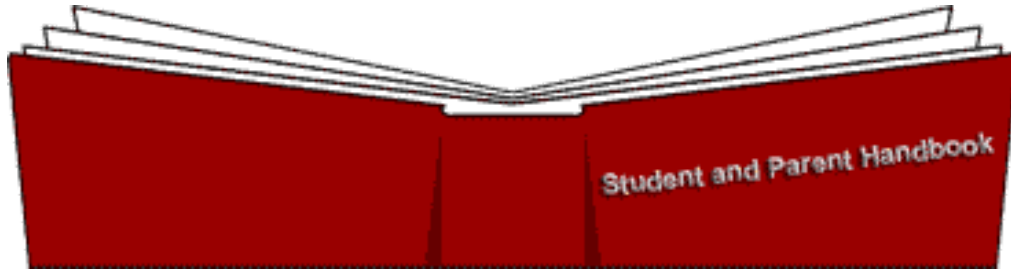


# PIERCE MIDDLE SCHOOL



## STUDENT HANDBOOK

**2020-2021**

*Mr. William Fish, Principal  
451 Central Avenue  
Milton, MA 02186*

***\*SIGNATURE PAGES MUST BE SIGNED & RETURNED TO YOUR A PERIOD TEACHER BY 09/28/20.***

Dear Students, Parents and Guardians,

As we begin the 2020-2021 school year, everything may feel a little different, but the principles, guidelines and mission of the Milton Public Schools remain the same.

Rather than re-writing our handbook completely, for the 2020-2021 Handbook we have highlighted in red what may be different for the upcoming school year.

Please refer to the [MPS Fall Reopening District Plan 2020-2021](#) for further information with regard to safety protocols, cleaning, etc.

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## THE PIERCE MIDDLE SCHOOL MISSION STATEMENT

*At Pierce Middle School we are dedicated to nurturing our students to become positive contributors to society. To be people who think independently and creatively. Who are resilient and know how to solve problems. Who appreciate diversity and are open, willing and ready to collaborate with those around them. We are committed to fostering in these very important students a genuine sense of curiosity, joy of learning, and strength of character that will guide them to make positive and healthy decisions for themselves and others, now and throughout their lives.*

## PIERCE MIDDLE SCHOOL TELEPHONE NUMBERS

<b>Main Office</b>	(617) 696-4568
Mr. William Fish, Principal	(617) 696-4568 ext. 3602
Ms. Janice Mazzola, Assistant Principal	(617) 696- 4568 ext. 3603
Dr. Nick Fitzgerald, Assistant Principal	(617) 696-4568 ext. 3604
Barbara Wright, 6-12 Humanities Coordinator	(617)-696-4568 ext. 3615
Mr. Brian Selig, K-12 Mathematics Director	(617) 696-4568 ext. 3616
Mrs. Christie Chiappetta, K-8 Science Coordinator	(617) 696-4568 ext. 3620
Ms. Catherine Desroche, K-8 Literacy Director	(617) 696-4568
<b>Guidance:</b>	
Ms. Erin Jaquette      Grade 6	(617) 696-4568 ext. 3606
Mrs. Lisa Veldran      Grade 7	(617) 696-4568 ext. 3607
Mrs. Erica Benjamin    Grade 8	(617) 696-4568 ext. 3605
Mrs. Barbara Perry, Nurse	(617) 696-4568 ext. 3609
Mrs. Kelly Dearing, Pupil Adjustment Counselor	(617) 696-4568 ext. 3608
Mrs. Myriam Francoeur, Pupil Adjustment Counselor	(617) 696-4568 ext. 3106
Holly St. Peter, Special Education Chairperson	(617) 696-4568 ext. 3110
Mrs. Tracy Grandeau, Special Education Team Chairperson/Special Education Provider	(617) 696-4568 ext. 3208
Rachel Schewe, Transportation Director	<a href="mailto:bus@miltonps.org">bus@miltonps.org</a>
Calling your child in sick please dial:	(617) 696-4568 Press 1

## **Communication Procedures**

Communication between home and school is a priority at Pierce Middle School, and staff are committed to developing and implementing effective strategies for facilitating strong connections between home and school. In the instance that a question or concern arises, there are several avenues by which that question or concern can be answered or resolved.

Generally, matters concerning the classroom should first be directed to the teacher. If the matter cannot be resolved satisfactorily, it should then be brought to the attention of the student's school counselor. If necessary, the school counselor will arrange for a meeting of the parent/guardian, the teacher, the counselor, and the appropriate administrator (e.g., department head, grade administrator).

Any emergency issue, or problem related to school policy or protocol, should be brought to the immediate attention of one of the assistant principals. The principal works with students, staff, and parents/guardians to be sure that inquiries are responded to by school staff in a timely and sensitive manner, and to ensure that the steps to resolving concerns outlined above are followed.

The process below outlines steps to resolving student or parent/guardian questions and concerns that may arise. At any point in time, students and parents/guardians are welcome to contact the principal directly, who can provide direction and guidance:

1. The parent/guardian discusses the issue with the teacher;
2. Should the conflict not be resolved, a meeting between the parent/guardian, teacher, and department head or assistant principal can be arranged;
3. If the conflict is still not resolved, a meeting between the parent/guardian, teacher and principal can be arranged.

## RESIDENCY

It is our expectation that every child who is enrolled in the Pierce Middle School resides in the Town of Milton. It is the responsibility of every parent/guardian to notify the school of any changes with residency or emergency contact information that may take place throughout the year. The Pierce Middle School will send school notices and student academic information to the address provided on your child's emergency information card which will be completed during the first week of school. This holds true for contacting parents/guardians by phone and email as well.

Pursuant to Massachusetts law, you must actually reside within the Town of Milton to attend the Milton Public Schools. The Milton Public Schools will conduct an investigation if a question arises concerning your residency (M.G.L., Chapter 76, Section 5). If you temporarily reside in Milton, which is not the legal residence of your parent or guardian, for the special purpose of attending school within Milton, the Milton Public Schools may pursue tuition and restitution from your parent or guardian or any other person who assists you for the period of your attendance (M.G.L., Chapter 76, Section 6).

The Pierce Middle School's Administration is well aware of the fact that there are unforeseen changes in living situations which may occur during the school year. However, all parents/guardians must notify the school of all changes in address or emergency contact information.

If you have moved but still reside in the Town of Milton, you must come into the main office and request the necessary paperwork to re-establish residency.

## PIERCE MIDDLE SCHOOL PROCEDURES

### Pierce Middle School Hours:

7:57 AM- 2:26 PM

Pierce Middle School- Grade 6-8

**Hybrid/Remote Hours - Grades 6-8**

**7:50am-12:00pm; resume class remotely 1:10pm-2:45pm**

Please note: Students who arrive to their A period class later than 7:57 AM will be marked tardy.

### **Buses:**

For information regarding bus pick up/drop locations, please contact the Transportation Director, Rachel Schewe, at [bus@miltonps.org](mailto:bus@miltonps.org).

### **Dropping Off Forgotten Items/Item Drop Off Table**

As any call into a classroom is a significant disruption to the learning process, please do not drop off forgotten items to the main office for your child unless it is an absolute emergency. All items dropped off will be placed on the "Drop Off Table" in the lobby. Students will not be informed that items have been left there for them, but are encouraged on a regular basis to check the table for items that have been dropped off. We thank you for your understanding and support.

**Due to COVID-19, we are insisting that unless it is an absolute emergency (ie medication, eye glasses, etc.), nothing is dropped off at the school. If something is dropped off, it will be left outside the front office and the student will be called from the classroom to pick up.**

### **Early Dismissal:**

Request for early dismissal should be submitted in writing to your child's teacher. Parents/guardians must come to the main office to sign their child out of school. Children will be called down to the main office for early dismissal once the parent/guardian arrives in the main office. Please note: Acceptable reasons for early dismissal are the same as are those that are acceptable for a student's absence.

### **Lunch/Breakfast:**

The school sends home a monthly menu with each student.

Breakfast \$1.25

Full Lunch \$2.25

Milk only \$.50

Discounted and free lunch programs are available to qualifying families through the Milton Public Schools. Forms are sent home with each student at the beginning of the school year or you may contact the Food Service Director for further information. In an attempt to simplify the payment process for your child's breakfast/lunch we have installed 2 mailboxes within the school; one mailbox is located in the main office and the other is on the wall in the Pierce cafeteria. Please remember payments may also be made online at [www.myschoolbucks.com](http://www.myschoolbucks.com). We encourage families to set up an account for their child/children and sign up for a low balance email alert. Checks can be made payable to the Milton Food Service Program and deposited in the Lunch mailbox in the main office.



Due to this year's hybrid or remote learning schedule, the following will take place:

**Middle and High School**- All students will be offered meals as they are leaving the building on the days they are in attendance. Each day student's will receive up to two breakfasts and two lunches to go. Meals will be free to all students through December 2020. If a USDA waiver is not extended students accounts will be charged accordingly. Meals will remain free for our free and reduced students. Meals will be consumed at home.

For Remote Learning students, we will provide a drive through model (similar to what we have been doing this past summer) which will offer seven breakfasts and seven lunches to our students at a weekly distribution location. Meals will be free to all students through December 2020. If a waiver is not extended students accounts will be charged accordingly. Meals will remain free for our free and reduced students. Meals will be consumed at home.

## **MEAL CHARGE POLICY**

The Milton Public School System participates in the National School Lunch Program sponsored by the United States Department of Agriculture (USDA) which permits the school system to offer free and reduced priced meals to students who qualify. Families who wish to apply for free or reduced meals must complete an application each year. The family of any Milton Public school student may submit an application at any time during the school year. Applications are available in each school's main office, at the food service office and online at [www.miltonps.org](http://www.miltonps.org)

## **STUDENT ACCOUNTS**

Any student whose school meal account has a zero or negative balance will be allowed to charge a reimbursable meal and/or a milk/water. A "reimbursable meal" is defined as a meal consisting of at least three (3) of the five (5) offered meal components (grain, meat or meat alternative, fruit, vegetable and milk) and must include a fruit and/or vegetable component. This will result in a negative balance on the student's account until funds are added to the student's account.

Families will be notified weekly by the food service program if their account is negative. The food service program will work together with the school administration in a joint effort to contact students/parents to assist with collections.

Student with a negative account balance will not be allowed to purchase a la carte items until the student's account is in good standing. "Good standing" for the purchase of a la carte items is defined as an account with a positive balance. If a student is without money on a consistent basis, the administration may investigate the situation to see if a financial hardship exists. Parents and families are encouraged to apply for free or reduced price meals for their child/ren.

## **Payment Options**

The Milton School Food Service Program offers an online payment option as well as a payment by check. Our online website is [www.myschoolbucks.com](http://www.myschoolbucks.com)

We encourage our families to pre-pay for meals at the paid or reduced price rate to help ensure children have consistent access to meals without accruing unpaid meal charges. This pre-payment system includes a feature to

allow for parental restrictions limiting a child's spending at the point of service. For example, the system could allow families to place specific limits on à la carte purchases. Families can contact the food service office for further information. We also accept checks at all six of our schools. We have locked mail boxes in the cafeteria and main office of each school. Checks should be made out to the Milton School Food Service Program.

### **Online Payment**

We allow families to add money to their child's account from a computer or mobile device which makes payment more convenient for families. Often, even families who do not opt to pay using the online system can access the system to check their child's account balance. Many families may not realize how much their child is spending in the cafeteria each day, especially if the child is purchasing à la carte items in addition to their reimbursable breakfast and lunch. We encourage families to regularly check their account balance and track their child's spending can help prevent households from accruing unpaid meal charges.

### **Automatic Payment**

We also offer online payment platforms that include an optional feature families may use to automatically add money to their account when they reach a set dollar amount. Families using these systems may also set up a "low balance warning" to ensure they are notified promptly when a payment is needed.

### **Refunds:**

Refunds for a student withdrawing and/or for graduating seniors require a written request (email, postal or in person) for a refund of any money remaining in a student's account. Without a note graduating seniors will have any remaining funds transferred to a sibling's account or they may donate to a student in need.

The Milton Public Schools will work together with all of the fee based programs and activities. At the end of each school year students with an outstanding food bill above (\$20.00) will not be allowed to register for any fee based program until the food balance has been paid off.

### **Policy Communications**

This policy shall be communicated to all staff and families at the beginning of each school year and to families transferring to the district during the school year.

### **Celebrations/Dropping Off Lunch for Friends**

Although we fully understand the joy that celebrations can bring for a child, celebrations (including birthdays) are typically disruptive to the educational process. Please do not send in treats or other items to school. Please do not drop off lunches to be shared with your child and his/her friends (i.e. pizza, etc.). In addition, students should not distribute invitations for any personal event at school. We thank you for your cooperation.

### **Personal Calls/Messages to Students:**

Families are asked NOT to call the school to deliver personal messages to students during the school day unless it is of a serious nature/emergency situation. Please have the necessary conversations with your student before he/she sets out to school. Additionally, teachers are busy teaching all day and so cannot be relied upon to deliver messages that have been sent via email.

### **Personal Calls/Messages to and from Students via Cell Phone:**

Families should NOT contact students on their personal cell phone during the school day as student use of a personal cell phone during the school day is a direct violation of the cell phone policy. Additionally, please remind your child not to contact you via cell phone if they feel ill as that both presents a safety risk and is in violation of school rules. Students who are not feeling well should see the school nurse by asking permission of their teacher. Children will not be dismissed for illness without being evaluated by the school nurse.

## **Student Absences and Excuses**

Regular and punctual school attendance is essential for success in school. The Committee does recognize that parents 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:

1. Illness or quarantine;
2. Bereavement or serious illness in family;
3. Weather so inclement as to endanger the health of the child; or
4. For observance of major religious holidays.

A child may also be excused for other exceptional reasons with approval of the school administrator.

A student's understanding of the importance of day to day school work is an important factor in the shaping of the student's character. Parents can help their children by refusing to allow them to miss school needlessly.

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

Each principal will notify a student's parent/guardian within three (3) days of the student's absence in the event the parent (s)/guardian (s) has not informed the school of the absence.

Parent(s)/Guardian(s) will be notified when a student has at least five (5) days in which the student has missed two (2) or more unexcused classes/periods or who has five (5) or more unexcused absences in the school year. A reasonable effort will be made to schedule a meeting with the building principal or designee, the parent(s)/guardian(s), and the student to develop an action plan to improve the student's attendance. The action steps shall be developed jointly and agreed upon by the building principal or designee, the student and the student's parent or guardian and with input from other relevant school personnel and officials from relevant public safety, health and human service, housing and nonprofit agencies.

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 justifiable.

Makeup work for classes missed while a student is absent must be made up within the timelines arranged with the teacher. Parents/guardians may request work only if their child is absent three (3) or more consecutive days from school. Otherwise, the student should collect missing work upon return.

In any case of extended absences, the Milton Public Schools will work closely with parents/guardians and teachers with regard to providing students the opportunity to make up missed work.

**Please note that whether in a hybrid learning model or remote learning model, all of the above information with regard to student absences/excuses remains in place. Student attendance is essential.**

### **Tardiness:**

In addition to being in school every day, it is equally important to be on time. Please make sure that your child is on time every day as being late has a negative impact on your child's learning as well as the learning of others. If your child is late to school he/she should have a note indicating why he/she is late. Students who are chronically late to school will receive lunch and/or after school detention with an administrator and may lose the privilege of participating in extra-curricular activities. In addition, in cases where assigned after school detention and parent/guardian communication and conferences do not alter a child's tardy behavior, the school will treat the case as one of truancy by filing a petition on the child's behalf with the Quincy District Juvenile Court.

### **Attendance and Participation in School Sponsored Events:**

In order to participate and attend any school-sponsored event or activity, a student must be enrolled and attending the Pierce Middle School and be in good standing on the date of the activity or event. This rule applies to all curricular and co-curricular activities and events. Children who are not enrolled in the Pierce Middle School may attend certain events that are open to members of the community-at-large if they are accompanied by an adult and at the discretion of school administration.

### **Locks:**

If a student wishes to have a lock on his/her locker it must be a school-issued combination lock. School-issued combination locks will be furnished by a teacher upon request. Lockers and locker combinations should **not** be shared.

### **Lockers and Searches:**

Students will be assigned a locker for their own personal use for the school year. You are expected to use only the locker to which you are assigned. Instructional materials, lunch, gym clothes, and outerwear are the only items approved for locker storage. The school is not responsible for any items you leave in an unsecured locker. **It is most important that you put a lock on your locker before storing any item of value in your locker.** Locks are available in the main office free of charge. All lockers must be emptied before noon on the day of the last scheduled final exam. All gym lockers must be emptied the day before the first day of final exams.

**Lockers are the property of Milton Public Schools and are provided as a privilege for convenience only. The locker, in its entirety, including the space within the locker, shall be the property of the school. Students are cautioned that they may use the locker subject to the right of the school to open the locker at any time for inspection, and there should be no expectation of privacy in the student locker.** Efforts must be made by students to keep these items in good condition at all times.

### **Personal Property and Valuables:**

Students are strongly discouraged from bringing excess money or valuable items to school. Excess money or valuable items should not be stored in lockers. Under no circumstances does the Town of Milton, the middle school, administration or the staff assume liability for personal possessions brought to school.

### **Dress Code:**

Students are expected to dress appropriately for the business of learning. Student dress should not disrupt the educational process or interfere with the rights of others. Students should be dressed so that they will be comfortable sitting at their desks, sitting at work tables, and sitting on the floor. Students may not wear clothing which promotes controlled substances or is in some way determined by school staff to be offensive. Undergarments should not be visible. Pajamas are not allowed in school. Pants must fit at the waist. Shorts must have a “leg”. In other words, they should not fit like a bathing suit. For Physical Education class, students should wear closed athletic shoes and loose clothing. Sheer clothing is only acceptable if what is underneath passes this dress code. Parents/guardians will be called to bring an alternative outfit.

**In a hybrid or remote learning environment, the expectation remains that students dress appropriately for the business of learning.**

### **Grades:**

Grading at Pierce is to be done according the following formula:

A+ 97-100	B+ 87-89	C+ 77-79	D+ 67-69		
A 93-96	B 83-86	C 73-76	D 63-66	F	Below 60
A- 90-92	B- 80-82	C- 70-72	D- 60-62		

\*If a child receives an “unsatisfactory” comment in conduct and/or effort this is equivalent to a grade of “C” and prevents a child from achieving honor roll status.

### **Grading:**

- **Pierce Middle School will use its normal grading practices for the 2020-2021 school year as described in the *Student Handbook*.**
- **All students will be expected to complete the same coursework, whether they are engaged in the hybrid learning model or remote learning model.**
- **To the extent possible, assessments will be administered synchronously for remote and in person students.**

### **Makeup Work:**

Makeup work for classes missed while you are absent must be made up within the timelines arranged with the teacher. Not making up work may result in failure or grade retention. \*Note that parents may request work only if their child is absent **three or more** consecutive days from school. Otherwise, the student should collect missing work upon return.

### **Communication/Live Grades:**

Open and respectful communication is one of the primary goals at the Pierce Middle School. Students and parents/guardians are encouraged to keep in close communication with teachers.

Live grades through your PlusPortals account will allow you and your student to monitor progress on assignments throughout the school year and view his/her current average to date. As a result of this new offering, progress reports will not be emailed home. Report cards will be posted in the PlusPortals at the end of each term and emailed home.

In order to adequately inform students and families of student progress and to allow for the proper follow-up, guidelines have been established for teachers' posting of grades into the Portal. Once posted, these grades will be visible to students and their families.

### **COMMON EXPECTATIONS & ADMINISTRATIVE GUIDELINES FOR LIVE GRADES**

- Teachers will post grades within three weeks of the due date of the assignment and/or completion of the test/quiz. It is understood that certain assignments (e.g. research papers, cumulative assignments, essays, reports, and projects, etc.) may take longer to post.
- Students and their families should refer to the teacher's grading policy for each individual course to understand the types of assessments required for that class and guidelines for grading, including the weights of assessment categories (e.g. homework, participation, tests, quizzes, projects, etc.).
- Please keep in mind grades are active until the end of the term when final report card grades are posted at the end of the term.

Conferences are one of the many ways in which this can be accomplished. Students and parents/guardians may schedule a conference with a teacher at a mutually agreed upon time.

Parents/Guardians, students and teachers are encouraged to continue communication through email, Plus Portals, report cards, and voicemail. Parents/Guardians should understand that the availability of technology can increase the volume of communication to which school staff is asked to respond. Reasonable guidelines may be set by the school with respect to the timeframes and formats in which staff members are expected to respond to emails and other communications.

#### **Student Records:**

Regulations have been enacted pursuant to state and federal law relative to the access and maintenance of student records within public schools. A copy of the state regulations that pertain to this policy is available from the school office.

#### **Teaching about Alcohol, Tobacco, and Drugs**

In accordance with state and federal law, the Milton Public Schools shall provide age-appropriate, developmentally appropriate, evidence-based alcohol, tobacco, and drug prevention education programs in grades K-12.

The alcohol, tobacco, and drug prevention program shall address the legal, social, and health consequences of alcohol, tobacco, and drug use, with emphasis on nonuse by school-age children. The program also shall include information about effective techniques and skill development for delaying and abstaining from using, as well as skills for addressing peer pressure to use alcohol, tobacco, or drugs. (See Milton School Committee Policy IHAMA)

## SPECIAL EDUCATION

**General Responsibilities:** The Milton Public Schools provides for the provision of special education and related services for eligible students in accordance with State and Federal law. We provide reasonable accommodations that permit all students to fully access the school's facilities and services.

**Available Services:** Special education services may include, but are not limited to, specialized reading instruction, math remediation, speech and language therapy, and physical and occupational therapy for eligible students. Students who are found, after evaluation, to be eligible for special education services will receive an Individualized Education Program (IEP) developed by the Special Education Team, which includes parents/guardians, teachers and specialists, involved with the child.

## SECTION 504

The Milton Public School District acknowledges its responsibility under Section 504 to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person with a disability shall knowingly be permitted in any program or practices in the school district.

Section 504 of the Rehabilitation Act of 1973 covers qualified students with disabilities who attend schools receiving Federal financial assistance. Section 504 requires that school districts provide a free appropriate public education (FAPE) to qualified students in their jurisdictions who (1) have a *physical or mental impairment that substantially limits one or more major life activities*; or (2) have a record of such impairment; or (3) be regarded as having such impairment.

A *physical or mental impairment* is defined as any physiological disorder or condition, cosmetic disfigurement, or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive; genito-urinary; hemic and lymphatic; skin; and endocrine; or any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness, and specific learning disabilities. This list is not exhaustive.

*Major life activities* include functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, and working. This list is not exhaustive. In the ADA Amendments Act 2008 Congress provided additional examples of general activities that are major life activities, including eating, sleeping, standing, lifting, bending, reading, concentrating, thinking, and communicating. Congress also provided a non-exhaustive list of examples of "major bodily functions" that are major life activities, such as the functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions. An impairment that is episodic or in remission, is also considered a disability if it would substantially limit a major life activity when active.

Under Section 504, the school district has the responsibility to identify, evaluate, and if the student is determined to be eligible under Section 504, to afford access to appropriate educational services.

If the parent/guardian disagrees with the determination made by the professional staff of the school district, he/she has the right to a hearing with an impartial hearing officer. Any questions concerning the implementation of policy and procedures may be directed to:

Susan Maselli, Administrator of Pupil Personnel Services 617-696-5040 ext. 5574  
Section 504 Coordinator  
Milton Public Schools  
25 Gile Road  
Milton, MA 02186

### **FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)**

The *Family Educational Rights and Privacy Act (FERPA)*, a Federal law, requires that the Milton Public Schools, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the Milton Public Schools may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the Milton Public Schools to include this type of information from your child's education records in certain publications. Examples include:

- A playbill, showing your student's role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

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

**If you do not want the Milton Public Schools to disclose directory information from your child's education records without your prior written consent, you must notify the District in writing.**

The Milton Public Schools has designated the following information as directory information:

- student's name,
- address, telephone listing,
- email address,
- date of birth,
- major field of study,
- dates of attendance,
- weight and height of members of athletic teams,
- class, participation in officially recognized activities and sports,
- Degrees, honors and awards, and post-high school plans.



Directory information does not include the following:

- Immigration or citizenship status
- Passport information
- Visa information
- Social security numbers
- Place of birth
- Primary language

### **SECURITY CAMERA SYSTEM POLICY**

The Milton Public Schools seeks to promote and foster school safety and a safe and effective educational and work environment. School facilities and their contents, constitute one of the greatest investments of the community. The School Committee believes it to be in the best interest of students and taxpayers for the district to exert every reasonable means to protect the investment adequately.

Pursuant to this policy, the Milton School Committee authorizes the use of interior and exterior security cameras in school district buildings and on its property to ensure the health, welfare and safety of all students, staff and visitors, to deter theft, vandalism and other negative behavior, to safeguard district buildings, grounds and equipment, and to monitor unauthorized individuals in or on school property.

MPS acknowledges that there exists an expectation of privacy in various locations within and on the MPS facilities including within the lavatories, changing rooms/locker rooms, and in the nurse's offices.

Internal and external security cameras shall be placed in public areas only such as hallways, athletic areas, large public gathering spaces, parking lots and public walkways where the potential for criminal activity is greatest (false fire alarm pulls, graffiti, vandalism, backpack and personal belonging theft, personal violence etc.).

Camera use is prohibited in any location where there is an expectation of privacy or in educator/administrative private offices, department offices, conference rooms, and staff lounges.

The district shall notify students and staff through student and employee handbooks and appropriate signage that security cameras have been installed and may be used at any time.

### **BEHAVIORAL EXPECTATIONS, CONSEQUENCES, AND RELATED POLICIES**

Every child is valuable and worthy of respect. These guidelines are meant to help children make good decisions about school behavior and to help them consider the consequences of any poor choices they might make. It is our intent to have our rules and their consequences in place on a progressive basis as noted in this set of school rules.

Respect is at the heart of Milton Public Schools- respect for yourself, respect for the staff, and respect for your school. Every student has a right to an education in a safe, secure and supportive environment, and every teacher has a right to expect respectful, prepared students in his/her classroom. The administration will treat all students consistently and equitably, and will respect the rights of all students to an education in a safe and healthy environment. It is the policy of the Milton Public Schools to ensure fair and effective disciplinary

practices. Accordingly, the following rules and regulations will be administered fairly and consistently to all students:

The Code of Conduct of the Milton Public Schools is administered within the framework of the United States Constitution and state laws and regulations with regard to due process for students. The Code of Conduct is intended to be administered for disciplinary infractions that occur on school grounds or at school-sponsored events (on and off school grounds) OR for disciplinary infractions that occur off school grounds but substantially disrupt the educational environment or create a hostile environment at school.

The Code of Conduct is based on a system of progressive discipline with a goal of limiting the use of long-term suspension as a consequence for student misconduct until other consequences have been considered, as appropriate. The administrator will exercise discretion in determining disciplinary consequences. The administrator may utilize his/her discretion to significantly increase penalties in the cases of second and third offenses or for other factors. In determining the severity of the penalty or suspension, the appropriate administrator may consider all relevant facts, including but not limited to: 1) previous disciplinary record, 2) severity of disruption to the educational process, 3) degree of danger to self and/or others, 4) the degree to which the student is willing to change his/her inappropriate behavior and 5) whether alternative consequences are appropriate to re-engage the student in learning. Alternative consequences may include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and positive behavioral interventions and supports.

We have described most, but not every, offense that might occur in school. Furthermore, we have identified a set of possible consequences that may result if rules are broken. The school administration reserves the right to impose different, including more significant, consequences in appropriate situations. It should be noted, however, that minor offenses, if repeated, will be treated as major problems, especially if they prevent an appropriate teaching/learning environment from existing. The following portion of this handbook describes the progression of many offenses and their possible consequences. Generally speaking, we would like to ask that everyone act appropriately, consider his/her education and that of fellow students, as well as the right of the teachers to teach in an atmosphere that is conducive to learning. If that is done, the school will be a pleasant place to attend.

**It is important to reinforce that the code of conduct and behavioral expectations remain the same even in a remote/hybrid school model.**

### **TIER I**

#### **UNACCEPTABLE BEHAVIORS:**

1. Interrupting or preventing anyone's learning.
2. Being discourteous or unsafe in your behaviors.
3. Using school or personal property inappropriately.
4. Bringing unsafe, damaging, or disruptive material/objects to school.
5. Bringing gum, candy, drinks, or food to class.
6. Wearing inappropriate clothing.
7. Entering any unauthorized area of the school.
8. Wearing hats/coats/backpacks in school without permission.
9. Disobeying cafeteria, playing field, or bus rules.
10. Being late for school, or classes.
11. Bringing articles/objects to class that are not authorized by staff.
12. Coming to class without books/materials needed for learning.

13. Loitering on school property when school is not in session.
14. Unauthorized use of the telephone or cell phone use during school hours.

### **CONSEQUENCES**

1. Warning, after school detention, lunch detention, and parents/guardians notification and/or other consequences.
2. Detention, plan and conference with student, team and parents.
3. Consequences for any further or more severe **Tier I incidents** will move to **Tier II**.

### **ADMINISTRATIVE TIER II UNACCEPTABLE BEHAVIORS:**

1. Disobeying any directives from a staff member.
2. Fighting or play-fighting.
3. Harassing, threatening, bullying, or intimidating anyone.
4. Damaging property of another.
5. Using inappropriate expressions or profanity.
6. Cheating, stealing, or plagiarizing.
7. Leaving school grounds or your classroom without permission.
8. Missing assigned detentions.
9. Disrupting classes.
10. Disrupting corridors.
11. Cutting class.
12. Excessive tardiness.
13. Possessing anything that interrupts the teaching/learning process.

### **CONSEQUENCES**

1. Initial incidents may warrant a **silent detention** for up to **90 minutes**. During the detention a plan may be developed to change the behavior.
2. For successive reports there may be a meeting with students, parents/guardians, and an administrator with the following possible consequences: In-school suspension, Saturday/holiday detention, or Out-of-school suspension.
3. Other actions may include: Attending Peer Mediation Sessions, making up missed class time, paying replacement/repair costs, lunch detention, community service and/or other consequences mutually agreed upon by parents/guardian and school staff. Law enforcement may be notified.

*An accumulation of Tier II reports will necessitate a referral to Tier III.*

### **SCHOOL TIER III UNACCEPTABLE BEHAVIORS:**

1. Possessing weapons (**mock weapons included**) of any type on school property at school-sponsored events.
2. Inappropriate use of telephones/cell phones or other such devices on school property and at school-sponsored events.
3. Possessing, selling, using and/or distributing illegal/dangerous substances or materials on school property, or at school-related activities and/or events.
4. Pulling a fire alarm if there is not a fire.
5. Threatening or reporting a fake disaster.

6. Being truant from school.
7. Engaging in physical violence.
8. Verbally abusing anyone.
9. Bullying or cyber-bullying.
10. Using inappropriate expressions or profanity.
11. Destroying or defacing property/graffiti. (See additional note on defacing school property/personal property below.)
12. Trying to access unauthorized computer programs and or web sites or inappropriate use of computers or technology.
13. Harassing another person
14. Becoming involved in any crimes that are felonies of the school.
15. Being charged or convicted of a felony out of school if the principal determines that the student's continued presence poses a substantial detriment to the general welfare of the school
16. Disobeying directives from a staff member.
17. Acting in a manner that endangers yourself or others.
18. Doing anything that disrupts school or school-related activities.
19. Theft of another's property.
20. Intimidation of another person by words or actions.
21. Using racial/ethnic epithets.
22. Possessing/wearing any article that could potentially harm another person.
23. Other violations not specifically addressed herein that will be dealt with at the discretion of the principal or his/her designee.

### **CONSEQUENCES**

1. Immediate confiscation of contraband/illegal substances or articles.
2. Silent detention with a loss of school privileges, including after-school activities, assemblies, field trips and dances. A conference with parents/guardians, school administrator, guidance counselor and/or teachers will be required.
3. In-school suspension with loss of school privileges as decided by a school administrator.
4. Saturday or holiday detention.
5. Restitution.
6. Referral for substance abuse or other counseling
7. Out-of-school suspension.
8. Law enforcement may be notified.
9. State agencies may be notified.
10. Expulsion.

### **OTHER RULES TO REMEMBER**

Please remember that all school rules apply whenever you are involved in any school-related activity whether it is during the school day, in the evening, or on the weekend. You must also remember that school rules are in effect while you are coming to and going home from school. Breaking the rules while involved in those activities may result in the same consequences as if the offense took place in school. Students may be disciplined for conduct or acts committed on school grounds, in the area around the school grounds, while engaged in or attending a school activity, or while going to or returning home from school or a school activity. Students may also be disciplined for conduct or acts committed away from school at other times if the conduct or act is related to the school, adversely affects school discipline, creates a hostile or unwelcome environment at school, or is detrimental to the general welfare of the school.

### **Respectful Conduct:**

Middle School students are expected to conduct themselves at all times in a manner that will bring credit to and reflect positively upon themselves and Pierce Middle School. Rules of common courtesy are to be exercised with other students, school personnel, substitute teachers, and visitors to the school. Special note is made of the need for courtesy at school-sponsored activities such as field trips, field days, assemblies, athletic events, and theatrical performances. Respect for the feelings of a student's classmates must be a top priority. Violations of this rule will result in appropriate action taken by the Assistant Principal or the Principal, including discipline. Additionally, students may also be excluded from future extra-curricular activities if their behaviors have presented a problem at previous events.

### **Cafeteria Rules:**

The cafeteria is intended to be a pleasant place where students may eat lunch in a relaxed atmosphere. Students may bring their own lunch or purchase a school lunch. Neatness and cleanliness are everyone's responsibility. All tables and floor areas must be cleaned before you leave the cafeteria. The following are some, but not all, of the behaviors forbidden in the cafeteria.

### **Unacceptable Cafeteria Behaviors:**

1. Running or moving in an unsafe manner.
2. Leaving trash on the lunch tables or chairs.
3. Throwing trash or food on the floor.
4. Yelling or talking in a loud manner.
5. Taking other people's food.
6. Being disrespectful to any staff member.
7. Disobeying any staff directives.
8. Playing with or throwing food.
9. Intimidating others in order to get money or food.
10. Breaking any school rules.
11. Taking food or drinks from the cafeteria.
12. Leaving the cafeteria without permission.

### ***Consequences***

1. Lunch detention.
2. Conference with parents/guardians.
3. Saturday/holiday/after-school detention.
4. Out-of-school suspension.
5. Loss of privileges.

**Transportation Rules:** Please remember that riding the school bus is a privilege, not a right. All students arriving to the Pierce Middle School via a school bus must remain on school property until entry into the building. All school rules apply while you are at the bus stop and riding the bus. Breaking any school rules while on the bus may have the same consequences as if they took place in school. Only students who have been issued a bus pass from the Milton Public Schools Transportation Department are allowed to ride the bus, and they may ride only the bus assigned to them. Video cameras may be employed on the bus by school administration to ensure the safety and security of students, and, may, in certain circumstances be used as the basis for disciplinary decisions. **Until further notice, masks must be worn at all times on a bus.**

### **Unacceptable Transportation Behaviors:**

1. Riding on any bus to which you have not been assigned.
2. Riding the bus without your bus pass.
3. Standing while riding the bus.
4. Blocking the aisles.

5. Littering on the bus.
6. Having food or drink on the bus.
7. Throwing anything on or outside of the bus.
8. Disobeying the driver's directions.
9. Being disrespectful to anyone.
10. Lending your bus pass to another person.
11. Defacing property.
12. Using inappropriate expressions or profanity.
13. Any other behavior/action that could compromise bus safety.

### ***Consequences***

1. Conference with school administrator.
2. Detention after school or Saturday/holiday detention.
3. Restitution.
4. Loss of bus privileges.
5. Suspension.
6. Notification of law enforcement.

### **Making a Bomb Threat or Reporting a Fake Disaster:**

This is a violation of M.G.L. ch. 269 s.14, relating to "Deadly weapons, explosives, chemical or biological agents, or other deadly device or substance; threatened use or presence." This law specifically deals with the willful communication of a threat causing anxiety, unrest, fear, or personal discomfort to any person or group of persons. Under the statute, the offense is considered aggravated if the prohibitive threat causes either the evacuation or serious disruption of a school, school related event or school transportation and is punishable under law by imprisonment, fine, or both. Additionally, the student may be subject to expulsion from the school or school district by the principal.

### **Smoking:**

The possession and/or use of tobacco, or any tobacco-related product within the school building, on the school grounds, at a school-sponsored event, or on school buses is prohibited. Any student found using or in possession of any tobacco or any tobacco-related product (including e-cigarettes or vaping products) will be subject to disciplinary action.

### **Use of Cell Phones and Other Electronic Devices:**

Inappropriate/unauthorized use of cell phones and other electronic devices is a tremendous distraction from the learning process. Cell phones and other electronic devices should not be visible, heard, or on during the school day. If such devices are seen or heard, the item will be confiscated. A cell phone or electronic device that is used or is on during the school day, when not under teacher direction, will be forwarded to an administrator and a parent/guardian must meet with an administrator to retrieve the item. Cell phones may NOT be used to photograph or record teachers, staff, or other students without their express prior consent. Consequences for the unauthorized use or powering on of cell phones during the school day can or will result in a detention and if continues, possible further actions by the school. If continued violation of inappropriate cell phone usage were to occur, discipline will be progressive. School administrators may inspect the content of cell phones if there is a reasonable suspicion that school rules have been violated. Cell phones may also be inspected to ensure that they were not used for purposes of sending answers to tests/quizzes, home/class work or used to send inappropriate messages. This includes text-messaging. Furthermore, the school will **NOT** be responsible for damage, lost or stolen electronic device which is brought into the school. For the safety of our students and in order to maintain an environment conducive to learning, parents/guardians should **NOT** contact their student via cell phone or text message during school hours nor should students contact their parents via cell phone or

text message during school hours. At no time should a child use his/her cell phone to contact a parent/guardian if they feel ill. If a child is ill, they should request permission to see the school nurse who will respond with appropriate medical attention and contact the parent/guardian if necessary. If there is some other emergency, the child should request permission to see his/her guidance counselor who, if deemed appropriate, will contact the parent/guardian. **Please note:** using a cell phone or other device to take photos or video without a staff member's permission is considered a Tier III offense.

### **Defacement of School Property/Personal Property:**

Any student who defaces school property/personal property will serve the appropriate Tier III consequence(s) as described above and deemed warranted by school administration. In addition, the student along with his/her parent/guardian will be held responsible (through action, financially, or a combination of both) for restoring the property to its original appearance.

### **Cheating:**

Cheating on tests and other assignments (inclusive of plagiarism) is against the rules of the school and may result in a failing grade as well as other disciplinary action. Cheating includes sharing homework, test or quizzes via group chats, texting, social media or otherwise.

### **Clothing/Backpacks/Head Coverings:**

At the beginning of the day, students are to remove their backpacks, jackets, coats and any head coverings and then secure them in their assigned lockers. Any student found wearing a jacket or head covering, or carrying a backpack, during the school day without permission of the staff will have them confiscated and then returned at the end of the day. A school administrator may permit head coverings required for medical or religious reasons. Clothing that is revealing or contains language that is threatening, offensive, vulgar or intimidating, or which creates a risk of disruption in school may not be worn. Students will be asked to change into more appropriate clothing, or parents will be asked to bring more suitable attire to school. If an administrator deems that a student's form of dress interferes with the educational process or presents an uncomfortable atmosphere, that student will be asked to make appropriate changes. Continued lack of compliance will result in a parental conference with possible disciplinary action resulting. Exceptions to the prohibition against head coverings may be made for medical or religious reasons.

### **Electronic Equipment:**

Electronic devices such as but not limited to any hand-held cameras, video devices, portable radios, cassette/CD players, wireless speakers, iPods, tablets, and laser pens may not be carried or used in school or at school related activities/functions. These items can be a disruption to the classroom setting. An exception to this rule will be made if authorized by a teacher or school administrator, in writing, for a particular event or purpose. If such a device is seen or heard and has not been authorized by a teacher or administrator, the teacher and/or administration will confiscate the device. Such a device will be returned only if the student's parent/guardian comes to school to retrieve it.

### **Explosives/Incendiary Devices:**

Possession or use of any object or device that may create an explosion, a fire, or offensive odor is strictly forbidden. Discipline will be imposed for violation of this policy.

## **DUE PROCESS RIGHTS AND PROCEDURES**

### **ELIGIBILITY TO PARTICIPATE IN SCHOOL ACTIVITIES AND EVENTS**

Extra-curricular activities and events are an important part of the educational experience for our students, but participation in these activities is a privilege, not a right. The variety of clubs, activities and events is extensive and students are encouraged to become involved in one or more of these opportunities.

Participation in clubs and activities at Milton Public Schools and attending school-sponsored, school-related events is a privilege afforded to students who remain in good standing. To participate in school activities, events and clubs, students are expected to maintain good attendance and demonstrate good behavior and citizenship during school and at school-sponsored events. Eligibility for participation in activities, events, clubs, awards, scholarships and honorary positions at Milton Public Schools is limited to students who are currently enrolled in and attending Milton Public Schools in good standing. Students not meeting these expectations may be excluded at the discretion of the Principal or his/her designee. A student's removal from extracurricular activities and attendance at school sponsored events is not subject to the procedural requirements of Massachusetts Laws Chapter 71, section 37H <sup>3</sup>/<sub>4</sub> (Principal's Hearing). The removal is not a suspension for the purpose of counting the school days that a student is suspended. Parents will be notified when a student is removed or excluded from extracurricular activities.

### **SUSPENSIONS**

The Milton Public Schools adheres to the Student Discipline Laws and Regulations as set forth in Massachusetts General Laws Chapter 71, sections 37H, 37 H<sup>1</sup>/<sub>2</sub> and 37 H<sup>3</sup>/<sub>4</sub> and 603 CMR 53.00 et seq.

### **IN-SCHOOL SUSPENSION PROCEDURES:**

A student may be removed from regular classroom activities, but not from the school premises, for up to ten (10) consecutive school days or up to ten (10) school days cumulatively for multiple infractions during the school year. Students who are placed in in-school suspension shall have the opportunity to earn credits, make up assignments, tests, papers, and other school work as needed to make academic progress during the in-school suspension.

A student who is unable to consistently adhere to acceptable classroom standards in a particular class may be removed from the class permanently and assigned to a different class at the discretion of the principal and/or his/her designee.

### **Notice of In-School Suspension:**

The principal or his/her designee shall inform the student of the disciplinary offense charged and the basis for the charge, and provide the student with an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident. If the principal or his/her designee determines that the student committed the disciplinary offense, the principal or his/her designee shall inform the student of the length of the student's in-school suspension, which shall not exceed ten (10) days, cumulatively or consecutively, in a school year.

On the same day as the in-school suspension decision, the principal or his/her designee shall make reasonable efforts to notify the parent orally of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension.



On the day of the suspension, the principal or his/her designee shall send written notice (by hand-delivery, certified mail, first class mail or email) to the student and parent including the reason and the length of the in-school suspension, and inviting the parent to a meeting if the meeting has not already occurred. The notice shall be in English and the primary language of the home if another language is identified in the home language survey, or by other means, as appropriate.

**Parent Meeting:**

The principal or his/her designee shall also invite the parent to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. Such meeting shall be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the principal or his/her designee is unable to reach the parent after making and documenting at least (2) attempts to do so, such attempts shall constitute reasonable efforts for purposes of orally informing the parent of the in-school suspension.

**No Right to Appeal:**

The decision of the Principal or his/her designee is the final decision for in-school suspensions not exceeding ten (10) days, consecutively or cumulatively during a school year.

**OUT-OF-SCHOOL SUSPENSION PROCEDURES:**

**Due Process Procedures for Out-of-School Suspensions:**

There are two types of out-of-school suspensions, Short-Term Suspensions and Long-Term Suspensions. The principal or his/her designee shall determine the extent of the rights to be afforded the student at a disciplinary hearing based on the anticipated consequences for the disciplinary offense. If the consequence may be long-term suspension from school, the principal or his/her designee shall afford the student, additional rights as described below, in addition to those rights afforded to students who may face a short-term suspension from school. All students facing out-of-school suspension shall have the right to oral and written notice, as described below.

**Notice for Any Out-of-School Suspension under MGL c. 37 H3/4:**

Prior to suspending a student, the Principal or his/her designee will provide the student and the Parent oral and written notice of the possible suspension, an opportunity for the student to have a hearing and the opportunity of the Parent(s) to participate in the hearing. The notice will be in English and in the primary language of the home if other than English as identified in the home language survey, or by other means of communication where appropriate. The notice will set forth 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 or his designee concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident, and for the parent to attend the hearing;
- (e) the date, time, and location of the hearing;
- (f) the right of the student and the student's parent 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:
  - 1. the rights set forth in 603 CMR 53.08(3)(b) ; and
  - 2. the right to appeal the principal's decision to the superintendent.

The principal or his/her designee shall make reasonable efforts to notify the parent orally of the opportunity to attend the hearing. Prior to conducting a hearing without the parent present, the principal or his/her designee will document reasonable efforts to include the parent. The principal or his/her designee is presumed to have made reasonable efforts if the principal or his/her designee has sent written notice and has documented at least two (2) attempts to contact the parent in the manner specified by the parent for emergency notification.

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

**Emergency Removal of Student:**

Under certain emergency circumstances, it may not be practical for the principal or his/her designee to provide prior oral and written notice before removing a student from school. The principal or his/her designee 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 (or his/her designee's) judgment, there is no alternative available to alleviate the danger or disruption. The principal or his/her designee will immediately notify the superintendent in writing of the removal and the reason for it, and describe 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:

- (a) 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, the disciplinary offense, the basis for the charge, the potential consequences, including potential length of suspension, the opportunity for a hearing including the date/time/location of the hearing, the right to interpreter services, and other rights permitted for students who may be placed on long-term suspension as set forth in 603 CMR 53.08(3)(b);
- (b) Provide written notice to the student and parent, including the information described in 603 CMR 53.06(2);
- (c) Provide the student an opportunity for a hearing with the principal or his/her designee that complies with 603 CMR 53.08(2) or 53.08(3), as applicable, 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.
- (d) Render a decision orally on the same day as the hearing, and in writing no later than the following school day, which meets the requirements of 603 CMR 53.08(2)(c) and 53.08(2)(d) or 603 CMR 53.08(3)(c) and 53.08(3)(d), as applicable.

A principal will not remove a student from school on an emergency basis for a disciplinary offense until adequate provisions have been made for the student's safety and transportation.

**SHORT-TERM SUSPENSION PROCEDURES UNDER M.G.L. ch. 71 s. 37H¾:**

A Short-Term Suspension is the removal of a student from the school premises and regular classroom activities for ten (10) consecutive school days or less. The principal, or his/her designee, may, in his or her discretion, allow a student to serve a short-term suspension in school. Any student facing a potential short-term suspension is entitled to a hearing with the Principal or his/her designee with the following process:

**Principal Hearing - Short-term Suspension:**

- (a) The purpose of the hearing with the principal or his/her designee 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 or his/her designee 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 or his/her designee should consider in determining whether other remedies and consequences may be appropriate as alternatives to suspension. The principal or his/her designee 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.

- (b) Based on the available information, including mitigating circumstances, the principal or his/her designee shall determine whether the student committed the disciplinary offense, and, if so, what remedy or consequence will be imposed.
- (c) The principal or his/her designee 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.
- (d) 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.

#### **No Right to Appeal:**

The decision of the Principal or his/her designee is the final decision for short-term out-of-school suspensions not exceeding ten (10) days, consecutively or cumulatively during a school year.

#### **LONG-TERM SUSPENSION PROCEDURES UNDER M.G.L. ch. 71 s. 37H¾:**

A Long-Term Suspension is 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) school days cumulatively for multiple disciplinary offenses in any school year. The principal or his/her designee, may, in his or her discretion, may allow a student to serve a long-term suspension in school. Except for students who are charged with a disciplinary offense set forth in Massachusetts General Laws Chapter 71, §37 H, or in Massachusetts General laws Chapter 71 § 37H ½, no student may be placed on long-term suspension for one or more disciplinary offenses for more than ninety (90) school days in a school year beginning with the first day that the student is removed from school. No long-term suspension shall extend beyond the end of the school year in which such suspension is imposed. Any student facing a potential long-term suspension is entitled to a hearing with the Principal or his/her designee with the following process.

#### **Principal Hearing - Long-term Suspension:**

- (a) The purpose of the hearing with the principal or his/her designee 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 or his/her designee 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 alternatives to suspension. The principal or his/her designee 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.

- (b) In addition to the rights afforded a student in a short-term suspension hearing, the student shall have the following additional rights:
1. 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;
  2. the right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense;
  3. the right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so;
  4. the right to cross-examine witnesses presented by the school district;
  5. 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.
- (c) The principal or his/her designee 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.
- (d) Based on the evidence, the principal or his/her designee shall determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension. The principal or his/her designee 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 the principal and the parent. If the principal or his/her designee decides to suspend the student, the written determination shall:
1. Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing;
  2. Set out the key facts and conclusions reached by the principal;
  3. Identify the length and effective date of the suspension, as well as a date of return to school;
  4. Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school;

5. 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 as determined by the home

language survey, 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 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 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.

ii) 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 Appeal Hearing:**

- (a) 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.
- (b) The student or parent shall file a 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 may request and receive from the Superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days. If the appeal is not timely filed, the Superintendent may deny the appeal, or may allow the appeal in his or her discretion, for good cause.
- (c) 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.
- (d) 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 he or she has 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.
- (e) 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.
- (f) The student shall have all the rights afforded the student at the principal's hearing for long-term suspension.
- (g) The Superintendent shall issue a written decision within five (5) calendar days of the hearing which meets the requirements of 603 CMR 53.08(3)(c)1 through 5. 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.
- (h) The decision of the Superintendent shall be the final decision of the school district, with regard to the suspension.

**A parent conference (re-entry meeting) with the Principal or his/her designee is strongly encouraged before students who are suspended return to school. This conference will be used to promote the engagement of the parents or guardians in discussions of the student's misconduct and to assist the student in re-engaging with the school community.**

**EXCLUSION/EXPULSION:**

The exclusion or expulsion of a student from school will be in accordance with Massachusetts General Laws, Chapter 71, Section, 37H. The grounds for exclusion or expulsion include but are not limited to the following:

- 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, a knife, or their facsimile, or anything used in the commission of assault and battery; or a controlled substance as defined in Chapter 94 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 a hearing before the principal. After said hearing, a principal may, in his/her 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/her appeal. The student has the right to counsel at a hearing before the Superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section.
- e. If the student moves to another district during the period of suspension or expulsion, the new district of residence shall either admit the student to its schools or provide educational services to the student in an education service plan.
- f. Any student who is suspended or expelled pursuant to this section shall have the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal.
- g. Any student who is suspended or expelled pursuant to this statute for more than ten (10) consecutive days shall have the opportunity to receive education services and made academic progress toward meeting state and local requirements, through the school-wide education service plan.

### **FELONY COMPLAINT OR CONVICTION:**

Pursuant to Massachusetts General Laws Chapter 71, section 37 H ½, the following procedures shall be implemented for students charged with or convicted of a felony:

- a. 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 or headmaster 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 this right to appeal and the reasons for such suspension taking effect. Upon expulsion of such student, no school or school district shall be required to provide educational services to the student shall also receive written notification of this 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.
- b. The student shall have the right to appeal the suspension to the Superintendent. The student shall notify the Superintendent in writing of his request for an appeal no later than five calendar days following the effective date of the suspension. The Superintendent shall hold a hearing with the student and the student's parent or guardian within three calendar days of the student's request for an appeal. At the hearing, the student shall have the right to counsel. The Superintendent shall have the authority to overturn or alter the decision of the principal or headmaster, including recommending an alternate educational program for the student. The Superintendent shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the city, town, or regional school district with regard to the suspension.
- c. Upon a student being convicted of a felony or upon an adjudication or admission in court of guilt with respect to such 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 a detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and reasons for such expulsion prior to such expulsion taking effect. The student shall also receive written notification of his 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.
- d. The student shall have the right to appeal the expulsion to the Superintendent. The student shall notify the Superintendent, in writing, of his request for an appeal no later than five calendar days following the effective date of the expulsion. The Superintendent shall hold a hearing with the student and the student's parent or guardian within three calendar days of the expulsion. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The Superintendent shall have the authority to overturn or alter the decision of the principal or headmaster, including recommending an alternate educational program for the student. The Superintendent shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the city, town, or regional school district with regard to the expulsion.
- e. Any student who is suspended or expelled pursuant to this section shall have the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal.

- f. Any student who is suspended or expelled pursuant to this statute for more than ten (10) consecutive days shall have the opportunity to receive education services and made academic progress toward meeting state and local requirements, through the school-wide education service plan.

**EDUCATION SERVICES AND ACADEMIC PROGRESS UNDER SECTIONS 37H, 37H1/2 AND 37H3/4:**

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, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal from the classroom or school. The principal shall inform the student and parent of this opportunity in writing 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. A description of the school-wide education service plan is provided below.

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 as determined by the home language survey, 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.

**RESTRAINT PROCEDURES**

All schools and programs within the Milton Public Schools are committed to maintaining an orderly, safe environment conducive to learning for all students and staff. It is the policy of Milton Public Schools that physical restraint shall be used only in emergency situations as a last resort and with extreme caution after other lawful and less intrusive alternatives have failed or been deemed inappropriate in accordance with 603 CMR 46.00 et seq. The Milton Public Schools has approved a [MPS Staff Procedural Handbook for Student Restraint](#).

**DISCIPLINE OF STUDENTS WITH SPECIAL NEEDS**

The discipline of students with special needs is governed by federal and state special education law and regulations promulgated thereunder. These laws include the Individuals with Disabilities Education Act, 20 U.S.C. § 1400, *et seq.*; 34 C.F.R. § 300.519-529 *et seq.*, and Massachusetts General Law c.71B.

The following is a summary of the rights and responsibilities of the Milton Public Schools and students with disabilities under these laws regarding student discipline. Complete information regarding the due process rights of students with disabilities and their parent(s) or guardian(s) may be found in the procedural safeguards notice available from Milton Public School personnel.

All students are expected to meet the requirements for behavior as set forth in the Student Handbook. Federal and state laws require that additional provisions be made for students who have been found by an evaluation team to have special needs and whose program is implemented under an Individualized Education Program (IEP) or a 504 Plan. The following requirements apply to the discipline of special needs students:

1. The principal or designee will notify the Special Education Office of the suspendable offense of a special needs student and a record will be kept of such notices.
2. A suspension of longer than 10 consecutive days or a series of suspensions that are shorter than 10 days but constitute a pattern are considered to represent a change in placement.



3. Prior to a suspension that constitutes a change in placement of a student with disabilities; the Team will develop or review a functional behavioral assessment of the student's behavior to modify a behavior intervention plan or develop an assessment plan and to identify appropriate alternative educational settings. The Team will convene to determine whether the student's misconduct is a manifestation of his/her disability. A student's conduct is a manifestation of his/her disability if the conduct in question was caused by or had a direct and substantial relationship to the child's disability, or if the conduct in question was the direct result of the district's failure to implement the student's IEP or a 504 Plan.
4. If the Team determines that the student's misconduct IS a manifestation of his/her disability, the Team will convene to review the student's functional behavioral assessment and will create, review or modify as necessary the student's behavior plan and IEP or a 504 Plan. Under such circumstances, the student will be returned to his/her current placement unless the Team determines that another placement is required to provide the student with FAPE (free appropriate public education).
5. If the Team determines that the student's misconduct is NOT a manifestation of his/her disability, then the district may suspend or expel the student consistent with policies applied to any student without disabilities, except that the district must still offer an appropriate education program to the student with disabilities, which may be in an interim alternative setting.
6. Regardless of the manifestation determination, the district may unilaterally place the student in an interim alternative educational setting (as determined by the Team) for up to 45 school days under the following circumstances: 1) if the student carries or possesses a weapon to or at school, on school premises, or at a school function; 2) a student knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance while at school, on school premises, or at a school function; or 3) a student has inflicted serious bodily injury upon a person while at school, on school premises, or at a school function.
7. Milton Public Schools will provide written notice to the parent of all rights to appeal and to an expedited hearing. If the parent chooses to appeal, during the appeal the student stays put in the interim alternative placement, unless the parent and district agree otherwise.

### **McKinney-Vento Act**

The Milton Public Schools comply with federal and state laws and regulations in the identification and education of children who are in homeless situations. The intent of this policy is to provide each child and youth equal access to the same free appropriate public education, including public preschool, as provided to other children and youth. In accordance with the requirements of the McKinney-Vento Act, the Superintendent has designated Susan Maselli as the Homeless Education Liaison. The responsibility of the Liaison includes assisting homeless students in enrollment, working to obtain records by contacting districts of previous attendance, and ensuring these students receive the educational services for which they are eligible.

## ANTI-DISCRIMINATION AND ANTI-HARASSMENT POLICY

**Discrimination Prohibited:** The Milton school system conducts its programs and activities in conformity with state and federal laws that prohibit discrimination based on membership in legally protected categories. These laws include Title VI and VII of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the IDEA, M.G.L. c. 76, §5, M.G.L. c. 151B, and the Americans With Disabilities Act. It is the policy of the Milton Public Schools not to discriminate and not to allow discrimination, on the basis of race, color, gender, gender identity, religion, national origin, sexual orientation, disability and/or marital status or any other legally prohibited basis in any of its activities. In addition, retaliation against any individual who has made a complaint or cooperated in an investigation of a complaint under this policy is unlawful and will not be tolerated by the Milton Public Schools.

**Harassment Prohibited:** Harassment of students by other students, employees, vendors and other 3<sup>rd</sup> parties will not be tolerated in the Milton Public Schools. The alleged harassment must involve conduct that occurred within the school's own program or activity, such as whether the harassment occurred at a location or under circumstances where the school owned, or substantially controlled the premises, exercised oversight, supervision or discipline over the location or participants, or funded, sponsored, promoted or endorsed the event where the alleged harassment occurred, against a person in the United States. This policy is in effect while students are on school grounds, School District property or property within the jurisdiction of the School District, school buses, or attending or engaging in school sponsored activities.

Harassment prohibited by the District includes, but is not limited to, harassment on the basis of race, sex, gender identity, creed, color, national origin, sexual orientation, religion, marital status or disability. Students whose behavior is found to be in violation of this policy will be subject to disciplinary action up to and including suspension or expulsion pursuant to disciplinary codes. Employees who have been found to violate this policy will be subject to discipline up to and including, termination of employment, subject to contractual disciplinary obligations.

**Employee-to-Student Harassment** means conduct of a written, verbal or physical nature that is designed to embarrass distress, agitate, disturb or trouble students when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of a student's education or of a student's participation in school programs or activities; or
- Submission to or rejection of such conduct by a student is used as the basis for decisions affecting the student.

**Student-to-Student Harassment** means conduct of a written, verbal, or physical nature that is designed to embarrass, distress, agitate, disturb or trouble students, when:

- Such conduct has the purpose or effect of unreasonably interfering with a student's performance or creating an intimidating or hostile learning environment.

Harassment as described above may include, but is not limited to:

- Written, verbal, or physical (including texting, blogging, or other technological methods) harassment or abuse;

- Repeated remarks of a demeaning nature;
- Implied or explicit threats concerning one's grades, achievements, or other school matter.
- Demeaning jokes, stories, or activities directed at the student.

By law, what constitutes harassment is determined from the perspective of a reasonable person with the characteristic on which the harassment is based. Individuals should consider how their words and actions might reasonably be viewed by others.

The District will promptly and reasonably investigate allegations of harassment through designation of Title IX Coordinator or building based employees, who may include principals or their designees. The superintendent will recommend, in consultation with the principals, opportunities to the designated recipients for appropriate training.

**Sexual harassment** is unwelcome conduct of a sexual nature. The definition includes unwelcome conduct on the basis of sex that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity it also includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment includes conduct by an employee conditioning an educational benefit or service upon a person's participation in unwelcome sexual conduct, often called quid pro quo harassment and, sexual assault as the Federal Clery Act defines that crime. Sexual violence is a form of sexual harassment. Sexual violence, as the Office of Civil Rights (OCR) uses the term, refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse and sexual coercion. Massachusetts General Laws Ch. 119, Section 51 A, requires that public schools report cases of suspected child abuse, immediately orally and file a report within 48 hours detailing the suspected abuse to the Department of Children and Families. For the category of sexual violence, in addition to Section 51A referrals these offences and any other serious matters shall be referred to local law enforcement. Schools must treat seriously all reports of sexual harassment that meet the definition of sexual harassment and the conditions of actual notice and jurisdiction as noted above. Holding a school liable under Title IX can occur only when the school knows of sexual harassment allegations and responds in a way that is deliberately indifferent (clearly unreasonable in light of known circumstance).

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct, which if unwelcome, may constitute sexual harassment, depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances—whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting
- Inquiries into one's sexual experiences; and,
- Discussion of one's sexual activities.

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating an environment that is hostile, offensive, intimidating, to male, female, or gender non-conforming students or employees may also constitute sexual harassment.

Because the District takes allegations of harassment, including sexual harassment, seriously, we will respond promptly to complaints of harassment including sexual harassment, and following an investigation where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose corrective action as is necessary, including disciplinary action where appropriate.

Please note that while this policy sets forth our goals of promoting an environment that is free of harassment including sexual harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of harassment or sexual harassment.

Retaliation against a complainant, because they have filed a harassment or sexual harassment complaint or assisted or participated in a harassment or sexual harassment investigation or proceeding, is also prohibited. A student or employee who is found to have retaliated against another in violation of this policy will be subject to disciplinary action up to and including student suspension and expulsion or employee termination.

The complainant does not have to be the person at whom the unwelcome sexual conduct is directed. The complainant, regardless of gender, may be a witness to and personally offended by such conduct.

## **NOTICE OF SEXUAL HARASSMENT**

The regulations require a school district to respond when the district has actual notice of sexual harassment. School districts have actual notice when an allegation is made known to any school employee. Schools must treat seriously all reports of sexual harassment that meet the definition of harassment and the conditions of actual notice and jurisdiction as noted whether or not the complainant files a formal complaint. Holding a school liable under Title IX can occur only when the school knows of sexual harassment allegations and responds in a way that is deliberately indifferent (clearly unreasonable in light of known circumstances). Schools are required to investigate every formal complaint and respond meaningfully to every known report of sexual harassment.

The regulation highlights the importance of supportive measures designed to preserve or restore access to the school's education program or activity, with or without a formal complaint. Where there has been a finding of responsibility, the regulation would require remedies designed to restore or preserve access to the school's education program or activity.

## **DUE PROCESS PROTECTIONS**

Due process protections include the following:

- 1) A presumption of innocence throughout the grievance process, with the burden of proof on the school;
- 2) A prohibition of the single investigator model, instead requiring a decision-maker separate from the Title IX Coordinator or investigator;
- 3) Application of a preponderance of evidence standard;
- 4) The opportunity to test the credibility of parties and witnesses through cross examination at a live hearing, if offered by the district, subject to "rape shield" protections;

- 5) Written notice of allegations and an equal opportunity to review the evidence;
- 6) Title IX Coordinators, investigators, and decision-makers must be free from bias or conflict of interest;
- 7) Equal opportunity for parties to appeal, where schools offer appeals;
- 8) Upon filing a formal complaint, the school must give written notice to the parties containing sufficient details to permit a party to prepare for any initial interview and proceed with a factual investigation. For K-12 schools, a hearing is optional at the election of the district, but the parties must be allowed to submit written questions to challenge each other's credibility before the decision-maker makes a determination. After the investigation, a written determination must be sent to both parties explaining each allegation, whether the respondent is responsible or not responsible, including the facts and evidence on which the conclusion was based by applying the preponderance of the evidence standard. As long as the process is voluntary for all parties, after being fully informed and written consent is provided by both parties, a school may facilitate informal resolution of a sexual complaint.

The District may establish an informal investigation process that may, upon the request of the complainant, be followed by a formal process.

The Superintendent in consultation with the Title IX Coordinator shall designate the principal of each school in the district, or their designee (or some other appropriate employee(s)) as the initial entity to receive the sexual harassment complaint. Also, in a matter of sexual harassment, the district shall require that the Title IX Coordinator be informed, as soon as possible, of the filing of the complaint. Nothing in this policy shall prevent any person from reporting the prohibited conduct to someone other than those above designated complaint recipients. The investigating officer may receive the complaint orally or in writing, and the investigation shall be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances and in compliance with applicable law. The investigation will be prompt, thorough, and impartial, and will include, at least, a private interview with the person filing the complaint and with witnesses. Also, the alleged harasser will be interviewed. When the investigation is completed, the complaint recipient will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

## **RECORD KEEPING REQUIREMENTS**

Schools must create and maintain records documenting every Title IX sexual harassment complaint. This could include mediation, restorative justice, or other models of alternative dispute resolution. Schools must keep records regarding the school's response to every report of sexual harassment of which it becomes aware even if no formal complaint was filed, including documentation of supportive matters offered and implemented for the complainant.

This policy, or a summary thereof that contain the essential policy elements shall be distributed by the Milton Public School District to its students and employees and each parent or guardian shall sign that they have received and understand the policy.

The Assistant Superintendent for Curriculum and Human Resources is the Title IX Coordinator for the District. Complaints may be directed to any of the following offices/individuals:

**Pierce Middle School:**

Principal – (617) 696-4569

Assistant Principal – (617) 696-4568, X3603

Assistant Principal – (617) 696-4568, X3604

**Central Office/School Committee:**

Superintendent – (617) 696-4809

Chairman, Milton School Committee – (617) 696-4809

Dr. Karen L. Spaulding, Assistant Superintendent and Title IX Coordinator – (617) 696-4812

Please note that the following entities have specified time limits for filing a claim.

The Complainant may also file a complaint with:

- The Mass. Commission Against Discrimination, 1 Ashburton Place, Room 601  
Boston, MA 02108.  
Phone: 617-994-6000
- Office for Civil Rights (U.S. Department of Education)  
5 Post Office Square, 8<sup>th</sup> Floor  
Boston, MA 02109.  
Phone: 617-289-0111
- The United States Equal Employment Opportunity Commission,  
John F. Kennedy Bldg.  
475 Government Center  
Boston, MA 02203

**For more information regarding the Title IX Grievance Process, please refer to Milton School Committee Policies ACAB, ACAB-R.**

**For more information regarding the Milton Public Schools' prohibition of harassment and discrimination, please refer to School Committee Policies AC, ACA, ACE and ACG. The full Milton School Committee Policies are available on the Milton Public School website (under School Committee Policies).**

## **BULLYING PREVENTION POLICY**

*Please note the Milton Public Schools Bullying Prevention Policy can be viewed in its entirety on the Milton Public Schools website <http://www.miltonps.org>.*

The Milton Public Schools strive to provide a safe, respectful, and supportive learning environment in which all students can thrive and succeed in its schools. It is the goal of the Milton School Committee and the Milton Public Schools to promote a learning atmosphere for students free from all forms of bullying and ensure that all students have equal rights of access and equal enjoyment of the opportunities, advantages, privileges, and courses of study. Because bullying affects not only students who are targets but also those who participate and witness such behavior, it is detrimental to student learning and achievement and will not be tolerated by the Milton Public Schools.

The Milton Public Schools prohibits all forms of harassment, discrimination and hate crimes based on race, color, religion, national origin, ethnicity, sex, sexual orientation, gender, gender identity or expression, gender variance, gender conformity, gender transitioning, transgender status, age, homelessness or disability. The civil rights of all school community members are guaranteed by law. We are committed to providing an inclusive and welcoming environment for all members of our staff, students, volunteers, subcontractors, and vendors. The protection of those rights is of utmost importance and priority to our school district. Further, the Milton Public Schools will also not tolerate Retaliation (as defined below) against persons who take action consistent with this policy.

“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 him/herself, or of damage to his/her 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 transmitted in whole or in part by a:

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

Cyber-bullying 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.

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 and families are expected.

For the purpose of this policy, whenever the term bullying is used it is to denote both bullying and 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 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 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

#### Milton Public Schools' Bullying Prevention and Intervention Plan:

*What middle school students need to know*

(adapted from the Belmont Public Schools)

In May of 2010, the state of Massachusetts took steps to protect all students from unwanted, aggressive behavior by passing anti-bullying legislation. The Massachusetts anti-bullying law prohibits bullying on school grounds, buses, and activities and requires that schools take steps to report and respond to bullying. The Milton Public Schools developed a plan to educate students about bullying and to let you know what you should do if you experience or witness bullying behaviors at school. It is the expectation of the Milton Public Schools that every student, parent, and staff member is familiar with the Bullying Prevention and Intervention Plan.

**BULLYING** is aggressive behavior that is intended to physically or emotionally harm another person. Bullying differs from normal conflict in that:

1. It is deliberate and targeted
2. It involves an imbalance of physical or psychological power
3. It is repetitive



Bullying behavior is deliberate, which means the harm inflicted on one student by another student is done on purpose. There is also a perceived imbalance of power between the students involved. This difference in power may exist because one student feels that he or she is bigger, older, more popular, smarter, or better than another student in some way. Because of this difference in power, it is difficult for the person being bullied to stand up for him or herself, which may result in a repeat of the aggressive behavior.

There are several different types of bullying:

- 1) Physical- hitting, pushing, shoving, damaging someone else's property
- 2) Verbal/Written- teasing, name- calling, threatening harm
- 3) Social- spreading rumors, excluding others on purpose, breaking up friendships
- 4) Cyber- using the internet or cell phones to cause harm

**RETALIATION** is any form of intimidation, payback, or harassment directed against a student who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying. Like bullying behavior, acts of retaliation will not be tolerated and are subject to responsive and/or disciplinary action

***Who is involved in bullying or retaliation?***

The person who causes the harm or hurt is called the aggressor

The person who is hurt is called the target

People who watch bullying happen but do not say or do anything to help the target, or stop the aggressor, are called bystanders.

***I think I am being bullied or someone I know is being bullied. What should I do...?***

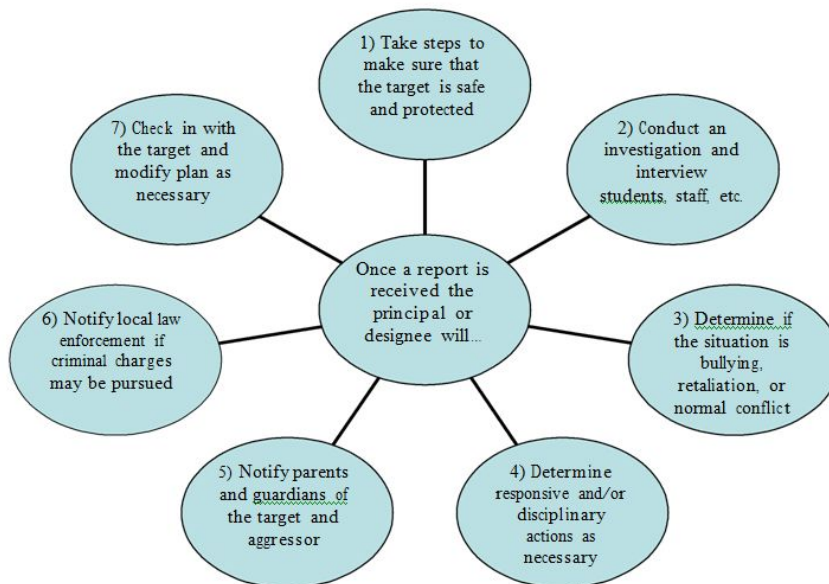
- Tell an adult you feel comfortable talking to. Your parent, teacher, guidance counselor, principal, assistant principal, and coach are all examples of adults who can listen to what you're experiencing and help you respond to the situation. This is not something you should handle by yourself.
- Complete a Bullying Incident Reporting Form. Forms are available online @[www.miltonps.org](http://www.miltonps.org) and in school in the main office, the guidance office, and the nurse's office. This is something you can complete on your own or with one of the adults mentioned above. You do not need to include your name on the reporting form, but it is helpful if you do. You should submit the reporting form to the main office or the guidance office once it is completed. It is important to note that the principal or assistant principal at your school will investigate all reported incidents of bullying and retaliation, but no disciplinary action will be taken against an alleged aggressor based solely on an anonymous report.

### ***Bullying vs. Conflict***

It is important to understand that not all situations that students with adults are examples of bullying. They may be examples of a more equal type of CONFLICT, like an argument or disagreement. In an argument or a disagreement BOTH students or groups of students feel they can stand up for themselves and work together to resolve an issue when they are ready. Sometimes, like bullying, a conflict between students requires an adult's help to resolve.

If you would like to talk to someone at school about your situation, stop by the guidance office and schedule a time to speak with your counselor. You can also pick up an incident report form in the main office, the nurse's office, or the guidance office. Incident report forms should be submitted to the main office or the guidance office.

### ***What happens after I report alleged bullying or retaliation to my school?***



### ***What can I do to help? Everyone is a bystander at some point.***

- Treat everyone in your grade and in different grades with KINDNESS and RESPECT. You may not like what someone says or does all of the time, but you should always treat others the way you would like to be treated.
- Consider how your words and actions will affect other people before you say or do something. Taking a moment to think about how what you say or do could make someone feel could avoid unnecessary hurt.
- Support your peers. If you see someone do something unfair or unkind to someone again and again, don't allow it to continue. Reach out in friendship to the targeted student immediately or at another time. Report the incident to an adult; anonymous reports are investigated. If you feel comfortable, let the aggressor know that their actions are not okay and should stop. As a bystander, you can make a big difference.

## ***Questions:***

If you have any questions or concerns about bullying or conflict, please talk to your parent or guardian, teacher, guidance counselor, or another adult that you trust. We will do our best to help you. It is everyone's responsibility to stop bullying in our schools.

## **ANTI-HAZING LAW**

### **Chapter 269: Section 17. Hazing; organizing or participating; hazing defined**

Section 17. Whoever is a principal organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or both such fine and imprisonment.

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

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

### **Chapter 269: Section 18. Failure to report hazing**

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.

### **Chapter 269: Section 19. Copy of Secs. 17 to 19; issuance to students and student groups, teams and organizations; report**

Section 19. Each institution of secondary education and each public and private institution of post-secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections seventeen and eighteen; provided, however, that an institution's compliance with this section's requirements that an institution issue copies of this section and sections seventeen and eighteen to

unaffiliated student groups, teams or organizations shall not constitute evidence of the institution's 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 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.

F:/School Climate/Hazing/Anti-Hazing Statute.doc

## REMOTE LEARNING

Remote learning may at times become an integral part of the Milton Public Schools Curriculum. The Administration shall develop internal policies and plans in accordance with this general policy.

### I – Remote Learning

In the event of a district-specific need requiring the use of remote learning, the superintendent of schools may declare such an emergency and shall, as soon as possible, obtain the approval of the school committee, or if unable, the approval of the Chair. The general district remote learning plan may be applicable in cases of disease, weather emergencies, destruction or damage to schools rendering them inaccessible, or other extraordinary circumstances, including emergencies declared by State and Federal government officials, the School Committee, or the Superintendent.

When it becomes necessary for the school district to provide support to students who are unable to attend classes or access appropriate services due to an extended closure of schools, the superintendent shall establish a plan and procedures to ensure that such services are provided. The provision of educational services may include the use of technology and devices, and strategies designed to support student learning away from school and may deviate from in-person educational practices

The remote learning plan will, to the extent possible:

- Support the wellbeing of students
- Provide support for student social and emotional wellbeing and address the implications of trauma experienced by students or faculty as a result of the emergency with a focus on those disparately affected by the crisis;
- Identify goals and strategies for maintaining standards of student achievement and school improvement plans;
- Ensure instruction and services are delivered by district educators and personnel as much as practicable;
- Ensure instruction in accordance with Individual Education Plans to the extent practicable as per pertinent DESE guidance if applicable;
- Identify high risk subgroups and dedicated targeted support during the extended closure ;
- Utilize the most effective tools and resources available for students and faculty, including the skills and talents of district personnel, in the delivery of instruction and services and share resources as needed;
- Provide resources and services equitably to meet the needs and circumstances of all students;
- Identify remedial strategies necessary after the emergency to advance student achievement (i.e. after-school, extended day, summer school, and contingency scheduling to cancel vacations.);
- Gather information both during and after the period of emergency regarding the most effective means of remote learning to implement as appropriate.

In developing a remote learning plan, the Superintendent will:

- Identify and prepare effective means for communicating with faculty, students, parents and community stakeholders.
- Collaborate with municipal agencies that support the schools and community.
- Consult with the school committee to identify any extraordinary actions necessary or authority required to administer emergency and remote learning plans. This includes any changes to district policies on the school calendar, grading, promotions and retentions, local graduation requirements, testing, and standards and accountability.
- Leverage existing collaborative processes to ensure a degree of uniformity in lessons and educational focus.
- Ensure the privacy rights of students, faculty and families are protected, including assessing the security of district technology.
- Identify the financial implications of the emergency plan and recommend transfer of funds as may be necessary
- Consult with administrators and principals to ensure the continuing education of students at all levels, including:
  - use of the most appropriate resources, tools and strategies to deliver the curricula given local circumstances and conditions;
  - equitable access to appropriate content for all students;
  - specific accommodations for students at high risk, including special education, students with disabilities, English language learners, students at economic disadvantage, homeless students, students in foster care and students of military families.
  - Utilize available technological resources suitable for serving students at all levels. This inventory will be prepared in advance in anticipation of an emergency.

## II – General:

Content produced for and/or accessed through the remote learning curriculum of the Milton Public Schools is the intellectual property of the Milton Public Schools. The duplication, recording, dissemination, or unauthorized alteration of this content is strictly prohibited. The Superintendent or their designee shall investigate any violations including but not limited to unauthorized use, dissemination, and alteration and refer the matter to law enforcement and/or discipline parties pursuant to the results of this investigation and in accordance with the Student Handbook and other district discipline policies as needed. Explicit acceptance of these terms as part of Student Handbook review by students and parents/guardians shall be required. Alternative arrangements shall be made for students and parents/guardians unwilling to accept these terms.

LEGAL REFS.: 20 U.S.C. §1232g Family Education Rights and Privacy Act (FERPA)  
15 U.S.C. §§ 6501–6506 Children’s Online Privacy Protection Act (COPPA)

CROSS REFS.: EBCE – Emergency Closings  
IGA – Curriculum Development  
IGB – Support Services Programs  
IHBEA – English Learner Education  
IJND – Access to Digital Resources  
IJNDB – Empowered Digital Use  
IJNDC – Internet Publication  
IJNDD – Policy on Social Media  
IHBEA – English Language Learners  
JB – Equal Educational Opportunities  
JBB – Educational Equity  
IGD – Curriculum Adoption

SOURCE: MASC – May 2020

First and Second Reading: August 26, 2020

**Milton Public Schools**  
**Terms of Remote Learning by Audio and Video Conferencing**

By participating in this audio and/or video conferencing service as part of your student's remote learning plan, you consent to the use of the Remote Learning by Audio and Video Conferencing technology, tools, and services and acknowledge that you have read, understand, and agree to all of the above requirements and restrictions.

1. Students and parents/guardians must not save, record, share, or post this session or any copies, recordings, materials, or photographs of/from this session.
2. Students must treat each other with respect and must obey school rules at all times. The student code of conduct applies to all remote learning sessions. Students may be disciplined consistent with the student code of conduct for violating school rules during the sessions. Parents/guardians are responsible for monitoring their child's use of the provided services and programs.
3. The District reserves the right to remove a student from a session for inappropriate behavior or conduct.
4. During online instruction, information regarding students and/or their voice, image and writing may be shared with other students (e.g., group chats, shared assignments, video feeds) who are participating in the session. However, the District takes steps to ensure that student record information in its possession is maintained in accordance with applicable laws.
5. The District assumes no liability and makes no representation regarding the quality of the audio or video conferencing service used.
6. The District has in good faith attempted to ensure that audio and video conferencing platforms that are compliant with FERPA, CIPA, COPPA and all other applicable federal and state laws. The District will take all reasonable measures to preserve your privacy and the privacy of the student, and each of our educators will continue to maintain the privacy of student record information. Parents/guardians waive any and all claims against the District related to the use of these third-party vendors to provide audio and/or video conferencing services.
7. Parents/guardians and students should be aware that they can be observed by the educator and by other students and may elect to disable the camera feature.

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If you or your parents DO NOT AGREE to these rules and terms, please do not connect to any sessions. Parents/guardians who opt out of these rules and terms should contact the Building Principal via email.



## **MILTON PUBLIC SCHOOLS INTERNET ACCEPTABLE USE POLICY**

Internet access is available through the Milton Public Schools' computer network. The purpose of this is to support the educational programs by providing students and teachers with access to unique resources available through the Internet and the World Wide Web. All uses of Milton's Internet access and computer facilities must be in support of and consistent with the educational mission of the Milton Public Schools.

Access to the Internet is a privilege, not a right. Adherence to these Internet guidelines is a condition for a student's access to the Internet. Failure to abide by these guidelines may subject users to termination of their Milton Public Schools computer network accounts, including Google Apps for Education/G Suite accounts, email accounts, and accounts with other district-provided services.

All who use Milton's Internet access are expected to read and follow these guidelines. By signing the handbook receipt, parents and students are stipulating that they have read these guidelines and agree to adhere to them. All student use of the Internet is to be conducted under faculty supervision. However, faculty members are not expected to monitor a student's use at every moment. Every student is expected to take responsibility for his or her appropriate use of the Internet.

All students will be provided a miltonps.org network login ID and password that they should not share with other students. Students are expected to take individual responsibility for his or her appropriate use of the Internet and electronic resources, and follow all conditions and rules of technology use as presented by the Milton Public Schools. Any violation of the conditions and rules may result in disciplinary and/or legal action.

All miltonps.org e-mail and other Internet files and records may be accessed and examined by administrators. Administration retains the right to inspect any user's virtual hard drive, school-owned computer, Internet history, or email (whether through a town server or through Google Apps for Education/G Suite) if a suspected violation of the network technology policy or any other district policy has occurred.

Administrators will also advise law enforcement agencies of illegal activities conducted through the MPS computer network and will cooperate fully with local, state, and/or federal officials in any investigation related to illegal activities conducted through the Milton Public Schools computer network. No one should assume that their use of the Milton Public Schools Internet will be private. In keeping with state and federal laws regarding public records, users should be aware that data and messages are regularly archived, even if they appear to have been deleted locally. In addition, an Internet firewall automatically checks all data moving between the local area network and the Internet and logs the sending and receiving destinations.

Network users should be warned that some material accessible via the Internet might contain items that are illegal, defamatory, inaccurate or potentially offensive to some people. Content filtering software is in use, but no filtering system is capable of blocking 100% of the inappropriate material available on the Internet. We believe that the benefits to students and staff from access to the Internet, in the form of information resources and opportunities for collaboration, exceed the risks or disadvantages. Ultimately, teachers, parents and guardians of minors are responsible for setting and conveying the standards that their children should follow when using media and information sources

The Internet is accessible to the public. Unfortunately, this includes people who want to make contact with students for inappropriate reasons or under false pretenses. The Milton Public Schools cannot screen the Internet for all such inappropriate applications. Consequently, students must be cautious and prudent about supplying personal information and arranging personal meetings. Students should never arrange a personal meeting with someone whom they meet online without parents' or guardians' knowledge and approval.

Students should promptly inform their teacher or administrator about any online communication that the student feels is threatening, harassing, or otherwise inappropriate.

Network users are expected to abide by generally accepted rules of Internet etiquette as well as rules of school decorum. These include common courtesy and the avoidance of vulgar or offensive language. The following are unacceptable uses of Milton's Internet access, network devices, computers, tablets and other infrastructure:

1. Posting private or personal information about another person or yourself,
2. Attempting to log on through another person's email account or to access another person's files.
3. Accessing or transmitting obscene or pornographic material.
4. Posting chain letters or spamming, i.e., sending unsolicited or annoying messages to large numbers of people.
5. Participating in communications that facilitate any form of criminal activity, such as, but not limited to, the illegal sale or use of drugs or alcohol, gang activity, sexual harassment, threats, or any other forms of intimidation.
6. Plagiarizing any material; the rules for plagiarism that are stated in this handbook are also applicable to students' use of the Internet.
7. Infringing copyrights, i.e., inappropriately reproducing or transmitting material protected by copyright.
8. Participating in any and all commercial activities that are not directly related to the educational purposes of the Milton Public Schools, unless specifically approved in advance by the school's Administration.
9. Damaging or modifying MPS computers, computer systems or computer networks.
10. Removing MPS hardware and/or software from school premises without prior written consent from the school Principal or his/her designee.
11. Using any form of proxy and/or filtering avoidance software, hardware, or website.
12. Using others' passwords and/or impersonating another user.
13. Trespassing in others' folders, work or files.
14. Gaining unauthorized access to MPS or others computer, server, or telecommunications networks.
15. Interfering with the operations of technology resources.

Consequences: Failure to adhere to these guidelines, conditions and rules of this Acceptable Use Policy will result in disciplinary and/or legal action, according to the Code of Conduct.

### **Disclaimers**

The Milton Public Schools disclaim all liability for the content of material that a student may access on the Internet, for any damages suffered in the course of or as a result of a student's Internet use, and for the consequences of a student's Internet use. Students may, however, be disciplined and may face academic consequences as well as prosecution for violating this policy.

The Milton Public Schools make no warranties of any kind for the technology services provided. The user will be responsible for repair or replacement of equipment damaged by malicious or inappropriate use as defined by this policy. Protection of data is the responsibility of the user. The district will not be responsible for any loss in service or data. Use of all technology and networks is at one's own risk. The school system is not responsible for verifying accuracy of any information obtained through the technology or network.

## ACCESS TO DIGITAL RESOURCES

### ACCESS TO DIGITAL RESOURCES

The School Committee supports the right of students, employees, and community members to have reasonable access to various information formats and believes it is incumbent upon users to utilize this privilege in an appropriate manner.

### Safety Procedures and Guidelines

The Superintendent, in conjunction with the Director of Technology, shall develop and implement appropriate procedures to provide guidance for access to digital resources. Guidelines shall address teacher supervision of student computer or tablet use, ethical use of digital resources and issues of privacy versus an administrative review of electronic files and communications. In addition, guidelines shall prohibit the utilization of digital resources for prohibited or illegal activities and for the use of other programs with the potential of damaging or destroying programs or data. All Milton Public School (“MPS” or “District”) staff are required to comply with the Children’s Online Privacy Protection Act (COPPA), Children's Internet Protection Act (CIPA) the Federal Educational Rights Privacy Act (FERPA) and all other applicable laws in receiving or sharing any personally identifiable student information, including but not limited to academic and demographic information. Failure to comply with this policy may result in disciplinary action.

Internet safety measures shall be implemented that effectively address the following:

- Controlling access by minors to inappropriate matter on the Internet as defined by the Children's Internet Protection Act (CIPA) and COPPA;
- Safety and security of minors when they are using e-mail, chat rooms, instant messaging applications, and other forms of direct electronic communications;
- Preventing unauthorized access, including hacking, viruses, and other unlawful activities by minors online;
- Unauthorized disclosure, use and dissemination of personal information regarding minors.

The School District shall provide reasonable public notice to address and communicate its internet safety measures.

### Empowered Digital Use

All students and faculty must agree to and sign an Empowered Digital Use form prior to the student or staff member being granted independent access to digital resources and district networks. The required form, which specifies guidelines for using digital resources and district networks, must be signed by the parent or legal guardian of minor students (those under 18 years of age) and also by the student. This document shall be kept on file as a legal, binding document. In order to modify or rescind the agreement, the student's parent/guardian (or the student who is at least 18 years old) must provide the Director of Technology with a written request.

### Employee Use

Employees shall use district email, district devices, and district networks only for purposes directly related to educational and instructional purposes.

Employees shall limit their use of personally identifiable student information, provided to them via various technology platforms, for educational and instructional purposes only. Employees shall refrain from sharing identifiable student data with any external parties who have not signed off on a privacy agreement with the district.

### **Community Use**

On recommendation of the Superintendent in conjunction with the Director of Technology, the district shall determine when and which computer equipment, software, and information access systems will be available to the community. All guests will be prompted to, and must accept the district's Access to Digital Resources Policy before accessing the district network.

### **Disregard of Rules and Responsibility for Damages**

Individuals who refuse to sign required Empowered Digital Use documents or who violate district rules governing the use of district technology or networks shall be subject to loss or restriction of the privilege of using equipment, software, information access systems, and network.

Individuals shall reimburse the district for repair or replacement of District property lost, stolen, damaged, or vandalized while under their care.

SOURCE: MASC

LEGAL REFS: 47 USC § 254

Adopted: August 2015

**Note: FCC regulations that went into effect April 20, 2001, implementing The Children's Internet Protection Act (47 U.S.C. § 254) require each school/district to certify compliance with certain policy requirements in order to maintain eligibility for Internet access discounts and other services provided by the federal government.**

Original Adoption: November 9, 2017

Revised and Reapproved:

First Reading: May 1, 2019

Second Reading and Approval: May 15, 2019

Milton Public Schools  
Empowered Digital Use Policy

The Milton Public Schools Empowered Digital Use Policy (EUP) is designed to promote positive use of technology by students throughout the district. In order to develop a digital footprint that reflects the values of the district and be ethical digital citizens students will:

1. **Be empowered.** Solve problems, create something awesome and share ideas.
2. **Be courteous.** Help foster a school community that is respectful and kind. Give credit where it is due.
3. **Be smart and be safe.** Use technology in ways that are appropriate and ways that you would be proud to show your family and teachers.
4. **Be careful and gentle.** Technology tools can be fragile. Help us take care of our devices and networks.

It should be noted that this Empowered Digital Use Policy is in addition to the Acceptable Use Policy & Social Networking Policy, not in place of.

## **Social Networking Policy of the Milton Public Schools**

### **I. Internet Acceptable Use Policy still in force**

This policy is adopted in addition to and not as a substitute for the School District's Internet Acceptable Use Policy, which governs use of the school district's technology resources.

### **II. General Concerns**

It is the policy of the Milton Public School District to maintain the professionalism and appropriateness of electronic and/or online communications between students and staff, teachers and coaches at all times. The District recognizes that there are efficient and appropriate means of communication available to staff/teachers/coaches who need to contact students. The Superintendent and the School Principals will annually remind staff members and orient new staff members concerning the importance of maintaining proper decorum in the online, digital world as well as in person. Employees must conduct themselves in ways that do not distract from or disrupt the educational process and which uphold the values and policies of the Milton Public Schools.

The Milton Public Schools recognizes the proliferation of online communication and that such conversation may occur between teachers and students and/or their parents or guardians. However, due to the nature of social networking sites, there exists a risk, without care and planning, that the lines between one's professional life and personal life will be blurred. Our staff should always be mindful of how they present themselves to the world, online and otherwise. It is important that teachers, staff and coaches are always able to retain the authority and ability to maintain discipline, encourage appropriate behaviors and to remain truly objective with his or her students.

In addition, any online communication using one's own personal resources, as opposed to school district resources, compromises the teacher's, as well as the school district's, ability to retain public records in accordance with the requirements of the Commonwealth's public records laws. The law requires public employees who send, receive or maintain records in their capacity as public employees, to retain, disclose and dispose of such records in compliance with strict provisions of the public records law. This law applies whether or not the record is in the form of a paper document or an electronic communication. When staff members communicate through school-based resources, such as staff email or school sponsored web pages, such records are retained and archived through the school's information technology department. If, however, a teacher communicates outside of these resources, such information is not retained. The burden falls on the teacher to comply with public records laws when using personal email or social network accounts to communicate with students and/or parents and guardians.

### **III. Expectations of Staff**

With these concerns in mind, the Milton Public Schools has instituted this "Social Networking Policy," and announces its expectations for staff members' use of social networks including but not limited to Facebook, LinkedIn, Twitter, personal email accounts, cell phones/smartphone, texting, use of blogs, and other electronic or technology-based communication systems.

*It is acknowledged that there may be instances where communication with personal cell phones or via personal email is warranted. These actions should only occur when necessitated by school-related matters outside of regular school hours and may not be personal in nature. In such limited circumstances, the district anticipates that teachers will make reasonable use of their cell phones/smartphones to convey time-sensitive information on scheduling issues and the like.*

*Examples of situations which might be appropriate to involve the provision of a personal phone number to a student and/or the collection of one or more student phone numbers are:*

*a) a field trip where a teacher might provide one or more students with the number in case a group of students might get separated from the main group*

*b) a coach who needs to contact or convey information to team captains, or send an emergency text message to the team*

*c) at school-sponsored events for which teachers serve as duly appointed advisors and may need to convey messages in a timely manner to students and may not have access to school-based email accounts, school-provided telephones or school-based web pages.*

*Except as articulated above in this section, teachers are discouraged from using home telephones, personal cell phones/smartphones or personal email accounts to communicate with students. Your communications with students, even if you do not use school resources for such communications, are within the jurisdiction of the school district to monitor as they arise out of your position as an educator. Any conduct, whether online or not, that reflects poorly upon the school district or consists of inappropriate behavior on the part of a staff member, may expose an employee to discipline up to and including discharge. Even if you are not using a school telephone, computer, classroom or the like to engage in contact with a student, such contact is not outside of the school district's authority to take appropriate disciplinary action. If your behavior is inappropriate, undermines your authority to instruct or maintain control and discipline with students, compromises your objectivity, or harms students, the school district reserves the right to impose discipline for such behavior. A teacher may also face individual liability for inappropriate online communications with students and/or parents and guardians, as well as exposing the district to vicarious liability in certain instances.*

The following is a representative list of *guiding principles, procedures and specific prohibitions of this* policy:

- Improper interactions with students using social media and similar internet sites, social networks, or via smartphone or other electronic communication devices.

a) All electronic contacts with students should be through the district's computer and telephone systems, except in emergency situations.

b) All contact and messages by coaches with team members shall be sent to all team members *or to team captains*, except for messages concerning medical or academic privacy matters, in which case the messages will be copied to the athletic director and the school principal. It is appropriate for teachers and/or coaches to send a group mail email alert to notify parents/guardians of club or sport cancellations or time changes using an official school email account unless an urgent situation requires the use of a personal email account *as noted above*.

- Teachers, staff and coaches may not list current students as "friends" on networking sites.

- Staff/teachers/coaches shall not respond to social network invitations from current students.

- Teachers, staff and coaches will not give out their private cell phone or home phone numbers without prior approval of the District *or as noted above*.

- Teachers may not access their personal email accounts *except to access a calendar such as Google Calendar to schedule appointments with a parent or a student* or private social networking accounts using school district computer resources.

- Posting items with sexual content.

- Posting items exhibiting or advocating use of drugs and alcohol.

- Posting examples of inappropriate behavior from other districts as behavior to avoid.

Before endeavoring to establish any social networking account, teachers should familiarize themselves with the features of any account they choose to use. For example, Facebook requires account holders to take specific steps to “privatize” the information they place online. You must educate yourself to these features of Facebook or any other social networking site you select. You will be responsible should any information you intended to be “private” becomes “public” due to your own ignorance of the features of the social network you have decided to use or your failure to properly use such features.

You *should also be aware* that any information you share privately with a recipient could be re-distributed by such recipient, without your knowledge or consent. The same principles you apply to in-person communication should be applied to online conversation: use discretion, and do not place your trust in individuals who have not proven themselves trustworthy. In essence, nothing you post online is ever truly “private.”

The school district expects you to keep the line between your professional life and your personal life clearly drawn at all times. There is no reason why this cannot be done, even in light of the proliferation of social networking sites. All that is required is some forethought before using social networking for both your professional and personal life, to be sure that these lines never become blurred. Advance approval to create a school/class social network account should be obtained from the responsible school principal. The School Principal will notify the Superintendent of any such requests. Once approval is obtained, the educator should only use his/her educational social networking account to communicate with students and/or parents and guardians on matters directly related to education. The “friends” associated with such educational social networking account should only be members of the educational community, such as administrators, teachers, students, and parents of such students. It is required that teachers will reject “Friend” requests from individuals who do not fit into any of these categories.

At all times, and in the use of any form of communications, staff members will always adhere to student privacy rights and the rights of employees to have their personnel and medical information kept confidential. Information that is protected by law from disclosure to third parties will not be communicated online in a way that unreasonably exposes such information to retrieval by those third parties. For example, through an educational social networking account, a teacher may not post confidential student information on the “wall,” the “information” section, or through any part of the social networking account that could be accessible by other “friends” associated with that account. If a teacher wishes to communicate privately with a student through the educational social networking account, such communication shall be conveyed only through the private email/message feature of the social networking account, so that only the student may view the message and respond to it.

Teachers are encouraged to communicate with students and parents on educational matters only, and only through school-based resources, such as school-provided email or web portal accounts. It should be noted that, just because a teacher uses his/her personal email as opposed to a school email account, this does not shield



such email from the provisions of the public records law or from discovery in litigation. It only prevents the archiving of such messages through the school district's automatic email archiving system. We again remind teachers that information sent or received by them, even through personal email or social network accounts, that are related to their capacity as a school employee, are still subject to public records retention, exemption and disclosure requirements.

If a teacher conveys school-related messages to students and parents/guardians on his/her private account, he/she should save such email or any communication conveyed through a social networking site, or print and save a paper copy of such email or other online communication, and file it, and safeguard its privacy, as he/she would any other document concerning that student. The teacher should forward copies of any such emails or online communications to his or her school based email account so that it can be properly retained and archived in compliance with the requirements of the public records law. Any document created or received by a public employee in his or her capacity as such is subject to retention, and perhaps disclosure under the public records law.

No matter what medium of communication a teacher selects, he/she should adhere to appropriate teacher/student boundaries. You are a role model, not a student's friend, you are his/her teacher, and you should always conduct yourself in accordance with this understanding.

This policy is not intended to infringe upon a teacher's right to speak publicly on matters of public concern, or to communicate with fellow members of their union on workplace issues, so long as such communication complies with any applicable laws, policies or regulations. However, when you speak via social networking sites or tools on matters concerning your work, you are speaking as an employee of the Milton Public Schools and as such restrictions may be placed upon your freedom to express yourself. Those restrictions are intended to preserve student confidentiality, maintain your status as an educator who should command and receive the respect of students, be able to maintain order and discipline in your classroom, and remain objective with respect to your students.

If you are communicating as an employee of the district in your online communications, you must be aware that readers will assume you "speak for the school district." Therefore, all of your online communications, when you are actually acting on behalf of the district, or creating the appearance that you are doing so, must be professional at all times and reflect positively on the school district.

In the use of any social networking site, you may not, without express permission from the superintendent of schools, use the school's logo, likeness or any school photographs or other property that belongs to the school.

All online, electronic or computerized means of communication are subject to this policy. Given the rapid pace of technological change it is not possible to identify all proprietary or commonly named or identified means of such communications.

The Superintendent or her/his designees will periodically conduct internet searches to see if teachers, staff or coaches have posted inappropriate materials online. When inappropriate use of computers and websites is discovered, the School Principals and Superintendent will promptly bring that inappropriate use to the attention of the staff member and may consider and apply disciplinary action up to and including termination. Any such discipline will be conducted in accordance with collective bargaining agreements and state and federal law.

## **COVID-19 PANDEMIC POLICY**

Given the unprecedented nature of the COVID-19 pandemic the realities of providing education may require deviation from established Milton Public School policies.

Pursuant to this policy, the Superintendent is generally empowered to deviate from MPS policy to maintain the health and safety of the MPS community, while maintaining academic standards of the highest level possible. Such deviations shall be reported to the School Committee as part of the ongoing feedback and communication process between the Superintendent and the School Committee.

However, modifications of certain school policies may require School Committee approval related to educational policy, including but not limited to:

- the 2020-2021 School calendar;
- Grading and Retention; and
- Local graduation requirements

Changes in the current COVID education model between full in person, hybrid, and full remote models shall be voted by the School Committee as soon as practicable.

This policy shall remain in effect until July 1, 2021, unless modified or rescinded by the School Committee.

First and Second Reading: August 26, 2020

## **Health & Wellness**

### **Health Services:**

Student Health Services may include the 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/guardians 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 school nurse is committed to minimize health related barriers to learning and promote each student's maximum learning opportunities. Massachusetts State Law mandates regular health screenings at school which include vision, hearing, scoliosis, height, weight and BMI (Body Mass Index.)\* Screenings do not take the place of regular primary care provider examinations. The purpose of the screening programs is to identify possible problems that may interfere with student success and make appropriate referrals for assessments and treatment. A strong communication network between school nurse, parents/guardians and primary care providers is essential.

In case of illness or emergency, parent/guardian will be notified by the school nurse or other staff member. In emergency situations, the school nurse may arrange for emergency medical treatment, including contacting an ambulance to transport a student to the hospital. Parent/guardian MUST provide the school with emergency contact information in case they cannot be reached. It is imperative to keep your child's "Emergency Card" up to date. In many instances time is critical for the student.

### **Physical Examinations:**

All students entering kindergarten and all new enrollees are required to present proof of a physical exam that has been completed within one year of school entry. Documentation of a physical exam is required again in Grades 1, 4, 7, and 10. These three year intervals allow a regular and predictable review of each student with attention paid to potential health concerns.

### **Immunizations:**

Immunizations are required by Massachusetts State Law for children to attend pre-kindergarten through grade 12. According to state law "no student shall be admitted or be allowed to remain in school unless they satisfy these requirements." The school nurse is required to keep an immunization and health record for each student enrolled in the district. A history of disease specific diagnosis by a primary care provider will be accepted in lieu of the immunization (i.e., chicken pox) for all vaccine preventable diseases except rubella. If a parent/guardian has a religious belief that is in conflict with the state law, the school nurse can provide the appropriate form for parent/guardian to complete. This form is required to be completed annually. Please see the revised [Immunization Policy](#).

### **Medication at school:**

The delivery of medication at school is regulated by the Department of Public Health and has specific guidelines in place for the health and safety of the student as well as confidentiality. Any student taking medication in school on a regular basis must have a new permission form signed by the parent/guardian and the prescribing physician every year. Medication must be provided to the school nurse in a pharmacy or manufacturer labeled container. **When getting the original prescription at the pharmacy please ask for a second container with all the prescribing information attached so medication can be left at school.**

Short-term medication (10 days or less), prescription or non-prescription will only be given if the proper permission forms are signed and dated by parent and physician if necessary. When your child needs medication at school please act quickly to follow these policies so the school nurse may begin to dispense the medication as soon as possible. Please contact your school nurse to discuss the scheduling of medication or any health issue pertaining to your child.

The school nurse may permit self-medication of prescription medication by a student to treat asthma, cystic fibrosis, diabetes or allergic reaction provided that certain requirements are met. Please contact the school nurse for more information.

All medication forms are on the Milton Public Schools Edline web page, [www.miltonps.org](http://www.miltonps.org).

**First Aid:**

First aid delivery and assessment of injuries is part of the school nurse's role as children learn to apply safety within their own environment. When appropriate, the school nurse will contact the parent/guardian if a student is injured. An explanation of the injury and the nursing care provided will be discussed. The need for parental/guardian follow up will also be assessed with this communication. In emergency situations, the school nurse may arrange for emergency medical treatment.

**Illness:**

Occasionally a student is kept home from school for illness. A student with vomiting or diarrhea should be kept home from school for at least the next school day or until all symptoms have been resolved. If diarrhea or vomiting persists, consult your primary care provider. If cold or cough symptoms are associated with a fever, the child should NOT come to school. If symptoms do not readily improve, contact your primary care provider. A student may attend school if there is no fever. Your primary care provider should evaluate a sore throat in conjunction with a fever. Students treated for strep throat may return to school after 24 hours on an antibiotic.

The single most important thing to do if any of the following symptoms are present is to **STAY HOME**. Our collective health relies, in part, on individual attention and responsibility. Note that some symptoms of COVID-19 are the same as the flu or a bad cold; please do not assume it is another condition. When in doubt, stay home.

**Please STAY HOME if you have any of the symptoms listed.**

Below is the full list of symptoms for which caregivers should monitor their children, and staff should monitor themselves:

- Fever (100.0° Fahrenheit or higher), chills, or shaking chills (CDC has lowered the temperature from 100.4 to 100.0)
- Cough (not due to other known cause, such as chronic cough)
- Difficulty breathing or shortness of breath
- New loss of taste or smell
- Sore throat
- Headache *when in combination with other symptoms*
- Muscle aches or body aches
- Nausea, vomiting, or diarrhea
- Fatigue, when in combination with other symptoms
- Nasal congestion or runny nose (not due to other known causes, such as allergies) *when in combination with other symptoms*

**If staff or students have any of these symptoms, they must get a test for active COVID-19 infection prior to returning to school.**

**Communicable Disease:**

When your child has a communicable disease, please contact the school nurse for information regarding the length of time the child should remain at home and documentation of treatment to be able to return to school.

- Head Lice: Arrangements can be made with any school nurse to examine a student in an effort to assist parent/guardian in treatment and follow-up.
- Conjunctivitis (Pink Eye): Do not send your child to school until 24 hours after treatment is started. Request a note from your primary care provider to ensure your child's attendance.
- Chicken Pox: Chicken Pox is a very contagious viral infection. It begins with a mild fever and rash that presents as small "red bumps." You must keep your child home from school for seven days from the appearance of the rash and 24 hours without a fever. Please notify the school nurse.

**Scoliosis:**

Scoliosis is a postural defect of the spine. Left untreated scoliosis can cause neck and back pain from postural deformities. The Massachusetts screening program begins in grade 5 for both boys and girls and is ongoing every year through grade 9. Postural screenings have dramatically reduced the incidence of surgical intervention for spinal deformities. Early detection is promoted by the American Academy of Orthopedic Surgeons and the American Academy of Pediatrics.

**SBIRT (Screening, Brief Intervention, Referral to Treatment):**

SBIRT is a structured conversation to promote prevention and to identify early risk factors for substance use in both middle and high school students. On March 14, 2016 Massachusetts General Law Chapter 71 Section 97 included a STEP Act: An Act relative to Substance use, Treatment, Education and Prevention. Implementation of SBIRT is mandated and will begin this year in grades 7 and 9. Additional information will be sent to parents/guardians at the start of the school year. Important to note, pupils and /or parents/guardians may "opt out in writing."

### **Individual Health Care Plan:**

An Individual Health Care Plan (IHCP) is developed by the school nurse in collaboration with the parent / guardian and, if appropriate, the primary care provider. With parent / guardian approval, the plan is shared with the appropriate staff. This provides a safe learning environment for the child and educates the staff on necessary measures for the health and safety of the student. The increasingly complex health care needs of children in school has created an opportunity for all involved to eliminate barriers in the best interest of the student. Partnership of student, parent/guardian and staff enhances the child's ability to learn and participate in the school setting.

### **Allergies or Chronic Health Care Issue:**

If your child has ANY type of allergy, including food allergy, or other chronic health issue, please schedule an appointment to meet with the school nurse and, if necessary, the classroom teacher to plan appropriate responses

and determine if medication needs to be kept at school. In appropriate circumstances, the student will receive an Individual Health Care Plan and may be referred to determine eligibility for a 504 plan.

### **Homebound Instruction:**

If you are confined to the home or hospital for medical reasons for a period of not less than fourteen school days in a school year, you may be eligible for home instruction. Students who seek home/hospital instruction to provide the Building Principal with a Department of Elementary and Secondary Education Physician's Statement form (form 28R/3) that is completed and signed by the Student's attending physician. The District may seek parental permission to speak with the physician in order to clarify the student's medical availability to receive educational services, to gather additional information and to develop a transition plan to return the student to a school setting. Students who do not provide a fully-completed and signed form will not be provided with tutoring.

If a chronic or acute medical condition that is not temporary in nature appears likely to adversely impact a student's educational progress, the Principal and/or his or her designee will initiate a referral to determine eligibility for special education services.

### **Policy and Guidelines for Pregnant Students:**

The Milton Public Schools 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.

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. Students or families who need more information may contact the school nurse.

## **ATHLETIC CONCUSSION REGULATIONS**

### **Section I. What is a Concussion?**

A concussion is defined as a transient alteration in brain function without structural damage, but with other potentially serious long-term ramifications. In the event of a concussion, the brain sustains damage at a

microscopic level in which cells and cell membranes are torn and stretched. The damage to these cells also disrupts the brain at a chemical level, as well as causing restricted blood flow to the damaged areas of the brain, thereby disrupting brain function. A concussion, therefore, is a disruption in how the brain works; it is not a structural injury. Concussions are difficult to diagnose because the damage cannot be seen. An MRI or CT Scan cannot diagnose a concussion, but they can help rule out a more serious brain injury to a student athlete. Because concussions are difficult to detect, student athletes must obtain medical approval before returning to athletics following a concussion.

## **Section II. Mechanism of Injury:**

A concussion is caused by a bump, blow or jolt to the head or body. Any force that causes the brain to bounce around or twist within the skull can cause a concussion. A bump, blow or jolt to the head or body can be caused by either indirect or direct trauma. The two direct mechanisms of injury are coup-type and contrecoup-type. Coup-type injury is when the head is stationary and struck by a moving object such as another player's helmet, a ball, or sport implement, causing brain injury at the location of impact. Contrecoup-type injury occurs when the head is moving and makes contact with an immovable or slowly moving object as a result of deceleration, causing brain injury away from the site of impact. Indirect forces are transmitted through the spine and jaw or blows to the thorax that whip the head while the neck muscles are relaxed. Understanding the way in which an injury occurred is vital in understanding and having a watchful eye for athletes who may exhibit symptoms of a concussion so these student athletes can receive the appropriate care.

## **Section III. Signs and Symptoms:**

### **Signs (what you observe):**

- Confusion
- Forgets plays
- Unsure about game, score, opponent
- Altered coordination
- Balance problems
- Personality change
- Slow response to questions
- Forgets events prior to injury (retrograde amnesia)
- Forgets events after injury (anterograde amnesia)
- Loss of consciousness (any duration)

### **Symptoms (reported by athlete):**

- Headache
- Fatigue
- Nausea or vomiting
- Double vision/ blurry vision
- Sensitivity to light (photophobia)
- Sensitivity to noise (tinnitus)
- Feels sluggish
- Feels foggy
- Problems concentrating
- Problems remembering
- Trouble with sleeping/ excess sleep
- Dizziness
- Sadness
- Seeing stars

- Vacant stare/ glassy eyed
- Nervousness
- Irritability
- Inappropriate emotions

If any of the above signs or symptoms are observed after a suspected blow to the head, jaw, spine or body, they may be indicative of a concussion and the student athlete must be removed from play immediately and not allowed to return until cleared by an appropriate allied health professional.

#### **Section IV. Management and Referral Guidelines:**

When an athlete loses consciousness for any reason, the athletic trainer will start the EAP (Emergency Action Plan) by activating EMS; check ABC's (airway, breathing, circulation); stabilize the cervical spine; and transport the injured athlete to the appropriate hospital via ambulance. If the athletic trainer is not available, the coach should immediately call EMS, check ABCs and not move the athlete until help arrives.

Any athlete who is removed from the competition or event and begins to develop signs and symptoms of a worsening brain injury will be transported to the hospital immediately in accordance with the EAP.

#### **Worsening signs and symptoms requiring immediate physician referral include:**

- Amnesia
- Deterioration in neurological function
- Decreasing level of consciousness
- Decrease or irregularity of respiration
- Decrease or irregularity in pulse
- Increase in blood pressure
- Unequal, dilated, or nonreactive pupils
- Any signs or symptoms of associated injuries, spine or skull fracture, or bleeding
- Mental-status changes: lethargy, difficulty maintaining arousal, confusion, agitation
- Seizure activity
- Vomiting/ worsening headache
- Motor deficits subsequent to initial on-field assessment
- Sensory deficits subsequent to initial on-field assessment
- Balance deficits subsequent to initial on-field assessment
- Cranial nerve deficits subsequent to initial on-field assessment
- Post-Concussion symptoms worsen
- Athlete is still symptomatic at the end of the game
- After a student athlete sustains a concussion, the athletic trainer will use the Standardized Assessment for Concussion (SAC) to assess and document the student athlete's concussion. The athletic trainer will also report on the student athlete's signs and symptoms by using the Signs and Symptoms Check-List. On the signs and symptoms checklist, the athletic trainer will also check pulse and blood pressure of each student athlete with a suspected concussion. After the initial evaluation of a concussion, all signs and symptoms will be tracked on the computer using the ImPact Test.
- Any athlete who is symptomatic but stable is allowed to go home with his/her parent(s)/guardian(s) following the head injury.
- If the head injury occurs at practice, parent(s)/guardian(s) will immediately be notified and must come and pick up the student athlete and talk to the certified athletic trainer in person.



- If the injury occurs at a game or event, the student athlete may go home with the parent/guardian(s) or other responsible adult know to parent/guardian after talking with the certified athletic trainer.
- Parent(s)/guardian(s) will receive important information regarding signs and symptoms of deteriorating brain injury/function prompting immediate referral to a local emergency room as well as return to play requirements.
- Parent(s)/guardian(s), as well as student athletes, must read and sign the Concussion Information and Gradual Return to Play form and bring it back to the certified athletic trainer before starting with the return to play protocol.

## V. Gradual Return to Play Protocol:

Student athletes, with the consent of their parent(s)/guardian(s), will start taking the ImPact Test (**or other approved test identified by the School District**). The ImPact Test is a tool that helps manage concussions, determine recovery from injury, and is helpful in providing proper communication between coaches, parents and clinicians. The ImPact Test is a neuro-cognitive test that helps measure student athletes' symptoms, as well as test verbal and visual memory, processing speed and reaction time. It is **mandatory** for all student athletes to take the ImPact Test for a baseline score in accordance with Massachusetts State Law. The law states that all public schools must develop safety protocols on concussions and all public schools must receive information on past concussion history. The ImPact Test appears to be a promising tool in monitoring a student athlete's prior concussions, as well as any future concussions. Each student athlete will complete a baseline test at the beginning of their sport season. **All student athletes and club cheerleading members will undergo ImPact testing.** Student athletes will be retested every other year. If a student athlete plays more than one sport during the academic year, their test will remain valid. For example, if a soccer student athlete also plays basketball in the winter, the student athlete will not have to take the ImPact Baseline Test again in the winter. If a student athlete posts scores below the norm, the student athlete will be re-tested at another time with either the certified athletic trainer or school nurse. Student athletes cannot begin practice until a valid baseline score is obtained during their designated time to take the test.

- At the beginning of every sport season, student athletes are required to complete a concussion history form and return it to the athletic department. This information will be recorded in the student information system for tracking purposes.
- Following any concussion the athletic trainer must notify the athletic director and school nurses.
- Following a concussion the student athlete will take a **post-injury test within 24 to 48 hours following the head injury. STUDENT ATHLETES WILL NOT BE ALLOWED TO MOVE ON TO FUNCTIONAL/PHYSICAL TESTING UNTIL THEIR IMPACT TEST IS BACK TO THE BASELINE SCORE AND ASYMPTOMATIC.** After a student athlete takes their first postinjury test, the student athlete will not be re-tested again for **5 days**.
- If, after the first post-injury ImPact test, the athlete is not back to his/her baseline the parent/guardian(s) will be notified, and the student athlete will be referred to their healthcare provider and must have the Concussion Information and Gradual Return to Play form signed by a physician, physician assistant, licensed neuropsychologist or nurse practitioner stating when the athlete is allowed to return to play.
- Following a post-injury test, the certified athletic trainer will take the Concussion Information and Gradual Return to Play form signed by the parent(s)/guardian(s) and fill in the date of all post-injury tests taken by each student athlete.
- The certified athletic trainer will also document the date on which the athlete is asymptomatic and sign the document agreeing that all the above statements are true and accurate.
- Once the athlete starts on the exertional post-concussion tests, the parent(s)/guardian(s) will be notified and the athlete will be sent home with all signed documents relating to head injury. At this time the parent/guardian(s) must bring the student athlete to a licensed physician, licensed neuropsychologist,

nurse practitioner or other appropriately trained or licensed healthcare professional to be medically cleared for participation in the extracurricular activity.

- **Student athletes who continue to exhibit concussion symptoms for a week or more must be evaluated by a physician before returning to play.**
- Once a student athlete's post-injury test is back at the student athlete's baseline score, the student athlete will go through 5 days of Exertional Post Concussion Tests. The student athlete must be asymptomatic for all functional and physical tests to return to play (RTP). All tests will be administered by a certified athletic trainer.

### **Exertional Post Concussion Tests:**

Exertional Post Concussion Tests will be administered and each student will be monitored through the post tests. No student will return to full contact sport until passing post tests and cleared by physician, nurse practitioner or neuropsychologist.

### **Section VI. School Nurse Responsibilities:**

- May assist in testing all student athletes with baseline and post-injury ImPact testing.
- Participate and complete the CDC training course on concussions every year.
- Complete symptom assessment when student athlete enters Health Office (HO) with questionable concussion during school hours. Repeat in 15 minutes.
- Observe students with a concussion for a minimum of 30 minutes.
- If symptoms are present, notify parent/guardian(s) and instruct parent/guardian(s) that student must be evaluated by an MD.
- If symptoms are not present, the student may return to class.
- If symptoms appear after a negative assessment, MD referral is necessary.
- Allow students who are in recovery to rest in HO when needed.
- Develop plan for students regarding pain management with parent and MD.
- School nurse will work in collaboration with guidance counselors and notify teachers of any student/student athletes with academic restrictions or accommodations to be made related to their concussion.
- Educate parents and teachers about the effects of concussion and returning to school and activity.
- If injury occurs during the school day, inform administrator and complete accident/incident form.
- Enter physical exam dates and concussion dates into the student information system.

### **Section VII. School Responsibilities:**

- Review and, if necessary, revise, the concussion policy every 2 years.
- Once the school is informed of the student's concussion, a contact or "point person" should be identified (e.g. the guidance counselor, athletic director, school nurse, and teacher).
- Point person to work with the student on organizing work assignments, making up work and giving extra time for assignments and tests/quizzes.
- Assist teachers in following the recovery stage for student.
- Convene meeting and develop rehabilitative plan.
- Decrease workload if symptoms appear.
- Recognize that the student's ability to perform complex math equations may be different from the ability
- To write a composition depending on the location of the concussion in the brain.
- Educate staff on the signs and symptoms of concussions and the educational impact concussions may have on students.

- Include concussion information in student handbooks.
- Develop a plan to communicate and provide language-appropriate educational materials to parents with limited English proficiency.

**Section VIII. Athletic Director Responsibilities:**

- Provide parents, athletes, coaches, and volunteers with educational training and concussion materials yearly.
- Ensure that all educational training programs are completed and recorded.
- Ensure that all students meet the physical exam requirements consistent with 105 CMR 200.000 prior to participation in any extracurricular athletic activity
- Ensure that all students participating in extracurricular athletic activity have completed and submitted their pre-participation forms, which include health history form, concussion history form, and MIAA form.
- Ensure that athletes are prohibited from engaging in any unreasonably dangerous athletic technique that endangers the health or safety of an athlete, including using a helmet or any other sports equipment as a weapon.
- Ensure that all head injury forms are completed by parent/guardian(s) or coaches and reviewed by the coach, athletic trainer, and school nurse and school physician.
- Inform parent/guardian(s) that, if all necessary forms are not completed, their child will not participate in athletic extracurricular activities.
- 

**Section IX. Parent/Guardian Responsibilities:**

- Complete and return concussion history form to the athletic department.
- Inform school if student sustains a concussion outside of school hours. Complete new concussion history form following new injury.
- If student suffers a concussion outside of school, complete head injury form and return it to the school nurse.
- Complete a training provided by the school on concussions and return certificate of completion to the athletic department.
- Watch for changes in your child that may indicate that your child does have a concussion or that your child's concussion may be worsening. Report to a physician:
  - Loss of consciousness
  - Headache
  - Dizziness
  - Lethargy
  - Difficulty concentrating
  - Balance problems
  - Answering questions slowly
  - Difficulty recalling events
  - Repeating questions
  - Irritability
  - Sadness
  - Emotionality
  - Nervousness
  - Difficulty with sleeping
- Encourage your child to follow concussion protocol.
- Enforce restrictions on rest, electronics and screen time.
- Reinforce recovery plan.

- Request a contact person from the school with whom you may communicate about your child's progress and academic needs.
- Observe and monitor your child for any physical or emotional changes.
- Request to extend make up time for work if necessary.
- Recognize that your child will be excluded from participation in any extracurricular athletic event if all forms are not completed and on file with the athletic department.

### **Section X. Student and Student Athlete Responsibilities:**

- Complete Baseline ImPact Test prior to participation in athletics.
- Return required concussion history form prior to participation in athletics.
- Participate in all concussion training and education and return the certificate of completion to the athletic department prior to participation in athletics.
- Report all symptoms to athletic trainer and/ or school nurse.
- Follow recovery plan.
- **REST**
- **NO ATHLETICS**
- **BE HONEST!**
- Keep strict limits on screen time and electronics.
- Don't carry books or backpacks that are too heavy.
- Tell your teachers if you are having difficulty with your class work.
- See the athletic trainer and/or school nurse for pain management.
- Return to sports only when cleared by physician and the athletic trainer.
- Follow Gradual Return to Play Guidelines.
- Report any symptoms to the athletic trainer and/or school nurse and parent(s)/guardian(s) if any occur after return to play.
- Return medical clearance form to athletic trainer prior to return to play.
- Students who do not complete and return all required trainings, testing and forms will not be allowed to participate in sports.

### **Section XI. Coach & Band Instructor Responsibilities:**

- Participate in Concussion Education Course offered by the National Federation of State High School Associations (NFHS) on a yearly basis. Complete certificate of completion and return to the athletic department.
- Ensure all student athletes have completed ImPact baseline testing before participation.
- Ensure all student athletes have returned concussion history and health history form prior to participation in athletics.
- Complete a head injury form if their player suffers a head injury and the athletic trainer is not present at the athletic event. This form must be shared with the athletic trainer and school nurse.
- Ensure all students have completed a concussion educational training and returned their certificate of completion prior to participation in athletics.
- Remove from play any student athlete who exhibits signs and symptoms of a concussion.
- Do not allow student athletes to return to play until cleared by a physician and athletic trainer.
- Follow Gradual Return to Play Guidelines.
- Refer any student athlete with returned signs and symptoms back to athletic trainer.
- Any coach, band instructor, or volunteer coach for extracurricular activities shall not encourage or permit a student participating in the activity to engage in any unreasonably dangerous athletic technique that

unnecessarily endangers the health of a student athlete, including using a musical instrument, helmet or any other sports equipment as a weapon.

## **Section XII. Post Concussion Syndrome:**

Post Concussion Syndrome is a poorly understood condition that occurs after a student athlete receives a concussion. Student athletes who receive concussions can have symptoms that last a few days to a few months, and even up to a full year, until their neuro-cognitive function returns to normal. Therefore, all school personnel must pay attention to and closely observe all student athletes for post concussion syndrome and its symptoms. Student athletes who are still suffering from concussion symptoms are not ready to return to play. The signs and symptoms of post concussion syndrome are:

- Dizziness
- Headache with exertion
- Tinnitus (ringing in the ears)
- Fatigue
- Irritability
- Frustration
- Difficulty in coping with daily stress
- Impaired memory or concentration
- Eating and sleeping disorders
- Behavioral changes
- Decreases in academic performance
- Depression
- Visual disturbances

## **Section XIII. Second Impact Syndrome:**

Second impact syndrome is a serious medical emergency and a result of an athlete returning to play and competition too soon following a concussion. Second impact syndrome occurs because of rapid brain swelling and herniation of the brain after a second head injury that occurs before the symptoms of a previous head injury have been resolved. The second impact that a student athlete may receive may only be a minor blow to the head or it may not even involve a hit to the head. A blow to the chest or back may create enough force to snap the athlete's head and send acceleration/deceleration forces to an already compromised brain. The resulting symptoms occur because of a disruption of the brain's blood auto regulatory system which leads to swelling of the brain, increasing intracranial pressure and herniation. After a second impact a student athlete usually does not become unconscious, but appears to be dazed. The student athlete may remain standing and be able to leave the field under his/her own power. Within fifteen seconds to several minutes, the athlete's condition worsens rapidly, with dilated pupils, loss of eye movement, loss of consciousness leading to coma and respiratory failure. The best way to handle second impact syndrome is to prevent it from occurring altogether. All student athletes who incur a concussion must not return to play until they are asymptomatic and cleared by an appropriate health care professional.

## **Section XIV. Concussion Education:**

It is extremely important to educate coaches, athletes and the community about concussions. On a yearly basis, all coaches must complete the online course called "Concussion In Sports: What You Need to Know". This course is offered by the National Federation of State High School Associations (NFHS). Student athletes also need to understand the importance of reporting a concussion to their coaches, parents, athletic trainer and other

school personnel. Every year student athletes and parents will participate in educational training on concussions and complete a certificate of completion. This training may include:

- CDC Heads-Up Video Training, or
- Training provided by the school district

The school district may also offer seminars, speakers, and discussion panels on the topic of concussions. Seminars offer an opportunity for the certified athletic trainer, athletic director and nurse leader to speak about concussions on the field at practices and games and to discuss the protocol and policy that the district has enacted.

Providing education within the community will offer the residents and parents of athletes an opportunity to ask questions and voice their concerns on the topic of brain injury and concussions. When it comes to concussions, everyone needs to be aware of the potential dangers and remember that a concussion is a brain injury. Whenever anyone has a doubt about a student athlete with a concussion, **SIT THEM OUT and have them see the appropriate healthcare professional!**

## **STUDENT MEDICAL INSURANCE**

The Town of Milton and Milton Public Schools carries no medical insurance coverage (other than for Interscholastic Sports) and any medical cost associated with injury to any child is covered only to the extent of their Parent's medical coverage. In the case of Interscholastic Sports, the Milton Public Schools carries "full excess or secondary insurance coverage" which would supplement parental coverage for deductibles, co-pays, and/or excess costs over parental coverage up to \$1 million.

## **MEDICAL INSURANCE**

The following statement regarding Medical Insurance Coverage and Release of Liability has been adopted by the School Committee of the Milton Public Schools and is included in each Student Handbook as notice that NO MEDICAL INSURANCE COVERAGE in excess of that obtained by each student's Parent/Guardian with the sole exception being excess medical coverage for Interscholastic Sports Coverage for Accident Medical Expense available through signed permission and waiver form (Milton High School Athletics Permission Form) required for each participant.

Further, that each Parent/Guardian granting permission for students to participate in the many programs, recreation activities, before school, after school, vacation, or summer programs acknowledges that NO MEDICAL INSURANCE COVERAGE is provided and also agrees to forever release the T/O Milton, Milton Public Schools and the School Committee, and all their employees, agents, board members, volunteers and any and all individuals and organizations assisting or participating in these voluntary programs ("the Releasees") from any and all claims, rights of action and causes of action that may have arisen in the past, or may arise in the future, directly or indirectly, from personal injuries to their child or property damage resulting from their child's participation in said programs.

Further, that each Parent/Guardian also promise to indemnify, defend, and hold harmless the Releasees against any and all claims and proceeding of any description that may have been asserted in the past, or may be asserted in the future, directly or indirectly, arising from personal injuries to my child or property damage resulting from my child's participation in said programs.

Further, that each Parent/Guardian acknowledges receipt of and has read this Consent and Release statement and understands the contents of this notification. Acknowledging that their child's participation in these programs is voluntary and that their child is free to choose not to participate in said programs. Said child's participation in any of these programs acknowledges that the Parent/Guardian has decided to allow their participation with full knowledge that the Releasees will not be liable to anyone for personal injuries and property damage their child or they may suffer in these voluntary programs.

# PIERCE MIDDLE SCHOOL SIGN OFF PAGE

## 2020-2021 PARENT/GUARDIAN & STUDENT HANDBOOK

Parents/Guardians and Student: Please initial, check and sign all sections of this form. Completed forms should be delivered to your A Period teacher immediately.

\_\_\_\_\_  
(initial) We have read, discussed, understand, and agree to follow the rules of the Pierce Middle School School and the Anti-Hazing Laws, the Policy on Alcohol, Tobacco and Drug Use by Students, Bullying Prevention Policy, and Student Medical Insurance Policy.

\_\_\_\_\_  
(initial) We have read, discussed, and understand the information regarding Digital Use/Internet Use policies of the Milton Public Schools. These policies include: Policy IHBHE, Remote Learning, Policy IJND, Access to Digital Resources; Policy IJNDB, Internet Acceptable Use Policy; Policy IJNDC, Empowered Digital Use Policy; Policy IJNDD, Social Networking Policy

**Student Information Release:** The Family Educational Rights and Privacy ACT (FERPA), a Federal Law, allows the Milton Public Schools to release information such as student address, telephone numbers, and e-mail addresses. This information is often used by Room Parents, PTO, Milton Parks and Recreation Department, and the Milton Foundation for Education to communicate classroom, school and district events. If you wish to Opt Out, check one of the boxes below.

I **DO NOT** give permission for my child's directory information to be disclosed to anyone other than the Room Parent, PTO, Parks and Recreation Department, and the Milton Foundation for Education without my prior written consent.

OR

I **DO NOT** give permission for my child's directory information to be disclosed to any party without my prior written consent.

### Children's Online Privacy Protection Act (COPPA)

\_\_\_\_\_  
(initial) We have read the Milton Public Schools COPPA Compliance Form and signed the necessary consent form.

### Remote Learning

\_\_\_\_\_ We have read and agree to the Terms of Remote Learning by Audio and Video Conferencing.



**Photograph Policy:** Video/photographs of Pierce Middle School students may be taken by staff in celebration of the efforts and enthusiasm during Pierce Middle School events/special programs. The photographs are often displayed in the classrooms, on the corridor bulletin boards, as part of individual projects, local newspaper publications and/or video programming that is displayed during the Pierce Middle School Open House or the Information Night. Please indicate your preference by checking the appropriate option below.

I **DO** give permission for pictures/videos to be taken of my child as long as it is directly related to celebrating the efforts of my child and/or promotion of the Pierce Middle School Programs.

**OR**

I **DO NOT** want pictures/videos taken of my child.

**Student Name** \_\_\_\_\_  
*(please print)*

**Student Grade** \_\_\_\_\_ **Student Team** \_\_\_\_\_

**Student Signature** \_\_\_\_\_

**Parent/Guardian Name** \_\_\_\_\_  
*(please print)*

**Parent/Guardian Signature** \_\_\_\_\_

**Date** \_\_\_\_\_

## Milton Public Schools COPPA Compliance Form

Dear Parents/Guardians of School-Aged Children Under the age of 13,

In order for the Milton Public School District to continue to be able to provide your student with the most effective web-based tools and applications for learning, we need to abide by federal regulations that require a parental signature as outlined below.

Our District utilizes several computer software applications and web-based services, operated not by the District, but by third parties. These include Google Apps for Education, and similar educational programs. A complete list of the programs with the privacy policy for each can be found on our website.

To use some of these services, a student may be required to provide certain personal information in order to establish a user account. Specifically, the student's name, age, grade level or school affiliation, and email address may be required to create an account.

Under the federal law known as the *Children's Online Privacy Protection Act (COPPA)*, commercial companies are limited in their ability to collect personal information from children under the age of 13. Accordingly, these websites must provide parental notification and obtain parental consent before collecting any such personal information. For more information on COPPA, please visit <http://www.ftc.gov/privacy/coppafaqs.shtm>.

In lieu of each electronic service provider's giving separate notice and seeking separate consent directly from each parent/guardian, COPPA permits an educational institution to facilitate the gathering of consent forms to collect personal information from a student. This consent form allows the District to act as an agent for parents in the collection of information within the school context. No personal student information is collected for commercial purposes. The District's use of student information is solely for educational purposes.

This consent form gives your permission for your child to provide personal information (e.g. student's name, age, grade level, and email address) to various electronic service providers, in order to use specific web- or computer-based learning tools via the District's computer network. You may rescind your consent at any time following completion of this form. Furthermore, if you are unwilling to provide such consent and do not want your son or daughter to have access to these applications and services at school, in lieu of completing this form, please contact your school principal.

Student Name: \_\_\_\_\_  
Parent/Guardian Name (please print) \_\_\_\_\_  
Parent/Guardian Signature \_\_\_\_\_  
Date: \_\_\_\_\_

**All completed forms should be delivered to your A Period teacher by  
Monday, September 28, 2020.**