

September 2022

Dear Ottoson Families,

We have prepared this handbook to provide you and your family with helpful information. We will work to assure that every student will have a successful educational program in a caring and safe environment. Our best wishes to you for an exciting, rewarding and enjoyable experience during these middle school years.

Sincerely,

Brian Meringer
Principal

Julia MacEwan
Assistant Principal, Grade 8

Michelle Crawford
Assistant Principal, Grade 7

The History of the Ottoson Middle School

“My father was proud of us, but he was even more proud of the many students he had known and helped over his forty-five year career.” (from “A. Henry Ottoson” by his son John Ottoson)

Junior High West was dedicated November 29, 1921. The new school helped ease overcrowding at Junior High Central in Arlington Center (now the Senior Center). The school became “Ottoson Junior High” in 1972 following the unexpected death of the school’s principal, A. Henry Ottoson. Mr. Ottoson was born in Gardner, MA, graduated from Fitchburg High School in 1922 and from Boston University with his Master’s in Education in 1927. He was a teacher and administrator in Newton and Framingham before being appointed as Arlington’s Junior High West principal in 1939. Mr. Ottoson became a noted Arlington educator, serving as principal for thirty-three years. He was a beloved principal, known for his strong interest in each of the 7th and 8th grade students who attended the school. At his funeral Mr. Ottoson was described as a “gentleman and a gentle man” as well as one who “had guided some 12,000 young people.” The Junior High West Student Cabinet recommended changing the name of the school that spring, and the proposal was immediately accepted by the Arlington School Committee.

Non Discrimination Policy

The Arlington Public Schools are committed to maintaining an education and work environment for all school community members that is free from all forms of discrimination, including harassment and retaliation. Arlington Public Schools does not exclude from participation, deny the benefits of Arlington Public Schools from or otherwise discriminate against, individuals on the basis of race, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy, or pregnancy-related condition, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law in the administration of its educational and employment policies, or in its programs and activities.

The Arlington Public Schools requires all members of the school community to conduct themselves in accordance with this policy. It shall be a violation of this policy for any member of the school community to engage in any form of discrimination, including harassment and retaliation, or to violate any other civil right of any member of the school community. We recognize that discrimination can take a range of forms and can be targeted or unintentional; however, discrimination in any form, including harassment and retaliation, will not be tolerated.

It shall also be a violation of this policy for any school community member to subject any other member of the school community to any form of retaliation, including, but not limited to, coercion, intimidation, interference, punishment, discrimination, or harassment, for reporting or filing a complaint of discrimination, cooperating in an investigation, aiding or encouraging another member of the school community to report such conduct or file a complaint, or opposing any act or practice reasonably believed to be prohibited by this policy.

VISION STATEMENTS

VISION OF A MIDDLE SCHOOL GRADUATE

Arlington Middle School graduates are lifelong learners who value and achieve high academic standards. They are responsible, inquisitive, and self-reliant individuals. Graduates are skillful communicators who think critically about the world around them. Our students remain determined, respectful, and resilient in the face of challenges. Middle school students strive to be creative and collaborative decision-makers, who are culturally aware and mindful of themselves and others.

OTTOSON VISION STATEMENT

The Ottoson Middle School Community is an environment where students and adults strive to create a personalized learning environment that promotes academic excellence

and empowers students to achieve their maximum potential. Through a model designed to target social-emotional needs, learners are welcomed into a school environment where student needs are centered around their academic growth focused on the motto *Excel, Empower, and Engage*.

OTTOSON MISSION STATEMENT

- All learners are provided with a rigorous, interdisciplinary academic program
- All learners are exposed to a variety of disciplines that complement and enrich academic curriculum
- All students develop a sense of community within a supportive school culture.
- All teachers are skilled at educating young adolescents, including developing cultural proficiency in their practice
- All adult members of the school community recognize the varied academic, social, and emotional developmental needs of young adolescents
- All teachers and administrators work collaboratively across disciplines and grade levels
- Social-emotional learning along with health and wellness are promoted as integral components of the learning experience

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OMS BASIC INFORMATION

School Hours: 8:30am to 2:56pm, Monday - Friday

All students must enter the building through the main entrance/lobby area.

Students are not allowed to enter the building before 8:20am unless they are participating in AM/PM and have signed in, or have a pass from a teacher for extra help. During extreme weather conditions students may be allowed to wait in designated spaces in the school.

The **OMS School Calendar** is frequently updated and can be found on the Arlington Public Schools website: www.arlington.k12.ma.us

Important Contact Information

Main Office: 781-316-3745

Brian Meringer, Principal: ext. 28001, bmeringer@arlington.k12.ma.us

Julia MacEwan, Assistant Principal (8th Grade): ext. 28459,
jmacewan@arlington.k12.ma.us

Michelle Crawford, Assistant Principal (7th Grade): ext. 28002,
mcrawford@arlington.k12.ma.us

Daily Schedule

	A	B	C	D
8:30 - 9:20	1 Red	2 Orange	3 Yellow	4 Green
9:22 - 10:10	2 Orange	3 Yellow	4 Green	1 Red
10:12 - 10:22	<i>ASPIRE</i>			
10:24 - 11:12	3 Yellow	4 Green	1 Red	2 Orange
11:14 - 12:02	4 Green	1 Red	2 Orange	3 Yellow
12:04 - 1:16 Lunch 1: 12:04 - 12:26 Lunch 2: 12:30 - 12:52 Lunch 3: 12:54 - 1:16	5 Blue <i>Lunch Block</i>	7 Pink <i>Lunch Block</i>	5 Blue <i>Lunch Block</i>	6 Purple <i>Lunch Block</i>
1:18 - 2:06	6 Purple	5 Blue	7 Pink	7 Pink
2:08 - 2:56	7 Pink	6 Purple	6 Purple	5 Blue

SAFETY, SECURITY & COMMUNICATION

Visitor Policy

All visitors must use the main entrance and check in with the secretary upon arrival. Students may not bring friends or relatives to class as guests unless permission is granted in advance by an administrator. All visitors are required to display a visitor's pass during school hours. No students will be allowed to have family/friends from out of state/country visit school for more than one school day.

Emergency Response

Student safety is our first priority at the school at all times. Should there ever be an emergency situation, families will be notified as soon as possible via School Messenger.

Inclement Weather

An "Alert Now" message will be sent in the event of any school closings or delays. School closings or delays are also reported at www.town.arlington.ma.us and on local media stations. For a recorded message call 781-316-3510.

ADDITIONAL GENERAL INFORMATION

Lost and Found

The "lost and found" is located in the main lobby at the Ottoson. P.E. locker rooms and entrances also have lost and found bins.

AM/PM Program

The AM/PM program runs social, sport, and special-interest activities before and after school. The hours are generally 7:30 - 8:20 AM and 3 - 4 PM. Participation in the AM/PM program is quarterly and there is a \$80 fee per quarter.

Some activities may be attended on a drop-in basis, while other activities have a limited number of slots and require a prior sign up. Some are offered daily, while others meet on a regular weekly schedule. Participating students may attend more than one activity. The list of activities varies depending upon student interest and staffing, and is posted in the main office. Students may also suggest or initiate new activities if they can find willing adults to supervise.

Learning Communities

Each grade is divided into five learning communities. Students within each learning community share the same core teachers and attend most classes within a few adjacent rooms. Each learning community is like a small school within a large school.

Learning community placement is based on a number of factors, including balance of academic performance, peer relationships, special needs, and numbers of students.

Counselors and Social Workers

The role of the counselor is to assist students, families, teachers, and administrators in addressing school and family needs. Every student is assigned a school counselor. You or your family may contact the counselor at any time.

In addition to your teachers, your counselor is the person to see for program changes, course selection, concerns about friends, family, faculty, or for general support and advice.

School Nurse

The nurse's office is located in the main office at the Ottoson. To see the nurse, please ask your teacher and use a pass. If the nurse is not in, please see the secretary.

Elevator

The elevator is only for students whose physical condition requires the use of an elevator. Elevator keys are issued in the morning and must be returned at the end of the day.

Library/Media Center

The Library / Media Center hours are from 8:20 a.m. to 3:30 p.m. During those hours you may browse, do research, access references, and borrow materials. The media specialists will be glad to assist you in finding information. They can also help you with the use of computers.

When classes are in session, students must have a pass from their teacher before they can come to the Media Center. At the Ottoson, students may not cut through the Media Center at any time without permission.

Most items that you borrow are due back in two weeks, some items can only be taken out overnight. Although there are no fines for items returned late, you may lose your borrowing privileges, and you may have to pay for items lost or damaged. Please DO NOT bring any food or drink to the Media Center.

Computer Use

Mobile computer labs and desktop computers are available in classrooms, labs, and the Library/Media Center for you to use according to the rules of the supervising teachers. The Arlington Public Schools Network has been established for educational purposes (classroom activities, career development, research, and word processing), not for e-mail, chat rooms, games, social networking or commercial purposes.

To use the internet on any computer, you and a parent/guardian must have signed an Acceptable Use Policy Agreement Form. The policy itself can be viewed online on the district web site or in the school library. If you violate the policy or misuse computers, you will be denied access to computers and the internet.

HOME-SCHOOL COMMUNICATION

IMPORTANT NUMBERS:

Absentee Line:
781-316-3745

Main Number Line:
781- 316- 3744

Good home-school communication is essential to a child's success in school. Teachers, school counselors, and principals can be reached via telephone and e-mail. You will find most contact information on the school website. Families should also take advantage of the Fall Open House and teacher-parent conferences. The Principal also emails frequent newsletters and will send "Alert Now" messages to convey pertinent information.

Student Agenda Books also offer a convenient method of parent-teacher communication. At the bottom of each day's column is a special section in which parents/guardians and teachers can exchange notes. Parents/guardians should review the Agenda Book frequently.

PowerSchool is the primary venue for tracking student academic progress. Teachers input student grades on assignments regularly, and families should regularly check their student's progress via the parent portal on a regular basis.

ATTENDANCE

Regular and punctual school attendance is essential for success in school. The Arlington Public Schools 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: illness or quarantine; bereavement or serious illness in family; weather so inclement as to endanger the health of the child; and observance of major religious holidays. A child may also be excused for other exceptional reasons with approval of the Principal or designee.

A student's understanding of the importance of day-to-day schoolwork is an important factor in the shaping of his character. Parents can help their children by not allowing them to miss school needlessly. Accordingly, parents will provide a written explanation for the absence or tardiness of a child. This will be required in advance for types of absences where advance notice is possible. In instances of chronic or irregular absence

reportedly due to illness, the school administration may request a physician's statement certifying such absences to be justified.

Student Absence Notification Program

Each Principal or designee will notify a student's parent/guardian within 3 days of the student's absence in the event the parent/guardian has not informed the school of the absence.

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

Illness

If students are sick, please keep them home to recuperate and not risk infecting others. If a student is not feeling well and you are not sure whether they should stay home, you may consult the APS guidelines on the website. If a student does stay home, families must call the absentee line to inform the school by 8:45am, and should follow up with written notice (email is acceptable).

Absence

In case of unanticipated absence, please have a parent/guardian call the absentee line or send to the absentee email and let us know before 8:45 a.m. If a student has not been called in absent, an automated call from "Alert Now" will be made. If a parent/guardian receives this call and the child is home from school, it is important that the parent/guardian call the office to verify their absence.

Upon the fifth unexcused absence in the school year, a meeting will be scheduled with the building Principal (or their designee), the Parent(s)/Guardian, and the student to develop an action plan to improve the student's attendance. In all circumstances Parents/Guardians are encouraged to contact school staff and work collaboratively with them to correct the reasons that the student is missing school. [Atty. note: required by G.L. c 76 sec 1B]

Excessive school absences may also result in the school taking legal action to address the situation.

Tardy

If you arrive late, please go to the main office to sign in. You will receive a pass to class and should give the pass to your teacher. Frequent, unexcused tardiness will result in a logical consequence. More than four times a quarter at the Ottoson constitutes

frequent tardiness. This could result in loss of student privileges. Medical appointments are excusable tardies. Please bring a note documenting these appointments.

Dismissal

If your child has to leave before 2:56 pm, they must bring a note from home and take it to the main office before the start of the school day. The student will be asked to fill out a dismissal form to give to the classroom teacher at dismissal time. When you arrive to pick up your child, you will need to sign them out at the Main Office. Please let us know if someone other than you will be picking up your child. Please schedule appointments outside of school hours whenever possible.

Students may not dismiss themselves - if an unplanned dismissal needs to happen, families will hear directly from the school nurse, administrator, or Main Office staff. If you receive communication from your student during the school day regarding a dismissal, please contact the Main Office.

Taking Students Out of School

Vacations during the regular school session and early departures or late returns from scheduled vacations are strongly discouraged. Class discussion and classroom interactions often provide the main focus for learning and cannot be replicated through out-of-class make-up assignments. Absences from school for vacation purposes are not excused. Schoolwork will be made available upon the student's return from vacation.

Make-up Work

It is the responsibility of the student to make up any work that has been missed when a student is absent. If a student is absent for an extended period of time due to illness or injury, it is the responsibility of the parent/guardian to notify the school counselor's office as soon as possible. Any request for homework for absent students requires a twenty-four (24) hour notice.

Bad Weather

An "Alert Now" message will be sent in the event of any school closings or delays. School closings or delays are also reported at www.town.arlington.ma.us and on local media stations. For a recorded message call 781-316-3510.

STUDENT EXPECTATIONS: ACADEMIC PERFORMANCE

Grades

Grades are based on a variety of assessments such as quiz and test results, homework, projects, portfolios, and class participation. Grades A, B, and C, are passing grades, while grades D, F, and I require that you attend extra help. Grades have the following interpretation:

A = Excellent; Exceptional work. Indicates excellent effort and accomplishments.

B = Good; Better than average. Indicates good effort and consistently good work.

C = Satisfactory; Average. Above minimum standards.

D = Below average; Low passing. Improvement needed in effort.

F = Failing; Failure to meet passing standards.

I = Incomplete; Incomplete work. Requirements of the subject have not been met due to excused absence.

The parent portal is used to keep parents updated about student grades. Teachers are requested to update the online grade book regularly.

Report Cards

At the Ottoson, quarter grades and final grades are available on the grade portal in November, January, April, and June. If you do not have access to a computer, please notify the office at 781-316-3744. Grades are updated at various times by the teachers throughout the term.

Progress Reports

If during the year a student's grades, effort, or participation is not satisfactory, a written warning may be issued from a teacher. This warning should be signed by a parent or guardian and returned to the teacher who issued it. Such a warning also means that you need to seek extra help and work hard to improve your grade.

Extra Help

If you need extra help after school, please ask your teachers about the days and times when they are available to provide extra help.

Promotion/Retention

Promotion and retention are considered on a case by case basis when necessary.

Agenda Book/Locks

Please record all your homework assignments and projects in the Agenda Book. It will help you keep track of these assignments and projects, and will let parents/guardians monitor your work. To replace an agenda book there will be a \$5.00 charge. If locks need to be replaced they are also \$5.00.

Homework

Completing homework assignments is very important. Homework assignments are designed to help students be more engaged in their classwork and will help students to

develop responsibility. What matters is not the time you spend, but the quality of work you do. If you find yourself frequently spending a lot more than two hours, please talk to your teachers or your school counselor. If you were absent or forgot the assignments, you may still be able to get them from the following sources:

*call a friend on your team

*check your teacher's web site if there is one.

Homework make-up

Homework missed due to absence has to be made up when you come back. In extreme situations, your teachers may give you more time or may waive or modify some of the assignments. Please consider calling classmates for getting a lead on the missed assignments; also, many learning communities have their own websites.

Study Habits

Good study habits will make you a better student. Here are some suggestions:

- Record your assignments in this agenda book and be sure you understand your assignments before you leave class.
- Never be afraid or embarrassed to ask for clarification. Teachers actually like to be asked when you don't understand something because they see that you are responsible.
- Think about the big picture of what the teacher is trying to teach, not just the details of the specific assignment.
- Read for meaning and take notes. This will help you learn more and perform better on tests.
- Prepare for your work far in advance so you can meet deadlines. Gather the necessary materials. Think of all that has to be done and make a plan.
- Be proactive and don't procrastinate. Don't leave long-term assignments until the day before they are due.
- Be sure you have an adequate work surface free of clutter and distractions.
- Establish a regular time for studying and be sure to get adequate sleep.
- Use a teacher's grading policy to prioritize your work.

Wellness

The Arlington Public Schools support health, nutrition and physical activity for everyone. The Arlington Public Schools will strive to improve the health and wellness of our school community. Healthy children are the foundation of a healthy society and through healthy diet and maintenance of healthy body weight, we can reduce chronic diseases. Healthy, active, well-nourished children are better able to learn. Eating, health, and activity habits developed in youth will affect health throughout life. The Arlington Public Schools are dedicated to providing students with the knowledge and means to make healthy food choices, healthy lifestyle, and physical activity choices. This is accomplished by increasing awareness of the benefits of eating healthy, getting the recommended amount of daily physical activity, defining nutrition and physical activity goals through an integrated approach of nutrition topics in grades K-12.

School Lunch and Free and Reduced Lunch

Free and reduced price lunch applications will be available online in early August at www.arlington.k12.ma.us under Food Services. Applications will also be available in the Main Office. Applications must be filled out each year, even if your child qualified last year. Please only fill out one application per household. Students who qualified *last* year will receive benefits for the first **3** weeks of school, until a new application is received.

Please note that many students are Directly Certified by the State to Receive Free Lunch. These letters will be sent out towards the end of August. If you receive a letter you do not need to send in an application. If you have any questions, please email schoollunch@arlington.k12.ma.us or call 781-316-3643.

Any family or individual needing food assistance can receive food from Arlington EATS. Arlington EATS provides access to fresh produce, meat, dairy products, and a wide variety of pantry staples to any Arlington resident in need of food. In-person shopping is available by appointment only on Mondays from 3-7 pm, starting July 12. To make an appointment, call 339-707-6761. For those unable to access in-person shopping due to a medical condition or childcare, home delivery is available. Call 339-707-6761 to order food.

STUDENT RECORDS

Right to Privacy

The Federal Family Educational Rights and Privacy Act, (FERPA), sometimes called the "Buckley Amendment" requires schools to protect the privacy of student records, and gives parents and students rights including inspection and review of student records. The Massachusetts Student Record Regulations are consistent with the FERPA statute and regulations.

Confidentiality of Student Records

Authorized school personnel of the school to which a student seeks or intends to transfer may have access to such student's record without the consent of the eligible student or parent. This information serves as notice that the Arlington Public Schools forwards student records to schools in which the student seeks or intends to enroll.

Except where the regulations specifically authorize access by third parties, no individuals or organizations other than the parent, eligible student and authorized school personnel are allowed to have access to information in the student record without the specific, informed, written consent of the parent or eligible student.

School systems are required to provide for the security and confidentiality of student school records. Under these laws, the school principal or his/her designee is responsible for the privacy and physical security of all student records maintained in the school and any computerized systems employed are electronically secure.

All information and data contained in or added to the student record shall be limited to information relevant to the educational needs of the student. Information and data added to the temporary record shall include the name, signature, and position of the person who is the source of the information, and the date of entry into the record. Standardized group test results that are added to the temporary record need only include the name of the test and/or publisher and date of testing. Screening and Assessment Records are accessible by the screening team, the child's teacher, any specialists involved in the assessment process (testing or implementation of services), and the school principal. Screening and assessment results are used to identify areas where a student may need additional testing, intervention, or other support services that will assist in the learning process.

Amending the Student Record

The eligible student or the parent has the right to add information, comments, data, or any other relevant written material to the student record. The eligible student or the parent shall have the right to request in writing deletion or amendment of any information contained in the student record, except for information which was inserted into that record by an Evaluation Team. Such information inserted by an Evaluation Team shall not be subject to such a request until after the acceptance of the Evaluation Team Educational Plan, or, if the Evaluation Team Educational Plan is rejected, after the completion of the special education appeal process. Any deletion or amendment shall be made in accordance with the procedure described below:

(a) If such student or parent is of the opinion that adding information is not sufficient to explain, clarify or correct objectionable material in the student record, either student or parent shall present the objection in writing and/or have the right to have a conference with the principal or his/her designee to make the objections known.

(b) The principal or his/her designee shall within one week after the conference or receipt of the objection, if no conference was requested, render to such student or parent a decision in writing, stating the reason or reasons for the decision. If the decision is in favor of the student or parent, the principal or his/her designee shall promptly take such steps as may be necessary to put the decision into effect.

Inspection of Record

A parent or an eligible student has the right to inspect all portions of the student record upon request. The record must be made available within ten days after the request, unless the parent or student consents to a delay. The parent and eligible students have the right to receive a copy of any part of the record, although the school may charge a reasonable fee for the cost of duplicating the materials. The parent and eligible student may request to have parts of the record interpreted by a qualified professional from the school, or may invite anyone else of their choice to inspect or interpret the record with them.

Destruction of Records

Regulations require school authorities to destroy a student's temporary record within five years after the student transfers, graduates or withdraw from the school system. School authorities are also allowed to destroy misleading, outdated, or irrelevant information in the record from time to time while the student is enrolled in the school system. In each case, the school must first notify the parent and eligible student and give them the opportunity to receive a copy of any of the information before it is destroyed.

Non-Custodial Parents Rights

As required by General Laws Ch. 71, Section 34H, a parent who does not have physical custody of his/her child ("non-custodial parent") may have access to the student record in accordance with law and Department of Education Regulations. The Arlington Public School district encourages all parents to be involved in and informed about the education of their children and asks that non-custodial parents follow this process to access their child's records:

- Submit a written request for the records to the school principal.
- Include the full name of the student, the name of the custodial parent, and the name of the parent making the request.
- When making an initial request, and to facilitate the process, a non-custodial parent may also include a certified copy of a court order indicating that the requesting parent is entitled to:
 - a. Unsupervised visitation with the child
 - b. Eligible to receive student record information pursuant to Section 34H

School officials are required to contact the custodial parent when they receive such a request in order to provide that parent an opportunity to provide information that may impact the noncustodial parent's eligibility for access.

STUDENT EXPECTATIONS: CONDUCT AND BEHAVIOR

Everyone has the right to be treated with respect and dignity. We are all part of the same community. The surest way to gain respect is to be respectful of yourself and everyone around you.

Responsibilities

We all share responsibilities for making our school a safe and enjoyable place of learning. Please do your part by working hard and by behaving well. Please remember that teachers and administrators have the responsibility of maintaining order in classrooms and safety in the building. Be responsible for your own actions and be helpful to others by reporting unsafe behaviors to an adult in the building.

Phone Policy

- ❖ Cell phones are not allowed at any time. Ideally, students should keep their phones powered down and in their locker. If a student has their phone out, it may be confiscated by staff to be retrieved by the student at the end of the school day. Repeated cell phone use may result in disciplinary action.
- ❖ During the school day, students must communicate with parents/guardians through school phones and staff only (students should not text or call family from their personal cell phone during the school day). If a student is not feeling well, they should report to the school nurse, who will help determine if the student needs to go home.
- ❖ Classroom phones are not to be used by students.

Technology and Valuables

Students may bring their own device (laptop) to school for school use (the school will provide a device to any student who may need one). We discourage students from bringing valuables or large sums of money with them to school, and strongly encourage the use of locks for lockers (both in LC hallways and in PE locker rooms). The school does not accept responsibility for lost or stolen items.

Dress Guide

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

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

This does not mean that student, faculty, or parent groups may not recommend appropriate dress for school or special occasions. It means that students will not be

prevented from attending school or a school function, or otherwise be discriminated against, so long as their dress and appearance meet the requirements set forth above.

Dress Expectations:

- Safe and proper footwear.
- No clothing that is imprinted with vulgar or obscene language or artwork that relates to alcohol, drugs, weapons or smoking.
- No hats, bandanas, and other headgear (unless for religious reasons).
- Chests, stomachs, and buttocks must be fully covered at all times.
- Undergarments should not be visible at any time.
- No sunglasses.
- No slippers, face paint or costumes.

Please Note: The school administrators have the final decision on the suitability of what you are wearing, and will base this decision on safety or potential disruption to the educational process. Students who fail to meet student dress requirements will be asked to put on clothes that meet the code and may face disciplinary consequences.

Hallways and Hallway Passes

The daily schedule allows for two to three minutes to pass from one class to the next, so please walk with a purpose while respecting other students, teachers, guests, and property. When classes are in session, any student outside of a classroom must follow the protocol for hallway passes.

Bathrooms

When in class, please ask your teacher for a pass to go to the bathroom. Students must sign in and sign out of class. If you notice a lack of supplies or any other problems, please report it immediately to your teacher. When using the bathrooms, please behave appropriately and respect the facilities. Remember that the custodians are here to help keep our schools clean, not to clean up after us. Cell phone use is not permitted in bathrooms.

Lockers

Jackets, hats, and other items you carry to and from school should be kept in lockers during the school day. You may go to your locker only during designated school times. Please keep your locker locked at all times and do not share your combination with anyone else. Combination locks will be given to every student. If lost, students must purchase a replacement lock from the school for \$5.00. Student lockers are school property and not the personal property of the student. Know that your locker may be subject to search by authorized personnel at any time.

Searches and Questioning

School administrators may search students and/or their personal property if there is a reasonable basis for believing that the search will reveal evidence of a violation of school rules or of the law.

School officials are authorized to question students about information that is relevant to the performance of their duties, including enforcement of school rules.

Cafeteria

During lunch, the cafeteria should be an orderly place where students enjoy lunch and conversation. Horseplay, loud or inappropriate behavior, food throwing, and other disturbing behavior is prohibited. Students engaging in such behavior might face disciplinary action, including the possible loss of eating in the cafeteria. Students are not allowed to take food, drinks, straws, or utensils out of the cafeteria. We encourage all students to recycle.

Safety and Evacuation Drills

For everyone's safety, it is of the utmost importance that fire drills, evacuations, and other safety protocols be executed quickly and taken seriously. Follow teachers' instructions, stay in line, and proceed in an orderly manner without conversations. Students who are unable to follow expected procedures are subject to possible disciplinary action. Fire drill and evacuation regulations are posted in every room.

Behavior Outside of School

When you are outside of school, you are still a member of the middle school community. You are a representative of your school, so please act in a way that will make others think well of our schools. Be concerned about your safety and the safety of fellow students to and from school. Please know you will be held accountable and may be subject to discipline for your behavior outside of school or school related events if that behavior is serious in nature and causes substantial disruption in the school environment.

Citizenship Code

As a citizen of our middle school community, the expectation you should hold for yourself is to be an upstander. An upstander is one who stands up for what they know is right. If you see something that does not feel right, SAY SOMETHING to a trusted adult.

During the first few days of school our core values will be explained thoroughly as part of your orientation. Every student has a right to feel like they belong, that they are significant and that they are safe at school. This is why we have core values to guide our decision making.

DISCIPLINE

1. Discipline

The Arlington Public Schools believe that all students deserve every opportunity to achieve academic success in a safe, secure learning environment. Good citizenship in schools is based on respect and consideration for the rights of others. Students will be expected to conduct themselves in a way that the rights and privileges of others are not violated. They will be required to respect constituted authority, to conform to school rules and to those provisions of law that apply to their conduct.

While this section provides examples of conduct that is prohibited, not every type of prohibited conduct can be listed. Students are expected to recognize that any conduct that is inconsistent with maintaining an appropriate environment either at school or at a school-sponsored event could lead to discipline, including exclusion from school. Even misconduct that does not take place in school or at a school sponsored event can result in discipline if it is of a serious nature and has a direct relationship to the school or causes substantial disruption to the school environment.

STATUTORY OFFENSES: CONDUCT THAT MAY LEAD TO SUSPENSION OR EXPULSION UNDER M.G.L. c. 71, §37H and 37H½

Under M.G.L. Ch. 71, §§37H, students are subject to suspension or expulsion (i.e., permanent exclusion) by the Principal for the following conduct:

- Possession of a controlled substance (such as marijuana, cocaine, or prescription drugs not authorized by the school nurse)
- Possession of a dangerous weapon*
- Assault on teachers, administrative staff or other educational personnel

*This includes not only knives and guns, explosive devices and realistic replicas of such weapons/devices, but also other objects used to assault another person or to otherwise create a dangerous situation, such as a baseball bat, a pair of scissors, matches or a lighter. While such objects would not always constitute “dangerous weapons”, administrators and educational professionals will review the circumstances of each case and make a reasonable determination about whether a particular object in a student’s possession constitutes a dangerous weapon in the school setting. Any illegal weapons will be turned over to the Police Department.

Students are also subject to suspension/expulsion by the Principal when charged/convicted of a felony based upon the standards and procedures set forth in M.G.L. c.71, §37H½.

Due Process - M.G.L. c. 71, § 37H

Any student who is charged with a violation of § 37H shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the

principal. After said hearing, a principal may, in his discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated § 37H. If a student is suspended for more than 90 school days under § 37H or expelled from a school district pursuant to these provisions, the student shall have the right to appeal to the Superintendent. The expelled student shall have ten days from the date of the expulsion in which to notify the Superintendent of his appeal. The student has the right to counsel at a hearing before the Superintendent. The subject matter of the appeal is not limited solely to a factual determination of whether the student has violated any provisions of this section.

Any school district that suspends or expels a student under this section shall allow for the student to make academic progress as described below and continue to provide educational services to the student during the period of suspension or expulsion under section 21 of chapter 76. 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 the school or provide educational services to the student in an education service plan, under section 21 of chapter 76.

[AHS Educational Services Plans.](#)

Due Process - M.G.L. c. 71, § 37H ½

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 the charges and the reasons for such suspension prior to such suspension taking effect. The student shall also receive written notification of his 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. 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(s)/guardian(s) within three (3) calendar days of the student's request for an appeal. 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 (5) calendar days of the hearing. Such a decision shall be the final decision of the city, town or regional school district with regard to the suspension.

Upon a student being convicted of a felony or upon an adjudication or admission in court of guilt with respect to such a felony or felony delinquency, the principal or headmaster of a school in which the student is enrolled may expel said student if such principal or headmaster determines that the student's continued presence in school would have a substantial 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. 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 (5) calendar days following the effective date of the expulsion. The superintendent shall hold a hearing with the student and the student's parent(s)/guardian(s) 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 and alternate educational program for the student. The superintendent shall render a decision on the appeal within five calendar days of the hearing. Such a decision shall be the final decision of the city, town or regional school district with regard to the expulsion.

Any school district that suspends or expels a student under this section shall allow for the student to make academic progress as described below and continue to provide educational services to the student during the period of suspension or expulsion under section 21 of chapter 76. 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 the school or provide educational services to the student in an education service plan, under section 21 of chapter 76.

[AHS Educational Services Plans.](#)

Removal Pending Disciplinary Hearing for Statutory Offenses

For statutory offenses covered by M.G.L. c. 71, § 37H and § 37H1/2 (possession of a dangerous weapon, possession of a controlled substance, possession of a dangerous weapon, assault on school staff and/or felony charges/conviction), the principal may exclude the student from school on a short-term basis (not to exceed 10 school days), pending a formal hearing, if the principal determines the removal is necessary to avoid danger or substantial disruption to the learning environment. Prior to removal pending a hearing, the Principal shall provide written notice to the student and parent/guardian that includes:

- a) a description of the offense;
- b) the reason for the removal pending hearing;
- c) a statement of the duration of the removal pending hearing (not to exceed 10 school day);

- d) notice of the formal hearing and due process rights, in compliance with M.G.L. c. 71, § 37H and/or § 37H1/2, as applicable (see above); and,
- e) a statement that the student has 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 removal pending hearing.

The Principal shall also make reasonable attempts to contact the student and the parent/guardian to describe the offense and give the student and the parent/guardian an opportunity to explain the circumstances, prior to removal of a student pending a disciplinary hearing. If the Principal is not able to contact the student and the parent/guardian to provide this opportunity, the Principal may delay this opportunity to after the issuance of the notice of exclusion pending hearing, if the Principal deems the delay necessary to avoid danger or substantial disruption.

Conduct Other than Statutory Offenses

Conduct of concern in a school setting that is not covered by M.G.L. c. 71, §37H and 37H½ may result in disciplinary action up to and including long term suspension (up to 90 days) from school. The administration will determine the consequences for serious infractions of the Code of Discipline and avoid using long-term suspension from school (i.e., more than ten days cumulative in a school year) as a consequence until alternatives have been tried as appropriate. Alternatives may include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and positive behavioral interventions and supports.)

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.

Suspension

School staff may use suspension from school not only as a deterrent to inappropriate behavior, but also to address the needs of students adversely affected by the inappropriate behavior of others. However, school staff seek to use alternatives to suspension whenever effective and appropriate to the circumstances. Except in the case of the “Statutory Offenses” as described in M.G.L. Ch. 71, §37H and 37H1/2 and set forth below, students may not be suspended more than 90 days in a school year, and school staff will consider alternatives to suspensions of more than 10 days, including but not limited to the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and positive behavioral interventions and supports.

Any student who is suspended from school will be given the opportunity to make up school work as needed to make academic progress. If the student is excluded from school for more than ten (10) consecutive days the student will have an opportunity to receive education services in order to make academic progress through the school-wide education service plan.

The following are examples of behaviors that may lead to suspension and/or expulsion from school:

- a. Physical and/or verbal assault on an adult or student (includes fighting).
- b. Verbal threats (verbal, written, electronic or otherwise) made to any student or staff member.
- c. Bullying.
- d. Remarks, gestures or physical contact, the display or circulation of written materials or pictures derogatory to either gender, gender identity, or sexual orientation or to racial, ethnic, religious, age, ancestry or disability groups.
- e. Pulling a false fire alarm, starting a fire, or making a bomb threat.
- f. Possession of controlled substances (drugs), alcohol, cigarettes (including vapor devices).
- g. Possessing dangerous items (e.g., knives, guns, look-alike guns, weapons, explosives, matches, harmful chemical substances).
- h. Using or copying the academic work of another and presenting it as his/her own without proper attribution.
- i. Repeatedly and intentionally defying the valid authority of supervisors, teachers, or administrators.
- j. Malicious destruction of property or stealing, including school property.
- k. Any behavior that causes disruption to the learning process and/or school environment.

School principals retain the authority to discipline students for any other misconduct not specifically listed above that he/she deems inappropriate or disruptive.

Notice of Suspension:

Except for emergency removal or an in-school suspension of less than 10 days, a Principal must provide the student and the parent oral and written notice, and provide the student an opportunity for a hearing and the parent an opportunity to participate in such hearing before imposing suspension as a consequence for misconduct. The Principal shall provide both oral and written notice to student and parent in English and in the primary language of the home if other than English. The notice shall include the

rights enumerated in law and regulation. To conduct a hearing without a parent present, the Principal must be able to document reasonable efforts to include the parent.

Emergency Removal:

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

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

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

In School Suspension - not more than 10 days consecutively or cumulatively

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

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

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

On the same day as the in-school suspension decision, the principal shall make reasonable efforts to notify the parent orally as soon as possible of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension. The principal shall also invite the parent to a meeting

to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. The principal shall send written notice to the student and parent about the in-school suspension, including the reason and the length of the in-school suspension, and inviting the parent to a meeting with the principal, if such meeting has not already occurred.

Principal's Hearing - Short Term Suspension of up to 10 days

For short term suspensions out of school, a principal may not impose a suspension as a consequence for a disciplinary offense without first providing the student and the parent oral and written notice, and providing the student an opportunity for a hearing on the charge and the parent an opportunity to participate in such hearing.

The principal shall provide oral and written notice to the student and the parent in English and in the primary language of the home if other than English, or other means of communication where appropriate. The notice shall 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 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; and
- (f) the right of the student and the student's parent to interpreter services at the hearing if needed to participate.

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

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

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

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

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

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

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

For long term suspension, in addition to the rights afforded a student in a short-term suspension hearing, the student shall have the following 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; and
4. the right to cross-examine witnesses presented by the school district; and
5. the right to request that the hearing be recorded by the principal, and to receive a copy of the audio recording provided to the student or parent upon request. If the student or parent requests an audio recording, the principal shall inform all participants before the hearing that an audio record will be made and a copy will be provided to the student and parent upon request.

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

At a minimum, in addition to the rights afforded a student in a short-term suspension hearing, the student shall have the following rights: In advance of the hearing, the opportunity to review the student's record and the documents upon which the Principal may rely in making a determination to suspend the student or not; The right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense; The right to produce witnesses on 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; The right to cross-examine witnesses presented by the school district; The right to request that the hearing be recorded by the Principal, and to receive a copy of the audio

recording upon request. If the student or parent requests an audio recording, the Principal shall inform all participants before the hearing that an audio record will be made and a copy will be provided to the student and parent upon request.

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

The Principal shall, based on the evidence, determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension as required by law and regulation, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension. The Principal shall send the written determination to the student and parent by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or any other method of delivery agreed to by the Principal and the parent.

If the Principal decides to suspend the student, the written determination shall: Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing; Set out the key facts and conclusions reached by the Principal; Identify the length and effective date of the suspension, as well as a date of return to school; Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school as required by law and regulation; Inform the student of the right to appeal the Principal's decision to the Superintendent or designee, but only if the Principal has imposed a long-term suspension. Notice of the right of appeal shall be in English and the primary language of the home if other than English, or other means of communication where appropriate, and shall include the following information: The process for appealing the decision, including that the student or parent must file a written notice of appeal with the Superintendent 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.

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

Superintendent's Hearing

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

The student or parent shall file a notice of appeal with the Superintendent within the time period noted above (see Principal's hearing - Suspension of more than 10 days). If

the appeal is not timely filed, the Superintendent may deny the appeal, or may allow the appeal in his or her discretion, for good cause.

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

The Superintendent shall make a good faith effort to include the parent in the hearing. The Superintendent shall be presumed to have made a good faith effort if 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.

The Superintendent shall conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence shall be. The Superintendent shall arrange for an audio recording of the hearing, a copy of which shall be provided to the student or parent upon request. The Superintendent shall inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent upon request. The student shall have all the rights afforded the student at the Principal's hearing for long-term suspension.

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

Expulsion

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

Any student expelled from school for such an offense shall be afforded an opportunity to receive educational services and make academic progress.

Academic Progress

Any student who is suspended or expelled from school for any reason shall have the opportunity to earn credits, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal from the

classroom or school. The Principal shall inform the student and parent of this opportunity in writing, in English and in the primary language of the home, when such suspension or expulsion is imposed.

Education Services

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

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

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

2. Discipline of students with special needs

The Individuals with Disabilities Education Act (20 U.S.C., §1400 et seq.) and the related regulations (34 C.F.R. §300 et seq.) (“IDEA”) provides eligible students (“students”) with certain procedural rights and protections in the context of student discipline, as set forth below.

Short term removals. Students who violate school rules are subject to removal from their current placement for up to ten (10) consecutive school days to the extent that such a removal would be applied to students without disabilities, without a prior determination of whether the conduct is a manifestation of the student’s disability.

Students may be removed for additional periods of up to ten (10) consecutive school days in the same school year for separate incidents of misconduct without a manifestation determination, so long as the removal does not constitute a “change of placement” as described below.

Change of Placement. A suspension of longer than 10 consecutive days or a series of shorter term suspensions that constitute a pattern are considered to represent a “change in placement.” Prior to a suspension that constitutes a change in placement, the student’s Team, including the student’s parents, must convene to determine

whether the behavior is a manifestation of the student's disability. In making this determination, the Team must review all relevant information in the student's file, including the IEP, teacher observations, and any relevant information provided by the parents, to determine if the conduct was caused by, or had a direct and substantial relationship to the student's disability, or was the direct result of any failure by the school to implement the IEP.

Results of the Manifestation Determination. If the Team determines that the behavior is not a manifestation of the disability, then the school may suspend or expel the student consistent with the policies applied to students without disabilities, except that the district must still provide an appropriate educational program to the student, as determined by the Team, which program may be in a different setting. If the Team determines that the behavior is a manifestation of a disability, the Team must conduct a functional behavioral assessment and develop a behavioral intervention plan or where a behavioral intervention plan was previously developed, must review the plan and, if necessary, modify it to address the behavior. Except in circumstances involving drugs, weapons, or serious bodily injury as described below, the student will be returned to the placement from which the student was removed unless the placement is changed by agreement or through the Team process.

Exception for Drugs, Weapons and Serious Injury. Regardless of the Team's decisions regarding the manifestation determination, school personnel may order a change in the placement of a student to an interim alternative educational setting, such setting to be determined by the Team, for not more than forty-five (45) school days if the student (1) carries a weapon to school or to a school function; (2) knowingly possesses, 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 has inflicted serious bodily injury upon another person at school, on school premises, or at a school function. Additionally, a Massachusetts Bureau of Special Education Hearing Officer, under certain circumstances, may order a change in the placement of a student with a disability to an interim alternative education setting for up to forty-five (45) days if the hearing officer determines that maintaining the current placement is substantially likely to result in injury to the child or others.

When a parent(s)/guardian(s) disagrees with the Team's decision on the "manifestation determination" or with a decision regarding placement, the parent(s)/guardian(s) has a right to request a due process hearing from the Bureau of Special Education Appeals.

Additional information regarding the procedural protections for special education students eligible for services under laws providing for services for students with disabilities can be obtained from the special education department.

Discipline of Students Whose Eligibility for Special Education is Suspected

The IDEA protections summarized above also apply to a child who has not yet been found eligible for services under the statute if the district is “deemed to have knowledge” that the child was eligible for such services before the conduct that precipitated the disciplinary action occurred. The IDEA provides that a school district is “deemed to have knowledge” if: (1) the child’s parent had expressed concern in writing to district supervisory or administrative personnel or the child’s teacher that the child needs special education and related services; (2) the child’s parent had requested an evaluation of the child to determine eligibility for special education services; or (3) the teacher of the child or other school district personnel had expressed specific concerns about a pattern of behavior by the child directly to the district’s director of special education or to other supervisory personnel. However, a school district is not “deemed to have knowledge” if the district evaluated the student and determined that the child was not eligible for special education services or the child’s parent refused an evaluation of the child or IDEA services.

If the school district has no knowledge that a student is an eligible student under the IDEA before taking disciplinary measures against the student, the student may be disciplined just as any other student may be. If, however, a request is made for an evaluation to determine eligibility while the student is subject to disciplinary measures, the district must conduct the evaluation in an expedited manner. Pending the results of the evaluation, the student must remain in the educational placement determined by school authorities, which may include suspension or expulsion without services. If the student is determined eligible for an IEP as a result of the evaluation, the school district must provide the student with special education and related services in accordance with the IDEA.

Discipline of Students with Disabilities Under Section 504 of the Rehabilitation Act

Section 504 of the Rehabilitation Act of 1973 (“Section 504”) provides students with disabilities certain procedural rights and protections in the context of student discipline. Prior to imposing a “significant change in placement” for disciplinary reasons, the district must determine whether the conduct is a manifestation of the student’s disability. A significant change of placement results not only from an exclusion for more than 10 consecutive school days, but also from a pattern of shorter suspensions accumulating to more than 10 school days during a school year. Whether a pattern exists must be decided on a case-by-case basis, considering such factors as the length of each suspension, the nature of the alleged conduct, the proximity of the suspensions to one another, and the total amount of time the student is excluded from school.

Prior to any significant change in placement for disciplinary reasons, a group of individuals knowledgeable of the student, the evaluation data, and the school program must determine whether the conduct at issue is related to the student’s disability. If the conduct is directly related to the disability, the district will not impose the discipline and will develop an individual behavior management plan if the behavior significantly interferes with the student’s ability to benefit from his education. If the conduct is not

directly related to the student's disability, the district may discipline the student as it does general education students.

Search

School administrators are authorized to search students and/or their personal property if there is a reasonable basis for believing that the search will reveal evidence of a violation of school rules or the law. All lockers are the property of Arlington Public Schools, not the student. Therefore, lockers are subject to be searched by authorized personnel at any time.

School officials are authorized to question students about information that is relevant to the performance of their duties, including enforcement of school rules pertaining to students, staff, or others.

Tobacco Use

Use of any tobacco products, including but not limited to: cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, and snuff and electronic cigarettes, electronic cigars, vaping materials (regardless of the substance involved), electronic pipes or other similar products that rely on vaporization or aerosolization, within the school buildings, school facilities, on school grounds or school buses, or at school sponsored events by any individual, including school personnel and students, is prohibited at all times.

Smoking cessation classes are available to all students after school during the school year.

These excerpts are taken directly from the Town of Arlington Board of Health regulations. The public regulations on tobacco use will be enforced within the buildings and on the grounds of the Arlington Public Schools.

TOWN OF ARLINGTON BOARD OF HEALTH RULES AND REGULATIONS RESTRICTING SMOKING AND DISTRIBUTION OF TOBACCO AND TOBACCO PRODUCTS WITHIN THE TOWN OF ARLINGTON

SECTION 3.0 PROHIBITION ON SMOKING IN PUBLIC PLACES

No person shall smoke in any public place. Schools. It shall be unlawful for any person, including all teaching and non-teaching personnel to smoke in any public or private school, on school grounds or school buses at any time.

SECTION 5.0 PUBLIC PLACES/WORKPLACE ENFORCEMENT

(A) Any person who smokes in a non-smoking area shall be subject to a fine of \$100.00 for each violation.

All students caught in violation of this policy will be issued a \$100 fine. For a first offense, the fee will be waived if the student completes the consultation and education provided within 21 days. For any subsequent violations in the school year a \$100 ticket will be issued. No report cards, schedules, diplomas or transcripts will be issued until any and all fines are paid in full.

Acceptable Use Policy: [Acceptable Use Policy](#)

Bullying and Retaliation are Prohibited

The Arlington Public Schools are committed to maintaining a school environment where students are free from bullying, including cyber-bullying, and the effects of such conduct. We further recognize that students may be more vulnerable to bullying based upon actual or perceived differences related to race, color, religion, ancestry, national origin, sex, socio-economic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical developmental or sensory disability or by associations with other people who have one or more of these characteristics. We will provide support to students whose vulnerability is brought to the attention of a teacher, guidance counselor or administrator through observation or direct report from a student, staff member or parent/guardian. This support may be in the form of counseling, education to support both the student's ability to report bullying and his/her skills, knowledge and strategies to respond to bullying or harassment.

A. Definitions

Bullying is conduct that is repeated by one or more students or by a member of a school staff including, but not limited to, an educator, administrator, a school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional and is directed at a student, causing one or more of the following:

- a. Physical or emotional harm to the targeted student or damage to his/her property;
- b. Placement of the targeted student in reasonable fear of harm to him/herself or of damage to his/her property;
- c. Hostile environment at school for the targeted student;
- d. Infringement on the rights of the targeted student at school; or
- e. Material and substantial disruption to the educational process or the orderly operation of the school.

Bullying generally involves "picking on" a student over time and may include conduct such as hitting and shoving; pressuring a student into taking an action he/she

does not wish to take; words that involve threats, teasing, putdowns, or name-calling; threatening looks, gestures, or actions; cruel rumors; false accusations; and social isolation.

Cyberbullying is bullying through the use of cell phones, computers or other technology and may include conduct such as sending derogatory, harassing, or threatening email messages, instant messages, text messages, or bogs; creating websites or blogs that make fun of, humiliate, or intimidate others; and posting or sending embarrassing or inappropriate pictures or images of others. It may also include creating a website, bog, or posting by which the creator/author impersonates another person.

Hostile Environment is a circumstance in which bullying causes the school environment to be permeated with intimidation, ridicule or insult that is sufficiently severe or pervasive to alter the conditions of a student's education. The targeted student becomes so concerned about bullying that he/she is unable to participate in and concentrate on academic and other school activities.

Retaliation is any form of intimidation, reprisal, or harassment directed against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying. It involves a student or staff member "getting back at" a student because of a belief that the student reported bullying or provided information about it to an adult or others who may help the targeted student.

B. Acts of Bullying (Including Cyberbullying) and Retaliation Are Prohibited.

The Arlington Public Schools prohibit bullying (including cyberbullying) and retaliation as defined above both at school and under the following circumstances:

- on school grounds or any property next to school grounds;
- at the bus stop or on school buses or any other school vehicle;
- at any school-sponsored, or school-related activities, functions or programs;
- through use any school computers, internet connection or other school based technology;
- at a location or during activities that are not school related, or by using a private computer or cell phone, if the bullying creates a hostile environment at school for the targeted student; infringes on the rights of the targeted student at school, or otherwise disrupts the orderly operation of the school.

C. How to Report Bullying

Students who believe they are the targets of bullying or retaliation, or who know about bullying conduct should report the conduct to: K-5 Building principals, 6-8 Grade level Administrator, 9-12 House Deans. Students may also report the conduct to a teacher, guidance counselor, or other school staff member, who will in turn report the incident to the Principal (or to a member of the Superintendent's staff if appropriate). Students may also contact a member

of the Superintendent's staff directly at [add contact information]. Students are urged to report all conduct that is of actual concern to them. However, knowingly making a false accusation of bullying could result in discipline.

D. Addressing Concerns Regarding Bullying

The Principal or other appropriate administrator will be responsible for taking steps to investigate and otherwise address reports of bullying and retaliation. Where appropriate, the Principal/designee will take steps to restore a student's safety even before an investigation has been completed. Students who engage in bullying will be subject to discipline by the Principal or Assistant Principal, subject to any procedural requirements. In making disciplinary decisions, the Principal/Assistant Principal will consider both the need for accountability and the importance of teaching appropriate behavior. The range of disciplinary action for students that may be taken includes, but is not limited to:

- verbal warning;
- written warning;
- reprimand;
- detention;
- short-term or long-term suspension; or
- expulsion from school

In addition to taking disciplinary action, the Principal/Designee will report conduct relating to bullying and retaliation to local law enforcement if s/he believes that criminal charges may be pursued.

Nothing in this handbook is intended to prevent school staff and/or school committee, if applicable, from addressing and taking disciplinary action against a student for conduct that does not meet the definition of bullying/cyberbullying or retaliation, as defined above, but that is nevertheless inappropriate for the school environment.

E. Closing a Complaint Regarding Bullying

In the event school staff determine that bullying or retaliation (as defined in this policy) has taken place, the Principal or designee will, in addition to taking disciplinary action, notify the parent or guardian of the student aggressor. Staff will also inform the parent of the targeted student of the steps that will support the student and to prevent further acts of bullying or retaliation, so long as it is consistent with applicable legal restrictions. For example, specific information about disciplinary action taken will generally not be released to the target's parent or guardian—unless it involves a “stay away or other directive that the target must be aware of in order to report violations.

F. Further Review

If either party is dissatisfied with the results of an investigation, he/she may direct his/her concerns in writing to the Superintendent or designee for further consideration.

In addition, parents may file a complaint with the Department of Elementary and Secondary Education Program Resolution System (PRS). Information can be found at: <http://www.doe.mass.edu/pqa>, emails can be sent to compliance@doe.mass.edu or individuals can call 781-338-3700. Hard copies of this information are also available at the Superintendent's office.

Additional information regarding the Arlington Public Schools' procedures for addressing allegations of harassment, can be found at:

<http://www.arlington.k12.ma.us/asc/policies/aca.pdf>

The above language is intended to be consistent with the Arlington Public School's Policy Addressing Bullying and the Arlington Public School's Bullying Prevention and Intervention Plan. A copy of the complete plan is available at:

<http://www.arlington.k12.ma.us/administration/bullyingprevention/pdfs/apsbullyingpreventionplan.pdf> A Bullying report form is attached at the end of this document and more are available in the main office or online at: [Bullying Reporting Form](#)

http://www.arlington.k12.ma.us/eforms/parent_forms/Bullying_-_Initial_Suspected_Bullying_Report.pdf The grade level administrator will be responsible for taking steps to investigate and address bullying and retaliation. They will take steps to ensure the safety of the target, and will notify parents of the aggressor and the target of confirmed cases of bullying and retaliation. The Arlington Public Schools Bullying Prevention Plan is located at: <https://www.arlington.k12.ma.us/>

[administration/bullying_prevention/pdfs/aps_bullying_prevention_plan.pdf](#) March 2014
Arlington Public Schools

[Bullying Prevention and Intervention Plan.](#)

Non-Discrimination Policy Including Harassment and Retaliation

Arlington Public Schools will respond promptly to any reports or complaints of discrimination, including harassment and retaliation, or other violations of civil rights, pursuant to our detailed response protocol. Where it is determined that discrimination or harassment has occurred, Arlington Public Schools will act promptly to eliminate the conduct and will impose developmentally- appropriate disciplinary, restorative, and/or corrective action.

Any member of the school community who is found, after investigation, to have engaged in any form of discrimination, including harassment or retaliation, against another member of the school community, will be subject to consequences determined

appropriate by the administration. Such consequences may include restorative measures and corrective action, and/or student discipline or staff disciplinary action, up to and including termination of employment.

Definitions

"Discrimination" and "Harassment" are defined as unwelcome conduct, whether verbal or physical, that is based on any individual's actual or perceived race, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy or pregnancy-related conditions, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law.

Discrimination and/or harassment includes, but is not limited to:

- Display or circulation of written materials or pictures that are degrading to a person or group described above.
- Verbal abuse or insults about, directed at, or made in the presence of, an individual or group described above.
- Any action or speech that contributes to, promotes or results in a hostile or discriminatory environment to an individual or group described above
- Any action or speech that is sufficiently severe, pervasive or persistent that it either (i) interferes with or limits the ability of an individual or group described above to participate in or benefit from employment or a program or activity of Arlington Public Schools; or (ii) creates an intimidating, threatening or abusive educational or working environment.

Harassment may include, but is not limited to, any unwelcome, inappropriate, or illegal physical, written, verbal, graphic, or electronic conduct, and that has the intent or effect of creating a hostile education or work environment by limiting the ability of an individual to participate in or benefit from the district's programs and activities or by unreasonably interfering with that individual's education or work environment or, if the conduct were to persist, would likely create a hostile educational or work environment.

"Title IX Sexual Harassment" means verbal, physical or other conduct that targets a person based on their sex, and that satisfies one or more of the following:

- A school employee conditioning educational benefits or services on participation in unwelcome sexual conduct (i.e., quid pro quo);
- Any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's educational program or activity;

- Any instance of "sexual assault", "dating violence", "domestic violence", or "stalking", as those terms are defined by the Clery Act (20 U.S.C. 1092(f)(6)(A)(v)) and the Violence Against Women Act (34 U.S.C. 12291(a)(8), (10) & (30)).

Allegations of Title IX Sexual Harassment shall be reported and investigated pursuant to the Arlington Public Schools Protocol for Investigating Sexual Harassment and Retaliation Pursuant to Title IX.

Resources

The following individual is designated as the District ADA, Title VI, Title IX, and Sexual Harassment Coordinator, and Grievance Officer for the School Committee, administration, faculty, staff, volunteers in the schools, and for parties who are contracted to perform work for the Arlington Public Schools, and can be reached at:

Dr. Roderick MacNeal, Jr., Assistant Superintendent

Arlington Public School

869 Massachusetts Avenue

Arlington MA 02476

781-316-3523

Inquiries about laws, statutes, regulations and compliance may be directed to the Massachusetts Department of Elementary and Secondary Education or the Office for Civil Rights, U.S. Department of Education, 5 Post Office Square, 8th Floor, Suite 900, Boston, MA 02109; (617) 289-0111; Email: OCR.Boston@ed.gov; Website: www.ed.gov/ocr

Investigation

Any individual who believes he/she has been harassed or who has witnessed or learned about the harassment of another person in the school environment should inform the Principal as soon as possible. If the individual does not wish to discuss the issue with him/her, or if s/he does not address the problem in an effective manner, the individual should inform the Assistant Superintendent of Schools who can be reached at:

Dr. Roderick MacNeal, Jr., Assistant Superintendent

Arlington Public School

869 Massachusetts Avenue

Arlington MA 02476

781-316-3523

The Arlington Public Schools will promptly investigate every complaint of harassment. If it determines that harassment has occurred, it will take appropriate action to end the harassment and to ensure that it is not repeated. Confidentiality will be maintained to the extent consistent

with the school's obligations under law and under applicable collective bargaining agreements.

In certain cases, the harassment of a student may constitute child abuse under Massachusetts Law. The Arlington Public Schools will comply with all legal requirements governing the reporting of suspected cases of child abuse and will report suspected criminal activity to the appropriate authorities.

Closure of a Complaint

When an investigation has been completed, school personnel will inform the complainant of the results and file a report with the Coordinator for Title IX/Section 504 of the Rehabilitation Act/Chapter 622.

The Arlington Public Schools urges all individuals in the school community to bring any concerns or complaints of harassment to the attention of school personnel so that they can resolve the issue. The state agencies responsible for enforcing laws prohibiting harassment is the Massachusetts Commission Against Discrimination (MCAD), located at One Ashburton Place Boston, Massachusetts and the Massachusetts Department of Elementary and Secondary Education 75 Pleasant Street, Malden, MA 02148. The agency responsible for enforcing federal laws prohibiting harassment in the employment context is the Equal Employment Opportunity Commission, which is located at One Congress Street, Boston, MA and in the educational context is U.S. Department of Education, Office for Civil Rights, <https://www2.ed.gov/about/offices/list/ocr/index.html>.

Sexual Harassment and Title IX

Harassment of students by other students, employees, vendors and other third parties will not be tolerated in the Arlington Public Schools (the District). The alleged harassment must involve conduct that occurred within Arlington Public Schools programs or activities, on premises owned or substantially controlled by the Arlington Public Schools, and/or under circumstances where the Arlington Public Schools 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 explicitly understood to be in effect while students are on school grounds, School District property or property within the jurisdiction of the 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 or expression, creed, color, citizenship, national origin, residency status, sexual orientation, religion, marital status, military status, sources of income, 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 comments;
- 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) The preponderance of the evidence, subject to limitations;
- 4) The opportunity to test the credibility of parties and witnesses through cross examination, 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 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 either the preponderance of the evidence or the clear and convincing standard; however, a school can use the lower preponderance standards only if it uses that standard for conduct code violations that do not involve sexual harassment but carry the same maximum disciplinary sanction. 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.

A 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 Arlington Public Schools to its students and employees and each parent or guardian shall sign that they have received and understand the policy.

List the name and phone number of the District's Title IX Coordinator

List the appropriate party by name and phone number to receive a complaint in each school.

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, 8th 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.

Special Education

Rights of Students with Special Needs

Federal and state laws, including Section 504 of the Rehabilitation Act, the Individuals with Disabilities Education Act, and M.G.L. c. 71B, require schools to provide students with disabilities access to a Free and Appropriate Public Education. In some circumstances, this also means that a child will be entitled to receive special education and related services. All students between the ages of three and twenty-one, who have not yet obtained a high school diploma or equivalent, are entitled to special education services if he or she is determined to be eligible to receive such services on the basis of a disability. Specific questions and concerns regarding special education, including referral for special education, eligibility and services, can be directed to a student's principal or the Special Education Services Office at Central Administration.

Section 504

Nondiscrimination on the Basis of Handicap

Title II of the Americans with Disabilities Act of 1992 requires that no qualified individual with a disability shall, because the district's facilities are inaccessible to or unusable by individuals with disabilities, be excluded from participation in, or be denied the benefits of the services, programs and activities of the district or be subject to discrimination. Nor shall the district exclude or otherwise deny services, programs, or activities to an individual because of the known disability of a person with whom the individual is known to have a relationship or association.

A "qualified individual with a disability" is an individual with a disability who, with or without reasonable modification to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the district.

Legal references

- a. **M.G.L. ch. 71, s. 37H, 37H½, and 37H¾**
- b. **Hazing Law**
- c. **Bullying Law**
- d.