

Students' Rights
and
Responsibilities Handbook
2011-2012



Includes Administrative Policies,
Procedures & Forms

Newton Public Schools
Newton, Massachusetts

Important School Phone Numbers

Integrated Pre-school

Walnut Street and Lincoln-Eliot – 559-6050

Elementary Schools

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

Middle and High Schools

- Bigelow – 559-6800
- Brown – 559-6900
- Day – 559-9100
- Oak Hill – 559-9200
- Newton North – 559-6400
- Newton South – 559-6700

On the Web

- Newton Public Schools: www3.newton.k12.ma.us
- School Committee: www3.newton.k12.ma.us/schoolcommittee/ or email to schoolcommittee@newton.k12.ma.us

Newton Public Schools

- Superintendent of Schools, Dr. David Fleishman – 617-559-6100
- Deputy Superintendent/Chief Administrative Officer, Sandra Guryan – 617-559-9025
- Deputy Supt. for Teaching and Learning, Dr. Ann Koufman-Frederick – 617-559-6125
- Assistant Superintendent for Elementary Education, Joseph Russo – 617-559-6105
- Assistant Superintendent for Secondary Education, Cynthia Bergan – 617-559-6115
- Asst. Superintendent for Student Services, Dr. Judy Levin-Charns – 617-559-6025
- Director of Information Technology, Leo Brehm – 617-559-6190
- Director of Human Resources, Heather Richards – 617-559-6005
- Chief of Operations, Michael Cronin – 617-559-9000
- Director of Newton METCO, Lisa Reed – 617-559-6132
- Director of Language Acquisition (ELL), Jody Klein – 617-559-6044

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

אם יש לכם צורך בתרגום טופס זה, אנא צרו קשר עם מורת ה- ELL בבית ספרם של ילדכם.

Пожалуйста, свяжитесь с преподавателем программы ELL в школе вашего ребенка, если вам нужен перевод этого документа.

假如你需要這份文件的翻譯本，請打電話給您子女學校的ELL老師。

この書面の翻訳が必要な場合はお子さんの学校のELL担当教員に連絡してください。

이 서류에 대한 번역이 필요하시면 여러분 학교의 ELL 선생님께 전화하시기 바랍니다.

Por favor, telefone para o professor do programa ELL na escola do seu filho se precisar deste documento traduzido.

Si usted precisa que este documento sea traducido, por favor llame al profesor del programa de aprendices del idioma inglés de su hijo, -a.



David Fleishman
Superintendent of Schools

Newton Public Schools
100 Walnut Street
Newton, MA 02460

Telephone
(617) 559-6100

Fax
(617) 559-6101

September, 2011

Dear Parents, Guardians and Students,

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

This handbook outlines Students' Rights and Responsibilities. It is important to review this booklet with your child, as it is through the shared understanding and acceptance of these policies that we promote the orderly environment that is so conducive to student learning.

In any society, there is a critical balance to be struck between freedom and responsibility. We seek to achieve this balance through the daily implementation of the guidelines contained in this handbook. Each year, this handbook is reviewed and updated to reflect changes in State and Federal law as well as recently enacted School Committee policies. This year, we have included the new *Bullying Prevention and Intervention Policy* approved by the School Committee on December 13, 2010. Please familiarize yourself with the handbook's contents and help us make the Newton Public Schools a place of which we can all be proud.

Best wishes for an excellent school year.

Sincerely,

David A. Fleishman
Superintendent of Schools

DAF/mb

The Mission of the Newton Public Schools

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

Our Core Values:

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

Excellence:

We will

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

Innovation:

We will

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

Respect:

We will

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

Responsibility:

We will

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

STUDENTS' RIGHTS AND RESPONSIBILITIES

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AHERA Asbestos Notification	Website
Animals in School	Website
Bullying Policy	Website
Community Use of Buildings	Website
HIV/AIDS Policy	Website
Internet, Email and Web Publishing Policies	Website
Life-Threatening Food Allergies Guidelines	Website
Memorandum of Understanding between the Schools and the Newton Police Dept.	Website
Parental Notification Relative to Sex Education	Website
Security Policy including Protocol for Security Camera Recorded Data	Website
Wellness Policy and Guidelines	Website
Update on procedures regarding head injuries and participation in after-school sports	Website

INTRODUCTION TO STUDENTS' RIGHTS AND RESPONSIBILITIES

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

I. I. RIGHT TO AN EQUAL EDUCATION

A. Non-Discrimination Policy

State and federal laws prohibit discrimination in education. In the Newton Public Schools, we do not discriminate on the basis of race, color, sex, religion, national origin, disability or sexual orientation with regard to admission, access to programs or activities, or employment opportunities. In the Newton Public Schools:

1. No student shall be excluded from participation in, denied the benefit of, or subjected to discrimination, or subjected to harassment in any academic, extracurricular, research, vocational or other school-sponsored activity because of such student's race, color, sex, religion, national origin, disability or sexual orientation (i.e., protected status).
2. No student shall be excluded from any school program or school-sponsored activity because of pregnancy or because of marital or parental status, except where required by health considerations or where the educational process would be disrupted.
3. After giving birth a student is permitted to return to the same academic and extracurricular programs as before her leave. The district does not require a pregnant student to obtain certification of a physician that the student is physically and emotionally able to continue in school, other than the same health and immunization records that are required of all students. The only limitations or accommodations implemented for a pregnant student will be those deemed necessary by the student's physician, as documents in writing by that physician.

B. Definitions

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

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

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

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

C. Procedure for Filing Complaints Related to Discrimination or Harassment

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

It is the policy of the Newton Public Schools to deal with discrimination and harassment complaints at the individual school level whenever possible. However, if a satisfactory resolution cannot be achieved, a student may file a written complaint with the Superintendent of Schools or his/her designee. The Superintendent or his/her designee shall respond in writing within 30 days. If the individual is not satisfied with the response, he/she may take the complaint to Massachusetts Department of Elementary and Secondary Education, Program Quality Assurance, 75 Pleasant Street, Malden, MA 02148-4096 or other appropriate federal or state agency. The Section 504, Title VI and Title IX Coordinator for Newton is the Director of Human Resources, 100 Walnut Street, Newtonville, MA, (617) 559-6005.

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

Bullying Prevention Professional Development for Staff

The Newton Public Schools will provide professional development, to all staff members, that will review the district's policies and procedures, refer staff to information on the district's Bullying Prevention and Intervention website, and provide training that includes the following components:

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

Parent/Guardian/Community Information

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

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

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

D. Rights of Eighteen-Year-Old Students

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

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

E. Rights of Students with Disabilities

Under G.L. c. 71B and the Individuals with Disabilities Education Act of 2004 (IDEA-04), every student must be given an adequate and appropriate education with special services and special programs when needed. A student is entitled to special education services if he or she meets all three of the following requirements:

1. He or she is between the ages of 3 and 21.
2. He or she has not obtained a high school diploma or its equivalent.
3. He or she has a physical, emotional or educational disability which keeps him or her from progressing effectively in a regular classroom.

One year prior to the student's reaching age eighteen, the IEP Team must inform the student of his or her right at age 18 to make all decisions in relation to special education programs and services. Upon reaching the age of eighteen, the student has decision-making authority and signs the IEP.

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

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

3. The student, upon reaching the age of majority and in the absence of any court actions to the contrary, may choose to delegate continued decision-making to his or her parent or other willing adult. Such choice is made in the presence of at least one representative of the school district and one other witness and is documented in written form and maintained in the student record.

State regulations governing the 766 process are available in all schools for review.

1. 504 Accommodation Plan

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

In order to be eligible for a 504 Accommodation Plan, the student must be identified as disabled. **To be labeled as disabled, the student must have a physical or mental impairment, which substantially limits one or more major life activities; or must have a record of such impairment; or must be regarded as having such impairment.** Major life activities include caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, working, and learning.

2. Home or Hospital Instruction

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

3. Special Education Preschool

Under Special Education regulations, the Newton School Department provides a preschool program and related support services for children with disabilities starting at age three. For more information, call the Preschool Director at (617) 559-6050.

4. Parent Advisory Council for Special Education (PAC)

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

II. RIGHTS OF FREEDOM OF EXPRESSION

A. Freedom of Speech

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

B. Freedom of the Press

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

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

C. Freedom of Assembly

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

D. Freedom of Petition

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

E. Freedom of Religion

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

III. RIGHTS OF STUDENTS AND FAMILIES REGARDING STUDENT RECORDS

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

They are

1. The right to inspect and review the student's education records within 45 days of the day the district receives a request for access. Parents or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request Newton Public Schools amend the student's education records that the parent or eligible student believes are inaccurate or misleading. They should write the school principal, clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the district decides not to amend the record as requested by the parent or eligible student, the district will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the district as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Committee; a person or company with whom the district has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the district to comply with the requirements of FERPA. The name and address of the office that administers FERPA is Family Policy Compliance Office, U. S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-8520.

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

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

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

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

A. IMPORTANCE OF ACCURATE CONTACT INFORMATION

Two yellow contact Information sheets are sent home to all students at the beginning of each school year.

1. Required emergency contact information on the first sheet includes present home addresses and phone numbers, parents'/guardians' work and cell phone numbers, and names and phone numbers of two neighbors or nearby relatives who can be called in the case of an accident or emergency, should the school be unable to locate the parents/guardians. (Permission of these people should be obtained prior to the use of their names.) **It is vital that this information be kept up to date and accurate.** Parents/guardians should notify the school office in writing of any changes in this information, (e.g., change of address, phone number, business, marital status). Accurate information is extremely

important, as this information is used to update the **Blackboard Connect**® communication system. **Blackboard Connect**® is the school-to-parent communication system that enables the schools to communicate by telephone about emergency situations, school events and important issues impacting students. It allows school administrators to send personalized voice messages and/or email to the family's home, work or cell phone.

2. Student health information, on the second sheet, is updated each school year. Information about health insurance, primary care provider and health history are collected. Parents/guardians should update this information each year and return the signed form to the school. If a family has no health insurance, Massachusetts has health insurance plans that will provide uninsured children with affordable health care (restrictions may apply). Contact the school nurse for more information about these programs.

Parents/guardians are asked to return the Contact Information sheets to their child's school office. **This information is kept confidential and will be used only by authorized school personnel.** However, in the event a child requires emergency medical treatment, information will be shared with emergency medical personnel and the receiving hospital.

IV. RESPONSIBILITY FOR REGULAR ATTENDANCE

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

If an elementary or middle school student is absent for 10 days in a half year period (18 weeks) without clear communication about the reason, the student's parent(s) or guardian(s) will be contacted by the principal or designee. If necessary, a meeting including the parent(s) or guardian(s), principal or designee, and student will be held to determine the reasons for the absence and to encourage the student to attend school regularly. When necessary, a youth officer from the Newton Police Department will be asked to join this meeting. A record of this meeting and the reason for the absence will be filed in the student's permanent folder.

If a student is absent for 15 consecutive school days, the student will be dropped from the school roll as of the last date of attendance. Parent(s) or guardian(s) will be notified of this action and will have the opportunity to appeal the decision with the School Committee's designated representative within 10 days.

A student may be reenrolled in school after an extended absence, but academic credits and promotion to the next grade are likely to be seriously jeopardized by the student's lack of academic progress during the extended absence. Therefore, lengthy absences for extended trips are strongly discouraged by the Newton Public Schools, as teachers cannot provide the advance assignments or study aides a child would need over long periods of time to maintain the pace of learning in his or her classroom.

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

Elementary and middle schools must be notified before 9:00 a.m. and high schools before 10:00 a.m. of a child's absence each time the student will be late or not in attendance. The school principal will provide parents the

appropriate number to call. Should a child in grades K-5 not report to school as anticipated, information on the student's emergency card will be used to alert a parent or guardian of the situation.

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

When a student reaches the age of 16, he or she may withdraw from school with the permission of his or her parent or guardian. The parent(s) or guardian(s) may meet with the School Committee or the School Committee's designated representative prior to the student's withdrawal from school for the purpose of discussing the reason for the student's withdrawal and the alternative educational programs available to the student. Such meeting shall take place within 10 days of the student's decision to withdraw, except that the time for such meeting may be extended not more than 14 days at the request of the parent(s) or guardian(s) and with the consent of the School Committee or its designee. The student will be told that he or she may resume his or her education even if he or she has withdrawn from school pursuant to this procedure.

V. RESPONSIBILITY FOR ACADEMIC HONESTY

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

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

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

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

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

- The student receives a zero for the assignment with no make-up, and the term grade reflects this zero.
- The student serves a one-day suspension. Suspension automatically results in a letter in the student's file.

Further offenses result in more serious disciplinary action.

The Newton Public Schools also have a clear policy on internet use, which is explained to students by librarians. The full policy is available on the Newton Public Schools website (<http://www3.newton.k12.ma.us>) and in school libraries.

VI. RESPONSIBILITY FOR APPROPRIATE USE OF ELECTRONIC DEVICES

Individual electronic equipment (CD players, iPods, MP3 players, television sets, radios, beepers, cell phones,

cameras, etc.) may not be used in school buildings, with the exception of specific designated areas depending on individual school policy. Use of such equipment in designated areas on school property may not violate a student, faculty or staff member's privacy.

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

VII. RESPONSIBILITY FOR APPEARANCE

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

VIII. RESPONSIBILITY FOR POSITIVE BEHAVIOR

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

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

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

In addition to this disciplinary action, violation of the Discipline Codes may result in police notification pursuant to state statute and/or the Memorandum of Understanding between the Newton Public Schools and the Newton Police Department (See the full Memorandum at <http://www3.newton.k12.ma.us/policiesprocedures>).

A. Emergency Support for Positive Behavior

1. Physical Restraint

In rare cases, schools may need to physically restrain children to protect a student and/or member of the school community from imminent serious, physical harm. Physical restraint should be used only in emergency situations with extreme caution after other less intrusive alternatives have failed or been deemed inappropriate. The principal and parent(s) or guardian(s) will receive notification if physical restraint has occurred.

2. Risk Assessment

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

B. Responsibility Regarding Alcohol and Illicit Drugs

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

Illicit drugs include

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

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

- Using or being under the influence
- Possession
- Attempting to purchase
- Intending or attempting to sell/distribute
- Selling or distributing
- Possession of drug paraphernalia.

Additionally, students who know they are in the company of any individual using or selling illicit drugs or alcohol and who do not remove themselves from that situation may be subject to discipline pursuant to D20 of the discipline code.

Students who violate this policy will be subject to disciplinary action up to and including expulsion as delineated in the discipline codes and suspensions/expulsion section of this handbook. Also, the schools will fully cooperate with the Police Department to deal with violations of the law as outlined in the Memorandum of Understanding between NPS and the Newton Police Department (See the full Memorandum at <http://www3.newton.k12.ma.us/policiesprocedures>).

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

In a case where a student self-discloses or seeks help regarding an alcohol or other drug use problem which is not in current violation of school policy, no disciplinary action will be taken. However, because the use of alcohol and/or drugs by students at any time creates potential problems, a range of supportive services will be offered based on the best interest of the student and school community. The student support program is designed to provide a wide range of services for students dealing with alcohol and other drug-related problems. A multi-disciplinary student support team - made up of the student's housemaster or assistant principal, guidance counselor, and prevention/intervention counselor - carries out the activities of the program at each school. The school will consult with a police youth officer if a child is found under the influence, in possession of or selling a controlled substance. To access support programs or for further information, call the middle school's guidance department, the prevention/intervention counselor at Newton North at (617) 559-6237, the prevention/intervention counselor at Newton South at (617) 559-6577, or the Physical Education, Health and Wellness K-8 coordinator at (617) 559-9090.

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

1. Breathalyzers and Protective Custody

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

C. Responsibility Regarding Tobacco

In accordance with G.L. c.71, §2A, it is the policy of the Newton Public Schools to prohibit the use of all tobacco products within all school facilities, on all school grounds, and on all school buses by any individual, including school personnel. In addition, at Newton North High School, there are further restrictions as specified in the "Smoke Free Zone Ordinance" passed by the Board of Alderman on December 17, 2007. (See the full Ordinance on page 31.)

D. Responsibility Regarding Weapons

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

E. Responsibility Regarding Fires

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

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

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

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

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

- Treat others with courtesy, consideration and respect.

- Tell individuals behaving in a disrespectful manner towards you that you want them to stop.
- Tell individuals behaving in a disrespectful manner towards someone else that you want them to stop.
- Report behavior to a trusted adult.

We understand that members of certain student groups, such as students with disabilities, students who are gay, lesbian, bisexual, or transgender, and homeless students may be more vulnerable to becoming targets of bullying, harassment, or teasing. The school or district seeks to create a safe, supportive environment for vulnerable populations in the school community, and provide all students with the skills, knowledge, and strategies to prevent or respond to bullying harassment, or teasing.

Whenever the evaluation of the Individualized Education Program team indicates that the child has a disability that affects social skills development or that the child is vulnerable to bullying, harassment or teasing because of the child's disability, the Individualized Education Program shall address the skills and proficiencies needed to avoid and respond to bullying, harassment or teasing.

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

DEFINITIONS

Bullying (including cyberbullying) is the repeated use by one or more students of a written, verbal, or electronic communication, or a physical act or gesture or any combination thereof, directed at a target. Bullying results in the outcomes that:

- cause physical or emotional harm to the target or damage to his or her property;
- place the target in reasonable fear of harm to him or herself or of damage to his or her property;
- create a hostile environment at school for the target;
- infringe on the rights of the target at school; or
- materially and substantially disrupt the education process or the orderly operation of a school.

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

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

Bullying can include any form of repeated behavior, either in person or via electronic means, that involves an imbalance of power or strength and a pattern of behavior which interferes with another person's sense of safety, dignity, comfort or productivity in the school environment. Possible behaviors may include, but are not limited to, the following:

- Physical intimidation or assault
- Name calling (verbal/written), teasing, mimicking, slurs, or other derogatory remarks
- Displaying materially and substantially disruptive graffiti, symbols, posters, pictures, cartoons/caricatures, notes, book covers, or designs on clothing
- Phone calls, and/or electronic communications
- Touching of a person or person's clothing
- Words, pranks or actions which provoke feelings or embarrassment, hurt, or intimidation
- Stalking
- Threats, threatening gestures or actions
- False accusations or rumors
- Social isolation

The above behaviors are not necessarily bullying in isolation, but they constitute bullying when they occur in a repeated context and they:

- have the purpose or effect of creating an intimidating, hostile, or offensive school or work environment;
- have the purpose or effect of substantially or unreasonably interfering with an individual's academic or work performance; or
- otherwise adversely affect an individual's educational opportunities.

SCOPE OF SCHOOL AUTHORITY

The Newton Public School System prohibits bullying (including cyberbullying):

- at school and at all school facilities;
- at school-sponsored or school-related functions, whether on or off school grounds;
- on school buses and school bus stops;
- through the use of technology or an electronic device owned, licensed or used by a school; and
- at non-school-related locations and through non-school technology or electronic devices, if the bullying affects the school environment.

For procedures relating to the implementation of this policy, refer to the Bullying Prevention and Intervention Procedures posted on the Newton Public Schools website-
<http://www3.newton.k12.ma.us/policiesprocedures>.

G. Responsibility for Preventing Hazing

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

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

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

Hazing Penalties: Chapter 665 of the Acts of 1987

Section 17 - 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 other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

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

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

Section 19 - Each institution of secondary education and each public and private institution of post secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections seventeen and eighteen; provided, however, that an institution's compliance with this section's requirements that an institution issue copies of this section and sections seventeen and eighteen to unaffiliated student groups, teams or organizations shall not constitute evidence of the institution's recognitions or endorsement of said unaffiliated student groups, teams and organizations.

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

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

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

II. RULES OF BEHAVIOR AND DISCIPLINE OF STUDENTS

A. Discipline Codes and Suspensions

In accordance with the student's right to due process as defined in the section below, the Newton Public Schools may suspend a student according to the following guidelines and discipline codes:

1. Offenses requiring mandatory minimum 5 day suspension from school, school-sponsored activities and bus privileges. (The penalty for these offenses may include denial of participation in graduation exercises, as well as possible expulsion from the school or school district by the principal, and police notification.)
 - M1. Possession of firearms (mandatory police notification).
 - M2. Striking a teacher or other school personnel (grades 6-12) (possible police notification).
 - M3. Possession, sale, distribution, use or manufacture of illegal drugs or alcohol (mandatory police notification).
 - M4. Setting fires (grades 6-12) (mandatory police and fire department notification).
 - M5. Use of, or threatened use of a knife, including a pocket knife, as a weapon (grades 6-12) (mandatory police notification).
 - M6. Possession of a dangerous weapon, or use of, or threatened use of any object as a weapon (grades 6-12) (mandatory police notification).

2. Offenses requiring mandatory minimum 1 day suspension (defined as "balance of school day") from school, school-sponsored activities and bus privileges and possible denial of participation in graduation exercises and/or police notification:
 - M7. Fighting or any assault or act of violence committed against another student or any school personnel (grades 9-12) (possible police notification). (See also page 16.)
 - M8. Failure to identify one's self truthfully upon request of any school personnel (grades 6-12).
 - M9. Setting fires (grades K-5) (mandatory police and fire department notification).
 - M10. Use of, or threatened use of a knife, including a pocketknife, as a weapon (grades K-5) (mandatory police notification).
 - M11. Unauthorized sounding of a fire alarm (grades 6-12).
 - M12. Being under the influence of illegal drugs or alcoholic beverages, or in possession of any drug paraphernalia (mandatory police notification for possession of drug paraphernalia).
 - M13. Violence, intimidation or extortion, or threat of hazing, violence, intimidation or extortion, directed toward another student or school personnel (grades 6-12) (possible police notification). (See also page 16.)
 - M14. Hazing directed toward another student (grades 6-12) (possible police notification). (See also page 17.)
 - M15. Bullying or retaliation related to a bullying incident, reporting, or investigation (grades 6-12) (possible police notification).

3. Offenses which may serve as grounds for suspension or other disciplinary action, including denial of participation in graduation exercises or school-sponsored activities:
 - D1. Violation of any Newton Public Schools policy, including, but not limited to, the Drug/Alcohol and Internet Safety Policy for Technology.
 - D2. Discrimination against or harassment of another student or school personnel on the basis of, but not limited to race, color, sex, national origin, religion, handicap or sexual orientation (possible police notification). (See also page 16.)
 - D3. Stealing and/or willful destruction of school or personal property (possible police notification).
 - D4. Persistent or excessive truancy and/or tardiness to class and class-cutting.

- D5. Cheating, plagiarism or forgery.
- D6. Fighting or any assault or act of violence committed against another student or school personnel (grades K-8) (possible police notification). (See also page 16.)
- D7. Use of obscene, abusive or profane language or gestures, or rude or defiant behavior, either of which disrupts the educational process or school activity. (See also page 16.)
- D8. Failure to identify one's self truthfully upon request of any school personnel (grades K-5).
- D9. A pattern of defiant behavior towards any school personnel or policy.
- D10. Behavior which endangers persons or property or substantially disrupts the educational process or school activity (possible police notification).
- D11. Giving off a strong odor of alcohol or marijuana (possible police notification).
- D12. Presence in unauthorized area.
- D13. Smoking in any school building or bus or on school grounds.
- D14. Unauthorized sounding of a fire alarm (grades K-5).
- D15. Violation of any criminal law of the Commonwealth of Massachusetts, including, but not limited to, gambling or stalking, not already covered by these rules (possible police notification).
- D16. Possession of a dangerous weapon, or use of, or threatened use of any object as a weapon (grades K-5) (mandatory police notification).
- D17. Unauthorized use of school materials, equipment or property.
- D18. Violence, intimidation or extortion, or threat of hazing, violence, intimidation or extortion directed toward another student or school personnel (grades K-5) (possible police notification). (See also below.)
- D19. Hazing directed toward another student (grades K-5) (possible police notification). (See also below.)
- D20. Being present in the company of a person the student knows is using or selling illicit drugs or alcohol, or is otherwise violating an item on the discipline code and who fails to remove themselves from the situation (possible police notification).
- D 21. Bullying, or retaliation related to a bullying incident, reporting, or investigation (grades K -5) (possible police notification)
- D 22. Aiding, abetting or encouraging bullying or making a false allegation of bullying or retaliation.

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

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

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

All of the above suspensions involve the exclusion of a student from school and/or school-sponsored activities. As administered by the Newton Public Schools, suspension shall include: (1) the removal of a student from class; (2) removal of the student from the school building if the student's parent or guardian can be contacted; (3) in-school suspension for the balance of the school day, if the student's parent or guardian cannot be contacted; and (4) continued exclusion of the student from school, school grounds, or attendance or participation in school-sponsored activities until the period of suspension has run and the student has been readmitted to school. At the principal's discretion, a student may be assigned to an in-school suspension if such a program is available. Suspension hearings are conducted by the principal in K-5, the team leader or

assistant principal in middle schools, and the housemasters in high schools (herein referred to as "the principal or his or her designee").

1. Due Process

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

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

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

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

In the Newton Public Schools, due process is assured by the following guidelines:

2. Procedure for Suspensions of 10 Days or Less

The procedural rights to which all students in the Newton Public Schools are entitled as part of the "due process" are as follows: **For the violation of any school rule or regulation which is grounds for suspension, the following shall occur:**

1. Any student faced with suspension must be given an informal hearing in the form of a conference between the student and the principal or his or her designee. The student shall be informed of the reason for the conference and shall be given the opportunity to present his or her side of the story. The student shall be given a decision within a reasonable amount of time.
2. Prior to putting a suspension into effect, the principal or his or her designee shall make a reasonable effort to telephone and inform the student's parent or guardian of the impending suspension; this shall include attempts to contact the parent or guardian at home and at work. Parents or guardians may contact the principal or his or her designee for additional information regarding the suspension prior to a readmittal conference.
3. Within 24 hours of the informal hearing referred to above, the principal or his or her designee shall mail a notice to the parent(s) or guardian(s) of the suspended student and shall send copies of the notice to the Superintendent of Schools and the Attendance Office. Notices for suspensions of 10 days or less may be written exclusively in English. The notice shall contain
 - a. the reason for the suspension,
 - b. the description of the school rule(s) or regulation(s) violated by the student,
 - c. a statement of the effective date and duration of the suspension.
4. The parent(s) or guardian(s) shall be requested to attend a student readmittal conference with the principal or his or her designee as soon as possible after the date of suspension. At the principal's discretion, the readmittal conference may be held by telephone. Conditions for the student's reentry to school shall be outlined at this readmittal conference.

3. Procedure for Suspensions of More Than 10 Days

A more formal hearing is held in any instance where a suspension in excess of 10 days might occur, including instances where a 10 day or less suspension may be extended beyond 10 days. At such a hearing, the student shall be afforded the following additional procedural rights:

1. written notification of the charge(s) in advance of the hearing in English and the student's primary language;
2. an opportunity to present a defense;
3. representation by counsel at the student's own expense;
4. a written decision (in English and the student's primary language) stating the basis of any suspension, the effective date and duration of such suspension, and the right to appeal the suspension. This written decision shall become part of the student's record.

As in the case of a suspension of 10 days or less, a readmittal conference must be held.

4. Appeals of Suspensions

1. For a violation of M1-M15 (Mandatory Suspensions): An appeal must be made in writing and must be filed by the student's parent/guardian (or student if 18 years or older) within 10 days of the student's having served the suspension, or no later than the ninth day of a suspension if the suspension is in excess of 10 days. For elementary school students, the appeal is filed with the Superintendent of Schools or his or her designee. For middle school or high school students, the appeal is filed with the principal of the school. An appeal of a suspension for violation of a M1-M14 rule will not stay a suspension of less than 10 days in duration, but will stay any portion of such suspension in excess of 10 days until the final resolution of the appeal.
2. For a violation of D1-D22 (Discretionary Suspensions): An appeal of such suspension must be made in writing and must be filed by the student's parent/guardian (or student if 18 years or older) within 48 hours from the time the parent/guardian receives oral notification of the suspension. For elementary school students, the appeal is filed with the Superintendent of Schools or his or her designee. For middle school or high school students, the appeal is filed with the principal of the school. An appeal of such suspension will stay any portion of the suspension not already served until the final resolution of the appeal.
3. A decision on an appeal of a suspension will be made expeditiously, will be in writing and may also be appealed in the case of a suspension involving a middle school or high school student. An appeal of the principal's decision must be made in writing by the student's parent/guardian (or student if 18 years or older) and must be filed within 10 days from the date the principal's decision is issued. Appeals shall be filed with the Superintendent of Schools or his or her designee. Decisions on the appeal of the principal's decision will be issued in writing and will be final.

5. Suspension or Expulsion under G.L. c.71, §37H

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

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

Any student who is charged with a violation of the above shall be notified 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, at his/her discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated the above.

Any student who has been expelled from a school district pursuant to these provisions shall have the right to appeal to the Superintendent. The expelled student shall have ten days from the date of the expulsion in which to notify the Superintendent of his/her appeal. The student shall have the right to counsel, at his or her own expense, at a hearing before the Superintendent. 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.

No school or school district within Massachusetts is required to admit or provide educational services to a student expelled pursuant to G.L. c.71, §37H. If a 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 the expulsion.

6. Suspension or Expulsion under G.L. c.71, §37H 1/2

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

A student may appeal the suspension or expulsion by giving a written notice requesting an appeal to the Superintendent no later than five calendar days following the effective date of the suspension or expulsion. The Superintendent shall hold a hearing with the student and the student's parent(s) or guardian(s) within three calendar days of the student's request for an appeal. The student may be represented and may present oral and written testimony at the appeal hearing before the Superintendent. The Superintendent may overturn or alter the decision of the principal and may recommend an alternate educational program for the student. The Superintendent shall issue a decision on the appeal within five calendar days of the hearing, which decision shall be the final decision of the school district with regard to the student's suspension or expulsion.

7. Expulsion from School on Other Grounds

Except for expulsions pursuant to G.L. c.71, §§37H or 37H 1/2, in any instance where a student's principal believes that expulsion proceedings should be initiated, the principal shall refer the student to the Superintendent of Schools or his or her designee for a hearing. The purpose of the hearing is to determine whether the student should be referred to the School Committee for expulsion proceedings and/or whether the Superintendent shall impose additional disciplinary penalties. The student shall have the same procedural due process rights at the hearing before the Superintendent of Schools as he or she has at a hearing in which a suspension in excess of 10 days might occur.

A student may be expelled by the School Committee if:

1. his or her continued presence in school represents a danger to the physical safety of others; or
2. his or her conduct constitutes a continual and substantial threat to or disruption of the educational process, and all other appropriate disciplinary alternatives have been tried and deemed unworkable; or
3. he or she commits an act or acts referred to in Rules M1-M6 or any other act which is, in and of itself, so heinous as to threaten to disrupt the educational process despite the student's prior record or behavior; or
4. for grades K-8, he or she commits an act which is the basis for expulsion under G.L. c.71, §37H.

An expulsion hearing before the School Committee can be initiated solely upon the recommendation of the Superintendent of Schools. Any student who the Superintendent has recommended be expelled shall receive written notification of the charge(s) in advance of the hearing before the School Committee. The student may be represented by counsel at the hearing and shall have an opportunity to present evidence and witnesses. The School Committee may decide to suspend, rather than expel, the student.

8. Involuntary Transfer

The Superintendent of Schools, at his or her discretion, in addition to mandatory suspension for violations of Rules M1-M6, or as an alternative to a recommendation for expulsion, may transfer a student from one school district to another within the Newton Public Schools.

B. Suspension of Bus Privileges

A student's bus privileges may be suspended if the Discipline Code violation occurs on a school bus or while waiting to board, boarding or exiting said school bus. Such suspension shall be handled in the following manner:

1. For a 1-10 day suspension, school bus privileges may be suspended following oral notice from the school's principal to the student and his/her parent/guardian, stating the specific violation which occurred, and that school bus privileges are being suspended for a specific number of days.
2. For a suspension in excess of 10 days, school bus privileges may be suspended for a defined period of time as determined by the school's principal following a written notice from the principal to the student and his/her parent/guardian stating that a specific violation has occurred and that school bus privileges are being suspended for a specific number of days.

C. Search and Seizure

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

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

D. Use of Force

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

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

E. Discipline of Students with Disabilities

All students are expected to meet the requirements for behavior as set forth in this handbook. Students with disabilities may be disciplined in the same manner, including suspensions, as non-disabled peers for up to 10 school days in the same school year, provided that the suspension does not constitute a change of placement. If the suspension of the disabled student will result in a cumulative suspension of more than 10 school days and/or result in a change of placement, then the following procedures must be followed:

A manifestation review must be conducted by the school, the student's parent/guardian and other relevant members of the student's TEAM. At that review, the TEAM must determine if the misconduct was a manifestation of the student's disability. In making this determination, the TEAM must consider all relevant information in the student's file, including:

- a. The IEP
- b. Any teacher observations
- c. Any relevant information provided by the parent/guardian

The results of the TEAM meeting should be made available to the administrator conducting the disciplinary hearing.

If the TEAM decides that the misconduct was related to the student's disability (i.e., if the conduct was caused by or had a substantial relationship to the student's disability, or if the conduct was a direct result of the failure to fully implement the IEP), the student shall be returned to the placement from which he/she was removed unless,

1. The parent/guardian and the school agree to a change of placement, or
2. A change in placement can be made unilaterally by the school to an Interim Alternative Educational Setting (IAES) as noted below.

If the TEAM decides that the misconduct was not a manifestation of the student's disability, the disciplinary process may proceed, and the student is subject to the same disciplinary process as a non-disabled peer. However, special education services must be provided in the new placement during the period of suspension to provide the student with a free appropriate public education.

In all cases involving a change in placement that occurs as a result of a disciplinary procedure, a Functional Behavioral Assessment (FBA) must take place.

If parents do not agree to a change in placement or with the manifestation determination, they may request a hearing at the Bureau of special Education Appeals.

In special circumstances, IDEA 2004 allows for a change in placement regardless of whether the behavior is a manifestation of the student's disability. This placement is to an IAES for a period not to exceed 45 school days, as long as a free appropriate public education is provided at such placement. A 45-day placement can occur in the following instances:

1. A student carries or possesses a weapon to or at school, on school grounds, or to a school function ("Weapon" is defined as a device, instrument, material or substance, animate or inanimate, that is used for or is readily capable of causing death or serious bodily injury, except that such term does not include a pocket knife with a blade less than 2 ½ inches. See 18 USC, section 930).
2. A student knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, which at school, on school grounds, or at a school function.

3. A student has inflicted a serious bodily injury upon another person while at school, on school grounds, or at a school function. ("Serious bodily injury" is defined as involving substantial risk of death, extreme physical pain, protracted and obvious disfigurement or protracted loss or impairment of the function of a bodily member, organ or mental faculty. See 18 USC, section 930).

The school may also seek an order from the Bureau of Special Education Appeals for the removal of a student for up to 45 school days to an IAES if the school determines that the student remaining in his/her current placement is substantially likely to result in injury to the student or to others.

X. HEALTH INFORMATION

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

A. Confidentiality

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

B. Immunizations

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

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

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

C. Physical Examinations

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

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

D. Required Screening Programs

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

Massachusetts General Laws mandate population-based screening for vision, hearing, growth and posture for students in public schools. Parent(s)/guardian(s) are notified of any findings that do not fall within normal limits.

- Vision – The vision screening program is required because there is a critical relationship between vision quality and learning. In Newton, students are screened for vision in kindergarten (by October 31) and grades 1, 2, 3, 4, 5, 7 and 9.
- Hearing – The hearing screening program identifies children with an educationally significant hearing impairment who would otherwise not have been identified. In Newton, students are screened for hearing in kindergarten (by October 31) and grades 1, 2, 3, 7 and 9
- Growth – The growth screening program combines height and weight measurements to allow school health professionals to
 - monitor students' growth and development patterns,
 - detect growth abnormalities that may indicate a serious physical problem,
 - identify students who may be at nutritional risk,
 - identify students who are overweight or at risk of becoming overweight.

In Newton, students are measured for height and weight with a Body Mass Index (BMI) calculation in grades 1, 4, 7 and 10.

- Postural - The postural screening program is conducted to
 - detect early signs of spinal problems that should have further medical evaluation,
 - provide regular monitoring,
 - reduce the need for surgical remedies.

Screening must be done annually in grades 5–9 because of growth spurts and diverse rates of physical maturation. If a parent/guardian refuses postural screening by the school, written documentation provided by a health care provider must be submitted to the school nurse, including the date of screening, results, and physician's name. In Newton, students have postural screening in grades 5, 6, 7, 8 and 9.

- Lead Screening – Students entering kindergarten must have documentation of being tested for lead poisoning at least once in their lifetime. Requirements for lead screening on entry into kindergarten are codified under G.L. c.111, §193 and in Massachusetts Department of Public Health's (MDPH) lead poisoning prevention and control regulations (150 CMR 460.040-460.070).

E. Illness at School

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

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

- A fever over 100 degrees during the past 24 hours
- A cold in the active stages
- A sore throat and/or swollen neck glands
- An undiagnosed rash or skin eruptions
- Vomiting or diarrhea within the past 24 hours
- Head lice that have not been treated

F. Medication for Students in the Schools

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

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

- Medication orders must be renewed at the beginning of each school year.
- All medication, including over-the-counter medication, must have a written medication order from a licensed prescriber and a completed Medication Permission Form - available on line at http://www.ci.newton.ma.us/health/school_health
- Short term medications, i.e. for 10 school days or less, can use the pharmacy labeled container in lieu of a physician's order.
- Medication must be delivered by a parent/guardian.
- Medication must be delivered in a pharmacy or manufacturer labeled container.
- A 30 day supply of medication is the maximum amount that will be accepted at one time.
- Consent for field trip medication delegation is allowed under certain conditions.
- Self-medication is allowed in certain circumstances after consultation with the school nurse.

G. HIV/AIDS

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

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

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

- The student's parent(s)/guardian(s) may inform the school nurse or school physician directly.

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

The complete HIV/AIDS policy can be found online at <http://www3.newton.k12.ma.us/policiesprocedures>

H. Life-Threatening Food Allergy

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

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

The complete Life-Threatening food Allergy Guidelines can be found at <http://www3.newton.k12.ma.us/policiesprocedures>

I. Wellness Policy

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

The complete Wellness Policy can be found at <http://www3.newton.k12.ma.us/policiesprocedures>

XI. POLICIES, PROCEDURES AND OTHER IMPORTANT SCHOOL INFORMATION

A. Accident Insurance

A voluntary student accident insurance plan is offered to parents or guardians in the fall to provide protection for children during school hours. Applications will be sent home with students at the start of the school year. Newton Public Schools provides interscholastic athletics accident insurance for out-of-pocket medical expenses. It is the parent's/guardian's responsibility to file a claim form within 90 days of the accident. Claim forms are available through the school's main office or athletic department.

B. Advertising in the Schools

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

C. Assessment Policy

Curriculum and instruction in the Newton Public Schools may be assessed using national, state and/or local instruments. Since 1998, student progress, in part, has been measured using the Massachusetts Comprehensive Assessment System (MCAS). The purpose of the state-mandated MCAS testing program is to assess students' proficiency levels on standards-based curriculum. ELA and math are tested each year in grades 3-8 and 10. ELA testing in grades 3, 5, 6, and 8 consists of reading comprehension only. Grades 4, 7, and 10 also write a long composition as part of the ELA assessment. Science is assessed in grades 5 and 8. High school students are required to take one MCAS science test in Biology, Chemistry, Introductory Physics, or Technology Engineering. History and Social Science tests were temporarily discontinued in 2009.

District-wide state test results serve as one indicator used by the State for school system accountability and to identify under-performing schools. Beginning with the graduating class of 2003, passing the grade 10 MCAS tests in mathematics and English language arts became a state mandated prerequisite for a high school diploma. The competency determination requirements to earn a diploma were revised for the Class of 2010 and beyond to increase the likelihood that Massachusetts high school graduates have the knowledge and skills needed to succeed in college and the workforce. For English language arts and mathematics, students need to score at the proficient or advanced levels on the MCAS tests, or alternatively, outline the steps they have taken to reach proficiency on an Educational Proficiency Plan (EPP). In addition, passing one of the high school science and technology/engineering end-of-course MCAS tests, typically administered in grade 9, has now become a requirement for a diploma.

Newton Public Schools engages in ongoing curriculum development and revision to align with the Massachusetts Curriculum Frameworks. Individual, school, and district level MCAS results provide Newton Public Schools with valuable data to help guide curriculum, instruction, and professional development. Data from cumulative years of testing along with locally developed assessments will identify long-term trends and may inform large-scale curricular and instructional initiatives.

In addition to the MCAS tests, Newton annually administers a locally developed set of assessments, including fall and spring writing assessments K-5, DRA reading tests in grades K-2, as well as Benchmark Assessments and Gates-MacGinitie reading tests in grades 3-5. In mathematics, all middle school students participate in a city-wide mathematics assessment in the spring as part of the course placement process. Local classroom assessments are used at all grades to monitor students' learning for their continuous academic improvement. When appropriate, assessments are administered to determine eligibility for special education services.

D. Care of Books and Equipment

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

E. Career and Technical Cooperative Education Opportunities

Massachusetts Chapter 74 laws require that each community provide for the Career and Technical Education needs of its students. Newton Public Schools maintains a citywide program at Newton North High School. Newton South students may attend the Career and Technical Education major courses half-day while receiving the rest of their academic program at Newton South. If a Newton South student wishes to transfer to Newton North as a full-time student to pursue a major in Career and Technical Education, then the district policy concerning out-of-district transfer is followed. Students who wish to pursue a career major must complete an application and will be admitted to programs on a space available basis. For information, contact the Director of Career and Technical Education at (617) 559-6250 and/or (617) 559-6162.

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

F. Crossing Guard Coverage

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

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

Day Middle School at Minot Place and Walnut Street

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

G. English Language Learners Program (ELL)

Students for whom English is not their primary language have equal rights of access to all courses of study in regular, special, technical and vocational school programs. They also have the right to participate in all school-sponsored activities.

The Newton ELL program serves approximately 700 students in grades K-12. All students entering the Newton Public Schools who speak a language other than or in addition to English at home are evaluated for English language proficiency. If services are recommended, parents or guardians are advised of their choices. They have the right to accept or reject the services available.

English language development is provided for all students for clarification who have a limited proficiency in English. Native language support in our seven major languages (Chinese-Cantonese/Mandarin, Spanish, Russian, Portuguese, Korean, Japanese, and Hebrew) may also be provided as needed.

ELL program services are tailored to the individual language and educational needs of the student. Newton Public Schools currently offers ELL program instruction at all elementary and secondary schools. For further information, call the ELL Department at (617) 559-6043.

H. Field Trips

Attendance on school-sponsored trips, not part of required class activities, is not a student's right, but is a privilege. No student may attend such a trip if, in the determination of the principal or his or her designee as part of a disciplinary action, the student's pattern of behavior has been so inappropriate or anti-social as to be deemed disruptive to the planned trip.

No student may be permitted on a school trip without a signed consent and release form from the parent(s)/guardian(s). No student shall be denied access to any school trip due to financial constraints. In such cases, parents or guardians should contact the principal for assistance.

Parent chaperones will be required to authorize the District to obtain CORI information on them as a condition of future or continuing service.

I. Gifts for Teachers Policy

No teacher in the performance of regular duties shall receive presents from the students under his or her direction.

J. Kindergarten Registration and Screening

Registration and screening for kindergarten will be held in the spring at a date to be set by each neighborhood school. Parents may call their neighborhood school in February before the September entry date in order to make an appointment for kindergarten registration. They should bring the child's birth certificate, record of immunizations, list of illnesses, and information about any handicaps. The staff at the school will conduct a developmental screening and will notify parents of the outcome.

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

K. No School Announcements / Delayed Openings

When school sessions are cancelled or there is a delay in opening, parents will be notified via the school system's Blackboard Connect calling service. The announcement will also be made over the following radio and TV stations: WBZ (1030 AM), WRKO (680 AM), Channel 4, Channel 5 and Channel 7, or the Newton Public School website: <http://www3.newton.k12.ma.us>. Parents or students may also call the District's emergency access line at (617) 559-9699 for a recorded message. Please do not call the Fire Department or the Police Department. Listen to the radio, watch television, check the website or call the school emergency access line for a recorded message.

Although schools may be open on days following snow or ice storms, parents or guardians should use their own judgment in determining whether road conditions in their area permit students to proceed safely to school. The judgment of the parent or guardian will be accepted as a legitimate reason for student absence.

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

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

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

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

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

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

1. political affiliations or beliefs of the student or student's parent/guardian;
2. mental or psychological problems of the student or student's family;
3. sex behavior or attitudes;
4. illegal, anti-social, self-incriminating, or demeaning behavior;
5. critical appraisals of others with whom respondents have close family relationships;
6. legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. religious practices, affiliations, or beliefs of the student or parent/guardian; 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.

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

specific or approximate dates of the following activities and provide an opportunity to opt a student out of participating in:

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

Parents/guardians/eligible students who believe their rights have been violated may file a complaint with Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-4605. This information comes from the U.S. Department of Education.

PPRA Notice and Consent/Opt-Out for Specific Activities

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

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

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

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

- Out-of-Assigned District placements for Newton students who wish to attend a school in Newton other than their district school are limited. Such placements are made on a space available basis only. Interested families should call 617-559-6105 for information.
- Applications for the following school year must be submitted on forms which will be available at the Education Center in Room 218 or online at www3.Newton.k12.ma.us beginning December 1 2011.
- Completed applications, signed by the in-district principal, can be submitted no earlier than March 1 and no later than May 1. Those received after May 1 and before Labor Day may, under special circumstances, be considered for placement after all other placement decisions have been made.
- Approval for out-of-assigned district placements is subject to space availability in the requested school and grade, and for all subsequent grades as well. Expected class, team and school sizes will be based on the most recent projections by the School Department. Size will be considered for both the requested year and for any future year for which the School Department provides projections.
- Parents/guardians will be responsible for transporting their child to the out-of-district school.

O. Research Policy

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

P. School Committee Public Meetings

The Newton School Committee meets on the second and fourth Monday of each month from September through June. If Monday is a holiday, the meeting will be held on Tuesday. Meetings are generally held at the Education Center, 100 Walnut Street, Newtonville, in the Frazier Room (210). The meetings are open to the public. For further information go to the Newton Public Schools website (<http://www3.newton.k12.ma.us>) and click on the School Committee link.

Q. School Councils

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

R. Smoke Free Zone Ordinance

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

Be it ordained by the Board of Aldermen of the city of Newton as follows: That the Revised Ordinances of Newton, Massachusetts, 2007, as amended, be and are hereby further amended with respect to Section 20-7 as follows:

1. *By deleting the provisions of Sec. 20-7. and inserting in place thereof the following language:*

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

- a. *No person shall smoke, possess or carry a lighted or smoldering cigarette, cigar, or pipe of any kind or any other smoking article at the following locations.*
 - i. *Upon the sidewalk at: Albermarle Road, East side of easterly roadway from its intersection with Watertown Street northerly 299 feet; Edinboro Street, West side from its intersection with Watertown Street northerly 257 feet; Watertown Street, North side from its intersection with Albermarle Road (easterly roadway) easterly to its intersection with Edinboro Street;*
 - ii. *Upon the sidewalk or other public property within a nine hundred (900) foot perimeter of the property line of Newton North High School grounds.*
- b. *The Commissioner of Public Works shall erect and maintain signs indicating the locations designated for the smoking prohibition. Signs shall be erected so as to adequately notify the public of such prohibition and the areas affected thereby.*

- c. *The Commissioner of Health and Human Services and/or his or her designee(s) shall enforce the provisions of this ordinance. The Commissioner or his or her designee(s) shall, for an initial violation of this section, and may for any subsequent violation, afford the violator the option of enrolling in a smoking cessation/education program approved by the Commissioner and/or his or her designee(s). Proof of completion of a smoking cessation/education program approved by the Commissioner or his or her designee shall serve in lieu of the civil fines set forth in Section 20-21.*
2. *By amending paragraph (b) of section 20-21, Enforcing persons and revised ordinances subject to civil fine, relative to ordinances enforced by the Health and Human Services Department by adding to the sentence, "Sec. 20-7 Smoking prohibited on the sidewalks", the following language: "and other public property".*

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

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

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

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

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

T. Student Fees

Programs and/or services that are subject to a fee include: bus transportation, student parking, school lunch, elementary early morning program, athletics, elementary instrumental music, All City Band, Orchestra and Chorus, middle school student activities (with drama option), high school student activities, and high school drama. Below is a list of the fees (many of which have family caps) and an explanation of the "Super Cap" or overall family cap which is set to establish a maximum amount a family might pay in fees.

The fees are set by the School Committee as follows for school year 2011-2012:

Type of Fee	Fee/Cap	
<p>Bus Transportation – Annual Round Trip</p> <ul style="list-style-type: none"> Students in grades K-6 who live more than 2.0 miles from their school are exempt from the fee. All other riders are subject to a fee, including students who live between 1-2 miles or in a safety zone. Parents/guardians can query the NPS website at www3.newton.k12.ma.us/transportation for the walking distance from their home to school and other frequently asked questions. 	<p>\$310 per student/Family cap of \$620</p> <p>\$155 per elementary student for after school transportation only.</p> <p>Passes are checked regularly at the secondary schools. Abuse of the bus pass system or violation of the school system's rules of behavior will result in disciplinary action including suspension of transportation privileges and forfeiture of fees.</p>	
<p>Elementary Instrumental Music - Instruction Grade 4</p>	<p>\$200 per participant per year with option to pay \$100 per semester</p>	
<p>Elementary Instrumental Music - Ensemble Grade 5</p>	<p>\$200 per participant per year</p>	
<p>Elementary Early Morning Program</p>	<p>\$12 per day with payment by semester</p>	
<p>All City Band, Chorus and Orchestra</p>	<p>\$200 per participant</p>	
<p>Student Activities – Middle School Including school-sponsored extra-curricular activities/Triple E</p>	<p>\$60 or \$100 per student (if the student also participates in drama)</p>	
<p>Athletics – Middle School</p>	<p>\$160 per sport/Family cap of \$480</p>	
<p>Student Activities – High School Including school sponsored extra-curricular activities and clubs</p>	<p>\$125 per student</p>	
<p>High School Drama Including actors and assistants</p>	<p>\$150 per participant per production/</p>	
<p>Athletics – High School</p>	<p>\$300 per sport, (Hockey & Football are \$400)/Family cap of \$900</p>	
<p>Parking Fees – High School (South Only)</p>	<p>\$360 per year, payable on a semester basis</p>	
<p>School Lunch for Type A Meal</p>	<p>Elementary</p>	<p>\$3.00</p>
	<p>Middle School</p>	<p>\$3.25</p>
	<p>High School</p>	<p>\$3.50</p>
	<p>Adult</p>	<p>\$4.50 plus tax</p>

Super Cap

The School Committee has set an overall cap on fees so that no family will pay more than \$1,800 per year. Because the bus fee applications will be required before the opening of school, no family will pay more than \$620 for busing. The remainder of the cap will apply to all other fees except for the Elementary Early Morning Program, student parking and preschool tuition. The school administration maintains records of payment for each student so that individual caps or the family "super cap" can be applied appropriately.

Fee Waivers

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

Online payment of fees

Parents may pay most school-related fees electronically via the online payment system accessed through the Newton Public Schools website at <http://www.newton.k12.ma.us>. Payment is accepted in the form of ACH transfer from checking account, or by credit card (MasterCard or Discover only). The service is free for ACH checking account transfers and a convenience fee assessed for credit card use that is paid directly to the online payment system provider. Newton Public Schools does not charge a fee for this service.

Payment in person or by U.S. Mail

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

U. Transportation

All information and forms regarding Newton Public Schools student transportation can be found at www3.newton.k12.ma.us/transportation.

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

1. Bus Safety

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

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

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

V. Visitors to the Schools – Expectations and Procedures

All visitors to school buildings need to obtain a visitor's badge from the main office. Teachers/staff should be aware of and report any visitor in the building without a badge.

An intruder is defined as anyone in the school building or on school grounds who refuses to cooperate with the visitor's policy or appears to pose a potential safety threat. Particular attention will be paid to cars lingering in the parking lot or on the street near the school, or to someone watching children on the playground, as these situations might suggest a danger to students.

1. Procedure for Someone without a Visitor's Pass

- Approach visitor(s) and offer assistance.
- Escort visitor(s) to the main office to obtain a guest pass and sign in.
- Teachers or students who encounter a visitor(s) with no badge should take one or two staff members along to confront the visitor if they feel uncomfortable about the situation.
- If a visitor(s) refuses to cooperate, they should not escalate the situation.

If it can be done safely, they should monitor the direction the intruder is going, then call the office and give a detailed description of the visitor(s). Adults should not send a student to the office to get an administrator.

Newton Public Schools Transportation Department

Newton Public Schools Hours 2011-2012

	MORN.	MON.	TUES.	WED.	THUR.	FRI.
ELEMENTARY SCHOOLS *	8:35 a.m.	3:00 p.m.	12:30 p.m.	3:00 p.m.	3:00 p.m.	3:00 p.m.
BIGELOW MIDDLE SCHOOL	8:15 a.m.	2:45 p.m.	2:00 p.m.	2:45 p.m.	2:45 p.m.	2:45 p.m.
DAY MIDDLE SCHOOL	8:05 a.m.	2:35 p.m.	1:50 p.m.	2:35 p.m.	2:35 p.m.	2:35 p.m.
BROWN MIDDLE SCHOOL	8:30 a.m.	3:00 p.m.	2:15 p.m.	3:00 p.m.	3:00 p.m.	3:00 p.m.
OAK HILL MIDDLE SCHOOL	8:00 a.m.	2:30 p.m.	1:45 p.m.	2:30 p.m.	2:30 p.m.	2:30 p.m.
NEWTON NORTH HIGH SCHOOL	7:50 a.m.	3:20 p.m.	2:35 p.m.	2:55 p.m.	3:20 p.m.	2:20 p.m.
NEWTON SOUTH HIGH SCHOOL	7:40 a.m.	3:20 p.m.	1:55 p.m.	3:20 p.m.	3:20 p.m.	1:55 p.m.

* Kindergarten Group A: 8:30 a.m. – 3:00 p.m. Monday and Wednesday; 8:30 a.m. – 12:30 p.m. Tuesday

* Kindergarten Group B: 8:30 a.m. – 3:00 p.m. Thursday and Friday; 8:30 a.m. – 12:30 p.m. Tuesday

Early Release Days 2011-2012

Elementary Schools

October 6 @ 12:30 p.m.
 November 3 @ 12:30 p.m.
 November 23 @ 12:00 p.m.
 December 1 @ 12:30 p.m.
 February 2 @ 12:30 p.m.
 March 15 @ 12:30 p.m.
 May 3 @ 12:30 p.m.

Middle Schools

October 6 @ 11:30 a.m.
 November 23 @ 11:30 a.m.
 December 1 @ 11:30 a.m.
 January 26 @ 11:30 a.m.
 March 15 @ 11:30 a.m.

High Schools

October 6 @ 11:00 a.m.
 November 23 @ 11:00 a.m.
 December 1 @ 11:00 a.m.
 January 26 @ 11:00 a.m.
 March 15 @ 11:00 a.m.

NEWTON PUBLIC SCHOOLS SCHOOL CALENDAR 2011-2012

	M	T	W	T	F
			31	1	2
S	5	6*	7**	8	9
E	12	13	14	15	16
P	19	20	21	22	23
	26	27	28	29	30
(18 days)					

	M	T	W	T	F
	3*	4	5	6	7**
O	10	11	12	13	14
C	17	18	19	20	21
T	24	25	26	27	28
	31				
(20 days)					

	M	T	W	T	F
		1	2	3	4
N	7	8	9	10	11
O	14	15	16	17	18
V	21	22	23	24	25
	28	29	30		
(19 days)					

	M	T	W	T	F
					2
D	5	6	7	8	9
E	12	13	14	15	16
C	19	20	21	22	23
	26	27	28	29	30
(17 days)					

	M	T	W	T	F
J	2	3	4	5	6
A	9	10	11	12	13
N	16	17	18	19	20
	23	24	25	26	27
	30	31			
(20 days)					

2011

August/September

31	First day for teachers
2	Teachers off
5	Labor Day
6	First day for students
29	Rosh Hashanah

October

10	Columbus Day
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November

11	Veterans Day
23	Schools close - 1/2 day
24-25	Thanksgiving recess

December

24 through January 2, 2012	December recess
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2012

January

2	New Year's Day observed
16	Martin Luther King Day

February

20-24	Winter Vacation
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March

20	MCAS flip date/full day
21	MCAS flip date/half day

April

6	Good Friday
16-20	Spring Vacation

May

28	Memorial Day
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June

22	Last day for students*
25	Last day for teachers

* 185th day

This includes five (5) snow days
The last day will be 1/2 day

	M	T	W	T	F
			1	2	3
F	6	7	8	9	10
E	13	14	15	16	17
B	20	21	22	23	24
	27	28	29		
(16 days)					

	M	T	W	T	F
				1	2
M	5	6	7	8	9
A	12	13	14	15	16
R	19	20	21	22	23
	26	27	28	29	30
(22 days)					

	M	T	W	T	F
		2	3	4	5
A	9	10	11	12	13
P	16	17	18	19	20
R	23	24	25	26	27
	30				
(15 days)					


	M	T	W	T	F
		1	2	3	4
M	7	8	9	10	11
A	14	15	16	17	18
Y	21	22	23	24	25
	28	29	30	31	
(22 days)					

	M	T	W	T	F
					1
J	4	5	6	7	8
U	11	12	13	14	15
N	18	19	20	21	22
E	25	26	27	28	29
(11 + 5 days)					

Approved by School Committee October 25, 2010

*September 6 - Group A kindergarten start


**September 7 - Group B kindergarten start

 Elementary Schools Afternoon Release

10/6, 11/3, 12/1, 2/2, 3/15, 5/3

*October 3 - first full day for kindergarten Group A

**October 7 - first full day for kindergarten Group B

 Secondary Schools Afternoon Release

10/6, 12/1, 1/26, 3/15