

**GARDNER PUBLIC SCHOOLS**  
**2024-2025**  
**STUDENT HANDBOOK**



**Gardner Public Schools**

**Every child, in every classroom, every day, will: feel welcomed, safe, and included in our community; have adults consistently interact in ways that foster positive, supportive relationships; and be engaged in relevant, academically rigorous instruction.**

**Our Core Values are:**

**Community    Appreciation    Responsibility    Excellence**

**Mark J. Pellegrino, Ed.D.**  
**Superintendent of Schools**

*Updated: August 2024*



"It is the policy of the Gardner School Committee not to discriminate on the basis of race, color, sex, gender identity, religion, national origin, sexual orientation, disability, age, homelessness, or limited English proficiency."

**Affirmative Action Officer Title IX & Title V:**

**Chief Academic Officer**

**160 Elm Street**

**2nd Floor**

**Gardner, MA 01440**

**Phone: 978-632-1000**

**Fax: 978-543-5633**

## CIVIL RIGHTS ASSURANCES

- ❑ Gardner Public Schools takes an active role in ensuring that all educational programs, activities and employment practices are free of civil rights violations. School programs are conducted equally for all people regardless of race, color, sex, gender identity, religion, national origin, sexual orientation, disability, age, homelessness, or limited English proficiency. The Superintendent's office may be contacted concerning equal rights.
- ❑ **Title VI (Human Resources Manager/Chief Academic Officer):** Equal rights and opportunities for all individuals within all school programs.
- ❑ **Title IX (Chief Academic Officer/Human Resource Manager):** Equal rights and opportunities for all regardless of gender.
- ❑ **Section 504/ADA Coordinator (Pupil Personnel Director/Chief Academic Officer):** Equal rights and opportunities for persons with disabilities.
- ❑ **McKinney-Vento & Homeless/Foster Care Liaison (Pupil Personnel Director):** Education of children and youth experiencing homelessness and children placed in foster care through the Department of Children and Families (DCF).
- ❑ **Title I (Chief Academic Officer):** Ensure that all children have a fair, equal, and significant opportunity to obtain a high-quality education.
- ❑ **The Massachusetts Equal Educational Opportunity Statute, General Laws Chapter 76, § 5**

The Massachusetts Equal Educational Opportunity Statute, General Laws Chapter 76, § 5, ensures that all students have the right to equal educational opportunities in the public schools regardless of their race, color, sex, religion, national origin or sexual orientation. The statute (sometimes referred to as "Chapter 622" after its original 1971 session law number) provides:

No person shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public schools on account of race, color, sex, religion, national origin or sexual orientation.

- ❑ **Section 504 of the Federal Rehabilitation Act of 1973**

Section 504 of the Federal Rehabilitation Act of 1973 states, "No otherwise qualified handicapped individual, shall solely by reason of their handicap, be excluded from participation in, be denied the benefit of, or be subjected to discrimination under any program or activity receiving Federal Funds".



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## GARDNER PUBLIC SCHOOL DISTRICT

### Administrative Offices

#### **Superintendent of Schools**

160 Elm Street 2nd Floor  
Gardner, MA 01440  
978-632-1000 Fax 978-543-5633

#### **Chief Academic Officer**

160 Elm Street 2nd Floor  
Gardner, MA 01440  
978-632-1000 Fax 978-543-5633

#### **Director of Finance & Operations**

160 Elm Street 2nd Floor  
Gardner, MA 01440  
978-632-1000 Fax 978-543-5633

#### **Grants, Communications & Compliance Administrator**

160 Elm Street 2nd Floor  
Gardner, MA 01440  
978-632-1000 Fax 978-543-5633

#### **Human Resources Manager**

160 Elm Street 2nd Floor  
Gardner, MA 01440  
978-632-1000 Fax 978-543-5633

#### **Director of Multilingual Learners**

160 Elm Street 2nd Floor  
Gardner, MA 01440  
978-632-1000 Fax 978-543-5633

#### **Director of Pupil Personnel Services**

160 Elm Street  
Gardner, MA 01440  
978-632-4076 Fax 978-755-3872

### Our Schools

#### **Gardner Elementary School grades (PreK-4)**

278 Pearl Street  
978-991-0900 Fax 978-300-8818

#### **Gardner Middle School grades (5-7)**

297 Catherine Street  
978-632-1603 Fax 978-958-9956

#### **Gardner High School grades (8-12)**

200 Catherine Street  
978-632-1600 Fax 978-630-4040

#### **Gardner Academy for Learning and Technology grades (9-12)**

160 Elm Street  
978-632-1673 Fax 978-291-5146

#### **College & Career Readiness Coordinator**

160 Elm Street 2nd Floor  
Gardner, MA 01440  
978-632-1000 Fax 978-543-5633

## ***Vision/Mission Statement***

**EVERY CHILD, IN EVERY CLASSROOM, EVERY DAY, WILL:**

***feel welcomed, safe, and included in our community;***

- Adults will personally welcome each child as they enter the school and each classroom.
- The layout of the school and each classroom will be inviting and conducive to learning.
- Students will learn social/emotional skills through direct instruction, supports, and institutional practices.
- Disciplinary practices are restorative rather than punitive--repairing relationships.
- Schools will actively engage families in the education of their children and community.

***have adults consistently interact in ways that foster positive, supportive relationships;***

- School expectations, practices, and rules will be informed by the chronological and actual developmental levels of the children we serve.
- Adult responses to children's behaviors will be empathetic and caring, considering their comprehensive knowledge of the child's development and any possible trauma or stressors.
- The school will work proactively and collaboratively with families to support the whole child.

***and be engaged in relevant, academically rigorous instruction, informed by data.***

- Each lesson will incorporate rigorous student tasks that engage all learners, provoke higher-order thinking, monitor each student's progress, and provide feedback to students for improvement.
- The schools will monitor and adapt their instruction to ensure students learn the skills and knowledge to prepare them for their own future.

Community Appreciation Responsibility Excellence



## Gardner Public School District Information

### DAILY SCHEDULES

School	Full Day	Half Day Dismissals
Gardner High School	7:50 – 2:35	10:35
Gardner Academy for Learning and Technology	7:45 - 2:45	10:35
Gardner Middle School	7:00 – 1:55	10:00
Gardner Elementary School	9:00 – 3:15	11:30
Gardner Elementary School Preschool	AM: 8:45 – 11:15 PM: 12:30 – 3:00 Full Day 9:00 - 3:15	On early dismissal days, there are no half day programs

### FAMILY/CAREGIVER INVOLVEMENT

#### School Advisory Council

Each school utilizes the collaborative efforts of The Advisory School Council. This council consists of teachers, staff, parents and a community member. Each year, vacancies are announced to the school community. The Council serves a vital role in goal setting and produces an annual School Improvement Plan. The School Improvement Plan is written by the Council, with Faculty input. The full plan is available in the school's main office. All meetings are open to the public and visitors are welcome.

#### Parent-Teacher Organization (PTO)

Gardner Public Schools have always been fortunate to have active PTOs. Parents/guardians/caregivers are strongly encouraged to become involved.

#### Special Education Parent Advisory Council (SEPAC)

##### What is a SEPAC?

The District-wide special education parent advisory council (SEPAC) membership is open to, parents/guardians/caregivers, educators, and community members, as well as other interested parties.

The Mission of Special Education Parent Advisory Council is to work toward understanding,



respect, support, and appropriate education for all children with disabilities in our community and to:

- Promote and support an innovative educational environment where students with disabilities have equal access to educational opportunities and a school and community environment where all children are encouraged to reach their full potential.
- Promote a network for parents/guardians of children with disabilities and provide a forum to share information and discuss matters of interest and concern regarding our children.
- Promote communication and programs within the community to encourage understanding, respect, acceptance and inclusion of children with disabilities.
- Collaborate with the school community to continually improve the educational opportunities available within and without our schools that promote improved educational outcomes for children with disabilities.
- Promote and enhance communication between parents/guardians and the school administration

The success of SEPACs depends on building supportive and trusting collaborative partnerships among and between parents/guardians/caregivers, school staff and leaders, and community members. Please go to <https://www.doe.mass.edu/sped/pac/default.html> for more information on SEPACs.

If you are interested in becoming a member of Gardner Public Schools' SEPAC, Please email [westj@gardnerk12.org](mailto:westj@gardnerk12.org) or [gambletr@gardnerk12.org](mailto:gambletr@gardnerk12.org) you may also call 978-632-4076

### **English Learner Parent Advisory Council (ELPAC)**

#### **What is an ELPAC?**

ELPACs are made up of parents and legal guardians of English learners. Membership is voluntary and is open to all parents and legal guardians of students who are or have been identified as English learners. ELPAC members will be responsible for:

- Creating by-laws (rules) regarding officers and operational procedures
- Advising the school district, school committee, and board of trustees on matters related to English learners
- Meeting regularly with school or district leaders to participate in the planning and development of programs to improve educational opportunities for English learners
- Advising the district or school on any new proposed language acquisition programs
- Reviewing district and school improvement plans as they relate to English learners
- Meeting at least annually with the school committee or school council

The success of ELPACs depends on building supportive and trusting collaborative partnerships among and between parents, school staff and leaders, and community members. Please go to <http://www.doe.mass.edu/ell/look-act.html> for more information on ELPACs.

If you are interested in becoming a member of Gardner Public Schools' ELPAC, Please email [simpsonl@gardnerk12.org](mailto:simpsonl@gardnerk12.org) or [corraller@gardnerk12.org](mailto:corraller@gardnerk12.org) you may also call 978-632-1000 x 7450.



### **School Visitors and Volunteers**

If you are interested in visiting your child's classroom, please contact your child's school main office to schedule a visit. Parents/guardians/caregivers who wish to volunteer are required to go through a CORI check. CORI forms must be completed in person at the Central Office. Results may take up to three (3) days to be available.

### **Volunteer Guidelines**

The following guidelines have been established to provide a smooth transition for parent volunteers:

- Please stop at the office when you arrive at school. You will need to sign in and wear a visitor's badge.
- Please be familiar with, and adhere to, all classroom policies and procedures. If you have any questions, please ask the teacher or paraprofessional.
- Please keep the lines of communication open. If you have questions or concerns, please speak directly with the classroom teacher.
- Confidentiality of all students is of the utmost importance. Please remember to keep information regarding children's progress, health information, and behavior confidential.

## **ATTENDANCE**

### **Student Absences and Excuses**

One of the most important records that a student establishes in school is their attendance record. Regular attendance and punctuality are absolute necessities in attaining an education. All students are expected to attend school on a regular basis. Under the laws of the Commonwealth of Massachusetts, every child between the ages of 7 and 16 is compelled to attend school.

On the occasion that a student is absent, a parent or guardian must call the school's office to report the absence. By calling the school, or through the PowerSchool Parent Portal, (Attendance Monitor) you are assuring us that your child is safe. We want to work with you to ensure that you do not mistakenly believe that your child is in school. Therefore, if a call has not been received, the school office will call home to confirm the absence.

### **Attendance**

- Students are expected to be present for every class session. In grades 9-12, any student who is absent from a class six (9) times in a semester course or twelve (18) times in a yearlong course, may receive no credit and may be placed on social probation, making the student ineligible for sports and other extracurricular activities. These students will be placed on an attendance contract, which clearly outlines expectations.
- Absences will be recorded and totaled for each term and for the year. Parents will be notified when a student's absences place him or her at academic risk.
- Vacations taken during school time are counted as unexcused absences.
- Students are responsible for providing documentation for absences within ten (10) days of an absence.

### **Appeal Process for Loss of Credit**

Students with extenuating circumstances may appeal the credit loss to the Principal. An appeal for a waiver of absences must be filed.

- All appeals must be made to the principal in writing within ten (10) school days of notification of loss of credit.
- Appeals must contain written documentation that may excuse absences and reduce the number to below the 9 and 18 allowed, or students must present a valid case for extenuating circumstances.
- Documentation must meet criteria for excused absences at a minimum.

### **Exemptions**

Examples of excusable absences/excusable tardies are found in the Gardner School Committee Attendance Policy.

### **Tardy to School (TTS)**

- It is the expectation that all students will be on time, every day.
- Students who are habitually tardy will receive additional consequences, which may include detentions or mandatory after school “homework club” or other academic support services.
- Students tardy to school five (5) or more times in a marking term may be placed on social probation, making the student ineligible for extracurricular activities and sports. These students may also be subject to: loss of privileges or Community Service,
- TTS may be excused by the administration due to extraordinary circumstances.
- Students who are tardy to school may not enter the building with any take-out beverages (ie. coffee). Arriving at school on time should be a priority to all students so taking the time to stop for take-out is not deemed an appropriate reason to be tardy to school. Students will be asked to throw out any such beverages upon entering the building.

### **Tardy to Class (for grades 5-12)**

- Tardiness to class is a serious infraction; it is an avoidable educational interruption. A “class” is defined as an academic class, physical education, study hall, and Homeroom/Advisement. Students are expected to be in the classroom when the bell rings. If you need to use the bathroom or go to the nurse, first report to your class and get permission from your teacher.
- Unexcused tardies to any class period will result in a teacher 15-minute detention.
- Failure to serve teacher detention will automatically result in an administrative referral.
- In any given marking term, a student who amasses three (3) teacher detentions due to tardiness will automatically be referred to the assistant principal for administrative intervention. Students may be placed on social probation and may lose certain privileges such as parking on school grounds, admittance and participation in school-sponsored functions. Please Note: Students who are habitually tardy to class may be placed on an individualized attendance plan by the administration which will include tiered supports/interventions and may require different and more severe consequences and expectations.

### **Dismissals**

According to the state law, only a school official may excuse a student from a class or school



attendance. State law and school policy regulate such excuses.

- Every attempt should be made to schedule student appointments outside of school day hours.
- There shall be no phone dismissals. All dismissals require a dismissal note that must be submitted to the office before the start of the school day. Notes must have a parent/guardian signature and phone number along with the reason for dismissal.
- Not all dismissals shall be considered excused.
- Unexcused dismissals of any duration will result in the student's ineligibility to participate in any extracurricular activities on the particular day. School activities include: practices, competitions, dances, etc. Friday attendance will determine weekend eligibility.
- In cases of illness or accident at school, the school nurse will assess the situation. If necessary, the nurse will arrange for and approve dismissal, and the parent/guardian will be notified.
- The decision for the dismissal is at the discretion of the administration.

### **Returning from an absence**

- Students returning from an absence must bring a note explaining the reason for the absence on the day of their return to school.
- An absence does not excuse students from their academic responsibilities.
- Students are responsible for arranging with teachers to make up for missed work.
- All make-up work must be completed in accordance with the make-up policy of the individual teacher. As a general rule, for each day absent, students will have 2 days to make up work. Parents are encouraged to contact the school nurse for extended absences due to illness/hospitalization.
- In any case late work must be made up within a maximum of two weeks following the absence.
- In the case of a student being absent for more than two (2) consecutive days, it is the responsibility of the parent/guardian to contact the guidance office to request make-up work.

### **Family Vacations/ Non School Related Competitions**

Family vacations during the school year are strongly discouraged. Time lost from school can never truly be regained. In particular, the important benefits derived from teacher explanations and from interactions among students and between teacher and student cannot be replaced. Demonstrations, laboratory exercises, oral presentations, and debates are particularly difficult to make up outside of the regularly scheduled class. Vacations are not considered 'excused' and count as an absence in each student's daily attendance record.

### **Truancy**

A student not in school or who leaves the school, without the proper authorization from parent(s)/legal guardian(s), will be considered truant (absent: unexcused) and the Police may be notified. Any student who is truant will be given a zero for any and all work which is due on that date or which should have been performed on that date. Students in violation of this rule will be subject to disciplinary action, up to and including suspension. The final decision on whether the

absence(s) is excused or unexcused will be made by the principal. Students who are absent from school will not be allowed to participate in after school activities including practices, dances, etc.

This rule is established to fulfill the schools and parent(s)/legal guardian(s) legal responsibility under the educational laws of the Commonwealth of Massachusetts. It also provides the parent(s)/legal guardian(s) with knowledge of their children's whereabouts. The administration will contact parent(s)/legal guardian(s) when a student's unauthorized absence is brought to its attention. When warranted, the Truant Officer will be notified. Students who are absent due to illness may be required to present an affidavit from a medical authority.

**Notes:** Please send a note to school with your child when any of the following situations occur:

1. Change in dismissal routine:  
Elementary School End of the Day Changes: If parents/guardians need to make any changes in the student's scheduled pick-up or drop-off time or location, a note must be sent into school, or for emergencies only, call the office **before 2:00 pm**. Please **DO NOT** leave a voicemail if you do not reach one of the school secretaries as your message may not be received in time to respond to your request.
2. Change of address or telephone number, both home and workplace;
3. Change of emergency contact telephone number;
4. Absence;
5. Each time your elementary child stays for an after school activity; or
6. Unusual circumstances, i.e. parents are out of town, illness in the family, new baby or other significant event.

The Gardner School Committee Policy regarding attendance states:

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

Therefore, students may be excused temporarily from school attendance, with approval of the School Administrator, for the following reasons:

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

A student may also be excused for other exceptional reasons with approval of the school administrator or excused under other applicable school committee policies relating to absences.

Accordingly, parents/guardians will provide a written explanation for the absence and tardiness of a child. This will be required in advance for types of justifiable 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 justifiable.

### **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.

### **Dropout Prevention**

A student who has not graduated from high school and has been absent from school for ten (10) consecutive days of unexcused absence shall not be considered permanently removed from school unless the Principal has sent notice to the student, and that student's parent/guardian. The notice shall be sent within five (5) days of the tenth consecutive day of absence and shall offer at least 2 dates and times within the next ten (10) days for an exit interview with the Superintendent or designee, the student, and the student's parent/guardian. The notice shall be in both English and the primary language of the home, if applicable. The notice shall include contact information for scheduling the exit interview and shall indicate the parties shall reach an agreement on the date/time of the interview within the ten (10) day timeframe. The timeframe may be extended at the request of the parent/guardian and no extension shall exceed 14 days.

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

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

[Reference: M.G.L. 76:1; 76: 1B; 76:16; 76: 18; 76:20; JFADB, Homeless Students: Enrollment Rights and Services; JFABE, Educational Opportunities for Military Children; JFABF, Educational Opportunities for Children in Foster Care]

{Revised May 2024}

## **STANDARDS FOR STUDENT DRESS**

Students are expected to exercise maturity and responsibility in all matters, including their dress and personal grooming. School is a place of serious work and dress should be attuned to that concept. Students should remember at all times the five guiding principles of dress: neatness, suitability, moderation, cleanliness and safety.

Students "... clothing shall not disrupt or distract from the educational process." While in school students will wear clothing that meets the following standards:

- No head coverings that may obscure a student's eyes or ears such as hoods, scarves, sweatbands;
- No bare feet or unsafe footwear;
- No "see through" clothing;
- No clothing that displays words/graphics that are obscene, vulgar, violent, sexist, racist, or promote the use of drugs, alcohol, or tobacco;
- No gang or cult-related apparel;
- No exposed undergarments;
- No clothing or jewelry with objects that could be considered dangerous;
- No costume masks or face painting;
- Outerwear (coats and jackets) may not be worn indoors and must be kept in lockers;
- No strapless tops unless covered by another shirt;
- No tops that resemble bras;

The Principal, or their designee, will decide when clothing is inappropriate or disruptive.

Students in violation of the dress code will be sent to the Assistant Principal's office and may receive disciplinary consequences. Parents will be contacted and are expected to bring an appropriate change of clothing to school. Refusal to change or cover offensive clothing items will result in disciplinary measures for insubordination. Missed class time due to dress code violations will be treated as unexcused absences.

### **"CELLPHONE AND EARBUD/HEADPHONE GUIDELINES Cellphone and**

#### **Earbud/Headphone use is prohibited in classroom"**

- Cellphone and Earbud/Headphone use is prohibited in classrooms, restrooms, school offices, and any other academic area.
- Cellphones and Earbuds/Headphones may be used on school grounds before school, during transitions between classes, during lunch, and after school.
- Upon entering the classroom, library, gym or any other academic area in the building, students must place their cellphone in the designated cellphone holder in the room. Students may retrieve their cellphone after the bell has rung to dismiss class.
- Students may not keep earbuds or headphones in or on their ears during class time.

- If students need to place an emergency phone call during the day, they should request to go to the main office, guidance or an administrator's office to make the call.
- The school and its staff are not responsible for any damage to or theft of a student's cell phone and/or earbuds.

**If students violate the school's cellphone guidelines, the following will occur:**

- Teacher reminds student of guidelines and redirects the student to comply
- If the student does not comply with the teacher's direction, administration will be notified and the following may occur:
  - Student is asked by administration to comply with cellphone policy.
  - Administration makes phone call home to parent/guardian to discuss options/discipline.
  - Administration confiscates cellphone and holds it until the end of the day.
  - Cellphone is locked up in a phone case, which will remain with the student until unlocked by school personnel at the end of the day. The student is responsible for any damage done to the locked case.
  - Further disciplinary action may be taken at the discretion of administration, which may include: parent/guardian meeting; after school detention; loss of privileges including after school activities and athletics; suspension, etc.
  - The administration reserves the right to adjust these consequences on a case-by-case basis if needed. For example, extreme behaviors that break the law or engage in bullying or harassment of other students may result in other disciplinary action and/or police involvement.

## **STUDENT RECORDS/CONFIDENTIALITY**

### **Student Records Policy:**

#### **I. Purpose and Scope**

Parents' and students have the right to confidentiality, inspection, amendment, and destruction of student's records and to assist local school systems in adhering to the law. To the extent required by applicable law, Gardner Public Schools includes this information as annual notice of their general rights relative to student records.



All parents/guardians with physical custody and students 14 years of age or upon entering ninth grade have the right to see their own student records, and copies of any information in the records may be obtained upon request. Schools routinely forward student records to other schools in which a student seeks or intends to enroll.

Authorized personnel of the school to which a student seeks or intends to transfer may have access to the student's record without the consent of the student or parent.

Information in the student's record is not available to anyone outside the school system without written permission from the student and/or parent and/or guardian, except in the case of probation officers, court-orders, and transfer to another school district, when students and parents must be notified before records are released. Records may be sent outside the school to prospective employers, colleges or other technical schools only with a signed written transcript release.

As permitted by FERPA and the Massachusetts Student Records Regulations, Gardner Public Schools has designated selected student records to be "directory information." "Directory information" is defined by FERPA as the information contained in an education record of a student which would not generally be considered harmful or an invasion of privacy if disclosed. For preschool and elementary school students, the following records have been designated as directory information: name, grade, classroom assignment. For middle and high school students, the following records have been designated as directory information: name, graduating class, team/class assignment (Middle School), weight and height of members of athletic teams (if it is for a specific athletic program), participation in officially recognized activities and sports, honors and awards.

## **II. Application**

Notification of Rights under FERPA and the Massachusetts Student Records Regulations:

The Family Educational Rights and Privacy Act (FERPA) and the Massachusetts Student Records Regulations together afford parents and students 14 years of age and over ("eligible students") certain rights with respect to the student's education records. Parents and students can obtain a complete copy of their rights under the Massachusetts Student Record Regulations by contacting the school principal. Such rights generally include the following:

1. The right to access the student's education records. Parents or eligible students should submit their request for access to the school principal. Massachusetts law provides specific procedures for parents to follow in obtaining access to student records when the parent does not have physical custody of a child. Information about these procedures can be obtained from the building principal or the Superintendent.
2. The right to request the amendment of the student's education records. Parents or eligible students should direct their request to the principal, clearly identifying the part of the record they want changed, and why. The principal's decision may be appealed to the Superintendent or designee, whose decision may in turn be appealed



- to the School Committee.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA and the Massachusetts regulations authorize disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests in the records. Such school officials include professional, administrative and clerical staff who are employed by or under agreement with Gardner Public Schools and who need access to a record in order to fulfill their duties. Gardner Public Schools also discloses student records without parent/eligible student consent to officials of other schools in which a student seeks or intends to enroll. In addition, Gardner Public Schools generally disclose "directory information" without parent/eligible student consent. Directory information for preschool and elementary school students includes the student's name, grade, and classroom assignment. Directory information for middle and high school students includes the student's name, graduating class, team/class assignment (middle school), weight and height of members of athletic teams, if it is recorded for a specific athletic program, participation in officially recognized activities and sports, and honors and awards. In the event a parent or eligible student wishes the school not to release such directory information, the student or parent must notify the school principal no later than September 15.
  4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue SW, Washington, D.C. Gardner Public Schools adheres to the provisions of the Family Educational Rights and Privacy Act (FERPA) and Massachusetts laws and regulations in providing access to and confidentiality of student records. Gardner Public Schools will release the designated information without the consent of the parent or eligible student, unless the parent or eligible student provides the principal with written notice that he/she does not wish the school to release such information. The notice must be received annually by a date designated by the principal.

## **HEALTH SERVICES**

### **Nut Awareness**

Gardner Public School District is aware that we have children with life threatening allergies. One of the most common is an allergy to nuts or nut products. For this reason, all Gardner schools are "Nut Aware": Students are discouraged from bringing any nuts or food containing nuts to school. Please refer to the District Policy JLCE, Life Threatening Food Allergies for more information.

### **Sickness & Injury**

Student Health Services are monitored by the Department of Public Health, and the Department of Education to ensure that students receive mandated health screenings, immunizations, and physical exams. Each school maintains an emergency response procedure, with identified

individuals who are trained in first aid and CPR/AED. Any **medical or hospital bills** that may be incurred at school, from an accident or illness, are the responsibility of the parent/guardian of the student. Gardner Public School district carries insurance in the case that a student is injured during the school day, however, each case is looked at individually by the insurance company and not all cases are covered. For this reason, all students are encouraged to consider the insurance plans that are distributed during the first week of school. For students who may not be insured, the School Nurse has resources and the ability to assist parents/guardians/students in obtaining health insurance. Our goal is health insurance for every child.

Health Services follow specific guidelines, written by the Massachusetts Department of Public Health, related to **reportable and/or communicable diseases**. If the nurse determines that a student is unable to remain in school due to illness or injury, a parent/guardian will be contacted to arrange for dismissal. When a student returns to school after surgery, injury, or extended illness (5 consecutive days), a doctor's note is required to indicate restrictions or nursing care needed. These are times when good communication with the School Nurse can set the stage for assistance with questions, concerns, or referrals that may be beneficial for the student. Each school nurse has expertise in childhood diseases, growth and development, and school requirements that may be helpful in ensuring a smooth transition back to school.

### **Guidelines for Reentry to School and When Your Child Should Stay Home**

**Chicken Pox:** If vesicles are present, students need to remain home until all blisters are crusted over and dry. If no vesicles were present, they may return to school when the lesions are faded or in the process of resolving or no new lesions appear within a 24 hour period.

**Respiratory Illness:** Students who are symptomatic of a respiratory virus, including COVID-19, flu, and/or RSV, are encouraged to remain at home/isolate until they are fever-free for at least 24 hours without the use of fever-reducing medications and symptoms are improving.

**Diarrhea:** Students with diarrhea should stay home when it contains blood or mucus, or if uncontrollable, causing incontinence.

**Head Lice:** Students with head lice need to be treated for it prior to returning to school. Treatment may be over the counter or prescribed by a licensed provider. Once the student has been treated, he/she can return to school after being reassessed by the school nurse. Providing there is evidence of treatment and reduction in nits, students may remain in school. Students do not need to be free of nits to return to school.

**Hepatitis A:** Students are to stay home for 1 week after onset of illness, or until their fever has resolved.

**Impetigo:** Students are to stay home until 24 hours after treatment is begun.

**Measles:** Students are to stay home until 4 days after the rash appeared.

**Mouth Sores:** Students are to stay home If saliva or exudates is excessive.

**Mumps:** Students are to stay home until 9 days after onset of swollen glands.

**Pertussis:** Students are to stay home until 3 weeks after the onset of cough or after they have completed 5 days of appropriate antibiotic therapy.

**Pinworm:** Students may return to school after treatment has begun.

**Contagious Pink Eye:** Students should stay home when symptoms are too uncomfortable and/or when they are unable to keep their hands out of contact with their eyes. Students may return to school the day after treatment is started. If a licensed prescriber decides not to prescribe medication, students may return to school using adequate hand washing and avoiding contact



with infected eyes.

**Rash:** Students are to stay home until diagnosed as non-contagious.

**Ringworm:** Students are to stay home until treatment has begun.

**Rubella:** Students are to stay home until 7 days after a rash appears, the day that the rash appears is day “0”.

**Scabies:** Students are to stay home until treatment has been completed.

**Strep Throat:** Students are to stay home until 24 hours after treatment began and the absence of fever without the use of fever reducing medicine.

**If** your child has been unable to sleep due to discomfort, flu symptoms, cold symptoms, COVID-19 symptoms, or fever, they should rest at home.

**If** your child has a fever, rash or pain of unknown origin, they should stay home, rest, and be evaluated by their doctor.

**If** your child has a temperature of 100 or above he/she needs to stay home and rest.

### **Student Illness**

If for any reason your child will not be attending school, please call the school in the morning and notify of their absence. If your child will be out for an extended period of time due to illness or other personal reason, please notify the school nurse who will notify the appropriate staff. If we do not hear from you, the school will call to notify you that your child is absent. This is done for safety reasons. If your child has been absent for 3 consecutive days, the teacher or school nurse will call to inquire about the absences. Please get a note from the doctor if your child is seen on a school day to have the absence excused.

### **Dismissal from School**

If after examination, the nurse feels that a student should be dismissed, the nurse will contact the child’s parents to pick up their child. If the parent/guardian is not able to be reached, the nurse will call the contacts listed on the annual emergency form to arrange dismissal.

- In a serious emergency, the decision to call an ambulance will be made by the school and any possible payments assumed by the family.

### **Immunizations**

The Code of Massachusetts Regulations specified minimum requirements for enrollment in school (105 CMR 220.000). The regulations are updated periodically to reflect the most recent recommendations of the Advisory Committee on Immunization Practices (ACIP) and the American Academy of Pediatrics (AAP), and immunizations are added or removed accordingly. The law and regulations provide for exclusion of students from school if immunizations are not up to date, but exemptions are permitted at school entry for medical and religious reasons. The exception for exclusion of unimmunized or partially immunized children without medical or religious exemptions is for homeless children. The federal McKinney-Vento Homeless Assistance Act of 2001 stipulates that homeless children cannot be excluded from school for non-possession of immunization records. School Nurses are able to access your child’s immunizations on the MIIS (Massachusetts Immunization Information System) database if you have given permission to your child’s provider to share the immunization history. Visit <https://www.google.com/url?q=https://www.mass.gov/massachusetts-immunization-information-system-miis&sa=D&source=docs&ust=1721838068360575&usg=AOvVaw1prWzcezOegd00Ve>

SCVMQd for more information.

- When a case of a vaccine-preventable disease emerges, susceptible individuals (including those with medical or religious exemptions) who are not vaccinated will need to be excluded for the appropriate time periods as outlined in Reportable Diseases, Surveillance and Isolation & Quarantine Requirements (105 CMR 300.00).

### **Medications Administered at School**

Please contact the nurse for medication administration policies and forms, if your child needs to be medicated during school. All medications must be ordered by a licensed prescriber and delivered by a responsible adult in a pharmacy or manufacturers labeled container. The medication dose required to send on field trips needs to be sent in at least 2 days prior in a separate pharmacy labeled container.

*\*All medications must be kept in the school nurse's office. Students may not medicate themselves. Students are not allowed to carry any medication without the nurse's consent. If special circumstances exist, the parent/guardian must make arrangements with the school nurse.*

### **Screening of Students**

Screening for health problems is done in order to detect previously unrecognized conditions or preclinical illnesses as early as possible. Screenings for vision, hearing, BMI (Body Mass Index), postural screening, and substance use screening (7th and 9th grade only), are done by the school nurse or by trained individuals under the direction of the school nurse. These screenings are done to the populations recommended by the Massachusetts Department of Public Health. Prior notification is sent home to parents/guardians. Parents/Guardians have the right to "opt out" their child from a screening; however, they must put this request in writing and give the request to the school nurse prior to the screening. Parents/guardians will receive prior notification of upcoming screenings and information on how to "opt out".

Teachers will be apprised of health problems that may affect their student's educational progress. If you do not wish to have your child's medical information shared with the teaching staff, please contact the nurse.

### **Contacting the Parent/Guardian When a Student Becomes Ill or Injured**

Please fill out the emergency health form completely at the start of the year. Please advise us of any changes in address, phone number, or emergency contact as soon as possible, so that we may reach you in case your child becomes ill or injured.

\*Please notify the nurse of any changes in medical condition.

### **SCHOOL LUNCH PROGRAM 2024-2025**

**Lunches are free for all students in the 2024-2025 School Year \*Applications still need to be completed**



Fresh Picks Cafe is contracted to provide meals in all schools. Their mission is ENHANCING LIFE ONE MEAL AT A TIME™ by serving nutritious, well-balanced meals that appeal to our students and school community while maintaining the strict USDA Standards for the National School Lunch Program.

**Free and Reduced Meal Applications are still required to be completed regardless of the free lunches for the 2024-2025 school year.**

Applications for free and reduced- priced meals will be provided to all students at the beginning of the school year and are always available in the school. We encourage everyone to complete the application and have your child return it promptly. You may apply for free and reduced-priced meal benefits at any time during the school year. Students that do not have an approved completed application will have to pay the full price for their meals until an application is approved.

**Meal Prices**

<b>Breakfast</b>	
Gardner Academy, Gardner High and Gardner Middle – Reduced	\$ .30
Gardner Academy, Gardner High and Gardner Middle – Paid	\$2.15
Gardner Elementary School	free
<b>Lunch</b>	
All Schools – Reduced	\$ .40
All Schools - Paid	\$3.10

**Online System**

Gardner now offers MySchoolBucks, a convenient online service that allows you to securely pay for your student’s meals online using your credit/debit card or electronic check.

You can:

- Set Up Automatic Recurring Payments
- Track & Review Meal History
- Create Low Balance Alerts
- Make Payments with the Mobile App

Registering for your FREE account is easy, go to <https://www.MySchoolBucks.com>. Create a secure account and never worry again about sending cash or checks with your student(s) to school again! Have a smartphone? Get the MySchoolBucks Mobile App in the App Store for your iOS (iPhone) or Android Phone.

However, if you choose not to utilize the online prepayment service, you may continue to make payments by check or cash. We encourage you to prepay. You can prepay by the week, month or

more. You may still view your child’s eating history or check account balance at no cost. When sending in payments by check or cash, please send in a sealed envelope. Please write your Child's full name and Teacher’s name on both the check and envelope (make checks payable to the Gardner School Lunch Program).

**Lunch PIN Number**

Every Student at Gardner Public School will be assigned a unique Lunch PIN number. This PIN number will allow your child to access funds in their lunch account. This PIN number will stay with the student until he/she graduates. It is important that students memorize their PIN numbers; however if a student forgets their number, we can access it through every register. The PIN number should never be shared with other students. Please work with your child to understand the value of the PIN number; we will strive to ensure that only your child is using their lunch account.

*Note: Gardner Elementary School is using a teacher/student name/photograph procedure in place of student lunch PIN numbers. At meal service times they will simply pick up their meal and then tell the cashier their name along with their teacher's name.*

**Menus**

We are committed to providing wholesome, high quality menus prepared fresh from clean, organic, non-GMO, and locally sourced ingredients whenever possible. Our menus feature items made with wholesome ingredients prepared from scratch as often as possible from time-tested recipes that reflect the individual needs of our customers, regional taste preferences, seasonality, and the latest culinary trends. Lunch, breakfast, and dinner menus posted online at <http://www.gardnerk12.org/> or directly at. You will have the opportunity to print current and future menus for posting at home. On the web [www.freshpickscafe.com](http://www.freshpickscafe.com) site you will find nutrition information about Fresh Picks Cafe as well as the monthly breakfast, lunch menus. The online menus are interactive and will show nutritional information, ingredients, and allergen information. This web site will include many nutrition resources such as information on Wellness Programs, USDA Smart Snacks, Ask for resources for recipes, activities, and USDA regulations. We hope you enjoy this web site and check back often for updates and menu changes.

**CODE OF CONDUCT**

**STUDENT RIGHTS AND RESPONSIBILITIES**

The success of school discipline depends upon shared responsibility among home, school and community. Parents/guardians and community members should be familiar with and understand that students have rights and responsibilities regarding appropriate school behavior.

	<b>Students have the right to:</b>	<b>Students have the responsibility to:</b>
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<p><b>Attendance</b></p>	<ul style="list-style-type: none"> <li>• A meaningful learning experience.</li> </ul>	<ul style="list-style-type: none"> <li>• Attend school regularly in accordance with the district attendance policy.</li> </ul>
<p><b>Respect for persons and property</b></p>	<ul style="list-style-type: none"> <li>• Use school property as approved by the district.</li> <li>• Use personal property on school grounds as approved by the district.</li> <li>• Privacy per applicable laws.</li> <li>• Be respected and accepted as individuals.</li> </ul>	<ul style="list-style-type: none"> <li>• Respect the rights of others and not to interfere with their learning.</li> <li>• Adhere to the rules and regulations of the school district.</li> <li>• Report evidence of an illegal act or violation of the code of conduct to district personnel.</li> <li>• Dress appropriately in accordance with the uniform policy.</li> </ul>
<p><b>Knowledge and observation of rules of conduct</b></p>	<ul style="list-style-type: none"> <li>• Know the rules and regulations regarding their conduct. Students have the opportunity for input in the development of these rules and regulations through school and district forums as members of the school governance council and other ad-hoc meetings as arranged.</li> <li>• Be assured of a safe and healthy school environment.</li> </ul>	<ul style="list-style-type: none"> <li>• Follow the rules and regulations of the district as approved by the school board.</li> <li>• Follow the rules and regulations of the school and district.</li> </ul>
<p><b>Right to learn</b></p>	<ul style="list-style-type: none"> <li>• Learn and pursue an education.</li> <li>• A school climate and culture that is conducive and appropriate for learning.</li> <li>• Equal access to an education.</li> </ul>	<ul style="list-style-type: none"> <li>• Pursue an education to the best of their ability.</li> <li>• Be present, on time, prepared, attentive in class and ready to learn.</li> <li>• Contribute to a positive school climate conducive to learning.</li> </ul>
<p><b>Right to free speech and publication</b></p>	<ul style="list-style-type: none"> <li>• Freedom of expression of their views unless there are legal reasons to regulate their speech or publications as stipulated by statute and relevant case law.</li> </ul>	<ul style="list-style-type: none"> <li>• Have a clear understanding of the meaning of freedom of speech within a school context.</li> <li>• Assemble according to the prescribed rules and</li> </ul>



		regulations approved by the school board.
<b>Participation in school activities</b>	<ul style="list-style-type: none"> <li>• Participate in school programs and activities in accordance with eligibility requirements.</li> </ul>	<ul style="list-style-type: none"> <li>• Contribute to these activities in a constructive manner.</li> </ul>
<b>Right to due process</b>	<ul style="list-style-type: none"> <li>• Due process as prescribed by laws and school board policy including: <ol style="list-style-type: none"> <li>1. an impartial investigation of the incident,</li> <li>2. to be represented by counsel as may be appropriate and,</li> <li>3. to have parents or guardians notified and present at all proceedings according to law and district policy.</li> </ol> </li> </ul>	<ul style="list-style-type: none"> <li>• Cooperate in all due process proceedings by providing truthful and accurate information.</li> </ul>

### **STUDENT CONDUCT & DISCIPLINE**

It is the goal of the Gardner Public School system to provide a positive educational environment for every student. The Student Code of Conduct is to be implemented in a fair and equitable manner, which is mindful of the rights of students as well as the security, safety and educational interests of the school. The Student Code of Conduct will not tolerate conduct that endangers the safety of the schools and/or disrupts the educational experience for other students with the recognition that students of different grades and ages are at different developmental levels, thus their behavior will be different and may call for different interventions and consequences. In determining the appropriate level of interventions and consequences, in addition to other mitigating circumstances, school administrators will consider the grade level and age of the student.

Effective school discipline policies promote disciplinary responses that refrain from interrupting a student's education to the extent possible. Schools should minimize the use of out-of-school suspensions, referrals for expulsion, and referrals to law enforcement, to the extent practicable.

We recognize that each student is a unique individual and that every situation which requires disciplinary action has its own set of extenuating circumstances. All factors that may have affected the student's behavior will be considered before discipline is determined. Students who behave inappropriately will receive developmentally appropriate consequences. For a student with special education or disability-related needs, all approaches will be consistent with their Individualized Education Plan (IEP) or 504 Student Accommodation Plan and will take into account their unique needs and abilities.

Every student must follow all of the rules of the Student Code of Conduct before, during and after school. The Code applies to students on school grounds and at school-related activities on or off school grounds. Students must follow these rules while awaiting transportation or traveling on a school bus or other form of school-provided transportation in route to or from the school for a school sponsored activity. The Code of Conduct also applies to students off school grounds and during non-school time when the conduct is violating Policy JK of the Gardner School Committee.

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

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

### **General Principles**

The goal of student discipline is to teach students to behave in ways that contribute to academic achievement and school success, and to support a school environment where students and staff are responsible and respectful. When disciplinary action is necessary, it shall be administered with fairness and shall relate to the individual needs and the individual circumstances. Successful school discipline is guided by the following principles:

- Effective and engaging instruction and classroom management are the foundation of effective discipline.
- School discipline is best accomplished by preventing misbehavior before it occurs, and using effective interventions after it occurs.
- School safety and academic success are formed and strengthened when all school staff and personnel build positive relationships with students.
- School staff should promote high standards of behavior by teaching, modeling, and monitoring behavior, and by fairly and consistently correcting misbehavior as necessary.
- School discipline that is paired with meaningful instruction and guidance offers students an opportunity to learn from their mistakes and contribute to the school community, and is more likely to result in getting the student re-engaged in learning.
- Effective school discipline maximizes the amount of time students spend learning and minimizes the amount of time students are removed from their classrooms due to misbehavior.
- If a situation should arise in which there is no applicable written policy or rule, school staff shall be expected to exercise reasonable and professional judgment.

### **Strategies in Using Interventions**

Teachers and administrators should consider utilizing different types of strategies, or multiple strategies simultaneously, to deal with misbehavior, especially for 2<sup>nd</sup> or 3<sup>rd</sup> instances of the same misbehavior.

### **Reasonable Consequences**

Students violating any of the policies on student conduct will be subject to disciplinary action. The degree, frequency, and circumstances surrounding each incident shall determine the method used in enforcing these policies. In all instances, school discipline should be reasonable, timely, fair, age-appropriate, and should match the severity of the student's misbehavior.

School staff will make reasonable efforts to correct student misbehavior through school-based resources at the lowest possible level, and to support students in learning the skills necessary to enhance a positive school environment and avoid misbehavior. Most of the situations which require disciplinary action can be resolved within the confines of the classroom or as they occur by reasonable but firm reprimand, and/or by teacher conferences with the student and/or parents or guardians. Communication between school and home is essential to supporting students' social, emotional and behavioral learning and growth.

### CONTINUUM OF DISCIPLINARY CONSEQUENCES

All teachers are expected to handle minor discipline issues in the classroom in a fair and consistent manner, following the framework of PBIS. Minor issues will not be reported to the office. Minor offenses include those behaviors that do not cause physical harm or disrupt the learning environment. The following is a list of examples of minor offenses.

Minor Incidents	Definition	Examples
Refusal Behavior	Student engages in brief or low-intensity failure to follow directions or talks back.	<ul style="list-style-type: none"> <li>● Misuse of property.</li> <li>● Student is using cell phone in the classroom without the explicit verbal permission of a teacher, staff member or</li> <li>● Bringing personal items that are not allowed in school, such as toys, hair accessories or trading cards.</li> <li>● Refusal to follow dress code</li> </ul>
Disrespect	Student delivers low-intensity, socially rude or dismissive messages to adults or students.	<ul style="list-style-type: none"> <li>● Name calling a student or teacher.</li> </ul>
Disruption	Student engages in low-intensity, but inappropriate disruption.	<ul style="list-style-type: none"> <li>● Talking in class.</li> <li>● Briefly yelling in class.</li> </ul>
Safety	Student engages in low-intensity behavior that puts someone's safety	<ul style="list-style-type: none"> <li>● Engaging in non-serious, but inappropriate physical contact.</li> <li>● Throwing a pencil across the room; two</li> </ul>



	at risk.	students horseplaying.
<b>Continuum of Consequences</b>		
<ul style="list-style-type: none"> <li>● Student-teacher conference</li> <li>● Student writes a letter of apology</li> <li>● Student may be removed from the classroom for a short period of time</li> <li>● Student may be assigned detention</li> <li>● Administrator may warn student and send notice to parent</li> <li>● Administrator places student on a restricted list</li> <li>● Administrator may deprive student of school privileges for a period not to exceed 3 days</li> <li>● Individual schools may have additional consequences based on their PBIS implementation process</li> </ul>		

Major offenses are those behaviors that disrupt the learning environment and have the potential to cause harm to students and staff. These offenses should be reported to the office and, based on the referral process at each school; the necessary paperwork must be completed within 24 hours of the incident. The following is a list of possible major offenses:

<b>Major Incident</b>	<b>Definition</b>	<b>Continuum of Consequences</b>
Abusive Language/ Inappropriate Language/ Profanity / Racial Slurs	Student delivers verbal messages that include swearing, name calling, racial slurs, or use of words in an inappropriate way.	<ul style="list-style-type: none"> <li>● Student-teacher and/or administrator/parent conference</li> <li>● Student may be removed from the class if offense took place during class time</li> <li>● Student will repair, restore, or provide restitution for any damaged or stolen property</li> <li>● Administrator may require student to serve detention</li> <li>● Administrator may assign in-school suspension</li> <li>● Administrator may deprive student of school privileges for a period not to exceed 5 school days</li> </ul>
Arson	Student plans and/or participates in malicious burning of property.	
Bomb Threat/ False Alarm	Student delivers a message of possible explosive materials being on-campus, near campus, and/or pending explosion.	
Bullying	The delivery of direct or technology-based messages that involve intimidation, teasing, taunting, threats, or name calling.	
Defiance/ Non-Compliance	Student engages in refusal to follow directions or talks back.	

		<ul style="list-style-type: none"> <li>• Administrator may refer student to community counselor</li> <li>• Administrators may take away student privilege of attending school field trips or events.</li> <li>• Administrator may refer student to law enforcement; when appropriate, vaping offenses may be fined through the Board of Health</li> <li>• Administrators may suspend the student out-of-school if the violation causes a “serious educational disruption” or in the event of repeated, aggravated or flagrant offenses, may refer for expulsion. This action will follow MGL 71.37H3/4</li> </ul>
Disrespect	Student delivers socially rude or dismissive messages to adults or students.	
Disruption	Student engages in behavior causing an interruption in a class or activity. Disruption includes sustained loud talk, yelling, or screaming; noise with materials; horseplay or roughhousing; and/or sustained out-of-seat behavior.	
Fighting	Students are involved in mutual participation in an incident involving physical violence.	
Forgery/ Theft/Plagiarism	Student is involved by being in possession of, having passed on, or being responsible for removing someone else's property; or the student has signed a person's name without that person's permission, or claims someone else's work as their own.	
Harassment	The delivery of disrespectful messages in any format related to gender, ethnicity, sex, race, religion, disability, physical features, or other protected class.	
Inappropriate Display of Affection	Student engages in inappropriate, consensual (as defined by school) verbal and/or physical gestures/contact, of a sexual nature to another student/adult.	
Inappropriate Cell Phone Use	Student is using cell phone in the classroom	

Unauthorized Area	Student is in an area that is outside of school boundaries (as defined by school).	
Lying/Cheating	Student delivers message that is untrue and/or deliberately violates rules.	
Physical Aggression	Student engages in actions involving serious physical contact where injury may occur (e.g., hitting, punching, hitting with an object, kicking, hair pulling, scratching, etc.).	
Property Damage/ Vandalism	Student participates in an activity that results in destruction or disfigurement of property.	
Use/Possession of Tobacco, Vaping Materials and/or Drug Paraphernalia	Student is in possession of any tobacco, vaping and/or drug materials or is suspected of using such drugs or materials.	
Use/Possession of Weapons and/or combustibles	Student is in possession of knives (> 6 in., < 6 in.) and guns (real or look alike), or other objects readily capable of causing bodily harm. Student is in possession of matches, lighters, or other combustibles with the intent of causing harm to self or others.	
Display/Possession of Inappropriate or objectionable symbols	Objectionable emblems, badges, symbols, signs, words, objects, or pictures on clothing/jewelry/flags/etc. communicating a message that is racist, sexist, or otherwise derogatory to a protected minority group, evidences gang membership or affiliation, or approves,	

	advances, or provokes any form of religious, racial, or sexual harassment , and/or violence against other individuals.	
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**Use of Out-of-School Suspensions Should Be Minimized**

All students have a right to a high quality education. Punitive measures that result in the loss of valuable instructional time should be reserved for infractions that cannot be appropriately addressed through other interventions and disciplinary responses.

**Suspension**

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

**Notice of Suspension**

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

**Emergency Removal**

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

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

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

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

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

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

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

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

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

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

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

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

The hearing with the Principal shall be to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute



the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction.

At a minimum, in addition to the rights afforded a student in a short-term suspension hearing, the student shall have the following rights: In advance of the hearing, the opportunity to review the student's record and the documents upon which the Principal may rely in making a determination to suspend the student or not; The right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense; The right to produce witnesses on 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, 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 alleged to have committed one of these acts shall be afforded the same due process rights as for a long term suspension. Any student expelled from school for such an

offense shall be afforded an opportunity to receive educational services and make academic progress.

### **Academic Progress**

Any student who is suspended or expelled shall have the opportunity to earn credits, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of 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.

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

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

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

### **Reporting**

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

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

### **Non-Discrimination**

School staff responsible for implementing this Policy shall do so without discrimination based on, race, color, sex, gender identity, religion, national origin, sexual orientation, disability, age, homelessness or limited English proficiency.



## **Discipline Policy for Students with Disabilities**

Students with disabilities, as defined by federal and state law and regulations, shall be subject to the provisions of the student handbook except as otherwise provided by this policy or by the student's IEP or 504 Plan. The IDEA and M.G.L.C.71B require that additional provisions be made for students who have been found by an evaluation TEAM to have special needs and whose individualized program is described in an Individualized Educational Program (IEP).

### **Students Identified as Having Special Needs**

In general, if a student has violated the school's disciplinary code, the school may suspend or remove the student from his or her current educational placement for a period not to exceed ten (10) consecutive school days in any school year. Any time the school wishes to remove a student from his or her current placement for more than ten (10) consecutive days in any school year, or for more than ten (10) cumulative days when a pattern of removal is occurring, this constitutes a "change of placement." A change of placement invokes certain procedural protections under the Individuals with Disabilities Education Act (IDEA), the federal special education law.

In general, if a student has violated the school's disciplinary code, the school may suspend or remove the student from his or her current educational placement for a period not to exceed ten (10) consecutive school days in any school year. Prior to any removal that constitutes a change in placement, the IEP TEAM will meet to conduct a manifestation determination. Relevant members of the TEAM meet for the manifestation determination, and they answer two questions, after reviewing relevant documents and the misconduct of the student:

1. Is the misconduct the direct result of the District's/school's failure to implement the student's IEP?
2. Is the misconduct caused by, or does it have a direct and substantial relationship to the student's disability/disabilities?

A summary of the manifestation determination review will be written and a copy provided to the Parent(s)/guardian(s) as soon as possible after the review, but no later than five (5) school days after the review.

If the Team determines that the behavior was not a manifestation of the student's disability, the school may suspend or otherwise discipline the student according to the Student Code of Conduct, except that for any period of removal exceeding ten (10) days, the school district must provide the student with a Free Appropriate Public Education (FAPE). The school district must determine the educational services necessary for FAPE and the manner and location for providing those services. If the TEAM finds that the misconduct was a manifestation of the student's disability, then the school may still be able to implement an IAES (see below). If the IAES is not possible, then the student will remain in his/her current placement, and the TEAM will arrange for a functional behavioral assessment (if one has not been conducted on the student) and the development or modification of a behavior intervention plan.

The IDEA and M.G.L. c. 71B allow school personnel to move a student with disabilities to an interim alternative educational setting (IAES) for up to 45 school days, if that student is in possession of a dangerous weapon at school or a school function or on school property, is in

possession or uses a controlled substance or sells or solicits the sale of a controlled substance while at school or a school function or on school property, or inflicts serious bodily injury on a person, including him/herself. The appropriate IAES shall be determined by the IEP TEAM.

The IDEA and M.G.L. c. 7 IB also allows school personnel the option of asking a hearing officer or a court to move children with disabilities to an IAES for up to 45 school days, if they are substantially likely to injure themselves or others in their current placement.

If the student has been placed in an IAES as a result of a disciplinary action, the student may remain in the interim setting for a period not to exceed 45 days. Thereafter, the student will return to the previously agreed upon educational placement unless either a hearing officer orders another placement or the parent/guardian and the school agree to another placement

The Principal (or designee) will notify the Special Education Office of the suspendable offenses of a special needs student and a record will be kept of such notices.

If the parent/guardian disagrees with the Team's decision on the manifestation determination, with the decision relating to placement of the student in an IAES, or with any other disciplinary action, they have the right to request an expedited due process hearing from the Bureau of Special Education Appeals (BSEA). A school district may not suspend or in any way exclude a special needs student during the period of a BSEA hearing or judicial proceeding brought to challenge a suspension, proposed suspension or any determination under this policy unless the school district obtains a court order based on a showing that the student's continued presence in school presents a substantial likelihood of injury to the student or to others. For further information regarding Discipline related information for students with special needs, please refer to the Student Code of Conduct.

### **Students Identified As Having a Disability and Provided with a Section 504 Plan**

A student on a Section 504 plan may be disciplined like any other student. However, if the student is going to be suspended for ten (10) or more consecutive days, expelled or suspended for more than ten (10) cumulative days (and there is a change in placement as a result), then a manifestation determination review shall be conducted. The student's 504 Team shall convene, and answer two questions, after reviewing relevant documents and the misconduct of the student:

1. Is the misconduct the direct result of the District's/school's failure to implement the student's 504 Plan?
2. Is the misconduct caused by, or does it have a direct and substantial relationship to the student's disability/disabilities?

A summary of the manifestation determination review will be written and a copy provided to the Parent(s)/guardian(s) as soon as possible after the review, but no later than five (5) school days after the review.

If the TEAM finds that the misconduct was not a manifestation of the student's disability, then the student may be disciplined according to the discipline policy in this handbook. Upon returning from their suspension/expulsion, the TEAM will arrange for a functional behavioral



assessment (if one has not been conducted on the student) and the development or modification of a behavior intervention plan.

The Principal (or designee) will notify the Student Support Services Office of the suspendable offenses of Section 504 students and a record will be kept of such notices.

If a parent/guardian disagrees with the result of a manifestation determination hearing, or if school personnel are concerned that the student's placement may result in injury to others, they may request a hearing with a Bureau of Special Education Appeals hearing officer.

### **Students Not Yet Determined to be Eligible for Special Education or Accommodations under Section 504**

The law applies to general education students if the school system had knowledge prior to the misconduct that the student was disabled. Under the law, a school district is presumed to have "had knowledge" that a general education student was disabled if the student's:

- Parent(s)/guardian(s) has "expressed concern in writing" to the school distinct that the student is in need of special education and related services;
- Parent(s)/guardian(s) has requested a special education evaluation of the child; or District staff have "expressed concern" directly to the special education direction or other supervisory personnel specific concerns about a pattern of behavior demonstrated by the student.

If there was no knowledge, the parent(s)/guardian(s) may request an expedited evaluation. During this period, the student may be suspended or expelled under normal School Committee policy. Students determined to have a disability must receive appropriate educational services.

If a parent/guardian disagrees with the result of a manifestation determination hearing, or if school personnel are concerned that the student's placement may result in injury to others, they may request a hearing with a Bureau of Special Education Appeals hearing officer.

### **Student Conduct**

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

The School Committee shall approve and the Superintendent shall publish the District's policies and rules pertaining to the conduct of students. These policies and rules shall apply to any student who is on school property, who is in attendance at school or at any school sponsored activity, or whose conduct at any time or any place interferes with or obstructs the mission or operations of the school district or the safety or the welfare of students or employees.

The implementation of the general rules of conduct is the responsibility of the Principal and the professional staff of the building. In order to do this, each school staff in the District shall develop specific rules not inconsistent with the law nor in conflict with School Committee

policy. These building rules shall be an extension of the District policies by being more specific as they relate to the individual schools.

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

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

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

Reference: M.G.L. 71:37H; 71:37H1/2; 71:37H3/4; 71:37L; 76:16; 76:17; 603 CMR 53.00

### **Suspension or Expulsion for Weapons, Controlled Substances, Assaults on School Personnel, Felony Charges or Convictions**

M.G.L. c. 37H and 37H1/2 provide that students may be subject to expulsion by the Principal for any of the following actions:

- Found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon or a controlled substance.
- Assault of a teacher, administrator or other school staff member on school premises or at school-sponsored or school-related events including athletic games.
- Conviction of a felony or adjudication or admission in court of guilt with respect to such a felony or felony delinquency if the principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

Any student charged with violation of above provisions shall be notified in writing of the charges and of his/her due process rights, including the right to appeal. When a student is expelled under these sections, no school or school district within the commonwealth shall be required to admit such student.

*Students may also be subject to suspension or other disciplinary measures for violation of the other rules and regulations included in this handbook.*

### **School-based Rules**

Gardner School personnel will strive to help students resolve conduct problems without resorting to extreme disciplinary measures. Misconduct may be indicative of an underlying problem and every effort should be made to help students and their parents deal effectively with any such problems. School personnel should pursue any and all appropriate consequences and/or

disciplinary actions before resorting to suspension or expulsion, including conferences with the parent, counseling with school counselors or psychologists, and other school-based disciplinary measures as set forth below. These guidelines help to make Gardner Schools a safe place to learn. Our school is a community that demands respect for the rights and property of its members. The cooperation of all is expected and appreciated. School rules are in effect at all school activities, programs, events and functions, both on and off campus. Because some behaviors are highly disruptive, students who engage in any of the following may be subject to immediate suspension and possible expulsion:

The use and/or possession of drugs, alcohol or weapons note: Use and/or possession of drugs/weapons may result in expulsion.

- A. Smoking
- B. Fighting
- C. The willful destruction and/or defacing of school property.
- D. Stealing
- E. False Alarms
- F. Harassment/Sexual Harassment/Racial Discrimination

Consequences for violating other rules may include teacher detention, office detention, suspension, social probation and/or expulsion. The police may be notified as outlined below. Any act, not herein specified, which is unfavorable to the best interests of the school and its community may result in disciplinary action. A student charged with a criminal offense either at or away from school which may affect school climate or may adversely affect the education process or which may endanger the health or safety of students/staff may be subject to disciplinary measures up to and including expulsion. It is important to note that School Principals may apply and enforce discipline codes against student conduct occurring after school hours and off school grounds, if it bears a connection to school-related conduct.

#### Teacher After School Support

Teachers may assign after-school support to students. Reasons may include students who arrive late to class, skip class, or misbehave (Minor) in class. If the support is to be held after the school day, the teacher will notify the parent at least 24 hours prior to the session being served. The student must report to the assigned room within 5 minutes after the close of school on the same day. If a student fails to report, he/she may be referred for an office detention.

#### Office Detention

Detentions may be assigned before or after school for a duration determined by an administrator. \*Please note: In recognition of after school transportation issues, students will be given two opportunities to serve the detention

#### In School Suspension, Out of School Suspensions and Expulsions

Refer to the Procedures for Suspensions and Expulsions page.



## **Disciplinary Responses**

Students violating any of the policies on student conduct will be subject to disciplinary action. The degree, frequency, and circumstances surrounding each incident shall determine the method used in enforcing these policies. In all instances, school discipline should be reasonable, timely, fair, age-appropriate, and should match the severity of the student's misbehavior.

School staff will make reasonable efforts to correct student misbehavior through school-based resources at the lowest possible level, and to support students in learning the skills necessary to enhance a positive school environment and avoid misbehavior. Most of the situations which require disciplinary action can be resolved within the confines of the classroom or as they occur by reasonable but firm reprimand, and/or by teacher conferences with the student and/or parents or guardians.

\*Corporal punishment is prohibited by statute in all public schools of the Commonwealth of Massachusetts.

## **Procedures for Suspensions and Expulsions**

A "suspension" is when a student has *temporarily* lost the right to go to school. Suspensions can be either short or long term or in or out-of-school. An "expulsion" is a *permanent* exclusion from school.

When a student is to be suspended, a phone call will be made to the parent(s) or legal guardian(s) informing him/her that the student is suspended and that he/she is going to be sent home. If the administration is unable to reach the parent(s) or legal guardian(s), the student will remain in the building until regular dismissal time.

### Short-term Suspension (10 days or less)

Students who are subject to short-term suspension will be provided with an informal hearing consisting of the following:

- oral or written notice of the charges against him;
- an explanation of the evidence; and
- the opportunity to present his side of the story to an impartial decision-maker (such as a school administrator).

A letter will be hand delivered, emailed, or mailed/delivered to the parent(s) or legal guardian(s) on or before the next school day that includes the reasons for suspension and the day(s) of the suspension.

### Long-Term Suspension (more than 10 days) or Expulsion

Students who are subject to long-term suspension or expulsion will be provided with a more formal hearing. (If the principal believes that the student is a threat to school property, school



employees, or other students, a student may be temporarily suspended before the formal hearing.)

Before the hearing the student and their parent or guardian will be provided with:

- written notice of charges (the rule or law that the school believes that the student violated and a description of the nature of the evidence and supporting the allegation(s) against the student);
- written notice of the hearing (stating the time, date, and place of the hearing) The student and their parent or guardian will also be notified of the rights they have at the hearing, which include:
- the right to representation by a lawyer or advocate during the hearing;
- the right to bring witnesses and evidence (the student can have witnesses attend or bring evidence to prove the student's case);
- access to the school's evidence against the student (the student can look at the school's evidence against him/her and question the school's witnesses; in some cases, the need to protect an individual may outweigh a student's right to cross-examine a witness, for example when the witness is another student);
- an impartial decision maker (if the principal is a witness against the student, another person can substitute for the principal); the right to a record of the hearing (tape recorded or recorded in some other way).

Following the hearing, the student and their parent(s) or legal guardian(s) will receive a written notice of suspension or expulsion from the principal explaining why the decision was made and indicating the length of the suspension.

A student has the right to appeal the decision of the principal to the superintendent. The student has ten days to notify the superintendent in writing that he or she wants to appeal. The superintendent will hold another hearing about the matter. The student has the same rights at the superintendent's hearing as he or she did at the principal's hearing. An appeal to the superintendent does not stay the exclusion of the student from school.

Parents/Guardians are required to sign off on an acknowledgment form indicating that they have received reference materials regarding the Student Code of Conduct and return that form to their child's school. The Student Code of Conduct will be distributed upon request and is also available in its entirety on the district's website. You may also contact your child's school or the Central Office for a copy of this important policy document.

## **APPEAL PROCESS**

Students may be suspended from attendance at school on authority of the building principal, or designee. In the judgment of the administration, expulsions shall be imposed only for instances of serious misbehavior that warrants a severe punishment. The principal may remove a student who has committed a disciplinary offense under G.L.71:37H or 37H1/2 for more than ninety (90) days in a school year.

Any student, who has received a long term suspension or expulsion from school, shall have the right to appeal to the superintendent. The availability of this appeals mechanism shall be made

known to students and parents in writing.

A letter shall be sent by the administrator to the parents of a suspended or expelled student, informing them of the reasons for the suspension or expulsion.

Reinstatement of suspended students shall be according to the requirements and within time limits set by the principal.

## BULLYING and RETALIATION

The Gardner Public School District expects that all members of the school community will treat each other in a civil manner and with respect for differences. To this end, bullying and retaliation are prohibited. References to bullying shall include cyber-bullying. A description of the reporting procedures, resources, curricula used, and school principal contact information are provided in the District's Bullying Prevention and Intervention Plan located in the addendum. In addition, the Student/Parent Handbook, the District Bullying Policy and Bullying Prevention and Intervention Plan can also be found on the district's website.

Information on the dynamics of bullying, cyberbullying and online safety, and how parents and guardians can reinforce prevention at home can be found on the National Bullying Prevention Center website: <https://www.pacer.org/bullying/parents/helping-your-child.asp>



## SCHOOL COMMITTEE POLICIES

### PHYSICAL RESTRAINT POLICY AND PROCEDURES

Physical restraint shall mean direct physical contact that prevents or significantly restricts a student's freedom of movement. Physical restraint does not include: brief physical contact to promote student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing comfort, or a physical escort.

Physical restraint shall be considered an emergency procedure of last resort and shall only be used when a student's behavior poses a threat of assault, or imminent, serious, physical harm to self or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions, or such interventions are deemed to be inappropriate under the circumstances.

In the event that physical restraint is required to protect the safety of school community members, the Gardner School District has enacted the following policy and procedures to ensure the proper use of restraint and to prevent or minimize any harm to the student as a result of the use of restraint.

The use of time-out is a behavior support strategy in which a student temporarily separates from the learning activity or the classroom either by choice or direction from staff, for the purpose of calming. During a time-out the student must be continuously observed by a staff member. Staff shall be with the student or immediately available to the student at all times. The space used for time-outs must be clean, safe, sanitary, and appropriate for the purposes of calming. Time-out shall cease as soon as the student has calmed. The Staff will seek the principal's approval should a student require a time-out lasting more than 30 minutes due to continued agitation.

These procedures shall be annually reviewed, provided to school staff, and made available to parents of enrolled students.

NOTE: None of the foregoing paragraph or the policy/procedures that follow, precludes any teacher, employee or agent of the Gardner School District from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.

#### 1. Staff Training

A. All staff/faculty will receive training regarding the school's restraint policy within the first month of each school year, and employees hired after the school year begins will receive training within one month of starting their employment. Each principal or director shall determine a time and method to provide all program staff with training regarding the program's restraint prevention and behavior support policy and requirements when restraint is used.

B. Required training for all staff will include review of the following:

1. The program's restraint prevention and behavior support policy and procedures, including use of time-out as a behavior support strategy distinct from

seclusion;

2. Interventions which may preclude the need for restraint, including de-escalation of problematic behaviors; and other alternatives to restraint in emergency circumstances;

3. Types of restraints and related safety considerations, including information regarding the increased risk of injury to a student when an any restraint is used; in particular a restraint of extended duration;

4. Administering physical restraint in accordance with known medical or psychological limitations known or suspected trauma history, and/or behavioral intervention plans applicable to an individual student; and

5. Identification of program staff who have received in-depth training (as set forth below in section C) in the use of physical restraint.

6. The role of the student, family, and staff in preventing restraint

C. Designated staff members shall participate in at least sixteen hours of in-depth training in the use of physical restraint, with at least one refresher training occurring annually thereafter

1. At the beginning of the school year, the principal will identify those staff who will participate in in-depth training and who will then be authorized to serve as school-wide resources to assist in ensuring proper administration of physical restraint.

2. In-depth training will include:

- Appropriate procedures for preventing the need for physical restraint, including the de-escalation of problematic behavior, relationship building, and use of alternatives to restraint.
- A description and identification of specific dangerous behaviors on the part of a student that may indicate the need for physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted;
- The simulated experience of administering and receiving physical restraint, instruction regarding the effect(s) on the person restrained, including instruction on monitoring physical signs of distress and obtaining medical assistance;
- Instruction regarding documentation and reporting requirements and investigation of injuries and complaints; and
- Demonstration by participants of proficiency in administering physical restraint; and
- Instruction regarding the impact of physical restraint on the student and family, recognizing the act of restraint has impact, including but not limited to psychological, physiological, and social-emotional effects

D. Staff/faculty will review any behavior plans pertaining to special techniques for identified students.

E. Staff/ faculty will review the uses of time-out as a behavioral strategy for applicable programs. Staff/faculty will review the program procedure for obtaining principal approval of time-out for more than 30 minutes based upon a student's continuing agitation.

## 2. Administration of physical restraint

A. Physical restraint shall be used only in emergency situations of last resort, after other lawful and less intrusive alternatives have failed or been deemed inappropriate, and with extreme caution. Staff will use physical restraint with two goals in mind:

1. To administer a physical restraint only when needed to protect a student and/or a member of the school community from assault or imminent, serious, physical harm; and

B. To prevent or minimize any harm to the student as a result of the use of physical restraint. Physical restraint is prohibited in the following circumstances:

1. As a means of discipline or punishment;

2. As a response to property destruction, disruption of school order, a student's refusal to comply with a school rule or staff directive, or verbal threats that do not constitute a threat of imminent, serious, physical harm. However, if the property destruction or the refusal to comply with a school rule or staff directive could escalate into, or could itself lead to serious, imminent harm to the student or to others, physical restraint is appropriate.

3. As a standard response for any individual student. No written behavior plan or individualized education program (IEP) may include use of physical restraint as a standard response to any behavior

4. When the student cannot be safely restrained because it is medically contraindicated for reasons including, but not limited to, asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting

C. Only school personnel who have received required training or in-depth training pursuant to this policy shall administer physical restraint on students with, whenever possible, one adult witness who does not participate in the restraint. The training requirements, however, shall not preclude a teacher, employee or agent of the school from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.

D. Physical restraint shall be limited to the amount of force necessary to protect a student or others from physical injury or harm.

E. A person administering physical restraint shall use the safest method available and appropriate to the situation. Restraints, including prone restraints otherwise permitted under 603 CMR 46.03(1)(b) may only be administered by a staff member who has received in-depth training as specified in this policy and, when in the judgment of the trained staff member, such method is required to provide safety for the student or others.

F. Physical restraint shall be discontinued as soon as the student is no longer an immediate danger to himself or others, or the student indicates that he or she cannot breathe, or if the student is observed to be in severe distress, such as having difficulty breathing, or sustained or prolonged crying or coughing.

G. Additional safety requirements:

1. No restraint shall be administered in such a way that the student is prevented from breathing or speaking. A staff member will continuously monitor the physical status of the student, including skin temperature color and respiration, during the restraint.

2. If at any time during a physical restraint the student expresses or demonstrates significant physical distress, including but not limited to, difficulty breathing, the student shall be released from the restraint immediately, and school staff shall take steps to seek medical assistance.

3. Program staff shall review and consider any known medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans regarding the use of physical restraint on an individual student.

4. If a student is restrained for a period longer than 20 minutes, staff shall obtain the approval of administration. The approval shall be based upon the student's continued agitation during the restraint justifying the need for continued restraint.

H. At an appropriate time after release of a student from physical restraint, a school administrator or other appropriate school staff shall:

1. Review the incident with the student to address the behavior that precipitated the restraint;

2. Review the incident with the staff person(s) who administered the restraint to discuss whether proper restraint procedures were followed; and

3. Consider whether any follow-up is appropriate for students who witnessed the incident.

### 3. Restraints prohibited

A. Medication restraint – the administration of medication for the purpose of

temporarily controlling behavior.– is prohibited unless prescribed by a licensed physician and authorized in writing by the parent for administration in the school setting.

B. Mechanical restraint – the use of any device or equipment to restrict a student’s freedom of This does not include devices implemented by trained school personnel, or utilized by a student that have been prescribed by an appropriate medical or related services professional, and are used for the specific and approved positioning or protective purposes for which such devices were designed. Examples of such devices include: adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of the device or mechanical supports; vehicle safety restraints when used as intended during the transport of a student in a moving vehicle; restraints for medical immobilization; or orthopedically prescribed devices that permit a student to participate in activities without risk of harm.

C. Seclusion restraint - the involuntary confining a student alone in a room or area from which the student is physically prevented from leaving without access to school staff is prohibited.

D. Prone restraint - a physical restraint in which a student is placed face down on the floor or another surface, and physical pressure is applied to the student’s body to keep the student in the face down position is prohibited except under the following circumstances:

1. The student has a documented history of repeatedly causing serious self-injuries and/or injuries to other students or staff;
2. All other forms of physical restraints have failed to ensure the safety of the student and/or the safety of others;
3. There are no medical contraindications as documented by a licensed physician;
4. There is psychological or behavioral justification for the use of prone restraint and there are no psychological or behavioral contraindications, as documented by a licensed mental health professional;
5. The program has obtained consent to use prone restraint in an emergency as set out in 603 CMR 46.03(1)(b), and such use has been approved in writing by the principal; and,
6. The program has documented 603 CMR 46.03(1)(b) 1 - 5 in advance of the use of prone restraint and maintains the documentation.

E. The use of “time out” procedures during which a staff member remains accessible to the student, and the student is continuously observed by a staff member shall not be considered “seclusion restraint.



#### 4. Reporting requirements

A. Staff will report any incidence of physical restraint to their building administrator. Program staff shall provide a written report no later than the next school working day to their building administrator after administration of a physical restraint.

B. The staff member who administered such a restraint shall verbally inform the principal of the restraint as soon as possible and by written report no later than the next school working day.

1. The written report shall be provided to the principal or his/her designee, except the principal shall prepare the report if the principal administered the restraint;

2. The principal or his/her designee shall maintain an on-going record of all reported instances of physical restraint, which shall be made available for review by the parent or the Department of Education, upon request.

C. The principal or his/her designee shall verbally inform the student's parent(s)/guardian(s) of such restraint as soon as possible and within 24 hours of the restraint, and by written report postmarked no later than three school working days following the use of such restraint or to an email address provided by the parent for communication about the student

1. If the school customarily provides school-related information to the parent(s)/guardian(s) in a language other than English, the written restraint report shall be provided in that language.

2. The school will provide the student and the parent an opportunity to comment orally and in writing on the use of the restraint and on information in the written report.

D. The written report required by both sections B and C above shall include:

1. Names and job title of the staff who administered the restraint, and observers, if any;

2. Date of restraint and time restraint began and ended;

3. Name of administrator who was verbally informed following the restraint; and as applicable, the name of the administrator who approved continuation of the restraint beyond 20 minutes.

4. Description of the activity the student, other students, and staff in the area were engaged in immediately preceding the use of physical restraint;

5. Student's behavior that prompted the restraint;

6. Efforts made to de-escalate the situation and alternatives to restraint that

were attempted;

7. Justification for initiating physical restraint;
8. Description of administration of restraint including:
  - The holds used and reasons such holds were necessary
  - The student's behavior and reactions during the restraint
  - How the restraint ended and
  - Documentation of injury to the student and/or staff, if any, during the restraint and any medical care provided;
9. For extended restraints (restraints lasting more than twenty minutes), description of the alternatives to extended restraint that were attempted, the outcome of those efforts, and the justification for administering the extended restraint; Information regarding any further action(s) that the school has taken or may take, including any disciplinary sanctions that may be imposed on the student; and
10. Information regarding opportunities for the student's parent(s)/guardian(s) to discuss with school officials the administration of the restraint, any disciplinary sanctions, and/or other related matters.

E. Individual student review. The principal shall conduct a weekly review of restraint data to identify students who have been restrained multiple times during the week. If such students are identified, the principal shall convene one or more review teams as the principal deems appropriate to assess each student's progress and needs. The assessment shall include at least the following:

1. Review and discussion of the written reports submitted in accordance with 603 CMR 46.06 and any comments provided by the student and parent about such reports and the use of the restraints;
2. Analysis of the circumstances leading up to each restraint, including factors such as time of day, day of the week, antecedent events, and individuals involved;
3. Consideration of factors that may have contributed to escalation of behaviors, consideration of alternatives to restraint, including de-escalation techniques and possible interventions, and such other strategies and decisions as appropriate, with the goal of reducing or eliminating the use of restraint in the future;
4. Agreement on a written plan of action by the program.

If the principal directly participated in the restraint, a duly qualified individual designated by the superintendent shall lead the review team's discussion. The principal shall ensure that a record of each individual student review is maintained and made available for review by the Department

or the parent, upon request.

F. Administrative review. The principal shall conduct a monthly review of school-wide restraint data. This review shall consider patterns of use of restraints by similarities in the time of day, day of the week, or individuals involved; the number and duration of physical restraints school-wide and for individual students; the duration of restraints; and the number and type of injuries, if any, resulting from the use of restraint. The principal shall determine whether it is necessary or appropriate to modify the school's restraint prevention and management policy, conduct additional staff training on restraint reduction/prevention strategies, such as training on positive behavioral interventions and supports, or take such other action as necessary or appropriate to reduce or eliminate restraints.

G. Report all restraint related injuries to the Department of Secondary and Elementary Education (DESE). When a physical restraint has resulted in an injury to a student or program staff member, the program shall send a copy of the written report required to the Department postmarked no later than three school working days of the administration of the restraint. The program shall also send the Department a copy of the record of physical restraints maintained by the principal for the 30-day period prior to the date of the reported restraint. The Department shall determine if additional action by the program is warranted and, if so, shall notify the program of any required actions within the 30 calendar days of receipt of the required written report(s).

H. The district will report all physical restraints to the Department. Each school shall collect and annually report data regarding the use of physical restraints in a manner and form directed by the Department.

5. Grievance procedures

A. Parents will notify the principal or designee of any concerns regarding restraint practices and procedures. If a designee receives the complaint or concern that designee shall notify the principal within the school day. The principal shall notify the Superintendent within twenty-four hours of a school working day of receiving a concern. The Superintendent shall at his or her discretion order an investigation.

6. Other interventions. Nothing in this policy prohibits:

A. The right of any individual to report to appropriate authorities a crime committed by a student or another individual;

B. Law enforcement, judicial authorities or school security personnel from exercising their responsibilities, including physical detainment of a student or other person alleged to have committed a crime or posing a security risk; or

C. The exercise of an individual's responsibilities as a mandated reporter or to deter any individual from reporting neglect or abuse to the appropriate state agency.



D. Policies and Procedures shall not preclude the use of school violence prevention techniques or procedures i.e., counseling, DARE, etc

[Reference: M.G.L. 69 Section 1B and C71, S37G, Regulation 603 CMR 46.00 Physical Restraint]

[Adopted: December 2001]

[Revised: October 2003]

[Revised: March 2006]

[Revised: April 2008]

[Reviewed: June 2014]

[Revised: March 2016]

[Reviewed: April 2021]

## HOMELESS STUDENTS: ENROLLMENT RIGHTS AND SERVICES

As required by law, the district will work with homeless children and youth and unaccompanied youth[i] (collectively, "homeless students") as well as their families or legal guardians to provide stability in school attendance and other services. Special attention will be given to ensuring the enrollment and attendance of homeless students not currently attending school. Homeless students will be provided district services for which they are eligible, including Head Start and comparable pre-school programs, Title I, similar state programs, special education, bilingual education, vocational and technical education programs, gifted and talented programs, school nutrition programs, summer programming and extracurricular activities.

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

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

### **Students Remaining in Schools of Origin**

It is presumed to be in the best interest of homeless students to remain in their schools of origin, i.e. the school that the student was attending at the time he or she became homeless, or the last school the student attended prior to becoming homeless. Homeless students may continue to attend their school of origin for as long as they remain homeless or until the end of the academic year in which they obtain permanent housing. For homeless students who complete the final grade level served by the school of origin, the term "school of origin" shall also include the receiving school in the same school district educating students at the next grade level.

Homeless students are entitled to transportation comparable to that provided for all other students attending school in the district. The district will transport students who are sheltered or temporarily residing within the district to the students' school of origin. For homeless students attending a school of origin located outside the district in which the student is sheltered or temporarily residing, the district in which the school of origin is located will coordinate with the district in which the student is sheltered or temporarily residing to provide the transportation services necessary for the student, and these districts will divide the cost equally. Formerly homeless students who find permanent housing mid-school year will continue to receive transportation services until the end of the school year.

### **Students Enrolling in District Where Sheltered or Temporarily Residing**

Parents or guardians may elect to enroll homeless students in the school district in which the student is sheltered or temporarily residing, rather than having the student remain in the school of origin. Enrollment changes for homeless students should take place immediately.

If homeless students are unable to provide written proof of their shelter or temporary residence in the district, the homeless liaison will work with the family seeking enrollment to determine homelessness. Information regarding a homeless student's living arrangement shall be considered a student education record, and not directory information. Records containing information about the homeless student's living arrangement may not be disclosed without the consent of the parent or satisfaction of another student-privacy related exemption.

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

Attendance rights by living in attendance areas, other student assignment policies, or intra and inter-district choice options are available to homeless families on the same terms as families who reside in the district. Accordingly, the district will provide transportation services to school in a manner comparable to the transportation provided for all other students in the district.

### **Dispute Resolution**

If the district disagrees with a parent or guardian's decision to keep a student enrolled in the school of origin and considers enrollment in the district where the student is sheltered or temporarily residing to be in the student's best interest, the district will explain to the parent, in writing and in a language the parent can understand, [2](#) the rationale for its determination and provide parent with written notice of their rights to appeal the district's determination to the Massachusetts Department of Elementary and Secondary Education [3](#). During the pendency of any such appeal, the student should remain enrolled in the school selected by the parent or guardian, receiving transportation to school and access to other available services and programs.

The Massachusetts Department of Elementary and Secondary Education's Advisory on Homeless Education Assistance contains additional information about educating homeless students and the



appeal process. This advisory is available at the following link:  
<http://www.doe.mass.edu/mv/haa/mckinney-vento.docx>

### **Homeless Liaison**

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

[Reference: The McKinney-Vento Act and Title I, Part A, as Amended by every Student Succeeds Act of 2015

[Adopted: March 2004]

[Revised: May 2017]

[Revised: June 2019]

[Revised: March 2020]

[Reviewed March 2024]

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[i] "A homeless child or youth not in the physical custody of a parent or guardian." 42 USC §11434a.

*Homeless Liaison contact information and procedures can be found on the district website [www.gardnerk12.org](http://www.gardnerk12.org).*

## **NON-DISCRIMINATION AND HARASSMENT**

The Gardner Public Schools does not tolerate discrimination against students, parents, employees or the general public on the basis of race, color, national origin, sex, sexual orientation, gender identity, pregnancy, pregnancy related conditions, pregnancy status, disability, homelessness, religion, age or immigration status. The Gardner Public Schools is also committed to maintaining a school environment free of harassment based on race, color, religion, national origin, sex, gender, sexual orientation, gender identity, pregnancy, pregnancy related conditions, pregnancy status, age, genetic information, ethnic background, ancestry, disability, or any category protected by state or federal law. In addition, the District provides equal access to all designated youth groups. Consistent with the requirements of the McKinney-Vento Act, the District also does not discriminate against students on the basis of homelessness.

The Superintendent shall designate at least one administrator to serve as the compliance officer for the District's non-discrimination policies in education-related activities, including but not limited to responding to inquiries related to Title VI of the Civil Rights Act of 1964; Title VII of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973; Title II of the Americans with Disabilities Act; the Age Act; M.G.L. c. 76, § 5; M.G.L. c. 151B and 151C; and 603 C.M.R. § 26.00. Inquiries about the application of Title IX to the District may be referred to the District's Title IX Coordinator, to the Assistant Secretary of the U.S. Department of Education, or both.

The Gardner Public Schools' policy of nondiscrimination will extend to students, staff, the general public, and individuals with whom it does business; no person shall be excluded from or discriminated against in employment, admission to a public school of the school district, or in obtaining the advantages, privileges, and courses of study of such public school on account of race, color, religion, national origin, sex, gender, sexual orientation, gender identity, pregnancy, pregnancy related conditions, pregnancy status, age, genetic information, ethnic background, ancestry, disability, or any category protected by state or federal law.

In addition to designating at least one administrator to handle inquiries regarding the District's non-discrimination policies, the Superintendent shall adopt and publish one or more grievance procedures for addressing reports of discrimination, harassment and retaliation under the protected classes identified in this policy. If an individual is interested in filing a complaint that they have been discriminated against because of race, color, national origin, sex, sexual orientation, gender identity, pregnancy, pregnancy related conditions, pregnancy status, disability, homelessness, religion, age or immigration status, their complaint should be filed in accordance with the District's grievance procedures for discrimination, harassment, and retaliation.

The student handbooks and grievance procedures shall identify the name, office address and telephone number for the compliance officer(s) for the above-referenced statutes and this policy and be posted on the District's website.

**ADOPTED:**

**LEGAL REFS.:** Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(a),(b); EEOA: 20 U.S.C.



1703(f); Title IX: 20 U.S.C. 1681; 34 CFR 106.31, 106.34, 106.35; Section 504: 29 U.S.C. 794; 34 CFR 104.4; Title II: 42 U.S.C. 12132; 28 CFR 35.130; IDEA 2004: 20 U.S.C. 1400; 34 CFR 300.110; NCLB: Title III, Part A, Sec. 3121(c)(1)(C); Title X, Part C, Secs. 721, 722(g)(4); Mass. Const. amend. art. 114; M.G.L. c. 71A, s. 7; c. 76, s. 5; 603 CMR 26.03 as amended by Chapter 199 of the Acts of 2011; MGL. c. 71, s. 370; 42 USC s. 2000c et seq.; 42 USC s. 2000d et seq.; 20 USC s. 1701 et seq.; M.G.L c. 71, Sec. 84; MGL c. 151B; 151C.

Revised August 2024

The Gardner Public Schools does not discriminate on the basis of sex and strictly prohibits sex discrimination, including sex-based harassment, in any education program or activity that it operates, including in admission and employment. Gardner Public Schools does not discriminate on the basis of pregnancy or pregnancy-related conditions in its educational programs and employment activities. Title IX of the Education Amendments of 1972; M.G.L. c. 151B; M.G.L. c. 151C; M.G.L. c. 76, § 5. The District's policy of nondiscrimination extends to students, staff, the general public, and individuals with whom it does business; no person shall be excluded from or discriminated against in employment, admissions, or in obtaining the advantages, privileges, and courses of study of such public school on account of sex.

The District has adopted and implements a Title IX Grievance Procedure to ensure the prompt and equitable resolution of complaints of sex discrimination, including sex-based harassment. A copy of the Gardner Public Schools Title IX Grievance Procedure may be accessed on the District website at the following link: [Title IX Sex Discrimination Grievance Procedures](#) or through the office of the Title IX Coordinator.

For questions related to the District's Non-Discrimination policy or grievance procedures, to make a report or complaint of sex discrimination, including sex-based harassment, or for information relative to accommodations and services for individuals based on pregnancy and pregnancy-related conditions, please contact Dr. Catherine Goguen, who serves as the Title IX Coordinator:

Catherine Goguen  
Gardner Public Schools  
160 Elm Street, Gardner, MA 01440  
978-632-1000  
goguenc@gardnerk12.org

Inquires or complaints relative to sex discrimination, including sex-based harassment, may also be directed to the United States Department of Education's Office for Civil Rights:

U.S. Department of Education  
8<sup>th</sup> Floor



5 Post Office Square  
Boston, MA 02109-3921  
Telephone: (617) 289-0111  
Facsimile: (617) 289-0150  
[Email: OCR.Boston@ed.gov](mailto:OCR.Boston@ed.gov)

Any employee or student found to have engaged in sexual harassment will be subject to disciplinary action. Students found to have engaged in sexual harassment may be subject to disciplinary proceedings in accordance with procedures set forth in Student Discipline section of this handbook and applicable state and federal laws and regulations. Staff members determined to have engaged in sexual harassment shall be subject to professional discipline including possible termination of employment

### Short Form Title 1X Non-Discrimination Statement

The Gardner Public Schools prohibit sex discrimination in any education program or activity that it operates. Individuals may report concerns or questions to the Title 1X Coordinator. The notice of nondiscrimination is located at [www.gardnerk12.org](http://www.gardnerk12.org)

## **STUDENT WELFARE**

### Supervision of Students

School personnel assigned to supervisory duties are expected to act as reasonably prudent adults in providing for the safety of the students in their charge.

No teacher or other staff member will leave his/her assigned group unsupervised unless a previous arrangement has been made to take care of an emergency.

During school hours or while engaging in school-sponsored activities, students will be released only into the custody of parents/guardians or other persons authorized in writing by a parent or guardian.

### Reporting to Authorities – Suspected Child Abuse or Neglect

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

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

### Student Safety

Instruction in courses in technology education, science, art, physical education and health/safety



will include and emphasize safety and accident prevention.

Safety instruction will precede the use of materials and equipment by students in applicable units of work, and instructors will teach and enforce all safety rules set up for the particular courses. These include the wearing of protective safety glasses and hearing protectors in appropriate activities.

#### Safety on the Playground and Playing Field

The District shall provide safe play areas. Precautionary measures that the District requires shall include:

- **A periodic inspection of the school's playground and playing fields by the principal of the school and others as may be deemed appropriate;**
- **Instruction of students in the proper use of equipment;**
- **Supervision of both organized and unorganized activity.**

#### Emergency Drills

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

LEGAL REFS: MGL 71:37L; 148:2A

SOURCE: MASC 8/2006

[Adopted: December 1998]

[Revised: June 2003]

[Revised: June 2016]

[Revised: March 2021]

## **HEAD INJURIES AND CONCUSSIONS IN EXTRACURRICULAR ATHLETIC ACTIVITIES POLICY**

### **INTRODUCTION**

The Gardner Public Schools seeks to prevent concussion and provide a safe return to activity for all students after injury, particularly after a head injury. In order to effectively and consistently manage these injuries, the Athletic Department abides by the following procedures that have been developed to aid in ensuring that concussed athletes are identified, treated and referred appropriately, receive appropriate follow-up medical care during the school day, including academic assistance, and are fully recovered prior to returning to athletic activity. See this link for more information.

<https://docs.google.com/document/d/17fHoAOhSa2XwwFr18b3xlzhUKT52o-WoJ9xh-3psPxs/e dit?usp=sharing>

## **BULLYING**

The Gardner Public Schools is committed to providing a safe, positive and productive educational environment where students can achieve the highest academic standards. To this end, bullying and retaliation are prohibited.

“Bullying” is the repeated use by one or more students or by a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, directed at a victim that: (i) Causes physical or emotional harm to the victim or damage to the victim’s property; (ii) places the victim in reasonable fear of harm to him/herself, or of damage to his/her property; (iii) creates a hostile environment at school for the victim; (iv) infringes on the rights of the victim at school; ~~or~~ (v) materially and substantially disrupts the education process or the orderly operation of a school. For the purposes of this section, bullying shall include cyber-bullying.

### Acts of bullying, which include cyberbullying, are prohibited

- on school grounds and property immediately adjacent to school grounds; at a school- sponsored or school-related activity, function, or program whether on or off school grounds; at a school bus stop, on a school bus or other vehicle owned, leased, or used by a school district or school; or through the use of technology or an electronic device owned, leased, or used by a school district or school; and
- at a location, activity, function, or program that is not school-related, or through the use of technology or an electronic device that is not owned, leased, or used by a school district or school, if the acts create a hostile environment at school for the target, infringe on the rights of the target at school, or materially and substantially disrupt the education process or the orderly operation of a school.

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

### **Bullying Prevention and Intervention Plan (“Plan”)**

The District shall develop, adhere to, and update a Plan to address bullying prevention and intervention in consultation with teachers, school staff, professional support personnel, volunteers, administrators, community representatives, law enforcement, students, parents and guardians. The Plan shall apply to students and all school staff members , including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity and paraprofessionals. The consultation



shall include, but not be limited to, notice and a public comment period. The Plan shall be updated at least biennially.

The Principal in each building, or their designee, is responsible for the implementation and oversight of the Plan within his or her school.

LEGAL REFS:; 603 CMR 49 MGL c 71:370;

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

CROSS REFS: AC, Non-discrimination; ACAB, Sexual Harassment; JBA, Student-to-Student Harassment; JICFA, Hazing; JK, Student Discipline Regulations]

[Revised: April 2024]

## **HAZING**

### **CH. 269, S.17 CRIME OF HAZING; DEFINITION; PENALTY**

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

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

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

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

### **CH. 269, S.19. HAZING STATUTES TO BE PROVIDED; STATEMENT OF COMPLIANCE AND DISCIPLINE POLICY REQUIRED**

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

Each secondary school and each public or private school or college shall file, at least annually, a report with the regents of higher education and in the case of secondary schools, the Board of Education, certifying that such institution has complied with the provisions of this section and also certifying that said school has adopted a disciplinary policy with regards to the organizers and participants of hazing. The Board of Regents and in the case of secondary schools, the Board of Education shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general any such institution which fails to make such a report.

[Adopted: January 8, 2001]

[Reviewed: May 2003]

[Reviewed: April 2021]

### **EQUAL EDUCATIONAL OPPORTUNITIES**

In recognition of the diversified characteristics and needs of our students and with the keen desire to be responsive to them, the school committee will make every effort to protect the dignity of the students as individuals. It also will offer careful consideration and sympathetic understanding of their personal feelings, particularly with reference to their race (which includes traits historically associated with race, including, but not limited to, hair texture, hair type, hair length, and protective hairstyles). color, sex, gender identity, religion, national origin, sexual orientation, disability, age.

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

No child shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and course of study of such public school on account of race (which includes traits historically associated with race, including, but not limited to, hair texture, hair type, hair length, and protective hairstyles), color, sex, gender identity, religion, national origin sexual orientation, disability or age.

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

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

[Adopted: 3/8/99]

[Revised: November 2022]

SOURCE: MASC



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

CROSS REF.: AC, Nondiscrimination, 192<sup>nd</sup> General Court of the Commonwealth of  
Massachusetts: Act of 2022, Chapter 117]

## **NETWORK/INTERNET/E-MAIL POLICY**

### **Our Commitment to Technology**

Gardner Public Schools is committed to providing students, teachers, and staff with the technology and information literacy skills needed for learning and teaching in the 21st century. Our mission is to integrate technology into curriculum and instruction to promote student achievement and prepare students for success in today's information society both locally and globally.

Gardner Public Schools provide students and employees access to technology including equipment, applications, network resources, and the Internet for educational and communication purposes. Educational purposes shall be defined as classroom activities promoting learning, career and professional development, and high-quality self-discovery and reflection activities. Communication purposes shall refer to the use of email transmissions, online learning systems, the Internet, social media platforms, and other electronic resources to communicate and collaborate amongst students, parents, employees, professionals, and the Gardner Public Schools community for educational reasons.

Gardner Public Schools is committed to providing a safe and productive educational environment. We maintain systems preventing inappropriate intrusions from the outside world through our Internet connections and a website Internet filter in compliance with Children's Internet Protection Act (CIPA). Teachers are responsible for monitoring student technology activities. However, no system or filter is perfect and it is virtually impossible for any teacher to monitor every activity of every student in the classroom. Therefore, each user of Gardner Public Schools' technology resources is accountable for his/her own use and activity.

Access to the system/network is a privilege, not a right. The Superintendent or designee shall implement, monitor, and evaluate the use of the district's system/network for educational and communication purposes at any time. There is no right of privacy or confidentiality regarding files/documents created and stored on the district systems, or electronic communications sent internally or externally. Such files and communications are governed by the public records law

and may be accessed, viewed, and/or deleted at the discretion of the Superintendent or designee at any time.

All users, parents and or legal guardians, shall be required to acknowledge receipt and understanding of all administrative regulations and procedures governing use of the system and shall agree in writing to comply with such regulations and procedures.

### **User responsibilities and acceptable use**

1. All users of Gardner Public Schools technology resources must sign the Technology Acceptable Use Agreement form prior to using schools technology resources. Students and employees are required to sign the AUP under the following circumstances:

- Upon first time enrollment/employment in the district
- Change in policy occurs

2. Users of Gardner Public Schools' technology resources are responsible for their appropriate use in accordance with this Technology Acceptable Use Policy, school rules and codes of conduct as stated in school handbooks, and city, state, and federal laws.

3. Students are obligated to abide by any guidelines set forth by teachers integrating technology resources in their classroom.

4. Network accounts are to be used only by the authorized owner of the account. Sharing of passwords and network accounts are prohibited.

5. Posting personal information on the Internet is prohibited for the safety of students and employees. Personal information includes but is not limited to passwords, full name, telephone number, address, parent/guardian information, school information.

6. Users represent Gardner Public Schools when using the schools' technology resources to participate in online communications and publishing to the Internet whether on or off school premises.

7. Users will conduct themselves with a commitment to integrity and respect of others and oneself at all times when communicating online. Any form of online harassment including, but not limited to, sexual and other protected class harassment, bullying, and offensive language, is prohibited and may be subject to appropriate laws. Any knowledge of such activities should be reported to a teacher or administrator.

8. Users are required to abide by the generally accepted rules of netiquette (network etiquette) when communicating online.

9. Student pictures, educational works, and audio and video recordings may be published to the Internet or social media to promote learning. Only first name and last initial may be published. Permission of the student and parent is required prior to publication.

10. Accessing material that is obscene or advocates illegal acts, violence, or discrimination is prohibited. Unintentional access of such material should be reported to a teacher or administrator immediately to prevent a claim of intentional access.

11. All resources should be properly cited to avoid plagiarism. Plagiarism will be dealt with according to the student handbook guidelines.

12. All copyright, privacy, and international laws are to be abided by at all times. Users should assume material is copyrighted unless explicitly stated.

13. Forgery or pretending to be someone else is prohibited.

14. Installing software is prohibited. Downloading of materials requires the permission of a



teacher and/or an administrator.

15. Vandalism of any type is prohibited and will result in disciplinary and possibly legal and/or financial charges. Vandalism includes but is not limited to damage, destruction, or theft of hardware, software, data, or intellectual property; disrupting network traffic; intentionally introducing viruses, gaining unauthorized access to network resources (hacking); or using the system for inappropriate or illegal purposes.

16. Commercial use of technology resources is permissible only for the benefit of the Gardner Public Schools community. Use of technology resources for personal gain is prohibited.

17. The school maintains the right to review any individual's electronic documents and communications made using technology resources provided to ensure a safe, secure, and orderly educational environment.

18. Any violations of the above responsibilities and acceptable uses are to be reported immediately to a teacher or administrator. Users uncertain of actions that may violate their responsibilities or acceptable use of technology resources are accountable for asking a teacher or administrator prior to performing the action(s) in question.

### **Consequences**

Failure to comply with the Technology Acceptable Use Policy may be subject to disciplinary action determined by the building principals and/or district administrators in accordance with the school handbook, educational policies, and this acceptable use policy. Noncompliance may result in the suspension or termination of a user's technology privileges. Violations of local, state, or federal laws may also result in criminal prosecution. Gardner Public Schools will cooperate fully with officials in any investigation related to illegal activities conducted via the schools' technology resources.

### **Limits of liability**

Gardner Public Schools shall not be liable for users' inappropriate use of technology resources, mistakes or negligence, violation of copyright restrictions, or costs incurred for any reason. Gardner Public Schools is not responsible for loss of data, exposure to inappropriate or inaccurate material found on the Internet or external networks, or accuracy or usability of any information found on external networks or the Internet.

[Adoption date: May 1998]

[Revision date: June 1999]

[Revised: June 2002]

[Revised: September 2009]

[Revised: December 2013 - Replaces IJNDB&IJNDB-R]

[Revised: November 2016]

[Revised: February 2019]

## **INTERNET PUBLICATION**

### **I. PURPOSE**

The School District has established a district-wide web page that links users to web pages for the district's individual schools. The School District maintains these web pages for educational



purposes only, in furtherance of the educational mission of the School District. All published pages and corresponding links to other sites must relate to the district's educational mission.

## II. SUPERVISION AND APPROVAL OF WEB PAGES

The Superintendent (or their designee) may select the person or persons ("the Webmaster") responsible for overseeing the school district's web pages and maintaining the web pages in a manner consistent with this policy and the school district's Access to Digital Resources Policy. The Webmaster must approve all links from the district web pages to other sites on the Internet. The Webmaster will review the links to ensure that the links are related to the district's educational mission.

Staff members may publish web pages related to their class projects or courses on their school's web site. Staff members must submit their material to the Webmaster for approval before the material can be published. Staff members may not publish or link to personal web pages as part of the school district website.

Student or staff work (e.g. voice, likeness, quotes, written material, musical pieces and graphic or other artwork) may be published on the district's web pages, as detailed below. All work that is published will be accompanied by a copyright notice written by the Webmaster that prohibits copying the work without the written consent of the copyright holder.

## III. CONTENT STANDARDS

All web page materials are expected to be accurate, grammatically correct and free of spelling errors. Student work may deviate from this standard depending upon the age and grade level of the student. Web pages should be well-organized and professional in appearance. Web pages must not contain copyrighted or trademarked material belonging to others unless written permission to display such material has been obtained from the owner and the owner is credited on the school's web page.

## IV. SAFETY PRECAUTIONS

### A. In general

Identifying information about students, such as first and last names, personal phone numbers or home addresses, will not be published. First names or first names and the first letter of the student's last name may be used where appropriate.

### B. Student photographs

Student photographs may be published only with the written consent of the student's parent or guardian.

Student photographs will not be accompanied by identifying information about the student(s).

### C. Student work



Student work, e.g. voice, likeness, quotes, written material, musical pieces, and graphic or other artwork, may be published only with the written consent of the student's parent or guardian.

#### D. Staff photographs, identifying information and work

Photographs of staff members, accompanied by the staff member's full name, may be published only with the staff member's written consent.

Staff work, e.g. voice, likeness, quotes, written material, musical pieces and graphic or other artwork, may be published only with the staff member's written consent.

SOURCE: MASC

[Adopted: August 2015]

[Reviewed: November 2020]

## **WEBSITE, SOCIAL MEDIA PLATFORMS AND LEARNING MANAGEMENT SYSTEMS POLICY**

Gardner Public Schools maintains district and school websites, and social media platforms, providing our community with access to up-to-date and relevant information regarding Gardner Public Schools. The primary purpose of the district and school websites is to provide public information. Follow this link to the Policy. [https://docs.google.com/document/d/1\\_Rq65NIT8O69woBCEDyFr7QOS4A165ro/edit#bookmark=id.2u6wntf](https://docs.google.com/document/d/1_Rq65NIT8O69woBCEDyFr7QOS4A165ro/edit#bookmark=id.2u6wntf)

## **STUDENT DATING / RELATIONSHIP VIOLENCE POLICY**

The Gardner Public Schools is committed to creating and sustaining a safe, caring, respectful learning environment. Consistent with this philosophy, the Gardner Public Schools seeks to increase awareness of student dating/relationship violence and help in responding to the needs of victims and students who are witnesses to such violence.

Student dating/relationship violence occurring in any setting is unlawful, and will not be tolerated. Further, retaliation against an individual who has reported about student dating/relationship violence or cooperated in an investigation of student dating/relationship violence will not be tolerated. The Gardner Public Schools will respond promptly to complaints and reports of student dating/relationship violence or retaliation and corrective action will be taken where necessary, including disciplinary action where appropriate.

**The Gardner Public Schools seeks to:**

- Educate all students about domestic violence and student dating/relationship violence;
- Educate all students about school district and school-based rules;
- Intervene when any acts of domestic violence or student dating/relationship violence are observed;
- To respond appropriately to students who disclose that they are victims of domestic violence and/or student dating/relationship violence;
- Implement programs to reduce student dating/relationship violence and domestic violence.

### **MASSACHUSETTS STATE LAW REGARDING TEEN DATING ABUSE**

Massachusetts General Laws state: Health education in public schools shall include instruction in “safe and healthy relationships with a focus on preventing sexual and domestic violence.” (Section 1, Chapter 71) “Each school district in the Commonwealth, subject to appropriation, shall implement a specific policy and discipline code to address student dating/relationship violence in public schools. The policy shall clearly state that student dating/relationship violence will not be tolerated and shall include guidelines for addressing alleged incidents of dating violence. The policy may include a student dating/relationship violence prevention task force comprised of staff, students and parents to provide awareness training and education for the school community. Topics to be covered in the policy include, without limitation, defining the issue of student dating/relationship violence, recognizing the warning signs, identifying issues of confidentiality, safety and appropriate legal school-based interventions.” (Section 2C, Chapter 71)

### **DEFINITIONS**

**Healthy Relationships:** A connection between people that increases well-being, is mutually enjoyable, and enhances or maintains each individual’s positive self-concept.

**Teen Dating Abuse:** The use of physical, sexual, verbal, emotional or technological abuse against a current or former dating partner. It is a pattern of abusive behavior that is used by one partner to gain or maintain power and control over the other. Teen dating abuse can take many forms:

Type of Abuse	Definition	Examples
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<p>Emotional</p>	<p>The intentional infliction of mental or emotional distress by threat, coercion, stalking, humiliation, or unwanted verbal or non-verbal conduct</p>	<p>Excessive jealousy, trying to control a partner's activities or appearance, calling or texting frequently to keep tabs on a partner, stalking</p>
<p>Physical</p>	<p>Any intentional unwanted contact with the targeted student's body, either by the alleged offender or an object within the offender's control, regardless of whether such contact causes pain or injuries to the student</p>	<p>Hitting, slapping, punching, shoving, pinching, kicking, hair pulling, throwing objects</p>
<p>Sexual</p>	<p>Any sexual behavior or contact by the alleged offender that is unwanted by the targeted student and/or interferes with the student's ability to consent to or control the circumstances of sexual behavior</p>	<p>Unwanted touching or kissing, forcing the partner to have sex or engage in any unwanted sexual activity, not allowing the partner to use birth control</p>
<p>Verbal</p>	<p>The consistent demeaning of another person</p>	<p>Angry outbursts, name calling, put downs, yelling or shouting, threatening the partner or the partner's family, disparaging humor</p>
<p>Technology</p>	<p>The use of digital or high-tech devices, including cell phones, computers, and the Internet, to harm, threaten, intimidate or control a current or former dating partner</p>	<p>Repeated calls or text messages; non-consensual access to email, social networking sites, texts or cell phone call logs; pressuring for or disseminating private or embarrassing photos and videos</p>

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## **REFERENCES**

Massachusetts Department of Elementary and Secondary Education’s Adapted Guidance for Schools and Districts on Addressing Teen Dating Violence (2013); Melrose Teen Dating Abuse Policy and Implementation Guide: A Comprehensive Guide to Addressing Teen Dating Abuse, Sexual Assault, and Stalking (2015); A Guide to Preventing Bullying, Teen Dating Violence, and Sexual Violence in Rhode Island Schools, 2012 as amended

## **LEGAL REFS:**

Title IX of the Education Amendments of 1972; File: JICFC, Teen Dating Violence, Mansfield Public Schools Page 7 of 7; The Criminal Offender Record Information (CORI) Reform Law, Chapter 256 of the Acts of 2010 as amended; An Act Relative to Bullying in Schools, Chapter 92 of the Acts of 2010; MGL Chapter 71, Section 1; MGL Chapter 71, Section 2C

[Adopted: October 2019]

## **MEAL CHARGE POLICY**

The School Committee is committed to providing students with healthy, nutritious meals each day so they can focus on school work, while also maintaining the financial integrity of meal programs and minimizing any impact on students with meal charges. However, unpaid meal charges place a large financial burden on the school district, as food services is a self-supporting entity within the district. The purpose of this policy is to ensure compliance with federal reporting requirements of the USDA Child Nutrition Program, as well as provide oversight and accountability for the collection of outstanding student meal balances.

The provisions of this Policy pertain to regular priced school meals only. The School Committee will provide a meal to students who forget or lose their lunch money.

### **Meal Charges and Balances**

Students will pay for meals at the regular rate approved by the School Committee and for their meal status (regular, reduced-price, or free) each day. Payment options will be outlined in student handbooks and provided to parents of incoming students. After the balance reaches zero and enters the negative, students will not be allowed to purchase a la carte items including but not limited to a second entrée, snack, ice cream, or an additional beverage. The student will still be provided a meal, and that meal will continue to be charged to the account at the standard lunch rate based on their meal status. The parent/guardian is responsible for any meal charges incurred. If there is a financial hardship, a parent/guardian should contact food services directly to discuss payment options such as an individualized repayment plan.

### **Payments**

Parents/Guardians are responsible for all meal payments to the food service program. Notices of low or deficit balances will be sent directly to parents/guardians via email or regular postal mail at regular intervals during the school year. At no time shall any staff member give payment notices to students unless that student is known to be an emancipated minor who is fully responsible for themselves or over the age of 18. If parents/guardians have issues with student purchases they should contact food services for assistance.

Parents/Guardians may pay for meals in advance. Further details are available on the school district webpage and in student handbooks. Funds should be maintained in accounts to minimize the possibility that a child may be without meal money on any given day. Any remaining funds for a particular student, whether positive or negative, will be carried over to the next school year.

All school cafeterias possess computerized point of sale/cash register systems that maintain records of all monies deposited and spent for each student and those records are available to parents by setting up an online account (see student handbooks for more details) or by speaking with the school's food service manager. The point of sale system is designed to prevent direct identification of a student's meal status. Parents will receive automated low-balance emails or mailed notices weekly, if applicable. If notices do not result in payment, parents will receive a phone call from food services. If the phone call does not result in payment the food service manager shall turn the account over to the business office.

### **Refunds**

Refunds for withdrawn and/or graduating students require a written request (email, postal, or in person) for a refund of any money remaining in their account to be submitted. Graduating students also have the option to transfer funds to a sibling's account or to donate to a student in need with a written request.

### **Delinquent Accounts/Collections**

Failure to maintain up to date accounts may result in a delay of a student's extra-curricular school services, especially those that are fee based. Graduating seniors may lose the ability to participate in certain graduation related activities.

The Superintendent shall ensure that there are appropriate and effective collection procedures and internal controls within the school district's business office that meet the requirements of law.

If a student is without meal money on a consistent basis, the administration may investigate the situation more closely and take further action as needed. If financial hardship exists, parents and families are encouraged to apply for free or reduced price lunches for their child. Each school handbook shall contain detailed instructions for parental assistance.

### **Policy Communications**

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

[Reference: M.G.L. 71:72; USDA School Meal Program Guidelines, May 2017]  
[Adopted: November 2018]

## **STUDENT SUBMISSION TO EDUCATIONAL SURVEYS AND RESEARCH**

In this policy, “surveys, analyses, or evaluations” refer to methods of gathering data for research purposes.

Without the prior written consent of the student's parent/guardian, or of the student if he/she is at least 18 years of age, no student shall be required as part of any program wholly or partially funded by the U.S. Department of Education to submit to any survey, analyses, or evaluation that reveals information concerning:

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

All instructional materials, including teachers' manuals, films, tapes, or other supplementary material which will be used in connection with any such survey, analysis, or evaluation shall be available upon request for inspection by the student's parent/guardian. For the purpose of this policy, "instructional material" does not include academic tests or assessments.

A parent/guardian may inspect, upon request, a survey created by a third party before the survey is administered or distributed to a student.

The Superintendent or designee will be responsible for implementing any procedures necessary to protect the privacy of participating students and to provide parents with access to surveys within a reasonable time before administration or distribution.

The School District will notify parents/guardians of this policy at least annually at the beginning of the school year and within a reasonable time of any substantive change in policy. Where practical, the District will also directly notify parents/guardians annually at the beginning of the school year when surveys, analyses, or evaluations are scheduled or anticipated. Parents/guardians shall have the opportunity to opt their child out of participation in any survey, analysis, or evaluation. Students who are 18 years of age or older may opt out of such surveys, analyses, or evaluations.

Parents/guardians or eligible students who believe their rights have been violated may file a



complaint with the Family Policy Compliance Office of the U.S. Department of Education.

[Reference: Protection of Pupil Rights Amendment, 20 U.S.C. Section 1232h; JRA, Student Records][Adopted: November 2018]

[Reviewed: April 2021]

[Revised: April 2024]



**MENTAL HEALTH SCREENING PASSIVE CONSENT AND OPT-OUT FORM**

In an effort to promote the health and well being of students in Gardner Public Schools, students will be periodically provided with questionnaires, surveys, and screeners that address issues related to mental health. The information gained will support the district's ability to provide comprehensive and timely support for your son or daughter if they require any assistance. Students can opt-out of filling out any questionnaire, survey, or screener that they are not interested in taking and you can opt-out your son or daughter at any time by contacting the Guidance Department at your son's/daughter's school or by filling out this opt-out form

We are committed to ensuring your son or daughter is supported academically, socially, and emotionally, and we look forward to partnering with each of you toward achieving this goal.

If you would like your child to participate in the screenings offered to all students you do not need to do anything further or complete a form.

If you wish your child to Opt out of the screening process please complete the form below and return to your child's school counselor.

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**FOR OPT OUT ONLY** (please complete and return)

\_\_\_\_\_ I would like to **opt-out** my child from taking periodic mental health screenings, questionnaires, etc

**Child's Name:** \_\_\_\_\_

**School:** \_\_\_\_\_

**Grade:** \_\_\_\_\_

**Parent/Guardian Name:** \_\_\_\_\_

**Parent/Guardian**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

## Chromebook/Technology Distribution and Return Agreement

Your Chromebook is an important learning tool and is for educational purposes. In order to receive a Chromebook, you and your parents/guardians must be willing to accept the following responsibilities:

- I/We understand that the District is loaning the student a Chromebook that is to be used for academic and educational purposes pertaining to coursework.
- I/We understand that the Chromebook is the student's responsibility.
- I/We understand that Chromebook use is a privilege not a right.
- I/We will not leave the Chromebook unsupervised and will do everything I can to prevent it from being damaged.
- I/We will honor the GPS Acceptable Use Policy.
- I/We will not view, create, send, or download inappropriate material.
- I/We will treat the Chromebook as a valuable piece of equipment and will report any mechanical or technical issues to a teacher or administrator immediately.
- I/We will not attempt to add, delete, access, or modify other user accounts on the Chromebook.
- I/We will take no action that could interfere with the GPS network.
- I/We will report inappropriate use to my teacher or an administrator.
- I/We will return the Chromebook when requested by the Technology Department, upon withdrawing from the school or at the end of the school year.
- In the event that the Chromebook is lost or stolen, we will notify the administration immediately. This may involve filing a police report as well.
- I/We agree to pay for damages to the Chromebook and/or power cord/charger.
- I/We agree to pay the full replacement cost of my Chromebook and/or power cord/charger in the event either of these items are lost or damaged.
- I/We understand that there is no reasonable expectation of privacy while using GPS computers, networks, or technology. Ultimately the Device is the property of GPS, and GPS has the right to determine what is appropriate and to search the device if necessary at any time

**ACKNOWLEDGEMENT OF RECEIPT OF THE STUDENT CODE OF CONDUCT**

**Gardner Public Schools Student Agreement**

I, \_\_\_\_\_(print student's name), have received and read the Student Code of Conduct (SCC) for the Gardner Public Schools. I am aware of my rights and responsibilities under the SCC. Furthermore, I understand that acts of misconduct or inappropriate student behavior will result in interventions and consequences as stated under the SCC.

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Student Signature and Date

**Parent/Guardian Agreement**

Dear Parent or Guardian;

Gardner Public Schools believes that you should be informed regarding our effort to create and maintain a safe and secure learning environment for all students. Please read the Student Code of Conduct (SCC) and sign the document below to acknowledge your receipt and understanding of the SCC.

I am the parent or guardian of the above named student. I have received and read the SCC. I understand that by signing this document, I agree to support and promote the goals of the SCC and make every effort to work with the school in resolving all disciplinary matters.

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Parent/Guardian Signature and Date