

SECTION J  
STUDENTS

**Contents**

EQUAL EDUCATIONAL OPPORTUNITIES	3
ASSIGNMENT OF STUDENTS TO SCHOOLS	4
ENTRANCE AGE	5
SCHOOL ADMISSIONS	6
ADMITTANCE OF FOREIGN EXCHANGE STUDENTS	7
ADMISSION OF TRANSFER STUDENTS FROM CHARTER SCHOOLS	8
HOMELESS STUDENTS: ENROLLMENT RIGHTS AND SERVICES	9
SCHOOL CHOICE	15
STUDENT ABSENCES AND EXCUSES	16
EXCLUSIONS AND EXEMPTIONS FROM SCHOOL ATTENDANCE	18
STUDENT RIGHTS AND RESPONSIBILITIES	19
STUDENT INVOLVEMENT IN DECISION-MAKING	20
STUDENT DISCIPLINE POLICY	21
STUDENT DRESS CODE	27
STUDENT CONDUCT ON SCHOOL BUSES	28
STUDENT PUBLICATIONS	29
GANG ACTIVITY/SECRET SOCIETIES	30
PROHIBITION OF HAZING	31
HAZING	32
BULLYING PREVENTION	34
ALCOHOL, TOBACCO, AND DRUG USE BY STUDENTS PROHIBITED	39
PREGNANT STUDENTS	40
SEARCHES AND INTERROGATIONS	41
STUDENT COMPLAINTS AND GRIEVANCES	42
CO-CURRICULAR AND EXTRACURRICULAR ACTIVITIES	43
STUDENT ORGANIZATIONS	44
STUDENT ATHLETIC FEES	45
FUNDRAISING POLICY	46
STUDENT ACTIVITY CHECKING & SAVINGS ACCOUNTS	48
POLICY ON STUDENT TRAVEL	52
STUDENT TRAVEL REGULATIONS	53

INTERSCHOLASTIC ATHLETICS	55
ATHLETIC CONCUSSION POLICY	56
STUDENT CONDUCT	58
CORPORAL PUNISHMENT	59
PHYSICAL RESTRAINT OF STUDENTS	60
STUDENT WELFARE	61
STUDENT INSURANCE PROGRAM	64
STUDENT HEALTH SERVICES AND REQUIREMENTS	65
PHYSICAL EXAMINATIONS OF STUDENTS	67
IMMUNIZATION OF STUDENTS	68
COMMUNICABLE DISEASES	69
ADMINISTERING MEDICATION TO STUDENTS	70
STUDENT FEES, FINES, AND CHARGES	72
MEDIA	73
STUDENT RECORDS	74
STUDENT PHOTOGRAPHS	75

## **EQUAL EDUCATIONAL OPPORTUNITIES**

In recognition of the diversified characteristics and needs of our students and with the keen desire to be responsive to them, the School Committee will make every effort to protect the dignity of the students as individuals. It also will offer careful consideration and sympathetic understanding of their personal feelings, particularly with reference to their race, color, sex, gender identity, religion, national origin, sexual orientation, physical and intellectual differences, pregnancy or pregnancy related condition.

To accomplish this, the Committee and its staff will make every effort to comply with the letter and the spirit of the Massachusetts equal educational opportunities law which prohibits discrimination in public school admissions and programs. The law reads as follows:

No child shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and course of study of such public school on account of race, color, sex, gender identity, religion, national origin, sexual orientation, pregnancy or pregnancy related condition.

This will mean that every student will be given equal opportunity in school admission, admissions to courses, course content, guidance, and extracurricular and athletic activities.

All implementing provisions issued by the Board of Elementary and Secondary Education in compliance with this law will be followed.

LEGAL REFS.: Title VI, Civil Rights Act of 1964  
Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972  
Executive Order 11246, as amended by E.O. 11375  
Title IX, Education Amendments of 1972  
M.G.L. 76:5; 76:16 (Chapter 622 of the Acts of 1971)  
BESE regulations 603 CMR 26:00  
BESE regulations 603 CMR 28.00

CROSS REF.: AC, Nondiscrimination

## **ASSIGNMENT OF STUDENTS TO SCHOOLS**

Generally, students will be required to attend school in the attendance area in which they reside, unless assigned to a program at a different school or the Superintendent has granted special permission.

Special permission may be granted for the following reasons:

1. If the change involves a hardship case or if there are medical considerations.
2. If the change appears to be in the interests of the child, of the schools, and for disciplinary and administrative reasons.
3. If the legal residence of a child changes from one attendance area to another during the school year and the parents/guardians wish the child to remain in his former school; permission will not extend beyond the current school year.
4. To permit secondary school students to take courses not offered in their assigned schools.

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

LEGAL REFS.:       M.G.L. 71:37C; 71:37D; 71:37I; 71:37J  
                          603 CMR 17.00  
                          603 CMR 26.00

[top](#)

Policy: JEB

## **ENTRANCE AGE**

In an attempt to permit children to enter school at the time most appropriate for them individually, the School Committee establishes the following policy on entrance age:

1. Children who will be five years of age prior to August 31st of the school year during which they wish to enroll will be eligible to enter kindergarten for that school year.
2. Initial admission of children to the first grade (or other grades) will involve a consideration of both chronological age and the readiness of the children to do the work of those grades.

LEGAL REFS.: M.G.L. 15:1G  
603 CMR 8.00

[top](#)

Policy: JF

## **SCHOOL ADMISSIONS**

All children of school age who reside in the town will be entitled to attend the public schools, as will certain children who do not reside in the town but who are admitted under School Committee policies relating to nonresident students or by specific action of the School Committee.

Advance registration for prospective kindergarten students will take place in the spring. Every student seeking admission to school for the first time must present a birth certificate or equivalent proof of age acceptable to the Principal and proof of vaccination and immunizations as required by the state and the School Committee. Proof of residency of legal guardianship may also be required by the school administration.

LEGAL REFS.: M.G.L. 15:1G; 76:1; 76:5; 76:15; 76:15A  
603 CMR 26.00

CROSS REFS.: JLCA, Physical Examination of Students  
JLCB, Immunization of Students  
JFBB, School Choice  
JFABD, Homeless Students: Enrollment Rights and Services

[top](#)

Policy: JFABB

## **ADMITTANCE OF FOREIGN EXCHANGE STUDENTS**

Medway Public Schools welcomes foreign exchange students and encourages an educational atmosphere where the community's students can benefit from interacting with young people from other countries and cultures.

It is acknowledged that a foreign exchange student who resides in the community has the same right to attend the public schools as a student who is a United States citizen. However, in accordance with M.G.L. Chapter 76, Section 6, and U.S. C.S. 1101 (9) (15) (f) (i), foreign students having an F-1 student visa will be charged tuition based upon the most recent per pupil cost published by the Commonwealth of Massachusetts Department of Education.

Students possessing other forms of immigrant status will be considered on an individual basis.

By April of each year, the superintendent will recommend, and the school committee will vote on the number of foreign exchange students that will be allowed to enroll in the district for the coming school year.

The foreign exchange student application for admittance with all supporting documents, as determined by the superintendent, must be submitted to the superintendent's office not later than July 1<sup>st</sup> for enrollment in the coming school year.

In order for a foreign exchange student to participate in interscholastic athletics, they must meet all eligibility requirements as specified by the Massachusetts Interscholastic Athletic Association.

A foreign exchange student will be ineligible to receive a Medway diploma unless they fulfill all Medway High School graduation requirements.

[top](#)

Policy: JFABC

## **ADMISSION OF TRANSFER STUDENTS FROM CHARTER SCHOOLS**

The school district will enroll and place students who have left Commonwealth charter schools by adhering to the same policies and procedures in place for any other student enrolling in the school district including, but not limited to, examination of the course of study and level of academic attainment of the student when determining the student's appropriate grade placement or eligibility for high school graduation.

To the same extent provided for other students enrolling in the school district, students who enroll in the school district from a Commonwealth charter school shall be subject to the graduation requirements of the school district, may have certain graduation requirements waived, and may make-up certain graduation requirements.

LEGAL REFS.: Chapter 12, Section 11 of the Acts of 2010

[top](#)

Policy: JFABD

## **HOMELESS STUDENTS: ENROLLMENT RIGHTS AND SERVICES**

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

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

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

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

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

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

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

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

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

LEGAL REFS.:       The McKinney-Vento Act and Title I Part A, as Amended by the Every Student Succeeds Act of 2015

## **EDUCATIONAL OPPORTUNITIES FOR MILITARY CHILDREN**

In an effort to facilitate the placement, enrollment, graduation, data collection and provision of special services for students transferring into or out of the District because of their parents/guardians being on active duty in the U.S. Armed Services, the District supports and will implement its responsibilities as outlined in the Interstate Compact on Educational Opportunity for Military Children. The School Committee believes it is appropriate to remove barriers to educational success imposed on children of military families because of their parents'/guardians' frequent moves and deployment.

### **Definitions**

**Children of military families** means school aged children, enrolled in kindergarten through 12<sup>th</sup> grade, in the household of an active duty member of the uniformed service of the United States, including members of the National Guard and Reserve serving on active duty.

**Deployment** means the period one month before the service members' departure from their home station on military orders through six months after return to their home station.

**Education(al) records** means official records, files, and data directly related to a student and maintained by the school including, but not limited to, records encompassing all the material kept in the student's cumulative folder.

The requirements, applicable to eligible students, which must be fulfilled, are listed below. Eligible students are those who are children of active duty personnel, active duty personnel or veterans who have been severely injured and medically discharged, and active duty personnel who die on active duty within one year of service. Students are not eligible for the provisions of the Compact if they are children of inactive Guard or Reserves, retired personnel, veterans not included above or U.S. Department of Defense personnel and other federal civil service employees and contract employees.

The District's responsibilities to eligible children include the following:

- Sending schools must send either official or unofficial records with the moving students and District receiving schools must use those records for immediate enrollment and educational placement.
- Simultaneously, the receiving school must request official records and the sending schools shall respond within 10 days with the records.

- Immunization requirements of the District may be met within 30 days from the date of enrollment (or be in progress).
- Receiving schools must initially honor placement of students in all courses from the sending school. These include, but are not limited to, Honors, International Baccalaureate, Advanced Placement, vocational-technical, and career pathway courses if those courses are offered in the receiving school and space is available. The receiving schools must also initially honor placement of like programs to those of the student in the sending state, including, but not limited to, Gifted and Talented programs, and English as a Second Language programs. Receiving schools are not precluded from performing subsequent evaluation to ensure the appropriate placement and continued enrollment of the student in courses and programs.
- In compliance with federal law, special education students must be placed by the existing IEP with reasonable accommodations in the receiving school.
- The District will exercise, as deemed appropriate, the right to waive prerequisites for all courses and programs, while also maintaining its right to re-evaluate the student to ensure continued enrollment, as deemed appropriate.
- Students of active duty personnel shall have additional excused absences at the discretion of the District for visitations relative to leave or deployment.
- An eligible student living with a noncustodial parent or other person standing in loco parentis shall be permitted to attend the school in which they were enrolled while living without the custodial parent/guardian without any tuition fee imposed.
- The District high school will accept exit or end-of-year exams required from the sending state, national norm-referenced tests, or alternate testing instead of testing requirements for graduation in the District (receiving state.) If this is not possible, the alternative provision of the Interstate Compact shall be followed in order to facilitate the on-time graduation of the student in accordance with Compact provisions.

LEGAL REFS:           M.G.L. 15E;  
                               Interstate Compact on Educational Opportunity for Military Children

## **EDUCATIONAL OPPORTUNITIES FOR CHILDREN IN FOSTER CARE**

The purpose of this policy is to ensure the educational stability of students in foster care and their equal access to the same free and appropriate public education through high school graduation as provided to other students as required by law. Educational stability has a lasting impact on students' academic achievement and wellbeing, and the School Committee is committed to supporting district and community efforts to ensure that students in foster care have access to high-quality, stable educational experiences.

The law requires that foster care students continue to attend their school of origin, unless after a collaborative decision-making process it is determined to be in the student's best interest to enroll in and attend school in the district in which a foster care provider or facility is located (if different). The law also requires that when it is not in the student's best interest to remain in the school of origin, the student is immediately enrolled and attending in a new school district, even if records normally required for enrollment cannot be quickly produced. Additionally, the law requires the Department of Children and Families (DCF), The Department of Elementary and Secondary Education (DESE), and the school district to designate points of contact; and also that the district collaborate with DCF to ensure that students will receive transportation to the school of origin if needed.

### Best Interest Determination

Decisions about whether a student in foster care should continue to attend the school of origin should be made collaboratively by DCF, the student (as appropriate), the student's family and/or foster family (and if different, the person authorized to make educational decisions on behalf of the student), the school and district of origin, and (when different) the local district where the student is placed. Best interest determinations should focus on the needs of each individual student and take into account a variety of factors. Every effort should be made to reach agreement regarding the appropriate school placement of a student in foster care. However, if there is disagreement regarding school placement for a student in foster care, DCF will finalize the best interest determination.

The district can seek review of DCF's decision by utilizing a Foster Care School Selection Dispute Resolution Process established by DESE and DCF. Decisions made through this process are not subject to review. Under the law, to promote educational stability, students should continue to attend their schools of origin while best interest determinations are being made.

### Transportation

The district of origin must collaborate with DCF on how transportation will be provided and arranged to ensure that students in foster care who need transportation to remain in their school of origin will receive such transportation while they are in foster care.

Transportation options may include using Title I funds, establishing regional collaborations among districts, coordinating with existing routes for transportation, seeking help from foster parent(s), etc. Absent other agreements between the district and DCF, the district of origin is responsible for providing transportation to and from the school of origin.

#### Immediate Enrollment

If it is in the best interest of a student in foster care to leave the school of origin, the student must be enrolled in school in the local school district immediately. To minimize disruption of the student's education, the law requires the district to enroll the student in a new school right away, without waiting to receive the typical student enrollment documentation (other than emergency contact information). The enrolling school must immediately contact the child's school and district of origin to obtain the relevant records and documentation, and the school and district of origin should immediately transfer those records.

To facilitate enrollment, DCF representatives will present the district with a form that indicates that the student is in foster care, along with their state-agency identification badge, when enrolling students.

LEGAL REFS:        *Every Student Succeeds Act (ESSA)*;  
                          *Fostering Connections to Success and Increasing Adoptions Act of 2008*  
                          (*Fostering Connections Act*)

## **SCHOOL CHOICE**

It is the policy of this School District to admit non-resident students under the terms and conditions of the Interdistrict School Choice Law and under the following local conditions:

1. That by May 1 of every school year, the administration will determine the number of spaces in each school available to choice students.
2. That by June 1 of every school year, if consideration is being given to withdraw from the provisions of the choice law, a public meeting will be held to review this decision.
3. That resident students be given priority placement in any classes or programs within the District.
4. That the selection of non-resident students for admission be in the form of a random drawing when the number of requests exceeds the number of available spaces. There will be two drawings for this purpose. The first will take place during the last week of the current school year but no later than July 1st. The second will be conducted during the week immediately preceding the opening of the next school year and will be based on the possibility of unexpected additional openings.
5. Any student who is accepted for admission under the provisions of this policy is entitled to remain in the District until graduation from high school except if there is a lack of funding of the program.
6. The School Committee affirms its position that it shall not discriminate in the admission of any child on the basis of race, color, religion, national origin, sex, gender identity, age, homelessness, sexual orientation, ancestry, athletic performance, physical handicap, special need, pregnancy, pregnancy related condition, academic performance or proficiency in the English language.
7. Students admitted to the district under this policy are responsible for their own transportation.

LEGAL REFS.: M.G.L. 71:6; 71:6A; 76:6; 76:12; 76:12B  
BESE Regulations 603 CMR 26.00

## **STUDENT ABSENCES AND EXCUSES**

Regular and punctual school attendance is essential for success in school. The Committee recognizes that parents/guardians of children attending our schools have special rights as well as responsibilities, one of which is to ensure that their children attend school regularly, in accordance with state law.

Therefore, students may be excused temporarily from school attendance for the following reasons: illness or quarantine; bereavement or serious illness in family; weather so inclement as to endanger the health of the child; and observance of major religious holidays.

A child may also be excused for other exceptional reasons with approval of the Principal or designee.

A student's understanding of the importance of day-to-day schoolwork is an important factor in the shaping of his character. Parents/guardians can help their children by not allowing them to miss school needlessly.

Accordingly, parents/guardians will provide a written explanation for the absence or tardiness of a child. This will be required in advance for types of absences where advance notice is possible.

In instances of chronic or irregular absence reportedly due to illness, the school administration may request a physician's statement certifying such absences to be justified.

### **Student Absence Notification Program**

Each Principal, by whatever title they may be known, will notify a student's parent/guardian within 3 days of the student's absence in the event the parent/guardian has not informed the school of the absence.

Each Principal, by whatever title they may be known, or designee shall make a reasonable effort to meet with any student, and that student's parent/guardian, who has missed five (5) or more unexcused school days (a school day shall be equal to two (2) or more class periods in the same day) in a school year. The meeting shall be to develop action steps to improve student attendance and shall be developed jointly by the Principal or designee, the student, and the student's parent/guardian. The parties may seek input from other relevant school staff and/or officials from relevant public safety, health and human service, housing, and nonprofit agencies.

### **Dropout Prevention**

No student who has not graduated from high school shall be considered permanently removed from school unless the Principal has sent notice to a student, and that student's parent/guardian, who has been absent from school for ten (10) consecutive days of unexcused absence. The notice shall be sent within five (5) days of the tenth consecutive day of absence and shall offer at least 2 dates and times within the next ten (10) days for an exit interview with the Superintendent or designee, the student, and the student's parent/guardian. The notice shall be in both English and the primary language of the home, if

applicable. The notice shall include contact information for scheduling the exit interview and shall indicate the parties shall reach an agreement on the date/time of the interview within the ten (10) day timeframe. The timeframe may be extended at the request of the parent/guardian and no extension shall exceed 14 days.

The Superintendent or designee may proceed with any interview without a parent/guardian present, provided the Superintendent has documented a good faith effort to include the parent/guardian.

The Superintendent or designee shall convene a team of school staff to participate in the exit interview and shall provide information to the student and, if applicable, the student's parent/guardian on the detrimental effects of early withdrawal from school and the alternative education programs and services available to the student.

LEGAL REFS.: M.G.L. [76:1](#); 76:1B; [76:16](#); 76:18; [76:20](#)

[top](#)

Policy: JHD

## **EXCLUSIONS AND EXEMPTIONS FROM SCHOOL ATTENDANCE**

### Denial of Admission

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

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

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

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

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

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

LEGAL REFS.:       M.G.L. 71:37H; 76:12; 76:12A; 76:12B  
                          603 CMR 26:00  
                          603 CMR 8:02

## **STUDENT RIGHTS AND RESPONSIBILITIES**

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

Among these rights and responsibilities are the following:

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

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

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

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

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

[top](#)

Policy: JIB

## **STUDENT INVOLVEMENT IN DECISION-MAKING**

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

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

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

### Student Advisory Committee

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

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

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

## **STUDENT DISCIPLINE POLICY**

The Medway School Committee recognizes the importance of high standards of conduct in our schools. Such standards allow our schools to fulfill their mission of effectively educating the youth of Medway. Our community takes pride in our schools and the successes of our students.

The Medway School Committee endorses the concept that effective discipline involves the participation of staff, parents and students in a process which is constructive, fair and designed to protect the rights and responsibilities of all involved.

School principals shall include prohibited actions in the student handbook and made available to students and parents.

Principals and staff shall not use academic punishment of any form as a consequence to inappropriate behaviors/actions by students.

The principal may, as a disciplinary measure, remove a student from privileges, such as extracurricular activities and attendance at school-sponsored events, based on the student's misconduct. Such a removal is not subject to the remainder of the policy, law or regulation.

The Superintendent shall provide each Principal with a copy of the regulations promulgated by DESE and shall have each Principal sign a document acknowledging receipt thereof, which shall be placed in their personnel file.

### **Suspension**

In every case of student misconduct for which suspension may be imposed, a principal shall consider ways to re-engage the student in learning; and avoid using long-term suspension from school as a consequence until alternatives have been tried. Alternatives may include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and positive behavioral interventions and supports.

### **Notice of Suspension**

Except for emergency removal or an in-school suspension of less than 10 days, a principal must provide the student and the parent oral and written notice, and provide the student an opportunity for a hearing and the parent an opportunity to participate in such hearing before imposing suspension as a consequence for misconduct. The principal shall provide both oral and written notice to the student and parent(s) in English and in the primary language of the home if other than English. The notice shall include the rights enumerated in law and regulation. To conduct a hearing without a parent present, the principal must be able to document reasonable efforts to include the parent.

### **Emergency Removal**

A principal may remove a student from school temporarily when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the principal's judgment, there is no alternative available to alleviate the danger or disruption.

The principal shall immediately notify the superintendent in writing of the removal including a description of the danger presented by the student.

The temporary removal shall not exceed two (2) school days following the day of the emergency removal, during which time the principal shall: Make immediate and reasonable efforts to orally notify the student and the student's parent of the emergency removal, the reason for the need for emergency removal, and the other matters required in the notice; Provide written notice to the student and parent as required above; Provide the student an opportunity for a hearing with the principal that complies with applicable regulations, and the parent an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the principal, student, and parent; Render a decision orally on the same day as the hearing, and in writing no later than the following school, which meets the requirements of applicable law and regulation.

A principal shall also ensure adequate provisions have been made for the student's safety and transportation prior to removal.

### **In-School Suspension – Not More Than 10 Days Consecutively or Cumulatively**

The principal may use in-school suspension as an alternative to short-term suspension for disciplinary offenses.

The principal may impose an in-school suspension for a disciplinary offense under this provision, provided that the principal follows the process set forth in regulation and the student has the opportunity to make academic progress as required by law and regulation.

### **Principal's Hearing – Short Term Suspension of up to 10 Days**

The hearing with the principal shall be to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction.

At a minimum, the principal shall discuss the disciplinary offense, the basis for the charge, and any other pertinent information.

The student also shall have an opportunity to present information, including mitigating facts, that the principal should consider in determining whether other remedies and consequences may be appropriate as set forth in law and regulation.

The principal shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the principal should consider in determining consequences for the student.

The principal shall, based on the available information, including mitigating circumstances, determine whether the student committed the disciplinary offense, and, if so, what remedy or consequence will be imposed.

The principal shall notify the student and parent of the determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal, as required by law and regulation. The determination shall be in writing and may be in the form of an update to the original written notice.

If the student is in a public preschool program or in grades K through 3, the principal shall send a copy of the written determination to the superintendent and explain the reasons for imposing an out-of-school suspension, before the short-term suspension takes effect.

**Principal's Hearing – Long Term Suspension of more than 10 days but less than 90 days (consecutive or cumulative)**

The hearing with the principal shall be to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction.

At a minimum, in addition to the rights afforded a student in a short-term suspension hearing, the student shall have the following rights: In advance of the hearing, the opportunity to review the student's record and the documents upon which the principal may rely in making a determination to suspend the student or not; The right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense; The right to produce witnesses on their behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so; The right to cross-examine witnesses presented by the school district; The right to request that the hearing be recorded by the principal, and to receive a copy of the audio recording upon request. If the student or parent requests an audio recording, the principal shall inform all participants before the hearing that an audio record will be made and a copy will be provided to the student and parent upon request.

The principal shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the principal should consider in determining consequences for the student.

The principal shall, based on the evidence, determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension as required by law and regulation, what remedy or consequence will be imposed, in place of or in addition to a long-

term suspension. The principal shall send the written determination to the student and parent by hand-delivery, certified mail, first class mail, email to an address provided by the parent for school communications, or any other method of delivery agreed to by principal and the parent.

If the principal decides to suspend the student, the written determination shall: Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing; Set out the key facts and conclusions reached by the principal; Identify the length and effective date of the suspension, as well as a date of return to school; Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school as required by law and regulation; Inform the student of the right to appeal the principal's decision to the superintendent or designee, but only if the principal has imposed a long-term suspension. Notice of the right of appeal shall be in English and the primary language of the home if other than English, and shall include the following information: The process for appealing the decision, including that the student or parent must file a written notice of appeal with the superintendent with five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent may request and receive from the superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days; and that the long-term suspension will remain in effect unless and until the superintendent decides to reverse the principal's determination on appeal.

If the student is in a public preschool program or in grades K through 3, the principal shall send a copy of the written determination to the superintendent and explain the reasons for imposing an out-of-school suspension before the suspension takes effect.

### **Superintendent's Hearing**

A student who is placed on long-term suspension following a hearing with the principal shall have the right to appeal the principal's decision to the superintendent.

The student or parent shall file a notice of appeal with the superintendent within the time period noted above (see principal's hearing – suspension of more than 10 days). If the appeal is not timely filed, the superintendent may deny the appeal, or may allow the appeal in their discretion, for good cause.

The superintendent shall hold the hearing within three (3) school days of the student's request, unless the student or parent requests an extension of up to seven (7) additional calendar days, in which case the superintendent shall grant the extension.

The superintendent shall make a good faith effort to include the parent in the hearing. The superintendent shall be presumed to have made a good faith effort if they have made efforts to find a day and time for the hearing that would allow the parent and superintendent to participate. The superintendent shall send written notice to the parent of the date, time, and location of the hearing.

The superintendent shall conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence shall be. The superintendent shall arrange for an audio recording of the hearing, a copy of which shall be provided to the student or

parent upon request. The superintendent shall inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent upon request. The student shall have all the rights afforded the student at the principal's hearing for long-term suspension.

The superintendent shall issue a written decision within five (5) calendar days of the hearing which meets the requirements of law and regulation. If the superintendent determines that the student committed the disciplinary offense, the superintendent may impose the same or a lesser consequence than the principal, but shall not impose a suspension greater than that imposed by the principal's decision. The decision of the superintendent shall be the final decision of the school district with regard to the suspension.

### **Expulsion**

Expulsion is defined as the removal of a student from school for more than ninety (90) school days, indefinitely, or permanently as allowed by law for possession of a dangerous weapon; possession of a controlled substance; assault on a member of the educational staff; or a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a principal determines that the student's continued presence in school would have substantial detrimental effect on the general welfare of the school.

Any student alleged to have committed one of these acts shall be afforded the same due process rights as for a long-term suspension. Any student expelled from school for such an offense shall be afforded an opportunity to receive educational services and make academic progress.

### **Academic Progress**

Any student who is suspended or expelled shall have the opportunity to earn credits, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of their removal from the classroom or school. The principal shall inform the student and parent of this opportunity in writing in English and in the primary language of the home, when such suspension or expulsion is imposed.

Any student who is expelled or suspended from school for more than ten (10) consecutive days, whether in-school or out-of-school, shall have an opportunity to receive education services and make academic progress toward meeting state and local requirements, through the school-wide education service plan.

The principal shall develop a school-wide educational service plan describing the education services that the school district will make available to students who are expelled or suspended from school for more than ten (10) consecutive days. The plan shall include the process for notifying such students and their parents of the services and arranging such services. Education services shall be based on, and be provided in a manner consistent with, the academic standards and curriculum frameworks established for all students under the law.

The principal shall notify the parent and student of the opportunity to receive education services at the

time the student is expelled or placed on long-term suspension. Notice shall be provided in English and in the primary language spoken in the student's home if other than English, or other means of communication where appropriate. The notice shall include a list of the specific education services that are available to the student and contact information for a school district staff member who can provide more detailed information.

For each student expelled or suspended from school for more than ten (10) consecutive days, whether in-school or out-of-school, the school district shall document the student's enrollment in education services. For data reporting purposes, the school shall track and report attendance, academic progress, and such other data as directed by the Department of Elementary and Secondary Education.

### **Pre-School Students and Students in Grades K-3**

Pre-School students, and in grades K-3 in other programs, the principal must send a copy of the written determination to the superintendent explaining the reasons for an out-of-school suspension before the short-term suspension takes effect.

### **Reporting**

The school district shall collect and annually report data to the DESE regarding in-school suspensions, short-and long-term suspensions, expulsions, emergency removals, access to education services, and such other information as may be required by the DESE.

The principal of each school shall periodically review discipline data by selected student populations, including but not limited to race and ethnicity, gender, socioeconomic status, English language learner status, and student with a disability status in accordance with law and regulation.

LEGAL REFS:       M.G.L. 71:37H; 71:37H 1/2; 71:37H 3/4; 76:17  
                      603 CMR 53.00

[top](#)

Policy: JICA

## **STUDENT DRESS CODE**

The responsibility for the dress and appearance of the students will rest with individual students and parents/guardians.

They have the right to determine how the student will dress providing that attire is not destructive to school property, complies with requirements for health and safety, and does not cause disorder or disruption. The administration is authorized to take action in instances where individual dress does not meet the stated requirements.

This does not mean that student, faculty, or parent groups may not recommend appropriate dress for school or special occasions. It means that students will not be prevented from attending school or a school function, or otherwise be discriminated against, so long as their dress and appearance meet the requirements set forth above.

[top](#)

Policy: JICC (also EEAECE)

## **STUDENT CONDUCT ON SCHOOL BUSES**

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

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

[top](#)

Policy: JICE

## **STUDENT PUBLICATIONS**

Within the school setting, students enjoy the constitutional right of freedom of expression, including the right to express their views in student publications in print and digital form, provided such expression does not cause, or threaten to cause by reasonable forecast by school officials, any disruption or disorder in the school. Additionally, such constitutional right of freedom of expression does not include expression which is obscene, defamatory, or advocates violence or illegality where such advocacy is imminently likely to incite the commission of such acts to the detriment of school security, or which can reasonably be forecast to cause substantial disruption or material interference with school activities.

The School Committee will at least annually review their support of student publications, and encourage student publications not only because they offer an educational activity through which students gain experience in reporting, writing, editing, and understanding responsible journalism, but also because they provide an opportunity for students to express their views subject to the limitations as contained in this policy.

Student publications will be encouraged to comply with the rules for responsible journalism. Students shall affix their names to all articles or editorials written by or contributed to by them. The Superintendent will establish guidelines that are in keeping with this policy and provide for review of student publications prior to their distribution, to address matters that are not protected forms of expression.

Each student publication shall contain the following: "Pursuant to state law, no expression made by students in the exercise of such rights shall be deemed to be an expression of school policy and no school officials shall be held responsible in any civil or criminal action for any expression made or published by the students."

### Distribution of Literature

The time, place and manner of distribution of literature will be reasonably regulated by the Principal.

LEGAL REF.:           M.G.L. 71:82

[top](#)

Policy: JICF

## **GANG ACTIVITY/SECRET SOCIETIES**

The goal of the School Committee is to keep District schools and students free from the threats or harmful influence of any gang. For purposes of this policy, gang is defined as any group, secret society, organization or association that advocates drug use, violence, ethnic intimidation, or disruptive or illegal behavior. The Principal or their designee shall maintain supervision of school premises to deter intimidation of students and confrontations between members of different gangs.

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

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

### Symbols

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

### Prevention Education

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

## **SECRET SOCIETIES**

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

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

[top](#)

Policy: JICFA

## **PROHIBITION OF HAZING**

In accordance with Massachusetts General Laws, the School Committee hereby deems that no student, employee or school organization under the control of the School Committee shall engage in the activity of hazing a student while on or off school property, or at a school sponsored event regardless of the location. No organization that uses the facilities or grounds under the control of the School Committee shall engage in the activity of hazing any person while on school property.

Any student who observes what appears to them to be the activity of hazing another student or person should report such information to the Principal including the time, date, location, names of identifiable participants and the types of behavior exhibited. Students and employees of the District are obligated by law to report incidents of hazing to the police department.

Any student who is present at a hazing has the obligation to report such an incident. Failure to do so may result in disciplinary action by the school against that student and could involve suspension from school for up to three days.

Any student who participates in the hazing of another student or other person may be suspended from school for up to ten (10) school days.

Any student determined by the Principal to be the organizer of a hazing activity may be recommended for expulsion from school but will receive no less disciplinary action than that of a participant.

In all cases relating to hazing, students will receive procedural due process.

LEGAL REF.: M.G.L. 269:17, 18, 19

[top](#)

Policy: JICFA-E

## **HAZING**

### **CH. 269, S.17. HAZING; ORGANIZING OR PARTICIPATING; HAZING DEFINED**

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.

### **CH. 269, S.18. FAILURE TO REPORT HAZING**

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

### **CH. 269, S.19. COPY OF SECTIONS 17 TO 19; ISSUANCE TO STUDENTS AND STUDENT GROUPS, TEAMS AND ORGANIZATIONS; REPORT**

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 recognition or endorsement of said unaffiliated student groups, teams or organizations.

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

of this section and 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.

## **BULLYING PREVENTION**

### **Commitment**

The Medway Public School district is committed to providing our students a safe learning environment that is free from bullying. This will be possible when all members of the Medway school community treat each other with respect. This policy is an integral part of the Medway Public Schools' comprehensive effort to promote learning and eliminate all forms of violent, harmful, and disruptive behavior. All students require this support to achieve their personal and academic potential.

Medway Public Schools will not tolerate any unlawful or disruptive behavior, including bullying, in our schools or during school-related activities. All reports of bullying will be promptly investigated by Medway Public Schools. Medway Public Schools' response to bullying actions will include, when appropriate, referral to a law enforcement agency. Medway Public Schools will support this policy in all aspects of its activities, including its curricula, instructional programs, staff development, extracurricular activities and parental involvement.

### **Definition of Bullying**

The definition of "perpetrator", as defined by M.G.L. c. 71, 37O, Sections 72 – 74 of Chapter 38 of the Acts of 2013, includes a member of a school staff, including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional.

Bullying is the repeated use by one or more students of written, verbal or electronic expression or a physical act or gesture, or any combination thereof, directed at a target that has the effect of:

- causing physical or emotional harm, or of damage to their property;
- placing a target in reasonable fear of harm or of damage to their property;
- creating an unwelcoming or hostile environment at school for another person;
- infringing on the rights of another person at school; or
- materially and substantially disrupting the education process or the orderly operation of a school.

Cyber-bullying is the repeated use by one or more students of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a:

- wire
- radio
- electromagnetic system
- photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.

Cyberbullying shall also include the creation of a web page or blog in which the creator assumes the identity of another person or knowingly impersonates another person as author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying.

Cyberbullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

Bullying and cyberbullying may occur in and out of school, during and after school hours, at home and in locations outside of the home. When bullying and cyberbullying are alleged, the full cooperation and assistance of parents and families are expected.

For the purpose of this policy, whenever the term bullying is used it is to denote either bullying or cyberbullying.

### **Bullying Prohibited**

Bullying is prohibited on school grounds, athletic/playing fields, at school-sponsored or school-related activities, functions or programs whether on or off school grounds, at school bus stops, on school buses or other vehicles owned, leased or used by the district, or through the use of technology or an electronic device owned, leased or used by the school district.

Bullying and cyberbullying are also prohibited at a location, activity, function or program that is not school-related or through the use of technology or an electronic device that is not owned, leased or used by the district, if the act or acts in question create a hostile environment at school for the victim, infringe upon the rights of the victim at school, and/or materially and substantially disrupt the education process or the orderly operation of a school.

The Medway School Committee expects administrators to make clear to students and staff members that bullying will not be tolerated and will be grounds for disciplinary action up to and including suspension and expulsion for students, and termination for employees. All staff members are required to report any bullying they see or learn about. The district will promptly and reasonably investigate all allegations of bullying. Retaliation against a person who reports bullying, who provides information during an investigation of bullying, or who is a witness to or has reliable information about bullying, is prohibited.

### **Guidelines and Implementation**

The superintendent will develop administrative guidelines and procedures for implementation of this policy, including:

- a student complaint process;
- a reporting process for staff;

- an investigation process;
- a process for communication with parents/guardians; and
- record-keeping and reporting.

The superintendent will publish disciplinary protocols in student handbooks and on the district website, which shall prohibit bullying and shall include the bullying prevention and intervention plan required by Chapter 71 Section 37 of the Laws of the Commonwealth. Student handbooks shall include age-appropriate summaries of the student-related sections of the district's bullying prevention and intervention plan.

### **Bullying Prevention and Intervention Plan**

The school district shall develop and update, at least biennially, a bullying prevention and intervention plan, in consultation with school staff members, students, parents and community members. The bullying prevention plan shall:

- include descriptions of and statements prohibiting bullying, cyber-bullying and retaliation;
- establish clear procedures for students and staff members to report bullying and/or retaliation;
- include a provision that reports of bullying and/or retaliation may be made anonymously provided that no disciplinary action shall be taken against a student solely on the basis of an anonymous report;
- establish clear procedures for promptly responding to and investigating reports of bullying or retaliation;
- identify the range of disciplinary actions that may be taken against a perpetrator for bullying or retaliation;
- establish clear procedures for restoring a sense of safety for a victim and assessing that student's needs for protection;
- establish strategies for protecting from bullying or retaliation a person who reports bullying, provides information during an investigation or is witness to or has reliable information about an act of bullying;
- establish procedures for promptly notifying the parents or guardians of a victim and a perpetrator, for notifying the parents or guardians of a victim of the action taken to prevent any further acts of bullying, and for notifying local law enforcement officials where criminal charges may be pursued against the perpetrator;
- include a provision that a student who knowingly makes a false accusation of bullying shall be subject to disciplinary action;
- include a strategy for providing counseling or referral to appropriate services for perpetrators and victims and for appropriate family members of the students; and
- comports with the requirements of this policy, as well as state and federal laws.

### **Programs**

The school district will implement an anti-bullying program as a required part of the curriculum at each grade level. It will be based in age-appropriate instruction on bullying prevention using evidence-based curricula. Furthermore, the district will provide instruction on civil and ethical behavior at each grade level and hold students and adults responsible for behaving with respect toward one and other at all times.

### **Professional Development**

The bullying prevention and intervention plan shall include annual professional development of all members of the school staff to build the skills to prevent, identify and respond to bullying and to implement the bullying prevention and intervention plan. The content of such professional development shall include, but not be limited to:

- developmentally appropriate strategies to prevent bullying incidents;
- developmentally appropriate strategies for immediate, effective interventions to stop bullying incidents;
- information regarding the complex interaction and power differential that can take place between and among the perpetrator, the victim and any witnesses to the bullying;
- research findings on bullying;
- information on the incidence and nature of cyber-bullying;
- Internet safety issues as they relate to cyber-bullying; and
- legal issues and responsibilities related to bullying.

### **Parent/Guardian Education**

The bullying prevention and intervention plan shall include provisions for educating parents and guardians about the bullying prevention curriculum at each school, how they can reinforce the curriculum at home, how they can support the district's prevention and intervention plan, the dynamics of bullying and online safety and cyber-bullying.

The district shall provide to students and their parents or guardians in age-appropriate terms and in the most prevalent languages of families, annual written notice of relevant sections of the bullying prevention plan in the student handbooks and on the district website.

LEGAL REFS.: Title VII, Section 703, Civil Rights Act of 1964 as amended  
Federal Regulation 74676 issued by EEO Commission  
Title IX of the Education Amendments of 1972  
603 CMR 26.00  
M.G.L. 71:37O; 265:43, 43A; 268:13B; 269:14A

REFERENCES: Massachusetts Department of Elementary and Secondary Education's Model  
Bullying Prevention and Intervention Plan

Policy: JICFB

CROSS REFS.: AC, Nondiscrimination  
ACAB, Harassment  
JIC, Student Discipline Policy  
JICFA, Prohibition of Hazing

[top](#)

Policy: JICH

## **ALCOHOL, TOBACCO, AND DRUG USE BY STUDENTS PROHIBITED**

A student shall not, regardless of the quantity, use or consume, possess, buy or sell, or give away any beverage containing alcohol; any product, including tobacco, vapor/E-cigarettes; marijuana; steroids; or any controlled substance. The School Committee prohibits the use or consumption by students of alcohol, tobacco products, or drugs on school property, at any school function, or at any school sponsored event.

Additionally, any student who is under the influence of drugs or alcoholic beverages prior to, or during, attendance at or participation in a school-sponsored activity, will be barred from that activity and may be subject to disciplinary action.

The school district shall utilize, in accordance with law, a verbal screening tool approved by the Department of Elementary and Secondary Education to screen students for substance abuse disorders. The tool shall be administered by trained staff on an annual basis at grades 7 and 9.

Parents/guardians shall be notified prior to the opening of school each year. Parents/guardians shall have the right to opt out of the screening by written notice prior to or during the screening.

All statements made by a student during a screening are confidential and shall not be disclosed except in the event of immediate medical emergency or in accordance with law. De-identified results shall be reported to the Department of Public Health within 90 days of the completion of the screening process.

This policy shall be posted on the district's website and notice shall be provided to all students and parents/guardians of this policy in accordance with state law. Additionally, the district shall file a copy of this policy with DESE in accordance with law in a manner requested by DESE.

LEGAL REFS.: M.G.L.71:2A; 71:96; 71:97; 272:40A

CROSS REFS.: ADC, Tobacco Free Schools  
GBEC, Drug Free Workplace  
GBED, Tobacco Use on School Property by Staff Members Prohibited  
IHAMB, Teaching About Alcohol, Tobacco and Drugs Policy

[top](#)

Policy: JIE

## **PREGNANT STUDENTS**

The School Committee wishes to preserve educational opportunities for those students who may become pregnant and/or take on parenting responsibilities.

Pregnant students are permitted to remain in regular classes and participate in extracurricular activities with non-pregnant students throughout their pregnancy, and after giving birth are permitted to return to the same academic and extracurricular program as before the leave.

The school district does not require a pregnant student to obtain the certification of a physician that the student is physically and emotionally able to continue in school.

Every effort will be made to see that the educational program of the student is disrupted as little as possible; that health counseling services, as well as instruction, are offered; that return to school after leave is encouraged; and that every opportunity to complete high school is provided.

LEGAL REFS.:       M.G.L. 71:84  
                          Title IX: 20 U.S.C. § 1681  
                          34 CFR § 106.40(b)

## **SEARCHES AND INTERROGATIONS**

### Searches by Staff

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

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

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

### Interrogations by Police

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

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

[top](#)

Policy: JII

## **STUDENT COMPLAINTS AND GRIEVANCES**

The School Committee recognizes that there may be conditions in the school district that are in need of improvement and that students should have some means by which their concerns may be effectively expressed, considered, and dealt with fairly. Such means, if well-conceived and understood in advance, can do much to maintain harmonious relationships among the schools and the students and community. Every attempt will be made to seek a satisfactory solution to any concerns in a friendly and informal manner.

Students and their parents and/or guardians, who believe that a student has received unfair treatment, may bring forward their grievance through the appropriate channels. Appeals of disciplinary cases will be required to follow the district's policy on student discipline. Any applicable provisions of the Massachusetts General Laws or federal law will be followed by school officials in conducting hearings.

CROSS REF:           JIC, Student Discipline Policy

## **CO-CURRICULAR AND EXTRACURRICULAR ACTIVITIES**

The School Committee believes that student activities are a vital part of the total educational program. Therefore, the schools will provide a broad and balanced program of activities geared to the various ages, interests, and needs of students.

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

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

LEGAL REF.: M.G.L. 71:47  
603 CMR 26.00

## **STUDENT ORGANIZATIONS**

### Student Organizations

Student organizations in the District shall be encouraged when they meet the criteria of contributing to student self-esteem and performance and should operate within the framework of state statutes, School Committee policies, and administrative procedures.

Each building Principal shall develop general guidelines for the establishment and operation of student organizations within the particular school. Among other provisions, such guidelines shall require the approval of the Principal prior to the formation of any club or organization in the school and the assignment of at least one faculty or designated adult advisor to each approved student organization. Within such guidelines will be provisions for a periodic review of all student organizations.

The formation of any student organization that may engage in activities of a controversial nature shall require approval by the Superintendent or their designee.

All student organizations shall be required to open membership to all interested and/or eligible students. Disruptive groups, secret societies, and/or gangs shall not receive recognition in any manner under this policy.

All forms of hazing in initiations shall be prohibited in a student organization. No initiation shall be held for a student organization which will bring criticism to the school district or be degrading to the student.

The faculty or designated adult advisor must attend every meeting of the student organization whether conducted on school premises or at another location.

The Principal is responsible for determining that the club or organization relates to the mission and vision of the District. The Principal is authorized to deny requests by unauthorized student organizations desiring to meet or form in a particular school, the Principal shall inform the group of the reasons for the denial. The students and/or group may submit a written request to the appropriate District administrator for review of the Principal's decision.

CROSS REF: JICF, Gang Activities/Secret Societies

LEGAL REF.: 603 CMR 26.00

[top](#)

Policy: JJD

## **STUDENT ATHLETIC FEES**

The Medway Public Schools will establish student athletic fees for school sports on an annual basis.

The business office will prepare a year-end financial activity report for the athletic revolving account for school committee review.

Not later than the last meeting in June of each calendar year, the school committee will set the interscholastic fees and family cap.

In order to be eligible for a reduced rate or waiver, the family must complete a Free/Reduced School Lunch Application and meet the same eligibility criteria used in that program.

## **FUNDRAISING POLICY**

The intent of this policy is to support the district and its students. Fundraising by internal, external, and crowdfunding groups needs to be approved prior to the start of any fundraising activities. Any student, recognized or unrecognized support organization, student organization or staff member wishing to fundraise, including crowdfunding, shall gain prior approval from the Superintendent or designee per district fundraising procedures.

### **Fundraising Activities**

- A. Fundraising activities may take place only with the prior permission of the Superintendent or designee. The Superintendent shall be responsible for ensuring that:
  - 1. The fundraising activity has been approved.
  - 2. The fundraising in the schools is not excessive.
  - 3. The fundraising is appropriate and conforms to the core values of the Medway Public Schools.
  - 4. The person or entity conducting the fundraiser has obtained all the necessary permits prior to the activity.
- B. For safety reasons door-to-door solicitations by students are strongly discouraged. If students are involved in solicitations, such activities will proceed under close adult supervision.
- C. Participation in fundraising activities shall be strictly voluntary. No student shall be required to engage in fundraising as a condition of participation in any school-related activity or event.
- D. Students are prohibited from participating in the sale or raffle of alcohol.

### **Use of School Facilities**

Organizations approved for fundraising activities that wish to use school facilities (buildings and grounds) must follow the procedures as detailed in the School Committee's Policy on School Facilities Use, Policy KF.

### **Support Organizations**

The School Committee recognizes that the primary goal of fundraising by support organizations is to benefit students and/or school and district programs. It is the intent of the School Committee that support organizations be permitted to pursue their fundraising activities with approval by the Superintendent or designee.

All parent organizations shall obtain 501C3 status and file appropriate paperwork with state authorities and make proof of such status available to school district administration.

All parent organizations need to recognize that spending on student activities must comply with federal law relating to equity among student genders.

Support organizations shall be officially recognized by the School Committee. The Superintendent shall establish a process for organizations to seek district approval. Fundraising activities by officially recognized support organizations are conducted independently from the Medway Public Schools, even when the beneficiary of those fundraising activities is the Medway Public Schools. Fundraising for the schools by unrecognized organizations must have approval from the Superintendent or designee.

Fundraising policy guidelines will be distributed to all recognized support organizations annually. Each support organization shall submit an annual summary that details fundraising activities, amounts raised, and the distribution of such funds for the completed school year. The report shall be submitted to the Superintendent's office by July 15. If the intent of the fundraising event is to make a donation to the school district then please refer to the Donation/Gifts Policy KCD

**Definitions:**

- A. Fundraising is the selling of a product, requesting of donations, or provision of a service/activity for money or other consideration. School fundraising directly benefits students and/or funds school programs. Charitable fundraising by student organizations is also allowed per the guidelines above.
- B. Crowdfunding is defined as any online service used for the solicitation of money, goods, or services from a potentially large number of people via the internet or other electronic network (i.e. GoFundMe, Kickstarter, You Caring).
- C. Support organizations are groups that exist for the benefit of students and various activities within the Medway Public Schools, but that operate outside the direct control and supervision of the Medway Public Schools (i.e. MEPTO, MSPTO, MFE, MFPA, athletics boosters).
- D. Charitable organizations are groups that operate for the exclusive benefit of the public as defined by State and Federal tax laws (i.e. Leukemia and Lymphoma Society).
- E. Student organizations are groups that are sponsored by Medway Public Schools. Examples include but are not limited to: intramural athletics, drama/musical productions and choral groups, student council, National Honor Society, yearbook, and student interest clubs.

This Policy will be reviewed annually by the School Committee.

LEGAL REFS.: M.G.L. 44:53A; 71:37A; 71:47

CROSS REFS.: KCD, Donations/Gifts Policy  
KF, School Facilities Use Policy

## **STUDENT ACTIVITY CHECKING & SAVINGS ACCOUNTS**

The purpose of this school committee policy is to comply with the enactment of a state law on student activity accounts as codified in Section 47 of Chapter 71 of the General Laws of Massachusetts (MGL) passed in 1996.

A program of co-curricular activities established by the School Committee should ensure that students have an opportunity to take part in co-curricular and extra-classroom experiences; should provide efficient procedures for their creation, operation, and demise; and should outline a system for the safeguarding, accounting, and internal control of extra-classroom activity funds.

### **I. PURPOSE AND SCOPE**

The School Committee authorizes the principals to receive money in connection with the conduct of authorized student organizations and legitimate co-curricular activities (i.e. field trips). The Director of Finance and Operations or their designee shall develop operational procedures and guidelines for these accounts and conduct annual internal audits of these accounts. External audits shall be conducted at least every three years.

A student activity account shall only be used for monies raised by approved student organizations and expended by those students for their direct benefit.

Student activity accounts are established for principals to receive money and expend money for authorized student organizations and legitimate co-curricular activities. In the event that a Principal wants to move funds from one authorized student activity sub account to another, a recommendation may be sent by the Principal to the Director of Finance and Operations for their review/approval.

“Student Activity Account” shall be defined as a financial vehicle to hold funds raised by the students to be received by the building principals for student activities.

“Sub-account” shall be defined as an account within the student activity accounts that is specific to an organization or activity.

“Class Account” shall be defined as an account that is established each fall for each incoming freshman class.

At no time shall accounts be used to benefit staff.

### **II. APPLICATION**

A. Bank accounts will be issued via the Town Treasurer.

a. All accounts shall be interest bearing as allowable under banking services.

Selected by the Town Treasurer:

b. Two accounts shall be established:

i. Savings/Depository Account:

1. There will be no maximum amount set for this savings/ depository account.
2. All receipts shall be deposited to this account through the Business Office.
3. The Business Office receives savings accounts statements from the Town Treasurer's office each month. Those statements will be reconciled monthly to the Town's financial software system.

ii. Checking Account:

1. Signature authority over this account is the responsibility of the School Principal or their designee. Checks will be ordered by the School Principal or their designee from the bank.
2. Monthly reconciliations of checking accounts will be performed.
3. A maximum amount will be retained in this account at any given time during any month as follows:

High School	\$30,000
Middle School	\$10,000
McGovern School	\$10,000
Burke/Memorial School Complex	\$10,000

B. Checks written from the Student Activity Checking Account will require the Principal's signature on a check request with the appropriate documentation or invoice attached.

C. Deposits for the Student Activity Accounts will be first verified at the school, then by the Business Office, before being turned over to the Town Treasurer's office.

D. Reporting and Record Keeping:

- a. The Director of Finance and Operations shall provide a Student Activity Procedure Manual to all employees and staff that are involved in student activity programs.
- b. Principals, faculty and staff shall comply with this policy, and the guidelines and procedures provided in the Student Activity Procedure Manual.

- c. The Director of Finance and Operations or the Town Accountant shall conduct an annual internal audit of each Student Activity Account to document compliance with this policy. Every third year an audit will be performed by an outside auditor.
- d. The Business Office will provide to the School Committee on a regular basis a financial summary from the school accounting software of the current budget, expenditures and available balance.
- e. On an annual basis each fall, the Business Office will distribute the Student Activity Procedure Manual to all staff involved in the management of student activity funds. Review of the manual will be confirmed by email to the Business Office. Training will be provided each fall or on an as needed basis for all district staff involved in student activity funds by the Business Office.
- f. Purchases with student activity funds are exempt from Chapter 30B Uniform Procurement Act purchasing requirements, unless otherwise determined by the Office of the Inspector General. While not required, it is strongly recommended that student advisors and other involved school staff obtain three quotes in order to determine the most accurate price. Involved staff should consult with the Business Office to ensure that sound business practices are being followed.

E. Forming of Sub-accounts and Class Accounts:

- a. The Superintendent must approve all student organizations requiring student activity accounts.
  - i. Students will follow the requirements for forming a student organization under School Committee Policy.
  - ii. Students will recommend the establishment of Student Activity Accounts to the building principal.
  - iii. The principal, in turn, will make a recommendation to the Superintendent of Schools.
  - iv. The accounts must be specific to a student organization.
  - v. Discretionary or commingled accounts will not be allowed under this policy.
  - vi. The procedures for the creation of a new student activity account should occur before any funds can be received to support the activity. Those accounts created during the school year will then show up on the list in the fall of the succeeding school year to be re-authorized by the School Committee.
- b. The Director of Finance and Operations will annually provide each fall to the School Committee a complete list of the existing student activity accounts and their balances through the close of the previous fiscal year, a detail of their mission, the revenue source, and the type of activity. The list and balances will be approved by the School Committee on an annual basis.

F. Interest Earned:

The interest earned in each school's student activity fund shall be transferred by the Director of Finance and Operations or their designee. These funds shall be used to provide financial assistance to students.

G. Year End Deficits:

Student activity account deficits should not be permitted. Potential overdrafts become a liability to other funds and to future classes. When a student activity fund account nears depletion, remedial action should be recommended to the School Committee by the responsible Principal after consultation with the Director of Finance and Operations.

H. Inactive Sub Accounts:

Any student activity organization inactive for a period of one (1) year or more and for which there has been no receipts or disbursements recorded on their behalf shall require the following actions:

A disposition of the assets of an inactive student activity organization shall be recommended by the Building Principal. Once proposed, it will be disposed of in consultation with the Director of Finance and Operations.

I. Class Accounts at Graduation:

- a. Prior to graduation, the class balance will be disbursed in accordance with a class vote.
- b. Any funds remaining in the class account after the class has graduated shall be dispersed to the class officers within two months of graduation.

[top](#)

Policy: JJH

## **POLICY ON STUDENT TRAVEL**

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

Final approval will not be granted until all preparations for the trip have been completed and all logistical details have been provided to the school committee, including, but not limited to: list of students; list of chaperones; itinerary; travel agency current certificate of insurance; name of ground transportation company; ground transportation current certificate of insurance; list of hotels at destination; list of medical assistance at destination; verification of completion of consent form and release from liability and indemnification from all student participants, and confirmation of non-school staff CORI and fingerprinting.

The use of vans or private automobiles is not permitted; only commercial motor coaches should be used for all travel purposes.

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

LEGAL REF.: M.G.L. 69.1B; 71:37N

## STUDENT TRAVEL REGULATIONS

### 1. Transportation

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

Trips planned to include late night or overnight student travel will include a pre-trip check of companies, drivers, and vehicles. CORI and/or background checks will be conducted in accordance with Massachusetts General Laws and School Committee Policy.

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

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

### 2. Trip Scheduling

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

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

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

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

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

### 3. Fundraising

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

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

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

### Additional Resources

Federal Motor Carrier Safety Administration (FMCSA)

[www.fmcsa.dot.gov](http://www.fmcsa.dot.gov)

United Motorcoach Association – Student Motorcoach Travel Safety Guide (includes “Motorcoach Safety Checklist)

[www.uma.org/consumer/student-transportation/](http://www.uma.org/consumer/student-transportation/)

Department of Defense’s approved list of motor carriers

[www.defensetravel.dod.mil/Docs/BusAgreementPOCs.pdf](http://www.defensetravel.dod.mil/Docs/BusAgreementPOCs.pdf)

CROSS REFS.: IJOA, Field Trips  
ADDA, Background Checks

LEGAL REFS.: M.G.L. 69:1B; 71:37N; 71:38R  
603 CMR 27.00

[top](#)

Policy: JJIB

## **INTERSCHOLASTIC ATHLETICS**

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

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

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

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

LEGAL REFS.: M.G.L. 71:47; 71:54A  
603 CMR 26.00

CROSS REFS.: AC, Nondiscrimination (and subcodes)

## **ATHLETIC CONCUSSION POLICY**

The purpose of this policy is to provide information and standardized protocols for persons involved in the prevention, training management and return to activity decisions regarding students who incur head injuries while involved in extracurricular athletic activities<sup>1</sup> including, but not limited to, interscholastic sports, in order to protect their health and safety as required by Massachusetts law and regulations. The requirements of the law apply to all public middle and high schools, however configured, serving grades six through high school graduation. In addition to any training required by law, the following persons shall complete one of the head injury safety training programs approved by the Massachusetts Department of Public Health (DPH) as found on its website: coaches; certified athletic trainers; trainers; volunteers; school and team physicians; school nurses; athletic directors; directors responsible for a school marching band; employees or volunteers; and students who participate in an extracurricular activity and their parents.

Upon the adoption of this policy by the school committee, the superintendent shall ensure that the Department of Public Health receives an affirmation on school district letterhead that the district has developed procedures and the school committee has adopted a final policy in accordance with law. This affirmation shall be updated by September 30, 2013 and every two years thereafter upon review or revision of its procedures and policies.

The superintendent shall maintain or cause to be maintained complete and accurate records of the district's compliance with the requirements of the Concussion Law, and shall maintain the following records for three years or, at a minimum, until the student graduates, unless state or federal law requires a longer retention period:

1. Verifications of completion of annual training and receipt of materials;
2. DPH Pre-Participation Forms and receipt of materials;
3. DPH Report of Head Injury Forms, or school-based equivalents;
4. DPH Medical Clearance and Authorization Forms, or school-based equivalents; and
5. Graduated re-entry plans for return to full academic and extracurricular athletic activities.

This policy also applies to volunteers who assist with extracurricular athletic activities. Such volunteers shall not be liable for civil damages arising out of any act or omission relating to the requirements of law, unless such volunteer is willfully or intentionally negligent in his act or omission.

Most student athletes who sustain a concussion can fully recover as long as their brain has time to heal before sustaining another hit; however, relying only on an athlete's self-report of symptoms to determine injury recovery is inadequate as many high school athletes are not aware of the signs and symptoms or the severity concussive injuries pose or they may feel pressure from coaches, parents, and/or teammates to

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<sup>1</sup> Extracurricular Athletic Activity means an organized school sponsored athletic activity generally occurring outside of school instructional hours under the direction of a coach, athletic director or marching band leader including, but not limited to Alpine and Nordic skiing and snowboarding, baseball, basketball, cheerleading, cross country track, fencing, field hockey, football, golf, gymnastics, horseback riding, ice hockey, lacrosse, marching band, rifle, rugby, soccer, skating, softball, squash, swimming and diving, tennis, track (indoor and outdoor), ultimate frisbee, volleyball, water polo, and wrestling. All interscholastic athletics are deemed to be extracurricular athletic activities.

return to play as quickly as possible. One or more of these factors will likely result in under-diagnosing the injury and a premature return to play. Massachusetts General Laws and Department of Public Health regulations make it imperative to accurately assess and treat student athletes when concussions are suspected.

Student athletes who receive concussions may appear to be “fine” on the outside, when in actuality they have a brain injury and are not able to return to play. Incurring a second concussion can prove to be devastating to a student athlete. Research has shown that young concussed athletes who return to play before their brain has healed are highly vulnerable to more prolonged post-concussion syndrome or, in rare cases, a catastrophic neurological injury known as Second Impact Syndrome.

The superintendent’s office will ensure that appropriate head concussion protocols are established. The protocols will discuss and outline what a concussion is, the mechanism of injury, signs and symptoms, management and return to play requirements, as well as information on Second Impact Syndrome and past concussion syndrome.

The head concussion protocols will be provided to all staff on a yearly basis and a synopsis of this policy shall be placed in the student and faculty handbooks. The head concussion protocols will be reviewed on a yearly basis by the athletic department and by the school nursing staff and revised when needed.

LEGAL REFS:           M.G.L. 111:222  
                              105 CMR 201.000

[top](#)

Policy: JK

## **STUDENT CONDUCT**

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

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

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

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

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

LEGAL REF.: M.G.L. [71:37H](#); 71:37H ½; 71:37H ¾; 71:[37L](#); [76:16](#); 76:[17](#)  
603 CMR 53.00

[top](#)

Policy: JKA

## **CORPORAL PUNISHMENT**

State law provides that:

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

LEGAL REF.:       M.G.L. 71:37G

[top](#)

Policy: JKAA

## **PHYSICAL RESTRAINT OF STUDENTS**

It is the policy of the Medway School Committee to provide a safe, productive workplace and educational environment for its employees and students, while ensuring that every student in the Medway Public Schools is free from the unreasonable use of physical restraint. It is the policy of the Medway Public Schools that physical restraint shall be used only in emergency situations, after other less intrusive alternatives have failed or been deemed inappropriate and with extreme caution.

As part of a comprehensive approach to safety, Medway Public Schools has implemented district-wide physical restraint procedures, which are consistent with 603 CMR 46.00. Qualified, trained school personnel carry out specific procedures and parents/guardians are notified, as outlined in the Medway's physical restraint procedures. Under appropriate circumstances, the Department of Elementary and Secondary Education is notified. For further information, contact your child's school.

LEGAL REF.:           603 CMR 46.00

## STUDENT WELFARE

Medway Public Schools (MPS) is dedicated to the goal of protecting our students from child abuse and neglect and to responding effectively to incidents of child abuse and neglect. MPS recognizes local, state, and national efforts to address problems associated with child abuse and neglect and will work cooperatively with all agencies with responsibility for addressing such concerns.

Massachusetts General Laws (M.G.L.) c. 119, § 51 A, requires that certain persons in their professional capacity are mandated to report child abuse and neglect when they have reasonable cause or suspicion to believe that a child under the age of 18 years is suffering physical or emotional injury resulting from abuse that causes harm or substantial risk of harm to the child's health or welfare, including sexual abuse, or from neglect, including malnutrition. All employees of MPS are mandated reporters.

This policy serves to assist all MPS employees to carry out their responsibilities effectively under M.G.L. as well as to establish responsibilities and roles for MPS child protection teams. It also establishes expectations for MPS employees to receive training in both identifying and reporting child abuse and neglect.

### **Definition of Terms:**

- **Neglect** is the failure, either deliberately or through negligence or inability, to take those actions necessary to provide a child with minimally adequate food, clothing, shelter, medical care, supervision, emotional stability and growth, or other essential care. It is understood that such inability is not solely due to inadequate economic resources or solely due to the existence of a handicapping condition. Neglect can occur while the child is in an out-of-home or in-home setting. Permitting a child to be truant or failing to enroll a child in school without providing an alternative program can constitute neglect.
- **Physical abuse** includes infliction, by other than accidental means, of physical harm upon the body of a child.
- **Emotional abuse** refers to excessive, aggressive, or unreasonable behavior by an adult that places demands on a child that are above their capabilities. This may include verbal attacks, humiliation, degradation, and chronic rejection of the child, close confinement of the child, or the permitting or abetting of delinquent behavior.
- **Sexual abuse** refers to any sexual contact between a caretaker and a child or the commission of a sex offense against a child as defined by the criminal laws of the Commonwealth.
- **Verbal sexual harassment** of a child by anyone, including school district employees/volunteers, is recognized as a form of child abuse and a warning sign of actual physical or sexual abuse.

All MPS employees who have reasonable cause or suspicion to believe that a child is suffering physical or emotional injury resulting from abuse or neglect shall report such a belief to the appropriate school or district based administrator.

### **Supervision of Students**

School personnel assigned supervision are expected to act as reasonably prudent adults in providing for the safety of the students in their charge. In keeping with this expected prudence, no teacher or other staff member will leave their assigned group unsupervised except when an arrangement has been made to take care of an emergency. During school hours or while engaging in school-sponsored activities, students will be released only into the custody of parents or other persons authorized in writing by a parent or guardian.

### **Reporting to Authorities - Suspected Child Abuse or Neglect**

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

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

### **Student Safety**

Instruction in courses in industrial arts, science, homemaking, art, physical education, health, and safety will include and emphasize accident prevention. Safety instruction will precede the use of materials and equipment by students in applicable units of work, and instructors will teach and enforce all safety rules set up for the particular courses. These include the wearing of protective eye devices in appropriate activities.

### **Safety on the Playground and Playing Field**

The District shall provide safe play areas. Precautionary measures, which the District requires, shall include: a periodic inspection of the school's playground and playing fields by the Principal of the school and others as may be deemed appropriate; instruction of students in the proper use of equipment; and supervision of both organized and unorganized activity.

### **Fire Drills and Reporting**

The District shall cooperate with appropriate fire departments in the conduct of fire drills. The Principal of any public or private school, containing any of grades 1 to 12, shall immediately report any incident of unauthorized ignition of any fire within the school building or on school grounds, to the local fire department. Within 24 hours, the Principal shall submit a written report of the incident to the head of the fire department on a form furnished by the Department of Fire Services. The Principal must file this report whether or not the fire department responded.

The Superintendent of Schools, or their designee, has the responsibility to ensure that appropriate reporting procedures are implemented in the school system.

### **Complaints**

A person who believes the policy and/ or procedures have not been correctly observed, should contact either of the following MPS administrators:

**Director of Student Services**

Medway Public Schools 45 Holliston Street  
Medway, MA 02053  
Phone: 508-533-3229

or

**Superintendent of Schools**

Medway Public Schools 45 Holliston Street  
Medway, MA 02053  
Phone: 508-533-3153

### **Penalties**

According to M.G.L. c. 119, § 51 A, mandated reporters are immune from civil or criminal liability when they file a report pursuant to their duties. Mandated reporters cannot be discharged, discriminated against or retaliated against by their employers if they, in good faith, make a report or testify in any proceeding involving child abuse or neglect. If any of these things happen, the employer shall be liable.

The statute also states that any person who is legally required to report suspected child abuse, i.e., is a mandated reporter, who fails to do so is subject to a criminal fine. In addition, school employees will be subject to disciplinary action by the school department up to and including dismissal.

[top](#)

Policy: JLA

## **STUDENT INSURANCE PROGRAM**

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

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

[top](#)

Policy: JLC

## **STUDENT HEALTH SERVICES AND REQUIREMENTS**

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

The District recognizes that parent/guardian(s) have the primary responsibility for the health of their students. The school will cooperate with appropriate professional organizations associated with maintaining individual and community health and safety.

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

### Procedures for Emergency at School

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

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

The District shall maintain a Medical Emergency Response Plan, as required by law, and an Emergency Procedures Handbook, which shall be utilized by District personnel for handling emergencies. Emergency procedures shall include the following:

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

### Student Illness or Injury

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

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

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

LEGAL REF.: M.G.L. 71:53;54;54A;54B;55;55A;55B;56; 57; 69:8A

CROSS REF.: EBB, First Aid  
EBC, Emergency Plans  
JLCD, Administering Medication to Students

## PHYSICAL EXAMINATIONS OF STUDENTS

Every student will be examined at school for screening in sight, hearing, height and weight, BMI, and for other physical problems as provided in the law and regulation, except when a family wishes to have the examination done by their own health care provider at their own expense. A record of the results will be kept by the school nurse. Parents and legal guardians shall be provided with an opportunity to request, in writing, that their child's height and weight and BMI not be taken by the school.

Every student will be given a general physical examination four times: upon entering school and upon admittance to the fourth, seventh, and tenth grades. The district encourages that these examinations be conducted by the student's own physician, nurse practitioner or physician's assistant whenever possible. The results of examinations will be a basis for determining what corrective measures or modifications of school activities, if any, should be recommended. A record of all examinations and recommendations will be kept by the school nurse. A student shall be exempt from physical examinations or screenings on religious grounds, upon written request of the parent or legal guardian, except with respect to communicable diseases.

Every candidate for a school athletic team will present the signed consent of parent or guardian in order to participate on a team. The parent or guardian must furnish the school on an annual basis with proof that the student has been examined by his or her own physician, nurse practitioner or physician's assistant and has been cleared to participate in athletics without restriction. Upon request, the school can require that the student be examined by the school physician for clearance prior to athletic participation. A written report stating the fitness of the student to participate signed by a physician, nurse practitioner or physician's assistant will be sent to the school Principal and maintained by the school nurse.

The school physician will make a prompt examination of all children referred to them by the school nurse and who, because of hardship, do not have the ability to have this service performed by the student's own physician, nurse practitioner or physician assistant. They will examine school employees when, in their opinion, the protection of the student's health may require it. Except in an emergency, the school physician will not prescribe for or treat any student.

Whenever the school nurse finds a child suffering from any disease or medical problem, the situation will be reported to the parent or guardian in writing, or by personal visit if remedial treatment is recommended. A copy of the report will be filed at the school.

The school nurse will make a monthly report to the Superintendent of the number of students examined; the number excluded; and the number recommended for treatment or special adjustment of work. In all cases of exclusion or recommendation, the causes will be included in the report.

LEGAL REFS.: M.G.L. 71:53; 71:54; 71:56; 71:57  
105 CMR 200

CROSS REF.: JF, School Admissions

[top](#)

Policy: JLCB

## **IMMUNIZATION OF STUDENTS**

Students entering school for the first time, whether at kindergarten or through transfer from another school district, will be required to present a physician's certificate attesting to immunization against communicable diseases as may be specified from time to time by the Department of Public Health. The only exception to these requirements will be made on receipt of a written statement from a doctor that immunization would not be in the best interests of the child, or by the student's parent or guardian stating that vaccination or immunization is contrary to the religious beliefs of the student or parent/guardian.

LEGAL REF.: M.G.L. 76:15

CROSS REF.: JF, School Admissions

## COMMUNICABLE DISEASES

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

The School Committee recognizes that communicable diseases which may afflict students range from common childhood diseases, acute and short-term in nature, to chronic, life-threatening diseases.

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

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

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

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

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

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

## ADMINISTERING MEDICATION TO STUDENTS

**The Medway School Committee approves the following policy governing administration of medications to students in the schools under its jurisdiction as mandated by 71 M.G.L.54B and the Massachusetts Department of Public Health 105 CMR 210.000, et seq.**

The school nurse shall be the supervisor of the medication administration program in the school. The school nurse shall develop procedures for administering medication to students according to 105 CMR 210.000 [Link](#)

### Exceptions

Following consultation with the school nurse, students who fall into the following exceptions may self-administer medications following the rules for self administration:

1. Students with asthma or other respiratory diseases may possess and self administer prescription inhalers.
2. Students with cystic fibrosis may possess and administer prescription enzyme supplements.
3. Students with diabetes may possess and administer glucose monitoring tests and insulin delivery systems.
4. Students with life threatening allergies may possess and administer epinephrine.

### Rules for Self Administration

A student may self-administer medication after the school nurse has determined that the following requirements are met:

1. The student's health status and abilities have been evaluated by the school nurse who then deems self-administration safe and appropriate.
2. A procedure will be developed for assessing and documenting self-administration.
3. The student's self-administration is monitored based on his/her abilities and health status.
4. With parent/guardian permission, the school nurse may inform appropriate faculty/staff that the student is self-administering a medication.
5. There is written authorization from the student's parent or guardian that the student may self medicate, unless the student has consented to treatment under M.G.L. c. 112, s. 12F [Link](#) or other authority permitting the student to consent to medical treatment without parental permission.
6. If requested by the school nurse, the licensed prescriber provides a written order for self administration.

## **Medication Delegation**

### **Field Trips**

Medway Public Schools may apply for registration with the Massachusetts Department of Public Health (MDPH) per regulations 105 CMR 210.005 E (1) (o), which require the development of a plan for delegation by nurses of medication administration during field trips and short-term special school events. Depending on the nature of the field trip or special event, every effort shall be made to obtain a nurse to accompany a student who requires medication.

### **Epinephrine**

Medway Public Schools is registered with the Massachusetts Department of Public Health (MDPH) for the limited purpose of permitting unlicensed, properly trained school personnel to administer epinephrine (by autoinjector) to students with a diagnosed life threatening allergic condition when a school nurse is not immediately available. Persons authorized to administer epinephrine shall meet the requirements of section 210.004(B)(2) The school nurse shall supervise the training of the designees consistent with the Department of Public Health's requirements in CMR 210.007.

- (1) The school nurse shall document the training and evidence of competency of unlicensed personnel designated to assume the responsibility for medication administration.
- (2) The school nurse shall provide a training review and informational update, at least annually, for those school staff authorized to administer medications.

### **Narcan**

Medway Public Schools in consultation with the school physician will stock nasal naloxone (Narcan). School nurses who are trained in Narcan administration may administer it to a student, staff member, parent/guardian, or visitor who is experiencing a life threatening opiate overdose on school grounds.

LEGAL REFS.: Massachusetts Department of Public Health Regulations 105 CMR 210.000

CROSS REF.: EFAB, Life Threatening Allergy Policy

REF.: American Academy of Allergy, Asthma and Immunology 2021  
<https://www.aaaai.org/conditions-and-treatments/school-tools>

## **STUDENT FEES, FINES, AND CHARGES**

The School Committee recognizes the need for student fees to fund certain school activities. It also recognizes that some students may not be able to pay these fees. While no student will be denied access due to an inability to pay fees, all students will be required to remit charges and fines.

A school may exact a fee or charge only upon Committee approval. The schools, however, may:

**Charge students enrolled in certain courses for the cost of materials used in projects that will become the property of the student.**

**Charge for lost and damaged books, materials, supplies, and equipment.**

Students who are indigent are exempt from paying fees. However, indigent students are not exempt from charges for lost and damaged books, locks, materials, supplies, and equipment.

All student fees and charges, both optional and required, will be listed and described annually in each school's student handbook or in some other written form and distributed to each student. The notice will advise students that fees are to be paid and of the penalties for their failure to pay them. Permissible penalties include the denial of participation in extra class activities and graduation exercises and activities while the student is enrolled in this District.

Any fee or charge due to any school in the District and not paid at the end of the school year will be carried forward to the next succeeding school year, as such debts are considered to be debts of the student to the district and not to a particular school.

## **MEDIA**

Many school events and student accomplishments are publicized through print and electronic media, including local newspapers, local cable television, and the district website.

### **Student School Work**

Student school work, including but not limited to, graphic arts and literary works, may be published on the district website. All published work should relate to curriculum, instruction, and school activities.

### **Electronic Images**

Photographs and video images of students are permitted as it relates to curriculum, instruction, and school activities. Students' addresses, email addresses, phone numbers, or any other personal information will not be included with any photos published in print or electronically by the district, any parent teacher organization, home and school association, special education parent advisory council or any other organization.

### **News Media**

Students participating in a school or classroom activity/event may be photographed or taped electronically by news media. School administrators may deny access to the news media if it is determined to interfere with student learning. Media can be denied the ability to photograph or to electronically tape students, if for any reason it is determined not appropriate by administrators.

### **Permission**

Any parent/guardian who does not wish their student's image to be photographed, displayed electronically or in print should submit a letter to the office of the building principal at the beginning of the school year.

## **STUDENT RECORDS**

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

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

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

LEGAL REFS:           Family Educational Rights and Privacy Act of 1974,  
                              P.L. 93-380, Amended  
                              P.L. 103-382, 1994  
                              M.G.L. 66:10; 71:34A, B, D, E, H  
                              603 CMR 23.00

## **STUDENT PHOTOGRAPHS**

Individual schools may arrange, in cooperation with the school's parent organization, student council, designated student committee, or a staff committee, to take individual student and/or class group pictures.

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

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

The purpose of the policy is to:

**Enhance the safety of students through visual identification in an emergency situation.**

**Facilitate the social, educational, and administrative activities conducted in the school.**

**Provide a service to parents/guardians and students.**

**Allow the profits gained from the picture-taking program to be used by the sponsoring group and authorized by the building Principal.**

CROSS REF.: JR, Media