

APPENDIX - GPS District Policies/Federal & State Laws

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The student handbook includes a range of policies, laws and regulations related to students. For a full listing of all Grafton Public School policies, please go to <https://www.graftonps.org/Page/2457> or contact the central office at 508-839-5421.

1. ACCEPTABLE USE POLICY (GRAFTON SC POLICY: IJNDB)

Introduction

The Grafton acceptable use policy has been developed to provide guidelines for safe, legal, moral, and ethical use of the Grafton Public School’s (the District) technology resources and to meet the requirements of state and federal law (i.e., Children’s Internet Protection Act). In order to comply with CIPA, this document will also serve as the Grafton Public School’s Internet Safety Policy.

This document formalizes the policy for users of the District's technology resources. All staff, students, teachers, administrators, employees, parents, and guests are:

- covered by this policy,
- considered users of technology,
- expected to be familiar with its provisions,
- expected to use technology resources for educational purposes only, and
- expected to comply with its provisions both during and outside of the school day.

Purpose

The District encourages the use of technology to assist staff and students with academic success, preparation for the workplace and lifelong learning, and will supply access to a wide range of information and technology resources to support learning and communicating with others. The use of technology will be used to increase communication, enhance productivity, and assist staff and students in improving existing skills and acquiring new ones.

Content Filtering & Monitoring

As required by law, the District maintains an updated Internet filtering system to ensure students are protected from content that could be considered harmful to minors including, but not limited to, obscene images. When given permission to access previously blocked content, users are expected to report any content found that could be deemed inappropriate. Educators, employees and parents/guardians are expected to monitor students when using District technology resources and intervene if students are using them inappropriately. Additionally, the District reserves the right to monitor, inspect, copy, review, and store, at any time and without prior notice, any and all usage of its technology systems and Internet access including transmitted and received information. Users are advised that emails and messages are regularly archived and can be easily retrieved as required by law.

Education of Students

As required by law, students will participate in lessons and activities designed to teach them "about appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response" (CIPA, 2018).

As a "user" of Grafton Public School's technology resources I will:

<p style="text-align: center;">Digital Citizenship</p> <ul style="list-style-type: none"> ● use appropriate language and graphics. ● not use vulgarities, suggestive, obscene, belligerent, harassing, threatening, or abusive language of any kind. ● use District technology resources for legitimate/legal purposes only. ● be held responsible for posts, messages, and comments shared on social media. 	<p style="text-align: center;">Privacy</p> <ul style="list-style-type: none"> ● keep my usernames and passwords private. ● make passwords secure and change them as needed or as requested. ● not use the username and password or accounts of another. ● respect the privacy of others. ● not share personal information about myself or others (including minors) without authorization. ● not use a camera to record or distribute images or video without authorization from the people involved.
<p style="text-align: center;">Plagiarism / Copyright</p> <ul style="list-style-type: none"> ● not use the unauthorized language and/or thoughts of another author and represent them as my own work. ● adhere to all copyright laws of the United States (P.L. 94-5530) and Congressional Guidelines. ● not copy or download copyrighted material (graphics, movies, music, and text) without the owner's permission. ● cite all digital sources including websites, books, and media. 	<p style="text-align: center;">Malicious Use / Vandalism</p> <ul style="list-style-type: none"> ● not use anonymous proxies to get around the District's content filters to view blocked content. ● not attempt to disrupt, hack, or circumvent any of the District's technology resources. ● not purposely cause physical damage to or otherwise modify District-owned hardware including desktop computers, laptops, Chromebooks, iPads, projectors, and other devices.
<p style="text-align: center;">Devices</p> <ul style="list-style-type: none"> ● maintain care when using District-owned devices. ● immediately report any damage to the technology department. ● not leave technology devices unattended. ● not loan technology devices assigned to me to another student, staff member, friend, or family member. ● return devices upon unenrolling or discontinuing services, and/or upon request. 	<p style="text-align: center;">Financial Responsibility</p> <ul style="list-style-type: none"> ● acknowledge that, even if assigned to me, technology resources (devices and applications) are owned by the Grafton Public Schools. ● be held responsible for damage to devices in my care and understand that I may be asked to replace or pay for a device, including those lost or stolen. ● have the ability to purchase optional insurance as a Grafton High School student.

- Faculty and staff may use personal mobile devices to connect to and access the District's WiFi and Internet only.
- Students may not connect personal devices to the District's WiFi and Internet during the school day. Likewise, the use of personal hotspots by students is prohibited, unless authorized to do so.

2. ATTENDANCE K-12

IMPORTANCE OF REGULAR ATTENDANCE

While Massachusetts requires all students between the ages of 6 and 16 to attend school ([G.L. c. 76. § 1](#)), The Grafton Public School District also recognizes that students who attend school regularly are more likely to have success in school and careers. Research supports the connection between regular attendance and a student's personal, social, and emotional wellness and academic success. When students are not present in school, they miss out on opportunities for social development and often struggle to make adequate academic progress; they may disengage from learning as they get further off-track and may even drop out of school. The impact of missing school is significant. We are committed to working with students and their parents/guardians to promote consistent student attendance and engagement in learning.

K-12 ATTENDANCE POLICY (GRAFTON SC POLICY: JE)

The Grafton School Committee, realizing the importance of regular attendance as a factor in successful academic achievement, does endorse that the only excusable reasons for being absent school are those caused by:

- personal illness
- death in the family/family emergency
- documented medical, dental, legal appointments (including court appearances)
- religious observances
- school-sponsored trips or representing Grafton Public Schools at a school activity
- college interviews/visitations (per the High School handbook)
- extenuating circumstances with the approval of administration

Students absent for any of the above reasons will be provided the opportunity to make up missed work.

Parents are requested to notify the school the morning of the absence. In addition, the school requires a note, signed by the parent/guardian, to be sent with the student on the day of return stating the date and reason for the absence. Absence notes are kept on file.

This policy represents the minimal attendance policy of the Grafton Public Schools. Each level of school (elementary, middle and high school) may have more stringent attendance policies per parent/student handbook guidelines.

SUPPORTING STUDENTS AND FAMILIES WITH ATTENDANCE

We are committed to supporting students and families with attendance. As such, we will...

- Raise awareness. Help students, staff, and the community understand the importance of attendance and the long-term effects of chronic absenteeism.
- Understand the reason for the absences. Take time to work with students and families to understand and address the reason that the student may not be attending school consistently.
- Report and study absenteeism data. Identify students at high risk and the most prevalent causes of absenteeism to help create evidence-based solutions to attendance problems.

- Develop trauma-informed practices. Work with staff to provide professional development on trauma-informed practices. For students who have suffered trauma, this can be a contributing factor to absenteeism.
- Set clear expectations. Provide clear guidelines and expectations about attendance to students and their families.
- Schedule a meeting or visit with family. Reach out to families personally to develop individualized attendance plans for students and families.
- Recognize good attendance. Celebrate students with good attendance to create a positive environment that encourages regular student attendance.
- Implement intervention programs. Provide counseling, mentorship, and/or behavioral interventions when necessary to support positive attendance at school.
- Engage with specialists for case management. Build connections with specialists who might be able to offer assistance including child welfare agency staff, mental health professionals, or other social support system employees.

ATTENDANCE INTERVENTIONS & SERVICES

The following are steps that the school will take when a situation arises in which a student is struggling to attend school on a regular basis.

Level One: When a student reaches 5 unexcused absences in a year, a letter will be sent out to the student's parents/guardian(s). The intention of this letter is to notify the family of the absences, review the attendance policy, and advise the family that the student is at risk for requiring an intervention that would necessitate a school meeting.

Level Two: If the student continues to struggle to attend school regularly (absent, tardy, or dismissed) and the number of unexcused absences reaches 10 in the school year, a school meeting will be mandatory. The meeting could include the parent/guardian(s), student, principal or designee, and other support staff. An attendance plan will be developed and implemented to monitor the student's attendance.

Additionally, during the meeting, a determination will be made whether a 51A (DCF) or CRA (Juvenile Court) is necessary at that time.

Under Chapter 119, section 51A of the Massachusetts General Laws, a report can be filed on behalf of a child under the age of eighteen for educational neglect if a child is not attending school on a regular basis. This report of suspected Child Abuse or Neglect, commonly referred to as a 51A, is filed with the Department of Children and Family Services. By law, school personnel are mandated reporters.

Under M.G.L. c. 119, § 21, a child may be eligible for "Child Requiring Assistance" services through the juvenile court system if the child: repeatedly runs away from the home of a parent or legal guardian; repeatedly fails to obey the lawful and reasonable commands of a parent or legal guardian, thereby

interfering with the parent's or legal guardian's ability to adequately care for and protect the child; repeatedly fails to obey lawful and reasonable school regulations, or is "habitually truant." A school-aged child is "habitually truant" when not otherwise excused from attendance in accordance with lawful and reasonable school regulations, and willfully fails to attend school for more than 8 school days in a quarter. The school can assist parents with pursuing "CRA" services and support.

Level Three: The Massachusetts Department of Elementary and Secondary Education defines chronically absent as missing at least 10% of days enrolled (18 days) regardless of whether the absences are considered excused, unexcused and/or for disciplinary reasons. Being chronically absent can have a significant impact on a student's ability to read at grade level, perform academically, and graduate on time. Therefore, if a student has accumulated a total of eighteen (18) unexcused absences, a 51A (DCF) or CRA (juvenile court) may be filed. The student and family would be expected to work with the principal or designee to assure compliance with school attendance laws. It would be up to DCF or the Court to determine if further interventions or consequences beyond the school would be necessary.

3. POLICY ON NON-DISCRIMINATION (GRAFTON SC POLICY: AC)

It is the policy of the Grafton School District (File AC - Nondiscrimination) not to discriminate in its educational programs, services, activities, or employment practices on the basis of race, color, sex, gender identity, religion, national origin, sexual orientation, homelessness, age, disability, and any other class or characteristic protected by law.

Inquiries regarding the District's compliance with Title IX and other Civil Rights laws may be directed to the following:

Title IX/Civil Rights Coordinator	IDEA/504/Homeless Coordinator	Other Resources
Mande Lape Director of Human Resources lapem@grafton.k12.ma.us Phone: 508-839-5421	Nicole MacDonald Director of Special Education macdonaldn@grafton.k12.ma.us Phone: 508-839-5421	U.S. Department of Education, Office for Civil Rights 33 Arch Street Boston, MA 02110 Phone: (617) 289-0111 Fax: (617) 289-0150

4. HAZING

Hazing of students is prohibited by state law and is defined as any conduct or method of initiation into any student organization, which willfully or recklessly endangers the physical or mental health of the student.

Any student who violates the following hazing laws will be subject to disciplinary action.

In compliance with our requirement to provide each student with a written copy of the law forbidding hazing, we include the text of Chapter 269, S. 17-19. MGL:

SECTION 17

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

The term "hazing" as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation. Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action.

SECTION 18

Whoever knows that another person is 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.

SECTION 19

Each secondary school and each public and private school or college shall issue to every group or organization under its authority or operating on or in conjunction with its campus or school, and to every member, plebe, pledge, or applicant for membership in such group or organization, a copy of this section and sections seventeen and eighteen. An officer of each such group or organization, and each individual receiving a copy of said sections seventeen and eighteen shall sign an acknowledgment stating that such group, organization or individual has received a copy of said sections seventeen and eighteen.

Each secondary school and each public or private school or college shall file, at least annually, a report with the regents of higher education and in the case of secondary schools, the Board of Education, certifying that such institution has complied with the provisions of this section and also certifying that said school has adopted a disciplinary policy with regards to the organizers and participants of hazing. The Board of Regents and, in the case of secondary schools, 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 a report.

5. BULLYING PREVENTION POLICY (GRAFTON SC POLICY: JICFB)

W GPS Bullying Prevention/Intervention Plan.docx

The School Committee is committed to providing a safe, positive and productive educational environment where students can achieve the highest academic standards. No student shall be subjected to harassment, intimidation, bullying, or cyber-bullying.

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

- causes physical or emotional harm to the target or damage to the target's property;
- places the target in reasonable fear of harm to themselves, or of damage to their property;
- creates a hostile environment at school for the target;
- infringes on the rights of the target at school; or
- materially and substantially disrupts the education process or the orderly operation of a school.

"Cyber-bullying" means bullying through the use 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.

Cyber-bullying shall also include the creation of electronic medium 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.

Cyber-bullying 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 cyber-bullying may occur in and out of school, during and after school hours, at home and in locations outside of the home. When bullying and cyber-bullying are alleged, the full cooperation and assistance of parents/guardians and families are expected.

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

Bullying is prohibited:

- On school grounds;
- On property immediately adjacent to school grounds;
- At school-sponsored or school-related activities;
- At 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 school district; or,
- Through the use of technology or an electronic device owned, leased or used by the school district;

Bullying and cyber-bullying are 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 school district if the act or acts in question:

- create a hostile environment at school for the target;
- infringe on the rights of the target at school; and/or
- materially and substantially disrupt the education process or the orderly operation of a school.

Prevention and Intervention Plan

The Superintendent and/or their designee shall oversee the development of a prevention and intervention plan, in consultation with all district stakeholders, which may include teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents and guardians, consistent with the requirements of this policy, as well as state and federal laws. The bullying prevention and intervention plan shall be reviewed and updated at least biennially.

 [GPS Bullying Prevention/Intervention Plan.docx](#)

The Principal is responsible for the implementation and oversight of the bullying prevention and implementation plan within his or her school.

Reporting

Students, who believe that they are a target of bullying, observe an act of bullying, or who have reasonable grounds to believe that these behaviors are taking place, are obligated to report incidents to a member of the school staff. The target shall, however, not be subject to discipline for failing to report bullying.

Each school shall have a means for anonymous reporting by students of incidents of bullying. No formal disciplinary action shall be taken solely on the basis of an anonymous report.

Any student who knowingly makes a false accusation of bullying shall be subject to disciplinary action. Parents or guardians, or members of the community, are encouraged to report an incident of bullying as soon as possible.

A member of a school staff shall immediately report any instance of bullying the staff member has witnessed or become aware of to the school principal or their designee.

Investigation Procedures

The Principal or their designee, upon receipt of a viable report, shall promptly contact the parents or guardians of a student who has been the alleged target or alleged perpetrator of bullying. The actions being taken to prevent further acts of bullying shall be discussed.

The school Principal or a designee shall promptly investigate the report of bullying, using a Bullying/Cyber-bullying Report Form which may include interviewing the alleged target, alleged perpetrator, staff members, students and/or witnesses.

Support staff shall assess an alleged target's needs for protection and create and implement a safety plan that shall restore a sense of safety for that student.

Confidentiality shall be used to protect a person who reports bullying, provides information during an investigation of bullying, or is witness to or has reliable information about an act of bullying.

If the school Principal or a designee determines that bullying has occurred they shall take appropriate disciplinary action and if it is believed that criminal charges may be pursued against the perpetrator, the principal shall consult with the school's resource officer and the

Superintendent to determine if criminal charges are warranted. If it is determined that criminal charges are warranted, the local law enforcement agency shall be notified.

The investigation shall be completed within fourteen school days from the date of the report.

The parents or guardians shall be contacted upon completion of the investigation and informed of the results, including whether the allegations were found to be factual, whether a violation of this policy was found, and whether disciplinary action has or shall be taken. At a minimum the Principal or their designee shall contact the parents or guardians as to the status of the investigation on a weekly basis.

Disciplinary actions for students who have committed an act of bullying or retaliation shall be in accordance with district disciplinary policies.

Each school shall document any incident of bullying that is reported per this policy and a file shall be maintained by the Principal or designee. A monthly report shall be provided to the Superintendent. Confidentiality shall be maintained to the extent consistent with the school's obligations under law.

Retaliation

Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying, shall be prohibited.

Target Assistance

The school district shall provide counseling or referral to appropriate services, including guidance, academic intervention, and protection to students, both targets and perpetrators, affected by bullying, as necessary.

Training and Assessment

Annual training shall be provided for school employees and volunteers who have significant contact with students in preventing, identifying, responding to, and reporting incidents of bullying.

Age-appropriate, evidence-based instruction on bullying prevention shall be incorporated into the curriculum for all K to 12 students.

Publication and Notice

Annual written notice of the relevant sections of the bullying prevention and intervention plan shall be provided to students and their parents or guardians, in age-appropriate terms.

Annual written notice of the bullying prevention and intervention plan shall be provided to all school staff. The faculty and staff at each school shall be trained annually on the bullying prevention and intervention plan applicable to the school.

Relevant sections of the bullying prevention and intervention plan relating to the duties of faculty and staff shall be included in the school employee handbook.

The bullying prevention and intervention plan shall be posted on the school 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
CROSS REFS.: AC, Nondiscrimination

6. HARASSMENT/DISCRIMINATION (Grafton SC Policy: JBA)

Introduction

It is the goal of the Grafton School District to provide equal employment opportunity for all employees, to prevent any unlawful discrimination or harassment, including sexual harassment, of any individual working at or attending our schools, and to provide a mechanism by which individuals can bring any concerns about discrimination or harassment to the District’s attention.

This policy is in effect while students/employees are on school grounds or property within the jurisdiction of the School District such as on school buses, or attending or engaging in school-related activities.

We expect all individuals to treat each other with dignity and respect. We are committed to maintaining a safe and secure environment in which staff and students are all treated with respect. The Grafton School District will not condone or tolerate any harassment, discrimination, or different treatment, of or among staff or students based upon characteristics that include but are not limited to:

- Race
- Color
- National Origin
- Sex
- Gender Identity
- Religion
- Sexual Orientation

Not only does the Grafton School District prohibit discriminatory treatment of its staff and students by supervisors and administrators, we also will not tolerate discriminatory treatment among staff or among students, including harassment.

Each student and employee of the Grafton Public Schools is personally responsible for ensuring that his/her conduct does not harass any other employee or student in schools. Each employee/student, including the Superintendent of Schools and Principals, is responsible for cooperating in any investigation of alleged harassment if requested to do so by the person conducting the investigation.

Any individual who prevents or attempts to prevent an individual from making a complaint of harassment, or fails to cooperate with or interferes in any way with the investigation of such a complaint, will be subject to disciplinary action.

Harassment and Retaliation

Harassment, including sexual harassment, in any form or for any reason is absolutely forbidden and violates Title VI of the Civil Rights Act of 1964, Title IX of the Civil Rights Act of 1972, G.L. c.151B, and c.278s 3A of the Acts of 1996. The Grafton School District will not tolerate retaliation against any individual who has brought harassment or other inappropriate behavior to our attention. Retaliation is strictly forbidden, and if any individual is found to have retaliated against any individual for filing a complaint and/or cooperating in the investigation of any complaint, such action shall be grounds for separate discipline.

Harassment includes verbal or physical conduct which may or does offend, denigrate, or belittle any individual because of, or due to, any of the characteristics listed above. Such conduct includes pictures, jokes, comments, innuendoes, graffiti, or any other behavior, which creates an environment which is offensive and impairs the ability of the employees to work and students to learn.

The School District recognizes that employees and students have legal rights under Massachusetts and federal anti-discrimination laws that are not superseded by this policy.

The student and the employee retain all state and federal protection throughout a harassment investigation and both can seek the remedies afforded them by state and federal law at any time. The School District will respect the confidentiality of the complainant and the individual(s) against whom the complaint is filed as much as possible, but the need for confidentiality must be balanced with the need to investigate allegations of harassment thoroughly and to take disciplinary action when prohibited conduct has occurred.

Definitions

While all types of harassment are prohibited, sexual harassment requires particular attention.

Massachusetts General Laws, Chapter 151B, Section 1 (18):

The term "sexual harassment" shall mean sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when; (a) submission to or rejection of such advance, requests or conduct is made either explicitly or implicitly a term of condition of employment or as a basis for employment decisions; (b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive environment. Discrimination on the basis of sex shall include, but not be limited to sexual harassment.

Massachusetts General Laws, Chapter 151C, Section 1(e):

Sexual harassment means any sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when; (i) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of the provision of the benefits, privileges or placement services or as a basis for the evaluation of academic achievement; or (ii) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's education by creating an intimidating, hostile, humiliating or sexually offensive education environment.

Title VII of the 1964 Civil Rights Act:

Unwelcome sexual advances, requests for sexual favors and other verbal and physical conduct of a sexual nature constitute sexual harassment when; (1) submission to such conduct is made a term or condition of employment, (2) submission or rejection of such conduct is used as a basis for employment decisions, or (3) such conduct unreasonably interferes with work performance, or creates an intimidating, hostile or offensive working environment.

Examples of Sexual Harassment:

Sexual harassment may include but is not limited to:

1. Verbal harassment or abuse;
2. Subtle unwelcome pressure for sexual activity;
3. Inappropriate patting or pinching;
4. Intentional unwelcome brushing against an employee's (co-workers) or student's body;
5. Demanding sexual favors accompanied by implied or overt threats concerning an individual's employment or educational status;
6. Demanding sexual favors accompanied by implied or overt promises of preferential treatment with regard to an individual's employment or educational status;
7. Any sexually motivated unwelcome touching;
8. Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life;
9. Comments about an individual's body;
10. Comments about an individual's sexual activity, deficiencies, or prowess;
11. Displaying sexually suggestive objects, pictures, cartoons;
12. Unwelcome leering, whistling, sexual gestures, suggestive or insulting comments;
13. Inquiries into one's sexual experiences;
14. Discussion of one's sexual activities.

Investigation

The Harassment Investigator is the person appointed by the School Committee to investigate charges of harassment. The Harassment Investigator shall be a person both employees and students feel comfortable approaching with such a charge. The Grafton Public School District's Harassment Investigator and Title IX Coordinator is:

Mandee Lape
30 Providence Road
Grafton, MA 01519
508-839-5421

The Superintendent will be authorized to appoint a temporary substitute Harassment Investigator, if necessary.

7. TOBACCO USE (GRAFTON SC POLICY JICG)

In accordance with Massachusetts General Laws, Chapter 71, Section 2A, "An Act Prohibiting the Use of Tobacco in the Public Schools," making it unlawful for students to smoke or use tobacco products in public schools or on school grounds, the Grafton School Committee strictly prohibits smoking or the use of tobacco products such as chewing tobacco and snuff by students in school buildings or other school property, including school buses, at any events or activities under school supervision. The "No Smoking" rule applies to cigarettes, cigars, chewing tobacco, snuff, and/or any other smokeless tobacco products.

Possession and/or lighting of any incendiary device, which includes, but is not limited to firecrackers, smoke bombs or matches and lighters in and around the school building and grounds or buses, is prohibited.

Use or possession of tobacco products and/or incendiary devices may result in disciplinary action by school officials, including possible suspension, exclusion or expulsion.

8. ALCOHOL/DRUG POSSESSION OR USE BY STUDENTS (GRAFTON SC POLICY: JICH)

The Grafton Public Schools is committed to promoting the safety and general welfare of our students. A student shall not, regardless of the quantity, use or consume, possess, buy or sell, or give away any beverage containing alcohol; any tobacco product, including 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. In furtherance of that commitment, the Grafton Public Schools administration may administer a breathalyzer test to students and guests, as a condition of admission or upon reasonable suspicion of alcohol use at school sponsored events which may include but are not limited to proms, dances, concerts, overnight activities, field trips athletic events, etc..

Additionally, any student, regardless of age, who possesses or uses drugs or alcohol at school, on school buses, or at a school-sponsored activity will 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 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.

9. FIREARMS (CH.269, S.10)

Whoever, not being a law enforcement officer, and notwithstanding any license obtained by him under the provisions of chapter one hundred and forty, carries on his person a firearm as hereinafter defined, loaded or unloaded, in any building or on the grounds of any secondary school, college or university without the written authorization of the board or officer in charge of such secondary school, college or university shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than a year, or both. For the purpose of this paragraph, "firearm" shall mean any pistol, revolver, rifle, or smoothbore arm from which a shot, bullet or pellet can be discharged by whatever means. Amended by St. 1987, CH.150, S.2. (This includes paintball guns)

11. DANGEROUS WEAPON, ASSAULT, FELONY COMPLAINT

Mass. General Laws Chapter 71, Section 37H, and Section 37H1/2 as amended by Section 36 of Chapter 71 of the Acts of 1993 (the Education Reform Act), and further amended by Section 1 of Chapter 380 of the Acts of 1993.

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

b. Any student who assaults a principal, assistant principal, teacher, teacher's aide, or other educational staff on school premises or at school-sponsored or school-related events, including athletic games, may be subject to 14 expulsion from the school or school district by the principal.

c. Any student who is charged with a violation of either paragraph A or B shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the principal. After said hearing, a principal may, at his discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraph a or b.

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

e. The superintendent of the school district to which the application is made may request and shall receive from the superintendent of the school expelling said student a written statement of the reasons for said expulsion.

12. SEARCHES BY ADMINISTRATION/POLICE INTEROGATIONS (GRAFTON SC POLICY: JIH)

The school administration retains control over lockers which are lent to students for purposes of storage of school-related materials only. The Administration also regulates admission and parking of automobiles on school grounds. The administration therefore has the right and duty to inspect and search students' lockers as well as automobiles belonging to both students and non-students if the administration reasonably suspects, upon information received from law enforcement officials or other sources, that drugs, weapons, dangerous illegal or prohibited matter, or goods stolen from school or from members of the staff or student body are likely to be found therein. In exercise of the school's duty to enforce school discipline and to protect the health and safety of the student and/or the student body, the administration also has the right and duty to search a student's person or belongings if there is a high degree of suspicion that drugs, weapons, dangerous, illegal or prohibited matter, or stolen goods are likely to be found on the student's person or belongings. The items of such a search may be turned over to law enforcement officials for inspection, and may be the subject of school disciplinary hearings or criminal or juvenile court prosecution.

Interrogations by Police

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. A police officer with a warrant, or in connection with an arrest, may open and search a locker. The Building Principal or his/her designated representative should be present at the time of the search. The parents/guardian of any student subject to a police search must be notified by the Principal or his/her representative as soon as possible. Such notification shall not interfere with the police investigation or arrest process.
2. When law enforcement officials find it necessary to question students during the school day or periods of extracurricular activities, the School Principal or his/her designee will be present. An effort will be made to contact the student's parent or guardian so that the responsible individual may be notified of the situation.

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 and will inform the Superintendent of this action.

13. STUDENT RECORD REGULATIONS (GRAFTON SC POLICY: JRA)

The Grafton Public Schools shall comply with the laws and court decisions and the regulations developed by the State Department of Education relating to the maintenance and distribution of student records.

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

The Family Education Rights and Privacy Act (FERPA) and the Massachusetts Student Records Regulations afford parents and students over 14 years of age certain rights with respect to the student's education records. Parents and students can obtain a complete copy of their rights under the Massachusetts Student Records regulations by contacting the school principal.

Such rights include:

- the right to inspect and review the student's education records within 45 days of the day the district receives a request for access. Parents or eligible students should submit to the school principal a written request that identifies the record(s) they wish to inspect. The principal will

make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.

- the right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading. Parents or eligible students may ask their school district to amend a record that they believe is misleading or inaccurate. If the District decides not to amend the part of the record in which change is requested by the parent or student, the District will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
- the right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA, the Federal Act of 2001 ("No Child Left Behind"), and the Massachusetts Regulations authorize disclosure without consent. One exception which permits disclosure without consent is disclosure to school officials with legitimate educational interests. A school official is a person employed by the District as administrator, supervisor, instructor, consultant, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Committee; a person or company with whom the District has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the District discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.
- the right to file a complaint with the US Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-4605.

14. SCHOOL DISCIPLINE

DEFINITIONS FOR SCHOOL DISCIPLINE

For the purpose of the Grafton Regional High School discipline code, the school adopts the definitions approved under 603 CMR 53.00, which stipulates the purposes and definitions of specific types of offenses and consequences.

1. **Disciplinary offense** means any alleged or determined disciplinary infraction by a student, *except for*: a) possession of a dangerous weapon; b) possession of a controlled substance; c) assault on a member of the educational staff; or d) a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, or if the principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school, as provided in M.M.G.L. c71, §§37H or 37H ½.
2. **Disciplinary offense under M.G.L. c71, §§37H or 37H ½** means one or more of the following alleged or determined disciplinary infractions: a) possession of a dangerous weapon; b) possession of a controlled substance; c) assault on a member of the educational staff; or d) a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if the principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school, as provided in M.G.L. c71, §§37H or 37H ½.
3. **Expulsion** means the removal of a student from the school premises, regular classroom activities, and school activities for more than ninety (90) school days, indefinitely, or permanently, as permitted under M.G.L. c71, §§37H or 37H ½.
4. **In-School Suspension** means the removal of a student from regular classroom activities, but not from the school premises, for no more than (10) consecutive school days, or no more than ten (10) school days cumulatively for multiple infractions, consecutively or cumulatively during a school year. Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days. In-school suspension for ten (10) days or less, consecutively or cumulatively during a school year, shall not be considered a short-term suspension. If a student is placed in in-school suspension for more than 10 days, it shall be deemed a long-term suspension for due process, appeal, and reporting purposes.
5. **Long-term suspension** means the removal of a student from the school premises and regular classroom activities for more than ten (10) consecutive school days, or for more than ten (10) days cumulatively for multiple offenses during a single school year. The principal may allow a student to serve a long-term suspension in school. Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days. No long-term suspension shall extend beyond the end of the school year in which such suspension is imposed.
6. **Short-term suspension** means the removal of a student from the school premises and regular classroom activities for ten (10) consecutive school days or less. The principal may allow a student to serve a short-term suspension in school. Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days.
7. **Suspension** means short-term and long-term suspension, unless otherwise stated.

CONSIDERATION OF ALTERNATIVE REMEDIES (MGL c71, §37H ¾) as Amended November 2022)

Any principal, headmaster, superintendent or person acting as a decision-maker at a student meeting or hearing, when deciding the consequences for the student, shall consider ways to re-engage the student

in the learning process; and shall not suspend or expel a student until alternative remedies have been employed and their use and results documented, following and in direct response to a specific incident or incidents, unless specific reasons are documented as to why such alternative remedies are unsuitable or counter-productive, and in cases where the student's continued presence in school would pose a specific, documentable concern about the infliction of serious bodily injury or other serious harm upon another person while in school. Alternative remedies may include, but shall not be limited to: (i) mediation; (ii) conflict resolution; (iii) restorative justice; and (iv) collaborative problem solving. The principal, headmaster, superintendent or person acting as a decision-maker shall also implement school- or district-wide models to re-engage students in the learning process which shall include but not be limited to: (i) positive behavioral interventions and supports models and (ii) trauma sensitive learning models; provided, however, that school- or district-wide models shall not be considered a direct response to a specific incident.

NOTICE OF POTENTIAL SUSPENSION AND HEARING (M.G.L. c. 71, §37H ¾)

1. A suspension will only be imposed as a consequence for a disciplinary offense after the student and parent/guardian have been provided oral and written notice, and the student has been provided an opportunity for a hearing on the charge and the parent/guardian the opportunity to participate in such hearing.
2. For any disciplinary offense that could result in a suspension, a student shall be provided oral and written notice to the student in plain language:
 - a. The disciplinary offense;
 - b. The basis for the charge;
 - c. The potential consequences, including the potential length of the student's suspension;
 - d. The opportunity for the student to have a hearing with the principal concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident, and for a parent/guardian to attend the hearing;
 - e. The date, time, and location of the hearing;
 - f. The right of the student and student's parent/guardian to interpreter services at the hearing if needed to participate;
 - g. If the student may be placed on long-term suspension following the hearing with the principal:
 - i. The rights set forth in 603 CMR 53.08 (3)(b) and
 - ii. The right to appeal the principal's decision with the superintendent.
3. The principal shall make a reasonable effort to notify the parent/guardian orally of the opportunity to attend the hearing. To conduct a hearing without a parent/guardian present, the principal must be able to document reasonable efforts to include the parent/guardian.

4. Written notice to the parent/guardian may be made by hand delivery, first-class mail, certified mail, email to the address provided by the parent/guardian for school communications, or any other method of delivery agreed to by the parent/guardian and principal.

EMERGENCY REMOVAL FROM SCHOOL (MGL c71, §37H ¾)

1. The principal shall not be prevented from removing 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 to alleviate the danger or disruption. The temporary removal shall not exceed two (2) school days, following the day of the emergency removal, during which time the school shall:
 - a. Make immediate and reasonable efforts to orally notify the student and the student's parent/guardian of the emergency removal, the reason for the need of said removal, and the other matters set forth above.
 - b. Provide written notice to the student and parent/guardian, as noted above.
 - c. Provide the student with an opportunity for a hearing with the principal and the parent/guardian the opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for the hearing is otherwise agreed to by the principal, student, and parent/guardian.
 - d. Render a decision orally on the same day as the hearing, and in writing no later than the following school day.
2. A student will not be removed from school on an emergency basis until adequate provisions have been made for the student's safety and transportation.

HEARING WITH THE PRINCIPAL (MGL c. 71, §37H ¾)

In the case of Potential Short-Term Suspension

1. The purpose of the hearing with the principal is 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 603 CMR 53.05. 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.

2. Based on the available information, including mitigating circumstances, the principal shall determine whether the student committed the disciplinary offense, and, if so, what remedy or consequence will be imposed.
3. 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 provided in 603 CMR 53.13(1). The determination shall be in writing and may be in the form of an update to the original written notice.

In the case of Potential Long-Term Suspension

1. The purpose of the long-term suspension hearing with the principal is the same as with the short-term suspension hearing.
2. In addition to the rights outlined for the short-term suspension hearing, the student shall have the following rights:
 - a. 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;
 - b. The right to be represented by counsel or a layperson in the student's choice, at the student's/parent's/guardian's expense;
 - c. 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; and
 - d. The right to cross-examine witnesses presented by the school district;
 - e. The right to request that the hearing be recorded by the principal and a copy of the audio recording will be provided to the student or parent/guardian upon request. If said request is made, the principal shall inform all participants before the hearing that an audio record will be made a copy provided to the parent/guardian and student upon request.
3. The principal shall provide the parent/guardian, 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.
4. Based on the evidence, the principal shall determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension as set forth in 603 CMR 53.05, 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/guardian by hand-delivery, certified mail, first-class mail, email to the address provided by the parent/guardian for school communications, or any other method of delivery agreed to by the principal and the parent/guardian. If the principal decides to suspend the student, the written determination shall:

- a. Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing;
- b. Set out the key facts and conclusions reached by the principal;
- c. Identify the length and effective date of the suspension, as well as a date of return to school;
- d. Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school;
- e. 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, or other means of communication where appropriate, and shall include the following information stated in plain language:
 - i. the process for appealing the decision, including that the student or parent/guardian must file a written notice of appeal with the superintendent within 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/guardian 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
 - ii. the long-term suspension will remain in effect unless and until the superintendent decides to reverse the principal's determination on appeal.

STUDENTS CHARGED WITH OFFENSES UNDER MGL CH 71 S 37H

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

(b) Any student who assaults a principal, assistant principal, teacher, teacher's aide or other educational staff on school premises or at school-sponsored or school-related events, including athletic games, may be subject to expulsion from the school or school district by the principal.

(c) Any student who is charged with a violation of either paragraph (a) or (b) shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the principal. After said hearing, a principal may, in his discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraph (a) or (b).

(d) Any student who has been expelled from a school district pursuant to these provisions shall have the right to appeal to the superintendent. The expelled student shall have ten days from the date of the expulsion in which to notify the superintendent of his appeal. The student has the right to counsel at a

hearing before the superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section.

STUDENTS CHARGED WITH A FELONY (MGL CH71 S37H1/2)

Upon the issuance of a criminal complaint charging a student with a felony or upon the issuance of a felony delinquency complaint against a student, the principal or headmaster of a school in which the student is enrolled may suspend such student for a period of time determined appropriate by said principal or headmaster if said principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and the reasons for such suspension prior to such suspension taking effect. The student shall also receive written notification of their right to appeal and the process for appealing such suspension; provided, however, that such suspension shall remain in effect prior to any appeal hearing conducted by the superintendent.

STUDENTS CONVICTED OF A FELONY (MGL CH71 S37H1/2)

Upon a student being convicted of a felony or upon an adjudication or admission in court of guilt with respect to such a felony or felony delinquency, the principal or headmaster of a school in which the student is enrolled may expel said student if such principal or headmaster determines that the student's continued presence in school would have substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and reasons such expulsion prior to such expulsion taking effect. The student shall also receive written notification of their right to appeal and the process for appealing such expulsion; provided, however, that the expulsion shall remain in effect prior to any appeal hearing conducted by the superintendent.

HEARING WITH THE SUPERINTENDENT (IN THE CASE OF LONG-TERM SUSPENSION) (MGL c. 71, § 37H¾)

1. 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.
2. The student or parent/guardian shall file a notice of appeal with the superintendent within five calendar days of the effective date of the long-term suspension. If the appeal is not timely filed, the superintendent may deny the appeal or may allow the appeal in their discretion, for good cause.
3. The superintendent shall hold the hearing within three (3) school days of the student's request unless the student or parent/guardian requests an extension of up to seven (7) additional calendar days, in which case the superintendent shall grant the extension.

4. The superintendent shall make a good faith effort to include the parent/guardian 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/guardian and superintendent to participate. The superintendent shall send written notice to the parent/guardian of the date, time, and location of the hearing.
5. 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/guardian 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/guardian upon request.
6. The student shall have all the rights afforded the student at the principal's hearing for long-term suspension as outlined above.
7. The superintendent shall issue a written decision within five (5) calendar days of the hearing. 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.
8. The decision of the superintendent shall be the final decision of the school with regard to the suspension.

IN-SCHOOL SUSPENSION (MGL c. 71, § 37H¾)

1. The principal may use in-school suspension as an alternative to short-term suspension for disciplinary offenses.
2. The principal may impose an in-school suspension for any disciplinary offense under this provision, provided that the principal follows the processes set forth below and the student has the opportunity to make academic progress.
3. The principal shall inform the student of the disciplinary offense charged and the basis for the charge, and provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident. If the principal determines that the student committed the disciplinary offense, the principal shall inform the student of the length of the student's in-school suspension, which shall not exceed 10 days, cumulatively or consecutively, in a school year.

4. On the same day as the in-school suspension decision, the principal shall make reasonable efforts to notify the parent/guardian orally of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension. The principal shall also invite the parent/guardian to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. Such a meeting shall be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the principal is unable to reach the parent/guardian after making and documenting at least (2) attempts to do so, such attempts shall constitute reasonable efforts for purposes of orally informing the parent/guardian of the in-school suspension.
5. The principal shall send written notice to the student and parent/guardian about the in-school suspension, including the reason and the length of the in-school suspension, and invite the parent(s)/guardian(s) to a meeting with the principal for the purpose set forth above if such meeting has not already occurred. The principal shall deliver such notice on the day of the suspension by hand-delivery, certified mail, first-class mail, email to the address provided by the parent/guardian for school communications, or by another method of delivery agreed to by the principal and the parent/guardian.

EDUCATION SERVICES AND ACADEMIC PROGRESS WHILE SUSPENDED

Any student who is serving an in-school suspension, short-term suspension, long-term suspension, or expulsion shall have the opportunity to earn credits, as applicable, makeup 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/guardian of this opportunity in writing when such suspension or expulsion is imposed.

1. 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.
2. The principal shall develop a school-wide education 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/guardians 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.
3. The principal shall notify the parent/guardian 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.

PROCEDURES FOR SUSPENSION(S) NOT EXCEEDING 10 SCHOOL DAYS FOR STUDENTS WITH DISABILITIES

Any student with a disability may be suspended for up to ten (10) school days during a school year. Disciplinary decisions are the same as for students without disabilities and in accordance with the due process procedures in this handbook. The school provides additional procedural safeguards for students with disabilities prior to any suspension beyond 10 consecutive days or more than 10 cumulative days (if there is a pattern of suspension) in any school year.

PROCEDURES FOR SUSPENSION(S) EXCEEDING 10 SCHOOL DAYS FOR STUDENTS WITH DISABILITIES

- If your child is suspended for more than 10 school days in a school year, this removal may be considered a “change of placement”. A change of placement invokes certain procedural protections under federal special education law and Section 504.
- Federal law defines a “change of placement” as:
 - Removal for more than 10 consecutive school days; OR
 - A series of removals that constitute a pattern 1) because the series of removals total more than 10 cumulative days in a school year; 2) because the student’s behavior is substantially similar to that in previous incidents that resulted in the series of removals; and 3) because of such additional factors as the length of each removal, the total amount of time the student has been removed, and the proximity of the removals to one another. Please note that determination of whether a pattern of removals is a “change of placement” is made by the District.
- Prior to any removal that constitutes a change in placement, the school must convene a meeting to determine whether or not the behavior that forms the basis of the disciplinary action is manifestation of your child’s disability. Parents have a right to participate in this meeting. At the meeting, all relevant information will be considered including the IEP or Section 504 Plan, teacher observations, and evaluations reports.
- Within 10 school days of any decision to change the placement of a child with a disability because of a violation of a code of student conduct, the LEA, the parent, and relevant members of the child’s IEP Team (as determined by the parent and the LEA) must review all relevant information in the student’s file, including the child’s IEP, any teacher observations, and any relevant information provided by the parents to determine:
 - Did the student’s disability cause or have a direct and substantial relationship to the conduct in question?
 - Was the conduct a direct result of the district’s failure to implement the IEP/Section 504 Plan?

- If the manifestation determination decision is that the conduct in question was caused by or had a direct and substantial relationship to your child's disability OR a direct result of the district's failure to implement the IEP/Section 504 Plan, then your child may not be removed from the current educational placement (unless under the special circumstances or parents agree). The Team will review the IEP or Section 504 Plan and any behavioral intervention plans and may amend those plans as appropriate. The Team will complete a functional behavior assessment and behavior intervention plan if it has not already done so.
- If the manifestation determination decision is that the conduct in question was NOT caused by or had a direct and substantial relationship to your child's disability OR was NOT the direct result of the district's failure to implement the IEP/Section 504 Plan, then the school may suspend or otherwise discipline your child according to the school's code of conduct. The Team may, as appropriate, complete a functional behavioral assessment and behavioral intervention plan and modification, to address the behavior so that it does not recur. For students with IEPs, during the period of time of removal from school that exceeds 10 school days, the school district must provide educational services that allow your child to continue to make educational progress. For students with Section 504 Plans, there is no automatic right to receive educational services beyond the 10th school day of suspension under federal law, however, state law does provide all students with the right to receive educational services during periods of suspensions lasting longer than ten days.

EMERGENCY REMOVALS FOR STUDENTS WITH DISABILITIES

Under some circumstances emergency removals may be warranted. Special circumstances exist if your child: 1) possesses, uses, sells or solicits illegal drugs on school grounds or at a school-sponsored event; 2) carries a weapon to school or a school-sponsored event; or, 3) inflicts serious bodily harm upon another person at school or a school-sponsored event. Under these circumstances, the principal may place your child in an interim alternate educational setting (IAES) for up to 45 school days. Your child may remain in this IAES for a period of time not to exceed 45 school days. Thereafter, your child will return to the previously agreed-upon placement unless a hearing officer has ordered another placement, or you and the school agree to another placement. For students with Section 504 Plans, there is no automatic right to receive educational services beyond the 10th school day of suspension under federal law, however, state law does provide all students with the right to receive educational services during periods of suspensions lasting longer than ten days.

School personnel will provide Parent's Notice of Procedural Safeguards (Special Education) or Notice of Parent and Student Rights Under Section 504 for students with disabilities prior to any suspension constituting a change in placement. These notices will provide an explanation of the process should there be disagreement regarding the manifestation determination or any placement decision. Parents, guardians, and/or students may petition the Bureau of Special Education Appeals for a hearing or the Office for Civil Rights (Section 504).

PROCEDURAL REQUIREMENTS FOR STUDENTS NOT YET DETERMINED TO BE ELIGIBLE FOR SPECIAL EDUCATION OR A 504 PLAN

1. If, prior to the disciplinary action, a district had knowledge that the student may be a student with a disability, then the district makes all protections available to the student until and unless the student is subsequently determined not to be eligible. The district may be considered to have prior knowledge if:
 - a. The parent had expressed concern in writing; or
 - b. The parent had requested an evaluation; or specific concerns about a pattern of behavior demonstrated by the student. The district may not be considered to have had prior knowledge if the parent has not consented to an evaluation of the student or has refused special education services, or if an evaluation of the student has resulted in a determination of ineligibility.
2. If the district had no reason to consider the student disabled, and the parent requests an evaluation subsequent to the disciplinary action, the district must have procedures consistent with federal requirements to conduct an expedited evaluation to determine eligibility.
3. If the student is found eligible for an IEP or 504 Plan, then one receives all procedural protections subsequent to the finding of eligibility.

15. DRESS CODE POLICY (JICA)

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

Students have the right to determine how they will dress and any guidance from principals shall:

- Serve to help maintain a safe learning environment when students are in classes where protective or supportive clothing is needed, such as science labs (eye or body protection) or PE (athletic attire/sneakers).
- Allow students to wear clothing that permits self-expression.
- Allow students to wear religious attire without fear of discipline or discrimination.
- Ensure that students' clothing does not violate reasonable standards of health, safety, and cleanliness.
- Ensure that students do not wear clothing that causes disruption to the learning environment.
- Ensure that students do not wear clothing that includes hate speech or obscenity.
- Ensure that all students are treated equitably regardless of gender/gender identification, sexual orientation, race, ethnicity, body type/size, religion, and personal style.
- Allow school faculty and staff to recommend appropriate dress for certain

school activities or special occasions, provided that no student may be prohibited from participation for not following such recommendations.

The administration is authorized to take action in instances where individual dress does not meet the stated guidelines.

16. ASBESTOS MANAGEMENT PLAN

A copy of the AHERA management plan for each school within the Grafton Public Schools is available for review in the Superintendent's Office and the school office during regular school hours. Any inquiries regarding asbestos-containing materials in our schools should be directed to our AHERA Designated Person, Frank Rothwell (rothwellf@grafton.k12.ma.us) or 508-839-5421.