public Schools administers, on an annual basis, MCAS at grade levels as determined by the Massachusetts Department of Education. Additionally, on an annual basis, the Cambridge Public Schools administers the MELA-O and MEPA to English Language Learner students, as appropriate, in accordance with the requirements of the Massachusetts Department of Education.

Sexuality Education

Schools are required by law to notify parents about curriculum which primarily involves human sexual education or human sexuality issues. Every fall a letter is sent home about the health education curriculum which describes the sexuality lessons that may occur at each grade level. Parents do not have to give permission for their children to take these classes, and have the right to exempt their children from such classes. Parents may do so by sending a letter to the school principal requesting to remove the child from the lessons. Any parent who would like to review the material, can speak with their child's teacher or with the Program Leader for Health Education, Kim DeAndrade at 617-349-6851.

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 unreasonable use of physical restraint, and that physical restraint shall only be used with extreme caution in emergency situations, after other less intrusive alternatives have failed or been deemed inappropriate. School personnel shall only administer a physical restraint 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 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's office, identifying: (i) appropriate responses to student behavior that may require immediate intervention; and (ii) alternative methods 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.

District Physical Restraint Procedures

Definitions

“Physical restraint” shall mean the use of bodily force to limit a student’s freedom of movement.

“Physical escort” shall mean the touching or holding of a student without the use of force for the purpose of directing the student.

“extended restraint” shall mean a physical restraint the duration of which is more than twenty (20) minutes. Extended restraints increase the risk of injury and, therefore, require additional written documentation as described in 603 C.M.R. 46.06.

“Mechanical restraint” shall mean the use of a physical device to restrict the movement of a student or the movement or normal function of a portion of his or her body. A protective or stabilizing device ordered by a physician shall not be considered a mechanical restraint. **The use of a mechanical restraint is prohibited unless explicitly authorized by a physician and approved in writing by the parent/guardian of the student.**

“Seclusion restraint” shall mean physically confining a student alone in a room or limited space without access to school staff. The use of “time out” procedures during which a staff member remains accessible to the student shall not be considered a seclusion restraint. **The use of a seclusion restraint is expressly prohibited.**

“Chemical restraint” shall mean the administration of medication for the purpose of restraint. **The use of a chemical restraint is prohibited unless explicitly authorized by a physician and approved in writing by the parent/guardian of the student.**

Determining When to Use a Physical Restraint

If all other less intrusive alternatives have failed or been deemed inappropriate to prevent student violence, self-injurious behavior and/or de-escalating potentially dangerous behavior occurring among groups of students or with an individual student, a physical restraint may be used. In other words, **a physical restraint can only be used when non-physical interventions would not be effective and the student’s behavior poses a threat of imminent, serious physical harm to himself or herself or others.** Any physical restraint shall be limited to the use of such reasonable force as is necessary to protect a student or another member of the school community from assault or imminent, serious, physical harm.

Prohibitions on Use of a Physical Restraint

The use of a physical restraint as a means of punishment or as a response to the destruction of property, disruption of school order, a student’s refusal to comply with a school rule or staff directive, or verbal threats that do not constitute a threat of imminent, serious, physical harm is expressly prohibited.

Proper Administration of a Physical Restraint

Only trained school personnel shall administer physical restraints. Trained school personnel are those individuals who have received either the in-depth training or who have received the required basic training detailed below. Whenever possible, the administration of the physical restraint shall be witnessed by at least one adult who does not participate in the physical restraint. When administering a physical restraint, school personnel shall use only the amount of force necessary to protect the student or others from physical injury. Additionally, school personnel administering a physical restraint shall use the safest method available and appropriate to the situation in accordance with the safety requirements detailed below, and shall discontinue the restraint as soon as possible. Floor and prone restraints are prohibited unless the school personnel administering the restraint has received in-depth training, and, in the judgment of the trained staff member, such method is required to provide safety for the student or others present. It should be noted, however, that these training requirements shall not preclude a teacher, employee or agent of the school from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.

Safety Requirements

No restraints shall be administered in such a way that a student is prevented from breathing or speaking. During the administration of a restraint, school personnel shall continuously monitor the physical status of the student, including skin color and respiration. A restraint shall be immediately released upon a determination by the school personnel administering the restraint that the student is no longer at risk of causing imminent physical harm to himself, herself or others. Additionally, restraints shall be administered in such a way as to prevent or minimize physical harm. **If, at any time during a physical restraint the student demonstrates significant physical distress, the student shall be released from the restraint immediately, and school staff shall take steps to seek medical assistance.** School personnel shall review and consider any known medical or psycho-

logical limitations and/or behavioral intervention plans regarding the use of physical restraint on an individual student. At any time during the administration of a physical restraint, school personnel may seek to contact the Office of Special Education behavioral specialists, or the Crisis Intervention Team, or take other steps to seek medical assistance if it appears that the student is demonstrating significant physical distress.

Follow-up Procedures and Reporting Requirements

At an appropriate time after a student has been released from a restraint, the school shall implement the follow-up procedures set forth below:

- a. review the restraint with the student to address the behavior that precipitated the restraint;
- b. review the incident with school personnel who administered the restraint to discuss whether proper restraint procedures were followed; and
- c. consider whether any follow-up is appropriate for the students who witnessed the incident.

The following are the reporting requirements followed by the school:

- a. Any physical restraint of five minutes or longer and/or any physical restraint that results in an injury to a student or staff member shall be reported.
- b. The school staff member who administers a physical restraint of five minutes or longer and/or who administers any physical restraint that results in an injury to a student or staff shall verbally inform the principal or his/her designee of the restraint as soon as possible and no later than the close of the school day in which the restraint was administered. A written report shall be completed and provided to the principal of the school no later than the next working day after the restraint was administered.
- c. The principal of the school shall maintain an on-going record of all reported instances of physical restraint of five minutes or longer and/or any physical restraint that results in an injury to a student or staff.
- d. The principal or his/her designee shall verbally inform the student's parents or guardians of any physical restraint of five minutes or longer and/or any physical restraint that results in an injury to a student or staff as soon as possible and by a written report postmarked no later than three school working days following the use of the physical restraint of five minutes or longer and/or any physical restraint that results in an injury to a student or staff.

e. The principal shall provide the Office of the Superintendent with a copy of the written report of a physical restraint when such restraint has resulted in a serious injury to a student or staff member, or when an extended restraint (20 minutes or longer) has been administered as well as a copy of the school's on-going record of all reported instances of physical restraint for the thirty days preceding the reported physical restraint. **This documentation must be provided to the Office of the Superintendent by no later than one school working day after the written report is received by the principal.**

District Training Requirements

A. For All Program Staff

Within the first month of each school year, the principal of each school shall provide all program staff with training on this policy. Additionally, for all new school employees that are hired after the start of the school year, the principal shall within the first month of their employment provide the new employees with training on this policy. The training shall consist of the following: (a) this policy and related procedures and guidelines developed by the Superintendent; (b) interventions that may preclude the need for restraint, including de-escalation of problematic behaviors; (c) types of restraints and related safety considerations, including information regarding the increased risk of injury to a student when an extended restraint is used; (d) administering physical restraint in accordance with known medical or psychological limitations and/or behavioral intervention plans applicable to an individual student; and (e) identification of program staff who have received in-depth training pursuant to 603 C.M.R. 46.03(3) in the use of physical restraint. See 603 C.M.R. 46.03(2).

B. For Staff Authorized to Serve As A School-Wide Resource on the Proper Administration of Physical Restraints

At the beginning of each school year, the principal of each school shall identify program staff that is authorized to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. The content of the in-depth training shall include, but not be limited to: (a) appropriate procedures for preventing the need for physical restraint, including the de-escalation of problematic behavior, relationship building and the use of alternatives to restraint; (b) description and identification of dangerous behaviors on the part of students that may indicate the need for physical restraint and methods for evaluating the risk of harm in individual situations in

order to determine whether the use of restraint is warranted; (c) the simulated experience of administering and receiving physical restraint, instruction regarding the effect(s) on the person restrained, including instruction on monitoring physical signs of distress and obtaining medical assistance; (d) instruction regarding documentation and reporting requirements and investigation of injuries and complaints; and (e) demonstration by participants of proficiency in administering physical restraint. See 603 C.M.R. 46.03(3) and 46.03(4).

Complaint Procedures

A. Informal Resolution of Concern About Use of Physical Restraint

Before initiating a formal complaint procedure, a student or his/her parent/guardian who has concerns regarding a specific use of a physical restraint, may seek to resolve his/her concerns regarding a specific use of a physical restraint by raising the issue with the principal of the school. The student and/or his/her parent/guardian should direct their concerns regarding a specific use of a physical restraint to the principal within ten (10) days of the parent/guardian's receipt of the written report from the school detailed above. The principal shall attempt, within his/her authority to work with the individual to resolve the complaint fairly and expeditiously. If the student and/or his/her parent/guardian are not satisfied with the resolution, or if the student and/or his/her parent/guardian does not choose informal resolution, then the student and/or his/her parent/guardian may proceed with the formal complaint process detailed below.

B. Formal Resolution of Concern About Use of Physical Restraint

A student or his/her parent/guardian, who has concerns regarding a specific use of a physical restraint, may seek to resolve his/her concerns regarding a specific use of a physical restraint by submitting a written complaint to the Office of the Superintendent. The student and/or his/her parent/guardian should submit this letter to the Office of the Superintendent within twenty (20) days of the parent/guardian's receipt of the written report from the school detailed above. The written complaint shall include (a) the name of the student; (b) the name of the school where the physical restraint allegedly occurred; (c) the name of the individuals involved in the alleged physical restraint; (d) the basis of the complaint or concern; and (e) the corrective action being sought.

The Office of the Superintendent, through its designees, shall conduct an investigation into the complaint

promptly after receiving the complaint. In the course of its investigation, the Office of the Superintendent and/or its designees shall contact those individuals that have been referred to as having pertinent information related to the complaint. Strict timelines cannot be set for conducting the investigation because each set of circumstances is different. The Office of the Superintendent and/or its designees will make sure that the complaint is handled as quickly as is feasible. After completing the formal investigation, the Office of the Superintendent shall contact the individual who filed the complaint regarding the outcome of its investigation and its determination as to whether any corrective action is warranted.

Other Complaint Processes Also Available

It should be noted that the provisions of this section does not preclude a student from using 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 sex, race, color, ancestry, national origin, ethnicity, religion, age, disability, marital status or sexual orientation. It also should be noted that the provisions of this section does not preclude a student from using the complaint process set forth in Section 23.0 of the Cambridge Public Schools *Rights and Responsibilities Handbook* to seek resolution of any complaints regarding a student's deprivation of rights set forth in the Cambridge Public Schools *Rights and Responsibilities Handbook*.

Codes of Conduct (Policies)

Introduction

Each school has its own set of rules - known as school-based rules - that its students are expected to follow. If a student breaks a school-based rule, he or she may be disciplined. School-based rules are written by a committee of administrators, teachers, parents and middle school students at each school and are reviewed in each spring. School-based rules are posted in every classroom and are sent home with students every September. In addition to following its own school-based rules, every school also must follow the code of conduct set forth in Cambridge Public Schools *Rights and Responsibilities Handbook*. The *Rights and Responsibilities Handbook* lists the rules that all students are expected to follow. A student who breaks these rules may be suspended or expelled from school. Both school-based rules and the *Rights and Responsibilities Handbook* apply to behavior of students while they are in school, at a school-sponsored activity, and on their way to and from school.

A summary of the *Rights and Responsibilities Handbook* is provided below. You may obtain a copy of the school-based rules for the school your child is attending from the principal of the school. You also may obtain a copy of the *Rights and Responsibilities Handbook* from the school principal.

Additionally, provided below are brief descriptions of various policies of the Cambridge Public Schools, including anti-discrimination policies. For a complete copy of any of these policies, contact the school principal.

Philosophy

The Cambridge School Committee's Discipline Policy and Procedures urges all school personnel to help students solve conduct problems without resorting to extreme disciplinary measures. Student misconduct may be indicative of more complex underlying problems that a student may have with school and society, and every effort should be made by the elementary schools to help the students and their parents or caregivers deal effectively with these problems. Suspensions or expulsions are usually recommended only as a last resort. School personnel are encouraged to pursue and exhaust all other available and appropriate consequences or disciplinary actions to foster the education and good conduct of a student before resorting to suspension.

Schools shall try to work with the at-risk student on a one-to-one basis, attempting to find the source of the problem and recommend an alternative. At times it is necessary to have conferences with the parent or caregiver, or to conduct a home visit. The communication between home and school is critical to any success. School counselors or psychologists are a resource in making recommendations and finding solutions. Peer mediation, teacher mentors, Big Brothers and Sisters are also valuable assets. Cambridge is very fortunate to have social development teams in place that are responsive and critical to the needs of troubled students. Some examples of these teams are: the Student Support Teams (SSTs); the Teacher Assistance Teams (TATs); and the Administrative Response Teams (ARTs). Descriptions of these teams can be found in the section on student support services. Community agencies are critical partners in rendering valued support services. These agencies provide valuable advice to school teams and work with students individually or in groups. Such preventative services are a great deterrent to inappropriate behavior, potential suspensions, and maybe, in the long run, having the students drop out of school.

Behavior and Discipline Policies

Drug Policy

A student is in violation of the drug policy if he or she is found on school premises, the bus, or at school-sponsored or school related events, including athletic games, in possession of controlled substance as defined in Chapter 94C including, but not limited to: marijuana, cocaine or heroin. In such cases, a student may be expelled by the principal.

Hazing

Hazing means any conduct or method of initiation into a student class or group, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any other student. All high school students will be required to sign a statement from the State Department of Education regarding hazing.

Hazing is a violation of school policy. Students involved in hazing may be suspended. A criminal complaint will be filed. Information regarding this subject is distributed to all students at the opening of school.

Massachusetts General Laws Chapter 269, Section 17 *Crime of Hazing; Definition; Penalty*

Whoever is a principal organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or both such fine and imprisonment.

The term hazing as used in this section and in sections eighteen and nineteen shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or person, which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

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

Added by St. 1985, c. 536; amended by St. 1987, c. 665.

Massachusetts General Laws Chapter 269, Section 18 *Duty to Report Hazing*

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

Added by St. 1985, c. 536; amended by St. 1987, c. 665.

Massachusetts General Laws Chapter 269, Section 19
Statutes to be Provided to Student Groups; Compliance Statement and Discipline Policy Required

Each institution of secondary education and each public and private institution of post-secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections seventeen and eighteen; provided, however, than an institution's compliance with this section's requirements than an institution issue copies of this section and section seventeen and eighteen to unaffiliated student groups, teams or organizations shall not constitute evidence of the institution's recognition's or endorsement of said unaffiliated student groups, teams or organizations.

Each such group, team or organization shall distribute a copy of this section and sections seventeen and eighteen to each of its members, plebes, pledges or applicants for membership. It shall be the duty of each such group, team or organization, acting through its designated officer, to deliver annually, to the institution an attested acknowledgement stating that such group, team or organization has received a copy of this section and sections seventeen and eighteen, that each of its members, plebes, pledges, or applicants has received a copy of sections seventeen and eighteen, and that such group, team or organization understands and agrees to comply with the provisions of this section and sections seventeen and eighteen.

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

Each institution of secondary education and each public or private institution of post-secondary education shall file, at least annually, a report with the board of higher education and in the case of secondary institutions,

the board of education certifying that such institution has complied with its responsibility to inform student groups, teams, or organizations and to notify each full-time student enrolled by it of the provisions of this section and sections seventeen and eighteen and also certifying that said institution has adopted a disciplinary policy with regard to the organizers and participants of hazing, and that such policy has been set forth with appropriate emphasis in the student handbook or similar means of communicating the institution's policies to its students. The board of higher education and, in the case of secondary institutions, the board of education shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general and such institution which fails to make such reports.

Added by St. 1985, c. 536; amended by St. 1987, c. 665; St. 1998, c. 161, ss. 557, 558

Smoking: Tobacco-Free Policy

Massachusetts General Laws, Chapter 71, Section 37H prohibits the use of any tobacco products within the school facilities, school grounds or on school buses by any individual including all school personnel. The policy pertains to all school sponsored, school related events and athletic games. Staff and students who violate these laws will be subject to disciplinary action. Any staff member who sees an elementary school student smoking on school property should ask for the student's name and inform him or her that smoking is prohibited on school property. The student's name will be given to the principal or the assistant principal who will inform both the school nurse and the parent or guardian. Tobacco Assistance Programs (TAP) are available in our public schools and are meant to assist those choosing to quit tobacco addiction.

Staff Assault

Any student who assaults a principal, assistant principal, teacher, teacher's aide, or other school staff on school premises, the bus, at school-sponsored events, or at school-related events, including athletic games, may be expelled by the principal. An act is considered an assault if the student:

- Intentionally, knowingly, or recklessly causes bodily injury to another;
- Intentionally or knowingly threatens another with imminent bodily injury; or
- Intentionally or knowingly causes, threatens or uses physical force against another in such circumstances as to create a reasonable fear of

imminent danger coupled with the apparent present ability to carry out the attempt if it is not prevented.

Students Charged With or Convicted of a Felony

If a student is charged with a felony and his or her continued presence in school would have a substantial detrimental effect on the general welfare of the school, the student may be suspended until the matter is adjudicated by the court. If convicted, the student may be expelled by the principal, if his/her continued presence in school would have a substantial detrimental effect on the general welfare of the school.

In either situation, the student and parent/guardian will be notified in writing of the charges and the reasons for the discipline prior to it being imposed and will be afforded an opportunity for a hearing. If discipline is imposed, the student also will be provided with written notification of his/her right to appeal and the processing for appealing the disciplinary; however, the discipline shall remain in effect prior to any appeal hearing being conducted by the Superintendent or designee.

Vandalism

No one is to injure, destroy, deface or trespass on school property. All students and staff are urged to treat the building with care and respect. Parents and guardians will be responsible for paying for any damage done to the building by their child. The school department will take the parents to court. People with any information about damage done to the building or its contents shall report it to the Office of Safety and Security. Writing or spraying inappropriately on or around the school - graffiti, carving on a desk, mishandling a book, breaking a window, destroying equipment, or damaging materials are all infringements on the right of the school community to have a clean environment. Students who have vandalized and the parents or guardians will be held responsible.

First Offense:

One day in-house suspension, damages will be assessed and restitution will be made, a criminal complaint will be filed and police notified.

Second Offense:

Three day out-of-school suspension, damages will be assessed and restitution will be made, a criminal complaint will be filed and the police notified.

Third Offense:

Five day out-of-school suspension with re-admittance hearing through the principal's office, damages will be

assessed and restitution will be made, a criminal complaint will be filed and police notified, the principal may add to this suspension if the vandalism is extreme.

Fighting/Physical Assault

Severe, immediate disciplinary action will be taken against individuals who participate in a fight or encourage it in any way. Absolutely no disruptive behavior of this kind will be tolerated. The penalty for this behavior is a one-to-ten day suspension depending on the degree of involvement category, number of offenses and/or severity of incident. Police are notified of all physical assaults and parents are notified about their right to file a criminal complaint with the Middlesex County Court. Depending on the circumstances, the Cambridge Public School District may file criminal complaints on assaults and assault and battery. Students know when they are in dispute and are expected to seek assistance, if necessary, to resolve it peacefully. A student has a responsibility to avoid fighting by bringing the situation to the attention of any school official. CRLS has outstanding, highly proficient adult mediators available at all times through the Safety and Security Office, dedicated to help resolve disputes. Ask your Dean of Students, counselor, safety specialists or student mediator about the program. All referrals are kept confidential.

The following guidelines may be used in disciplining students who engage in fighting or physical assault.

Category 1 – Horseplay/Play Fighting/Rowdiness:
Referral to CIRC and parental conference

Category 2 – Inciter/Promoter/Instigator:

A student who has been asked to leave the vicinity of a disruptive altercation or a fight and who refuses to do so falls under this category.

First Offense – one day out of school suspension/parental conference.

Second Offense – Two day out-of-school suspension. Parent conference.

Third Offense – Five-day out-of-school suspension. Expulsion hearing at Principal's office.

Category 3 – Assault and Battery on a person:

An attack on a person is a crime. Police will be notified and an arrest will be encouraged. A criminal complaint will be filed against the perpetrator.

First Offense-Five-day out-of-school suspension. Parent conference. Criminal complaint filed. Police notified.

Second Offense-Ten-day out-of-school suspension. Expulsion hearing at Principal's office. Criminal complaint filed. Police notified.

Category 4- Fight/Mutual Assault and Battery:

First Offense- Three-day out-of-school suspension. Parent conference. Mediation made available and encouraged upon return.

Second Offense-Five-day out-of-school suspension. Parent conference. Mediation made available and encouraged upon return.

Third Offense- Ten-day out-of-school suspension. Expulsion hearing at Principal's office.

Category 5- Fight/Mutual Assault and Battery in Classrooms, Cafeterias:

Altercations, physical or verbal, create a particularly volatile situation within our school climate when they erupt at any time but especially when large numbers of people are present. This extremely disruptive behavior warrants strict disciplinary action. Examples include: lunch time in cafeteria, outside during dismissal or upon entering the building, at dances, sporting events, or at any school assembly or related event.

Physical Altercation:

First Offense- Five-day out-of-school suspension. Parent conference. Criminal complaint may be filed. Police notified.

Second Offense- Ten-day out-of-school suspension. Parent conference. Expulsion hearing at Principal's office.

Verbal Altercation:

First Offense- Two-to five day out-of-school suspension. Parent conference.

Second Offense- Ten-day out-of-school suspension. Parent conference. Criminal complaint may be filed. Police notified.

Statutory Prohibition Against Drugs, Weapons and Assault on School Staff

Massachusetts General Laws chapter 71, section 37H provides, in pertinent part, that:

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

(b) Any student who assaults a principal, assistant principal, teacher, teacher's aide or other educational staff on school premises or at school-sponsored or school-

related events, including athletic games, may be subject to expulsion from the school or school district by the principal.

(c) Any student who is charged with a violation of either paragraph (a) or (b) shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the principal.

After said hearing, a principal may, in his discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraph (a) or (b).

(d) Any student who has been expelled from a school district pursuant to these provisions shall have the right to appeal to the superintendent. The expelled student shall have ten days from the date of the expulsion in which to notify the superintendent of his appeal. The student has the right to counsel at a hearing before the superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section.

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

Weapons Policy

A student is in violation of a weapons policy if: he or she brings a weapon to school; uses a weapon on school grounds or at a school activity; or has a weapon in his or her locker or pocket, or while he or she is at school, on the bus or at an after school activity.

Legally dangerous weapons include anything that is carried and used in a manner to intimidate or with the intent to cause harm to another person, is considered a dangerous weapon. Such weapons include:

- 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 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 and blow guns;
- Any arm band or clothing that is made of leather which has metallic spikes, points or studs and 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; and
- All other such weapons as described in Massachusetts General Laws 269, Section 10.

There are other items, which are not defined as weapons under the Massachusetts General Laws 269, Section 10, but which are not permitted on school premises, at school-sponsored and/or at school related events, including athletic games. Use of these prohibited items will result in suspension and can result in expulsion from school. These include:

- Knives of any kind, shape or length, including key chain knives and drafting knives;
- Blades of any size or razors, box cutters; and
- Chains, whips, or any other metal object of no academic purpose.

There also are other ordinary items that if used in a dangerous threatening way may result in suspension and expulsion from school. Such items include:

- Pencils, scissors, needles and pins, nails, carpentry tools, etc.

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

Discipline procedures are set forth in the *Rights and Responsibilities Handbook*. A brief summary of these procedures follows:

Discipline Proceedings (Due Process)

Suspensions

It is the policy of the Cambridge Public School District that every effort should be made to help students solve

conduct problems without resorting to extreme disciplinary measures. However, in those cases where a student's behavior is disruptive to the school, hurtful to her or himself or others, or engages in activity forbidden by the laws of the Commonwealth of Massachusetts, then a suspension may be warranted.

The suspension of the student is to be conducted by the principal or designee. Extenuating or mitigating circumstances will receive consideration before a decision on suspension is made. See the *Rights and Responsibilities Handbook* for further information.

The principal may suspend a student from school for a period from one to ten days for violation of school rules that occur while in school buildings, on school grounds, in transit to and from school, or during any authorized school activity, whether on or off school grounds. Depending on the severity of the incident, a student will be suspended from one to ten days if he or she is found to have:

- used violence, force, coercion, threats, intimidation or other comparable conduct;
- set fire or damage to any school building or property;
- sounded a school type alarm with knowledge that no fire emergency exists;
- been or is in possession of a weapon;
- possessed or under the influence of controlled substances or alcohol;
- has been charged with a felony and is determined that his or her continued presence in school would have a substantial detrimental effect on the general welfare of the school;
- prevented or attempted to prevent by physical act the convening or continued functioning of any school or educational function or any lawful meeting on school property.
- damaged or stole personal property of another or was found in possession of stolen personal property while in school;
- caused or attempted to cause damage to school property, stole or attempted to steal school property;
- intentionally caused or attempted to cause physical injury to any student;
- failed to comply with the directions of any school personnel acting legitimately in their official capacity which resulted in any disruptive effect upon the education of other students;
- interfered with any school personnel or student by

use of threats, harassment or coercion or disrupted or obstructed any school activity with or without the use of force or violence;

- engaged in any activity forbidden by the laws of the Commonwealth of Massachusetts which constituted a disruption of school activity;
- caused or done any act repeatedly which constituted a knowing and intentional violation of any of the rules and responsibilities set forth in the *Rights and Responsibilities Handbook*;
- been involved in any activity which violated the Massachusetts law prohibiting the practice of hazing (G.L. c.269, Sections 17-19);
- threatened, harassed or intimidated any person while on school grounds, at a school activity on or off school grounds;
- engaged in conduct violative of M.G.L. c. 71, Section 37H and/or 37H1/2; and/or
- engaged in other conduct violative of school-based rules or the *Rights and Responsibilities Handbook*.

While on suspension, a student is not to be within the vicinity of the school and is not eligible to participate in or attend any school events or activity. Failure to comply with these conditions can result in the suspension being extended by the principal.

Expulsions

It is the policy of the Cambridge Public School District to provide a safe environment in which students can learn and participate in all programs.

Unfortunately, because there are situations where a student's behavior is a threat to the health and safety of other students or school department personnel, it may be necessary to expel the student.

Under Massachusetts General Laws, Chapter 71, Section 37H, the principal can expel or suspend a student for possession of a dangerous weapon, possession of a controlled substance, and/or assault on a staff member.

Under Massachusetts General Laws, Chapter 71, Section 37H 1/2, the principal can indefinitely suspend a student who has been charged with a felony, and may expel a student who has been convicted of a felony if the student's continued presence in school will have a substantial detrimental effect on the general welfare of the school.

Expulsion Appeals Process: If, after the hearing, the principal decides to expel the student for a violation under M.G.L. c. 37H, the student shall have ten days from the date of the hearing to notify the Superintendent of his or

her appeal. 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 section. If, after the hearing, the principal decides to expel or indefinitely suspend the student for a violation of M.G.L. c. 71, Section 37H1/2, the student shall have five days from the date of the hearing to notify the Superintendent of his or her appeal. The student will remain out of school until a decision is rendered on any appeal. The student has the right to counsel at a hearing before the Superintendent or his or her designee. The Superintendent or his or her designee will notify the parent of the decision on the appeal in writing. See the *Rights and Responsibilities Handbook* for further information.

Student Grievance Process

When the student, parent or guardian believe that the students rights set forth in the *Rights and Responsibilities Handbook* have been violated by a school department employee, and all good faith attempts have failed to resolve the situation, the student or parent or guardian may file a written complaint with the Superintendent. The written complaint should include the grievance, the specific right being denied, a brief statement of the facts, and a specific request of relief. If the Superintendent is unable to resolve the grievance to the satisfaction of the aggrieved party within seven school days after receipt of the written complaint, the Superintendent shall mail a notice to both parties.

The notice shall contain:

- the time and place for a conference to be held no later than ten days after the receipt of the complaint with the exception being that both parties will have an extra five school days to prepare for the hearing; a statement of the grievance formalized in the written complaint;
- a full statement of the facts, including names of witnesses;
- a statement of relief requested, and;
- a statement of the rights of all parties, the right of all parties to have an attorney or other person represent them in the conference, to present witnesses and evidence, and question adverse witnesses.

The conference shall conform to the following guidelines:

- conducted before the superintendent or designee,
- conducted in closed session and informally,
- all parties are entitled to representation by counsel or another person of the party's choice,

- all parties may inspect school records and other documents relevant to the complaint, and
- all parties be permitted to question witnesses and have the right to present witnesses and evidence.

If the Superintendent or his or her designee determines that the student's rights have been violated, he or she can decide appropriate relief.

Participation in Extracurricular Activities

The Cambridge Public Schools Administration and the Department of Safety and Security reserve the right to deny admission to extracurricular activities to anyone who poses a potential threat to the safety and security of spectators and participants.

Students who fall under the conditions listed below will be excluded from athletic, drama, music, dances, prom, field trip and other extra curricular activities that have spectators:

- Students serving a suspension;
- Former students who have been expelled; and/or
- Students enrolled at an alternative program due to issues of discipline.

Any student who falls within the above categories who feels that his/her behavior warrants consideration for admittance must submit a request to his/her Principal, Assistant Principal or Dean of Students. A mutual agreement must be reached between the Director of Security and the Principal, Assistant Principal or Dean of Students in order for this student to receive permission to attend any extracurricular activity.

The Cambridge Public Schools also reserve the right to exclude from any athletic, drama, music, dances, proms, field trips, and other extra curricular activities that have spectators, members of the community who:

- Have been involved in a serious incident in the community;
- Have a history of violence; and/or
- Have been disruptive and/or disrespectful to staff.

Child Abuse

Section 51A of Chapter 119 of the Massachusetts General Laws requires that certain persons who in their professional capacity have reasonable cause to believe that a child under the age of eighteen (18) years is suffering serious physical or emotional injury resulting from abuse, including sexual abuse, or neglect, including malnutrition, inflicted upon him or her shall immediately, via telephone, report this abuse or neglect to the Depart-

ment of Social Services. Professionals who must report cases of child abuse or neglect to the Department of Social Services (DSS) include: physicians, medical interns, nurses, teachers, educational administrators, guidance counselors, family counselors, probation officers, school attendance officers, social workers, psychologists, and policemen. The telephone report should be made either to the appropriate area office or via the 24-hour reporting hotline: 1-800-792-5200. Within forty-eight (48) hours, these professionals are required under Massachusetts law to notify DSS in writing using a standard DSS report form. A new report form must be completed for each new injury or re-injury.

Staff who have reasonable cause to believe that a child under the age of eighteen is suffering from serious physical or emotional injury resulting from abuse, including sexual abuse, or neglect, including malnutrition should notify their school principal immediately in order for a 51A report to be filed.

Child abuse and neglect is any incident in which there is reasonable cause to believe that a child's physical or mental health or welfare is harmed or is threatened with substantial risk of harm through abuse or neglect by a person (or persons) responsible for the child's health or welfare, including personnel in the public school system must be reported. Truancy, by itself, is not a reportable matter.

Abuse includes:

- physical, mental, or emotional injury by other than accidental means, i.e., beatings, cuttings, burns, broken bones, multiple bruises;
- physical dependency on an addictive drug at birth;
- any sexual act against another person either by force, or by threat of force or bodily injury, or against the person's will. This includes a sexual act against another person who is incapable of giving consent either because of her/his temporary or permanent mental or physical incapacity or because s/he is a minor. Such crimes as indecent assault and battery, rape, rape with force, rape and abuse, assault with intent to rape and unnatural and lascivious acts constitute a sexual assault.
- Indecent assault and battery includes, but is not limited to, inappropriate and unwanted touching of private body parts. A person under the age of 14 is legally unable to consent to this type of sexual activity.
- Neglect is deemed to exist when the person or persons responsible for a child's care, although financially able to do so, fail to provide the child with:

- adequate food, clothing, shelter, education or medical care and/or
- proper supervision and/or guardianship.

Children In Need Of Services (CHINS)

Under the Massachusetts General Laws all children aged 6-16 years are required to attend school. If a child does not attend school, truancy, or violates the regular school rules, habitual school offender, a CHINS petition will be sought through the courts.

Attendance

Children learn better and achieve higher degrees of success when they consistently attend school. Regular and punctual attendance contribute to the general welfare of the entire student body by reducing disruption to the learning environment. Daily attendance and punctuality are essential to the child's future school and job success. 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 the school day. As you know, under the Massachusetts General Laws:

ALL CHILDREN AGED 6-16 ARE MANDATED
TO ATTEND SCHOOL.

It is important for all to understand that patterns for successful school attendance and academic success are started in kindergarten and first grade. Early patterns of non-attendance tend to continue throughout a child's school life and leave a child a risk for school failure and dropping out. We request your cooperation and assistance in making sure your child is in school every day and on time. Parents and guardians are to provide a written explanation for the absence, tardiness, or dismissal of a child. These notes should be kept on file for the school year by the homeroom teacher. The principal's office shall keep statistics and check frequent absence and tardiness for instances of chronic or irregular absences reportedly due to illness, the school's principal or school nurse may request a physician's statement certifying such absences to be justifiable.

Truancy and Habitual School Offender

The focus of the courts and school department with these offenders, regardless of age, is on early intervention. Massachusetts General Laws defines truancy and habitual school offenders as a child that "persistently and willfully fails to attend school, truancy, or persistently violates the lawful and reasonable regulations of his or her school." Under M.G.L. c.76, §2, parents/guardians are required to cause a child to attend school, and, if he/she fails to do so for more than seven day sessions or four-

teen half-day sessions within any period of six months, the parent/guardian shall on a complaint by the supervisor of attendance, be punished by a fine.

Truancy

Schools may seek a truancy application for any child between the ages of 6 and up to 16 who has seven unexcused absences within a six month period. When any absent child returns to school, he/she must bring a note from his or her parent stating the reason for the absence, or the parent must call the school to explain the absence. When excused absences become suspect, and are developing a pattern, the school will take steps to ascertain the reason by requesting medical notes and conducting home visits.

Truant and Habitual School Offender Referral Process

When internal school intervention efforts fail to resolve a truancy or habitual school offender, the school department may initiate CHINS and truancy or CHINS and habitual school offender action with the court.

The CHINS law allows the court one year before the case must be adjudicated or dismissed. The school has the right to take out another CHINS application. This guideline review has been limited to CHINS, truants and habitual school offenders. CHINS, runaways and stubborn child or delinquent are different categories. Under the law, the Juvenile Court has access to all school information relative to these cases.

Care and Protection Actions

If the failure to send children to school occurs with other more serious abuse and neglect problems, a care and protection action may be initiated pursuant to the provisions of M.G.L. c.119, §24. In a care and protection action if the court "is satisfied that there is a reasonable cause to believe that the child is suffering from serious abuse or neglect or is in immediate danger" the court may order immediate transfer of custody of the child.

Student Searches and Questioning

On September 7, 1999, the school committee adopted the following policy relative to student searches and questioning by school security, including extra curricular activities except in emergency circumstances.

AT THE K-8 GRADE LEVEL: The principal, assistant principal or principal's designee must authorize student searches and questioning by school security or other non-school-based personnel.

ALL GRADE LEVELS (K-12): The principal, assistant princi-

pal, house administrator, or principal's designee, whenever reasonably possible, may request which security staff person is to be dispatched to the school and/or house.

AT THE K-8 GRADE LEVEL: The principal, assistant principal, or principal's designee must be present during searches and questioning of students conducted by school security, or other non-school-based personnel.

AT THE K-8 GRADE LEVEL: An individual of the same gender as the student, whenever reasonably possible, must be present for the questioning of students by school security. An individual of the same gender as the student must conduct all searches of students by school security.

AT THE K-8 GRADE LEVEL: The principal, assistant principal, or principal's designee, must notify parents or guardians prior to a search of a student conducted by school security. If prior notice is not successful, the parents or guardians will be notified as soon as possible thereafter, and a letter will be sent the same day. **NOTE:** Emergency contact is an individual designated by the parent or guardian to respond to instances involving disciplinary issues, including questioning or searches. Every academic year, parents or guardians will be asked to designate an emergency contact for disciplinary issues, including questioning or searches, and that contact shall act for the parent or guardian with respect to disciplinary issues, including questioning or searches, to the extent authorized by the parent or guardian.

AT THE K-8 GRADE LEVEL: The principal, assistant principal, or principal's designee must notify the parent or guardian or emergency contact prior to any questioning of a student by school security. If prior notice is not successful, the parent or guardian will be notified as soon as possible, and a letter will be sent the same day.

AT THE GRADE K-12 LEVEL: The principal, assistant principal, house administrator, or principal's designee must inform students of their rights prior to a search or interview by school security.

The superintendent or designee must be notified as soon as 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.

The superintendent must insure appropriate training for staff.

School Security will not initiate any independent investigation without the superintendent's prior approval.

NOTE: Independent investigations refers to any 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 in the district.

Unaccounted For or Missing Child

There are many possible scenarios that describe the unaccounted for and missing child. Some examples are:

- A child has not returned to class and has not been located in the building or on school grounds,
- The classroom teacher cannot verify the child went with a parent or designee at dismissal,
- The classroom teacher cannot verify that the child boarded a bus, and
- The parent or guardian has called the school to state that the child did not arrive home at the usual time.

Contact the Transportation Office for all children who ride the school bus.

Notify the Superintendent and the Office of Safety and Security.

Contact parent or guardian.

In the event of an emergency, call police directly. Otherwise, the Office of Safety and Security will contact them with appropriate details after conferring with you.

Procedure

Interview parents/persons who made initial report.

Verify that the child is in fact unaccounted for/ missing.

Identify the circumstances of the disappearance.

Determine when, where and by whom missing child was last seen.

Look through child's folder, keep readily available all pertinent information, emergency numbers, verify custody status. (If possible, photo)

A complete description of child including clothes, height, weight, complexion, distinguishing characteristics needs to be available.

A list of friends/acquaintances should be compiled.

Based on all of the available information, make an initial determination of the incident: non-family abduction, family abduction, runaway, lost, injured or otherwise unaccounted for or missing. The principal or his or her designee will be available until the child is located and will follow listed procedure, will maintain all information listed above and will be available until the child is located.

Transportation

Every school should have an in-house system ensuring that transported primary grade children board appropri-

ate buses.

Contact the Department of Transportation at 617-349-6862 for all unaccounted for children who are transported.

Those who are not met at scheduled stop by parent or his or her designee on more than three occasions are subject to loss of bus privileges.

Rights and Privileges

Chapter 76, section 5 of the Massachusetts General Laws provides, in pertinent part, that: “[no] person shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex, religion, national origin or sexual orientation.”

Cambridge Public Schools are committed to providing an atmosphere in which all students can learn and to participate in all activities pertaining to their education. Corporal punishment in any form is expressly forbidden. Moreover, any behaviors that insult the dignity of others, interfere with their freedom to learn is unacceptable, or creates hostile academic environment is unacceptable and shall result in disciplinary action being taken. Additionally, any intimidation, threats, harassment, degradation, humiliation or other retaliatory conduct of students will not be tolerated and shall result in disciplinary action being taken. School staff will not attempt to impede or discourage students or their parents from reporting such conduct to school officials. Any such interference should be reported immediately to the Superintendent of Schools.

Below you will find a brief description of the various anti-discrimination policies of the Cambridge Public Schools.

Reasonable Accommodations Policy and Procedure

The Cambridge Public Schools does not discriminate in admission, treatment or access to its programs or activities and or in employment in its programs and activities. It is the policy of the Cambridge Public Schools to provide reasonable accommodations to known physical and mental impairment of students. Requests for Section 504 accommodations for students can be made directly to the 504 Coordinator at the student’s school. The 504 Coordinator for the school district is Dr. Kahris McLaughlin, Affirmative Action Officer, Cambridge Public Schools, 159 Thorndike Street, Cambridge, MA 02141, 617-349-6546.

Notice of Rights Under Section 504 of the Rehabilitation Act of 1973

These rights apply to parents/guardians and students

who have reached the age of majority, which in Massachusetts is 18 (eighteen), and are as follows:

1. The parent/guardian or student who has reached the age of majority has a right to receive a copy of a notice of procedural rights when the school district identifies, evaluates, refuses to evaluate, makes a new educational placement, denies a new educational placement or makes any significant change in the placement of the student because of the student’s disability or suspected disability.
2. The parent/guardian or student who has reached the age of majority has the right to an evaluation of the student if the school district has reason to believe that the student has a mental or physical impairment that substantially limits learning or some other major life activity. The parent/guardian or student who has reached the age of majority has the right to this evaluation before any plan for accommodation and before any subsequent significant change in the educational placement of the child. An example of a significant change in educational placement is a referral for expulsion.
3. The student has the right to a free appropriate public education. The parent/guardian is responsible for the same costs as the parents/guardians of children who are not disabled.
4. To the maximum extent possible, the student has the right to be educated with children who are not disabled.
5. The parent/guardian or student who has reached the age of fourteen or older or entered ninth grade has the right to examine all relevant records the school maintains on the student.
6. The parent/guardian or student who has reached the age of majority has the right to an impartial due process hearing if they wish to contest any action of the Cambridge Public Schools with regard to their student’s identification, evaluation, or placement under Section 504 of the Rehabilitation Act.
7. If the parent/guardian or student who has reached the age of majority wishes to contest an action taken by a Section 504 team by means of an impartial due process hearing, a Request for Hearing must be submitted to the Bureau of Special Education Appeals (BSEA), 75 Pleasant Street, Malden, MA 02148-4906, or by fax to the BSEA at 781-338-3398. This written request for a hearing must also be submitted to the attention of the Superintendent of Schools, Cambridge Public Schools, 159 Thorndike Street, Cambridge, MA 02141. If the parent/guardian or student who has reached the age of majority ultimately disagrees with the decision of the

hearing officer, they have a right to seek review of that decision by filing a complaint with the federal district court.

8. If the parent/guardian or student who has reached the age of majority has other issues surrounding the student's education that do not specifically involve identification, evaluation or placement, the parent/guardian or student who has reached the age of majority have the right to present a grievance or complaint to the school district's Section 504 Coordinator, who is the Affirmative Action Officer for the Cambridge Public Schools. This office is located on the first floor of 159 Thorndike Street, Cambridge, Massachusetts. The telephone number of the Office of Affirmative Action is 617-349-6456.

9. The parent/guardian or student who has reached the age of majority also has the right to file a complaint with the Office of Civil Rights of the United States Department of Education, 33 Arch Street, 9th Floor, Boston, MA 02110 Phone: 617-289-0111; Fax: 617-289-0150.

Special Education

Federal and State law guarantees every student the right to a free and appropriate public education regardless of disability. If you believe that your child is in need of special education services, you have the right to seek an evaluation of your child to determine if he or she is eligible for such services.

Affirmative Action/Non-Discrimination Notice

The Cambridge Public Schools is committed to the principle of equal opportunity in every aspect of its operations, both with respect to academic and employment opportunities. It prohibits and does not discriminate on the basis of race, color, national origin, sex, sexual orientation, genetic information, religion, disability, age, marital or veteran status in its programs and activities or in admission to or employment in its education programs or activities. The following person has been designated to handle inquires regarding the non-discrimination policies: Affirmative Action Officer, 159 Thorndike Street, Cambridge, MA 02141, 617-349-6465.

Homeless Education Liaison

The Cambridge Public Schools is committed to providing homeless children and unaccompanied youth with equal access to a public education as is provided to other children in Cambridge. Assistance in addressing issues relating to the education of homeless children and accompanied youth should be directed to the Director of the Family Resource Center who serves as the Homeless Education Liaison for the Cambridge Public Schools. The Family Resource Center is located at 15 Upton Street,

Cambridge, Massachusetts. The telephone number is 617-349-6551.

Freedom of Assembly

Students should enjoy the right to assemble freely and peaceably on school property and to be able to express their views and opinions. Students who are planning an assembly or meeting need prior approval by the principal or assistant principal. Students also have the right to invite and hear outside speakers in school facilities. School officials may regulate the time and place of speeches and require advance notice in order to avoid conflicts and to ensure proper protection of the school community. Students are required to submit the names of outside speakers to the principal or assistant principal for prior approval. The school officials will approve an outside speaker unless there is a substantial factual basis for believing that the speaker will cause substantial disruption of school activities. Student government meetings and school community meetings are the appropriate places to plan such events.

Freedom of Expression

Students in a school setting have certain constitutional rights as defined by the courts. Students have the right to express themselves by speaking, writing, wearing, or displaying symbols such as buttons, badges, emblems and arm bands, or through other media or forms of expression. The principal or assistant principal may regulate expression if there is substantial factual basis for believing a specific form of expression will cause or is causing imminent and substantial disruption of school activities. Such disruption may consist of supporting all kinds of racism, pornographic materials, libelous or defamatory statements, or inciting others to break school rules.

Freedom of the Person

Students have the right to be safe and secure while in school buildings, school grounds, transit to and from school, and during any organized school function. Students, school personnel or school officials should in no way use physical force in any manner to cause or attempt to cause physical injury to another student, teacher or school official. A teacher or school official may use physical force if it is reasonable and necessary. The three situations where this is permissible are:

- to obtain possession of a weapon or other dangerous object,
- for the purpose of self defense, and
- for the protection of another person or property.

Common sense and experience dictate when necessary

force is used. Physical force in any manner for the purpose of student discipline or imposing punishment is forbidden.

Non-Discrimination Policy and Prohibition Against Sexual Harassment

The Cambridge Public Schools has a commitment to maintaining an educational environment and workplace where bigotry and intolerance, including discrimination on the basis of race, color, national origin, sex, sexual orientation, religious beliefs, disability, genetic information, or age are not tolerated and where any form of intimidation, threat, coercion and/or harassment that insults the dignity of others and interferes with their freedom to learn or work is unacceptable.

The Cambridge Public Schools strictly enforces a prohibition against harassment and discrimination, sexual or otherwise, of any of its students or employees by anyone, including any fellow student, teacher, supervisor, co-worker, vendor, or other third party, as such conduct is contrary to the mission of the Cambridge Public Schools and its commitment to equal opportunity in education and employment.

Discrimination and harassment consists of unwelcome conduct, whether verbal or physical, that is based on a characteristic protected by law, such as sex, race, color, ancestry, national origin, religion, age, disability, genetic information, marital status, or sexual orientation. The Cambridge Public Schools will not tolerate harassing or discriminatory conduct that affects employment or educational conditions, that interferes unreasonably with an individual's school or work performance, or that creates an intimidating, hostile, or offensive work or school environment. Discrimination and/or harassment of employees or students occurring in the schools or workplace is prohibited by law and will not be tolerated by the Cambridge Public Schools. For purposes of this policy, "workplace" or "school" includes school-sponsored social events, trips, sports events, work related travel or similar events connected with school or employment. Further, any retaliation against an individual who has complained about discrimination, harassment or retaliation; or any retaliation against any individual who has cooperated with an investigation of a discrimination, harassment or retaliation complaint is similarly unlawful and will not be tolerated.

The Cambridge Public Schools takes allegations of discrimination and harassment seriously and will respond promptly to complaints. Where it is determined that inappropriate conduct has occurred, the Cambridge Public Schools will act promptly to eliminate the conduct and

will impose corrective action as necessary, including disciplinary action where appropriate, which may include termination of employment or school-related discipline.

Complaints regarding alleged discriminatory practices may be raised informally with a student's teacher, principal or dean, Affirmative Action Officer or Deputy Superintendent of Teaching and Learning. The offices of the Affirmative Action Officer and Deputy Superintendent of Teaching and Learning both are located at 159 Thorndike Street, Cambridge, Massachusetts. The telephone number for the Affirmative Action Officer is 617-349-6456 and the telephone number for the Deputy Superintendent of Teaching and Learning is 617-349-6418. The Affirmative Action Officer also handles formal complaints regarding alleged discriminatory practices.

A complete copy of the school district's non-discrimination policy and prohibition against sexual harassment can be located on the school district's website or you can request a copy from the school principal.

Student Marriage and Pregnancy

Students who are pregnant, parents or married shall be encouraged to continue in school. Such students are permitted to remain in their regular academic classes and to participate in extracurricular activities with other students. Additionally, pregnant students, after giving birth, are permitted to return to their same academic classes and extracurricular activities as before giving birth. No student who is pregnant, a parent or married shall be denied access to classroom instruction or extracurricular activities, nor be suspended, expelled, excluded or otherwise disciplined because of marriage, pregnancy or parenthood.

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.

Title IX Coordinator

Cambridge Public Schools does not discriminate on the basis of sex in its educational programs or activities it operates and that it does not discriminate on the basis of sex in admission to or employment in its education programs or activities. Any inquiries regarding the application of Title IX should be directed to the Title IX Coordinator for the school district is Dr. Kahris McLaughlin, Affirmative Action Officer, Cambridge Public Schools, 159 Thorndike Street, Cambridge, MA 02141, 617-349-6546 or to the United States Department of Education, Office of Civil Rights, 33 Arch Street, 9th Floor, Boston, MA 02110 Phone: 617-289-0111; Fax: 617-289-0150..

Freedom of Religion

Massachusetts General Laws chapter 151C, section 2B, provides that:

Any student in an educational or vocational training institution, other than a religious or denominational educational or vocational training institution, who is unable, because of his religious beliefs, to attend classes or to participate in any examination, study, or work requirement on a particular day shall be excused from any such examination or study or work requirement, and shall be provided with an opportunity to make up such examination, study, or work requirement which he may have missed because

of such absence on any particular day; provided, however, that such makeup examination or work shall not create an unreasonable burden upon such school. No fees of any kind shall be charged by the institution for making available to the said student such opportunity. No adverse or prejudicial effects shall result to any student because of his availing himself of the provisions of this section.

Students who miss school because they are observing a religious holiday are to be recorded as an excused absence. Secondly, teachers are asked to refrain from scheduling any important tests, culminating activities, major papers or reports during these days. Finally, teachers are to give their students a reasonable amount of time upon return to their class to make up homework assigned during these days.

Pledge of Allegiance Guidelines

Massachusetts General Laws: Chapter 71, Section 69 provides that:

Each teacher at the commencement of the first class of each day in all grades in all public schools shall lead the class in a group recitation of the "Pledge of Allegiance to the Flag."

Participation in the pledge of allegiance may not be required of any student. It is expected that any student who does not wish to take part in the pledge will respect the right of others who wish to do so without interruption or disruption.

School Visitors

To maintain safety and security, all visitors are expected to report to the main office of the school before going elsewhere in the school building. If a visitor disrupts or interferes with the work of students, teachers or other employees by behaving inappropriately or insisting on visiting at inappropriate times, the principal may place limitations on the individual's ability to visit the school, including but not limited to, requiring appointments to be made before visiting, being accompanied by school staff when in the building, or being barred from entering the building. If you have questions about the school's policy on visitors, speak to the principal of your child's school.

No Idling of Motor Vehicles

Massachusetts General Law chapter 71, section 37H prohibits all operators of school buses and operators of personal motor vehicles from idling vehicles on school grounds or within one hundred (100) feet of school grounds.

Student Lockers

Many of our elementary schools, especially the newer ones, have lockers for their middle grades students. Lockers are a privilege. Students who are assigned lockers must abide by the following conditions:

Every effort should be made to keep the lockers secure and allow for the privacy of its contents.

Students should not share lockers unless authorized to do so by the person in charge.

Writing graffiti or failure to keep lockers neat and clean will not be tolerated.

Lockers are for the students' clothing and instructional materials such as books, notes, projects, supplies, lunches, etc.

Students must comply with their school's locker regulations, including scheduled times for access, etc,

Students should take what they need from their lockers at the end of the school day. If it is necessary to get something important from the locker after school hours, an administrator's permission is required.

Since lockers are property of the school department, the schools maintain the right to search lockers if there is reason to believe the locker contains contraband, weapons, or evidence that will link the locker to trafficking in contraband, or if there is present danger of immediate physical threat to the school or its staff or students. The schools will conduct announced and unannounced locker inspections. See Section 4.0 of the *Rights and Responsibilities Handbook* for further information on the locker policy.

The school department is not responsible for the loss of property during the school year. The school department also is not responsible for the loss of property left in a locker after the last school day. These rules and regulations along with the school's school-based procedures also apply to students' desks.

General Policies

Acceptable Use Policy For Computer Network (AUP)

It is the policy of the Cambridge Public Schools that all technology used for the purpose of electronic communication, including without limitation, technology used to access the Cambridge Public Schools' network and to access the Internet and all electronic devices issued to staff and/or students by the Cambridge Public Schools (such as computers, telephones, etc.) will be used in a responsible, legal and ethical manner.

The Cambridge Public Schools computer network and electronic devices are established for a limited educa-

tional purpose, and have not been established as a public access service or a public forum. The Cambridge Public Schools has the right to place restrictions on the use of the computer system and all electronic devices it issues, and to require users to abide by system rules and School Committee policies, including but not limited to, the Cambridge Public Schools' Non-Discrimination Policy and Prohibition Against Sexual Harassment and the Cambridge Public Schools' Anti-Bullying Policy and to protect the confidentiality of student record information and personnel record information.

While there are many valuable resources on the Internet, there also are manysites that can be considered inappropriate for students and serve no educational value. All individuals using the Internet must use the computer network responsibly to ensure it is only used for educational purposes, and must be consistent with the academic activities of the Cambridge Public Schools and will be under the supervision of Cambridge Public School staff. By using the Cambridge Public Schools networked information resources, both student and adult users are agreeing to accept this policy.

Use of the Cambridge Public Schools networked information resources for any illegal or commercial activities is prohibited.

The Cambridge Public Schools uses a filtering system designed to prevent access to educationally inappropriate sites, including those that contain material that is obscene, pornographic or harmful to minors. However, it is important to understand that no solution is perfect and the Cambridge Public Schools cannot guarantee that students might not access an inappropriate site. It is the student's responsibility to report any inappropriate site to a teacher and return to the educational topic assigned.

Teachers, administrators and other school personnel who are using the Internet as part of their teaching may call the Cambridge Public Schools Management of Information Systems Department (MIS) to request that a specific site be blocked or unblocked. Such decisions will be made by those responsible for monitoring the CPS filtering system in consultation with appropriate school personnel.

Use of the Cambridge Public Schools' computers, computer network, including Internet access and e-mail, and other electronic devices (such as cell phones and/or PDAs) is a **PRIVILEGE** and not a right. ***It is important for all Cambridge Public Schools employees, students and the parents/guardians of students to understand that refusal to sign the Acknowledgement of Receipt of the Acceptable Use Policy and/or any violation of the Cambridge Public Schools Acceptable Use Policy may result***

in the loss of computer, Internet, computer network, other electronic devices and/or e-mail privileges, and/or disciplinary action, and/or prosecution under state and federal law.

The Cambridge Public Schools makes no warranties of any kind, whether expressed or implied, for the services it is providing. The Cambridge Public Schools will not be responsible for any damage you suffer including but not limited to, loss of data, interruption of service, delays, non-deliveries, or mis-deliveries caused by any reason.

The Cambridge Public Schools is not responsible for the accuracy or quality of the information obtained through or stored on the network, and use of any such information is at your own risk. The Cambridge Public Schools will not be responsible for financial obligations arising through the use of the network.

It is the policy of the Cambridge School Committee and the Cambridge Public Schools that all transmission of electronic communications and storage of all information is subject to this Acceptable Use Policy, as applicable. All electronic information transmitted by, received from or stored is considered property of the Cambridge Public Schools and/or Cambridge School Committee, as applicable, and is subject to random, suspicionless monitoring, archiving and retrieval. It is important for all Cambridge Public School employees, students and parents/guardians of students to understand that there is no reasonable expectation of privacy with respect to the use of Cambridge Public Schools computer network, including Internet access and email and that there is no reasonable expectation of privacy with respect to the content of electronic communications made to or from the Cambridge Public Schools computer network, including Internet access and email no matter whose electronic communications equipment is used. The Cambridge Public Schools and Cambridge School Committee can and will monitor and investigate the use of email files, computers, hard drives and other electronic communications files, systems, devices and platforms regardless of whether accessed in school, in work or remotely if linked directly to the school district server.

Responsible network users will not use the Cambridge Public Schools computer network, including without limitation Internet access and e-mail:

- (a) for commercial purposes of any kind
- (b) for political lobbying, although users may use the system to communicate with representatives and to express his/her opinion on political issues
- (c) for illegal activities
- (d) for posting, disclosing or otherwise disseminating

personal contact information about themselves or other people, including name, address, telephone, school or work address, without the prior permission of a school administrator, and the prior written permission of the individual whose personal contact information is to be posted

(e) for posting, disclosing or otherwise disseminating student record information without the prior permission of a school administrator, and the prior written permission of the student's parent/guardian unless such disclosure or dissemination is permitted by Massachusetts student record regulations

(f) for posting or otherwise disseminating a message that was sent to them privately without permission of the person who sent the message. This provision does not prohibit a user from promptly disclosing to a teacher or school administrator any message they receive that is inappropriate or makes them feel unsafe

(g) to threaten, humiliate, bully, harass, intimidate or send offensive information to another person or about another person

(h) for posting chain letters, engaging in spamming or engaging in any other inappropriate form of communication over the computer network

(i) for posting, disclosing or otherwise disseminating personnel record information without prior permission of a school administrator unless such disclosure or dissemination is permitted by federal or state law

(j) for viewing, possessing, posting, disclosing, sending, sharing or otherwise disseminating sexually explicit digital pictures, text messages, emails or other material of a sexual nature on any computer, cell phone or other electronic device regardless of whether federal or state child pornography law is violated

(k) for activities which disrupt the educational environment

(l) for unethical activities, such as cheating on assignments or tests

(m) for activities that invade the privacy of others

(n) for personal use; in other words, the Cambridge Public Schools' network and electronic devices should only be used for business and/or school purposes

(o) to engage in any other conduct which violates any Cambridge Public Schools' policy and/or the provisions of the Cambridge Public Schools *Rights and Responsibilities Handbook* or school-based rules in any way

(p) not use or permit students to interact with any websites that require input of personal or student identifiable information (such as name, address, telephone number,

email address, etc.) unless the use of such website has been approved by the Cambridge Public Schools Education Technology Department

(q) to violate the provisions of M.G.L.c. 71, §370, including its provisions of regarding bullying, cyberbullying and retaliation.

Responsible network users will:

(a) never reveal personal information about any user, such as address, telephone number, credit card number, social security number, unless express written permission is granted; and student users will never agree to meet with someone they meet on-line without a parent/guardian's approval

(b) notify a system administrator of any security problems he/she identifies on the computer network

(c) be responsible for the use of their electronic devices and account at all times and never divulge his/her password for any device or account to anyone

(d) recognize that there is no privacy in the contents of e-mail, data or personal files on any electronic device and/or the network, and that all electronic devices and the system are subject to archiving, routine maintenance, access and monitoring of messages and files may be accessed in appropriate circumstances

(e) promptly disclose to a teacher or school administrator any website that they locate or receive that is inappropriate or makes them feel unsafe

(f) not attempt to gain unauthorized access to the Cambridge Public Schools computer network or any other computer network or go beyond the user's authorized access, make deliberate attempts to disrupt the computer network or destroy data by spreading computer viruses or by any other means, or otherwise vandalize, tamper with, destroy or interfere with the computer network, with programs, data, files or any other electronic information or devices

(g) honor the legal rights of software producers, network providers, copyright and license agreements

(h) not use the system to access material that is profane or obscene (i.e., pornography), that advocates illegal acts, that advocates violence or discrimination toward other people (i.e., hate literature), or that is illegal (i.e., gambling)

(i) comply with the policies of the Cambridge Public School Committee and Cambridge Public Schools, including without limitation, its Non-Discrimination Policy and Prohibition Against Sexual Harassment, Non-Tolerance of Hate Crimes Policy and Anti-Bullying Policy in connection with the use of the computer network, computer system

and email

(j) use the same level of care, judgment and professionalism in communicating on the computer network, computer system and email as they would for other written communications of the school department, including without limitation those on school department or individual school letterhead

(k) report any incidents or receipt of threats, humiliation, bullying, cyberbullying, retaliation, harassment, intimidation or offensive communications (whether via email, text message, social networking site or otherwise) in accordance with the provisions of the Cambridge Public Schools' Non-Discrimination Policy and Prohibition Against Sexual Harassment and the Cambridge Public Schools' Anti-Bullying Policy

(l) when posting material in a distance learning course, ensure that the posted material is made available only for students officially enrolled in the course for which the transmission is made, whether such transmission of digital information is a distance education course or a supplement to a live course; ensure reasonable measures are implemented to prevent retention of works longer than the class session and prevent unauthorized dissemination of materials (i.e., use passwords, user and location authentication through Internet protocol checking, content timeouts, print disabling, and disabling the cut and paste tool), provide clear notice to students that the work is protected by copyright and only posted material that is lawfully made, acquired and part of a systematic mediated instructional activities for the class under the control or supervision of the instructor, used in a manner analogous to performances or displays in a live classroom and the amount of material used must be comparable to the amount used in a live classroom setting and not post any digital educational works.

(m) ensure students are educated about appropriate online behavior, including interacting with other individuals on social networking sites, chatrooms and cyberbullying awareness and response.

Discipline

Any violation of this policy may result in cancellation of network privileges and/or appropriate disciplinary action in accordance with Cambridge Public School rules, and legal action, if appropriate.

Any user identified as a security risk or having a history of problems with other computer systems may be denied access to the network, at the discretion of the school department.

The school department will cooperate fully with local state or federal officials in any investigation related to any

illegal activities conducted through the network.

Software Code of Ethics

Unauthorized duplication of copyrighted computer software violates the law and is contrary to the Cambridge Public School's standards of conduct. The Cambridge Public Schools disapproves of such copying and recognize the following principles as a basis for preventing its occurrences:

- * The Cambridge Public Schools will neither engage in nor tolerate the making or using of unauthorized software copies under any circumstances.
- * The Cambridge Public Schools will provide legally acquired software to meet legitimate software needs in a timely fashion and in sufficient quantities for all our computers that require such software.
- * The Cambridge Public Schools will comply with all license or purchase terms regulating the use of any software that the Cambridge Public Schools acquires or uses.
- * The Cambridge Public Schools will enforce strong internal controls to prevent the making or using of unauthorized software copies, including effective measures to verify compliance with these standards and appropriate disciplinary measures for violation of these standards.

Anti-Bullying Policy

The Cambridge Public Schools is committed to creating a safe, caring, respectful learning environment for all students and strictly enforces a prohibition against bullying of any of its students by anyone and also strictly enforces a prohibition against retaliation of any person who reports bullying, provides information during an investigation of bullying or witnesses or has reliable information about bullying. Site-based initiatives, developed collaboratively between school administration and personnel, students, families and community members will seek to: (1) help students of all ages and abilities stay safe, act wisely, and believe in themselves; and (2) help adults respond effectively to students' reports and their own observations.

Bullying is defined as the repeated use by one or more students of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a victim that: (i) causes physical or emotional harm to the victim or damage to the victim's property; (ii) places the victim in reasonable fear of harm to himself or herself or of damage to his/her property; (iii) creates a hostile environment at school for the victim; (iv) infringes on the rights of the victim at school; or (v) materially

and substantially disrupts the education process or the orderly operation of a school. For purposes of this policy, bullying shall include cyberbullying.

Cyberbullying is further defined as bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer or signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications. Cyberbullying shall also include (i) the creation of a web page or blog in which the creator assumes the identity of another person or (ii) the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying. Cyberbullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying.

Bullying can take many forms and can occur in any setting. Bullying can include, but is not limited to, intimidation such as name calling or threatening; social alienation such as shunning or spreading rumors; or physical aggression such as assaults on a student or attacks on a student's property. Bullying can create an atmosphere of fear for all members of the school community. It also can create unnecessary and unwarranted anxiety that affects the ability of a student to attend school, learn in school, walk in school corridors, eat in the school cafeteria, play in the school yard or recreation areas, participate in or attend special or extracurricular activities or travel to and from school. More specifically, a "hostile environment" is defined as a situation in which bullying causes the school environment to be permeated with intimidation, ridicule or insult that is sufficiently severe or pervasive to alter the conditions of the student's education. Bullying behaviors that are not addressed can lead to devastating consequences for young people, including depression, drops in school performance and attendance. The failure to address bullying behaviors also gives other students the message that it is permissible to engage in negative behaviors.

Bullying of students occurring in the schools is prohibited by law and will not be tolerated by the Cambridge Public Schools. For purposes of this policy, "school" includes

schools, school grounds, travel to and from school and/or school-sponsored events and functions, property immediately adjacent to school grounds, school-sponsored or school-related activities, functions, programs whether on or off school grounds (such as social events, trips, sports events, or similar school-sponsored events and functions), at a school bus stop, on a school bus or other vehicle owned, leased or used by the school district or a school, or through the use of technology or an electronic device owned, leased or used by the school district or a school and at a location, activity, function or program that is not school-related or through the use of technology or an electronic device that is not owned, leased or used by the school district or school, if the bullying creates a hostile environment at school for the victim, infringes on the rights of the victim at school or materially and substantially disrupts the education process or the orderly operation of a school.

The Cambridge Public Schools takes allegations of bullying seriously and will respond promptly to complaints and allegations of bullying. Additionally, retaliation against a person who reports bullying, provides information during an investigation of bullying or witnesses or has reliable information about bullying shall be prohibited.

If any student, parent/guardian of a student, staff member or other community member believes that the student has been subjected to bullying, or to retaliation for reporting bullying, providing information during an investigation of bullying or witnessing or having reliable information about bullying, he or she should bring the matter to the attention of the principal of the school where the child attends. This may be done verbally or in writing. Reports of bullying and/or reports of retaliation for reporting bullying, providing information during an investigation of bullying or witnessing or having reliable information about bullying may also be made anonymously to the principal of the school where the student attends. Please note; however, that no disciplinary action shall be taken against a student solely on the basis of an anonymous report having been received.

Where it is determined that inappropriate conduct has occurred, the Cambridge Public Schools will act promptly to eliminate the conduct and will impose corrective action as necessary, which may range from requiring the offender to work with school personnel on better behavior, the recommendation for the provision of counseling or other therapeutic services and/or disciplinary action where appropriate, up to and including suspension, expulsion and/or court involvement. Additionally, consistent with state law, if it is determined that bullying or retaliation has occurred, the principal, in conjunction

with the Director of Safety and Security, shall (i) notify local law enforcement if the principal believes that criminal charges may be pursued against the perpetrator; (ii) take appropriate disciplinary action; (iii) notify the parents/guardians of the perpetrator; and (iv) notify the parents/guardians of the victim, and to the extent consistent with state and federal law, notify them of the action taken to prevent any further acts of bullying or retaliation. Furthermore, if it is determined that a student has knowingly made a false accusation of bullying or retaliation, he/she shall be subject to discipline consistent with the provisions of the Cambridge Public Schools *Rights and Responsibilities Handbook*.

Criminal Offender Record Information

The Cambridge Public Schools seeks to provide a safe learning environment for its students and a safe working environment for its employees. Accordingly, it is the policy of the Cambridge Public Schools, in accordance with the provisions of M.G.L.c. 71, §38R, as amended by Chapter 385 of the Acts of 2002 and M.G.L.c. 6, §172I, to conduct criminal background checks ("CORI checks") periodically and at least every three (3) years on current and prospective employee(s), contracted service providers, volunteer(s) and school transportation provider(s) including taxicab company employees, any subcontractor or laborer who is performing work on school grounds and other individual(s) who may have direct and unmonitored contact with children. CORI checks will be conducted on current and prospective employee(s) and service providers prior to employment and/or contracting and on any volunteer prior to accepting the person as a volunteer.

Field Trip Policy

The Cambridge School Committee recognizes that first-hand experiences provided by field trips and school-sponsored trips are a most effective and worthwhile means of learning; therefore, the Cambridge School Committee encourages that field trips and school-sponsored trips of significant educational value, which are related to the total school program and curriculum, be encouraged under guidelines established by the Superintendent of Schools.

The guidelines established by the Superintendent of Schools shall address the process for screening, evaluating and approving field trips and school-sponsored trips in order to ensure that all reasonable steps are taken for the safety of the participants. Additionally, the guidelines should require the prior approval of all field trips or school-sponsored trips by the principal, and the prior approval by the Superintendent of Schools and/or his/her designee of all overnight and out-of-state or out-of-

country trips. Furthermore, the guidelines shall establish procedures to assure that: (i) all students have parental permission for trips; (ii) all trips are properly supervised, (iii) all safety precautions are observed, and (iv) all trips contribute substantially to the educational program. Field trips and school-sponsored trips shall not require approval of the Cambridge School Committee.

Approval of all field trips and school-sponsored trips shall be conditional. Approval for any field trip or school-sponsored trip may be revoked if a change in circumstances, whether man-made or natural, would warrant cancellation of this field trip or school sponsored trip in the interest of the safety of the students and staff of the Cambridge Public Schools.

The Cambridge Public Schools and the Cambridge School Committee will not be responsible for any financial obligations incurred as a result of the planning of the field trip or school sponsored trip, or for any monies that are non-refundable or are otherwise lost due to the subsequent cancellation of the field trip or school sponsored trip.

No student shall be denied the privilege of participating in a field trip or school sponsored trip because of financial inability to pay the fee. Each club, team or group is responsible for raising all of the money necessary to fund a field trip or school sponsored trip that is being proposed by a group of students. No fundraising or other preparations for a field trip or school sponsored trip should occur until the field trip or school sponsored trip has been approved. No financial support will be available from the Cambridge Public School Department or the Cambridge School Committee for any overnight, out-of-state or out-of-country travel.

The Cambridge Public School Department and the Cambridge School Committee will not be responsible for any expenses incurred as a result of a chaperone's decision to send a student participant home earlier than the scheduled return date due to the student's unacceptable behavior. Students and their parents/guardians will be held responsible for any damage done to hotels, rental properties, real or personal property. Parents must agree to pay for any damages that may be done by their son/daughter and/or aid school officials in collecting money necessary to do so.

For all field trips requiring transportation, transportation must be provided by a common carrier that is licensed to do business in the Commonwealth of Massachusetts and is licensed for passenger transport by the Federal Motor Carrier Safety Administration, or in an approved Cambridge Public Schools licensed vehicle or by public trans-

portation, such as the MBTA, bus, train or other form of public transportation. All charter services for field trips or school sponsored trips must be provided by a common carrier that is licensed by the Commonwealth of Massachusetts to provide charter services and is licensed for passenger transport by the Federal Motor Carrier Safety Administration. All vendors that provide transportation for field trips or school sponsored trips must provide evidence that their driver(s) are licensed in the Commonwealth of Massachusetts to drive the vehicles being used to provide the transportation for the field trips and/or the charter services for the field trips. All transportation vendors also must maintain liability insurance with a minimum of \$500,000 (five hundred thousand dollars) per occurrence for bodily injury. No transportation vendor shall be used to provide transportation and/or charter services for field trips or school sponsored trips if it has a rating of "conditional" or "unsatisfactory" issued by the Federal Motor Carrier Safety Administration. Nothing in this field trip policy should be construed to prohibit field trips where students travel by means of walking.

Use of privately owned vehicles or leased vans to transport students to and from field trips, athletic events or school sponsored trips are strictly prohibited, except in the case of a bona fide emergency. Determination of the existence of a bona fide emergency will be made by the Principal and/or Trip Leader if the Principal is not present. Staff and parents who use their own vehicles risk being legally liable for any injury a student sustains while in the vehicle.

Overnight accommodations should be made in advance with safety and security in mind and, whenever possible, travel between the hours of midnight and 6:00 a.m. should be avoided, trip itineraries should leave enough room for drivers to rest in conformity with federal hour-of-service requirements and common sense and take into account the likelihood of delays due to weather, traffic and unanticipated factors.

Specific guidelines for field trips can be accessed on the policy page of our web site at www.cpsd.us/cpsdir/school_policies.cfm.

Immunizations

State law requires that before registering for school students have been successfully immunized against diphtheria, pertussis (whooping cough), tetanus, measles, rubella (German measles), mumps, poliomyelitis and hepatitis B and other communicable diseases as may be specified from time to time by the department of public health. Parents/ guardians are responsible for keeping immunizations current.

Parent/Family Involvement

The Cambridge Public Schools recognizes that families are their children's first teachers. As each of us desires and deserves respect for our family and cultural differences, the Cambridge Public Schools encourages each student, family member and educator to be sensitive to and respectful of human differences in the entire school community. Families are encouraged to: (a) become aware of what their child is learning; (b) ask questions about their child's education; and (c) support their child's learning. The goal of parent/family involvement in the Cambridge Public Schools is the development of a partnership between home and school that ensures all children become successful lifelong learners. For a copy of the Cambridge Public Schools Parent/Family Involvement Policy contact the principal of your child's school.

Promotion and Retention Policy

The Cambridge School Committee recognizes that each child develops socially, emotionally, and intellectually at a rate unique to that child and that each child must be afforded the opportunity to progress continually through school community environments that meet their individual needs. A student who struggles to be successful in school may advance to the next grade when in the judgment of the principal, based upon input from school staff and parent/guardian, advancement is in the best interest of the student.

Students are expected to progress through the grade levels. When a student struggles to meet grade-level standards, school staff, students, and parents/guardians will work together to customize support services to help the student succeed. Retention should be considered a last resort and will take place only after very careful consideration and implementation of a retention intervention plan. With the exception of kindergarten students who due to age may remain in the same grade for a second year, a student may be retained no more than once prior to entering high school. Decisions made regarding students with IEP's must be consistent with the IEP Team findings. The decision to retain a student shall be made by the building principal K-12, in consultation with appropriate staff members and parents/guardians. At the elementary level, should the parent/guardian disagree with the principal's decision, the principal will write a letter to be placed in the student's cumulative folder attesting to the recommendation of the principal while allowing the parent/guardian to have the final decision. At the secondary level, the accrual of appropriate credits determines the student's status of grade enrollment unless otherwise determined by the IEP team findings.

No student who has completed a grade successfully shall be retained or allowed to repeat a grade in order to improve his/her ability or lengthen his/her eligibility to participate in extra-curricular athletic programs.

Administration of Prescription Medication and Management of Life Threatening Food Allergies in the School Setting

It is the policy of the Cambridge Public Schools to have procedures in place for the safe and proper administration of prescription medications to students attending the Cambridge Public Schools and for addressing issues relating to the management of life threatening food allergies in the school setting. The procedures supporting this policy can be found on the www.cpsd.us web site. If your child needs to have prescription medication administered during the school day or a plan for managing a life threatening food allergy developed, contact the school principal.

CAMBRIDGE SCHOOL COMMITTEE

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Marc McGovern, Vice Chair

Alfred B. Fantini

Richard Harding

Patricia M. Nolan

Nancy Tauber

Alice Turkel

Marilyn Y. Bradshaw, Executive Secretary

SUPERINTENDENT OF SCHOOLS

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Chief Financial Officer

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