

Name: _____

O'Maley Innovation Middle School

Student Handbook And Code of Conduct 2016 - 2017

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Gloucester Public Schools strive to prevent, oppose, and prohibit discrimination and harassment on the basis of race, religion, color, age, sex, national origin, sexual orientation, genetic information, ancestry, homelessness, or disability in its educational programs, services, activities, or employment practices

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You and your parent/guardian must sign and return last page indicating you have received and read your handbook.

Mission Statement

The O'Maley Innovation Middle School's purpose is to educate all students so that they achieve high standards of academic performance. In partnership with the community, we strive to engage students to become successful through dynamic, differentiated and authentic learning experiences while supporting the transition from childhood to adolescence. O'Maley Innovation Middle School supports educational and social endeavors that cultivate self-awareness, tolerance, and responsibility for one's actions.

Vision Statement

The O'Maley Innovation Middle School will meet the individual needs of students in order to achieve their highest level of success by teaching 21st-Century skills and through an increased focus on STEM curriculum (Science, Technology, Engineering, Mathematics). As educators, students, and parents, we seek collaboration in order to create a respectful, safe, and inclusive culture in which all feel empowered to develop their intellectual skills and to think critically. Academically, we will create a culture of high expectations and high quality learning in every classroom. Emotionally, we will provide a culture of respect and acceptance while providing whole child supports to address student needs. In so doing, the school will foster a culture of respect of self, peers, school, and the Gloucester community.

Academics

- **Standards:** Central to district and school goals is the development and documentation of a standards-based curriculum. The Common Core Standards have been mapped out for each grade and each subject area has established priority standards curriculum brochures, outlining essential *content* standards for each grade (what each child should know and be able to do). Within the promotion of this curriculum is effective instruction and assessment so that each child has the opportunity to demonstrate that he/she is showing progress towards meeting standards. The establishment of levels to which students are demonstrating their progress constitutes the *performance* standards. The writing portfolio is an example of such an effort.
- **Heterogeneous, inclusive classrooms:** O'Maley Innovation Middle School is committed to inclusive classrooms, which promote educational opportunities for all students in an environment that builds on understanding and valuing differences.

Homework:

Purpose: Homework is an important way for students to extend learning and for parents to be involved in a supportive fashion. It is important to know the purpose of assignments so that habits for life-long learning may be developed. Homework fosters the following:

- **Practice:** to reinforce lessons and skills
- **Preparation:** to gather resources and review or preview materials for class
- **Critical Thinking:** to allow opportunities for applying and expressing concepts in a new way
- **Study habits:** to develop independent learning skills
- **Extended reading opportunities:** to practice independent reading—studies show independent reading improves academic success
- **Time:** Total homework time should range between 1-2 hours, 4 nights each week. This amount includes all subjects, novel reading, and short-term and long-term assignments. Each grade-level team and specialists will distribute expectations, and parents are encouraged to seek clarification as needed.
- **Use of assignment notebook:** The assignment notebook should be used daily to record homework assignments. Teachers may also write notes to parents in this notebook. Parents and guardians are

encouraged to read the assignments and to use the notebook as a means of communication with the teachers.

- **Organization:** Each team of teachers will hand out a list of supplies that students will need to complete and organize their work. Students will be expected to use these to help study and document their academic progress.
- **Parental involvement:** Young adolescents at the middle school level still benefit from parental involvement and encouragement to develop organized individual study habits at home. This involvement includes such activities as working with students to check off assignments completed, creating a calendar for long-term projects, and establishing an area conducive to studying. School staff welcomes the opportunity to work with you around such matters

Specific Guidelines for Academics

Students who do not regularly complete homework assignments will be required to stay for homework club and may not be eligible for the Honor Roll.

Students who fail a subject in a term will be required to attend our mandatory extended day program. This program is held on Mondays and Wednesdays for the purpose of remediation and to satisfy the requirements of the course.

Acceptable Dress

O'Maley Innovation Middle School students take responsibility for the process of learning. They are expected to dress appropriately for a learning environment.

Students are expected to dress appropriately during school hours, on school property, on field trips, and all school events. Revealing clothes, clothes with inappropriate pictures or words or clothing that is unsafe or inappropriate for school will not be allowed. For example, dress that is more appropriate for the beach should be worn at the beach and not in school. Bellies, chests, and undergarments should not be exposed, straps on tank tops should be no less than 1" in width. Arm holes on tank tops should not reveal a student's torso. Shorts and skirts should fall beneath a student's fingers when his/her arms rest at his/her sides.

Should attire be considered unacceptable, we will phone home and request a change of clothes to be brought to school. Students are not allowed to wear hats, caps, or bandannas in school.

Attendance

In an effort to meet increased academic goals and the goals of our SAILS Initiative, strong attendance, academic, and conduct policies will be instated. These will be a shared contract between teachers, students, parents/guardians, and administration. Massachusetts General Law Chapter 76, Section 2 states that it is the duty of parents/guardians to assure that children attend school regularly. The statute defines "regularly" as no more than 7 standard absences and 14 half days in any six-month period. Additionally, M.G.L. c. 119, § 21 (a.k.a. Child Requiring Assistance ("CRA") and formerly known as "CHINS") states that the school district may file a CRA petition when a student is habitually truant. The statute defines "habitually truant" as a school-aged child, not excused under the lawful and reasonable regulations of the school for more than eight (8) days in a quarter.

Students are expected to attend school 180 days. Except in cases of illness and extenuating circumstances,

students are expected to be present when school is in session. Parents are **strongly** urged **not** to schedule family vacations during school days and not to extend scheduled vacations. All work missed because of absence will be made up following the guideline of one makeup day per absent day. Teachers will provide the normal range of assistance upon the student's return to school; however, it is the student's responsibility to identify and make up missed work.

Examples of excused absences are absences for illness of the student (a doctor's certificate is required for absence of 5 or more days), a medical appointment (a doctor or dentist certificate should be provided), death in the student's family, religious holiday observance, or court appointments. Medical documentation to excuse an absence must be submitted within 10 days of the absence.

An unexcused absence occurs when children are absent, (with or without parental approval) for **any** other reasons including family vacations, or errands.

Students with chronic offenses of attendance or code of conduct, or, who do not meet academic standards will be withheld from school activities including sports, dances and field trips.

Students who are tardy to school will be assigned an after school administrative detention for each time tardy beyond three. The count resets to zero at the midway point of the school year for the purposes of detention.

Students with an excused appointment must be in school by 11:00am or will be marked absent.

Students must stay in school until 11:00am or they will be marked absent (with the exception of being sent home sick). Students arriving after 11:00, without an excused tardy, will not be eligible to participate in any after school activities or sporting events.

After 10 ten days of absence the parents / guardian will attend an administrative conference to discuss student's absenteeism. (excused or unexcused)

After 14 days of absences (unexcused) a student may be required to repeat the grade or to attend summer school.

This Policy is based on No Child Left Behind which states that students should attend school 92% of the time in order to make AYP.

Bullying Prevention and Intervention Policy

LEADERSHIP

It is the intention of the Gloucester Public Schools to provide a working and learning environment for students, school staff and visitors in which they feel physically and emotionally safe. This commitment is an integral part of our comprehensive efforts to promote learning, and to prevent and eliminate all forms of bullying and other harmful and disruptive behavior that can impede the learning process.

The Gloucester Public Schools prohibits bullying behavior in all its forms. Acts of bullying, which include cyberbullying, are prohibited:

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

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

As stated in M.G.L. c. 71, § 370, nothing in this Plan requires the district or school to staff any non-school related activities, functions or programs.

Public Involvement in Development of the Plan - This plan has been developed in consultation with the greater school and local community, including teachers, school staff, administrators, community representatives, Gloucester Police, students, parents and guardians. These key stakeholders will also be involved in the implementation and evaluation of the Plan.

Assessing Needs and Resources - As part of the planning process for the development of this Plan, the Gloucester Public Schools assessed the adequacy of current programs, reviewed current policies and procedures, reviewed available local data regarding bullying and behavioral incidents, and assessed available resources including curricula training programs and behavioral health services. Sources for these data points included building principals and support service staff, the district's Youth Risk Behavior Survey data from O'Maley Middle and Gloucester High Schools, the Essex District Attorney's Office, the Massachusetts Department of Elementary and Secondary Education and the Safe and Drug Free Schools Program of the U.S. Department of Education.

Planning and Oversight - The tasks listed in this Bullying Prevention & Intervention Plan ("the Plan") are considered important to be in compliance with the district's Bullying Prevention Policy. Each principal is required to submit to the Superintendent or his/her designee a Responsibility Checklist yearly that each task outlined in the Plan is completed each year.

The district recognizes that each task requires some degree of discussion among each school community in order to develop the school's strategy for implementation. This document is designed to help each school develop strategies to implement throughout the school year. School administrators will revisit this document regularly to assess the degree to which plans are being carried out, examine whether strategies are effective, and make modifications to strategies where necessary.

The tasks listed in this document are not meant to be exhaustive. School administrators are encouraged to examine additional tasks that may be important for the school's effectiveness in addressing bullying specifically and promoting a positive school climate.

The Gloucester Public Schools is committed to providing an ongoing evaluation process of its effort to implement the Plan. To this end, the Superintendent assigns the district Health Advisory Committee with this evaluation task. Committee membership includes, but is not limited to, a district administrator, the district Health Coordinator, the district Nurse Leader, a physical education and/or health teacher, a school nurse, a representative from the Gloucester Health Department, a parent and such other community

agencies and programs as the School Committee may approve from time to time. The committee will meet a minimum of 4 times during the school year. The committee will be responsible for evaluating the implementation of the Plan, in collaboration with building principals and support service staff. The committee shall provide regular advice to the Superintendent based on the data points identified in this Plan. The committee will submit an annual report to the Superintendent every two years.

TRAINING AND PROFESSIONAL DEVELOPMENT

Annual staff training on the Plan - Annual training for all school staff on the Plan will include staff duties under the Plan, an overview of the steps that the principal or designee will follow upon receipt of a report of bullying or retaliation, and an overview of the bullying prevention curricula to be offered at all grades throughout the school or district. Staff members hired after the start of the school year are required to participate in school-based training during the school year in which they are hired, unless they can demonstrate participation in an acceptable and comparable program within the last two years.

Ongoing professional development -The goal of professional development is to establish a common understanding of tools necessary for staff to create a school climate that promotes safety, civil communication, and respect for differences. Professional development will build the skills of staff members to prevent, identify, and respond to bullying. As required by M.G.L. c. 71, § 37O, the content of professional development will be informed by research and will include information on:

- (i) developmentally (or age-) appropriate strategies to prevent bullying;
- (ii) developmentally (or age-) 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 an aggressor, target, and witnesses 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 cyberbullying; and
- (vi) Internet safety issues as they relate to cyberbullying.

Professional development will also address ways to prevent and respond to bullying or retaliation for students with disabilities that must be considered when developing students' Individualized Education Programs (IEPs). This will include a particular focus on the needs of students with autism or students whose disability affects social skills development.

Based on needs identified by the district or individual schools, additional areas for professional development may include:

- promoting and modeling the use of respectful language;
- fostering an understanding of and respect for diversity and difference;
- building relationships and communicating with families;
- constructively managing classroom behaviors;
- using positive behavioral intervention strategies;

- applying constructive disciplinary practices;
- teaching students skills including positive communication, anger management, and empathy for others;
- engaging students in school or classroom planning and decision-making; and
- maintaining a safe and caring classroom for all students.

Written notice to staff. The Gloucester Public Schools will provide all staff with an annual written notice of the Plan by publishing information about it, including sections related to staff duties, in the school or district employee handbook and the code of conduct.

ACCESS TO RESOURCES AND SERVICES

The Gloucester Public Schools believes that a key aspect of promoting a positive school climate is ensuring that the underlying emotional needs of students, families, and others are addressed.

- A. Identifying resources. In 2007, the Gloucester Public Schools established a Coordinated Wraparound Services Team. Currently, membership includes school administrative and support service staff, area mental health agency staff, private clinicians, representatives from the Gloucester Health Department, the MA Department of Mental Health, the MA Department of Children and Families, a local NAMI (National Association for the Mentally Ill) chapter and a representative from Samaritans. The purpose of the team is to share expertise in recommending policies and procedures to the schools and District and to provide technical assistance in the implementation of an integrated school-based mental health response system, identify pre-arranged contacts, referral sources and procedures with local crisis service personnel, police, and emergency medical providers to ensure necessary services are accessible in a crisis and identify and address gaps in services for students in need of mental health and/or substance abuse services. By June 2011 the Coordinated Wraparound Services Team will assist the district in the development of a Resource Manual that lists internal and external resources, including populations served, treatment modalities available, services provided in languages other than English, and eligibility criteria.
- B. Counseling and other services. The Gloucester Public Schools will make the Resource Manual developed by the CWS available to appropriate school staff and provide school staff the opportunity to learn about the resources available in the community. To this end, starting in September 2011, the district will host a Youth Service Provider Networking Breakfast. School and district administrators and support service staff will be invited to the breakfast and community service providers to attend with descriptive information about services provided.
- C. Students with disabilities. As required by M.G.L. c. 71B, § 3, as amended by Chapter 92 of the Acts of 2010, when the IEP Team determines the student has a disability that affects social skills development or the student may participate in or is vulnerable to bullying, harassment, or teasing because of his/her disability, the Team will consider what should be included in the IEP to develop the student's skills and proficiencies to avoid and respond to bullying, harassment, or teasing.
- D. Referral to outside services. The Gloucester Public Schools will establish a unified referral protocol for referring students and families to outside services by September 2011. The Gloucester Coordinated Wraparound Services Team will be tasked with developing the protocol with significant input from qualified school staff.

ACADEMIC AND NON-ACADEMIC ACTIVITIES

A. Specific bullying prevention approaches. Bullying prevention curricula/programs adopted by the Gloucester Public Schools will be informed by current research, which, among other things emphasizes the following approaches:

- using scripts and role plays to develop skills;
- empowering students to take action by knowing what to do when they witness other students engaged in acts of bullying or retaliation, including seeking adult assistance;
- helping students understand the dynamics of bullying and cyberbullying, including that the behavior is repeated, intentional and that there is an underlying power imbalance (RIP);
- emphasizing cyber-safety, including safe and appropriate use of electronic communication technologies;
- enhancing students' skills for engaging in healthy relationships and respectful communications; and
- engaging students in a safe, supportive school environment that is respectful of diversity and difference.

Beginning in January 2011, the district will establish 3 grade level based bullying prevention curriculum advisory groups. Group membership will include the district Health Coordinator, at least one grade-level administrator, at least one teacher, at least one support service staff. Each group (elementary, middle and high school) will develop curricula/program recommendations which will include what curricula/programs will be implemented at each grade level, and a timeline for implementation. Groups will review existing programs and strategies that already exist in the district, including Second Step Violence Prevention Program, Responsive Classroom, Project Adventure, Olweus Bullying Prevention Program, and Safe Dates, and will review the professional literature to address gaps in programming/strategies. Groups will present their recommendations to the Assistant Superintendent for Teaching and Learning on the following deadlines:

Elementary Schools – June 2011

Middle School – September 2011

High School – June 2012

B. General teaching approaches that support bullying prevention efforts. The Gloucester Public Schools believes that the following approaches are integral to establishing a safe and supportive school environment. These approaches underscore the importance of our bullying intervention and prevention initiatives:

- setting clear expectations for students and establishing school and classroom routines;
- creating safe school and classroom environments for all students, including for students with disabilities, lesbian, gay, bisexual, transgender students, and homeless students;
- using appropriate and positive responses and reinforcement, even when students require discipline;
- using positive behavioral supports;
- encouraging adults to develop positive relationships with students;
- modeling, teaching, and rewarding pro-social, healthy, and respectful behaviors;

- using positive approaches to behavioral health, including collaborative problem-solving, conflict resolution training, teamwork, and positive behavioral supports that aid in social and emotional development;
- using the Internet safely; and
- supporting students' interest and participation in non-academic and extracurricular activities, particularly in their areas of strength.

The Gloucester Public Schools will continue to provide school staff with the resources to apply these approaches in all aspects of school life. The district will do this through professional development, opportunities to consult on individual cases, and staff supervision and evaluation.

POLICIES AND PROCEDURES FOR REPORTING AND RESPONDING TO BULLYING AND RETALIATION

- A. Reporting bullying or retaliation. Reports of bullying or retaliation may be made by staff, students, parents or guardians, or others, and may be oral or written (staff includes educators, administrators, nurses, cafeteria workers, custodians, bus drivers, athletic coaches, extracurricular advisors, paraprofessionals or any other member of the district). Oral reports made by or to a staff member shall be recorded in writing. A school or district staff member is required to report immediately to the principal or designee any instance of bullying or retaliation the staff member becomes aware of or witnesses. Reports made by students, parents or guardians, or other individuals who are not school or district staff members, may be made anonymously. The Gloucester Public Schools will make a variety of reporting resources available to the school community including, but not limited to, an Incident Reporting Form¹ and an Investigation Form,

Use of an Incident Reporting Form is not required as a condition of making a report. The school or district will: 1) include a copy of the Incident Reporting Form in the beginning of the year packets for students and parents or guardians; 2) make it available in the school's main office, the counseling office, the school nurse's office, and other locations determined by the principal or designee; and 3) post it on the school's website. The Incident Reporting Form will be available in English, Spanish and Portuguese.

At the beginning of each school year, the Gloucester Public Schools will provide the school community, including administrators, staff, students, and parents or guardians, with written notice of its policies for reporting acts of bullying and retaliation. A description of the reporting procedures and resources, including the name and contact information of the principal or designee, will be incorporated in student and staff handbooks, on the school or district website, and in information about the Plan that is made available to parents or guardians.

1. Reporting by Staff

A staff member will report in a timely manner to the principal or designee when he/she witnesses or becomes aware of conduct that may be bullying or retaliation (staff includes educators, administrators, nurses, cafeteria workers, custodians, bus drivers, athletic coaches, extracurricular advisors, paraprofessionals or any other member of the district). The requirement to report to the principal or designee does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with school or

district policies and procedures for behavior management and discipline.

2. Reporting by Students, Parents or Guardians, and Others

The Gloucester Public Schools expects students, parents or guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the principal or designee. Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report. Students, parents or guardians, and others may request assistance from a staff member to complete a written report. Students will be provided practical, safe, private and age-appropriate ways to report and discuss an incident of bullying with a staff member, or with the principal or designee.

B. Responding to a report of bullying or retaliation.

1. Safety

Before fully investigating the allegations of bullying or retaliation, the principal or designee will take steps to assess the need to restore a sense of safety to the alleged target and/or to protect the alleged target from possible further incidents. Responses to promote safety may include, but not be limited to, creating a personal safety plan; pre-determining seating arrangements for the target and/or the aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a “safe person” for the target; and altering the aggressor’s schedule and access to the target. The principal or designee will take additional steps to promote safety during the course of and after the investigation, as necessary.

The principal or designee will implement appropriate strategies for protecting a student who has reported bullying or retaliation, a student who has witnessed bullying or retaliation, a student who provides information during an investigation, or a student who has reliable information about a reported act of bullying or retaliation.

2. Obligations to Notify Others

a. Notice to parents or guardians. Upon determining that bullying or retaliation has occurred, the principal or designee will promptly notify the parents or guardians of the target and the aggressor of this, and of the procedures for responding to it. There may be circumstances in which the principal or designee contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.

b. Notice to another School or District. If the reported incident involves students from more than one school district, charter school, non-public school, approved private special education day or residential school, or collaborative school, the principal or designee first informed of the incident will promptly notify by telephone the principal or designee of the other school(s) of the incident so that each school may take appropriate action. All communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR 49.00.

c. Notice to Law Enforcement. At any point after receiving a report of bullying or retaliation, including after an investigation, if the principal or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the

principal will notify the local law enforcement agency. Notice will be consistent with the requirements of 603 CMR 49.00 and locally established agreements with the local law enforcement agency. Also, if an incident occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in school, the principal or designee shall contact the local law enforcement agency if he or she has a reasonable basis to believe that criminal charges may be pursued against the aggressor.

In making this determination, the principal will, consistent with the Plan and with applicable school or district policies and procedures, consult with the school resource officer, if any, and other individuals the principal or designee deems appropriate.

- C. Investigation. The principal or designee will investigate promptly all reports of bullying or retaliation and, in doing so, will consider all available information known, including the nature of the allegation(s) and the ages of the students involved.

During the investigation the principal or designee will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The principal or designee will remind the alleged aggressor, target, and witnesses that retaliation is strictly prohibited and will result in disciplinary action.

Interviews may be conducted by the principal or designee, other staff members as determined by the principal or designee, and in consultation with the school counselor, as appropriate. To the extent practicable, and given his/her obligation to investigate and address the matter, the principal or designee will maintain confidentiality during the investigative process. The principal or designee will maintain a written record of the investigation.

Procedures for investigating reports of bullying and retaliation will be consistent with school or district policies and procedures for investigations. If necessary, the principal or designee will consult with legal counsel about the investigation.

- D. Determinations. The principal or designee will make a determination based upon all of the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the principal or designee will take steps reasonably calculated to prevent recurrence and to ensure that the target is not restricted in participating in school or in benefiting from school activities. The principal or designee will: 1) determine what remedial action is required, if any, and 2) determine what responsive actions and/or disciplinary action is necessary.

Depending upon the circumstances, the principal or designee may choose to consult with the students' teacher(s) and/or school counselor, and the target's or aggressor's parents or guardians, to identify any underlying social or emotional issue(s) that may have contributed to the bullying behavior and to assess the level of need for additional social skills development.

The principal or designee will promptly notify the parents or guardians of the target and the aggressor about the results of the investigation and, if bullying or retaliation is found, what action is being taken to prevent further acts of bullying or retaliation. All notice to parents must comply with applicable state and federal privacy laws and regulations. Because of the legal requirements regarding the confidentiality of student records, the principal or designee cannot report specific information to the target's parent or guardian about the disciplinary action taken unless it involves a "stay away" order or other directive that the target must be aware of in order to report violations.

E. Responses to Bullying.

1. Teaching Appropriate Behavior Through Skills-building

Upon the principal or designee determining that bullying or retaliation has occurred, the law requires that the Gloucester Public Schools use a range of responses that balance the need for accountability with the need to teach appropriate behavior. M.G.L. c. 71, § 37O(d)(v). Skill-building approaches that the principal or designee may consider include:

- offering individualized skill-building sessions based on the school's anti-bullying curricula;
- providing relevant educational activities for individual students or groups of students, in consultation with guidance counselors and other appropriate school personnel;
- implementing a range of academic and nonacademic positive behavioral supports to help students understand pro-social ways to achieve their goals;
- meeting with parents and guardians to engage parental support and to reinforce the anti-bullying curricula and social skills building activities at home;
- adopting behavioral plans to include a focus on developing specific social skills; and
- making a referral for evaluation.

2. Taking Disciplinary Action

If the principal or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the principal or designee, including the nature of the conduct, the age of the student(s) involved, and the need to balance accountability with the teaching of appropriate behavior. Discipline will be consistent with the Plan and with the school's code of conduct. All disciplinary action for students who are found to have committed an act of bullying or retaliation shall be in accordance with the Gloucester Public Schools disciplinary policies, which may include warnings, parent conference, loss of privileges or participation in school activities, detention, up to and including suspension of appropriate duration, or expulsion from school. If the principal or designee determines that an employee has violated this policy, appropriate action will be taken. Any discipline taken against an employee for the violation of this policy will be in accordance with the collective bargaining agreement.

Discipline procedures for students with disabilities are governed by the federal Individuals with Disabilities Education Improvement Act (IDEA), which should be read in cooperation with state laws regarding student discipline.

If the principal or designee determines that a student or a member of a school staff knowingly made a false allegation of bullying or retaliation, that student or staff member may be subject to disciplinary action.

3. Promoting Safety for the Target and Others

The principal or designee will consider what adjustments, if any, are needed in the school environment to enhance the target's sense of safety and that of others as well. One strategy that the principal or designee may use is to increase adult supervision at transition times and in locations where bullying is known to have occurred or is likely to occur.

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the principal or designee will contact the target to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are needed. If so, the principal or designee will work with appropriate school staff to implement them immediately.

COLLABORATION WITH FAMILIES

Parent education and resources. The Gloucester Public Schools will offer educational opportunities for parents and guardians that are focused on the parental components of the bullying prevention curricula and any social competency curricula used by the district or school. Beginning in March 2011, programs will be offered in collaboration with the PTO, School Councils, Special Education Parent Advisory Council, or similar organizations.

Notification requirements. Each year the Gloucester Public Schools will inform parents or guardians of enrolled students about the anti-bullying curricula that are being used. This notice will include information about the dynamics of bullying, including cyberbullying and online safety. The school or district will send parents written notice each year about the student-related sections of the Plan and the school's or district's Internet safety policy. All notices and information made available to parents or guardians will be in hard copy and electronic formats, and will be available in the language(s) most prevalent among parents or guardians. The Gloucester Public Schools will post the Plan and related information on its website by January 1, 2011.

DEFINITIONS

Aggressor is a student or 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 who engages in bullying, cyberbullying, or retaliation.

Bullying, as defined in M.G.L. c. 71, § 37O, 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 target that:

- (i) causes physical or emotional harm to the target or damage to the target's property;
- (ii) places the target in reasonable fear of harm to himself or herself or of damage to his or her property;
- (iii) creates a hostile environment at school for the target;
- (iv) infringes on the rights of the target at school; or
- (v) materially and substantially disrupts the education process or the orderly operation of a school.

Cyberbullying, is bullying through the use of technology or electronic devices such as telephones, cell phones, computers, and the Internet. It includes, but is not limited to, email, instant messages, text messages, and Internet postings. See M.G.L. c. 71, § 37O for the legal definition of cyberbullying.

Hostile environment, as defined in M.G.L. c. 71, § 37O, is a situation in which bullying causes the school environment to be permeated with intimidation, ridicule, or insult that is sufficiently severe or pervasive to alter the conditions of a student's education.

Retaliation is any form of intimidation, reprisal, or harassment directed against a student who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying.

Staff includes, but is not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, support staff, or paraprofessionals.

Target is a student against whom bullying, cyberbullying, or retaliation has been perpetrated.

RELATIONSHIP TO OTHER LAWS

Consistent with state and federal laws, and the policies of the Gloucester Public Schools, no person shall be discriminated against in admission to a public school of any town or in obtaining the advantages, privilege and courses of study of such public school on account of race, color, sex, religion, national origin, or sexual orientation. Nothing in the Plan prevents the Gloucester Public Schools from taking action to remediate discrimination or harassment based on a person's membership in a legally protected category under local, state, or federal law, or school or district policies.

In addition, nothing in the Plan is designed or intended to limit the authority of the Gloucester Public Schools to take disciplinary action or other action under M.G.L. c. 71, §§ 37H or 37H½, other applicable laws, or local school or district policies in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.

Bus Behavior

The bus operator is in charge of the bus and the passengers. He/she is responsible for the safety of the students and for their conduct on the bus. Bus transportation can be denied temporarily or permanently if a student's behavior warrants it. The operator reports all violations of rules to the Principal's office and a student may become ineligible for transportation if his/her behavior creates a problem or safety hazard on the school bus. Please refer to the transportation guidelines outlined on the district website for specific guidelines.

Bus Changes

Students are expected to ride the same bus to and from school. This is done to ensure the safety of our students. Only in extreme circumstances, and only with the principal's approval, are students allowed to travel on a bus they have not been assigned. In the event of such a circumstance, parents should call the school and send in a written request for a bus change for that day to the office.

Cafeteria

The Gloucester School Lunch Program participates in the Federal Child Nutrition Services Program to provide nutritious, balanced meals to the students of the Gloucester Public Schools. As part of this program we offer free and reduced price meal benefits to all qualified children. The application process is simple and confidential. Applications are given to all children at the beginning of the school year. Determination of benefits is made by the Food Service Office and forwarded to the appropriate school. You can apply for benefits at any time during the year if you experience a change in household size or income.

- Monthly menus are published in the Gloucester Daily Times on a weekly basis and on our website (www.gloucesterpublicschools.com).
- Lunch is available for \$3.20. Weekly tickets can be purchased from the school cafeteria.
- Breakfast is available prior to the beginning of school. Cost for a complete breakfast is \$1.45
- *IMPORTANT* Students are not allowed to have energy drinks, sodas, or coffee products.

Breakfast Procedures

- The Cafeteria is open at 7:15am.
- Students are to go directly to breakfast from the bus.
- Students should not be tardy to their homeroom.
- Students are responsible to clean the table and floor around their seat.

Lunch Procedures

- Students must remain inside for the first 10 minutes at lunch.
- Students cannot go back to their classroom or to the bathroom without permission.
- Students will be respectful to each other and the people in the kitchen.
- Students will be patient and talk quietly while waiting to be served.
- All students will sit at lunch - no moving around to other tables.
- There is a table designated as a peanut free table.
- Students should deposit all lunch litter in wastebaskets.
- Students should leave the table and floor around your area in a neat, clean condition.
- Enjoy your breakfast and lunch. This is your time to sit and talk with your friends.

Meal Payment Policy

The School Committee will set a maximum overrun threshold at which point a student's POS account will be deactivated. When and where necessary, an alternative lunch will be offered at a reduced rate for students with a threshold, negative balance. Implementation of this policy will vary at elementary, middle, and high school.

Cell Phones/Electronic Devices

The use of cell phones, and all other electronic communication devices is prohibited in school. In the event that it can be demonstrated that the use of a device is a necessity during class hours, the principal may waive this policy to accommodate the needs of a particular student or staff. Students' cell phones may be subject to search based on reasonable suspicion of a violation of a school rule or law.

Communication

Communication among students, parents and teachers is essential to a positive middle school year. Parents are encouraged to call, email or arrange to meet with their child's teachers and/or the administration to discuss their child or any concerns they might have.

In an effort to reduce paper consumption, newsletters, announcements, memos, etc. will be sent electronically this year. Hard copies all correspondences will be available in the office. Please inform the office of any email changes. Forms and notices will also be uploaded to the school website.

Conduct

The O'Maley Innovation Middle School community strives to create a safe, nurturing environment that is personal, encourages active learning, embraces diversity, and promotes personal and social responsibility. We are committed to a **tone of decency** (mutual respect and responsibilities) and to **high expectations** for student performance. We believe that everything a school does should be directed toward the education of its students to the maximum extent possible. Every situation, even a disciplinary one, is used to deepen understanding and apply knowledge.

There must be certain expectations for all individuals in order for a community to grow and succeed. Our goal at O'Maley Innovation Middle School is to develop students who are self-disciplined and are able to make good judgments about their behavior. Our expectations for behavior center on the right for all to enjoy an orderly atmosphere conducive to learning. Please refer to the guidelines for progressive discipline at the end of this document.

You are expected to be respectful and courteous at all times while you are on school grounds, on the buses, and during school related activities. Below you will find a general listing of expectations for students. Please note: more specific information follows and can be found in the detailed **Code of Conduct** on Page 26.

- Maintain respect for teachers, staff and fellow students at all times.
- Be on time for school and all classes.
- Walk to the right of halls during passing time.
- No running in the building.
- Maintain quiet and orderly conduct during fire drills and all hazards drills, and follow the directions of staff members at all times.
- Food and beverages are not allowed in the classrooms or in the hallways.
- Fighting and roughhousing are not allowed on school grounds.
- Never leave the building without authorization.
- Respect all school property. Writing on or defacing furniture, walls, displays, etc. is prohibited.
- Profanity is prohibited on school grounds and at all school activities.
- Harassment/bullying of fellow students is not permitted.
- Throwing any objects including ice, snow, acorns, rocks, etc. during school time or at bus stops is not allowed.
- Each student must respect the property of his/her peers and teachers. Students are not allowed to enter lockers or desks of teachers or others students without permission.
- Help maintain your school's appearance by picking up discarded papers and other debris.
- Alcoholic beverages/drugs are strictly prohibited.
- Smoking and chewing tobacco are strictly prohibited.

Dismissal

Parents and visitors must report to the office before picking up students. No student will be dismissed without first checking with the office. Please send a note or call the office before dismissing a student. If a person other than the parent/guardian is picking up the child, please name him/her in the note. Identification will be checked.

Email

Parents are encouraged to provide current email addresses to the school. Please log on to our website and follow the instructions to join our O'Maley parent email list. Please inform the office whenever email address change. Teachers will provide the most efficient way of contacting them to discuss students at the beginning of the school year when reviewing classroom policies and expectations.

Extra-Curricular Activities

In order for any student to participate in any athletic or extra-curricular activity, that student must have maintained a passing grade in at least four major subjects during the previous marking period (Policy 5.7 & 8.2). A passing grade is considered to be a final average of 60% or higher.

Students who are excused from Physical Education class cannot participate in inter-scholastic athletics.

All students partaking in any interscholastic sports will have a physical examination just prior to the beginning of the season or within the last 12 months (Policy 10.10).

The School Committee has instituted a user fee for extra-curricular activities. Students are expected to pay all fees before participating in an activity or sport.

The school district shall provide nonacademic and extracurricular services and activities in such a manner as is necessary to afford students with disabilities an equal opportunity for participation. The school district is, however, generally permitted to establish and utilize skill-based eligibility criteria for participation in extracurricular programs and activities (e.g., school-sponsored athletics) so long as the criteria are rationally related to the purposes and goals of the specific program or activity.

Please refer to the extra Curricular activity catalog posted on our website for a list of all activities.

Fighting

Fighting is not tolerated at O'Maley Innovation Middle School. There is **no** reason that would justify this kind of behavior. You are expected to:

1. Solve problems before they escalate.
2. Get help from a teacher or the guidance counselor.
3. Consult with the principal.

Fire Drills/Emergency Preparations

- Regulations require that fire drills be held periodically during the school year. Each exit in the school is clearly indicated. The exit to be used is clearly indicated in each classroom. The sound of the fire alarm is the signal to leave the building immediately by the designated exit. Students are expected to exit in an orderly manner and follow their teachers to the prearranged area outside the building where they should line up for the purpose of attendance.
- School lock-down drills and building emergency procedures are also practiced regularly following district policy.

Guidance

Guidance counseling services are available to all students, teachers, and parents. Please speak to the guidance counselor, your teachers, or the school office if you would like to make an appointment to speak to our counselor. Students may also contact their principal who will contact guidance.

Harassment Policy

The Gloucester Public Schools (“District”) does not discriminate against students, parents, employees or the general public on the basis of race, color, national origin, sex, sexual orientation, gender identity, disability, religion, or age. This procedure has been adopted by the District to provide a method of prompt and equitable resolution of student and employee complaints of discrimination and harassment. This procedure is designed in compliance with state and federal laws which prohibited discrimination based on the above protected classes, including Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Act, and M.G.L. c. 76 § 5.

Definitions

For the purposes of this procedure:

- A. A “Complaint” is defined as an allegation that a student or employee has been discriminated against or harassed on the basis of race, color, national origin, age, sex, sexual orientation, gender identity, disability, or religion.
- B. “Discrimination or harassment” means discrimination or harassment on the basis of race, age, color, national origin, sex, sexual orientation, gender identity, disability or religion.
- C. “Harassment” means unwelcome conduct on the basis of race, color, national origin, age, sex, sexual orientation, gender identity, disability, or religion that is sufficiently severe, persistent or pervasive to create a hostile environment for the individual at school. Harassment may include insults, name-calling, off color jokes, threats, comments, innuendoes, notes, display of pictures or symbols, gestures, or other conduct which rises to the level of a hostile environment.
- D. “Sexual Harassment” means unwelcome, sexually offensive or gender-based conduct which is sufficiently severe, persistent or pervasive to create a hostile environment for the individual at school. Additionally, under M.G.L. c. 151C, § 1, the term “sexual harassment” may also include, but is not limited to, sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when:— (i) submission to or rejection of such advances, requests or conduct is made either

explicitly or implicitly a term or condition of the provision of the benefits, privileges or placement services or as a basis for the evaluation of academic achievement; or (ii) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's education by creating an intimidating, hostile, humiliating or sexually offensive educational environment.

- E. When determining whether an environment is hostile, the school district examines the context, nature, frequency, and location of sexual or gender-based incidents, as well as the identity, number and relationships of the persons involved. The school district must consider whether the alleged harassment was sufficient to have created such an environment for a reasonable person of the same age, gender, and experience as the alleged victim, and under similar circumstances.

Harassment and Retaliation Prohibited

Harassment in any form or for any reason is absolutely forbidden. This includes harassment by administrators, certified and support personnel, students, vendors and other individuals in school or at school related events. Retaliation against any individual who has brought harassment or other inappropriate behavior to the attention of school officials or who has cooperated in an investigation of a complaint under this policy is unlawful and will not be tolerated by the Gloucester Public Schools.

Persons who engage in harassment or retaliation may be subject to disciplinary action, including, but not limited to reprimand, suspension, termination/expulsion or other sanctions as determined by the school administration and/or School Committee, subject to applicable procedural requirements.

How to make a complaint

- A. Any student or employee who believes that he/she has been discriminated against or harassed should report their concern promptly to the school principal or the Civil Rights Coordinator listed below. If the school principal receives the report, he or she will notify the Civil Rights Coordinator of the Complaint. Students or employees who are unsure whether discrimination or harassment has occurred are encouraged to discuss the situation with the school principal or appropriate Civil Rights Coordinator.

Civil Rights Coordinator
Arthur Unobskey
Assistant Superintendent
2 Blackburn Drive
Gloucester, MA 01930
(978) 281-9833

- B. District staff is expected to report possible incidents of discrimination or harassment of students and fellow employees. Parents and other adults are also encouraged to report any concerns about possible discrimination or harassment of students or employees which have allegedly occurred on school grounds, at school related events, or actions which occurred outside of school but possibly create a hostile environment for a student or employee while he/she is at school.

- C. Students and employees will not be retaliated against for making a Complaint. Any retaliation by students or school staff will result in disciplinary measures, up to and including expulsion or dismissal.
- D. Students and employees are encouraged to utilize the District's Complaint Procedure. However, students and employees are hereby notified that they also have the right to report complaints to:

The United States Department of Education
Office for Civil Rights
5 Post Office Square, 8th Floor
Boston, Massachusetts 02110-1491
Telephone: (617) 289-0111
Fax: 617-289-0150
TDD: 877-521-2172

or

Program Quality Assurance Services
Massachusetts Department of Elementary and Secondary Education
75 Pleasant Street, Malden, MA 02148-4906
Telephone: 781-338-3700
TTY: N.E.T. Relay: 1-800-439-2370
FAX: 781-338-3710

Complaint Handling and Investigation

- A. The school principal shall promptly inform the relevant Civil Rights Coordinator and the person(s) who is the subject of the Complaint that a Complaint has been received.
- B. After notifying the appropriate Civil Rights Coordinator, the school principal or designee may pursue an informal resolution of the Complaint with the agreement of the parties involved. Informal resolution is optional, and the Complainant may elect to proceed according to the formal resolution procedure at any time prior to the completion of the informal resolution.
- C. Under the formal resolution procedure, the Complaint will be investigated by the, the school principal or other individual designated by the school principal or Civil Rights Coordinator. Any Complaint about an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. Any Complaint about the Superintendent should be submitted to the School Committee Chair, who will consult with legal counsel concerning handling the investigation of the Complaint.
 - 1. The Complainant shall have the opportunity to present witnesses and other relevant evidence to the investigator.
 - 2. The person who is the subject of the Complaint will be provided with an opportunity to be heard as part of the investigation including the opportunity to provide relevant information and identify witnesses for the investigator's consideration.
 - 3. The privacy rights of all parties to the Complaint shall be maintained in accordance with applicable state and federal laws.

4. The investigator will keep a written record of the investigation process.
5. The investigator may take interim remedial measures to reduce the risk of further discrimination or harassment while the investigation is pending.
6. The investigation and the notification of the outcome to the complainant and the subject of the complaint shall be completed within twenty (20) calendar days of the date of the receipt of the Complaint.
7. The investigator may extend the investigation period beyond twenty (20) calendar days because of extenuating circumstances, including but not limited to availability and cooperation of witnesses, complexity of the investigation, school vacation periods, and the involvement of law enforcement and other outside agency investigations. If the investigator extends the investigation, he or she will notify the Complainant of the extension.
8. If a complaint or report of discrimination or harassment is received after June 1 of a given school year, the investigator will attempt to complete the investigation by the end of the school year. In the event that the investigation extends beyond the last day of school, the District will make reasonable efforts to complete the investigation within the above-referenced time frame, but may extend the investigation period to account for the availability of witnesses during the summer vacation period. If the investigator extends the investigation, he or she will notify the Complainant of the extension and make reasonable efforts to interview the witnesses during the summer vacation period.
9. Nothing in this procedure will preclude the investigator, in his or her discretion, from completing the investigation sooner than the twenty (20) calendar days described above.

- D. If the investigator determines that discrimination or harassment has occurred, he/she shall take steps to eliminate the discriminatory or harassing environment, which may include but is not limited to:
1. Determining what disciplinary action should be taken against the person(s) who engaged in discrimination or harassment, if any;
 2. Determining what steps are necessary to prevent recurrence of any discriminatory behavior, including but not limited to harassment, and to correct its discriminatory effects if appropriate; and
 3. Informing the Complainant and the person(s) who was the subject of the Complaint of the results of the investigation (in accordance with applicable state and federal privacy laws) within twenty (20) calendar days of receipt of the Complaint, unless the investigation is extended under the provision described above.
- E. If the Complainant or the student's parents/legal guardians are dissatisfied with the results of the investigation, an appeal may be made to the appropriate Civil Rights Coordinator within ten (10) calendar days after receiving notice of the outcome of the investigation. In the appeal, the appellant should identify any specific alleged factual or legal errors and explain why the errors should result in a different conclusion. The Civil Rights Coordinator shall review the investigation and may conduct further investigation if deemed appropriate. The Civil Rights Coordinator's decision shall be final, subject to further appeal to the Superintendent.

- F. If the employee or the student's parents or legal guardians are dissatisfied with the decision of the Civil Rights Coordinator, an appeal may be submitted to the Superintendent within seven (7) calendar days after receiving notice of the Civil Rights Coordinator's decision. The Superintendent will consider the appeal. The Superintendent's decision shall be final.

Teen Violence Dating: O'Maley Innovation Middle School considers teen dating violence to be a form of harassment. Any and all instances of alleged teen dating violence are subject to this harassment policy, and its investigation procedures. Confirmed acts of teen dating violence will be subject to discipline in accordance with this harassment policy and the Code of Conduct.

HAZING: M.G.L. c. 269, Section 17 Hazing as defined in M.G.L. c. 269, Sec. 17, 18 and 19 is forbidden. The term "hazing" means 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. "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 \$3000.00 or by imprisonment in a House of Correction for not more than 100 days, or by both such fine and imprisonment. 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 activity which endangers physical health or safety of any such student or any other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation. Any person(s) found engaging in hazing will be subject to suspension for up to 10 days, or possibly more serious penalties, depending on the seriousness of the hazing offense.

DUTY TO REPORT HAZING: M.G.L. c. 269, Section 18 Whoever knows that another person is the victim of hazing as defined in section 17 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. Whomever fails to report such crime shall be punished by a fine of not more than \$1,000.

Injury and Illness

If a student is injured or becomes ill, they are to ask for a pass to the Health Office. If a student becomes ill or is seriously injured, the parent is notified immediately. If a parent cannot be reached in an emergency, the student will be transported to the hospital.

Immunizations and Physicals

Subject to the limited exceptions under M.G.L. c. 76, § 5 and the McKinney-Vento Act, The Massachusetts Department of Public Health requires that all students be fully immunized against measles, mumps, rubella, polio, diphtheria, tetanus, and pertussis.

Students entering grade 7 must have a physician's certificate stating that the student has received a second dose of live measles vaccine. Please be aware that 7th grade is also the time in which boosters for other immunizations are necessary.

Physical examinations are required at grades: K, 4, 7, and 10. A physical form is available upon request. All appointments should be made outside of school hours when possible.

Internet Usage

We are pleased to offer students of the O'Maley Innovation Middle School access to the district computer network for the Internet. To use the Internet from the school computer network, all students must obtain parental permission and must sign and return the *Terms and Conditions for Use of Internet Form* to their homeroom teacher.

Lockers

Each student is assigned a hall/classroom locker and is expected to keep them in clean and usable condition. Lockers are the property of the Gloucester Public Schools and are loaned to the students. Students have no expectation of privacy in their assigned locker and the O'Maley Innovation Middle School administration has the discretion to search lockers at any time.

Medical

- Two full-time registered nurses are available to monitor immunizations, administer first aid and dispense medications. Students may not keep medicine on their person or in their lockers. All medications must be delivered to the Nurses' Office by a parent or guardian in a pharmacy-labeled container, accompanied by a parental note indicating the dosage and schedule for administration. Long-term daily medications must be refilled on schedule.
- In case of illness or injury during school hours, effected students should report to the nurse with a note from their teacher. Permission to leave school due to illness or injury can be obtained from the nurse only after the parent or designated emergency person has been contacted. Parents or a designated person pick students up in the Nurses' Office located to the right upon entering the building. However, students are not allowed to contact a parent on their own to arrange for a nurse dismissal.

No School Announcements and Delayed Openings

During a weather related emergency or in a situation deemed by the Superintendent of Schools to be unsafe and not in the best interest of the students, the O'Maley Innovation Middle Schools or an individual school will be closed until the emergency has passed or the safety issue is addressed.

Each student will have on file and submit annually an emergency form providing school officials with information as to who should be contacted in the event of an emergency. Lacking specific instructions, the school will follow the usual release policy.

School cancellation or delay announcements are posted on local TV and radio stations.

Parents are encouraged to watch/listen for announcements rather than calling the school or police department.

Non-Discrimination Policy

The Gloucester Public Schools does not discriminate against students, parents, employees or the general public on the basis of race, color, national origin, sex, sexual orientation, gender identity, disability, religion, or age.

The following individual has been designated to handle inquiries regarding the District's non-discrimination policies in education-related activities, including but not limited to inquiries related to Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Age Act.

Should you wish to file a complaint alleging discrimination of student or an employee based on disability, age, race, color, gender, national origin, religion gender, sexual orientation, or gender identity you may contact:

Central Office
Gloucester Public Schools, 2 Blackburn Drive,
Gloucester, MA 01930 (978) 281-9810

For further information on notice of nondiscrimination. Write: U. S. Department of Education, Office for Civil Rights, Customer Service Team, 400 Maryland Avenue, S.W., Washington, DC 20202-1100 or email: OCR@ed.gov. Call the Office of Civil Rights at 1-800-421-3481.

Pregnant Students

In accordance with state and federal law, the district does not discriminate against nor exclude students from its educational programs, or activities, including classes and extracurricular activities, on the basis of the student's pregnancy, childbirth, or recovery there from. Exceptions will be made only when a physician expressly prohibits the student's participation. The district requires a pregnant student to obtain the certification of a physician that the student is physically and emotionally able to continue in school only to the extent that such certification is required for all students for other physical or emotional conditions requiring the attention of a physician. The district will provide reasonable accommodations for students with medical conditions relating to pregnancy to the extent such accommodations are provided to students with other temporary medical conditions. A student may take a leave of absence relating to pregnancy and childbirth for any period of time deemed medically necessary by the student's physician. Following any such leave, the student will be reinstated to the status she held when the leave began.

Notification of Changes

- Please notify the school regarding any changes in a student's status (e.g.: change of address, phone number, health, custody, etc.).

Physical Restraint of Students:

O'Maley Innovation Middle School faculty and staff have a responsibility to ensure the physical safety of all students. Physical restraint is the use of bodily force to limit a student's freedom of movement. Physical restraint may be used only in the following circumstances: (a) non-physical interventions would not be effective; and (b) the student's behavior poses a threat of imminent, serious, physical harm to self and/or others. Physical restraint in a public education program shall be limited to the use of such reasonable force as is necessary to protect a student or another member of the school community from assault or imminent, serious, physical harm. Physical restraint is prohibited in the following circumstances: (a) as a means of punishment; or (b) as a response to property destruction, disruption of school order, a student's refusal to comply with a school rule or staff directive, or verbal threats that do not constitute a threat of imminent, serious, physical harm. Nothing in this policy, or the applicable regulations, prohibits: (a) the right of any individual to report to appropriate authorities a crime committed by a student or other individual; (b) law enforcement, judicial authorities or school security personnel from exercising their responsibilities, including the physical detainment of a student or other person alleged to have committed a crime or posing a security risk; or (c) The exercise of an individual's responsibilities as a mandated reporter pursuant to MGL c. 119, § 51A.

The policy and procedure below shall be effective from January 1, 2016 through the remainder of the 2015-2016 school year. For the provision effective from the beginning of the 2015-2016 school year until December 31, 2015, please see above.

The Gloucester Public Schools recognizes that on occasion physical restraint is required to protect the safety of school community members from assault or serious, imminent physical harm. Physical restraint may be used only as an emergency procedure of last resort and shall be prohibited in public education programs except when a student's behavior poses a threat of assault, or imminent, serious, physical harm to self or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions, or such interventions are deemed appropriate under the circumstances. Physical restraint shall mean direct physical contact that prevents or significantly restricts a student's freedom of movement. Physical restraint does not include: brief physical contact to promote student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing comfort, or a physical escort. Physical restraint shall not be used: (a) as a means of discipline or punishment; (b) when the student cannot be safely restrained because it is medically contraindicated for reasons including, but not limited to, asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting; (c) as a response to property destruction, disruption of school order, a student's refusal to comply with a public education program rule or staff directive, or verbal threats when those actions do not constitute a threat of assault, or imminent, serious, physical harm; or (d) as a standard response for any individual student. No written individual behavior plan or individualized education program (IEP) may include use of physical restraint as a standard response to any behavior. Physical restraint is an emergency procedure of last resort. All physical restraint must be terminated as soon as the student is no longer an immediate danger to himself or others, or the student indicates that he or she cannot breathe, or if the student is observed to be in severe distress, such as having difficulty breathing, or sustained or prolonged crying or coughing. Physical restraint in a public education program shall be limited to the use of such reasonable force as is necessary to protect a student or another member of the school community from assault or imminent, serious, physical harm.

Possession of Alcohol

The use of or possession of alcohol in any quantity is prohibited on O'Maley Innovation Middle School property and at all school sponsored events (Policy 5.4).

The building principal is authorized to question and search students regarding alcohol activity on school property whenever there are reasonable grounds to believe the student is violating the law.

Progress Reports/Report Cards

Progress reports will be sent home with students at the approximate halfway point of each term to inform them of current performance levels (Policy). Parents should sign and return the acknowledgment form and call their child's guidance counselor with any questions or concerns.

School Hours

Classes begin promptly at 7:40 am and end at 1:55 pm. Early release day hours are as follows: 7:40 am to 11:00 a.m. Students who are tardy to school must check in at the office and receive a pass before reporting to class. Students who develop patterns of tardiness will be subject to disciplinary action.

School Property

All members of our school community are responsible for the proper care of school property, equipment and supplies and these items may be subject to search and/or inspection at any time. Students who willfully damage, deface, or destroy school property, equipment, technology, and supplies will be required to make restitution to the school and may be subject to disciplinary action.

Please be aware that damage to a school building is a violation of Massachusetts General Law 266 § 98 and carries serious consequences.

Section 504 of the Rehabilitation Act of 1973

Section 504 of the Rehabilitation Act of 1973 (“Section 504”) is a federal law designed to protect the rights of individuals with disabilities in programs and activities that receive federal financial assistance from the U.S. Department of Education. Section 504 provides: “No otherwise qualified individual with a disability in the United States . . . shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance”

The United States Department of Education, Office for Civil Rights (OCR) enforces Section 504 in programs and activities that receive federal financial assistance from the U.S. Department of Education. Recipients of this federal financial assistance include public school districts, institutions of higher education, and other state and local education agencies. The regulations implementing Section 504 in the context of educational institutions appear at 34 C.F.R. Part 104.

The Section 504 regulations require a school district to provide a “free appropriate public education” (FAPE) to each qualified student with a disability who is in the school district’s jurisdiction, regardless of the nature or severity of the disability. Under Section 504, a FAPE consists of the provision of regular or special education and related aids and services designed to meet the student’s individual educational needs as adequately as the needs of nondisabled students are met.

The Gloucester Public Schools is also subject to Title II of the Americans with Disabilities Act of 1990 (Title II), including the conforming amendment to Section 504 that affects the meaning of a disability under Section 504.

Section 504 also protects employees: “No qualified individual with a disability shall, on the basis of his or her disability, be subjected to discrimination in employment under any program or activity” receiving federal financial assistance.

Individuals who have complaints regarding the school district’s compliance with Section 504 can bring suit in federal district court against the school districts or persons in their individual capacity. Parents and employees can also file complaints with the OCR regional office at 5 Post Office Square, 8th Floor, Boston, MA 02118. In regard to concerns related to the identification, evaluation, and placement of students with disabilities, parents or guardians can make a hearing request with the Massachusetts Bureau of Special Education Appeals at One Congress Street, 11th Floor, Boston, Massachusetts 02114. Employees can also file a complaint with the Equal Employment Opportunity Commission located at John F. Kennedy Federal Building, 475 Government Center, Boston, MA 02203.

Smoking

In accordance with Chapter 71 Section 2A and 37H of the Massachusetts General Laws, smoking is prohibited by all persons at all times on all school property (Policy 5.5).

Special Education

Under M.G.L. c. 71B and the Individuals with Disabilities Education Act of 2004 (“IDEA”) special education services are provided to students found eligible after an initial IEP Team meeting. To be found eligible for services, a student must have one or more of the following disabilities: mental retardation, a hearing impairment, a speech or language impairment, deaf-blindness, autism, developmental delay, specific learning disability or an intellectual, sensory, neurological, emotional, communication, physical, or health impairment. It is also necessary for eligibility, that, as a result of the disability(ies), the student is unable to progress effectively in the general education program without the provision of specially designed instruction, or is unable to access the general curriculum without the provision of one or more related services, the Team shall determine that the student is eligible.

The district offers an array of services designed to meet student needs. Special education services and placement determination are the responsibility of a multi-disciplinary team comprised of professionals who have assessed the student in any areas of suspected need, a regular education teacher, administration and, most importantly, the student’s parent or guardian.

Upon completion of an initial evaluation, the Team develops an individualized educational program (IEP) that highlights, among other things, the student’s strengths, areas of concern, strategies for accommodating for the student’s disability, modifications to the curriculum, services that the student will receive and important goals and objectives developed to ensure student progress. Parent involvement during the evaluation and IEP development is an integral part of the process. Copies of the *Parent’s Rights Brochure* are available in the special department located at O’Maley Innovation Middle School or from the school buildings’ Evaluation Team Facilitator.

Transportation

The Gloucester Public Schools provide free bus transportation for 6th grade students who live more than 2 miles from school. Transportation will be provided for a fee as follows:

- Students in Grade 6 who live over 1.5 miles but less than 2 miles may request to ride the bus for the full fee if space permits
- Students in Grades 7-8 who live over 2 miles from school.

The Fee Schedule is as follows:

- Full Fare \$100 per rider
- Family Cap \$200 per family.

A one way pass for \$70 will be available on a space available basis only: one way passes will be processed only after two way passes are processed.

All eligible bus students who qualify for free or reduced lunch will be eligible for a reduced fee as follows:

- Reduced Lunch \$50 per rider
- One Way \$35
- Family Cap \$100
- Free Lunch-Free

No fee will be reduced unless a Financial Application is filed and approved

Application forms are available on-line, at schools and the district office.

User Fees

The school committee determines user fees and activity fees.

Current middle school fees are:

Athletic teams:

	Full Fee	Reduced Lunch Fee	Free Lunch Fee
Hockey	\$230	\$150	\$100
Basketball,	\$60	\$45	\$30
Cross Country, Field Hockey, Track			

Co-curricular clubs and Activities:

Drama \$30 per production

Middle School Music \$75

Web Page

<http://omaleyn.goucesterschools.com>

The middle school web page is a valuable resource for information about what is going on at O'Maley Innovation Middle School. We will try to keep it updated with links to important notices and forms that can be downloaded and returned to school. District information and links to all of the schools can be found on the district page: www.goucesterschools.com.

CODE OF CONDUCT

Dear Parents and Guardians:

The faculty of the O'Maley Innovation Middle School expects that your child is coming to school to learn. Therefore, anything that disrupts the educational environment is not tolerated. Although we recognize that students make mistakes from time to time, we must insist that they are held accountable for their actions. All offenses against the Code of Conduct will be entered in a discipline database.

Our Code of Conduct reflects today's norms. Behaviors that were previously dismissed as adolescent teasing or the like can now be seen as criminal. We encourage all parents to sit down with their child and read the Code of Conduct as well as the expectations outlined in our student handbook.

Student Behavior Standard

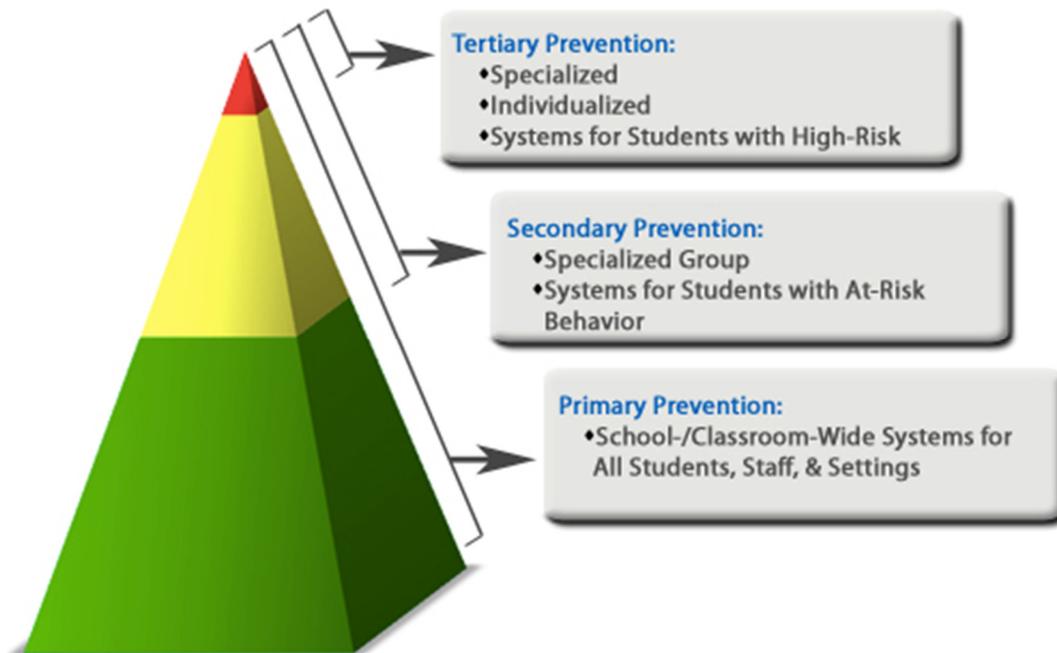
We recognize that students do not surrender their rights of citizenship as they pass through the schoolhouse door. We further recognize that students within the school setting are not entitled to any special rights, privileges, or immunities not enjoyed by citizens in the larger community. It is expected student behavior will be such that there are no detractions from instruction, that positive and constructive interpersonal transactions exist, and that the freedom for intellectual and personal growth is enhanced by mutual respect among all individuals in the school. We insist that the educational welfare of the individual pupil and of the larger school community be a determinate. Therefore, all disciplinary actions and procedures must be directed toward serving educational needs.

Student discipline procedures are to be progressive, except those instances cited elsewhere within this policy. The disciplinary actions are not necessarily sequential; that is, the inappropriate behavior has varying consequences depending on the seriousness of the event, the circumstances of the occurrence, and the number of repeat offenses. It is expected that disruptive student behavior will be first the responsibility of the classroom teacher and, if continued, the responsibility of the building administrator. Progressive discipline procedures shall lead to a definitive conclusion within a reasonable period of time. The progression of discipline need not relate to the same or similar incidents, but the accumulation of incidents. It is not intended there be endless opportunity for a student to demonstrate defiance within the reasonable rules and regulations of the school.

This policy shall outline the guidelines for the school. Included shall be the minimum response procedure and delegated authority for response. There exist three levels of misconduct with incremental degrees of seriousness of offense and punishment. At each progressive level, the student shall be made aware of the level of the offense and consequences of repeated offenses. The infraction consequences listed are not exhaustive nor are they meant to be; rather these are guidelines for addressing inappropriate conduct and suggested disciplinary consequences. A range of discipline is possible within these guidelines, and school administrators have the discretion to impose more severe consequences than contained within these guidelines, depending on the individual circumstances presented.

Positive Behavior Interventions and Supports (PBIS)

Positive Behavior Interventions and Supports (**PBIS**) is a proactive approach to establishing the behavioral supports and social culture needed for all students in a school to achieve social, emotional and academic success.



For more information, reference <http://www..org>

Core Principles of PBIS

1. **We can effectively teach appropriate behavior to all children.** All PBIS practices are founded on the assumption and belief that all children can exhibit appropriate behavior. As a result, it is our responsibility to identify the contextual setting events and environmental conditions that enable exhibition of appropriate behavior. We then must determine the means and systems to provide those resources.
2. **Intervene early.** It is best practices to intervene before targeted behaviors occur. If we intervene before problematic behaviors escalate, the interventions are much more manageable. Highly effective universal interventions in the early stages of implementation which are informed by time sensitive continuous progress monitoring, enjoy strong empirical support for their effectiveness with at-risk students.
3. **Use of a multi-tier model of service delivery.** PBIS uses an efficient, needs-driven resource deployment system to match behavioral resources with student need. To achieve high rates of student success for all students, instruction in the schools must be differentiated in both nature and intensity. To efficiently differentiate behavioral instruction for all students. PBIS uses tiered models of service delivery.

4. **Use research-based, scientifically validated interventions to the extent available.** No Child Left Behind requires the use of scientifically based curricula and interventions. The purpose of this requirement is to ensure that students are exposed to curriculum and teaching that has demonstrated effectiveness for the type of student and the setting. Research-based, scientifically validated interventions provide our best opportunity at implementing strategies that will be effective for a large majority of students.
5. **Monitor student progress to inform interventions.** The only method to determine if a student is improving is to monitor the student's progress. The use of assessments that can be collected frequently and that are sensitive to small changes in student behavior is recommended. Determining the effectiveness (or lack of) an intervention early is important to maximize the impact of that intervention for the student.
6. **Use data to make decisions.** A data-based decision regarding student response to the interventions is central to PBIS practices. Decisions in PBIS practices are based on professional judgment informed directly by student office discipline referral data and performance data. This principle requires that ongoing data collection systems are in place and that resulting data are used to make informed behavioral intervention planning decisions.
7. **Use assessment for three different purposes.** In PBIS, three types of assessments are used: 1) screening of data comparison per day per month for total office discipline referrals, 2) diagnostic determination of data by time of day, problem behavior, and location and 3) progress monitoring to determine if the behavioral interventions are producing the desired effects.

Resource: May Institute, 2015 and <http://www.pbis.org>

The staff or principal will determine the severity of an incident. On occasion a level one offense may be reprimanded as a level two or level three offense.

The administration reserves the right to invoke any other consequences deemed appropriate.

Level One (Minor Infractions)

Student engages in misbehavior that interferes with classroom order, or with the orderly operations of the school.

Student Behaviors

Defiance/Insubordination/Non-compliance (M – Defiance)	Student engages in brief or low-intensity failure to follow directions or talks back.
Disrespect (M – Disrespect)	Student delivers low-intensity, socially rude or dismissive messages to adults or students
Disruption (M – Disruption)	Student engages in low-intensity, but inappropriate disruption.
Dress Code Violation (M – Dress)	Student wears clothing that is near, but not within, the dress code guidelines defined by the school/district.
Inappropriate Language (M – Innap. Lan)	Student engages in low-intensity instance of inappropriate language.
Other (M – Other)	Student engages in any other minor problem behaviors that do not fall within the above categories.
Physical Contact/ Physical Aggression (M – Contact)	Student engages in non-serious, but inappropriate physical contact.
Property Misuse (M – Prpty Misuse)	Student engages in low-intensity misuse of property.
Tardy (M – Tardy)	Student arrives to class after the start of class.
Technology Violation (M – Tech)	Student engages in non-serious but inappropriate use of cell phone, Chrome book, computer, music/video players, camera and/or iPod/MP3 device.

Possible Disciplinary Actions for Step One Behaviors

This misbehavior can usually be handled by the staff members observing them, but sometimes require supervision of other school personnel.

- Verbal reprimand
- Special assignment related to the misbehavior
- Behavior contract
- Detained after school
- Withdrawal of privileges
- Written communication

Level Two (Major Infractions)

Student engages in frequent misbehavior that disrupts the learning climate of the school or classroom. These problems usually result from a continuation of level one misbehavior, which now requires the intervention of a school administrator.

Student Behaviors

Abusive Language/ Inappropriate Language/ Profanity (Inapp Lan)	Student delivers verbal messages that include swearing, name calling, or use of words in inappropriate ways.
Bullying (Bullying)	The delivery of direct or technology-based messages that involve intimidation, teasing, taunting, threats, or name calling.
Defiance/Insubordination/ Non-Compliance (Defiance)	Student engages in refusal (possible repeated) to follow directions or talks back.
Disrespect (Disrespect)	Student delivers socially rude or dismissive messages to adults or students.
Disruption (Disruption)	Student engages in behavior causing an interruption in a class or activity. Disruption includes sustained loud talk, yelling, or screaming; noise with materials; horseplay or roughhousing; and/or sustained, unacceptable out-of-seat behavior.
Fighting (Fight)	Student is involved in mutual participation in an incident involving physical violence.
Forgery/Theft/Plagiarism (Theft)	Student is involved by being in possession of, having passed on, or being responsible for removing someone else's property; or the student has signed a person's name without that person's permission, or claims someone else's work as their own.
Harassment (Harass)	The delivery of disrespectful messages in any format related to gender, gender identify, ethnicity, sex, race, religion, disability, physical features, or other protected class.
Inappropriate Location/Out of Bounds Area (Out of Bounds)	Student is in an area that is outside of school boundaries.
Lying/Cheating (Lying)	Student delivers message that is untrue and/or deliberately violates rules.
Other Behavior (Other)	Student engages in problem behavior not listed.
Property Damage/Vandalism (Prop Dam)	Student participates in an activity that results in destruction or disfigurement of property.

Skipping Class (Skip)	Student leaves or misses class without permission.
Tardy (Tardy)	Student is late to class or the start up of the school day (3 or more times per term).
Technology Violation (Tech)	Student engages in inappropriate use of cell phone, Chrome book, computer, music/video players, camera and/or iPod/MP3 device.
Truancy (Truan)	Student receives an 'unexcused absence' for ½ day or more.

Possible Disciplinary Actions for Step Two Behaviors

- Special assignment related to the misbehavior
- Behavior contract or behavior modification program
- Withdrawal of privileges: including field trips and extra-curricular activities.
- In school suspension
- Out of school suspension
- Restitution for damages to school property
- Parent conference

Level Three (Major Infractions)

Student's behavior is directed toward persons or property that could pose a direct threat to the safety of others in the school. Some of these acts might be considered criminal. They are serious enough that they require administrative actions that result in the immediate removal of a student from school, and possible police action.

Student Behaviors

Arson (Arson)	Student plans and/or participates in malicious burning of property.
Bomb Threat/ False Alarm (Bomb)	Student delivers a message of possible explosive materials being on campus, near campus, and/or pending explosion.
Physical Aggression (PAgg)	Student engages in actions involving serious physical contact where injury may occur (e.g., hitting, punching, hitting with an object, kicking, hair pulling, scratching, etc.).
Use/Possession of Alcohol (Alcohol)	Student is in possession of or is using alcohol.
Use/Possession of Combustibles (Combust)	Student is/was in possession of substances/objects readily capable of causing bodily harm and/or property damage (matches, lighters, firecrackers, gasoline, lighter fluid).
Use/Possession of Drugs (Drugs)	Student is in possession of or is using illegal drugs/substances or imitations.

Use/Possession of Tobacco (Tobacco)	Student is in possession of or is using tobacco or e-cigarettes.
Use/Possession of Weapons (Weapons)	Student is in possession of knives (<6”) and guns (real or look alike), or other objects readily capable of causing bodily harm.
Property Damage/Vandalism (Prop Dam)	Student participates in an activity that results in destruction or disfigurement of property.

Possible Disciplinary Actions for Step Three Behaviors

- Suspension
- Expulsion
- Alternative schooling
- Contact law enforcement officials

Due Process

“Due Process” shall be followed in all disciplinary cases involving suspension or expulsion of a student.

Short Term Disciplinary Sanctions: Except where circumstances require the student’s immediate removal from the school environment, prior to the imposition of any disciplinary sanction that might result in a student’s suspension from school for ten (10) consecutive school days or less, the student will be given oral notice of the offense with which he/she is charged and an opportunity to respond. In the event that the principal determines that the student will be suspended from school, the student’s parent(s)/guardian(s) will be notified by telephone and in writing. A student may appeal a short-term suspension in writing to the Principal. An appeal must be made within one (1) day of being notified of the suspension.

Long Term Disciplinary Sanctions: Prior to the imposition of any disciplinary sanction that would result in the student’s suspension for more than ten (10) consecutive school days or expulsion, the parent(s)/guardian(s) will be given written notice of a hearing at which they may be represented by an attorney (at private expense) and may examine and present witnesses and documentary evidence. Following this hearing, the hearing officer (principal/school committee) will issue a written decision. The parent(s)/guardian(s) will have the right to appeal any decision imposing a long-term exclusion from school. Students who are long-term suspended or expelled under M.G.L. c. 71, 37H and 37H 1/2, are afforded specific due process protections which are set forth below. For exclusions imposed by the school committee in accordance with M.G.L. c.76 §17, the student shall have the right to file a written request for reconsideration by the committee within ten (10) days of the effective date of the exclusion. Pending the outcome of any such appeal, the disciplinary sanction imposed shall remain in effect. M.G.L. c.76 §17. Within five

(5) school days of any disciplinary appeal hearing, the reviewing hearing officer (superintendent/school committee) will render a written decision on the student's appeal.

Suspensions are a result of major infractions of the school rules. Work missed as a result of out of school suspension must be made up for credit within the same timeframe(s) as for a documented absence. A student may not participate in or attend any school curricula or extra curricula activities on the days of an out of school suspension. When a student is suspended, parents/guardians will be contacted (an official letter will also be sent home) in order to establish a conference required for re-admission to school.

Expulsion

The Gloucester School Committee has the right to permanently exclude a student from school, pursuant to (M.G.L. Chapter 76, Sec. 16 and Sec. 17). In addition, under certain circumstances the Principal may expel a student from school (M.G.L. c.71, Section 37H). These are noted below:

- 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 94C, 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 staff member on school premises or at a school-sponsored or school-related event, 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; the student may have representation, and the opportunity to present evidence and witnesses at said hearing before the principal. After said hearing, a principal may, at his/her discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraph (a) or (b).
- d. Any student who has been expelled from a school district pursuant to these provisions shall have **the right to appeal** to the superintendent. The expelled student shall have 10 days from the date of the expulsion in which to notify the superintendent of his/her appeal. Pending the outcome of any such appeal, the disciplinary sanction imposed shall remain in effect. 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. When a student is expelled under the provisions of this section, no school or school district within the Commonwealth of Massachusetts shall be required to admit such student or to provide educational services to said student. If said student does apply for admission to another school or school district, the superintendent of the school district to which the application is made may request and shall receive from the superintendent of the school expelling said student a written statement of the reasons for said expulsion.

Suspension/Expulsion for a Felony Charge or Conviction

Mass. Gen. Laws, c. 71, s.37H1/2 provides the following:

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 of a school in which the student is enrolled may suspend such student for a period of time determined appropriate by said principal if said principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and the reasons for such suspension prior to such suspension taking effect. The student shall also receive written notification of 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 of a school in which the student is enrolled may expel said student if such principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall 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 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.

Procedures for the Discipline of Special Education Students and Students on 504 Plans

All students are expected to meet the requirements for behavior as set forth in this handbook. In addition to those due process protections afforded to all students, the Individuals with Disabilities Education Act (IDEA) and related regulations require that additional provisions be made for students who have been found eligible for special education services and who the

school district knows or has reason to know might be eligible for such services. Students who have been found to have a disability that impacts upon a major life activity, as defined in Section 504 of the Rehabilitation Act (“Section 504”), are, generally, also entitled to increased procedural protections prior to imposing discipline that will result in the student’s removal for more than ten (10) consecutive school days or for more than ten (10) days in a school year, under circumstances constituting a pattern of exclusion. The following additional requirements apply to the discipline of students with disabilities:

- 1) The IEP for every student eligible for special education or related services shall indicate whether the student can be expected to meet the regular discipline code of the school or whether the code should be modified to address the student’s individual needs.
- 2) Students with disabilities may be excluded from their programs for up to ten (10) school days to the extent that such sanctions would be applied to all students. Before a student with a disability can be excluded from his/her program for more than ten (10) consecutive school days in a given school year or subject to a pattern of removal consisting of a “change in placement,” building administrators, the parent(s)/guardian(s) and relevant members of the student’s IEP or 504 Team will meet to determine the relationship between the student’s disability and behavior (Manifestation Determination). In most instances, for disciplinary exclusions exceeding ten (10) school days in a single school year, a student receiving services under an IEP shall have a right to receive services identified as necessary by the Team to provide him/her with a free appropriate public education during the period of exclusion.
- 3) If the building administrators, the parent(s)/guardian(s) and relevant members of the student’s IEP Team determine that the student’s conduct was not a manifestation of the student’s disability, the school may discipline the student in accordance with the procedures and penalties applicable to all students, but will continue to provide a free appropriate public education to those students with IEPs. The student’s IEP Team will identify the services necessary to provide a free appropriate public education during the period of exclusion, review any existing behavior intervention plan or, where appropriate, conduct a functional behavioral assessment.
- 4) If the relevant members of the student’s 504 Team, however, determine that the student’s conduct was not a manifestation of the student’s disability, unlike students with IEPs, the student is not entitled to any educational services during the period of exclusion. Additionally, students on Section 504 Plans who are current illegal drug users are not entitled to any of these additional procedural protections, including a manifestation determination, when the district is taking disciplinary action on the basis of the illegal drug use.
- 5) If the building administrators, the parent(s)/guardian(s) and relevant members of the student’s IEP or 504 Team determine that the conduct giving rise to disciplinary action was a manifestation of the student’s disability, the student will not be subjected to further removal or exclusion from the student’s current educational program based on that conduct (except for conduct involving weapons, drugs, or resulting in serious bodily

injury to others) until the IEP or 504 Team develops, and the parent(s)/guardian(s) consent to, a new placement or unless the school district obtains an order from a court or from the Bureau of Special Education Appeals (BSEA) authorizing a change in the student's placement. The student's Team shall also review, and modify as appropriate, any existing behavior intervention plan or arrange for a functional behavioral assessment.

- 6) If a student with a disability possess or uses illegal drugs, sells or solicits a controlled substance, possess a weapon, or causes serious bodily injury to another on school grounds or at a school function, the school district may place the student in an interim alternative educational setting (IAES) for up to forty-five (45) school days. A court or BSEA Hearing Officer may also order the placement of a student who presents a substantial likelihood of injury to self or others in an appropriate interim setting for up to forty-five (45) school days.
- 7) If you disagree with the Team's decision on the "manifestation determination" or with the decision relating to placement of your child in an interim alternative education setting or any other disciplinary action, you have the right to appeal the Team's decision by requesting an expedited due process hearing from the Bureau of Special Education Appeals (BSEA).

Discipline for Students Not yet Found Eligible for Special Education

The IDEA protections summarized above also apply to a child who has not yet been found eligible for services under the statute if the district is "deemed to have knowledge" that the child was eligible for such services before the conduct that precipitated the disciplinary action occurred. The IDEA provides that a school district is "deemed to have knowledge" if:

- (1) the child's parent had expressed concern in writing to district supervisory or administrative personnel or the child's teacher that the child needs special education and related services;
- (2) the child's parent had requested an evaluation of the child to determine eligibility for special education services; or
- (3) the teacher of the child or other school district personnel had expressed specific concerns about a pattern of behavior by the child directly to the district's director of special education or to other supervisory personnel.

However, a school district is not "deemed to have knowledge" if the district evaluated the student and determined that the child was not eligible for special education services or the child's parent has not allowed an evaluation of the child or the parent has refused services under IDEA. If the school district has no knowledge that a student is an eligible student under the IDEA before taking disciplinary measures against the student, the student may be disciplined just as any other student may be. If, however, a request is made for an evaluation to determine eligibility while the student is subject to disciplinary measures, the district must conduct the evaluation in an expedited manner. Pending the results of the evaluation, the student must remain in the educational placement determined by school authorities, which may include suspension or

expulsion without services. If the student is determined eligible for an IEP as a result of the evaluation, the school district must provide the student with special education and related services in accordance with the IDEA.

FERPA and Student Records

To facilitate the educational process and to provide students with appropriate instructional and related services, the Gloucester Public Schools collects and maintains certain information regarding students and their families, including information of a confidential nature. The Massachusetts Student Records regulations and the Federal Family Educational Rights and Privacy Act (FERPA) provide that parents (including legal guardians), eligible students and school officials are entitled to have access to such information, but protect such private information from disclosure to most third parties without the prior consent of a parent or eligible student. Relevant provisions of the laws and regulations are summarized below. Questions concerning student records that are not addressed in this Handbook should be directed to the Principal.

Access to Student Records by Parents and Eligible Students

- The term “student record” refers to those education records that are maintained by a school district and contain personally identifiable information about a student, such as a transcript, standardized test results, class rank, extracurricular activities, evaluations, disciplinary records and special education records.
- The parent of a student, and a student who has entered ninth grade or is at least 14 years old (“eligible student”), has the right, upon request, to inspect and, for a copying fee, to obtain photocopies of all or any portion of the student record. Once a student reaches 18 years of age, the rights formally given to the parent transfer to the student.
- A parent or eligible student who wishes to access a student record should submit a written request to the Principal, identifying the portion of the record that he or she wishes to inspect. The Principal will make arrangements for access and notify the parent or eligible student when and where the record may be inspected. Upon request, copies of any information contained in the student record shall be furnished to the eligible student or the parent. A reasonable fee, not to exceed the cost of reproduction, may be charged. However, a fee may not be charged if to do so would effectively prevent the parents or eligible student from exercising their right, under federal law, to inspect and review the records. The school will make a student’s record available as soon as practicable but no later than ten days after a request, unless the request is made by a non-custodial parent. Schools must follow specific procedures if a non-custodial parent seeks access to a student’s record, which request must be submitted in writing to the Principal.
- The parent and eligible student have the right, upon request, to meet with professionally qualified school personnel to have the contents of a student’s record explained and interpreted, or to have the record inspected or interpreted by a third party.

Amendment of Student Records

The parent and eligible student are permitted to add relevant comments, information or other written material to the student's record or to request the Principal to amend or delete information from the record (except for information inserted by a student's Evaluation Team). If a parent or eligible student wishes to have a student record amended, he or she should write to the Principal, clearly identifying the part(s) of the record that the parent or student wishes to have changed, and the reason(s) for the amendment. If the Principal decides not to amend the record as requested, the Principal will notify the parent or eligible student of the decision in writing, and will provide information relative to the right to a hearing with the Principal regarding the request for the amendment and the right to appeal the Principal's decision to the Superintendent and School Committee.

Access to Student Records by Third Parties

Ordinarily, student record information may not be disclosed to third parties without the written permission of the parent or eligible student. State and Federal law, however, provide that student records may be released without such consent in certain circumstances, including the following:

- To authorized school personnel who have a legitimate need for such information in the performance of their duties (for example, administrators, teachers, counselors, nurses, and clerical staff to the extent necessary to enable them to do their jobs).
- To a person or company to whom the school district has outsourced services or functions for which it otherwise would use its own employees (for example, an auditor, attorney, medical consultant or therapist).
- Upon request, to officials in the Massachusetts Department of Children and Families, the Department of Youth Services, judicial officials and probation officers under the provisions of M.G.L. c. 119, sections 51B, 57, 69 and 69A respectively.
- Upon receipt of a court order or lawfully issued subpoena.
- To appropriate parties when the release of such information is necessary to protect the health or safety of a person (for example, the local police department and local health officials).

Release of Directory Information

The school district may disclose the following information without the parent's or eligible student's consent, unless the parent or student notifies the Principal in writing [within the first three weeks of school] each year that such information is not to be released without prior consent:

- A student's name, address, e-mail 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 no such written notice is received from the parent or eligible student, the school will comply with all appropriate requests for directory information.

Information to Charter Schools

Under State law, upon receipt of a request from a Commonwealth charter school, the school district will release the names and addresses of public school students to a third party mail house that has been approved by the Massachusetts Department of Elementary and Secondary Education so that the Commonwealth charter school may send recruiting information to students who are eligible to enroll in the charter school. If a parent or eligible student does not want the school district to release this information without his or her prior consent, the parent or student must notify the Principal in writing [within the first three weeks of school] each year. If no such written notice is received from the parent or eligible student, the school will comply with all appropriate requests for contact information from Commonwealth charter schools.

Transfer of School Records to New School

The school district will forward a student's "complete school record," including disciplinary and special education records, upon request to officials of another public school in which the student seeks or intends to enroll, or already has enrolled, if the disclosure is for purposes of the student's enrollment or transfer. The parent or eligible student has the right to receive a copy of the school record that is forwarded to the new school.

Destruction of Records

Under the law, a student's transcript must be maintained by the school district for sixty years after the student graduates, transfers or withdraws. Other parts of the student record, however, such as the temporary record, must be destroyed within seven years after the student leaves the school system. School authorities also are allowed to destroy misleading, outdated or irrelevant information in the record from time to time while the student is enrolled in the school system. Before any such information is destroyed, the parent and eligible student must be notified and given an opportunity to receive a copy of the information before its destruction.

Complaint Process

If a parent or student believes that the school district has failed to comply with the requirements of FERPA, he or she may file a complaint with the United States Department of Education at the following address:

Family Policy Compliance Office
United States Department of Education
400 Maryland Avenue, S.W.
Washington, D.C. 20202-8520

PPRA Notice and Consent/Opt-Out for Specific Activities

The Protection of Pupil Rights Amendment (PPRA), 20 U.S.C. § 1232h, requires the Gloucester Public Schools to notify you and obtain consent or allow you to opt your child out of participating in certain school activities. These activities include a student survey, analysis, or evaluation that concerns one or more of the following eight areas (“protected information surveys”):

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

The Gloucester Public Schools will provide parents, within a reasonable period of time prior to the administration of the surveys and activities, notification of the surveys and activities and be provided an opportunity to opt their child out, as well as an opportunity to review the surveys. (Please note that this notice and opt-out transfers from parents to any student who is 18 years old or an emancipated minor under State law. If the school does not receive notification that a parent wishes to opt their child out of participation in the survey, passive parental consent for participation will be assumed.)

McKinney-Vento Homeless Education Assistance Act

The federal McKinney-Vento Homeless Education Assistance Act requires that schools immediately enroll homeless students in school, even if they do not have the documents usually required for enrollment, such as school records, medical records or proof of residency, as long as the student has been properly immunized. Information on lead screenings as well as immunization records may be transferred over the phone. Parents or Guardians intending to register students who are homeless should be aware of the following guidelines:

Homeless students have a right to either remain in their school of origin or to attend school where they are temporarily residing;

Children who move from a homeless situation into a permanent residence during the course of a school year have the right to stay in the school they were attending while they were temporarily homeless. Transportation may not be provided once permanent housing is found;

Students who chose to enroll in school where they are temporarily residing must be enrolled immediately, even if they do not bring the records usually required for enrollment with them;

If a homeless student arrives without records, the school district's designated Homeless Education Liaison will assist the family and contact the previously attended school system to obtain the required records;

A child who is homeless and attending any school served by the local educational agency is eligible for Title I services;

A child who is homeless and attending any school served by the local educational agency is eligible for the Free and Reduced Lunch Program.

For further information, please contact Ann Marie Jordan, Coordinator for the Homeless, at 978-281-9816 or The Office for the Education of Homeless Children and Youth on the following website: <http://www.doe.mass.edu/mv/#office>.

STUDENT RESPONSIBLE USE POLICY

Guide to the GPS: Responsible Use of Technology (Grades 6 – 12 Students)

The Gloucester Public Schools (GPS) provides a wide range of technology resources for student use. These technology resources are to be used only for educational purposes which are defined as: classroom activities, research projects, career and professional development and high quality self-discovery activities of an educational nature.

This agreement outlines appropriate use and prohibited activities when using all technology resources and electronic devices as defined by school administrators. Every student is expected to follow all of the rules and conditions listed, as well as those given verbally by GPS teachers and administrators, and to demonstrate good citizenship and ethical behavior at all times.

The GPS uses a filtering system to track and monitor all computer and Internet use on the GPS network. The system is designed to prevent access to educationally inappropriate sites. It is important to understand that no filtering system is perfect. Due to the nature of the Internet and evolving technology, even with supervision, we cannot guarantee that students will not reach an inappropriate site. It is the students' responsibility to report any inappropriate site to the teacher.

Below are examples, but not an exhaustive list, of online conduct that may constitute a violation of federal and/or state criminal laws relating to cybercrime:

- **Criminal Acts:** These include, but are not limited to, “hacking” or attempting to stalking, child pornography, vandalism, unauthorized tampering with computer systems, using misleading domain names, using another person’s identity and/or identity fraud.
- **Libel Laws:** Publicly defaming people through publishing material on the Internet, email, etc.
- **Copyright Violations:** Copying, selling or distributing copyrighted material without the express written permission of the author or publisher (users should assume that all materials available on the Internet are protected by copyright), engaging in plagiarism (using other's words or ideas as your own).

1. I AM RESPONSIBLE FOR MY COMPUTER ACCOUNT AND EMAIL ACCOUNT

I understand that passwords are private and that I should not share my password with anyone. I understand that I am responsible for all activities done through my account. I will not allow others to use my account name and password, or try to use that of others. I understand that I will be in violation of the law if I attempt to electronically capture another person’s password. I understand that it is important to log off the computer at the end of every session so another user cannot use my password.

2. **I AM RESPONSIBLE FOR MY LANGUAGE**

I will use appropriate language in my email messages, online postings, and other digital communications with others. I will not use profanity, vulgarities or any other inappropriate language as determined by school administrators.

3. **I AM RESPONSIBLE FOR HOW I TREAT OTHER PEOPLE**

I will use email and other means of communications (e.g. blogs, wikis, chat, instant-messaging, discussion boards, etc.) responsibly. I will not send or post hateful or harassing mail, make discriminatory or derogatory remarks about others, or engage in bullying, harassment, or other antisocial behaviors while in school or out of school.

4. **I AM RESPONSIBLE FOR MY USE OF THE GLOUCESTER PUBLIC SCHOOL NETWORK**

I will use GPS computer resources responsibly. I will not search, retrieve, save, circulate or display hate-based, offensive or sexually explicit material. I will not search, retrieve, save or circulate images or information about weapons using any GPS computer resources unless authorized by school administrator/teacher as part of a school assignment. I will not use the GPS resources for gambling or political purposes. I will not use the Gloucester Schools' resources for social networking sites, discussion groups, chat rooms, instant messaging, or other forms of online conversation without the consent of my teacher. I understand the use of the GPS network for illegal or commercial activities is prohibited.

5. **I AM RESPONSIBLE FOR MY CONDUCT ON ALL ONLINE SITES**

I understand that what I do on social networking websites should not negatively impact the school learning environment and/or my fellow students, teachers and administrators.

6. **I AM RESPONSIBLE TO BE HONEST WHILE I AM ONLINE**

I understand that impersonating, spoofing, or pretending to be someone else is forbidden. This includes, but is not limited to, sending out emails, creating accounts, or posting messages or other online content (e.g. text, images, audio or video) in someone else's name.

File: IJNDB

7. **I AM RESPONSIBLE FOR PROTECTING THE SECURITY OF THE GLOUCESTER PUBLIC SCHOOLS' NETWORK**

I will not attempt to bypass security settings or Internet filters, or interfere with the operation of the network by installing illegal software including file sharing, shareware, or freeware on school computers.

8. **I AM RESPONSIBLE FOR PROTECTING SCHOOL PROPERTY**

I understand that vandalism is prohibited. This includes but is not limited to accessing, modifying, or destroying equipment, programs, files, or settings on any computer or technology resources. I understand that I need authorization from a school administrator/teacher to use personal electronic devices that I bring to school, including, but not limited to, memory storage devices (i.e. USB drives).

9. **I AM RESPONSIBLE FOR RESPECTING OTHER PEOPLE'S PROPERTY ONLINE**

I will obey copyright laws. I will not plagiarize or use other's work without proper citation and permission. I will not illegally download materials protected by copyright including, but not limited to, music and movies.

10. **I AM RESPONSIBLE FOR FOLLOWING SCHOOL RULES WHENEVER I PUBLISH ANYTHING ONLINE**

I will follow all guidelines set forth by the GPS and/or my teachers when publishing schoolwork online (e.g. to a website, blog, wiki, discussion board, podcasting or video server). I understand that it is unsafe to post any personal information about myself or others, including but not limited to: names, addresses, phone numbers or schools. I will not post photos of students with their first and last names on any online site, including but not limited to: blogs, wikis, and discussions forums.

11. **I AM RESPONSIBLE FOR MAINTAINING THE SAFETY OF OTHER PEOPLE AND PROPERTY WHILE ONLINE**

I will report any material that I feel may constitute a threat against the safety of fellow students, staff members or the property of the Gloucester Public Schools to a teacher, administrator or another trusted adult.

SIGNATURE PAGES

Acceptable Use Policy SIGNATURE PAGE

Students & Parents/Guardians: Please review the GPS Acceptable Use Policy on pages 1 and 2 then sign the form below to indicate your agreement to use GPS technology responsibly.

This Acceptable Use Policy was developed with input from GPS administrators, teachers, students, and parents. By signing the Acceptable Use Policy, students and parents/guardians acknowledge the following rules and conditions:

- As a Gloucester Public School student, I understand that the use of the school network and email is a privilege, not a right.
- I understand that my school network and email accounts are owned by the GPS and are not private. GPS has the right to access my information at any time.
- I understand that GPS administrators will deem what conduct is inappropriate use if such conduct is not specified in this agreement.
- I will use technology in a manner that complies with laws of the United States and the State of Massachusetts.
- I understand that I am to notify an adult immediately if I encounter material that violates appropriate use.
- I understand the Gloucester Public Schools administration reserves the right to amend this policy at any time without prior notice.
-

Parent or Guardian:

As the parent or guardian, I have read the GPS Acceptable Use Policy and I have discussed it with my child. I understand that computer access is provided for educational purposes in keeping with the academic goals of GPS, and that student use for any other purpose is inappropriate. I recognize it is impossible for GPS to restrict access to all inappropriate materials, and I will not hold the school responsible for materials acquired on the school network. I understand that children’s computer activities at home should be supervised as they can affect the academic environment at school. I hereby give permission for my child to use technology resources at Gloucester Public Schools.

Parent or Guardian's Name (please print)_____

Parent or Guardian's Signature _____ Date _____

Student:

I understand and will obey the rules of the GPS Acceptable Use Policy (on pages 1 and 2). I will use GPS technology resources productively and responsibly for school-related purposes. I will not use any technology resource in such a way that would be disruptive or cause harm to other users. I understand that consequences of my actions could include possible loss of computer privileges and/or school disciplinary action as stated in the Code of Discipline and/or prosecution under state and federal law.

Student’s Name (please print)_____

Student’s Signature _____ Date _____

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