

Andover Public Schools – Andover, Massachusetts 01810

MIDDLE SCHOOL HANDBOOK

**Doherty Middle School
West Middle School
Wood Hill Middle School**



RESPECT * RESPONSIBILITY * CIVILITY

CRITICAL THINKING ♦ CREATIVITY ♦ COMMUNICATION ♦ COLLABORATION

DOHERTY MIDDLE SCHOOL – WEST MIDDLE SCHOOL – WOOD HILL MIDDLE SCHOOL

Dear Middle School Students and Parents/Guardians,

Welcome to the Andover Middle Schools community of learners! We are happy you are with us and we will make every effort to make your school year productive, fun, and exciting.

Our schools strive to address our students' academic, social, emotional, and physical development. We support students' middle school experience in the following areas: interdisciplinary teaming; exploratory classes and activities; group and individual learning; flexible schedules; common planning time for teachers; and community involvement. Our instructional philosophy is based upon experiential learning approaches such as the New England Arts for Literacy (NEAL) and "project-based learning" (www.bie.org) and its integration with grade level academic content. During each of the three middle school years, we assist each student make the transition from the elementary school to the high school.

This is a time for you to explore. You will develop new interests, skills and competencies. The time to expand your knowledge and venture into new areas is now...before you begin to specialize your learning in high school and later on as an adult.

A primary goal of our school is to nurture your learning. Your teachers will encourage you to think for yourself, to learn the art of asking useful questions, to seek answers on your own, and to study effectively.

We create an environment to give you the confidence to become a life-long learner. Sometimes you will work by yourself. There will be times when you will work with your friends. Group and class projects will teach you many things, including how to work well with others, set priorities, and manage your time. During your stay at the middle school years, you may discover the ways in which you learn best; it could be by listening, by reading, or by creating something with your hands. It might even be all of these.

We look forward to working with each of you to ensure your growth and understanding. This will foster communication, collaboration, and organizational skills. Our schools have a school climate where everyone belongs. We are always open to your suggestions and comments. Welcome to the Andover Middle Schools!

With warmest regards,

Doherty Middle School

Robin Wilson
Principal

Rebecca Perry
Assistant Principal

Susanne Murphy
Special Ed. Program Coord.

West Middle School

Timothy Corkery
Principal

Greg Waters
Assistant Principal

Cherilyn Adams
Special Ed. Program Coord.

Wood Hill Middle School

Patrick Bucco
Principal

Linda Croteau
Assistant Principal

Lisa Rinaldi
Special Ed. Program Coord.

DIRECTORY

Middle Schools

Ms. Robin Wilson	Principal	Doherty Middle School	(978) 247-9400
Ms. Rebecca Perry	Assistant Principal		
Ms. Susanne Murphy	Special Ed. Program Coord.		(978) 247-9416
Mr. Timothy Corkery	Principal	West Middle School	(978) 247-5400
Mr. Greg Waters	Assistant Principal		
Ms. Cherilyn Adams	Special Ed. Program Coord.		(978) 247-5416
Mr. Patrick Bucco	Principal	Wood Hill Middle School	(978) 247-8800
Ms. Linda Croteau	Assistant Principal		
Ms. Lisa Rinaldi	Special Ed. Program Coord.		(978) 247-8805

Program Coordinators

Ms. Joanna Ganci	English Language Arts	6-12 Program Coordinator	(978) 247-5535
Mr. Sean Walsh	Fine & Performing Arts	K-12 Program Coordinator	(978) 247-5568
Ms. Donna Ruseckas	Health & Physical Education	K-12 Program Coordinator	(978) 247-5508
Ms. Katherine Richard	Mathematics	K-12 Program Coordinator	(978) 247-5553
Mr. Steve Sanborn	Science & Engineering	K-12 Program Coordinator	(978) 247-5551
Dr. Jorge Allen	World Languages	6-12 Program Coordinator	(978) 247-5550
	Social Studies	6-12 Program Coordinator	(978) 247-5536
Mr. Joseph Yarid	District Adj. Counselors	District Program Head	(978) 247-7056
Mr. Ryan Fielding		Clinical Head Director	(978) 247-7040

Program Heads

Ms. Heather Eigen	Special Ed. Intensive Prog.	K-8 Program Head	(978) 247-7054
-------------------	-----------------------------	------------------	----------------

Elementary Schools

Ms. Michelle Costa	Principal	Bancroft	(978) 247-9500
Ms. Pamela Lathrop	Principal	High Plain	(978) 247-8600
Mr. Jason DiCarlo	Principal	Sanborn	(978) 247-9700
Ms. Carol Green	Pre-School Coordinator	Shawsheen	(978) 247-8200
Ms. Brenda Lee	Principal	South	(978) 247-9800
Ms. Jennifer Hunt	Principal	West Elementary	(978) 247-5300

High School

Caitlin Brown	Principal	Andover High School	(978) 247-5500
---------------	-----------	---------------------	----------------

Superintendent's Office

Dr. Magda Parvey	Superintendent		(978) 247-7010
Dr. Julie Riley	Assistant Superintendent, Learning & Teaching		(978) 247-7025
Mr. Paul Szymanski	Interim Asst. Superintendent for Finance/Administration		(978) 247-7070
Dr. Sara Stetson	Director of Student Services		(978) 247-7040
Ms. Jessica Porter	Director of Human Resources		(978) 623-8500
Mr. Stephen Chinosi	Director of Strategic Innovation		(978) 247-7034
Ms. Cindy Button	Transportation Coordinator		(978) 247-7065

ANDOVER MIDDLE SCHOOL CALENDAR

2021-2022 ANDOVER ELEMENTARY SCHOOL CALENDAR

Wednesday, September 1	Students Report to School
Friday, September 3	No Classes for Faculty and Students
Monday, September 6	No Classes – Labor Day
Friday, October 8	<i>Early Release Days</i>
Monday, October 11	No Classes – Columbus Day
Friday, November 5	Kindergarten Teacher Conference Day – <i>no school for Kindergarten only</i>
Thursday, November 11	No Classes – Veterans Day
Friday, November 12	No Classes - Teacher Conference Days Districtwide
Wednesday, November 24	<i>Early Release</i> –Thanksgiving Recess begins
Thurs-Friday, November 25-26	No Classes - Thanksgiving Recess
Friday, December 10	<i>Early Release Day</i>
December 24-January 2	No Classes - Holiday Recess
Monday, January 3	Schools Reopen
Monday, January 17	No Classes - Martin Luther King Day
Friday, January 28	<i>Early Release Day</i>
Monday, February 21	No Classes – President’s Day
Feb. 22 – Feb. 25	Winter Recess
Monday, February 28	Schools Reopen
Friday, March 18	<i>Early Release Day</i>
April 19 – 23	Spring Recess
Monday, April 26	Schools Reopen
Friday, May 6	<i>Early Release Day</i>
Monday, May 30	No Classes - Memorial Day
Friday, June 3	<i>Early Release Day</i>
Thursday, June 14	180 th Day (last day, if no snow days)
Monday, June 20	No Classes - Juneteenth Holiday observed
Thursday, June 22	185 th Day (includes 5 snow days)

TABLE OF CONTENTS

Andover Middle Schools - Principals' Welcome Letter	2
Directory	3
School Calendar	4
What is a Middle School?	7
The Middle School Experience	8
<i>General Information</i>	
Arrival at School	9
Daily Attendance	9
Tardiness	9
Absence	9
Vacation	9-10
Missed Work	10
Early Dismissal	10
Parents/Guardians Away	10
Emergency Closings	10-11
Assemblies	11
Cafeteria	11
Textbooks	12
Homework	12
Academic Progress	12
Dress Code	12-13
Bus Transportation	13
Parent/Guardian Consent Forms	13
Field Trips & Field Work	13
Bicycles	14
Lost and Found	14
Scooters, Skateboards, and Long Boards	14
Passes	14
Lockers	14
Fire/Emergency/Lockdown/Shelter-in-Place Drills	14-15
Senior Center	15
Visitors	15
Dance and Social Regulations	15-16
Safekeeping of Money	16
Forgotten Items – Personal Messages	16
Cell Phones, iPods, Electronics, etc.	17
CORI and Volunteers	17
Academic Honor Code	17-18
<i>Student Services</i>	
Teams	18
Extra Help	18
Digital Learning Commons	18
Health Services	18
Medications	19
School Insurance	19
Extracurricular Activities, Clubs, & Intramurals	19

Student Rights & Responsibilities	
Student Records	20-21
Homeless Students	21
Harassment	21-25
Non-discrimination Statement	26
Grievance Procedures for Discriminatory Violations	27
Anti-Bullying in Schools Policy	27-28
Anti-Bullying: Age Appropriate Summary and Instruction	30-31
Student Discipline	31
Student Tips for a Successful Year	31
Code of Conduct and Disciplinary Procedure	33-39
Search and Seizure	40

Appendices

MGL c. 71, section 37H – Expulsion for possession of a dangerous weapon, controlled substance, or assault of educational personnel	40
MGL c. 71, section 37H1/2 – Expulsion/suspension for felony complaint or conviction of student	41
MGL c. 71, section 37H3/4 – Suspension or Expulsion for Grounds Other than those in secs. 37H or 37H1/2	42
DESE Regulations – 603 CMR 53.00 – Student Discipline (sections relevant to rights of students and procedures only)	44-49
Hazing Statement and MGL c. 269, sections 17-19	50
Anti-tagging Policy, MGL c. 266, section 126B	51
Notification of Asbestos Re-inspections	52
iAndover 1:1 BYOD Initiative	53
Empowered Digital Use Policy – Technology	54

WHAT IS A MIDDLE SCHOOL?

A middle school addresses social, personal, and academic development of students ages 10 – 14. This is accomplished through strong interdisciplinary teaming, exploratory classes, group and individual learning, flexible schedules, common planning time for teachers, and community service.

As you settle into Middle School, you will see that our school is designed for students your age. It will be different from your elementary school and the high school you will someday attend.

This is a time for you to explore. You will develop new interests; discover new skills and areas of success. The time to expand your knowledge and venture into new areas is now: before you have to specialize in high school and later on as an adult.

A goal of our school is to nurture your learning. Your teachers will encourage you to think for yourself, to learn the art of asking useful questions, to seek answers on your own, and to study effectively.

You will use several different ways of helping yourself learn. Sometimes you will learn from information your teacher gives you. Sometimes you will work by yourself. There will be times that you work with your friends. Group and class projects will teach you many things, including how to work well with others. During your middle school years, you may discover the way in which you learn best. It could be by listening, by reading, or by creating something with your hands. It might even be all of these.

Middle School is a busy and friendly place to grow . . . naturally.

The Middle School Experience

The middle school is a very different school experience. It is a place where adolescents can be challenged while feeling supported. Our school is designed for students your age. We address the social, personal and academic development of students ages 10-14.

Middle School offers opportunities to develop your interests. You will be encouraged as you venture into new areas. You will be challenged to take risks. You will be expected to expand your knowledge and discover new skills through project-based learning. Each success will be applauded. More importantly, your efforts will be celebrated.

You are a member of a community of learners. Each student and staff member is vital in this community. Staff will guide your exploratory and discovery process using the project-based learning philosophy. You as a learner will determine your personal goals and the way that you learn best.

Your teachers will get to know you as a person, then as a learner. The real “magic” happens when we are able to personalize your interests, skills and abilities to your learning style.

We believe that you are important. You can make a positive difference in your own life as well as the lives of others. It is the “Andover Middle School Way”.

GENERAL INFORMATION

ARRIVAL AT SCHOOL

Whether you have taken a bus or have walked to school, once you have arrived at school in the morning you are not to leave the school grounds to go downtown or to go to the park. The school opens to students as early as 8:05 a.m., however all students must be in homeroom by 8:15 for accurate attendance.

DAILY ATTENDANCE

Regular attendance and promptness are two requirements for success in school. Experience shows that if you are careless about attendance, the consequences could lead to difficulties in your schoolwork. Daily attendance will be taken in homeroom, and it is important to be in your assigned homeroom seat prior to the bell.

TARDINESS

You are expected to report to your homeroom on time by 8:15 a.m. each morning. Students arriving in their homerooms after the 8:15 bell will be considered tardy. Students arriving **after** homeroom (8:20 a.m.) must report to the Main Office to sign the tardy book before reporting to class. If you must be tardy, please bring a note to school from your parent/guardian indicating the reason (ex. dental/physician appointment) **and** inform them that they need to call the school at that school's absence telephone number (see next section). Students who do not have a note from a parent/guardian citing a valid reason will receive an office detention after their ***third unexcused tardy and with each additional unexcused tardy***. Tardiness is educationally detrimental for you and your classmates. Excessive tardiness will necessitate a counselor/parent/guardian conference. Also, you should realize that the history of your tardiness (excused and unexcused) becomes part of your permanent record that follows you to your next school.

ABSENCE

Every effort should be made to limit absences from school to personal illness and emergencies only. If you are going to be absent your parent/guardian must call the school's attendance phone by 8:15 a.m. **The attendance telephone numbers for each school are listed below and are in operation 24/7.** The first day upon returning to school after an absence, we require that parents/guardians send a note containing an explanation for your absence. The note should include the exact date(s) of the absence(s). Students should present absent notes to their homeroom teacher on the day that they return to school. Additionally, the school administration will report absences to parents/guardians in accordance with M.G.L.c. 76 s. 1B.

Doherty Attendance Telephone Number:	247-9401
West Attendance Telephone Number:	247-5401
Wood Hill Attendance Telephone Number:	247-8801

COVID PROTOCOLS

During the 2021-2022 school year, Andover School Committee policy [EBCFA - Face Coverings](#) will be strictly enforced as part of the need for emergency measures in response to the COVID-19 pandemic.

VACATION

The School Committee policy discourages family or student vacations while school is in session. Parents/guardians should consult the school calendar prior to making vacation plans. Absences due to vacation trips are considered unexcused, therefore, parents/guardians are strongly discouraged from taking their children out of school for family vacations because valuable classroom instruction time can never be replaced by make-up assignments.

When parents/guardians decide to take their children out of school for vacations, they must notify the school of their intentions. While your teachers may let you make up missed assignments, tests, and quizzes, because such extended absences are not excused, teachers are neither expected nor required to provide make-up work or special assignments prior to these vacations. Teachers are not expected or required to provide special tutoring for those students whose parents/guardians take them on vacation during school time.

Family vacations that result in a cumulative student absence (without medical excuse) of more than fifteen days in any term, are prohibited. In the event a family vacation(s) results in a cumulative student absence (without medical excuse) of more than fifteen days in any term, that student shall be presumed to have been unenrolled from school, resulting in a grade of “incomplete” in all classes for that term.

MISSED WORK

When you are absent from school, you miss work that must be made up when you return. Your teachers will help you with make-up work, but the responsibility for finding out your assignments and for completing them is yours. Seek out your teachers after an absence, and find out the requirements. It may involve reading, completing assignments, papers, attending after school sessions or taking tests and quizzes. You should make definite arrangements for make-up work within two (2) days after returning to school from an absence. Each teacher will grant you a definite length of time to complete your make-up work according to the length of your absence.

EARLY DISMISSALS

Early dismissals from school should be requested as infrequently as possible. If it becomes necessary to ask for an early dismissal, a written request, signed by a parent, must be turned in to the Main Office when you arrive at school. When you are dismissed early, you must go to the Main Office at the designated dismissal time to sign out. All early dismissals must originate from the parent/guardian, main office or clinic.

PARENTS/GUARDIANS AWAY

Parents/guardians must inform the school if they will be away and a student will be staying with someone else. The school must receive the name and contact information of the person and the dates involved. Please send this letter to the school nurse.

EMERGENCY CLOSINGS

In the event that the school will be closed because of bad weather or other emergencies, an announcement will be made on the following radio stations and television channels:

Direct Notification:

Connect 5© (formerly Alert Now) is the telephone messaging service utilized throughout the Andover Public Schools. The *Connect 5* service enables us to personally communicate with parents/guardians about emergency situations, school events, and important issues impacting your child. It allows us to send personalized emails or voice messages to your family's home, work or cell phones. Essentially, a school principal or superintendent can make one phone call that reaches all students' families within minutes.

If you miss a Connect 5 message:

The 1-855-4replay number is a dial-in number that recipients can use to call and hear past messages sent to a recipient's phone. When you call this number from a phone that has received Connect 5 messages, the system will automatically detect the recipient's phone number and will prompt them with the last five messages that were sent to their number. 1-855-4replay 1-855-473-7529

Based on the system's proven track record, we know this message service facilitates and improves school and district-wide communications with parents/guardians and school system employees. It is important that your school has all of your current telephone numbers so that you will not miss any important communications.

APS District Website:

Check the "Spotlight" Section on APS website at www.aps1.net for information regarding delayed openings or school cancelation announcements.

Television:

CHANNELS 4, 5, and 7

ASSEMBLIES

Assemblies are a regularly scheduled part of the school program and as such are designed to be educational as well as entertaining. Some may be designed to celebrate national holidays while others explain school regulations and procedures to you or recognize you for outstanding achievements. These assemblies provide opportunities for you to learn formal audience behavior. Therefore, there are some expectations for this type of activity:

1. Walk to the auditorium quickly and quietly, remaining with your class.
2. Give your full attention to the program. There should be no conversation once the program has commenced.
3. When the program is completed, remain seated and follow the instructions of the staff member in charge.

Students who do not behave properly at assemblies will be asked to leave and may be excluded from future assemblies.

CAFETERIA

The cafeteria is a place where you can visit with your friends and eat at a table in a normal atmosphere. Disruptive cafeteria behavior by a student will result in corrective consequences. Your meals in the cafeteria will be more pleasant if you observe the following rules:

1. Students are expected to be in the cafeteria for lunch within the normal passing time.
2. Do not cut in line or give cuts.
3. Pick up papers and trash when you have finished eating and dispose of it in the proper barrel.
4. Students may not leave the cafeteria without a teacher's permission.
5. Students may be assigned on a weekly basis to wash tables and sweep the floor at the end of each lunch.

TEXTBOOKS

Each year you receive a number of books to be used in your various courses. The school department lends you these just as the library does. You should be just as careful of your school textbooks as you are of library books. If you lose or mark up a library book in any way, you should expect to make restitution for it. In the same manner, you are responsible for your schoolbooks.

All students are expected to cover textbooks and to replace the book cover if it becomes worn during the school year. If a book is misused, a fine will be imposed. If a book is lost or badly damaged, the student will pay replacement costs.

HOMEWORK

There are multiple purposes for homework:

- To reinforce school learning by providing practice and applications.
- To stimulate voluntary effort, initiative, independence, responsibility, and self-direction.
- To enrich the school experience through related home activities.
- To offer practice in budgeting time.
- To develop mature reading ability.

You should expect to receive homework assignments each day. Time needed to complete daily homework assignments will vary for each of you.

You should also plan to spend time studying and reviewing material for mastery of the subject content and adequate preparation for quizzes and tests. Plan ahead! Long-term reports or projects should not be left until the last minute. Learn to budget and organize your time. Your teams will coordinate assignments and projects to the best of their ability. Should you need help with your homework, you may seek out your teachers for assistance. Students are expected to keep a record of all assignments in a notebook or planner.

ACADEMIC PROGRESS

You and your parents/guardians will be informed of your progress through report cards, progress reports, personal notes, telephone calls, and team conferences. Aspen, our student information management system, is available for student and parent access through a family portal. The online site for Aspen is <https://ma-andover.myfollett.com/>. All parents/guardians and students have user names and passwords to access Aspen. The family portal allows parents/guardians access to student progress throughout the year.

Report cards will be posted three times a year. At the midpoint of each term, a progress report will be posted and sent home when (a) a student is in danger of failing the course and (b) if the student's academic grade falls one whole grade. Both circumstances represent significant decline in a student's performance. Parent signature may be required for report cards and progress reports. Your parents/guardians and you are encouraged to talk with your teachers' or the school administration if there are concerns about your

progress or your adjustment to the middle school. Parents/guardians may arrange a conference with your teachers by contacting the team leader.

DRESS CODE

It is expected that you will exhibit good taste, good grooming, neatness and modesty in dressing appropriately for school each day. We don't want to disrupt your parent's day by asking them to bring a new outfit to school if the one you select is inappropriate, so please use common sense. **This includes selecting shorts and shirts in PE classes that allow for movement and coverage at the same time.** Our intent is that students' dress and grooming will contribute toward a positive learning environment.

The school administration has the final decision on the appropriateness of dress for school. We cannot allow clothing to be worn that is disruptive to the educational process. Most middle school students have good common sense, so it should not be difficult for any of you, especially with the help of your parents/guardians, to realize that there are clothing items that are appropriate for jogging or for the beach which are not appropriate in school. In no case should you wear clothing displaying inappropriate language, advertising drugs, cigarettes, alcohol, or expressing inappropriate negative messages.

Hats are not to be worn in the school building. Students who wear hats to school must leave them in their lockers during the school day.

BUS TRANSPORTATION

The Andover School Department provides buses for your transportation to and from school. Grade six students receive free transportation if they live more than 1.5 miles from the school. Students in grade seven and eight may purchase bus transportation services if they live more than 2.0 miles from school. Each bus driver is an official of the school department and students riding the bus must comply with the requests of the driver. Pushing and shoving when boarding the buses is unpleasant and dangerous. Wait in line and get on quickly and quietly. All school rules regarding conduct are in effect as soon as you board the bus. School bus transportation is a privilege that may be withdrawn for inappropriate behavior. Bus drivers have a very tight schedule and they have been instructed not to wait for you if you arrive late at pick-up points in the morning. In the afternoon, buses on the first run leave the school eight minutes after the dismissal bell. Therefore, so that you will not miss your ride home, you must go directly to your locker, get your books, and go straight to your bus. Students may not leave the school grounds and then return to take a bus home. If you are a bus rider, you are allowed to ride your bus ONLY.

Buses may be equipped with video cameras to enhance the safety of all passengers. All students may be subject to video surveillance for this purpose while riding a school bus.

PARENT CONSENT FORMS

All students are required to have a completed *Medical Authorization and Photo/Video/Website* form. This allows students to be involved in both our formal extracurricular program and informal teacher activities before and after school as well as photos of school related activities. In addition, students attending field trips must have a completed *Field Trip Medical Authorization* form for each field trip they attend.

FIELD TRIPS & FIELD WORK

Field Trips and Field Work are like other school days except that you are learning in a different place. They are an important part of your school's educational program. Your teachers would like all of you to go on these trips. Responsible behavior on field trips is especially important and expected. Serious misbehavior on field trips may result in a loss of field trip privileges or other disciplinary action.

BICYCLES

You must operate your bicycle in a safe manner while you are on school property and elsewhere. If you and your parents/guardians decide that you may ride your bike to school, your parents/guardians are encouraged to review bicycle safety with you, including the proper use of a helmet and the need to obey traffic laws. Your parents/guardians are responsible for your safety when you bike to school. Bicycle racks are provided in a designated area at your school. Bicycles should be locked in the racks. Following these simple rules will help ensure the safety of bicyclists and pedestrians on school grounds. The Andover Public Schools is not responsible for bicycles that are stolen or damaged on school property.

LOST AND FOUND

If you find lost articles, please take them to the Main Office so that they can be claimed. If you lose something, please check the lost and found box. Items that remain in the "lost and found" box for a long period will be donated to a charitable organization. Also, it is not a good idea to bring valuables or large sums of money to school because the school cannot be responsible for any lost items. Keep your locker locked at all times and do not share your locker combination with others.

SCOOTERS, SKATEBOARDS AND LONG BOARDS

Students may not use scooters, skateboards, or long boards during school hours. There is no adequate space to store them.

PASSES

In order to run our school efficiently and safely, your teacher and other staff members need to know where you are during the day. Therefore, whenever you are out of your class for any reason, you must ask for a pass from your teacher. This includes visits to areas such as the clinic, Social Workers' Office, the Media Center, and the bathrooms. No one should be in the corridor during class time without a pass.

LOCKERS

Lockers are permanent parts of the building, they are only on loan to you, and you are expected to keep them in good, clean, and usable condition (free of stickers, pictures, or posters on the inside or outside). Being school property, they are subject to periodic inspection throughout the year. School personnel may open, search, and inspect a locker at any time. You should use only the lockers assigned to you and should not give your combinations to other students. It is your responsibility to be sure your lockers are **securely locked at all times**.

FIRE/EMERGENCY/LOCKDOWN DRILLS

Fire and emergency drills are conducted several times each year to prepare us to evacuate the building quickly and safely should this ever become necessary. A fire or emergency drill is a serious matter; when the alarm rings; neither you nor your teacher knows whether it is ringing for "just a drill" or for a real emergency. These rules and exit routes regarding drills are posted in each room.

The most important rule to remember and observe is WALK SINGLE FILE WITHOUT TALKING. When you leave the building for a fire/emergency drill, move off the walkways and onto the grassed areas. It is important that the fire and emergency equipment have free access to the roads and walkways. Once you are outside, you should remain with your teacher and your class.

Emergency and Lockdown drills may also be conducted periodically to practice what to do if an intruder is in the school building. During emergency and or lockdown drills, students remain in (or return to) classrooms and follow teachers' instructions.

SENIOR CENTER

Doherty students only: The area directly in front of the Senior Center is not a place to loiter before or after school.

VISITORS

Visitors must register in the Main Office before going anywhere in the school. It is required that any people not assigned to Doherty receive authorization from the principal to be in the building. Students who would like to bring a "guest student" to school for a visiting day must ask permission at least one day in advance. If permission is granted, you will need to bring your guest with you to the Main Office before the start of homeroom on the day of the visit. Also, on the day of the visit, you will need to show us written permission from your parents/guardians.

An invitation by school staff must be extended in order to observe classes, to visit teachers or to participate in assemblies. Visits must be scheduled with the principal at least one day in advance. The school administration has the discretion to grant or deny access to visitors.

DANCE AND SOCIAL REGULATIONS

Our Middle Schools sponsor socials and dances during the school year. Sixth grade socials take place in the afternoon at Doherty and West Middle Schools and in the early evening at Wood Hill Middle School. **Dances occur from 6:30 p.m. to 9:00 p.m.** Entrance to the evening dances at the middle schools are as follows:

Doherty Middle School - through the front doors
West Middle School - through the doors that lead to the auditorium lobby
Wood Hill Middle School - through the cafeteria door.

Safety Precautions for Socials and Dances

1. Students may not leave early from the event unless a parent comes into the building and notifies the staff in charge of the event that they have come to pick up their child. Students may not return to the dance once they leave. Parents/guardians may only pick up their own child.
2. All coats worn to the dances will be kept in a separate room for the evening.
3. Students should not wear expensive jewelry and/or bring large amounts of money to dances or socials.
4. Only students who are currently enrolled at the school where the social/dance is being held, will be admitted to that school's socials/dances.
5. Parents/guardians should pick up students promptly at the end time of the event. Please do not arrange for your child to call you to be picked up after the event is over.
6. Students are not permitted to use their cell phone or any electronic device to take pictures or videos at a social or dance as a preventive measure to prevent bullying or cyber-bullying through transmission. Students will be disciplined in accordance with the Code of Conduct.

Behavioral Expectations

1. Appropriate *school-time* dress and behavior are expected.
2. NO slam dancing or body surfing is allowed.
3. Please do not bring food or drink to dances or socials.

Consequences

1. Individuals who seriously misbehave will be removed from the dance or social and their parents/guardians will be called to pick them up. Detentions or suspension will be assigned for certain behaviors.
2. Excessive or habitually inappropriate behavior will lead to that student being barred from future dances or socials. In some cases, more serious consequences could result.

SAFEKEEPING OF MONEY

It is never fun to lose money. You should never bring more money to school than is needed for the day. However, if it should be necessary to bring a large sum of money, take it to the office to be placed in the safe until dismissal time.

FORGOTTEN ITEMS - PERSONAL MESSAGES

The school makes an effort to keep classroom interruptions to a minimum. Therefore, we ask parents/guardians not to expect the school to deliver forgotten items/messages during the school day unless it is an emergency. If necessary, please drop off forgotten lunches/items on the table in the cafeteria. Please make sure the child's name and grade are clearly noted. In some situations, the afternoon announcement time can be used to have students report to the Main Office to pick up messages.

Students are to refrain from making phone calls during the school day. If a student needs to use a telephone (office phone or cell phone), students must have specific permission from their teacher or office to do so. Making phone

calls during the school day without authorization from a faculty member may result in disciplinary action (see Student Discipline). Phone calls should be made only for emergencies. Calling a parent for permission to go home with a friend is not an emergency.

The office phone may be used only to call Andover land-line numbers (not cell phones), so that no charge is incurred. The office reserves the right to refuse access to “frequent flyers.”

CELL PHONES, IPODS, ELECTRONICS, ETC...

Cell phones, iPods, and other personal electronic devices are not to be worn or carried in or around the school. **If you bring such items to school, they must be turned off and put in lockers at the start of the school day.** The Andover Public Schools is not responsible for lost, stolen, damaged, or broken devices. Student use of CELL PHONES for *texting, talking, using applications, accessing social media services and websites, and accessing the internet* during the school day serves as a significant distraction/disruption to academics. If parents/guardians should urgently need to reach you during the school day, please ask them to call the main office to leave a message for you. *If a staff member needs to confiscate a cell phone, a parent must accompany you to retrieve it from an administrator in the main office.*

CORI and VOLUNTEERS

Mass. Gen. L. c. 71, section 38R requires school districts to conduct criminal background checks on volunteers of the school department who may have direct unmonitored contact with students. Therefore, parents/guardians of students who wish to volunteer must complete a request for Criminal Offender Record Information (CORI) form prior to volunteering. Andover reserves the right to accept or reject volunteers. Questions about CORI may be directed to the Human Resources Dept. of Andover Public Schools or to the Criminal History Systems Board.

The Andover Public Schools will consider the participation of parent volunteers on a case-by-case basis. All prospective parent volunteers should familiarize themselves with the School Committee Policies regarding fingerprinting and background checks (including criminal history checks) which may be found on the School Committee’s website. The Andover Public Schools may exercise its judgment in determining whether to conduct discretionary fingerprint-based background checks (i.e., for volunteers and subcontractors or laborers who might have direct and unmonitored contact with children). Factors considered would include likelihood of direct and unmonitored contact, duration of potential contact (including but not limited to chaperones on overnight field trips) and/or the ability of the representatives of the Andover Public Schools to limit potential for unmonitored contact (including but not limited to by means of escorting, physical separation, and/or restrictions on hours of access to school facility). For specific information about Andover’s adaptation to this law, please visit the School Committee Policy ADE entitled “Fingerprint-Based Criminal History Record Information (CHRI) Checks Made for Non-Criminal Justice Purposes” at www.aps1.net.

ACADEMIC HONOR CODE

We expect all students to do their personal best when completing homework assignments and when taking tests and quizzes. It is our expectation that students will not copy the work of others, cheat on tests or be involved in behaviors that compromise the integrity of the educational process.

Andover Middle Schools believe that all students and faculty must conduct their work in ways that demonstrate a commitment to intellectual honesty and a code of honor. The Academic Honor Code is intended to uphold character within the middle schools’ academic communities and is used not only as a learning tool, but also a way to address, discipline and remediate offenders. Students are expected to refrain from all types of cheating, including, but not limited to, the following: (1) taking a test in a dishonest way;

(2) intentionally using or closely imitating the language and ideas of another person and representing the work as one's own; and (3) perpetrating fraud or deceit within the learning community.

Students breaking our Academic Honor Code will be disciplined according to the severity of the offense.

TEAMS

Our teachers wish to be able to help you do well in your major job, which is learning. Having teams provides us with a great way to do this. Therefore, you will be placed on a team and become a member of that team, just as you are a member of your family at home. Your English, mathematics, science, social studies, and special education teachers are the adult members of your team and meet regularly to plan academic activities and to assure that you are achieving to the best of your potential. Thus, your teachers will get to know you much better just as you will get to know them better, and from this you will have a sense of truly belonging to a family group at school.

EXTRA HELP

Your teachers will be glad to help you after school with work. If you wish to get extra help, please make a definite appointment with your teacher and be sure to keep it. Each teacher has one afternoon that is set aside for extra help. Sometimes teachers have other duties and responsibilities after school, so you will have to adjust your schedule to theirs if you wish to get extra help. Don't wait until you feel hopelessly lost in a subject to seek extra help. Instead, seek out extra help as soon as you feel you may need it.

DIGITAL LEARNING COMMONS (formerly known as 'Library/Media Center')

The Digital Learning Commons (DLC) is both an important part of your school life and an integral support component of the total instructional process. It is a ready reference source. On the shelves are books ranging from teenage stories to explanations of complicated scientific theories. There are many sets of reference books and a variety of magazines and periodicals that may be used in the DLC. There are also computers and iPads that may be used for assignments or on your own initiative to broaden your knowledge.

The DLC is a place to extend the parameters of your learning universe. You will become an expert at using all sources print and non-print. From the DLC you can access on-line data bases, encyclopedias and Memorial Hall Library to locate information. The DLC is the heart of the school and the skills acquired in this environment will enable you to become a life-long learner.

HEALTH SERVICES

Of course you will not come to school if you know you are ill, but it is good to have a place to go if you become sick or injured during school hours. The nurse will administer first aid for all minor injuries received at school. Should the injury be more serious, the nurse will notify your parents/guardians; if she cannot reach your parents/guardians, she will call the person listed on the emergency medical registration form. If no other course of action is possible the nurse will have you taken to the hospital. If you become so ill at school that you must go home, the nurse will call your parent to pick you up or arrange for another adult to do so. You can see that it is important to keep your emergency data up-to-date. You should also feel free to talk with the nurse about any health or related problems.

MEDICATIONS

You should make every effort to take medication, including over-the-counter medication, at home. At school, you will not be allowed to take your own medication or carry medication without specific orders stating this fact from your licensed prescriber and the school nurse.

If you must take medication during school hours, please see our school nurse, for the appropriate forms.

SCHOOL INSURANCE

As a service, the school allows an insurance company to make low-cost accident insurance available to students. The school, however, accepts no responsibility as to the coverage of the insurance and is in no way connected to the company.

EXTRACURRICULAR ACTIVITIES, CLUBS, & INTRAMURALS

School consists of much more than sitting in classes to gain knowledge. Because we know that all of you have a variety of hobbies and interests, we offer students many clubs and activities during the school year. Most of these meet after school, but some meet before school. Hopefully, one or more will appeal to you so that your school experience will be well rounded and lots of fun besides!

Offerings vary from year to year. Some examples from past years are as follows: Kids for Kids, Scrabble Club, Newspaper, Writing Club, Art Club, Yearbook, Math Team, Foreign Language Clubs, Adventure Club, Drama, Student Government, Ultimate Frisbee, Kids on the Block, and Zone Activities, Soccer, Floor Hockey, Softball, Track, Volleyball, and Basketball,

A flyer of fall offerings is published for your review early in the year.

In order for you to participate in our clubs and activity program, your family must take two steps:

- 1) Sign a form that verifies that your family understands the district-wide policy on school liability; and
- 2) The extracurricular activities, clubs, and intramurals are offered through a fee-based program. Families must pay a \$125.00 activity user fee to participate in activities. We accept only check or money orders for payment. Please make checks payable to “Andover Public Schools.” Any issue regarding financial hardship should be brought to the attention of the principal, and it will be handled in confidence.

STUDENT TIPS FOR A SUCCESSFUL YEAR

The following list was compiled by middle school students:

1. Cooperate with staff and friends; discuss issues and problems
2. Do your homework
3. Pay attention; follow directions
4. Do your best to get along with classmates
5. Stay away from drugs

6. Be a good listener; talk when no one else is talking
7. Be honest; tell the truth
8. Follow school rules
9. If someone bothers you, go to your teacher, your principal or assistant principal for help
10. Follow the teachers' guidelines for classroom behavior
11. Come to school clean (body, clothes, hair)
12. Keep rude words to yourself
13. Protect school property; write only on acceptable places and things
14. Return things to school (forms, notes)
15. Bring all needed materials to school
16. Help plan activities and you will get more involved
17. Walk in halls; do not run because you may hurt someone
18. Do not fool around with the Internet
19. Keep floors picked up; after all it's your school

STUDENT RIGHTS & RESPONSIBILITIES

STUDENT RECORDS

Description:

A student's student record consists of all information kept by the school and organized in a manner such that they may be individually identified. The student record includes both the Permanent Record (the transcript) and the Temporary Record (the remaining documents). The transcript shall contain the minimum data necessary to reflect the student's educational progress. This data shall be limited to the student's name, address and phone number; birth date; the name, address, and phone number of parent/guardian; course titles, grades (or the equivalent when grades are not applicable), course credit, grade level completed, and the year completed.

The Temporary Record contains the majority of student information about the student maintained by the school. This record may include information such as standardized test results, MCAS scores, extracurricular activities, and evaluations by teachers, counselors or other school staff.

Student Record: Destruction of Records

Following a student's withdrawal, transfer, or graduation from the Andover Public Schools, the only document that will be kept on file by Andover Public Schools will be the Transcript/Permanent Record, which must be kept by the school system for at least sixty (60) years after the student leaves the system. While the student remains enrolled in the Andover Public Schools, their Permanent Record and Temporary Record will be maintained by the school in which they is currently enrolled. The student record will follow the student if they transfers to or advances to another school in the district.

Upon the student's withdrawal, transfer, or graduation from Andover Public Schools they will be given notice at that time of the right to obtain the Temporary Record and that, should they not obtain it, it will be destroyed by a specified date (which by law must be within seven (7) years of withdrawal, transfer, or graduation). Since there may be some information contained within the folder, such as the student's Health Record, which may be of value in the future, it is suggested that the student obtain the Temporary Record at that time and that the student make and keep duplicate copies. If the student received any special education services while enrolled in the Andover Public Schools, the student may obtain those parts of the Temporary Record from the SPED office.

Student Records: Access by Parents/Guardians and Students

A parent with physical custody of the student or a student who is at least 14 years old (“eligible student”) has the right to inspect and/or copy all portions of the student record upon request. The record must be made available to the parent or eligible student no later than ten days after the request, unless the parent or eligible student consents to a delay or unless the request is made by a non-custodial parent. A reasonable fee may be charged for the cost of copying the record. The parent or eligible student also has the right to amend the student record or to request deletion of certain information. Instruction on how to do this may be obtained from the Principal’s office.

The parent or eligible student may also request to have parts of the record interpreted by a qualified school personnel or may have the student record inspected or interpreted by a third party of their choice. Such third party shall present specific written consent of the parent or eligible student prior to gaining access to the student record.

Student Records: Access Procedures for Non-custodial Parents/Guardians

State law mandates standard procedures for making student records available to a non-custodial parent. Under MGL, Chapter 71, Section 34H, a non-custodial parent is one who does not have physical custody of their child. **Such parent must submit a written request to the school principal annually in order to obtain a copy and/or access to their child’s record.**

For more information about making this type of request, contact the Principal’s office.

Student Records: Access by Third Parties

With a few exceptions, information in a student’s record will not be released to a third party without the written consent of the parent having physical custody of the student or of the eligible student. These exceptions are set forth in the federal statute “FERPA”, 20 U.S.C., § 1232g and 34 CFR Part 99, and in the Massachusetts regulations, 603 CMR 23.00 (School Committee Policy JRA-R at www.aps1.net). In addition, the following information will be released as a routine matter unless the parent or eligible student follows the objection process set forth at the end of this section.

Directory Information: a student’s name, address, telephone listing, date and place of birth, major field of study, dates of attendance, weight and height of members of athletic teams, class, participation in officially recognized activities and sports, degrees, honors and awards, and post-high school plans.

If a parent or eligible student does not want Directory Information released, they must so notify the Principal’s office in writing no later than September 16 of each year in which the student is enrolled in the school. Otherwise, said information will be released.

HOMELESS STUDENTS

Under the McKinney-Vento Homeless Education Assistance Act, every student without a permanent home has a right to an education and to educational services e.g. special education, and Title I programs. Students will not be segregated based on their homeless status and will be immediately enrolled, even though they do not have the documents typically required for enrollment in their possession. A homeless student may also remain in their school of origin until the end of the school year in which they obtain housing and may be entitled to transportation to the school. Questions regarding the rights of homeless students and the obligations of the school district with respect to such students should be directed to the building principal.

HARASSMENT

The Andover Public Schools maintains a positive school atmosphere conducive to learning and free from all forms of harassment. Each school also follows the mandates of the Andover Public Schools' policy pertaining to harassment. As such, the following individuals have been appointed complaint managers for each of the Middle Schools. The Andover School Committee's Harassment Policy and complaint managers for each school are listed below:

Doherty Middle School

TBD

West Middle School

Mr. David Hughes, Social Worker

Wood Hill Middle School

Mr. Jim Saalfrank, Physical Education Teacher

Ms. Stacy Consiglio, Health Education Teacher

HARASSMENT POLICY ANDOVER PUBLIC SCHOOLS

Harassment Prevention & Response

Policy Preamble: The Andover School Committee is committed to the prevention of harassment based upon sex, race, color, national origin, religion, age, disability, gender identity or sexual orientation. This policy has been developed to ensure that the educational opportunities of all students, and the employment conditions of all employees, are not threatened or limited by such harassment, and to ensure that individuals are free to work, learn, and develop relationships without fear of intimidation, humiliation or degradation.

This policy defines: unlawful and prohibited conduct; reporting and investigation procedures; and disciplinary sanctions. It shall be a violation of this policy for any employee or student of the Andover Public Schools to harass another employee, adult member of the school community, student, applicant for employment or other person with business to conduct with the Andover Public Schools, through conduct and communications as defined below. It shall also be a violation of this policy for students to harass other students or staff through conduct or communications of a harassing nature as defined below.

Unlawful and Prohibited Conduct Defined: Unlawful and prohibited conduct includes, but is not limited to, actions which are related to a person's sex/gender, race, color, national origin, religion, age, disability, gender identity or sexual orientation when such actions are unwelcome and unsolicited by the recipient.

Harassment based on a person's race, color, national origin, religion, age, disability or sexual orientation consists of conduct that:

1. Has the purpose or effect of creating an intimidating, hostile or offensive work or education environment;
2. Has the purpose of substantially or unreasonably interfering with a person's work or academic performance;
3. Or otherwise adversely effects a person's academic standing or employment opportunities.

Sexual/Gender Harassment: Unlawful and prohibited conduct, consisting of unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, or other verbal or physical conduct, or communication of a sexual nature when:

1. Submission to, or rejection of, such conduct or communication is made explicitly or implicitly a term or condition of employment, or education or academic achievement;
2. Or, submission to, or rejection of, such behavior is used as a basis for employment or academic decisions;
3. Or, such behavior unreasonably interferes with an individual's work or academic performance, or creates an intimidating, hostile, humiliating, or offensive work or educational environment.

Examples of prohibited behaviors shall include, but not be limited to, the following examples:

-Verbal conduct: name calling, teasing, jokes or other derogatory or dehumanizing remarks, by an individual or group as in verbal bullying;

-Physical contact: unwelcome touching of a person or person's clothing or any other act of intimidation or bullying;

-Written conduct: notes, cartoons, calendars, graffiti, offensive or graphic posters, pictures, book covers, drawings, computer terminal messages of an offensive nature, or designs on clothing meant to offend another on the basis of gender, race, color, national origin, age, disability or other identifying characteristic; and inclusive of writing placed on school property or the display or circulation of written materials or pictures derogatory to either gender, an individual's sexual orientation, or race, color, religion, disability, and national origin.

-Visual conduct: suggestive looks, leering, gesturing of a suggestive nature;

-Blackmail: as in behavior with the intention to control another individual's scholastic achievement or employment status;

Responsibilities: All students, teachers, administrators, and other personnel of the Andover Public Schools are responsible for creating and maintaining an environment that is free of harassment and other offensive behaviors and for conducting themselves in a manner consistent with the spirit and intent of this policy and in cooperating with any investigation of alleged harassment.

The Andover Public Schools is responsible for the dissemination of this policy and training. The responsibilities will ensure:

1. That this policy shall be conspicuously posted throughout each school building in areas accessible to students and staff;
2. This policy shall appear in the student handbook;
3. The school district will develop a method of discussing this policy with students and employees;
4. The district will appropriately train administrators and others who are assigned and responsible to implement the procedures of this policy;
5. What one person might consider as acceptable behavior may be viewed by another as harassment. It is, therefore, suggested that a person make clear to the harasser that the behavior is offensive.
6. What constitutes harassment is based upon reasonable perceptions of the complainant rather than the intent of the alleged harasser.
7. This policy will be reviewed for compliance with state and federal law.

The subject of harassment should report alleged violations of this policy to the appropriate personnel in accordance with the guidelines and procedures that accompany this policy.

Reporting Harassment

Students

Students who believe that they are victims of harassment should report such occurrences to a teacher, counselor, or administrator who will in turn notify a complaint manager, or students may report directly to complaint managers. Notice of each school's complaint managers, whose role is defined below, will be posted in a prominent location in each school.

Employees

All Andover School System employees must respond to student's complaints of harassment by notifying the building principal or appointed complaint managers. In a case where a student complains of harassment by a teacher or another school department employee, the complaint must be investigated by a building administrator and/or the human resources director.

All student complaints of harassment, including sexual harassment, must always be taken seriously. Employees who believe that they are victims of harassment should report such occurrences to the most appropriate of the following potential complaint managers: their immediate or system-wide supervisor, the school building principal, a building administrator, the Director of Human Resources, or the Superintendent of Schools.

Investigation and Corrective Action

The Andover Public Schools will investigate all complaints of harassment. Such investigation may include discussions with all involved parties, identification and questioning of witnesses, and other appropriate actions. Reports of sexual harassment and related information will be kept confidential to the extent consistent with the school's obligations under law.

Each building principal will appoint two or more complaint managers, at least one of each gender. The complaint managers shall be responsible for investigating complaints of harassment, communicating the

investigatory findings to the Hearing Officer, and recommending discipline as a consequence of harassment. In a case between a student and an adult, the building principal or another building administrator will act as the complaint manager. In a case involving two or more employees, a building administrator and/or the director of human resources will assume the role of the complaint manager. In a case involving a building administrator or principal, the director of human resources will act as a complaint manager. Complaint managers will attend training sessions and workshops as directed. Notice of each school's complaint managers will be posted in a prominent location in each school.

If the Andover Public Schools determines that harassment has occurred, it will take appropriate action to end the harassment. Steps which may be taken include, among others, an apology, direction to stop the offensive behavior, counseling or training, warnings, suspensions, exclusion from school-related activities, transfer, remediation, long-term suspension from school or termination from employment

Disciplinary action will be consistent with the requirements of applicable collective bargaining agreements, Massachusetts and federal laws, and school district policies. Any staff member or student who is dissatisfied with the results or progress of the school's investigation may discuss their dissatisfaction directly with the building principal or the Superintendent of Schools at the School Administration Building, 36 Bartlet Street, Andover, MA 01810, (978-623-8501) or the Director of Human Resources, at the same location, (978-623-8530), or their designee.

Retaliation

The school administration will discipline or take appropriate action against any student, teacher, administrator, or school personnel who retaliates in any form against a person who makes a complaint or reports or participates in an investigation of a harassment complaint. Acts of retaliation may result in immediate disciplinary action up to and including long-term suspension from school or dismissal from employment, even if underlying harassment is not proven. Retaliation is an independent prohibited and unlawful act.

Investigation of Child Abuse

Under certain circumstances, harassment of a student may constitute child abuse under Massachusetts Law, M.G.L. Ch. 119, Section 51A. The Andover Public Schools will comply with Massachusetts Law in reporting suspected cases of child abuse. The Andover Public Schools will report suspected criminal activity to the local police.

Right to Alternative Complaint Procedures

These procedures do not deny the right of any individual to pursue other avenues of recourse which may include filing charges with the Massachusetts Department of Education, 350 Main Street, Malden, MA 02148, (781-388-3300); Massachusetts Commission Against Discrimination, Boston Office, One Ashburton Place, Boston, MA 02188, (617-727-3990); Equal Employment Opportunity Commission, 10 Congress Street, Boston, MA 02114, (617-565-3200); and the Office of Civil Rights of the U.S. Department of Education, J.F.K. Federal Building, Room 1875, Boston, MA 02203, (617-565-1340); initiating civil action or seeking redress under criminal statutes and/or federal law.

Legal References:

Title VII of the Civil Rights Act of 1964

Title IX of the Education Amendments of 1972

Massachusetts General Laws: c.151B (prohibiting employment discrimination based on gender); c.214s.1C (right to be free from sexual harassment); c.76 s.5 prohibiting educational discrimination in public schools);

c.265 s.43 (prohibiting stalking); c.269 s.17 (prohibiting hazing); c.119, s.51A (reporting of suspected child abuse). Other relevant statutes and case law.

Approved December 3, 1996

Vote: 5 to 0

Chairman, Andover School Committee (Revised 08/01/00)

NON-DISCRIMINATION STATEMENT

The Andover Public Schools is committed to equal education opportunity for all students. It is the goal of the Andover Public Schools to maintain a school environment free of harassment and/or discrimination based on race, color, religious creed, national origin, sex, sexual orientation, age, ancestry, disability, gender identity, veteran status, genetic information, homelessness or any other class protected by state or federal law.

The Andover Public Schools will not tolerate discrimination or harassment in any of its schools, including any school programs, services or activities. The Andover Public Schools is committed to equal opportunity in school admission, admissions to courses, course content, guidance, and extracurricular and athletic activities. The Andover Public Schools does not discriminate in admission to its schools, access or treatment in its services, programs and activities for any student.

To file a complaint alleging discrimination or harassment by the Andover Public Schools on the basis of any protected class, please contact:

Dr. Julie Riley, Assistant Superintendent of Schools 978/247-7025
Andover Public Schools, 30 Whittier Court, Andover, MA 01810

or

Ms. Jessica Porter, Director of Human Resources 978/623-8500
Andover Public Schools, 30 Whittier Court, Andover, MA 01810

Inquiries concerning the applicability of the law to the Andover Public Schools may also be referred to the U.S. Department of Education, Office for Civil Rights (OCR), JW McCormack POCH, Boston, MA 02109-4557, telephone 617/223-9662, TTY 617/223-9695. Concerns relating to the implementation of the Massachusetts Equal Educational Opportunity Law (M.G.L. c.76 s.5) may be directed to the Massachusetts Department of Education, Program Quality Assurance, 350 Main Street, Malden, MA 02148, 781/338-3700.

Instead of filing a complaint with the Andover Public Schools, a complaint may be filed directly with OCR within 180 days of the alleged discrimination or harassment. In addition, a complaint may be filed within OCR within 60 days of receiving notice of final disposition of the complaint by the Andover Public Schools, or in certain instances, within 60 days of receiving a final decision from the Bureau of Special Education Appeals (BSEA). Please note that a complaint filed with OCR is limited to issues of discrimination and harassment. OCR has no jurisdiction over compliance with state and federal special education laws.

GRIEVANCE PROCEDURES FOR DISCRIMINATION VIOLATIONS

Any student or school employee who feels that they has been discriminated against because of race, color, religious creed, national origin, sex, sexual orientation, age, ancestry, disability, gender identity, veteran status, genetic information, homelessness or membership in any other class protected by state or federal law with regard to admission to, access to, treatment in or employment in its services, programs and activities should utilize the following procedure to register a grievance:

1. Students or employees should submit any allegations of discrimination in writing to their building principal for consideration. The complaint should specify the nature of the complaint in detail.
2. The principal or their designee will investigate the allegations and respond to the complaint in writing within fifteen (15) school days of the receipt of the written complaint.
3. If the matter is not resolved, the complainant may appeal in writing to Grievance Coordinators, the Assistant Superintendent of Schools, or with respect to employment-related issues, the Director of Human Resources. The coordinator will meet with the complainant and respond within fifteen (15) school days of receipt of the written complaint.
4. If at the end of ten (10) school days following the written response from the coordinator the matter remains unresolved, the complainant has the right to appeal to the superintendent of schools in writing.
5. The superintendent will investigate the complaint and respond in writing to the complainant within fifteen (15) school days after having received the complaint.
6. If the matter remains unresolved, the complainant my appeal in writing to the school committee within ten (10) school days of the receipt of the superintendent's response. The School Committee will meet within fifteen (15) school days to review and consider the matter. The committee will respond to the complainant in writing within five (5) school days following the meeting.

Since it is important that grievances be processed as rapidly as possible, the number of days indicated at each level should be considered a maximum, and every effort should be made to expedite the process.

ANTI-BULLYING IN SCHOOLS POLICY

A safe learning environment is one in which every student develops emotionally, academically, and physically in a caring and supportive atmosphere free of intimidation and abuse. Bullying of any type has no place in a school setting. The Andover Public Schools will endeavor to maintain a learning and working environment free of bullying. The Andover School Committee and all of the Andover Public Schools shall not tolerate bullying.

Definitions:

“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 themselves or of damage to their 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.

“Cyber-bullying” is bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications. Cyber-bullying shall also include (i) the creation of a web page or blog in which the creator assumes the identity of another person or (ii) the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying. Cyber-bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying.

Where the term “bullying” is used in this document, it is intended to encompass both “bullying” and “cyber-bullying” as defined above.

Policy:

Bullying shall be prohibited: (i) on school grounds, 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 (ii) 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 bullying creates a hostile environment at school for the victim, infringes on the rights of the victim at school or materially and substantially disrupts the education process or the orderly operation of a school. Nothing contained herein shall require schools to staff any non-school related activities, functions, or programs.

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

The school district shall provide age-appropriate instruction on bullying prevention in each grade that is incorporated into the curriculum of the school district or school. The curriculum shall be evidence-based.

The school district shall develop, adhere to and update a plan to address bullying prevention and intervention in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents and guardians. The consultation shall include, but not be limited to, notice and a public comment period. The plan shall be updated at least biennially.

The plan shall include, but not be limited to: (i) descriptions of and statements prohibiting bullying, cyber-bullying and retaliation; (ii) clear procedures for students, staff, parents/guardians and others to report bullying or retaliation; (iii) a provision that reports of bullying or retaliation may be made anonymously; provided, however, that no disciplinary action shall be taken against a student solely on the basis of an anonymous report; (iv) clear procedures for promptly responding to and investigating reports of bullying or retaliation; (v) the range of disciplinary actions that may be taken against a perpetrator for bullying or retaliation; provided, however, that the disciplinary actions shall balance the need for accountability with the need to teach appropriate behavior; (vi) clear procedures for restoring a sense of safety for a victim and assessing that victim’s needs for protection; (vii) strategies for protecting from bullying or retaliation a person who reports bullying, provides information during an investigation of bullying or witnesses or has reliable information about an act of bullying;

(viii) procedures consistent with state and federal law for promptly notifying the parents/guardians of a victim and a perpetrator; provided, further, that the parents/guardians of a victim shall also be notified of the action taken to prevent any further acts of bullying or retaliation; and provided, further, that the procedures shall provide for immediate notification pursuant to regulations promulgated under this subsection by the principal or person who holds a comparable role to the local law enforcement agency when criminal charges may be pursued against the perpetrator; (ix) a provision that a student who knowingly makes a false accusation of bullying or retaliation shall be subject to disciplinary action; and (x) a strategy for providing counseling or referral to appropriate services for perpetrators and victims and for appropriate family members of said students. The plan shall afford all students the same protection regardless of their status under the law.

The plan shall include a provision for ongoing professional development to build the skills of all staff members, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities and paraprofessionals, to prevent, identify, and respond to bullying. The content of such professional development shall include, but not limited to: (i) developmentally appropriate strategies to prevent bullying incidents, (ii) developmentally appropriate strategies for immediate, effective interventions to stop bullying incidents; (iii) information regarding the complex interaction and power differential that can take place between and among a perpetrator, victim, and witness to the bullying; (iv) research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment; (v) information on the incidence and nature of cyber-bullying; and (vi) internet safety issues as they relate to cyber-bullying.

The plan shall include provisions for informing parents/guardians about the bullying prevention curriculum of the school district or school and shall include, but not be limited to: (i) how parents/guardians can reinforce the curriculum at home and support the school district or school plan; (ii) the dynamics of bullying; and (iii) online safety and cyber-bullying.

The school district shall provide to students and parents/guardians, in age-appropriate terms and in the languages which are most prevalent among the students, parents/guardians, annual written notice of the relevant student-related sections of the plan.

The school district shall provide to all school staff annual written notice of the plan. The faculty and staff at each school shall be trained annually on the plan applicable to the school. Relevant sections of the plan relating to the duties of faculty and staff shall be included in employee handbooks. The plan shall be posted on the district's website.

Each school principal or the person who holds a comparable position shall be responsible for the implementation and oversight of the plan at their school. A member of a school staff, including, but not limited to, an educator, administrator, school nurse, secretary, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional, shall immediately report any instance of bullying or retaliation the staff member has witnessed or become aware of to the principal or to the school official identified in the plan as responsible for receiving such reports or both. Upon receipt of such a report, the school principal or a designee shall promptly conduct an investigation. If the school principal or a designee determines that bullying or retaliation has occurred, the school principal or designee shall (i) notify the local law enforcement agency if the school principal or designee believes that criminal charges may be pursued against a perpetrator; (ii) take appropriate disciplinary action; (iii) notify the parents/guardians of a perpetrator; and (iv) notify the parents/guardians of the victim, and to the extent consistent with state and federal law, notify them of the action taken to prevent any further acts of bullying or retaliation.

If an incident of bullying or retaliation involves students from more than one school district, the school district or school first informed of the bullying or retaliation shall, consistent with the state and federal law, promptly notify the appropriate administrator of the other school district or school so that both take age appropriate action. If an incident of bullying or retaliation occurs on school grounds and involves a former student under the age

of 21 who is no longer enrolled in the local school district, the school district informed of the bullying or retaliation shall contact law enforcement.

Whenever an evaluation of an Individualized Education Program team indicates that a child has a disability that affects social skills development or that a child is vulnerable to bullying, harassment or teasing because of that child's disability, the Individualized Education Program shall address the skills and proficiencies needed to avoid and respond to bullying, harassment or teasing.

ANTI-BULLYING: AGE-APPROPRIATE SUMMARY AND INSTRUCTION

Bullying Prevention

1. Be kind to each other.
2. Do not use words that would cause a classmate to feel sad, upset, or ashamed.
3. Keep your hands to yourself. Do not hit, kick, punch, pinch, or touch another student. Never touch another student in a way that might hurt them.
4. Consider other people's feelings at all times before you speak. Try your best not to hurt others' feelings.
5. Do not say or do anything to threaten another student.
6. Do not do or say anything that would make another student scared.
7. Do not tease, taunt, mock, embarrass, or humiliate your classmates.
8. If you are being bullied, tell an adult right away.
9. If you know another student is being bullied, tell an adult right away.
10. Review and follow our anti-bullying policy above.
11. If you bully another student, you will be disciplined, up to and including long-term suspension from school.

Cyber-bullying Prevention

1. Do not write anything in an email, text, tweet, Facebook post, or in any other electronic forum that you would not say out loud for everyone to hear. Remember, these written messages are out of your control once you send or post them, and they may continue to exist long after you have deleted your copy.
2. Follow the rules above under "bullying" and apply them to electronic communications.
3. Remember that only one text, tweet, email, Facebook post, etc. may be cyber-bullying. We encourage parents/guardians and students to read Appendix K together to ensure that they both understand that various definitions of cyber-bullying.
4. If you are being cyber-bullied, tell an adult right away.
5. If you know another student is being cyber-bullied, tell an adult right away.
6. Review and follow our anti-bullying policy above (it includes cyber-bullying).
7. If you engage in cyber-bullying, you will be disciplined, up to and including long-term suspension from school.

At the middle school level, the APS provides age-appropriate instruction regarding bullying and cyber-bullying to students in grades 6-8 primarily through the middle school health curriculum which is taught at grades 6, 7, and 8; grade level and team discussions and presentations, programs offered by the middle school social workers, assemblies and special programs. Bully prevention lessons include lessons on the definitions of bullying, cyber-bullying, hazing, bystanders, and retaliators; understanding mental health issues, building resiliency, suicide prevention, healthy relationships, and violence abuse prevention with an emphasis placed on learning responsible decision-making skills. The curriculum and programs focus on setting limits in relationships, sexual orientation and harassment/violence prevention. Again, the overall emphasis is placed on building self-esteem and resilience, making responsible decisions, and developing coping skills.

Students and parents/guardians should be aware that the definitions of bullying and of cyber-bullying are quite broad and include the following:

Bullying is the repeated use by a student 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 written, verbal, or electronic expressions or physical acts or gestures which are directed at a target and which: (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 himself/herself or of damage to their 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.

Cyber-bullying, may take many forms, including:

1. the use of electronic technology, such as emails, social media, the internet, cell phones/cameras, and texting, in a way which constitutes bullying;
2. the creation of a web page or blog in which the creator assumes the identity of another person if the creation or impersonation creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying above;
3. the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying above;
4. the distribution by electronic means of **a communication** to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying above. Note that this type of cyber-bullying requires only **one communication** sent to multiple people or posted where multiple people can access it. Students should be aware of the dangers of group texts and group emails, as well as posts on social media sites. A single post, text, "tweet", email, etc. may, under certain conditions described in this section, constitute cyber-bullying.

Students should understand that teasing, taunting, mocking, and other behaviors that are intended to humiliate, ostracize, embarrass or degrade other students will not be tolerated. If any student or parent would like additional information regarding the middle school curriculum or the details of APS's anti-bullying policy or its Plan, they should contact the main office at their school.

STUDENT DISCIPLINE

Students are expected to behave in such a way that is conducive to learning. As such, the proper school and classroom atmosphere, in which considerate and caring behavior towards others is expected and modeled, supports an appropriate school environment. Cooperation between home and school is an important component in achieving this outcome.

This Middle School Handbook was developed as an outgrowth of parents/guardians, students, and teachers working together to design fair and consistent school-wide expectations. The school community will highlight and applaud positive attempts to uphold this code. The list of behavioral infractions included in this handbook is not comprehensive; it offers only examples of inappropriate or unacceptable behaviors. When school rules are abused or broken at school or at school-related and/or school-sponsored events appropriate consequences will follow. These range from warnings to disciplinary actions to expulsions from school, when authorized by statute. While we have stated possible consequences for certain behavioral infractions, the staff and administration has sole discretion to determine the consequence of each behavioral infraction.

CODE OF CONDUCT AND DISCIPLINARY PROCEDURE

INTRODUCTION

This section of the Handbook provides a summary of rights and procedures which govern how and when a student may be disciplined. Attached in the Appendix to this Handbook are the text of M.G.L. c. 71, sections 37H, 37H1/2, and 37H3/4, as well as the relevant text of 603 CMR 53.00. This text should be consulted for specific details about a student's rights and the various applicable procedures.

DETENTION

Detention. Detention, or keeping a student after school, is sometimes a necessary consequence for inappropriate actions. There are two kinds of detention: teacher and school/office.

(1) A teacher detention is given for unacceptable behavior within the classroom. The individual teacher will determine the procedure to follow for this kind of detention.

(2) A school/office detention is given for disruptive behavior in the corridor, on the playground, in the cafeteria, at assemblies, or other school areas outside of the regular classroom before, during or after school. School detention can also be assigned to students who have repeatedly created disturbances in classrooms.

Students will be given 24 hours' notice for both teacher and school detentions. In some cases, detentions will be assigned during a student's lunch period and these detentions do not require 24 hours' advance notice. Teachers and administrators can assign one detention or multiple detentions for a single violation. A student's due process rights are not triggered by the imposition of detentions.

Behaviors that may result in detention. The following are only examples of behaviors that may result in a student being assigned a detention (this list is not intended to include all behaviors that may result in detention):

- habitual tardiness
- cutting class
- habitual classroom misbehavior
- throwing items (including ice or snow)
- possession or use of electronic equipment between 7:35 and 2:05 p.m.
- use of skateboards on school grounds
- failure to report after school for a teacher detention
- use of profanity and/or obscene language or gestures
- disruptive behavior in and around the school
- possession of toys which disrupt the educational process
- unauthorized use of a cell phone in the school building

Appeal of Detention. If the detention was imposed by the Assistant Principal, the student may appeal the detention in writing to the Principal. The appeal must be made within one (1) school day of the student's receipt of notice of the detention. If the detention was imposed by a teacher, the student may appeal the detention in writing to the Assistant Principal. The appeal must be made within one (1) school day of the student's receipt of notice of the detention. An appeal of a detention does not stay the discipline, but may result only in the expunging of it from the student's record in the event the discipline is overturned. Students have no appeal rights with respect to detentions other than those described in this section.

SUSPENSION

In-School Suspension. In-School Suspension is a temporary exclusion from the activities of the regular classroom when deemed appropriate by the administrator. School work is obtained for the student and the student completes their daily assignment in the main office. All completed assignments are handed back to the respective teachers for grading.

A student who receives in-school suspension for a disciplinary offense is entitled to the following process:

1. The Principal or designee shall inform the student of the disciplinary offense charged and the basis for the charge.
2. The student shall be permitted an opportunity to dispute the charges and to explain the circumstances surrounding the alleged incident.
3. If the Principal or designee determines that the infractions occurred, the Principal or designee shall inform the student of the length of the in-school suspension (not to exceed 10 days).
4. On the same day as the in-school suspension decision, the Principal or designee shall make reasonable efforts to notify the parent/guardian orally of the offense, the reasons for their conclusion, and the length of the in-school suspension.
5. The Principal or designee shall also invite the parent/guardian to a meeting to discuss the incident and the student as soon as possible
6. The Principal or designee shall send written notice of the in-school suspension to the student and parent/guardian on the day the suspension is issued.

Suspension (out-of-school). Suspension is a temporary exclusion from the activities of the regular classroom, accompanied by a temporary exclusion from school when deemed appropriate by the administrator. Under *Goss vs. Lopez*, 419 U.S. 565 (1975), students facing a suspension of ten days or less have interests in their education that qualify them for procedural protections against the unjust deprivation of those interests under the Due Process Clause of the United States Constitution. Students facing a suspension of greater than 10 days have enhanced procedural rights. Massachusetts law authorizes the suspension/removal from school for a maximum of 90 days, with the exception of conduct covered by M.G.L. c. 71, §§ 37H and 37H1/2.

Behaviors that may result in suspension. The following are only examples of behaviors that may result in a student being suspended (this list is not intended to include all behaviors that can result in detention). These behaviors may result in in-school suspension, out-of-school suspension, long-term suspension, short-term suspension or, where noted, indefinite suspension:

- Possession, use or distribution of alcohol.
- Defacing of lockers, walls, or other objects on school property, both inside and outside the building or grounds, by writing names, messages, or drawing on them or use of graffiti.
- Unauthorized leaving of school grounds.
- Assault (i.e. threatening assault, hitting, kicking, slapping, pushing) against fellow students or other members of the school community.
- Damaging, destroying, or stealing personal or school property or attempting to do so.
- Using or possessing tobacco products.
- Possessing combustible materials such as matches or lighters.
- Committing sexual, racial, or any form of harassment or intimidation or retaliation.
- Using abusive, vulgar or profane language.
- Making verbal or physical threats, empty or otherwise.
- Setting off false alarms.
- Defiant behavior towards any school personnel or policy.
- Discharging or attempting to discharge fire safety equipment.
- Fighting.
- Serious misbehavior on a field trip.

- Behavior that endangers others or substantially disrupts the educational process.
- Behavior that encourages another student to substantially disrupt the educational process.
- Possession of or use of firecrackers, fireworks or stink bombs.
- Persistent or excessive truancy and/or tardiness to class and class cutting.
- Habitual misbehavior that has not been resolved after the assignment of school detentions.
- Bullying, bullying participant, including bystander and/or retaliator.
- Cyber-bullying, cyber-bullying participant, including bystander and/or retaliator (remember, a single electronic communication (email, text, post, etc.) may constitute cyber-bullying if it is sent to or may be viewed by more than one person).
- Harassment, harassment participant, including bystander and/or retaliator.
- Hazing, violence, extortion or the threat of hazing, violence or extortion directed towards another student or school personnel, including bystander and/or retaliator.
- Failure to report acts of bullying, cyber-bullying, or hazing, to adult at school.
- Assaulting educational personnel (see M.G.L. c. 71, §37H1/2 in Appendix)(note: this behavior may result in an indefinite suspension or one longer than 90 days).
- Being charged with a felony (see M.G.L. c. 71, §37H1/2 in Appendix)(note: this behavior may result in an indefinite suspension or one longer than 90 days).
- Possessing a dangerous weapon including but not limited to a knife or a gun (see M.G.L. c. 71, §37H in Appendix)(note: this behavior may result in an indefinite suspension or one longer than 90 days).
- Possessing a controlled substance as defined in M.G.L. c. 94C including but not limited to illegal drugs and prescription medication (see M.G.L. c. 71, §37H in Appendix)(note: this behavior may result in an indefinite suspension or one longer than 90 days).

In addition to any of these infractions, any breaches of Federal law, Massachusetts State law, or bylaws of the Town of Andover, may be handled in cooperation with the local police department and may result in suspension or expulsion where authorized by law (see M.G.L. c. 71, § 37H1/2 in Appendix). Consistent with its Memorandum of Understanding, the Andover Public Schools, the Andover Police Department, and the Essex County District Attorney's Office agree to coordinate their response to violent, delinquent, or criminal acts by students and to alcohol and other drug use, which occur on school premises or at school-related events.

Short Term Suspension (10 days or less). Before a suspension of ten days or less takes place, the school owes a student: notice, explanation and a meeting/hearing.

Notice of the charge: The principal or designee shall provide written notice to the parent/guardian, offering an opportunity to meet and to discuss the violation as charged, prior to the suspension taking place.

Meeting with the Principal or designee: The student shall meet with the principal or designee regarding the alleged offense. The principal or designee shall make a good faith effort to include the student's parent/guardian in this meeting. The parent/guardian, if present, shall have an opportunity to discuss the student's conduct and to offering additional information or mitigating facts.

Explanation of the evidence: At the meeting, the student shall be told the basis of the accusation, the nature of the disciplinary offense, and any other pertinent information. The student, and their parent/guardian if present, shall have the opportunity to present additional information and to offer mitigating facts. However, the student will not have the opportunity to secure counsel, to confront and cross-examine witnesses or to call their own witness to verify their version of the incident. The Principal

or designee, in their sole discretion, may permit the student to question their accuser or present their own witnesses.

Written determination: The principal or designee will issue a written determination of the suspension to both the student and the parent/guardian, including the key facts and conclusions reached, and length and effective date of the suspension, and a date of return to school, and the opportunity to make up assignments and other needed school work.

Appeal of Short-Term Suspensions (10 days or less): If the suspension was imposed by the Assistant Principal, the student may appeal the suspension in writing to the Principal. The appeal must be made within one (1) school day of the student's receipt of the notice of the suspension. An appeal of a suspension does not stay the discipline, but may result only in the expunging of a student's record. There is no right of appeal beyond the Principal. Additionally, there is no right of appeal if the Principal, rather than the Assistant Principal, imposes the suspension.

Applicability to Students with Disabilities: This provision shall apply to students with disabilities who are suspended for ten (10) or fewer cumulative days in one academic year. Suspensions of students with disabilities exceeding ten (10) cumulative days in one academic year shall be governed by applicable state and federal law.

Long Term Suspension (more than 10 days). Students facing a suspension of more than ten days (cumulatively within a school year or consecutively) and up to ninety days have the right to a more formal process. These rights include the following in addition to those described for short-term suspensions:

- to review the student's own record and any documents on which the principal may rely, in making their decision regarding suspension;
- to be represented by counsel (at the student's expense);
- to present the student's own explanation of the alleged incident;
- to produce witnesses on their own behalf;
- to cross-examine witnesses presented by the school or district;
- to request a recording of the meeting;
- notice of the student's opportunities to make academic progress during suspension, with information about the school's education service plan; and
- notice of the right to appeal the suspension, with instructions about the process for doing so.

Appeal of Long-Term Suspension (more than 10 days): If a student receiving a long-term suspension (more than 10 school days for a single infraction or for more than ten 10 school days cumulatively for multiple disciplinary offenses in any school year) wishes to appeal that decision to the Superintendent, they must do so in writing no later than 5 calendar days following the effective date of the suspension. The student or parent/guardian may request an extension of up to 7 calendar days to submit this request for an appeal. The Superintendent or designee shall hold a hearing within 3 school days of receiving the student's request for an appeal. The student or parent/guardian may request an extension of up to 7 calendar days for this hearing to be held. The Superintendent or designee must include the parent/guardian in this hearing, or else must show a good faith effort to include them. At the hearing, the student has the same rights afforded him/her at the principal's meeting prior to issuing the long-term suspension. The Superintendent or designee will arrange for an audio recording of the hearing, a copy of which will be provided to the student or parent/guardian upon request. The Superintendent will issue a written decision within 5 calendar days of the hearing, either upholding or lessening the suspension. This will be the school district's final decision on the matter.

Emergency removal. Emergency removal of a student is within the Principal's authority when, in their judgment, the student's continued presence poses a danger to persons or property and there is no adequate alternative to alleviate that danger.

However, the Principal or designee shall do the following:

- Make adequate provisions for the student's safety and transportation before removing him/her from school on an emergency basis.
- Make immediate reasonable efforts to orally notify the student and parent/guardian of the emergency removal and the reason for it.
- Provide written notice to the student and parent/guardian.
- Provide an opportunity for a hearing before the principal, with the parent/guardian in attendance, within two school days of the emergency removal (unless the parties agree to an extension of time).
- Render a decision orally on the same day as the hearing, and a written notice of the hearing no later than the following school day.

Students serving suspensions. Students who are suspended from school (other than an in-school suspension) are not allowed to be in school or on school property at any time during the period of suspension and are not allowed to attend any school-sponsored activities. When the period of suspension includes a weekend or vacation period, the student is ineligible to participate in or attend any activities throughout the entire period. Students who do not fulfill outstanding disciplinary obligations by the last day of school must make arrangements with the Principal or Assistant Principal to serve detentions and work details during the summer. A student serving a suspension will be required to complete these obligations at the beginning of the next school year. If a school-sponsored activity begins prior to the start of the school year, that time will be included as part of the suspension.

Applicability of Suspension Policy to Students with Disabilities. This provision shall apply to students with disabilities who are suspended for ten (10) or fewer cumulative days in one academic year. Suspensions of students with disabilities exceeding ten (10) cumulative days in one academic year shall be governed by applicable state and federal law.

EXPULSION/INDEFINITE SUSPENSION

Expulsion/Indefinite Suspension. Expulsion is a permanent removal from school. Indefinite suspension is a removal from school for an indefinite period. These consequences may be imposed for a narrow range of conduct, as defined in M.G.L. c. 71, sections H and H1/2.

Basis for Expulsion/Indefinite Suspension. M.G.L., c. 71, section 37H provides the Principal the authority to expel a student who is found on school premises or at a school-sponsored event, including athletic games and fieldtrips, possessing a dangerous weapon, or possessing a controlled substance, or who assaults a principal, assistant principal, teacher, teacher's aide, or other educational staff on school premises or at a school-sponsored or school-related event, including athletic games and field trips. Expulsion proceedings pursuant to this section shall be in accordance with the statutory language, which may be found in the Appendices to this Handbook.

M.G.L., c. 71, section 37H1/2 provides the Principal the authority to indefinitely suspend a student who is charged criminally with a felony and to expel a student who is convicted or admits guilt in court with respect to a felony or felony delinquency. Expulsion and indefinite suspension proceedings pursuant to

this section shall be in accordance with the statutory language, which may be found in the Appendices to this Handbook.

Expulsion Procedure. A student facing expulsion has the following procedural rights:

1. Written notice in the student's/home's primary language that a hearing will be held to determine whether or not to impose an expulsion. Notice shall include the following:
 - a) The date/time/place of the hearing;
 - b) A description of the nature of the allegation and the evidence supporting the allegation against the student;
 - c) A list of witnesses who will appear on behalf of the school;
 - d) A summary of the procedures to be followed and the rights afforded to the student at the hearing;
 - e) Notice of the right to an Alternate Education Plan if the student has an Individualized Education Plan;
 - f) The telephone number of the Principal;
2. The right to be represented by a lawyer or advocate (at the student's expense);
3. Adequate time to prepare for the hearing;
4. Access to documented evidence prior to the hearing;
5. The right to request that witnesses attend the hearing, and to question them (unless the student's interest in cross-examining witnesses is outweighed by the need to protect witnesses from possible retaliation);
6. The right to have the hearing transcribed;
7. The right to have the hearing translated into the student's or their parents'/guardians' primary language; and
8. A reasonably prompt written decision including specific grounds for the decision, the process for appeal, and the right of the student to access alternative educational services.

Appeal of Indefinite Suspension. A student may appeal a suspension imposed by the Principal pursuant to M.G.L. c. 71, section 37H1/2 (felony convictions, etc.) in writing to the Superintendent within five (5) calendar days following the effective date of the suspension.

Appeal of Expulsion. A student may appeal expulsion imposed by the Principal pursuant to M.G.L. c. 71, section 37H1/2 (felony convictions, etc.) in writing to the Superintendent within five (5) calendar days of the receipt of the written decision of the Principal to expel. A student may appeal expulsion imposed by the Principal pursuant to M.G.L. c. 71, section 37H (possession of dangerous weapon,

controlled substances, assault of staff, etc.) in writing to the Superintendent within ten (10) days of the receipt of the written decision of the Principal to expel.

Applicability of Expulsion Policy to Students with Disabilities. To the extent that the application of the foregoing policy to students with disabilities conflicts with state or federal laws, such law(s) shall prevail.

Academic Progress of Suspended/Expelled Students. Any student who is serving a suspension or expulsion shall have the opportunity to receive education services and make academic progress during the period of removal. Andover Public Schools will establish and publish an education service plan specifying alternative educational services which will be made available to students who are expelled or suspended for more than 10 days.

Suspended or Expelled Students. Students who have been suspended or expelled from school shall not be eligible to participate in any school functions for the duration of such disciplinary action. Students who are suspended or expelled and return to school grounds or school sponsored events may be suspended an additional day and may be referred to the police or other proper authorities for trespassing. The period of suspension ends as of the beginning of the school day on which the student returns to

Discipline of Students with Disabilities

Students with disabilities are afforded certain procedural rights and protections in the context of student discipline. A brief overview of these rights is provided below.

For students who are eligible for special education, the Individualized Education Plan (IEP) must indicate whether the student can be expected to meet the regular discipline code of the school or whether the code should be modified due to the student's disability.

In general, students with disabilities may be excluded from their programs, just as any other student can be, for up to ten (10) school days per year. However, when an eligible student is excluded from their program for more than ten school days in the school year, the student's Special Education Team must develop a functional behavioral assessment plan. In many instances, the student's IEP or 504 Team also may be required to determine whether the student's behavior was a manifestation of their disability.

If the Team determines the behavior was not related to a manifestation of the student's disability, the school may discipline the student according to the school's code of student conduct, except that the district must continue to provide the student with educational services during the period of suspension or expulsion. However, if the Team determines that the behavior was a manifestation of the disability, the student generally may not be excluded from the current educational placement (except as otherwise provided under state or federal law) unless the parent(s) and District otherwise agree or by court order.

In the event, a student possesses, uses, sells or solicits a controlled substance or possesses a weapon at school or a school function, a school may place a student in an interim alternative education setting for up to 45 school days. Hearing officers may also order the placement of a student in an appropriate interim setting for up to 45 days upon determination that the current placement is substantially likely to result in injury to the student or others.

When a parent disagrees with the Team's "manifestation determination" or with a decision regarding placement, the parent has the right to request an expedited due process hearing from the Bureau of Special Education Appeals. Additional information regarding the procedural protections for special education students can be obtained from Special Education Program Head at your Middle School or Heather Eigen, Special Education Intensive Programs K-8 Program Head at (978) 247-7054.

SEARCH AND SEIZURE

In order to maintain the security of all its students, the Middle School administration reserves the right to conduct searches of its students and their property. If searches are conducted, the school will ensure that the privacy of the students is respected to the extent possible, and that students and their families are informed of the circumstances surrounding and the results of the search. School cubbies and desks, which are assigned to students for their use, remain the property of the Andover Public Schools, and students therefore have no privacy interest in these areas. Such areas are subject to canine searches and to random searches by school officials at any time.

The following procedures shall apply to student searches:

1. There shall be reasonable cause for school personnel to believe that a search will disclose evidence of a violation of a school rule or law.
2. When such reasonable cause exists, a search may be conducted under the explicit authorization of the principal or his designee.
3. Items that are illegal to have in school or might be used to disrupt or interfere with the educational process will be removed from the student's possession.

APPENDICES

EXPULSION FOR ASSAULT ON STAFF, POSSESSION OF WEAPONS, OR POSSESSION OF CONTROLLED SUBSTANCE

Chapter 71: Section 37H Policies relative to conduct of teachers or students; student handbooks

Section 37H. The superintendent of every school district shall publish the district's policies pertaining to the conduct of teachers and students. Said policies shall prohibit the use of any tobacco products within the school buildings, the school facilities or on the school grounds or on school buses by any individual, including school personnel. Copies of these policies shall be provided to any person upon request and without cost by the principal of every school within the district.

Each school district's policies pertaining to the conduct of students shall include the following: disciplinary proceedings, including procedures assuring due process; standards and procedures for suspension and expulsion of students; procedures pertaining to discipline of students with special needs; standards and procedures to assure school building security and safety of students and school personnel; and the disciplinary measures to be taken in cases involving the possession or use of illegal substances or weapons, the use of force, vandalism, or violation of other student's civil rights. Codes of discipline, as well as procedures used to develop such codes shall be filed with the department of education for informational purposes only.

In each school building containing the grades nine to twelve, inclusive, the principal, in consultation with the school council, shall prepare and distribute to each student a student handbook setting forth the rules pertaining to the conduct of students. The school council shall review the student handbook each spring to consider changes in disciplinary policy to take effect in September of the following school year, but may consider policy changes at any time. The annual review shall cover all areas of student conduct, including but not limited to those outlined in this section.

Notwithstanding any general or special law to the contrary, all student handbooks shall contain the following provisions:

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

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

(c) Any student who is charged with a violation of either paragraph (a) or (b) shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the principal.

After said hearing, a principal may, in his discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraph (a) or (b).

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

(e) Any school district that suspends or expels a student under this section shall continue to provide educational services to the student during the period of suspension or expulsion, under section 21 of chapter 76. If the student moves to another district during the period of suspension or expulsion, the new district of residence shall either admit the student to its schools or provide educational services to the student in an education service plan, under section 21 of chapter 76.

(f) Districts shall report to the department of elementary and secondary education the specific reasons for all suspensions and expulsions, regardless of duration or type, in a manner and form established by the commissioner. The department of elementary and secondary education shall use its existing data collection tools to obtain this information from districts and shall modify those tools, as necessary, to obtain the information. On an annual basis, the department of elementary and secondary education shall make district level de-identified data and analysis, including the total number of days each student is excluded during the school year, available to the public online in a machine readable format. This report shall include district level data disaggregated by student status and categories established by the commissioner.

(g) Under the regulations promulgated by the department, for each school that suspends or expels a significant number of students for more than 10 cumulative days in a school year, the commissioner shall investigate and, as appropriate, shall recommend models that incorporate intermediary steps prior to the use of suspension or expulsion. The results of the analysis shall be publicly reported at the school district level.

SUSPENSION/EXPULSION FOR A FELONY CHARGE OR CONVICTION

Chapter 71: Section 37H 1/2 Felony complaint or conviction of student; suspension; expulsion; right to appeal

Section 37H1/2. Notwithstanding the provisions of section eighty-four and sections sixteen and seventeen of chapter seventy-six:

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

The student shall have the right to appeal the suspension to the superintendent. The student shall notify the superintendent in writing of his request for an appeal no later than five calendar days following the

effective date of the suspension. The superintendent shall hold a hearing with the student and the student's parent or guardian within three calendar days of the student's request for an appeal. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The superintendent shall have the authority to overturn or alter the decision of the principal or headmaster, including recommending an alternate educational program for the student. The superintendent shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the city, town or regional school district with regard to the suspension.

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

The student shall have the right to appeal the expulsion to the superintendent. The student shall notify the superintendent, in writing, of his request for an appeal no later than five calendar days following the effective date of the expulsion. The superintendent shall hold a hearing with the student and the student's parent or guardian within three calendar days of the expulsion. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The superintendent shall have the authority to overturn or alter the decision of the principal or headmaster, including recommending an alternate educational program for the student. The superintendent shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the city, town or regional school district with regard to the expulsion.

Any school district that suspends or expels a student under this section shall continue to provide educational services to the student during the period of suspension or expulsion, under section 21 of chapter 76. If the student moves to another district during the period of suspension or expulsion, the new district of residence shall either admit the student to its schools or provide educational services to the student under an education service plan, under section 21 of chapter 76.

SUSPENSION OR EXPULSION ON GROUNDS OTHER THAN THOSE SET FORTH IN SECS. 37H OR 37H1/2

Chapter 71: Section 37H 3/4 Suspension or expulsion on grounds other than those set forth in secs. 37H or 37H1/2.

Section 37H3/4. (a) This section shall govern the suspension and expulsion of students enrolled in a public school in the commonwealth who are not charged with a violation of subsections (a) or (b) of section 37H or with a felony under section 37H1/2.

(b) Any principal, headmaster, superintendent or other person acting as a decision-maker at a student meeting or hearing, when deciding the consequences for the student, shall exercise discretion; consider ways to re-engage the student in the learning process; and avoid using expulsion as a consequence until other remedies and consequences have been employed.

(c) For any suspension or expulsion under this section, the principal or headmaster of a school in which the student is enrolled, or a designee, shall provide, to the student and to the parent or guardian of the student, notice of the charges and the reason for the suspension or expulsion in English and in the primary language spoken in the home of the student. The student shall receive the written notification and shall have the opportunity to meet with the principal or headmaster, or a designee, to discuss the charges and reasons for the suspension or expulsion prior to the suspension or expulsion taking effect. The principal or headmaster, or a designee, shall ensure that the parent or guardian of the student is included in the meeting, provided that such meeting may take place without the parent or guardian only if the principal or headmaster, or a designee, can document reasonable efforts to include the parent or guardian in that meeting. The department shall promulgate rules and regulations that address a principal's duties under this subsection and procedures for including parents/guardians in student exclusion meetings, hearings or interviews under this subsection.

(d) If a decision is made to suspend or expel the student after the meeting, the principal or headmaster, or a designee, shall update the notification for the suspension or expulsion to reflect the meeting with the student. If a student has been suspended or expelled for more than 10 school days for a single infraction or for more than 10 school days cumulatively for multiple infractions in any school year, the student and the parent or guardian of the student shall also receive, at the time of the suspension or expulsion decision, written notification of a right to appeal and the process for appealing the suspension or expulsion in English and in the primary language spoken in the home of the student; provided, however, that the suspension or expulsion shall remain in effect prior to any appeal hearing. The principal or headmaster or a designee shall notify the superintendent in writing, including, but not limited to, by electronic means, of any out-of-school suspension imposed on a student enrolled in kindergarten through grade 3 prior to such suspension taking effect. That notification shall describe the student's alleged misconduct and the reasons for suspending the student out-of-school. For the purposes of this section, the term "out-of-school suspension" shall mean a disciplinary action imposed by school officials to remove a student from participation in school activities for 1 day or more.

(e) A student who has been suspended or expelled from school for more than 10 school days for a single infraction or for more than 10 school days cumulatively for multiple infractions in any school year shall have the right to appeal the suspension or expulsion to the superintendent. The student or a parent or guardian of the student shall notify the superintendent in writing of a request for an appeal not later than 5 calendar days following the effective date of the suspension or expulsion; provided, that a student and a parent or guardian of the student may request, and if so requested, shall be granted an extension of up to 7 calendar days. The superintendent or a designee shall hold a hearing with the student and the parent or guardian of the student within 3 school days of the student's request for an appeal; provided that a student or a parent or guardian of the student may request and, if so requested, shall be granted an extension of up to 7 calendar days; provided further, that the superintendent, or a designee, may proceed with a hearing without a parent or guardian of the student if the superintendent, or a designee, makes a good faith effort to include the parent or guardian. At the hearing, the student shall have the right to present oral and written testimony, cross-examine witnesses and shall have the right to counsel. The superintendent shall render a decision on the appeal in writing within 5 calendar days of the hearing. That decision shall be the final decision of the school district with regard to the suspension or expulsion.

(f) No student shall be suspended or expelled from a school or school district for a time period that exceeds 90 school days, beginning the first day the student is removed from an assigned school building.

**DESE REGULATIONS REGARDING PROCEDURES FOR STUDENT DISCIPLINE
UNDER SECTION 37H3/4
(SECTIONS RELEVANT TO RIGHTS OF STUDENTS AND PROCEDURES ONLY)
603 CMR 53.00 – Student Discipline, effective July 1, 2014**

53.06: Notice of Suspension and Hearing under Section §37H3/4

(1) Except as provided in 603 CMR 53.07 and 603 CMR 53.10, a principal may not impose a suspension as a consequence for a disciplinary offense without first providing the student and the parent oral and written notice, and providing the student an opportunity for a hearing on the charge and the parent an opportunity to participate in such hearing.

(2) The principal shall provide oral and written notice to the student and the parent in English and in the primary language of the home if other than English, or other means of communication where appropriate. The notice shall set forth in plain language:

- (a) the disciplinary offense;
- (b) the basis for the charge;
- (c) the potential consequences, including the potential length of the student's suspension;
- (d) the opportunity for the student to have a hearing with the principal concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident, and for the parent to attend the hearing;
- (e) the date, time, and location of the hearing;
- (f) the right of the student and the student's parent to interpreter services at the hearing if needed to participate;
- (g) if the student may be placed on long-term suspension following the hearing with the principal:
 - 1. the rights set forth in 603 CMR 53.08 (3)(b); and
 - 2. the right to appeal the principal's decision to the superintendent.

(3) The principal shall make reasonable efforts to notify the parent orally of the opportunity to attend the hearing. To conduct a hearing without the parent present, the principal must be able to document reasonable efforts to include the parent. The principal is presumed to have made reasonable efforts if the principal has sent written notice and has documented at least two (2) attempts to contact the parent in the manner specified by the parent for emergency notification.

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

53.07: Emergency Removal under Section 37H3/4

(1) Nothing in these regulations shall prevent a principal from removing a student from school temporarily when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the principal's judgment, there is no alternative available to alleviate the danger or disruption. The principal shall immediately notify the superintendent in writing of the removal and the

reason for it, and describe the danger presented by the student. The temporary removal shall not exceed two (2) school days following the day of the emergency removal, during which time the principal shall:

- (a) Make immediate and reasonable efforts to orally notify the student and the student's parent of the emergency removal, the reason for the need for emergency removal, and the other matters set forth in 603 CMR 53.06(2);
- (b) Provide written notice to the student and parent as provided in 603 CMR 53.06(2);
- (c) Provide the student an opportunity for a hearing with the principal that complies with 603 CMR 53.08(2) or 53.08(3), as applicable, and the parent an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the principal, student, and parent.
- (d) Render a decision orally on the same day as the hearing, and in writing no later than the following school day, which meets the requirements of 603 CMR 53.08(2)(c) and 53.08(2)(d) or 603 CMR 53.08(3)(c) and 53.08(3)(d), as applicable.

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

53.08: Principal's Hearing under Section 37H^{3/4}

(1) The principal shall determine the extent of the rights to be afforded the student at a disciplinary hearing based on the anticipated consequences for the disciplinary offense. If the consequence may be long-term suspension from school, the principal shall afford the student, at a minimum, all the rights set forth in 603 CMR 53.08(3) in addition to those rights afforded to students who may face a short-term suspension from school.

(2) Principal Hearing - Short-term Suspension

(a) The purpose of the hearing with the principal is to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction. At a minimum, the principal shall discuss the disciplinary offense, the basis for the charge, and any other pertinent information. The student also shall have an opportunity to present information, including mitigating facts, that the principal should consider in determining whether other remedies and consequences may be appropriate as set forth in 603 CMR 53.05. The principal shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the principal should consider in determining consequences for the student.

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

(c) The principal shall notify the student and parent of the determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal, as provided in 603 CMR 53.13(1). The determination shall be in writing and may be in the form of an update to the original written notice.

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

(3) Principal Hearing - Long-term Suspension

(a) The purpose of the hearing is the same as the purpose of a short-term suspension hearing.

(b) At a minimum, in addition to the rights afforded a student in a short-term suspension hearing, the student shall have the following rights:

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

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

(d) Based on the evidence, the principal shall determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension as set forth in 603 CMR 53.05, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension. The principal shall send the written determination to the student and parent 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:

1. Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing;
2. Set out the key facts and conclusions reached by the principal;
3. Identify the length and effective date of the suspension, as well as a date of return to school;
4. Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school as provided in 603 CMR 53.13(4)(a);
5. Inform the student of the right to appeal the principal's decision to the superintendent or designee, but only if the principal has imposed a long-term suspension. Notice of the right of appeal shall be in English and the primary language of the home if other than English, or other means of communication where appropriate, and shall include the following information stated in plain language:

a) 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

b) the long-term suspension will remain in effect unless and until the superintendent decides to reverse the principal's determination on appeal.

(e) 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, whether short-term or long-term, before the suspension takes effect.

53.09: Superintendent's Hearing under Section 37H¾

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

(2) The student or parent shall file a notice of appeal with the superintendent within the time period set forth 603 CMR 53.08 (3) (c) 5.a). If the appeal is not timely filed, the superintendent may deny the appeal, or may allow the appeal in their discretion, for good cause.

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

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

(5) The superintendent shall conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence shall be. The superintendent shall arrange for an audio recording of the hearing, a copy of which shall be provided to the student or parent/guardian upon request. The superintendent shall inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent/guardian upon request.

(6) The student shall have all the rights afforded the student at the principal's hearing for long-term suspension under 603 CMR 53.08(3)(b).

(7) The superintendent shall issue a written decision within five (5) calendar days of the hearing which meets the requirements of 603 CMR 53.08(3)(c)1 through 5. If the superintendent determines that the student committed the disciplinary offense, the superintendent may impose the same or a lesser consequence than the principal, but shall not impose a suspension greater than that imposed by the principal's decision.

(8) The decision of the superintendent shall be the final decision of the school district, charter school, or virtual school, with regard to the suspension.

53.10: In-School Suspension under Section 37H³/₄

- (1) The principal may use in-school suspension as an alternative to short-term suspension for disciplinary offenses.
- (2) The principal may impose an in-school suspension for a disciplinary offense under this provision, provided that the principal follows the process set forth in 603 CMR 53.10(3) through 603 CMR 53.10(5) and the student has the opportunity to make academic progress as set forth in 603 CMR 53.13(1).
- (3) The principal shall inform the student of the disciplinary offense charged and the basis for the charge, and provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident. If the principal determines that the student committed the disciplinary offense, the principal shall inform the student of the length of the student's in-school suspension, which shall not exceed 10 days, cumulatively or consecutively, in a school year.
- (4) On the same day as the in-school suspension decision, the principal shall make reasonable efforts to notify the parent/guardian orally of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension. The principal shall also invite the parent/guardian to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. Such meeting shall be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the principal is unable to reach the parent/guardian after making and documenting at least (2) attempts to do so, such attempts shall constitute reasonable efforts for purposes of orally informing the parent/guardian of the in-school suspension.
- (5) The principal shall send written notice to the student and parent/guardian about the in-school suspension, including the reason and the length of the in-school suspension, and inviting the parent/guardian to a meeting with the principal for the purpose set forth in 603 CMR 53.10(4), if such meeting has not already occurred. The principal shall deliver such notice on the day of the suspension by hand-delivery, certified mail, first-class mail, email to an address provided by the parent/guardian for school communications, or by other method of delivery agreed to by the principal and the parent/guardian.

53.11: Emergency Removal [from privileges] under Section 37H³/₄

The principal 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 procedures in G.L. c. 71, § 37H³/₄ or 603 CMR 53.00.

53.12: Disciplinary Offenses under Section 37H or 37H¹/₂

- (1) School districts shall adopt disciplinary policies and procedures applicable to a student who is accused of a disciplinary offense under G.L. c. 71, §§37H or 37H- ¹/₂. Such policies and procedures shall be consistent with the applicable statute and provide due process of law.
- (2) The principal may remove a student who has committed a disciplinary offense under G.L. c. 71, §§37H or 37H¹/₂ from school for more than ninety (90) days in a school year.

(3) Any student who is removed from school for a disciplinary offense under G.L. c. 71, §37H or §37H½ shall have an opportunity to receive education services and make academic progress during the period of removal, as provided in 603 CMR 53.13.

53.13: Education Services and Academic Progress under Sections 37H, 37H½, and 37H¾

(1) Any student who is serving an in-school suspension, short-term suspension, long-term suspension, or expulsion shall have the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of their removal from the classroom or school. The principal shall inform the student and parent/guardian of this opportunity in writing when such suspension or expulsion is imposed.

(2) 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.

(3) The principal shall develop a school-wide education service plan describing the education services that the school district will make available to students who are expelled or suspended from school for more than ten (10) consecutive days. The plan shall include the process for notifying such students and their parents/guardians of the services and arranging such services. Education services shall be based on, and be provided in a manner consistent with, the academic standards and curriculum frameworks established for all students under G.L. c 69, §§ 1D and 1F.

(4) Notice of Education Services for Students in Long-Term Suspension and Expulsion; Enrollment Reporting.

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

(b) 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.

HAZING STATEMENT

Mass. Gen. L. c. 269, Sections 17-19 address the issue of hazing in public schools. Pursuant to Section 19, a copy of the law is provided in full below.

M.G.L. c. 269, Section 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 both such fine and imprisonment.

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

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

Section 18: Duty to Report Hazing

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

Section 19: Statutes to be Provided to Student Groups; Compliance; Statement and Discipline Policy Required

Each institution of secondary education and each public and private institution of post secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections seventeen and eighteen, provided, however, that an institution's compliance with this section's requirements that an institution issue copies of this section and sections seventeen and eighteen to unaffiliated student groups, teams or organizations shall not constitute evidence of the institution's recognition or endorsement of said unaffiliated student groups, teams and organizations.

Each such group, team or organization shall distribute a copy of this section and sections seventeen and eighteen to each of its members, plebes, pledges or applicants for membership. It shall be the duty of each such group, team or organization, acting through its designated officer, to deliver annually, to the institution an attested acknowledgment stating that such group, team or organization has received a copy of this section and said sections seventeen and eighteen, that each of its members, plebes, pledges, or applicants has received a copy of sections seventeen and eighteen, and that such group, team or organization understands and agrees to comply with the provisions of this section and sections seventeen and eighteen. Each institution of secondary education and each public or private institution of post secondary education shall, at least annually, before or at the start of enrollment, deliver to each person who enrolls as a full time student in such institution a copy of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post secondary education shall file, at least annually, a report with the regents of higher education and in the case of secondary

institutions, the board of education, certifying that such institution has complied with its responsibility to inform student groups, teams or organizations and to notify each full time student enrolled by it of the provisions of this section and sections seventeen and eighteen and also certifying that said institution has adopted a disciplinary policy with regard to the organizers and participants of hazing, and that such policy has been set forth with appropriate emphasis in the student handbook or similar means of communicating the institution's policies to its students. The board of regents and, in the case of secondary institutions, the board of education, shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general any such institution which fails to make such report.

Approved: January 5, 1988

Anti-tagging Policy

Mass. Gen. L. c. 266, Section 126B: Tagging

Whoever sprays or applies paint or places a sticker upon a building, wall, fence, sign or other object or thing on a public way or adjoined to it, or in public view, or on private property, shall be punished by imprisonment in a state prison for a term of not more than three years or by imprisonment in a house of correction for not more than two years or by a fine of not more than fifteen hundred dollars or not more than three times the value of the property so marked or destroyed. Said person will be required to pay for the removal or obliteration the marks on the defaced property. Upon conviction the individual's driver's license shall be suspended for one year. If the individual is under age of sixteen then one year shall be added to the minimum age eligibility for driving.

Notification of Asbestos Reinspections

To: Parents/Guardians and Staff of Doherty Middle School

From: Bruce W. Maki

Date: August 2, 2006

In compliance with the U.S. Environmental Protection Agency (EPA) Asbestos Hazard Emergency Response Act (AHERA), in 1988, all of the public schools were inspected for asbestos-containing building materials. The inspection findings and the asbestos management plan for our school has been on file in the administrative office since that time.

The EPA requires us to perform reinspections of the asbestos-containing materials every three years. During the month of February accredited asbestos inspectors conducted the latest of the three-year reinspections. An accredited management planner reviewed the results and recommended actions we should take to safely manage each asbestos-containing material in our building.

Since 1988 we have been removing asbestos-containing building materials whenever possible, in full accordance with all regulatory and safety procedures. The materials that are left are in good condition and we will continue to maintain them in place as recommended by the accredited management planner.

The results of the reinspection are on file in the management plan in the school's administrative office. Everyone is welcome to view these anytime during normal school hours (M-F, 8:00 a.m.- 4:30 p.m.). The Asbestos Program Manager, Ralph Knight, of the Plant and Facilities Department, is available to answer any questions you may have about asbestos.

iAndover 1:1 BYOD Initiative

Andover Public Schools believes that in order to effectively prepare students for life in today's global world, students must be engaged in learning at school in the same fashion that they are engaged in learning outside of school.

In order to fully participate in today's global community, students must also master the 4 C's which are defined as:

- Communication – sharing thoughts, questions, ideas and solutions
- Collaboration – working together to reach a goal – putting talent, expertise and smarts to work.
- Critical Thinking – looking at problems in a new way, linking learning across subjects and disciplines.
- Creativity – trying new approaches to get things done equals innovation and invention.

The iAndover 1:1 Learning Initiative aims to enhance student learning by creating a personalized, student-centered learning environment where every student has a laptop to use in school and at home. Students will leverage these tools in the classroom to learn how to collaborate, analyze data, and be effective members of a team.

The iAndover Learning Initiative allows students to bring and use their own personal devices in school. The focus of the iAndover Learning Initiative is not about the devices themselves; it is about changing teaching and learning in the classroom environment. Of course, technology alone will not improve learning, but when combined with the right instruction from skilled staff, amazing things will happen.

The use of laptops for educational use in the Andover Schools is an immense opportunity to accelerate the learning for all of our students and enhance an already strong academic program. We look forward to open communication and robust partnership between our community members, parents/guardians, students and staff in support of the program.

Students, you are responsible for adhering to the guidelines developed by the district in accordance to this program. Please take time to familiarize yourselves with the details and responsibilities associated with this program by reviewing the guidelines found online at (<https://sites.google.com/a/k12.andoverma.us/iandover-1-to-1-initiative/policies-procedures>).

EMPOWERED DIGITAL USE POLICY

Purpose

The School Committee recognizes the need for students to be prepared to contribute to and excel in a connected, global community. To that end, the district provides ongoing student instruction that develops digital citizenship skill sets for using technology as a tool. Information and communication technology are an integrated part of our curriculum across subjects and grades in developmentally appropriate ways and are aligned with the Massachusetts Curriculum Frameworks and standards, including seeking knowledge and understanding; thinking critically and solving problems; listening, communicating, and interacting effectively; and engaging and competing in a global environment.

Availability

The Superintendent or designee shall implement, monitor, and evaluate the district's system/network for instructional and administrative purposes.

All users shall acknowledge that they understand that using digital devices, whether personal or school owned, and the school district network is a privilege and when using them in accordance with School District guidelines they will retain that privilege.

The Superintendent or designee shall develop and implement administrative guidelines, procedures, and user agreements, consistent with law and policy, which shall include but not be limited to the following:

- Digital devices, software, and networks shall be used in school for educational purposes and activities.
- An individual's personal information (including home/mobile phone numbers, mailing addresses, and passwords) and that of others shall be kept private.
- Individuals will show respect for themselves and others when using technology including social media.
- Users shall give acknowledgement to others for their ideas and work
- Users shall report inappropriate use of technology immediately

These procedures shall be reviewed annually by district administration together with students and teachers and shall provide a springboard for teaching and learning around topics such as internet safety, digital citizenship, and ethical use of technology.

See School Committee Policy IJNDB

Adopted: 2018

Vote: 5 to 0