



FAIRHAVEN SCHOOL COMMITTEE MINUTES
August 20, 2025

FAIRHAVEN TOWN CLERK
RCUD 2025 DEC 8 PM3:05

MEMBERS PRESENT: Brian Monroe, Erik Andersen, Stephanie Pickup, Nicole Pacheco, Kelly Ochoa

MEMBERS ABSENT: Colin Veitch

STAFF PRESENT: Superintendent Tara Kohler, Assistant Superintendent Mark Balestracci, School Business Manager Nicole Potter

The meeting was called to order by Mr. Monroe at 6:30pm

Approval of Minutes:

Motion to approve regular session minutes from August 20, 2025 made by Mr. Andersen, seconded by Ms. Ochoa, roll call vote, approved, with two abstentions being Mrs. Pacheco and Mrs. Pickup (3-0).

Motion to approve executive session minutes from August 20, 2025, for content only, Mr. Andersen, seconded by Ms. Ochoa, roll call vote, approved, with two abstentions being Mrs. Pacheco and Mrs. Pickup (3-0).

Reports & Recommendations of the Superintendent:

Introduce New Administration Team:

Superintendent Kohler introduced the new Administration Team to the Committee. Mr. Steven Morgenweck, Principal of Leroy L. Wood School, Mrs. Jennifer McWhirter, Assistant Principal of Fairhaven High School, Mr. Joseph Winterhalter, Assistant Principal of Elizabeth Hastings Middle School, and Mrs. Katherine Ware, as the new Technology Engagement, Media / Library Coordinator. Superintendent Kohler also explained the previous Technology Engagement Coordinator position was revised into less of just a technology heavy support position, into a school-based focus in terms of software, leading teaching and learning with technology. Superintendent Kohler also stated the hiring that occurred during the Summer was extremely busy, but very successful. The District took their time and hired quality staff members that best fit the District.

The Committee took the items "Vote to approve Elementary and Middle School handbooks out of order" (attachment A & B), as well as "Receive and place on file the 2025-2026 Fairhaven High School Handbook". Principals Wendy Weidenfeller and Steven Morgenweck advised the Committee that there were not many changes as the handbooks had been revamped extensively over the past few years. Mr. Kyle Alves advised the same for the Middle School.

A motion was made to approve the Elementary and Middle School handbooks for the 2025-2026 School Year by Mrs. Ochoa, seconded by Mr. Andersen, approved (5-0).

Andrew Kulak advised the Committee there were no major changes to the handbook this year, and he would be sure to update the names and MCAS information. (attachment C).

Fairhaven High School Phase I Project Update:

Superintendent Kohler and Principal Andrew Kulak presented an update along with a photo presentation of the ongoing gable project (attachment D).

Upcoming Events:

The next School Committee Meeting will be held September 24, 2025.

Unfinished Business:

Policy Subcommittee Update:

Assistant Superintendent Balestracci informed the Committee there have been some Supreme Court decisions that may affect our policies. He will reconvene the Policy Subcommittee in September to review.

New Business:

A motion was made by Mrs. Pickup, seconded by Mr. Andersen to increase the meal prices for the 2025-2026 school year (attachment E), approved, (5-0).

A motion was made by Mrs. Pacheco, seconded by Mr. Andersen, to surplus old technology items (attachment F), approved (5-0).

Questions from Individual Committee Members:

Mrs. Ochoa informed the Committee of a group Fairhaven for All. This group has been newly formed and is sponsoring an upcoming bystander intervention training. She stated during this training you will learn to effectively intervene if you witness something harmful or problematic. All are welcome to join.

Mrs. Pickup asked if the Fame Hut is back in the concession stand during Football Season. Superintendent Kohler noted they will be in rotation with other vendors.

Superintendent Kohler told the Committee the district will be highlighted in Educator Magazine as one of the top ten admired high schools. She will send the link once available.

Mr. Monroe asked about the progress on the Fairhaven High School Storage Shed. Superintendent Kohler stated they are working with the Town on options for the bathrooms in order to meet occupancy. The Greater New Bedford Regional Vocation Technical High School students will be back working on the shed once school is up and running.

Any Business Not Reasonably Anticipated 48 Hours Prior to the Posting of this Meeting:

Superintendent Kohler told the Committee she has increased the pay for substitute Paraprofessionals in order to coincide with the current minimum wage. She stated this department was not addressed when they previously increased those not currently making minimum wage.

A motion was made by Mrs. Pacheco to adjourn and meet in executive session pursuant to Massachusetts General Laws chapter 30A, section 21 to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating position of the public body and the chair so declares, seconded by Mr. Andersen, roll call vote, approved unanimously (5-0).

Adjourned at 7:37 pm.

Sheri Souza
Secretary to the Fairhaven School Committee

Approved, September 10, 2025

FAIRHAVEN PUBLIC SCHOOLS



PARENT/STUDENT ELEMENTARY HANDBOOK

2025-2026

EAST FAIRHAVEN SCHOOL 508-979-4058

LEROY L. WOOD SCHOOL 508-979-4073

FAIRHAVEN PUBLIC SCHOOLS 508-979-4000

www.fairhavenps.org

Fairhaven School Committee

Colin Veitch, Chairperson

Brian Monroe, Vice Chair

Erik Andersen

Stephanie Pickup

Nicole Pacheco

Kelly Ochoa

**Fairhaven Public Schools
Elementary School Student Handbook 2025-2026**

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DISTRICT MISSION STATEMENT

The Fairhaven Public Schools, in partnership with families and the community, will ensure high-level learning for all children in a safe environment, so each may become independent, productive, and successful.

District Goals

TEACHING AND LEARNING

To improve learning outcomes for all students by implementing high-quality, culturally responsive, inclusive core instruction, curriculum, and professional development aligned with Universal Design for Learning (UDL), Profile of the Learner (POL) and Social and emotional (SEL) practices.

CLIMATE, CULTURE AND COMMUNICATION

To develop and implement a clear and cohesive communication plan at the school and district levels, accessible to all.

COMMUNITY AND FAMILY ENGAGEMENT

To foster a district culture that is collaborative, inclusive, accessible, and welcoming to all.

DISTRICT OPERATIONS

To ensure current building conditions are safe, accessible, and sustainable by implementing a Long Range Facilities Plan (5-year).

EVERY STUDENT SUCCEEDS ACT

The Every Student Succeeds Act (ESSA) is an opportunity to take stock of Massachusetts' policy framework. While in many respects ESSA rebalances the federal-state relationship, the reauthorized Act largely continues Congress' interest in ensuring that the nation's investment in elementary and secondary education is in service of our most vulnerable youth. The Every Student Succeeds Act removes the highly prescriptive, one-size-fits-all Adequate Yearly Progress (AYP) metric that existed under the No Child Left Behind (NCLB) version of the Elementary and Secondary Education Act. Nonetheless, the reauthorized act maintains the requirement for statewide assessment in reading/English language arts and Mathematics in grades 3-8 and once in high school as well as in science once each in the following grade spans: 3-5, 6-8, and high school.

In addition, ESSA requires states to:

- set progress measures and long-term academic and graduation goals for all students as well as for each group of students, with greater progress expected for groups that are further behind;
- report annually on school and district progress and achievement toward those goals;
- identify and intervene in the lowest performing schools; and
- evaluate and report the degree to which "low income and minority students... are not served at disproportionate rates by ineffective, out-of-field, or inexperienced teachers.

GENERAL INFORMATION

SCHOOL HOURS

K-5 School Day

8:40 a.m. - 2:50 p.m.

School doors will open to students at 8:25 a.m. Students should not arrive at school for the regular school day before 8:25 a.m. as there is no supervision before this time.

K-5 Early Release

8:40 a.m. - 12:00 p.m.

PreK am session

Monday-Thursday 8:40-11:10 a.m.

PreK pm session

Monday-Friday 12:00-2:30 p.m.

BREAKFAST PROGRAM

A student being dropped off to attend the breakfast program (eating the school provided breakfast) must arrive at or after 8:15 a.m. and before 8:40 a.m. to participate. There is no supervision before 8:15 a.m. Bus riders may go directly to breakfast from bus drop off in the morning to participate.

MORNING DROP OFF PROCEDURES

EAST FAIRHAVEN DROP OFF ONLY

TIME: 8:25-8:40 a.m.

- Parents who drive their children to school may drop them off at the front drop off lane; between 8:25 & 8:40 a.m. Students will be allowed into the school beginning at 8:25am. Arrivals before 8:25 are not allowed, as direct supervision is not provided. If before school care is needed, please inquire about the Champions program.
- Please pull your car all the way up to the end of the drop-off lane so that other cars may pull in behind. This will ensure that cars do not back out onto the street.
- If you are walking your child to the fence, please park in the parking lot and cross over to the sidewalk by using the crosswalk.
- Please stay in your car while unloading your children and please avoid letting them out of your car on the driver side.

WOOD SCHOOL DROP OFF ONLY

TIME: 8:25 a.m. to 8:40 a.m.

For the safety of all children, the following guidelines will be enforced during morning drop off:

Option 1: "Park and Walk"

- Caregivers will park cars in the parking lot and walk students to the crosswalk.
- Students **MUST** be accompanied by an adult all the way to the crosswalk. Do not allow children to exit parked cars alone and maneuver through the lot without an adult.
- **It is strictly prohibited to have children exit cars in the lot without parking.**
- School personnel will wait for a safe moment and cross your child to the main entrance.

- If no school personnel is at the crosswalk, please safely cross your child to the main entrance fence.

Option 2: “The Chute”

- Cars must form a line on the right side of the access road and wait their turn to let children exit the vehicle.
- All cars will pull as far forward as possible before letting children out of the vehicle. Pull your car all the way forward to the STOP SIGN so that other cars may pull in behind yours. This will help to prevent gaps between cars.
- All students are to exit from the passenger side of their vehicles onto the sidewalk **in the area between the main entrance and the STOP SIGN.**
- Allowing students to exit their vehicles on the driver’s side is strictly prohibited due to the possibility of passing vehicles.
- This is a “rolling drop-off” zone. Parents are to remain in their cars at all times to keep the traffic moving.
- Goodbyes can take place in the car, as we must all be vigilant and respectful to the remaining line of cars.
- Students should be able to exit vehicles without the help of parents - If you need to retrieve bags and other supplies, or help your child get dressed, please park in the lot.
- Cars dropping off students ***ARE NOT TO PASS*** other cars, vans, or buses at any time and must wait to move forward in the line of traffic.

*All families, daycare providers, and visitors should follow the entrance, dismissal, and parking procedures communicated by each individual school in order to maintain the safety of the students and staff. Thank you for your assistance in enforcing these guidelines and ensuring the safety of our students at all times.

AFTERNOON PICK UP PROCEDURES

EAST FAIRHAVEN - AFTERNOON PICK UP ONLY

TIME: Approx. 2:50 p.m.

- Students who will be picked up at the end of the day must provide a note to their homeroom teacher. This is required for all students. For weekly or yearlong pickup arrangements, a blanket note will suffice if it is not noted on the Transportation Form. Any changes to that form, daily or otherwise, must then be in writing.
- Afternoon dismissal begins at 2:50 p.m. Parents of Kindergarten students will need to greet their child and sign them out at the side door under the overhang by the circular drive. Parents of students in gr. 1-5 can pick up their children at the back door by the cement wall near the big toy play area.
- Authorized adults picking up students will need to park in the parking lot and cross over to the sidewalk by **using the crosswalk** and walk to the designated areas to pick up students.
- Any changes to transportation, daily or otherwise, please call the office no later than 2:00pm.
- There will be no parking near the playground.

WOOD SCHOOL AFTERNOON PICK UP ONLY

TIME: Approx. 2:50 p.m.

- Students being picked up by a caregiver will exit the building supervised by staff.
- Students will be escorted to the access road in front of the building and handed off to caregivers near the assigned area.
- Caregivers will wait behind the fence where students' homerooms are labeled until their teacher dismisses them. No caregivers or visitors will be allowed past the fenceline.
- Caregivers must be prepared to show a valid ID.
- Caregivers not listed as approved adults will not be allowed to pick up students.
- Dismissal will begin with Grade 5 and follow a descending pattern (5, 4, 3, 2, 1, K)
- ***Any changes in dismissal procedures for our child needs to be communicated to the main office no later than 2:00 p.m.***

Students who ride a bus will be loaded onto their assigned bus by a staff member each day.

*All families, daycare providers, and visitors should follow the entrance, dismissal, and parking procedures communicated by each individual school in order to maintain the safety of the students and staff. Thank you for your assistance in enforcing these guidelines and ensuring the safety of our students at all times.

ABSENT FROM SCHOOL

If your child is going to be absent from school, you must call the main office of your school to report the absence by 9:30 a.m. The telephone number for each school is listed on the front of this handbook.

A student absence may be considered excused for the following reasons:

- Illness or injury that prevents the student from attending school verified by a physician's note
- Bereavement in family
- Weather so inclement as to endanger the health of the child (per authorization of the Superintendent of Schools)
- Observance of major religious holidays
- Court Appearances
- Nurse Dismissals
- Suspensions

In instances of chronic or irregular absence, reportedly due to illness, the school administration may request a physician's statement, certifying such absences are justified.

It is the policy of the Fairhaven Public Schools and Massachusetts General Law that every student under sixteen years of age may not be absent more than seven (7) unexcused day sessions in any six (6) month period. (MGL Chapter 76, Section 2) (Chapter 76, Section 1B and Chapter 76, Section 18). Parents are required under the law to ensure regular attendance of their children and are subject to a fine for failing to comply with the law. The current FPS School Calendar is always available on our website at fairhavenps.org under the 'calendar' tab. It is provided to help parents plan ahead for medical and dental appointments, etc. Vacations scheduled during school time are strongly discouraged. Absences occurring as a result of vacations will be considered "unexcused." Students may not be given written assignments in advance when family vacations are taken during the school year.

TARDY FOR SCHOOL

A student will be considered **tardy** when not in school by **8:40 a.m.** A parent/guardian must accompany the tardy child(ren) to the door, press the button to speak to the secretaries, and state the reason for the tardiness. A K-5 student who enters school after 12:00 p.m., or who is dismissed before 12:00 p.m., will be considered absent for the day.

DISMISSED FROM SCHOOL

A student is considered **dismissed early** when leaving school before **2:50 p.m.** When planning to dismiss a child during the school day, parents should send a note to the classroom teacher with the time and explanation for the dismissal. The teacher will share that note with the main office. If an emergency arises that requires a change in the normal dismissal procedure for your child, please contact the office as soon as possible. It is very difficult to make changes in a child's dismissal at the end of the day, therefore, we ask that parents not call with dismissal changes after 2:00 p.m., and even then, only in emergency situations. With advanced notice, your child will be escorted to you at dismissal.

Please do not email your child's teacher with a change of dismissal. Teachers do not check their email while working with students and there is no guarantee that they will see your message in time for dismissal.

While it is understandable that on occasion arriving late to school or dismissing your child early is unavoidable, this should be the rare exception, and not the rule. Please see Fairhaven Public School Policy-JH, pertaining to student absences and excuses available on our district website.

"Child Requiring Assistance" - A child between the ages of 6 and 18 who: (i) repeatedly runs away from the home of the child's parent, legal guardian or custodian; (ii) repeatedly fails to obey the lawful and reasonable commands of the child's parent, legal guardian or custodian, thereby interfering with their ability to adequately care for and protect the child; (iii) repeatedly fails to obey the lawful and reasonable regulations of the child's school; (iv) is habitually truant; or (v) is a sexually exploited child.

COMMUNICATION

DISTRICT/SCHOOL WEBSITE

The Fairhaven Public Schools website, www.fairhavenps.org, contains general information about the school district as well as school-specific information (ex. Staff, school calendars, specialist schedules, special programs, and events, etc...). All policies and regulations are available on the district website.

SCHOOL CANCELLATIONS

School cancellations due to inclement weather will be shared on WBSM Radio, FUN 107, WBZ- TV4, 6,10,12, Standard Times, Fox 25, WHDH 7, and NECN. Information on any school cancellation is also posted on the district's website (www.fairhavenps.org), Twitter, and Facebook. The district also utilizes a reverse 911 system for notification of school closure or unexpected early release. Elementary Schools do not release any student unless there will be someone to meet the student at the bus stop or be home to supervise. If school is canceled during the day for any reason, students who normally walk home will need to be picked up by someone on the emergency dismissal form. Bus students will be released as usual. It is therefore **very important** that parents or guardians keep current on their child's transportation schedule and family/emergency contact information. Providing this information will enable us to respond effectively in any situation.

SCHOOL MEAL PROGRAMS

BREAKFAST/LUNCH

ALL Fairhaven Public School students are eligible to receive free breakfast and lunch. If a student wants an additional meal or ala carte items, they must pay for it.

Monthly breakfast & lunch menus are available online at www.fairhavenps.org under each school's website.

NUTRITION GUIDELINES

The "Act Relative to School Nutrition," signed into law on July 30, 2010, requires the Massachusetts Department of Public Health to establish standards for competitive foods and beverages sold or provided in public schools during the school day. The nutrition standards and the associated regulations went into effect on August 1, 2012, unless otherwise noted. Detailed information on the law is available at www.mass.gov/massinmotion.

FUNDRAISING

Public schools are an integral part of the community, and can properly participate in fundraising activities to support charitable causes and vital community organizations and programs. In general, the School Committee discourages door-to-door solicitations by students for fundraising activities.

Fundraising in the community, by students for school activities, is to be approved by the Principal in advance. The principal will annually establish a schedule of approved fundraising activities for school groups and student activities.

Projects/programs cannot be exclusionary or discriminatory in nature and must be available to any student or group of students who wish to participate. Students unable to participate in money-making projects will not be excluded from resulting benefits of the fundraising.

HEALTH AND WELLNESS

HEALTH RECORDS/PRESCRIPTION MEDICATIONS

A Massachusetts school health record is kept on each student. In order to maintain an up-to-date record on a student, it is important for the school nurse to have current and past health information on a child. Parents/guardians can request a copy of their child's physical exam from their doctor's office and have it sent to the school nurse. In this way, any new immunizations received at the time of the visit or pertinent health information is able to be recorded on the student's health record and information is kept current. This ongoing cooperation between parent/guardian and the health service office of your child's school enables the school nurse to provide proper care for your child if the need should arise.

The Massachusetts Department of Public Health regulations state that physicals are required for entering school and in grades 4, 7, and 10. Physicals are also required at the time of kindergarten or grade one registration. Students are notified in grades 4, 7, and 10 that their physicals are due. All students are required to present (physician certified) Immunization Records prior to entering the school system. These immunizations can be obtained from your family physician. All records are kept permanently and are available at the nurse's office for any future reference.

IMMUNIZATION REQUIREMENTS FOR ENTRANCE TO SCHOOL

Preschool: Hepatitis B - 3 doses, DTaP – 4 doses, Polio – 3 doses, Hib – 1 to 4 doses, MMR – 1 dose, Varicella – 1 dose

Kindergarten: Hepatitis B – 3 doses, DTaP – 5 doses, Polio – 4 doses, MMR – 2 doses, Varicella – 2 doses

Grade 7: MMR – 2 doses, Varicella – 2 doses, Tdap – 1 dose, Meningococcal- 1 dose

Grade 11: Meningococcal- 2 doses

Please refer to the Massachusetts Department of Public Health website (www.mass.gov) for further explanation of immunization requirements.

The records of required immunizations must be kept current and provided to the principal or school nurse before a child will be allowed to attend school. A mandatory preschool vision screening is required within 12 months prior to their entry into kindergarten. A lead test and result of the test if also required for preschool/kindergarten entrance.

No student shall self-administer or carry any type of medication or narcotic in, or on, school property, at any time. Students, for whom medication has been prescribed, and who must take medication during the school day, shall report to the nurse before school **with a parent/guardian** and the medication to be taken, **in the original prescription bottle**, with written documentation signed by a doctor that includes the name of the medication, why it has been prescribed, and instructions for its administration, together with a note from the parent or guardian stating the reasons for the medication and requesting that the school provide the opportunity for the child to take the medication as prescribed. All forms necessary are available in the health office and on the Fairhaven Public School website (www.fairhavenps.org) under Health Services.

Please remind your child it is his/her responsibility to remember the times that medication is to be taken and to go to the nurses' office at those times. Any medication ordered to be given three (3) times a day should not be sent to school. It can be given at home before school, after school, and at bedtime, unless otherwise specified by the physician. Prescribed inhalers may be kept in the student's possession for quick access in case of need. This has been requested by the American Academy of Allergies and Immunology and Allergy Associates, Inc. Please have the student report to the nurse to make her aware that he/she is carrying an inhaler.

During the warmer months it is suggested that sunscreen and/or insect repellent containing DEET be applied to your child before school at home.

STUDENT ILLNESS

To try to minimize the spread of illnesses among within the school community, parents/guardians are asked to keep the following guidelines in mind if your child shows signs of illness:

Children should remain home for any of the following reasons/conditions:

- A contagious illness like chicken pox, flu or strep throat
- A fever that causes chills, sweating, muscle aches, or a temperature over 100 within the last 24 hours
- If a child is seen by a doctor and started on antibiotics or medication for a contagious illness, he/she may return to school after being on the medication for at least 24 hours

- Chicken Pox: A child may not return to school until the sixth day after the rash first appeared or the rash is completely dry and crusted over.
- Vomiting or diarrhea: A child may return to school if no vomiting or diarrhea has occurred within 24 hours.
- Red or pink eyes, or draining from the eyes: A child may return to school when no drainage, crusting or redness is present in the eyes and/or when he/she has been on meds for 24 hours.
- A rash or skin condition not diagnosed by a doctor.
- Head lice or nits (eggs): A child may return to school after being treated with a medicated shampoo and combing. The child must be checked by the school nurse with the parent present before reentry.
- Children should remain home until fever free (100 or less) for 24 hours without the use of Tylenol or ibuprofen.

This is a guideline. The school nurse reserves the right to dismiss students, who in their professional opinion, are possibly contagious or too ill to be in school. The Nurse is there to provide a healthful and safe school environment that facilitates learning.

COVID19 Guidelines

The COVID protocols are evolving, as such we will send updated protocols through our weekly emails.

SCHOOL REGISTRATION INFORMATION

STUDENT RESIDENCY

Massachusetts General Law requires that all students attending the public schools must attend school in the district where they actually reside. (*Chapter 76, Section 6, M.G.L.*) Since the town of Fairhaven does not participate in the School Choice provision of the Education Reform Law, only students who reside with a parent, legal guardian, or a DSS approved foster parent within the town of Fairhaven are eligible to attend the Fairhaven Public Schools.

SCHOOL ATTENDANCE AREAS

Student enrollment in the Fairhaven elementary schools shall be assigned as follows:

East Fairhaven School - Students east of Route 240 and north of Route 195 shall be assigned to East Fairhaven School.

LeRoy L. Wood School - Students west of Route 240 and south of Route 195, including all streets off Sconticut Neck Road and including all of West Island shall be assigned to Wood School.

Please note that continued attendance for students whose residence has changed after the second marking period, may be granted by the Superintendent or his/her designee for the remainder of the school year only, when such continued attendance would be in the best interest of all parties.

BUS TRANSPORTATION

Fairhaven Public Schools utilize a guideline that all children in grades kindergarten through twelve who reside more than one and one-half miles from the school they are entitled to attend, are eligible riders. The assigned bus number and bus stop is the only bus an eligible rider will be allowed to ride and the only bus stop an eligible rider can use. Students may not ride a bus or utilize a bus stop to which they

have not been assigned for any reason including playdates, child care, etc. Also, **students in K-2 will not be dismissed from the bus if a designated adult is not present at drop off.** A list of designated adults should be entered in the Aspen portal. (For more info, see Policy EEAA on our district website)

HOMELESS STUDENTS

The district will work with homeless students and their families to provide stability in school attendance and other services for which they are eligible. (For more information, see FPS Policy JFABD available on our district website)

INITIAL ENTRANCE AGE

Children who will be five (5) years of age on or before August 31st of the school year during which they wish to enroll will be eligible to enter kindergarten.

Children who will be six (6) years of age on or before August 31st of the school year during which they wish to enroll will be eligible to enter first grade.

KINDERGARTEN SCREENING

A screening instrument will be administered during the spring prior to entering kindergarten or at the beginning of the school year.

HOMEROOM ASSIGNMENTS

Many factors are taken into consideration when assigning students to a homeroom for the upcoming school year, including academic standing, learning style, social/emotional development and peer interactions. Requests for a particular classroom teacher will only be considered in rare instances, and in extenuating circumstances. Any such requests must be submitted in writing to the school principal prior to May 1 for scheduling purposes.

EMERGENCY PROCEDURES

School personnel review emergency procedures throughout the year to ensure the safety for all students and staff. Our schools work collaboratively with Fairhaven emergency response teams regularly to update and review procedures.

EMERGENCY/HEIGHTENED DISMISSAL

If a situation arises when students must be dismissed early and/or under heightened security due to safety issues within the school or community, the school will not release any student unless we can confirm that there will be someone to meet the student at the bus stop. In the case of students who normally walk home, they will need to be picked up by someone on the emergency form or another authorized adult.

In this regard, the school will take the following actions to ensure the safety of our students:

- The district currently utilizes a reverse 911 system in the event of an emergency or inclement weather. Parents will be called using the contact information provided by parents/guardians. It is, therefore, very important that parents and guardians keep their child(ren)'s transportation schedule as well as their family/emergency contact information, including all phone numbers, current. Providing this information will enable us to respond effectively in any situation.
- If there is no answer, parents will be called at their place of employment and/or cell phone number(s). If we are still unable to personally reach the parent/guardian, emergency contact

phone numbers listed on the Emergency Form will be called. If we are still unable to reach a parent/guardian or other responsible/trusted adult, the child will be held at the school until a responsible guardian/authorized adult is notified. Under no circumstances will a voice message left on an answering machine be considered sufficient notification.

EXPECTATIONS

The East Fairhaven Elementary School and LeRoy L. Wood Elementary School strive to create a school and classroom environment that is safe, challenging and joyful for all students. In doing so we believe common and clear expectations that are consistently taught, modeled, and reinforced are essential. Within the first 6 weeks of school students will practice and learn school and classroom expectations.

SCHOOL EXPECTATIONS

1. There will be no gum chewing anywhere on school grounds including the cafeteria and playground.
2. **No toys, games, radios, iPods, cameras, mp3 players, laser pointers, smart watches, or other electronic equipment will be allowed in the school without the express permission of the teacher or principal to be used only for a specific educational purpose.** Such items will be confiscated and kept until a parent comes to claim them or until the end of the school year.
3. Skateboards, scooters, and roller blades are not allowed on school property. No bicycles may be ridden on school property until the last bus has left the school. Riders must walk their bikes to the outer perimeter of the school property. Bikes are not to be ridden on the sidewalks around the school at any time. County policy prohibits the riding of bikes, roller blades/skates, go-karts, scooters, and skateboards on any school property during school hours.
4. From time to time, it will be necessary to keep pupils after school to complete work or for disciplinary reasons. A student is considered to be insubordinate if he/she refuses to appear for disciplinary purposes.
5. Bikes ridden by students are to be stored in assigned bike rack areas. This is a privilege and, if abused, the right to ride a bike may be taken away. It is recommended that bikes be locked during school hours. By law, all children riding bicycles are required to wear a bike helmet.
6. For the safety of all, dogs and other pets are not allowed on school property from 8:25am-3:10pm.
7. Students are not permitted to borrow, lend, give, or take any sum of money, for any reason, at any time, within the building or on the playground. No trading or selling of items is permitted.
8. Pupils shall not write upon, nor otherwise mark the building or any piece of school property, including furniture, books or other instructional materials. Pupils determined to have done so, may be responsible for cleanup and/or replacement of the vandalized item(s). Students /parents will be responsible for replacement or reimbursement for unreturned library books or textbooks. Vandalism to school property may result in a suspension from school. Pupils who discover any vandalism or graffiti should report it immediately to the teacher or office.
9. Pupils will show respect to the teachers, all other adult staff members, and fellow pupils. Direct disobedience or disrespect to a staff member may result in suspension from school.
10. Any aggressive behavior, verbal or physical, is prohibited and may result in suspension from school.
11. The use of profane, obscene, or crude language or gestures is prohibited anywhere on school grounds, including recess, school sponsored events, and while riding the bus. Violations may result in suspension from school.

12. Possession of any drugs or alcoholic beverages is prohibited and may result in suspension from school. (See FPS Drug & Alcohol Policy 5114.1 for further explanation and sanctions for Elementary Students Grades K – 5 available on our district website).
13. No item that might be reasonably construed as a weapon shall be permitted in school. This includes firearms, guns, ammunition, knives (including pocket knives or “jackknives”), Chinese stars and/or other “martial arts” devices, Mace or other gas dispensers, any sharpened item or club, etc. Violation of this may result in a suspension from school and a referral to the police.
14. The forging of parents’/guardians’ names on any document by a student is prohibited.
15. Stealing is prohibited, as is borrowing something without the owner’s permission.
16. The possession of fireworks, including caps and cap-like devices, is prohibited anywhere on school property.
17. Pupils may not leave school property without permission for any reason. Once arriving on school property, it is a violation of school rules to leave the property until dismissed.
18. Cheating, in any form, is dishonorable and will be considered a serious infraction of school rules.
19. The Fairhaven Public School District follows state and local laws and regulations regarding threats. All threats must be reported and will be investigated. If an individual is suspected of posing a threat toward school staff and/or students, protocols from Policy JICFB will be followed.
20. In the event of an investigation of violation of school rules, students may be interviewed by the building principal or principal designee. Schools must also produce children for police investigations. Parents may be called following the questioning and/or removal by the police.
21. Schools are required to report crimes. All school personnel are mandatory reporters to the Department of Social Services in cases of suspected child abuse and neglect.
22. Students are encouraged to bring water in secure cups/containers to school. Drinks from outside restaurants (i.e. Dunkin Donuts, Starbucks, etc...) are not permitted at any time during the school day.

CLASSROOM EXPECTATIONS

Classrooms are built on a foundation of belonging, support, and collaboration. During the first 6 weeks of school, each classroom will create their classroom rules/expectations. These expectations will be interactively modeled, practiced, and reinforced by the classroom teacher. These rules will be posted in the classroom and reinforced by the classroom teacher. Teachers will communicate these rules home to parents within the first six weeks of school.

Students are responsible for taking care of themselves, taking care of one another, ensuring classroom materials are treated with respect and cared for, and following class rules to ensure the learning environment is conducive to learning for all students. Infractions of the classroom rules will result in one of the following consequences: 1-Loss of Privilege 2- Restorative Action 3-Apology of Action

CLASS CELEBRATIONS

- All elementary schools will adhere to food-free celebrations during school hours.
- Party invitations may not be distributed in class unless all class members are invited.
- Birthday celebrations will not be held during school hours. Although students may be recognized by their classmates and teacher on special occasions, no birthday celebrations will include food.
- Teachers can not supply information about other families. (for example: phone numbers, email addresses, home addresses, etc.)

DRESS STANDARDS

Any articles of clothing that interfere with the learning environment are prohibited (For example: items that include vulgar language). Parents will be called with a request for a change of clothing.

For safety purposes, the wearing of unsafe footwear, *including flip flops* will not be allowed.

Appropriate footwear should have a strap worn around the heel to secure the shoe to the foot.

Appropriate footwear should be worn for physical education class. Hats will not be worn in school.

Expensive accessories (watches, jewelry, etc.) should not be brought to school.

CAFETERIA EXPECTATIONS

1. Students may not leave the cafeteria without the permission of a teacher or other staff member.
2. Students may be allowed to leave the cafeteria after eating to engage in educational activities, if authorized by a teacher or the principal.
3. Cafeteria manners will be observed. The use of favorable table manners will be enforced.
4. Outside meals from local restaurants/stores brought into school for children for breakfast or lunch will not be permitted. Soda and/or caffeinated drinks are not allowed in the cafeteria or classroom.
5. Failure to comply with cafeteria procedures may result in eating lunch in another area, detention, in-school suspension, or other consequences determined by administration.

PLAYGROUND EXPECTATIONS

1. Any aggressive behavior, verbal or physical, is prohibited on the playground and may result in loss of privileges and/or suspension from school.
2. Snowballs, stones, or other dangerous objects shall not be thrown on school property.
3. Since there is no adult supervision on the playground (or in the building) before 8:25 a.m. and after 12:00 p.m. on early release days or 2:50 p.m. on regular school days, children should not arrive before or after those times. Children who arrive before 8:25 a.m. and stay after noon on early release days or 2:50 p.m. on all other school days must do so with parent supervision.

BUS EXPECTATIONS

Proper bus conduct is a priority for student safety. It is imperative that students board the bus in an orderly and quiet manner, speak in conversational tones, refrain from changing seats unless directed by the driver, and remain seated until the bus comes to a complete stop. There is no food, drink or use of electronic devices allowed on the school bus. The following will result in the issuance of a violation notice: hitting, shoving, taking of personal possessions, or throwing items in, at, or from the bus. Any behavior that threatens the safety and/or wellbeing of riders on the school bus will result in disciplinary action and could result in loss of bus privilege. Riders receiving bus violation notices may be removed from riding the bus for an amount of time determined by the school principal or his or her designee.

ELECTRONIC DEVICES AND CAMERAS

Cell phones must be turned off and stored in student backpacks for after school use only. The phone may not be used anytime during school hours or on school buses. In addition to cell phones, electronic devices, including but not limited to, smart watches, tablets, etc. are prohibited in school. Electronic devices used in any manner during school hours, or on a bus, without the expressed consent of school

administration, will be confiscated until picked up by a parent or guardian. Photography and video recording is not permitted at any time, anywhere, without prior approval of a classroom teacher and/or an administrator. Failure to comply may result in disciplinary action.

COMPUTER USER POLICY AND CONTRACT

See FPS Policy 5131A – Students Acceptable Use Policy for All Internet and School Computers included in this student handbook and is also available on our district’s website. Please note that the Internet Contract must be signed electronically.

SUSPENSIONS

Mass. General Laws c.71 § 37H 3/4

Suspension or expulsion on grounds other than those set forth in Secs. 37H or 37H1/2

Amended by [St.2022, c.177, § 29](#), effective November 8, 2022

(a) This section shall govern the suspension and expulsion of students enrolled in a public school in the commonwealth who are not charged with a violation of subsections (a) or (b) of section 37H or with a felony under section 37H.5.

(B) (effective November 8, 2022) Any principal, headmaster, superintendent or person acting as a decision-maker at a student meeting or hearing, when deciding the consequences for the student, shall consider ways to re-engage the student in the learning process; and shall not suspend or expel a student until alternative remedies have been employed and their use and results documented, following and in direct response to a specific incident or incidents, unless specific reasons are documented as to why such alternative remedies are unsuitable or counter-productive, and in cases where the student’s continued presence in school would pose a specific, documentable concern about the infliction of serious bodily injury or other serious harm upon another person while in school. Alternative remedies may include, but shall not be limited to: (i) mediation; (ii) conflict resolution; (iii) restorative justice; and (iv) collaborative problem solving. The principal, headmaster, superintendent or person acting as a decision-maker shall also implement school- or district-wide models to re-engage students in the learning process which shall include but not be limited to: (i) positive behavioral interventions and supports models and (ii) trauma sensitive learning models; provided, however, that school- or district-wide models shall not be considered a direct response to a specific incident.

(C) For any suspension or expulsion under this section, the principal or headmaster of a school in which the student is enrolled, or a designee, shall provide, to the student and to the parent or guardian of the student, notice of the charges and the reason for the suspension or expulsion in English and in the primary language spoken in the home of the student. The student shall receive the written notification and shall have the opportunity to meet with the principal or headmaster, or a designee, to discuss the charges and reasons for the suspension or expulsion prior to the suspension or expulsion taking effect. The principal or headmaster, or a designee, shall ensure that the parent or guardian of the student is included in the meeting, provided that such meeting may take place without the parent or guardian only if the principal or headmaster, or a designee, can document reasonable efforts to include the parent or guardian in that meeting. The department shall promulgate

rules and regulations that address a principal's duties under this subsection and procedures for including parents in student exclusion meetings, hearings or interviews under this subsection.

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

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

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

DISCIPLINE AND STUDENTS WITH DISABILITIES

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 and related regulations require that additional provisions be made for students who have been found eligible for special education services or who the school district knows or has reason to know might be eligible for such services. Please refer to the back of this handbook for further information.

PROMOTING CIVIL RIGHTS AND PROHIBITING HARASSMENT, BULLYING, DISCRIMINATION, AND HATE CRIMES

The Fairhaven School District strives to provide a safe, respectful, and supportive learning environment in which all students can thrive and succeed in its schools. The Fairhaven School District prohibits all forms of harassment, discrimination, and hate crimes based on race, color, religion, national origin, ethnicity, sex, *gender identity*, sexual orientation, age, or disability *and ensures that all its students have equal rights of access and equal enjoyment of the opportunities, advantages, privileges, and courses of study.* The civil rights of all school community members are guaranteed by law, and the protection of those rights is of utmost importance and priority to our School District. The District also prohibits bullying or harassment of school community members for reasons unrelated to their race, color, religion, national origin, ethnicity, sex, *gender identity*, sexual orientation, age or disability. The District will also not tolerate retaliation against persons who take action consistent with this Policy. Students who believe they have been discriminated against should contact the principal *or* designee. For more information please see the ‘District Policy’ section of this handbook.

ACADEMIC INFORMATION

STATEWIDE ASSESSMENT

The State of Massachusetts requires the administration of the Massachusetts Comprehensive Assessment System (MCAS) in all public schools. The Fairhaven Public Schools administers this test as directed by the Massachusetts Department of Elementary and Secondary Education. All elementary students in grades 3-5 participate in MCAS testing each year. Schools will communicate to families specific testing schedules.

DISTRICT ASSESSMENTS

District assessments are administered to elementary students. The purpose of these assessments is to gain real time academic growth and progress information that informs instruction and intervention. Assessments of literacy and mathematics skills are administered to all students in grades K-5 throughout the year.

PROGRESS REPORTS

Fairhaven Elementary Schools uses a standards based reporting system. Standards based reporting focuses on mastering content “standards” instead of averages and percentages. It is a report of what students know and are able to do at that moment in time. There is a balance of formative and summative assessments (mounting evidence). This report serves as a record keeping system that informs instruction. This system encourages student reflection and responsibility for learning.

Standards Based Performance Levels *

E	Exceeds Grade Level Standard
M	Meets Grade Level Standard
P	Progressing Toward Grade Level Standard
B	Beginning to Develop Grade Level Standard
N/A	Not Yet Taught or Assessed

*Progress reporting based on the expectations at that point in the year

Parents should expect to receive their children's progress reports on the following dates. Please note that progress report envelopes must be signed by a parent/guardian and returned to your child's teacher each marking trimester.

Grades PreK-5

Term 1-December 8, 2025

Term 2-March 23, 2025

Last Day of School

If academic concerns present themselves, midterm reports may be provided during the weeks of October 13th, January 29th, and May 4th.

If you do not receive your child's progress report, please ask your child or call the school directly to have a new one issued. Additional school reports must be requested, in writing, to the school principal. The request to the principal must include the name, address, and relationship to the student for which a record/report is to be sent.

HOMEWORK/MAKE-UP WORK

Teachers believe homework is important because it teaches responsibility, organization, and encourages the practice of academic skills being taught in class. It is an expectation at all grade levels that nightly reading is a priority. Individual grade level homework expectations will be communicated at the beginning of each school year by your child's classroom teacher.

Teachers feel that parents are the key to making homework a positive experience for their children. Therefore, we ask that you make homework a priority by providing the necessary supplies and a quiet homework environment, offering praise and support, and contacting the teacher if you notice a problem.

Make-up work will be prepared by teachers after one full school day's notice following a student absence of two or more days. When unexcused absences occur due to vacations, teachers may use discretion in providing/preparing assignments.

PROMOTION/RETENTION

Each elementary student will be considered for non-promotion on an individual basis. This will occur at a meeting called by the elementary school principal, and will include teachers, parents, and/or support staff. Non-promotion issues may include, but are not be limited to, failure to achieve grade level benchmarks, or failure of reading and/or math for two (2) consecutive years. Exceptions may be made when, in the judgment of the professional staff, such exceptions are in the best educational interest of the student involved. Exceptions will only be made after prior notification and explanation to the student's parents/guardians. The final decision will rest with the building principal. (For further information refer to FPS Policy IKE available on our district website)

SPECIALISTS

Students will have a specialist period of instruction daily on a rotating schedule, which will be provided to parents at the beginning of the school year. Please have your child(ren) dress appropriately on physical education days and art friendly clothing (smock or old clothes) on art education days. The specialist schedule can be found on the school's website.

LIBRARY

Students visit the library as a class each week on a designated day. Borrowed books are collected weekly, prior to going to the library. Only students who have returned books are allowed to borrow for the next week. Parent volunteers are always needed in this area. If you are interested in playing a part in this weekly experience, please contact your child's school.

FIELD TRIPS/STUDENT TRAVEL

Field trips and student travel are to be Massachusetts Curriculum Framework-driven learning experiences. They should provide opportunities that introduce, culminate, or enrich a theme, goal, or objective. All fundraising activities must receive prior approval from the Superintendent of Schools or his/her designee. All students going on a field trip will be required to have a parent consent form signed and returned to school.

Field Trip – A field trip is defined as a school-sponsored extension of the classroom that involves a curriculum-related activity for students who travel to a location outside the school grounds under the supervision of one or more staff members and an approved number of chaperones for a given day. (For more information, see FPS Policy IJOA available on our district website)

Student Travel – Student travel is defined as an extension of the classroom that involves a curriculum-related activity, which extends beyond 12:00 midnight of a regular school day, any multi-day trip sponsored by a school organization which has been sanctioned by the School. (For more information, see FPS Policy JJH available on our district website)

When pupils demonstrate poor behavior and/or self-control in the classroom or within the building, they may be excluded from field trips and other school activities. This is for good order, their safety, and the safety of their classmates. Parents will be informed, in advance, of such action. Field trip bus behavior is very important. Improper bus behavior on field trips will result in disciplinary action that may include exclusion from participation in future field trips and/or require a parent/guardian to provide transportation to and from the field trip location.

All parents chaperoning field trips, must have an approved CORI on file at the school. Since assigned chaperones are assisting with the supervision of school students during the field trip, additional children/siblings are not permitted on the field trip. All chaperones will ride the transportation provided by the school.

DISTRICT POLICIES

School-Wide Educational Service Plan

School-Wide Educational Service Plan applies to any student who is suspended or expelled from school for more than ten (10) consecutive days; whether in/ out of school. These individuals shall have an opportunity to receive educational access to services as well as accommodations as noted within IEP/504 plans to make academic progress toward meeting state and district requirements, through the school-wide service plan below.

During the period whether in/ out of school expelled or suspended, the Principal (or designee) shall ensure that the student has the opportunity to make academic progress. This opportunity includes the ability to make up assignments, homework, quizzes, exams, major projects in order to earn credits missed during the period of time in/ out of school. The plan will be individualized to the needs of each student and is developed in collaboration with Student Services, counselors and classroom teachers when applicable. Students and their parents/ guardians will be notified of the process for developing and arranging such educational services at the time of the suspension/ expulsion. These educational services shall be based on, and be provided in a manner consistent with the academic standards and curriculum frameworks established for all students under M.G.L. Section 21 Chapter 76. The Fairhaven Public Schools has a school-wide education plan based on the student needs, this plan will be modified accordingly.

- Coordination of workflow between student and teacher

- Access to online coursework(if applicable)

- Tutoring services

- Additional services such as school adjustment counselor and/ or guidance counselor in conjunction with Principal (or designee) will facilitate this process

Section 21. Principals and headmasters shall ensure that students who are suspended from school for 10 or fewer consecutive days, whether in or out of school, shall have an opportunity to make academic progress during the period of suspension, to make up assignments and earn credits missed including, but not limited to, homework, quizzes, exams, papers and projects missed. Principals shall develop a school-wide education service plan for all students who are expelled or suspended from school for more than 10 consecutive school days, whether in or out of school. Principals shall ensure these students have an opportunity to make academic progress during the period of suspension or expulsion, to make up assignments and earn credits missed, including, but not limited to, homework, quizzes, exams, papers and projects missed. Education service plans may include, but are not limited to, tutoring, alternative placement, Saturday school, and online or distance learning. In developing the education service plan, principals may seek the cooperation or input of relevant

health and human service, housing and nonprofit agencies, education collaboratives, and other service providers. Any school or school district that expels a student or suspends a student for more than 10 consecutive school days shall provide the student and the parent or guardian of the student with a list of alternative educational services. Upon selection of an alternative educational service by the student and the student's parent or guardian, the school or school district shall facilitate and verify enrollment in the service. Students exempt from attending school under section 1 of chapter 76 shall not be subject to this section.

Instructional costs associated with providing alternative educational services under this section shall be eligible for reimbursement under section 5A of chapter 71B, subject to appropriation. The reimbursements shall be in addition to amounts distributed under chapter 70 and shall not be included in the calculation of base aid, as defined in section 2 of said chapter 70, for any subsequent fiscal year. Instructional costs eligible for reimbursement shall include only those costs directly attributable to providing alternative educational services under this section, such as salary of educational personnel, salary of related services personnel, costs for specialized books, materials or equipment, tuition costs, if the student is receiving services from other than the local public school, consultant costs if directly attributable to the student's instructional program and instructional costs of extended day or year services if such services are a part of the education service plan. Such costs shall be prorated as appropriate to reflect group activities or costs for part-time services. Instructional costs shall not include transportation costs, administrative or overhead costs, the costs of adapting classrooms or materials that are used by more than 1 student, the costs of fringe benefits of personnel employed by the school district, nor the costs associated with the development of the education service plan or service coordination for the student. Instructional costs associated with an education service plan shall be reported to and approved by the department and shall be reimbursed according to the formula and procedures in said section 5A of said chapter 71B.

BULLYING

Bullying and harassment are major distractions from learning. The grades of the victims can suffer. Fear can lead to chronic absenteeism, truancy, or even dropping out of school. Bystanders feel both guilty and helpless for not standing up to the bully.

As a rule, bullying behavior starts in elementary school and peaks in the middle school years. Most bullying by students starts out verbally – teasing and put-downs – and may become progressively worse and assume physical dimensions. Bullying of any type has no place in a school setting. The Fairhaven Public Schools will work to maintain a safe and secure environment conducive to high-level learning.

We recognize that certain students may be more vulnerable to become targets of bullying, harassment, or teasing based on actual or perceived characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics. The school or district will identify specific steps it will take to create a safe, supportive environment for vulnerable populations in the school community, and provide all students with the skills, knowledge, and strategies to prevent or respond to bullying, harassment, or teasing.

The Department issues this update to reflect Chapter 86 of the Acts of 2014, <https://malegislature.gov/Laws/SessionLaws/Acts/2014/Chapter86>, which amended G.L. c. 71, §37O, the anti-bullying statute, and was signed into law on April 24, 2014. G.L. c. 71, §37O, as amended, requires school districts, charter schools, approved private day or residential schools, and collaborative schools to “recognize” in their bullying prevention and intervention plans that certain enumerated categories of students may be more vulnerable to being targets of bullying based on actual or perceived differentiating characteristics. Such districts and schools must also include in the plan the specific steps they will take to support these vulnerable students and provide all students the skills, knowledge and strategies they need to prevent or respond to bullying or harassment. Under the new law, school districts, charter schools, approved private day or residential schools, and collaborative schools must notify parents and guardians of targets of bullying of the availability of the Department’s problem resolution system and assist these parents and guardians in understanding the problem resolution process. Chapter 86 also addresses the data reporting and collection obligations of school districts, charter schools, approved private day or residential schools, and collaborative schools, requiring them to collect and report the following data to the Department: 1) the number of reported allegations of bullying or retaliation; 2) the number and nature of substantiated incidents of bullying and retaliation; 3) the number of students disciplined for engaging in bullying or retaliation, and 4) other information required by the Department. 3 (The Department is required to analyze the data and to issue a report annually to the legislature which contains statewide aggregated data on the nature and frequency of bullying in schools.) Additionally, Chapter 86 requires school districts, charter schools, approved private day or residential schools, and collaborative schools, to administer a Department-developed student survey at least once every four years to assess “school climate and the prevalence, nature and severity of bullying in schools.”⁴ (The Department will use survey results to, among other things, assess the effectiveness of bullying prevention curricula and instruction and identify long-term trends and areas of improvement, and will make its findings available to school officials.) The law also authorizes school districts, charter schools, approved private day or residential schools, and collaborative schools to adopt an anti-bullying seal to represent its commitment to bullying prevention and intervention.

These requirements are included in the district’s Bullying Prevention and Intervention Plan (“the Plan”), which was approved by the Fairhaven School Committee in December 2010 and revised December 2013. The Plan includes the requirements of the new law, and also information about the policies and procedures that the school district will follow to prevent bullying and retaliation, or to respond to it when it occurs. In developing the Plan, the district consulted with school and local community members, including parents and guardians.

The complete Bullying Prevention and Intervention Plan of the Fairhaven Public School district can be found on the district’s website at fairhavenps.org.

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 towards a student.

Bullying, as defined in M.G.L. c. 71, § 37O, is the repeated use by one or more students or a member of a school staff 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.

Harassment includes, but is not limited to, conduct when related to a person's sex (gender), race, color, national origin, religion, age, handicap and/or disability and sexual orientation and when such conduct is unwelcome by the recipient. In order to give rise to a complaint, harassment must be sufficiently severe, persistent, or pervasive that it adversely affects a student's education by creating an intimidating, hostile or humiliating environment. For a one-time incident to rise to the level of harassment, it must be severe. See FPS Policy 5147 for more information.

Hot Spot is any location in or around school grounds that tends to be a common area where bullying/harassment will commonly occur.

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 or harassment, provides information during an investigation of bullying or harassment, or witnesses or has reliable information about bullying or harassment.

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

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

Prohibition Against Bullying

Bullying is prohibited:

- on school grounds,
- on property immediately adjacent to school grounds,
- at a school-sponsored or school-related activity, function, or program, whether it takes place on or off school grounds,
- at a school bus stop, on a school bus or other vehicle owned, leased, or used by a school district or school,

- through the use of technology or an electronic device that is owed, leased or used by a school district or school (for example, on a school computer or over the Internet using a school computer),
- at any program or location that is not school-related, or through the use of personal technology or electronic devices, if the bullying creates a hostile environment at school for the target, infringes on the rights of the target at school, or materially and substantially disrupts the education process or the orderly operation of a school.

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

Reporting Bullying

Anyone, including a parent or guardian, student, or school staff member, can report bullying or retaliation. Reports can be made in writing or orally to the principal or another staff member, or reports may be made anonymously. Incident Reporting Forms can also be found in the Appendix, on the district's website and are available in each school.

School staff members must report immediately to the principal or his/her designee if they witness or become aware of bullying or retaliation. Staff members include, but are not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity, or paraprofessionals.

When the school principal or his/her designee receives a report, he or she shall promptly conduct an investigation. If the school principal or designee determines that bullying or retaliation has occurred, he or she shall (i) notify the parents or guardians of the target, and to the extent consistent with state and federal law, notify them of the action taken to prevent any further acts of bullying or retaliation; (ii) notify the parents or guardians of the aggressor; (iii) take appropriate disciplinary action; and (iv) notify the local law enforcement agency if the school principal or designee believes that criminal charges may be pursued against the aggressor.

The entire Bullying, Cyberbullying and Retaliation policy can be viewed in the policy section of this handbook and School Committee policy section of the district website.

Bullying Prevention File: JICFB [FPS Bullying Prevention and Intervention Plan](#)

The Fairhaven School Committee believes that preventing bullying, cyberbullying, harassment, and/or retaliation is critical for creating and maintaining a safe, secure and positive school climate and culture, which in turn supports high level learning, increases school engagement, respects the rights of all individuals and groups, and purposefully builds community.

“Bullying” is the repeated use by one or more students of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, directed at a target that:

- causes physical or emotional harm to the target or damage to the target's property;
- places the target in reasonable fear of harm to him/herself, or of damage to his/her property;
- creates a hostile environment at school for the target;
- infringes on the rights of the target at school; or
- materially and substantially disrupts the education process or the orderly operation of a school.

“Cyber-bullying” means bullying through the use of technology or any electronic communication, which

shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a:

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

Cyber-bullying shall also include the creation of a web page or blog in which the creator assumes the identity of another person or knowingly impersonates another person as author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying.

Cyber-bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

Bullying and cyber-bullying may occur in and out of school, during and after school hours, at home and in locations outside of the home. When bullying and cyber-bullying are alleged, the full cooperation and assistance of parents and families are expected.

For the purpose of this policy, whenever the term bullying is used it is to denote either bullying, or cyber-bullying.

Bullying is prohibited:

- On school grounds;
- On property immediately adjacent to school grounds;
- At school-sponsored or school-related activities;
- At functions or programs whether on or off school grounds
- At school bus stops;
- On school buses or other vehicles owned, leased or used by the school district; or,
- Through the use of technology or an electronic device owned, leased or used by the public schools;

Bullying and cyber-bullying are prohibited at a location, activity, function or program that is not school-related or through the use of technology or an electronic device that is not owned, leased or used by the Fairhaven school district if the act or acts in question:

- create a hostile environment at school for the target;
- infringe on the rights of the target at school; and/or
- materially and substantially disrupt the education process or the orderly operation of a school.

Prevention and Intervention Plan

The Superintendent and/or his/her designee shall oversee the development of a prevention and intervention plan, in consultation with all district stakeholders, which may include teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents and guardians, consistent with the requirements of this policy, as well as state and federal laws. The bullying prevention and

intervention plan shall be reviewed and updated at least biennially. The Principal is responsible for the implementation and oversight of the bullying prevention and implementation plan within his or her school.

Reporting

Students, who believe that they are a target of bullying, observe an act of bullying, or who have reasonable grounds to believe that these behaviors are taking place, are obligated to report incidents to a member of the school staff. The target shall, however, not be subject to discipline for failing to report bullying.

Each school shall have a means for anonymous reporting by students of incidents of bullying. No formal disciplinary action shall be taken solely on the basis of an anonymous report. Any student who knowingly makes a false accusation of bullying shall be subject to disciplinary action. Parents or guardians, or members of the community, are encouraged to report an incident of bullying as soon as possible. A member of a school staff shall immediately report any instance of bullying the staff member has witnessed or become aware of to the school principal or their designee.

Investigation Procedures

The Principal or their designee, upon receipt of a viable report, shall promptly contact the parents or guardians of a student who has been the alleged target or alleged perpetrator of bullying. The actions being taken to prevent further acts of bullying shall be discussed.

The school principal or a designee shall promptly investigate the report of bullying, using an Incident Reporting Complaint Form which may include interviewing the alleged target, alleged perpetrator, staff members, students and/or witnesses. The principal or designee shall inform the parent or guardian of the target about the Department of Elementary and Secondary Education's problem resolution system and the process for accessing that system, regardless of the outcome of the bullying determination.

Support staff shall assess an alleged target's needs for protection and create and implement a safety plan that shall restore a sense of safety for that student. Confidentiality shall be used to protect a person who reports bullying, provides information during an investigation of bullying, or is witness to or has reliable information about an act of bullying.

If the school principal or a designee determines that bullying has occurred he/she shall take appropriate disciplinary action and if it is believed that criminal charges may be pursued against the perpetrator, the principal shall consult with the school's resource officer and the Superintendent to determine if criminal charges are warranted. If it is determined that criminal charges are warranted, the local law enforcement agency shall be notified.

The investigation shall be completed within fourteen school days from the date of the report. The parents or guardians shall be contacted upon completion of the investigation and informed of the results, including whether the allegations were found to be factual, whether a violation of this policy was found, and whether disciplinary action has or shall be taken. At a minimum the Principal or his/her designee shall contact the parents or guardians as to the status of the investigation on a weekly basis.

Disciplinary actions for students who have committed an act of bullying or retaliation shall be in accordance with district disciplinary policies. Each school shall document any incident of bullying that is reported per this policy and a file shall be maintained by the Principal or designee. A monthly report shall be provided to the Superintendent. Confidentiality shall be maintained to the extent consistent with

the school's obligations under law.

Retaliation

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

Problem Resolution System

Chapter 86 of the Acts of 2014 amended Section 37O of chapter 71 of the General Laws to include (g) (v): The Plan shall inform parents or guardians of the target about the Department's problem resolution system and the process for seeking assistance or filing a claim through the problem resolution system. This information will be made available in both hard copy and electronic formats: Any parent wishing to file a claim/concern or seeking assistance outside of the district may do so with the Department of Elementary and Secondary Education Program Resolution System (PRS). That information can be found at: <http://www.doe.mass.edu/pqa>, emails can be sent to compliance@doe.mass.edu or individuals can call 781-338-3700. Hard copies of this information are also available at the Superintendent's office.

Target Assistance

The Fairhaven Public Schools shall provide counseling or referral to appropriate services, including guidance, academic intervention, and protection to students, both targets and perpetrators, affected by bullying, as necessary.

Training and Assessment

Annual training shall be provided for school employees and volunteers who have significant contact with students in preventing, identifying, responding to, and reporting incidents of bullying.

Age-appropriate, evidence-based instruction on bullying prevention shall be incorporated into the curriculum for all K to 12 students.

Publication and Notice

Annual written notice of the relevant sections of the bullying prevention and intervention plan shall be provided to students and their parents or guardians, in age-appropriate terms. Annual written notice of the bullying prevention and intervention plan shall be provided to all school staff. The faculty and staff at each school shall be trained annually on the bullying prevention and intervention plan applicable to the school.

Relevant sections of the bullying prevention and intervention plan relating to the duties of faculty and staff shall be included in the school employee handbook. The bullying prevention and intervention plan shall be posted on the Fairhaven Public Schools website.

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

LEGAL REFS.: Title VII, Section 703, Civil Rights Act of 1964 as amended

Federal Regulation 74676 issued by EEO Commission

Title IX of the Education Amendments of 1972

603 CMR 26.00

MGL 71:37O

MGL 265:43, 43A

MGL 268:13B

CROSS REFS.: AC, Nondiscrimination
ACAB, Sexual Harassment
JBA, Student-to-Student Harassment
JICFA, Prohibition of Hazing
JK, Student Discipline Regulations

S.C. Adopted 12/8/2010

The entire Bullying, Cyberbullying and Retaliation policy can be viewed in the policy section of this handbook and School Committee policy section of the district website.

PHYSICAL RESTRAINT AND TIME OUT PROCEDURE

PHYSICAL RESTRAINT PROCEDURES

Physical restraint is defined as the use of bodily force to restrict a student's freedom of movement

1. Physical restraint shall only be used as an emergency procedure when other less intrusive alternatives have failed or been deemed inappropriate. In the event that physical restraint is required to protect the safety of school community members, the Fairhaven School Committee has enacted the following procedures to ensure the proper use of physical restraint and to prevent or minimize any harm to the student as a result of the use of physical restraint. These procedures shall be annually reviewed, provided to the school staff, and made available to parents of enrolled students. None of the foregoing paragraphs or the procedures that follow precludes any teacher, employee or agent to the Fairhaven School Department from using reasonable force to protect students, other persons or themselves from assault or imminent, serious harm.

TIME OUT PROCEDURES

Time out from reinforcement ("time out") is a procedure in which a student self selects or is staff directed temporarily to a place in a different, less-rewarding situation or setting, away from the learning activity or classroom, whenever he or she engages in undesirable or inappropriate behaviors, often defined in the student's Behavior Intervention Plan ("BIP"). (Cooper et al 2007, p.360) Time out is not a place it is an event. For time outs to be most effective, it is imperative that timeouts are absent of all possible reinforcing events. Typically, timeout is used in tandem with positive discipline techniques. For example, time out might be employed to reduce the frequency of a student's negative behaviors while an individualized reward system might be put in place to increase the frequency of appropriate student behaviors. Time out is intended to reduce the frequency of a target behavior, as defined in BIP, and can result in unintended negative effects on the student. Subsequently, students should be carefully monitored when timeout is being used. All incidents in which the student is timed out should be recorded in writing on a timeout log. Time out procedures should be explained to students prior to a time out being administered. The time out space must be clean, safe, sanitary, and an appropriate space for calming. The time out shall cease as soon as the student has calmed.

For more information regarding either physical restraint or timeout procedure please refer to ADMINISTRATIVE REGULATION JKAA-R that can be found on our district website www.fairhavenps.net

S.C. Originally Adopted: July 26, 2006

S.C. Received/Revised: December 15, 2015

S.C. Received/Revised: January 13, 2016

S.C. Received/Revised: September 27, 2017

S.C. Received/Revised: January 25, 2018

STUDENT RECORDS

The following is a summary of provisions of the Massachusetts Education Laws and Regulations (603 CMR 23.00) pertaining to student records:

A student's record is that information that includes the permanent record (transcript), and the temporary record. The permanent record is made up of personal data, courses taken, grades, credits and class rank. The temporary record is made up of personal data, progress reports, test scores, extracurricular activities and other relevant information. The temporary record of each student shall be destroyed five (5) years after the student transfers, graduates, or withdraws from the school system. (7 years if the student was involved in special education.) The school principal or his/her designee shall be responsible for the privacy and security of all student records maintained in the school.

Inspection of Record

A parent of a student under the age of 14 has the right to inspect all portions of the student record upon request. The parent and student have the right to receive copies of any part of the record, although a reasonable fee may be charged for the cost of duplicating materials. Finally, the parent and student may request to have parts of the record interpreted by a qualified professional of the school, or may invite anyone else of their choosing to inspect or interpret the record with them.

Access to Record

With few exceptions, no individuals or organizations except the parent, student and school personnel working directly with the student are allowed to have access to information in the student record without specific, informed, written consent of the parent or the student. The Fairhaven Public Schools may choose to release or transfer a student's records to authorized school personnel of the school to which a student seeks or intends to transfer without a signed records release. This is consistent and in accordance with Massachusetts records law. Non-custodial parents may have access to the student records in accordance with the regulations.

Destruction of Records

The regulations require that certain parts of the student record, such as the temporary record, be destroyed a certain period of time after the student leaves the school system. School authorities are also allowed to destroy misleading, outdated, or irrelevant information in the record from time to time while the student is enrolled in the school system. Before any such information may be destroyed, the parent and student must be notified, and have an opportunity to receive a copy of any of the information before its destruction.

Amendment of Record

The parent and student have the right to add relevant comments, information or other written materials to the student record. In addition, the parent and student have the right to request that information in the record be amended or deleted. The parent and the student have a right to conference with the principal to make their objections known. Within a week after the conference, the principal must render a decision in writing. If the parent and student are not satisfied with the decision, the regulations contain provisions through which the decision may be appealed to higher authorities in the school system.

VIDEOTAPING/PHOTOGRAPHING/WEBPAGE PUBLISHING

At the beginning of each school year, the Fairhaven School District Publishing Permission Form will be available online for every family to sign. Parents/guardians must indicate if they grant or deny permission for their child's name and/or picture to appear in a newspaper, school publication, or on a school web page. If a parent/guardian fails to complete the form, the district will treat that act as a DENIAL of consent, until otherwise notified, in writing, by the parent/guardian. (For further information refer to FPS Policy 1112.2 attached and also available on our district website)

The Fairhaven Public Schools hope that parents will use caution when uploading and/or posting pictures of other students to a public website.

ALCOHOL, TOBACCO, DRUG USE

A student shall not, regardless of the quantity, use or consume, possess, buy or sell, or give away any beverage containing alcohol; any tobacco product, including vapor/E-cigarettes; marijuana; steroids; or any controlled substance. The School Committee prohibits the use or consumption by students of alcohol, tobacco products, or drugs on school property, the bus, at any school function, or at any school sponsored event. Violations will result in suspension from school. Please refer to School Committee policy POLICY JICH for more information.

EQUAL EDUCATIONAL OPPORTUNITY

No person, legally enrolled in the Fairhaven Public Schools, shall on the basis of sex, race, ethnic derivation, color, marital status, handicap, or sexual orientation, be excluded from enrollment of participation in, denied the benefits of, or otherwise be subjected to discrimination under any academic, extra-curricular, or training program or activity operated by the Fairhaven Public School System. (For more information, see FPS Policy 5111.12 available on our district website) [FPS Non-Discrimination and Title IX Policy](#)

APPENDIX

DISCIPLINE AND STUDENTS WITH DISABILITIES

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 and related regulations require that additional provisions be made for students who have been found eligible for special education services or 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 under section 504 of the Rehabilitation Act, 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 where there is a pattern of short term removals exceeding ten (10) school days in a given year. 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 subjected to a pattern of removal constituting a "change of placement", building administrators, the parent/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, during disciplinary exclusions exceeding ten (10) school days in a single school year, the student shall have the right to receive services identified as necessary by the Team to provide him/her with a free appropriate public education (FAPE) during the period of exclusion.
- 3) If building administrators, the parent/guardian(s) and relevant members of the student's IEP or 504 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 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 building administrators, the parent/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 disciplinary 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/guardian(s) consent to a new placement or until the 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.
- 5) If a student with a disability possesses or uses illegal drugs, sells or solicits a controlled substance, possesses a weapon, or causes serious bodily injury to another on school grounds or at a school function, the 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.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days of the day the School receives a request for access. Parents or eligible students should submit to the School principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading. Parents or eligible students may ask the School to amend a record that they believe is inaccurate or misleading. They should write the School principal [or appropriate official], clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of

the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.

3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

**Family Policy Compliance Office
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202-5901**

Protection of Pupil Rights Amendment (PPRA)

Protection of Pupil Rights Amendment (PPRA) affords parent/guardian certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

Consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)-

1. Political affiliations or beliefs of the student or student's parent/guardian;
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 parent/guardian; or
8. Income, other than as required by law to determine program eligibility.

Receive notice and an opportunity to opt a student out of -

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others. Inspect, upon request and before administration or use -
 1. Protected information surveys of students;
 2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
 3. Instructional material used as part of the educational curriculum.

These rights transfer to from the parent/guardian to a student who is 18 years old or an emancipated minor under State law.

The Fairhaven Public Schools has developed policies, in consultation with parent/guardian, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The Fairhaven Public Schools will directly notify parent/guardian of these policies at least annually at the start of each school year and after any substantive changes. The Fairhaven Public Schools will also directly notify, such as through U.S. Mail or email, parent/guardian of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent/guardian to opt his or her child out of participation of the specific activity or survey. The Fairhaven Public Schools will make this notification to parent/guardian at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parent/guardian will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parent/guardian will also be provided an opportunity to review any pertinent surveys.

Following is a list of the specific activities and surveys covered under this requirement:

- Collection, disclosure, or use of personal information for marketing, sales or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

Parent/Guardian who believe their rights have been violated may file a complaint with:

Family Policy Compliance Office

U.S. Department of Education

400 Maryland Avenue, S.W.

Washington, D.C. 20202-5901

SYNOPSIS OF FEDERAL CIVIL RIGHTS LAWS AND DISTRICT COORDINATOR INFORMATION

Title VI of the Civil Rights Act of 1964

COORDINATOR: Tanya Dawson

128 Washington St. Fairhaven

508-979-4000

This statute prohibits discrimination on the grounds of race, color or national origin by recipients of federal financial assistance. This statute ensures that individuals are not excluded from participation in programs or activities receiving federal funds (or the benefits of) on account of their membership in one of these protected categories (42 DSC SZOOOd). This statute has been interpreted to prohibit the denial of equal access to education because of a language minority student's limited proficiency in English.

Title IX of the Education Amendments of 1972

CO-COORDINATORS: Tanya Dawson and Mark Balestracci

128 Washington St. Fairhaven

508-979-4000

Title IX of the Education Amendments of 1972 provides that no individual may be discriminated against on the basis of sex in any education program or activity receiving federal financial assistance. Title IX requires that schools adopt and publish a policy against sex discrimination and have grievance procedures through which students can complain of alleged sex discrimination, including sexual harassment. State Law requires Massachusetts' employers to have a policy against sexual harassment (M.G.L. Ch. 151B, S3A)

Section 504 of the Rehabilitation Act of 1973

COORDINATOR: Joan Tracey

128 Washington St. Fairhaven

508-979-4000

Section 504 provides that no otherwise qualified individual with a disability shall solely by reason of his/her 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 regulations implementing Section 504 require that public schools provide a free appropriate education to each qualified handicapped person who is in the recipient's jurisdiction, regardless of the nature or severity of the person's handicap. (34 CFR 104.33)

Americans with Disabilities Act of 1990

COORDINATOR: Tanya Dawson

128 Washington St. Fairhaven

508-979-4000

The regulations implementing the ADA provide that, "A public entity that employs 50 or more persons shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under this part, including any investigation of any complaint communicated to it alleging its noncompliance with this part or alleging any actions that would be prohibited by this part. The public entity must make available to all interested individuals the name, office address, and telephone number of the employee or employees designated pursuant to this paragraph." (34CFR 35.107)

Equal Educational Opportunities Act of 1974

COORDINATOR: Tanya Dawson

128 Washington St. Fairhaven

508-979-4000

This federal statute prohibits states from denying equal educational opportunities to an individual based on certain protected classifications including national origin. It specifically prohibits denying equal educational opportunities by failing to take appropriate action to overcome language barriers that impede participation by its students in its instructional programs. (20 USC S1203 (f))

Massachusetts General Laws Chapter 76, 85 (also known as Chapter 622)

COORDINATOR: Tanya Dawson

128 Washington St. Fairhaven

508-979-4000

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

Title I of the Elementary and Secondary Education Act of 1965

COORDINATOR: Nicole Potter

12 Huttleston Ave. Fairhaven

508-979-4051

Title I is designed to help disadvantaged children meet challenging content and student performance standards.

Homeless Educational Liaison

COORDINATOR: Tanya Dawson

128 Washington St. Fairhaven

508-979-4000

Students without a permanent place to live have the right to: go to school, including public preschool; obtain free lunch (and breakfast if offered); receive transportation; participate in school activities; receive the same support and services provided to all other students as needed.

Chapter 688

COORDINATOR: Tanya Dawson

128 Washington St. Fairhaven

508-979-4000

School districts file a Chapter 688 referral for students with severe disabilities who will need continued services and supports after their eligibility for special education ceases. School districts must make Chapter 688 referrals at least 2 years before the student is expected to graduate from school or turn 22 years of age. This allows time to determine the student's eligibility for adult services and for agencies to include the anticipated cost of services for the student in its budget request that it submits to the state legislature each year.

Elizabeth I. Hastings Middle School



**Student/Parent Handbook
2025-2026 School Year**

Fairhaven Public Schools
School Committee Members:

Colin Veitch (Chair)
Brian Monroe (Vice Chairman)
Erik Andersen
Nicole Pacheco
Stephanie Pickup
Kelly Ochoa

Dear School Community:

We take pleasure in welcoming you to Elizabeth Hastings Middle School. We are very proud of our school's tradition of excellence in and out of the classroom. We hope you will add to this tradition and become a partner in teaching and learning by becoming involved in our school community.

To Our Students: You have a very important responsibility: put forth your best effort, take pride in what you do, develop good work habits, actively participate in classroom learning experiences, participate in activities, come to school on time, complete your assignments, and strive for excellence. Abide by the school's code of conduct.

To Our Parents/Guardians/Families: We consider the middle school years to be the most formative in your child's educational development. As your child's first teacher, you are responsible for supporting our work to help your child achieve accomplishments and goals. Your cooperation in our shared responsibilities will ensure student success.

This student/parent handbook is published so that all students and parents will understand these responsibilities, the rules, and the day-to-day operation of the school. It is essential that all students and parents read and discuss the information contained in this handbook to avoid misunderstandings. If you need further information please contact our office. Best wishes for a successful year.

Sincerely,

Mr. Kyle Alves, Principal

Mr. Joseph Winterhalter, Assistant Principal

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Frequently Asked Questions

1. What time does school start?

Starting Time: 7:45 A.M.

(students are tardy if not in their first period classroom in their seats at this time.)

Please be aware that there is no supervision before 7:15 AM

2. What time are students dismissed?

Dismissal time: 2:17 P.M.

3. I have to dismiss my child early for a doctor's appointment. What is the latest time I can dismiss my child before the end of the day?

Parents/guardians will not be allowed to dismiss students after 2:00PM. If you need to dismiss your child for doctor/dentist appointments or for any other reason, it must be before 2 PM.

4. Where can I see a calendar of events for the school?

The Elizabeth Hastings Middle School website is updated frequently with new information for parents and students including a calendar of events for the school. Most of the updates are included under the Families and Students tab.

5. My child is going home with a friend and taking the bus with them. Is that ok?

No. students that ride the bus must be dropped off at their designated location based on their home address.

6. Do I need to notify the school if my child is out sick?

Yes. Please contact the Elizabeth Hastings Main office at 508-979-4063 to report that your child will be out due to an illness.

7. If I call my child out sick, will that be an excused attendance?

No. All absences are considered unexcused with the exception of a doctor's or court note.

FAIRHAVEN PUBLIC SCHOOLS - Mission Statement

The Fairhaven Public Schools, in partnership with families and the community, will ensure high-level learning for all children in a safe environment, so each can become independent, productive, and successful.

DISTRICT GOALS

TEACHING AND LEARNING

To improve learning outcomes for all students by implementing high-quality, culturally responsive, inclusive core instruction, curriculum, and professional development aligned with Universal Design for Learning (UDL), Profile of the Learner (POL) and Social and emotional (SEL) practices.

CLIMATE, CULTURE AND COMMUNICATION

To develop and implement a clear and cohesive communication plan at the school and district levels, accessible to all.

COMMUNITY AND FAMILY ENGAGEMENT

To foster a district culture that is collaborative, inclusive, accessible, and welcoming to all.

DISTRICT OPERATIONS

To ensure current building conditions are safe, accessible, and sustainable by implementing a Long Range Facilities Plan (5-year).

FPS Non-Discrimination and Title XI Policy

(Please select heading to access the policy)

Every Student Succeeds Act

The Every Student Succeeds Act (ESSA) is an opportunity to take stock of Massachusetts' policy framework. While in many respects ESSA rebalances the federal-state relationship, the reauthorized Act largely continues Congress' interest in ensuring that the nation's investment in elementary and secondary education is in service of our most vulnerable youth.

The Every Student Succeeds Act removes the highly prescriptive, one-size-fits-all Adequate Yearly Progress (AYP) metric that existed under the No Child Left Behind (NCLB) version of the Elementary and Secondary Education Act. Nonetheless, the reauthorized act maintains the requirement for statewide assessment in reading/English language arts and Mathematics in grades 3-8 and once in high school as well as in science once each in the following grade spans: 3-5, 6-8, and high school.

In addition, ESSA requires states to:

- set progress measures and long-term academic and graduation goals for all students as well as for each group of students, with greater progress expected for groups that are further behind;*
- report annually on school and district progress and achievement toward those goals;*

- identify and intervene in the lowest performing schools; and
- evaluate and report the degree to which “low income and minority students... are not served at disproportionate rates by ineffective, out-of-field, or inexperienced teachers.”

ELIZABETH HASTINGS MIDDLE SCHOOL- Mission Statement

In partnership with our community, we will create and maintain programs that meet educational standards to develop students’ knowledge and skills within a system of support.

Core Beliefs

We believe an excellent school:

- Promotes high achievement
- Ensures a safe and orderly environment
- Promotes the involvement of the community

Vision Statement

- I will see a curriculum that sets high standards and articulates key components, content, and skills necessary for all students.
- I will see instructional practices that are dominated by research based strategies that focus on questioning, problem-solving, exploring, and critical thinking.
- I will hear students, through discussion and performance, making connections among discrete pieces of knowledge and skills.
- I will see student achievement measured across a variety of formative and summative assessment instruments that provide opportunities to demonstrate learning in authentic ways.
- I will see a clear rubric for scoring excellence for assessment products or performances.
- I will see staff and faculty collaborate as a professional learning community in an ongoing process of collective inquiry, data use, and focused goal setting to increase student achievement.
- I will see a variety of programs that provide intervention and enrichment opportunities.
- I will see the extended community play an active role in supporting our mission and vision statements.
- I will see evidence of programs that promote a healthy and safe learning environment.
- I will see evidence of parents playing an active role in students’ learning experience.

ACADEMICS

Academic Honesty

All facets of our society include a code of ethics, standards to which you will be expected to adhere as a member of the community. At Elizabeth Hastings, we strive to help our students develop these ethics by encouraging them to maintain the highest standards of academic conduct. For that reason, cheating of any kind is considered a serious offense.

Cheating can be described as presenting something you did not do as your own work. This includes copying someone’s work whether it is homework, quizzes, tests, or class assignments. One of the most common forms of cheating is *plagiarism*. Plagiarism is using another’s words or ideas without proper citation. The key to avoiding plagiarism is that you show clearly where your own thinking or words end and someone else’s (such as a writer on the Internet) begin. It is never appropriate to copy and paste other’s words into your own document without proper citation.

Grading Policy

Teachers create a class policy for grading students. These policies are based on the Elizabeth Hastings Middle School goals, objectives and standards of excellence. All academic subjects and enrichment classes are graded numerically. A 64 or below is failing.

Grades are calculated based on one of the following two options. Grade level teachers will determine which of the two options will be followed for the academic year.

Categories & Weights

Grade 7			Grade 6 & 8	
Category	Weight		Category	Weight
Homework	10%		Homework/Classwork	30%
Classwork	20%		Quizzes	30%
Quizzes	30%		Tests	40%
Tests	40%			

The below codes will be utilized when grades are posted in X2.

Code	Meaning
MI	Missing: Calculates as a zero, but able to be made up.
EX	Exempt: Not required to be completed and doesn't impact overall average.

These two codes are universal codes; no other codes are to be used.

X2 Parent Portal

Parent Portal is a useful tool, which gives both parents and students the ability to check their grades online and access other valuable information. The web address is: <https://ma-fairhaven.myfollett.com/aspen/home.do>. Please make sure your pop-up blockers are turned off. You need a user name and password. These are sent to all incoming students each year. Remember both usernames and passwords are case-sensitive. Contact the main office at 508 979-4063 if you have any questions or problems.

Progress Reports

Progress reports are issued at mid-term to alert you of your academic performance. Receiving an unsatisfactory progress report does not constitute failure for the term. You do have enough time left in the term to improve the grade before the marking period comes to a close. Progress reports must be signed by your parents and returned by you to the homeroom teacher within 2 days of the date issued.

Guidelines for Promotion

The goal of the Elizabeth Hastings Middle School promotion policy is to ensure students have acquired the skills and work habits necessary to be successful at the next grade level. It is our expectation that the policy will help all EHMS students strive to achieve their full academic potential and progress through each grade level. To this end, all students at EHMS must meet the following guidelines to be promoted to the next grade:

- All students will pass three of four core academic subjects

Enrichment classes are considered in promotion as follows:

- students who fail two enrichment courses in addition to one academic course, will not be considered for promotion
- students who fail the same core academic subject for two consecutive years will not be considered for promotion
- In certain circumstances, a Promotion Review Committee made up of team teachers and counselors may recommend approval of alternative learning experiences when deemed in the best interest of the student. The committee will submit its recommendations to the Principal who may at his/her discretion, approve or disapprove.
- Decisions of the Principal are final.

Honor Roll

Honor roll lists are published each term with the following criteria:

High Honors – 90 or above in all subjects

Honors – All 90's or 80's or above in all subjects

National Junior Honor Society

All 7th and 8th grade students who have a cumulative average of 93 or above in their core academic courses are eligible for membership into the NJHS. Written notification of eligibility, based on this studentship requirement, is made after the first semester. students who are interested in pursuing membership must also complete a Student Activity/Information Packet, which will provide the Faculty Council with information regarding the student's leadership roles, citizenship, character, and service. This packet is submitted to the NJHS Advisor by the date specified, typically just before April vacation. students are notified in writing regarding selection or non-selection in early May.

Scheduling

You will be issued a schedule on the first day of school. Team assignments will not be changed. Parents should contact guidance with any questions or concerns.

Instructional Materials

As an important part of our inventory process, each textbook and workbook is identified by number and is appropriately stamped as school property. When you are issued books you will sign for them. The school expects that you will take care of them. You are responsible for books issued to you at ALL times. Keep your books covered and handle them as the valuable and expensive materials that they are. At the end of each year, you must return the numbered books that were loaned to you. It is your responsibility to return the loaned books. Normal wear is expected. If you have lost a book, you must pay for it. If the book has received unreasonable wear, a damage fee will be assessed. students will not be allowed to participate in [extracurricular](#) activities, including any special end of year events, if they have outstanding bills.

Movies/Videos/Clips

Over the course of the school year students may occasionally view movies in their entirety or clips that support learning and the Fairhaven Curriculum. students in 6th grade will view materials with the MPAA rating of G or PG. students in the 7th and 8th grade will view materials with the MPAA ratings of G, PG, or PG-13. Parents will be notified of any PG-13 selections in advance.

Lockers

student lockers are provided for the safe keeping of these materials and your personal property. Do not share your locker combination with others. To ensure student safety, access to lockers will be permitted before and after school, before and after lunch, before homeroom and as your team of teachers allows. No student will be allowed to use his or her locker between classes during passing periods. student lockers are school property and remain at all times under the control of the school. Periodic general inspections of

lockers may be conducted at any time without notice, without student consent, and without a search warrant. You are expected to assume full responsibility for the security of your locker. Use only the lock and locker assigned to you and keep your locker locked at all times. If you lose your lock, you must pay for a new one. No stickers of any kind are to be posted on or in your locker. Locker clean up will be done periodically to ensure that your locker is kept neat and clean.

Agenda Books

Elizabeth Hastings Middle School, through the generosity of the PTO and its supporters, has provided this agenda, which allows students to record their daily assignments, project due dates, and upcoming tests and quizzes. Students are required to have their agenda books with them at all times with the exception of lunch. Any lost agenda must be replaced by the student at a cost of \$5.00.

Students are required to write their daily assignments in their agenda books. Parents are encouraged to check agenda books each night.

Homework

Purposeful homework is an essential component of a student's education. When developed effectively and completed by students, it enhances student achievement. It should be an extension of the class lesson, clearly understood by students, well planned, and meaningful. It may be assessed in multiple ways including review, discussion, and formal grading. We expect that parents will work to ensure students complete homework tasks in a timely and appropriate manner.

Extra Help

Teachers are available after school to offer you extra help. Extra help is intended to reinforce not replace classroom instruction. We urge you to take advantage of this opportunity. Please check with the teacher ahead of time and arrive with specific questions or topics for specific help.

Guidance Counselors

During the school year, you may have a concern about academic, personal, or social problems. Guidance counselors are trained to be of assistance in these areas. Students wanting to see a counselor may stop in before or after school or at any time during the school day with a teacher's permission. Elizabeth Hastings Middle School has two guidance counselors on staff. Students are assigned to a guidance counselor.

Physical Education/Wellness

Physical Education/Wellness is an important part of our school. The program will offer skills and activities designed to meet future physical and recreational needs of youth and adulthood. Instruction will also be given in topics of health and wellness. Each student capable of taking physical education must do so. If you have a permanent physical handicap or are recovering from serious illness, operation, or accident, you may be excused if a note is provided from a physician. An alternative assignment will be provided for the student. For neatness, comfort, freedom of movement and safety, you will be required to dress appropriately for class. The uniform shall consist of shorts, T-shirt, athletic sneakers (tied and with backs) and socks. Sweatshirts and sweatpants are optional.

Human Sexuality Education Notification

It is the policy of the Fairhaven School Committee that the implementation or maintaining of curriculum that primarily involves human sexuality education or human sexuality issues shall ensure parent/guardian notification. Parents and/or guardians shall be afforded the flexibility to exempt their children from any portion of said curriculum through written notification to the school principal. No child so exempted shall be penalized by reason of such exemption.

ATTENDANCE

Daily Schedule

Starting Time: 7:45 A.M.

(students are tardy if not in their first period classroom in their seats at this time.)

Dismissal time: 2:17 P.M.

All students entering the building after 7:35 AM need to enter through the main entrance.

Please be aware that there is no supervision before 7:15 AM

Student Absences

It is the policy of the Fairhaven Public Schools and a law of the Commonwealth of Massachusetts that every child between the ages of six and sixteen must attend school. Regular and punctual school attendance is essential for success in school. A student's understanding of the importance of day-to-day school work is an important factor in the shaping of character. Parents can support their child's success and our mission by refusing to allow children to miss school needlessly and ensure that they attend school regularly in accordance with state law.

Students may be excused temporarily from school attendance for the following reasons:

- Illness or quarantine
- Bereavement or serious family illness
- Weather so inclement as to endanger the health of the child
- For observance of major religious holidays
- For a school sanctioned activity
- Exceptional reasons with approval of school administration

Parents are expected to provide an explanation in writing, by phone, or in person for the absence, tardiness, or early dismissal of a child. Failure to comply with this regulation could result in disciplinary action. In instances of chronic or irregular absences reportedly due to illness, the administration may request a physician's statement, certifying such absences to be justifiable.

Absence Notification/After School Eligibility

When you are absent from school, your parents must call to report your absence and the reason for it. The school telephone number to report absences is 508-979-4063. Parents are asked to call by 9 A.M. If notification is not received, the absence will be treated as truancy.

Students who are absent or suspended from school for any part of the school day may NOT be in the building, nor attend or participate in such activities as dances, athletic events, school functions, field trips, assemblies or other extracurricular activities on the day of the absence unless permission has been granted by the principal or designee. If you are absent the day before any event sponsored by the school, the student will not be able to attend.

Tardiness

Students are expected to arrive on time and to be inside their homeroom when morning attendance is taken. You are tardy if you are not in your homeroom by 7:45 A.M. You must report to the main office for a pass if you come into school late. Late arrivals will result in the following discipline per term:

5 Tardies- Warning

6 or More Tardies- 1 Detention for Each Day of Tardiness Beyond six (6)

Dismissal

The school shall assume that each parent has legal custody of a child unless the school principal is otherwise notified in writing by a parent or by a guardian having legal custody. Dismissal of a child to an individual other than a parent or guardian will not be permitted unless a parent or guardian having legal custody has named that individual on one or all of the school's emergency dismissal forms. The parent claiming custody will be obligated to provide legal evidence to the school principal in the case of a dispute.

Students shall not be permitted to leave the school grounds at any time during the school day without approval from the school office:

- All dismissal notes shall be turned in to the main office prior to the beginning of school and MUST INCLUDE the student's first and last name, reason for dismissal and a telephone number where a parent can be reached prior to the time of dismissal. NO TELEPHONE DISMISSALS SHALL BE ACCEPTED.
- Whenever a student is dismissed, a parent, legal guardian or authorized adult must report to the school. No student will be dismissed unless accompanied by a parent, guardian or authorized adult.
- We urge parents to make every effort to schedule appointments at times that do not conflict with school hours.
- Parents/guardians will not be allowed to dismiss students after 2:00PM. If you need to dismiss your child for doctor/dentist appointments or for any other reason, it must be before 2 PM. Dismissal time is a very busy time of the day for staff and students. The buses are also arriving on the rotary at this time. Please be cooperative with staff to ensure each child's safety.
- Three or more undocumented dismissals in a term will result in administrative detentions.

In-School Illness

1. Students who do not feel well enough to attend class must obtain a pass from a teacher to report to the Health Office. If a student visits the nurse three times or more in one week, he or she may be required to provide medical documentation.
2. If a student remains in the Health Office due to illness, a phone call shall be made to inform the parents. A log shall be kept by the nurse listing the time of arrival and departure of all students who leave class due to illness.
3. Dismissals for illness shall be issued through the Health Office and can be made only to the parent or person(s) authorized on the EMERGENCY FORM in the Health Office. It is therefore EXTREMELY IMPORTANT TO KEEP DATA UPDATED THROUGHOUT THE YEAR.
4. Dismissals for in-school illness will be excused by the nurse at the nurse's discretion. In some circumstances, dismissals by the nurse will be undocumented until documentation is provided. The nurse will alert the parent to this.

Perfect Attendance

Students with perfect attendance are recognized at the end of each school year. In order to qualify for this recognition, a student must not be absent, tardy, or dismissed during the entire school year.

Vacations

Please do not schedule family vacations during school time. Students will not be given assignments in advance for vacations taken during the school year. It is the responsibility of the student to make-up all work immediately upon his/her return. The teacher is not required to provide extra help for missed class assignments due to vacation absence. Vacations are considered "undocumented" absences.

Make-up Work

All children enrolled in the Fairhaven Public School system shall be given the opportunity to make-up work missed. You are responsible for all work you miss when you are absent. The student is allowed two days for every day absent to make up missed assignments. If you know that you will be absent for more than 2 days, you may request assignments from your teachers. Have your parents call the assistant principal's office at 508 979-4066. The secretary will ask for information, so help your parents be ready

with your grade, team, homeroom and the dates for which the work is needed. Assignments and books will be available in the main office by 2:15 P.M. on the day following your request.

Parents are asked to inform the school nurse of medical conditions that may affect attendance. It is also important for parents to notify the school if you will be absent for an extended period of time for illness or other emergency reasons.

STUDENT ABSENCES AND EXCUSES POLICY

File: JH

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

Therefore, students may be excused **temporarily** from school attendance for the following reasons:

- Illness or quarantine.
- For a school sanctioned activity.
- Bereavement or serious illness in the family.
- Weather so inclement as to endanger the health of the child.
- For observance of major religious holidays.
- For all Legal Issues (documentation from the court required)

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

It is the policy of the Fairhaven Public Schools and a law of the Commonwealth of Massachusetts that every child between the ages of six and sixteen must attend school.

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

Accordingly, parents will provide an explanation either in writing, by phone, or in person for the absence, tardiness or an early dismissal of a child. Failure to comply with this regulation could result in disciplinary action.

In instances of chronic or irregular absences reportedly due to illness, the school administration may request a physician's statement, certifying such absences to be justifiable.

Student Absence Notification Program (Chapter 76, Section 1B)

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

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

Dropout Prevention (Chapter 76, Section 18)

No student who has not graduated from high school shall be considered permanently removed from school unless the principal has sent notice to a student, and that student's parent/guardian, who has been absent from school for ten (10) consecutive days of the unexcused absences. The notice shall be sent within five (5) days of the tenth consecutive day of absence and shall offer at least two (2) dates and times within the next ten (10) days for an exit interview with the superintendent or designee, the student, and the student's parent/guardian. The notice shall be in both English and the primary language of the home, if applicable. The

notice shall include contact information for scheduling the exit interview and shall indicate that the parties shall reach an agreement on the date/time of the interview within the ten (10) day timeframe. The timeframe may be extended at the request of the parent/guardian and no extension shall exceed fourteen (14) days. The Superintendent or designee may proceed with any interview without a parent/guardian present, provided the Superintendent or designee has documented a good faith effort to include the parent/guardian.

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

ADMINISTRATIVE REGULATION JH-R

STUDENTS- STUDENT ABSENCES AND EXCUSES

MIDDLE SCHOOL

2:0 PROCEDURE

2:1 The building principal or his/her designee shall review all student daily attendance reports. These reports shall be verified using the X2 student data system.

2:2 The building principal or his/her designee shall assess each student's situation after three (3) consecutive or accumulated unexcused absences and send a letter of concern to the parent(s)/guardian(s) detailing the attendance concerns.

2:3 The building principal or his/her designee shall assess each student's situation after five (5) consecutive or accumulated unexcused absences.

A letter will be sent to the parent(s)/guardian(s) of the student requesting a meeting to discuss the absences and a course of action to change behavior.

2:4 The building principal or his/her designee shall assess each student's situation after ten (10) consecutive or accumulated unexcused absences. Another letter will be sent detailing concerns and previous meetings.

The building principal or his/her designee shall meet with the parent(s)/guardian(s) regarding possible disciplinary/corrective action. After this meeting, the building principal or his/her designee shall decide on the following possible courses of action:

2:4.1- Department of Children and Families

2:4.2- New Bedford Youth Court

2:4.3- Child Requiring Assistance (CRA)

Make-up Opportunities:

All children enrolled in the Fairhaven Public School system shall be given the opportunity to make-up work missed.

SOURCE: MASC

LEGAL REFS.: M.G.L. 76:1; 76:1A, 76:1B, 76:18, 76:2; 76:16

Adopted: February 27, 2008

STUDENT CONDUCT AND BEHAVIOR

Students are expected to observe the basic rules of common courtesy and show respect for the rights of others at all times. Teachers have the right and obligation to teach; students have the right and obligation to learn. Mutual respect will protect the rights of each and help both you and the teachers meet your obligations. A disruptive student cannot be allowed to impair the rights of others to receive a quality

education. The infractions of school discipline listed below are grouped according to the seriousness of the offense. These levels have been drawn from past records and from known situations. It is not intended to be exclusive or all-inclusive. All types of infractions may not be included and so modifications will be made, if necessary, at the discretion of the administration. In all instances discretion of interpretation is left to the individual principal to modify penalties suggested whenever extenuating circumstances seem to be present in order that justice may be tempered with mercy and understanding. The intent of the sanctions for infractions is to secure a measure of fairness and consistency for all students within the school while at the same time allowing for judgment based upon the maturity of the child in question. As middle school students, you represent the Elizabeth Hastings Middle School and the Fairhaven Public Schools. The infractions and consequences listed below apply not only during the school day, but also to any event, sponsored activity, or school setting within the Fairhaven Public Schools. Any crime committed at Elizabeth Hastings Middle School, or any Fairhaven Public School Event, will be reported to the school resource officer and/or to the appropriate agencies.

Fidgets

Fidgets are meant to be a tool for success and not a toy that could distract the learning environment. Use of fidgets in classes are at the discretion of the teacher based on a student's appropriate or inappropriate use of one.

CODE OF CONDUCT

Level I: Classroom Teacher

Cheating in any fashion
Distraction in class
Failure to return a progress report, report card or other required parental signature
Lack of preparation for class
Late for class
Littering
Card playing, games, and/or toys
Electronic devices, which may include cell phones, and any sound device
Homework issues
Swearing or using unacceptable language not directed at other persons
Excessive talking
Any gum, food, or beverages other than water
Bullying/harassment
Cell Phone Violation
Violation of Acceptable Computer Use Policy
Dress Code Violation

Level II: Administration

Cheating in any fashion
Referral to office from classroom teacher
Horseplay (Unnecessary use of force)
Inappropriate actions or comments
Making markings of any kind on body
Bus Violation
Loitering
Non-report to teacher's after session
Not following cafeteria rules and regulations
Severe defiance and disrespect
Throwing of objects including snowballs
Using someone else's agenda to leave the room or letting someone else use your agenda to leave a room
Bullying/harassment

Level II Offenses subject to:
Detention, STEP, OSS and/or
parent/guardian conference

Cell phone/electronic device violations
Violation of Acceptable Computer Use Policy
Continual Dress Code Violation
Cell Phone Violation
Selling/trading of an item(s) (food, shoes, etc.)
School Truancy
Class Truancy

Level III: Administration

Abusive or vulgar remarks directed at a fellow student
Forgery
Unauthorized absence from class
Unauthorized area
Bullying/harassment
Truancy
School Truancy: Full Day

Level III Offenses Subject to:*
Detention, STEP, OSS, and/or
parent/guardian conference

Level IV: Step/Immediate Suspension

Bullying/harassment
Continued cell phone/electronic device violations including texting
Continual violation of school rules
Fighting/assault
Use of bodily fluid at or towards another person
Immediate safety issue/concern
Leaving school grounds without permission
Malicious damage of or marking of school property (monetary restitution and clean up will be the responsibility of the student)
Profanity to a staff member
Smoking
Theft of any kind
Selling or trading of any item(s) on school property
Texting
Posting or sending inappropriate pictures or posts
Violation of Acceptable Computer Use Policy
Massachusetts General Law Chapter 272, Section 40- Disturbance of School or Assembly
Any student who impedes the progress of an investigation (i.e. intimidation of a witness) during a school investigation.
Hazing
Cell Phone Violation

Level IV Offenses Subject to:
STEP, short-term suspension,
parent/guardian conference

Level V Offense subject to: Short-term suspension, Long-term suspension, or Expulsion

Possession and/or distribution of tobacco products including lighters/matches/e-cigarettes/jules/vapes
Possession and/or distribution of alcohol, drugs, paraphernalia
Possession and/ or distribution of weapons of any kind
Possession and/or distribution of prescription drugs, over the counter drugs, or inhalants
Perceived to be under the influence of alcohol or substance
Verbal and/or physical assault on school personnel or fellow students including threats

Social probation may be determined by the administrator in which students may not be able to attend activities or events that are sponsored by the Fairhaven Public Schools.

Cameras are for school use only. Footage will not be released to or viewed by non-school personnel.

**The typical consequences are meant to be typical. Actual disciplinary measures are determined by the administrator.*

STEP Program

The STEP Program is defined as a temporary alternative placement to a student's schedule of academic and social activities within the school setting. It can be assigned by Administration in lieu of an out of school suspension. For data collection and assessment purposes, it is counted as a suspension. students assigned to STEP will be expected to complete assigned work. They will serve a community service session on the day they are assigned to STEP until 3:10 PM. They will not be allowed to participate in any extra-curricular activities or attend any school events on the day(s) of the assignment. students who display inappropriate behavior while in STEP may receive an out-of-school suspension. Upon their return to school they will then make up their assigned STEP time.

Section 37

Section 37H The superintendent of every school district shall publish the district's policies pertaining to the conduct of teachers and students. Said policies shall prohibit the use of any tobacco products within the school buildings, the school facilities or on the school grounds or on school buses by any individual, including school personnel. Said policies shall further restrict operators of school buses and personal motor vehicles, including students, faculty, staff and visitors, from idling such vehicles on school grounds, consistent with section 16B of chapter 90 and regulations adopted pursuant thereto and by the department. The policies shall also prohibit bullying as defined in section 37O and shall include the student-related sections of the bullying prevention and intervention plan required by said section 37O. Copies of these policies shall be provided to any person upon request and without cost by the principal of every school within the district. Each school district's policies pertaining to the conduct of students shall include the following: disciplinary proceedings, including procedures ensuring due process; standards and procedures for suspension and expulsion of students; procedures pertaining to discipline of students with special needs; standards and procedures to assure school building security and safety of students and school personnel; and the disciplinary measures to be taken in cases involving the possession or use of illegal substances or weapons, the use of force, vandalism, or violation of a student's civil rights. Codes of discipline, as well as procedures used to develop such codes shall be filed with the department of education for informational purposes only. In each school building containing the grades nine to twelve, inclusive, the principal, in consultation with the school council, shall prepare and distribute to each student a student handbook setting forth the rules pertaining to the conduct of students. The student handbook shall include an age-appropriate summary of the student-related sections of the bullying prevention and intervention plan required by section 37O. The school council shall review the student handbook each spring to consider changes in disciplinary policy to take effect in September of the following school year, but may consider policy changes at any time. The annual review shall cover all areas of student conduct, including but not limited to those outlined in this section. Notwithstanding any general or special law to the contrary, all student handbooks shall contain the following provisions: (a) Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or a knife; or a controlled substance as defined in chapter ninety-four C, including, but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from the school or school district by the principal. (b) Any student who assaults a principal, assistant principal, teacher, teacher's aide or other educational staff on school premises or at school-sponsored or school-related events, including athletic games, may be subject to expulsion from the school or school district by the principal. (c) Any student who is charged with a violation of either paragraph (a) or (b) shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the principal. After said hearing, a principal may, in his discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraph (a) or (b). (d) Any student who has been expelled from a school district pursuant to these provisions shall have the right to appeal to the superintendent. The expelled student shall have ten days from

the date of the expulsion in which to notify the superintendent of his appeal. The student has the right to counsel at a hearing before the superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section. (e) Any school district that suspends or expels a student under this section shall continue to provide educational services to the student during the period of suspension or expulsion, under section 21 of chapter 76. If the student moves to another district during the period of suspension or expulsion, the new district of residence shall either admit the student to its schools or provide educational services to the student in an education service plan, under section 21 of chapter 76. (f) Districts shall report to the department of elementary and secondary education the specific reasons for all suspensions and expulsions, regardless of duration or type, in a manner and form established by the commissioner. The department of elementary and secondary education shall use its existing data collection tools to obtain this information from districts and shall modify those tools, as necessary, to obtain the information. On an annual basis, the department of elementary and secondary education shall make district level de-identified data and analysis, including the total number of days each student is excluded during the school year, available to the public online in a machine readable format. This report shall include district level data disaggregated by student status and categories established by the commissioner. (g) Under the regulations promulgated by the department, for each school that suspends or expels a significant number off students for more than 10 cumulative days in a school year, the commissioner shall investigate and, as appropriate, shall recommend models that incorporate intermediary steps prior to the use of suspension or expulsion. The results of the analysis shall be publicly reported at the school district level. **Section 37H1/2** Notwithstanding the provisions of section eighty-four and sections sixteen and seventeen of chapter seventy-six: (1) Upon the issuance of a criminal complaint charging a student with a felony or upon the issuance of a felony delinquency complaint against a student, the principal or headmaster of a school in which the student is enrolled may suspend such student for a period of time determined appropriate by said principal or headmaster if said principal or headmaster determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and the reasons for such suspension prior to such suspension taking effect. The student shall also receive written notification of his right to appeal and the process for appealing such suspension; provided, however, that such suspension shall remain in effect prior to any appeal hearing conducted by the superintendent. The student shall have the right to appeal the suspension to the superintendent. The student shall notify the superintendent in writing of his request for an appeal no later than five calendar days following the effective date of the suspension. The superintendent shall hold a hearing with the student and the student's parent or guardian within three calendar days of the student's request for an appeal. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The superintendent shall have the authority to overturn or alter the decision of the principal or headmaster, including recommending an alternate educational program for the student. The superintendent shall render a decision on the appeal within five calendar days of the hearing. Such a decision shall be the final decision of the city, town or regional school district with regard to the suspension. (2) Upon a student being convicted of a felony or upon an adjudication or admission in court of guilt with respect to such a felony or felony delinquency, the principal or headmaster of a school in which the student is enrolled may expel said student if such principal or headmaster determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and reasons for such expulsion prior to such expulsion taking effect. The student shall also receive written notification of his right to appeal and the process for appealing such expulsion; provided, however, that the expulsion shall remain in effect prior to any appeal hearing conducted by the superintendent. The student shall have the right to appeal the expulsion to the superintendent. The student shall notify the superintendent, in writing, of his request for an appeal no later than five calendar days following the effective date of the expulsion. The superintendent shall hold a hearing with the student and the student's parent or guardian within three calendar days of the expulsion. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The superintendent shall have the authority to overturn or alter the decision of the principal or headmaster, including recommending an alternate educational program for the student. The superintendent shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the city, town or regional school district with regard to the expulsion. Any school district that suspends or expels a student under this section shall continue to provide educational services to the student during the period of suspension or expulsion, under section 21 of chapter 76. If the student moves to another district during the period of suspension or expulsion, the new district of residence shall either admit the student to its schools or provide educational services to the student under an education service plan, under section 21 of chapter 76.

Section 37H3/4 (a) This section shall govern the suspension and expulsion of students enrolled in a public school in the commonwealth who are not charged with a violation of subsections (a) or (b) of section 37H or with a felony under section 37H1/2. (b) Any principal, headmaster, superintendent or other person acting as a decision-maker at a student meeting or hearing, when deciding the consequences for the student, shall exercise discretion; consider ways to re-engage the student in the learning process; and avoid using expulsion as a consequence until other remedies and consequences have been employed. (c) For any suspension or expulsion under this section, the principal or headmaster of a school in which the student is enrolled, or a designee, shall provide, to the student and to the parent or guardian of the student, notice of the charges and the reason for the suspension or expulsion in English and in the primary language spoken in the home of the student. The student shall receive the written notification and shall have the opportunity to meet with the principal or headmaster, or a designee, to discuss the charges and reasons for the suspension or expulsion prior to the suspension or expulsion taking effect. The principal or headmaster, or a designee, shall ensure that the parent or guardian of the student is included in the meeting, provided that such meeting may take place without the parent or guardian only if the principal or headmaster, or a designee, can document reasonable efforts to include the parent or guardian in that meeting. The department shall promulgate rules and regulations that address a principal's duties under this subsection and procedures for including parents in student exclusion meetings, hearings or interviews under this subsection. (d) If a decision is made to suspend or expel the student after the meeting, the principal or headmaster, or a designee, shall update the notification for the suspension or expulsion to reflect the meeting with the student. If a student has been suspended or expelled for more than 10 school days for a single infraction or for more than 10 school days cumulatively for multiple infractions in any school year, the student and the parent or guardian of the student shall also receive, at the time of the suspension or expulsion decision, written notification of a right to appeal and the process for appealing the suspension or expulsion in English and in the primary language spoken in the home of the student; provided, however, that the suspension or expulsion shall remain in effect prior to any appeal hearing. The principal or headmaster or a designee shall notify the superintendent in writing, including, but not limited to, by electronic means, of any out-of-school suspension imposed on a student enrolled in kindergarten through grade 3 prior to such suspension taking effect. That notification shall describe the student's alleged misconduct and the reasons for suspending the student out-of-school. For the purposes of this section, the term "out-of-school suspension" shall mean a disciplinary action imposed by school officials to remove a student from participation in school activities for 1 day or more. (e) A student who has been suspended or expelled from school for more than 10 school days for a single infraction or for more than 10 school days cumulatively for multiple infractions in any school year shall have the right to appeal the suspension or expulsion to the superintendent. The student or a parent or guardian of the student shall notify the superintendent in writing of a request for an appeal not later than 5 calendar days following the effective date of the suspension or expulsion; provided, that a student and a parent or guardian of the student may request, and if so requested, shall be granted an extension of up to 7 calendar days. The superintendent or a designee shall hold a hearing with the student and the parent or guardian of the student within 3 school days of the student's request for an appeal; provided that a student or a parent or guardian of the student may request and, if so requested, shall be granted an extension of up to 7 calendar days; provided further, that the superintendent, or a designee, may proceed with a hearing without a parent or guardian of the student if the superintendent, or a designee, makes a good faith effort to include the parent or guardian. At the hearing, the student shall have the right to present oral and written testimony, cross-examine witnesses and shall have the right to counsel. The superintendent shall render a decision on the appeal in writing within 5 calendar days of the hearing. That decision shall be the final decision of the school district with regard to the suspension or expulsion. (f) No student shall be suspended or expelled from a school or school district for a time period that exceeds 90 school days, beginning the first day the student is removed from an assigned school building.

School-Wide Educational Service Plan

School-Wide Educational Service Plan applies to any student who is suspended or expelled from school for more than ten (10) consecutive days; whether in/ out of school. These individuals shall have an opportunity to receive educational access to services as well as accommodations as noted within IEP/504 plans to make academic progress toward meeting state and district requirements, through the school-wide service plan below.

During the period whether in/ out of school expelled or suspended, the Principal (or designee) shall ensure that the student has the opportunity to make academic progress. This opportunity includes the ability to make up assignments, homework, quizzes, exams, major projects in order to earn credits missed during the period of time in/ out of school. The plan will be individualized to the needs of each student and is developed in collaboration with Student Services, counselors and classroom teachers when applicable. Students and their parents/ guardians will be

notified of the process for developing and arranging such educational services at the time of the suspension/expulsion. These educational services shall be based on, and be provided in a manner consistent with the academic standards and curriculum frameworks established for all students under M.G.L. Section 21 Chapter 76. The Fairhaven Public Schools has a school-wide education plan based on the student needs, this plan will be modified accordingly.

- Coordination of workflow between student and teacher
- Access to online coursework(if applicable)
- Tutoring services
- Additional services such as school adjustment counselor and/ or guidance counselor in conjunction with Principal (or designee) will facilitate this process

Section 21. Principals and headmasters shall ensure that students who are suspended from school for 10 or fewer consecutive days, whether in or out of school, shall have an opportunity to make academic progress during the period of suspension, to make up assignments and earn credits missed including, but not limited to, homework, quizzes, exams, papers and projects missed. Principals shall develop a school-wide education service plan for all students who are expelled or suspended from school for more than 10 consecutive school days, whether in or out of school. Principals shall ensure these students have an opportunity to make academic progress during the period of suspension or expulsion, to make up assignments and earn credits missed, including, but not limited to, homework, quizzes, exams, papers and projects missed. Education service plans may include, but are not limited to, tutoring, alternative placement, Saturday school, and online or distance learning. In developing the education service plan, principals may seek the cooperation or input of relevant health and human service, housing and nonprofit agencies, education collaboratives, and other service providers. Any school or school district that expels a student or suspends a student for more than 10 consecutive school days shall provide the student and the parent or guardian of the student with a list of alternative educational services. Upon selection of an alternative educational service by the student and the student's parent or guardian, the school or school district shall facilitate and verify enrollment in the service. Students exempt from attending school under section 1 of chapter 76 shall not be subject to this section.

Instructional costs associated with providing alternative educational services under this section shall be eligible for reimbursement under section 5A of chapter 71B, subject to appropriation. The reimbursements shall be in addition to amounts distributed under chapter 70 and shall not be included in the calculation of base aid, as defined in section 2 of said chapter 70, for any subsequent fiscal year. Instructional costs eligible for reimbursement shall include only those costs directly attributable to providing alternative educational services under this section, such as salary of educational personnel, salary of related services personnel, costs for specialized books, materials or equipment, tuition costs, if the student is receiving services from other than the local public school, consultant costs if directly attributable to the student's instructional program and instructional costs of extended day or year services if such services are a part of the education service plan. Such costs shall be prorated as appropriate to reflect group activities or costs for part-time services. Instructional costs shall not include transportation costs, administrative or overhead costs, the costs of adapting classrooms or materials that are used by more than 1 student, the costs of fringe benefits of personnel employed by the school district, nor the costs associated with the development of the education service plan or service coordination for the student. Instructional costs associated with an education service plan shall be reported to and approved by the department and shall be reimbursed according to the formula and procedures in said section 5A of said chapter 71B.

Discipline and Students with Disabilities

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 and related regulations require that additional provisions be made for students who have been found eligible for special education services or 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 under section 504 of the Rehabilitation Act, 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 where there is a pattern of short term removals exceeding ten (10) school days in a given year. 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 subjected to a pattern of removal constituting a "change of placement", building administrators, the parent/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, during disciplinary exclusions exceeding ten (10) school days in a single school year, the student shall have the right to receive services identified as necessary by the Team to provide him/her with a free appropriate public education (FAPE) during the period of exclusion.
- 3) If building administrators, the parent/guardian(s) and relevant members of the student's IEP or 504 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 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 building administrators, the parent/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 disciplinary 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/guardian(s) consent to a new placement or until the 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.
- 5) If a student with a disability possesses or uses illegal drugs, sells or solicits a controlled substance, possesses a weapon, or causes serious bodily injury to another on school grounds or at a school function, the 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.

Dress Code

students must be neat and clean in their appearance. Clothes, shoes, and hairstyles should be in good taste so as not to be disruptive to the education process and thereby distract from a student's or other students' ability to learn. In the interest of maintaining the required school climate essential to meaningful teaching and learning, the Principal or designee may prohibit dress that is inappropriate due to health, safety, and/or disruptive to the educational process, and/or contrary to the school's philosophy and the prevailing school and community norms of decency, courtesy and propriety.

The following items are not allowed:

- Tops with revealing necklines, without backs, or tops that expose midriffs
- Halter tops, basketball tank top jerseys, muscle shirts, and tank tops with straps less than one inch wide
- Underwear exposed in any form (i.e. pants worn below the waist)
- Pajamas, slippers and other sleep related attire
- Shorts and/or skirts that are excessively short or pants/skirts that are excessively tight
- Clothing, jewelry, or any other apparel which depicts or expresses obscene, vulgar, profane, or suggestive images or words
- Clothing which implicitly promotes or advocates drugs, alcohol, tobacco, sex, or violence
- Tattered clothing and/or clothing with holes that expose areas of the body that should be covered under other provisions
- Any attire that is thought to reflect a gang affiliation or resembles that of any gang
- Shoes which can damage flooring and carpeting

- Accessories that may cause a safety concern (i.e. chains, biker's chains, safety pins, etc.)
- Studded belts
- Hats, sweatbands, bandannas, and/or sunglasses
- Garments with hoods are allowed but the hoods cannot be worn
- Any outerwear
- No face paint is allowed
- No physical flags worn or adorned

This list is not intended to be all-inclusive. Fads and styles change quickly and require the judgment of the school administration and staff in areas of health, safety, and disruptions of the learning process.

Inappropriate dress as determined by the administration will result in the parent being notified so that proper clothing can be brought to school. The school will provide appropriate cover if the parent is not able to come in or is not able to be reached. Refusal to change will result in administrative action.

When an individual's behavior, actions, and/or attire undermine or are detrimental to the learning environment, actions will be taken by school authorities to correct the problem. In the final analysis, the administration has the right to interpret that which negates a reasonable standard of conduct and appearance, keeping in mind the health and safety of the individual. The decision of the principal is final.

Cell Phones and Electronic Devices

Students who bring cellphones to school are expected to turn them off and leave them in their lockers for the entire school day. Cell phones and/or communication devices are not to be used or visible from the 7:45 AM bell to start the day, until the students are dismissed at the end of the day. Possession of the above in the school building will result in the following actions:

- **First Offense:**
Phone/device will be taken away and given to the administration.
- **Second Offense:**
Phone/device will be taken away and given to the administration.
Detention will be assigned. A parent/guardian will need to pick up the item at the main office.
- **Third Offense:**
Phone/device will be taken away and given to the administration.
Suspension, in school then out, will be given. Parent/Guardian will need to pick up the item at the main office.

Using any electronic devices for anything other than educational purposes specifically including the use of social media, messaging/texting, or recording is not allowed at any time and may result in immediate in school suspension or suspension.

Cafeteria

The cafeteria is your dining room. You are to place books in your locker before entering the cafeteria. The following rules will be in effect:

- Enter the cafeteria through the doors assigned to you.
- students either line up in one of the two lines to purchase lunch, or have a seat at a table.
- students will not be allowed to ask for, borrow, or lend money.
- Taking, touching, or altering of another person's food is strictly forbidden and will result in immediate disciplinary action.
- Take your place in the serving line in an orderly and courteous manner. Please do not cut in the serving line.
- Use the outside doors to enter the serving line and exit through the double doors in the middle.
- Talk in a normal voice. Disrespectful comments/behavior towards cafeteria staff, peers, or supervisors will result in disciplinary action.

- Eating or drinking while waiting in line or in the serving line is not permitted
- The traffic light in the cafeteria will indicate to all students when the noise level is too high (yellow light) and when talking is not permitted (red light).
- The students at a table are responsible for keeping all the floor areas and the table clean. Any materials needed to clean up an accidental spillage can be provided by the custodian in the lunchroom.
- Bring your own tray up after eating, recycle your bottles and cans, then return to your seat.
- You must have permission from a cafeteria supervisor to leave the cafeteria during lunch.
- Failure to comply with cafeteria procedures may result in eating lunch in another area, detention, in-school suspension, or other consequences determined by administration.
- All class books, agendas, pens, markers, and pencils are to be put in your lockers before entering the cafeteria.
- Playing of any cards, toys, and/or games, including arm wrestling in the cafeteria, is strictly prohibited.
- The throwing of any item in the cafeteria or any other disruptive behavior will result in disciplinary action such as detention and in-school or out of school suspension.
- Soda and/or energy drinks are not allowed in the cafeteria.

Through state funding, ALL Fairhaven Public School students are eligible to receive free breakfast and lunch until June 30, 2023. We will still ask that you complete the Free/Reduced lunch application for P-EBT eligibility purposes. The district will notify families if they qualify for Free or Reduced status as we do each year.

Strategies and Tools for Educational Progress

Acceptable Use Policy for All Internet & School Computer Users

This Technology Acceptable Use Policy for the Fairhaven Public Schools (“FPS”) is enacted by the School Committee to provide the parents, students, and staff of the Fairhaven School Community with a statement of purpose and explanation of the use of technology within the Fairhaven learning community. This policy is reinforced by practice, acceptable use standards and is required to be read before accessing the technology devices, digital resources, and network infrastructure of the Fairhaven Public Schools. students and parents/guardians must also read and sign the accompanying Statement of Responsibilities.

students will receive a copy of the policy along with the Statement of Responsibilities. The policy can also be found on the Fairhaven Public Schools website.

SCHOOL SAFETY

Threat Policy

Events on school campuses have placed a spotlight on the safety and security of schools. Raising awareness about both the problem of school violence and ways to prevent it are central components of this policy. Being aware that potential acts of violence might occur at any time and at any school is the first step that school administration must take in an effort to make their schools safe. There is no guarantee that being aware that problems might occur is enough to prevent a situation from happening. But awareness based on information enables the school system to do all they can do to prevent problems and enhance safety and security of their students and staff. All disciplinary actions taken in response to a verified threat shall be in accordance with applicable state and federal laws and regulations.

Students and staff should be actively encouraged to notify a building administrator whenever they hear of a possible threat. While most rumors will prove false, schools must follow up on rumors or overheard conversations. It should be stressed to students that it is their duty to report what they hear regarding any threat or violence. All reports must be taken seriously. All threats have to be reported. They are considered a felony. Until investigated, comments should be taken at face value. To ensure that rumors

and threatening comments are dealt with properly, trained personnel will follow up on student hearsay reports.

Expression of intent to inflict harm, aggressive or hostile words or actions intended to harm others or oneself physically or emotionally and/or destroy property.

When an alleged violation of this definition comes to the attention of school personnel, the building principal or in his/her absence, the assistant principal, or in the event of his/her absence, central administration shall report to the members of the “crisis intervention team.” The team may consist of any combination of a number of members, teachers, guidance staff, school social workers, central office administration, special needs teacher, school psychologist, etc. to assess the validity of the violation. When a person is suspected of posing a threat toward school staff and students, the school office and local law enforcement shall be notified. The “crisis intervention team” will consider all facts and circumstances and render a finding. Said finding may include a recommendation as to sanctions, and/or a form of intervention (conflict resolution contract, mediation, parent conference, etc.).

Sanctions may include:

- Immediate suspension and/or exclusion
- Notification to Police Department
- Immediate suspension with discretionary recommendation for an exclusion hearing
- Outside evaluation and/or counseling
- No trespass order

Any student who has had sanctions imposed pursuant to these provisions shall have the right to appeal. Said appeal shall be made to the Superintendent.

When a violation of this policy involves a special education student and the violation is determined to be a manifestation of a disability, protocol for Chapter 766 and IDEA will be followed.

Search and Seizure

To maintain order and discipline in the schools, and to protect the safety and welfare of students and school personnel, school authorities may search a student and/or their locker and/or personal effects (purse, backpack, folder, desk, etc.) whenever a school authority has reasonable suspicion that the search will reveal evidence of a violation of law or school rules. Authorities may seize any illegal, unauthorized, or contraband materials discovered in the search. A student’s failure to permit searches and seizures will be considered grounds for disciplinary action.

The Supreme Court of the United States of America has ruled:

1. A warrant is not required before a school administrator or designee conducts a search of a student suspected of violating a school rule or criminal statute.
2. Probable cause is not required before a student may be searched; rather before conducting a search, the administrator or designee must have “reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school.”
3. The search must be reasonable in its scope as well as its inception.

Drug Searches: Use of Canines – Per FPS Administrative Regulations

The Superintendent may request that local police conduct a search performed with the use of canines to detect the presence of illegal drugs. The purpose of such use shall be to maintain a safe and drug free environment and to ensure the safety of all students by discouraging the possession of drugs on school property.

GENERAL SEARCHES

To maintain safety, order, and discipline in the schools and to protect the safety and welfare of students and school personnel, school authorities may search a student or student's locker.

LOCKER SEARCHES

student lockers are school property and remain at all times under the control of the school; however, students are expected to assume full responsibility for the security of their locker. Periodic general inspections of lockers may be conducted by a school administrator for any reason at any time without notice, without student consent, and without a search warrant. Important Note: It is important that students not give out their locker combinations.

PERSONAL SEARCHES

A student's person and/or personal belongings (e.g., purse, book bag, etc.) may be searched whenever a school authority has reasonable suspicion to believe that the student is in possession of illegal or unauthorized materials. If a pat down search of a student's person is made it will be conducted in private by a school official of the same sex and with an adult witness present.

If extreme emergency conditions require a more intrusive search of a student's person, such a search may only be conducted in private by a school official of the same sex, with an adult witness of the same sex present, and only upon the prior approval of the principal, unless the health or safety of the student will be endangered by the delay which might be caused by following these procedures.

*A student's failure to permit searches and seizures will be considered grounds for disciplinary action.

Backpacks/Book Bags/Pocketbooks

students are not allowed to carry any bags during the school day. This includes, but is not limited to, backpacks, book bags, and pocketbooks.

Corridor Traffic

There is a limited amount of time available to pass from class to class. students are to keep to the right while walking in the corridor, with no more than two together, and pass quickly and quietly. Outward displays of affection between students are not allowed. Horseplay will not be tolerated. Signed agendas are required when leaving or entering a class/office during instructional time.

Accidents

Any accident in the building, or on school grounds, must be reported immediately to the school nurse.

Building Evacuation Instructions (Fire Drill)

Teachers will inform you of appropriate exits in their classrooms. Signs are also posted in each room for student reference. Fire drills are to be conducted in a cooperative and orderly fashion. We will not tolerate inappropriate actions of any kind during such a drill. You will pass quickly and quietly with your class and remain outside with your class until notified to re-enter the building.

Multi-Hazard Emergency Plan

Our Multi-Hazard Emergency Plan is designed to be a contingency plan for any emergency situation that may arise. It recognizes the many variables that may occur in an emergency situation and that a response is often predicated upon those variables. To this end, a Multi-Hazard Emergency Team will evaluate the circumstances of the emergency situation and develop appropriate responses based upon the emergency and variables present at the time.

TRANSPORTATION

Buses

Riding the school bus is a privilege and all school rules apply while on the bus or at the bus stop. The bus driver is in complete authority and must be obeyed promptly and courteously. In addition to school rules, there are certain safety rules that must be followed while on the bus and waiting at the bus stop.

- You are expected to enter and exit the bus in an orderly manner.
- You are expected to remain in your seat until the bus comes to a complete stop at your destination.
- You must have the permission of the bus driver to open windows and you must keep all parts of your body inside the bus.
- You are expected to be considerate of public and private property at your designated bus stop.
- Remember the bus driver is in complete charge and must be obeyed promptly and courteously. Cameras monitor behavior at all times. Students who demonstrate inappropriate bus conduct are subject to the School Discipline Code. Students are also subject to losing the privilege of riding the bus for a specified period of time or for the duration of the school year.

File: EEAA

WALKERS AND RIDERS

The major purpose of this policy is to aid students in getting to and from school in an efficient, safe, and economical manner.

Student transportation services must comply with the Commonwealth of Massachusetts General Laws and Regulations of the Department of Elementary and Secondary Education and Registry of Motor Vehicles pertinent to transportation of students. The Massachusetts General Laws and Regulations state that all children in grades kindergarten through six who reside **more than two miles** from the school they are entitled to attend are considered eligible riders.

The following guidelines are utilized in the development of our districts student transportation services:

Our district utilizes a guideline of all children in grades kindergarten through twelve who reside **more than one and one-half miles** from the school they are entitled to attend to be eligible riders. The assigned bus number and bus stop is the only bus an eligible rider will be allowed to ride and the only bus stop an eligible rider can use.

SOURCE:

MASC

LEGAL REFS.:

M.G.L.

40:5; 71:7A; 71:68; 71B:5

Adopted: 6/7/2017

Automobile Traffic

Please help us by following some simple traffic rules when bringing your child to school and when picking up your child after school. Ash Street is a one way into the school and School Street is a one way out of the school when students arrive and depart each day. When exiting on School Street, please stay to the right. Please do not drive on the rotary during arrival and dismissal times. Automobile traffic in the

morning when students arrive and in the afternoon when students are dismissed has been a challenge for all.

Please abide by the following for the morning traffic:

- Please be patient!
- Please stay in a single line of traffic.
- Have your students ready to make a speedy and safe exit from your vehicle.
- Students should exit your automobile and follow the marked lines towards the school building out of the line of traffic.
- Once your students have left your vehicle, proceed with caution.
- Please do not drop your students off at other points in the parking lot or the bottom of the rotary. This creates traffic snarls and is an extremely unsafe situation for our students.
- Drive slowly and be very careful of students going to their parent's vehicle.

Entrance and Exit from School

students will enter and exit through the following areas:

Grade 7 & 8 the main entrance. Grade 6 the auditorium wing.

For safety reasons, all vehicle traffic is to enter the school area by Ash Street and exit by School Street. When walking to or from school, you are to use the sidewalks on School Street or the walkway leading to Route 6. In cases of inclement weather, you will be permitted to enter the building before school and remain in the cafeteria or auditorium areas. You should not loiter in the building after school. Our school is surrounded by homes and businesses owned by Fairhaven citizens and we ask you to keep away from their private property.

Student Parking

There is no student parking allowed on school property. Any unauthorized vehicles will be towed at the owner's expense.

Bicycles/Skateboards/Scooters

Students are expected to stop riding these items once they enter school property. The school expects students to wear helmets and other necessary safety equipment. Three bike racks are provided for students to lock their bicycles and scooters. Skateboards should be in lockers or left in the main office. The school cannot accept the responsibility for stolen bicycles/skateboards/scooters.

Motorized Transportation

Motorized means of transportation by students (hoverboards, etc.) are not permitted on school property.

ACTIVITIES

Assemblies

Assemblies will be held during the school year and are the joint efforts of the teachers and students. Assemblies are part of the curriculum and are designed to be educational and entertaining. Regardless of the type of program, we expect students to be courteous and respectful at all times.

Field Trips

All students going on a curriculum related field trip will be required to have a parent consent form signed and returned to the school. Curriculum related field trips will include all students assigned to the team of teachers. Students going on a field trip for special areas or clubs will be required to have approval of their team of teachers and the principal. Field trips are open to students of EHMS only. All school rules apply during field trips.

Open Air

All students are given the opportunity to participate in Open Air during the lunch period. Open Air provides students with the ability to go outside (weather permitting) to socialize with peers and participate in physical activities; such as four square, touch football, volleyball, play catch, walking; ect. Appropriate

behavior and following the school rules is required to participate in Open Air. A student's inability to demonstrate appropriate behavior during Open Air may result in disciplinary action.

After-school Programs/Activities

- Only students currently enrolled at Elizabeth Middle School are allowed to attend after school activities.
- We offer a variety of after school programs/activities for our students. Participation in all activities is a privilege. Students must be passing all classes in order to participate in an after school activity. Any student failing a class may participate as long as they get a weekly signature from that teacher verifying that they have stayed after school to improve their grade.
- Students also need to follow the handbook and not be involved in any disciplinary action. Any student who has been suspended either in-school or out of school or any student who has three or more detentions per term will not be allowed to participate.
- Grades and discipline will be checked at the time of progress reports and report cards to assess a student's eligibility. Students with a D or F on a report card or progress report will not be permitted to participate in after school activities, unless they have a signed note from the teacher of that class that they have been seeking additional academic support to improve their grade.
- Permission slips will need to be filled out by parents in order for a student to participate in these activities. The parent will need to let the advisor know how the student is getting home along with the best way to contact the parent if necessary.
- Students leaving an activity before its conclusion will not be allowed to return. These students may not be allowed to attend the next activity.
- All school rules regarding discipline are in effect at all school sanctioned events and activities. Violations may result in the student being asked to leave, the student not being able to attend future activities, and/or suspensions.
- Students not picked up within 15 minutes of the conclusion of the event may not be allowed to attend the next event.

General Information

Bathroom Use

Students should use the bathroom facilities before and after school, during lunch periods, during passing time, or with the permission of teacher and staff during class time. The agenda is used as a hallway pass to travel to and from the bathroom. Each restroom has a wall bin outside the restroom door where the student will place their agenda upon entry. Only two students are allowed in the restroom at one time. Students who abuse bathroom visitations will be kept after school by the teacher involved in order to make up the time missed from class. Students with medical problems should have those documented with the nurse.

HEALTH RECORDS/PRESCRIPTION MEDICATIONS

A Massachusetts school health record is kept on each student. In order to maintain an up-to-date record on a student, it is important for the school nurse to have current and past health information on a child. If a student has a doctor's visit planned, please notify the school nurse. She will then give you a form for your child's physician to fill out and then return to her. In this way, any new immunizations received at the time of the visit or pertinent health

information is able to be recorded on the student's health record and information is kept current. This ongoing cooperation between parent/guardian and the health service office of your child's school enables the school nurse to provide proper care for your child if the need should arise.

The Massachusetts Department of Public Health regulations state that physicals are required for entering school and every 3-4 years thereafter. Parents are given physical forms to be filled out by the physician upon registration for kindergarten or grade one. Students are notified when they are in need of an updated physical exam. Many physicals are planned over the summer vacations. Parents can obtain a physical form from the school nurse if an exam date falls during this time. The completed form can then be returned to the school nurse in the fall when the student enters grades 4, 7, or 10.

All students are required to present (physician certified) Immunization Records prior to entering the school system. These immunizations can be obtained from your family physician. Requirements for entrance to preschool and kindergarten are:

Preschool: Hepatitis B - 3 doses, DTaP - 4 doses, Polio - 3 doses, Hib - 1 to 4 doses, MMR - 1 dose, Varicella - 1 dose

Kindergarten: Hepatitis B - 3 doses, DTaP - 5 doses, Polio - 4 doses, MMR - 2 doses, Varicella - 2 doses

Grade 7 entrance: MMR - 2 doses, Varicella - 2 doses, Tdap - 1 dose, Meningococcal - 1 dose

Please refer to the Massachusetts Department of Public Health website (www.mass.gov) for further explanation of immunization requirements. All records are kept permanently and are available at the nurse's office for any future reference.

The records of required immunizations must be kept current and provided to the principal or school nurse before a child will be allowed to attend school.

No student shall self-administer or carry any type of medication or narcotic in or on school property, at any time. Students, for whom medication has been prescribed, and who must take medication during the school day, shall report to the nurse before school **with a parent/guardian** and the medication to be taken **in the original prescription bottle** with written instructions signed by a doctor, reason for the medication, name of medication, and doctor's name, together with a note from the parent or guardian stating the reasons for the medication and requesting that the school provide the opportunity for taking the medication as prescribed. All forms necessary are available in the health office.

Please remind your child it is his/her responsibility to remember the time medication is to be taken and to go to the office for it at that time. Any medication prescribed to be given three (3) times a day should not be sent to school. It can be given at home before school, after school, and at bedtime, unless otherwise specified by the physician. Prescribed inhalers may be kept in the student's possession for quick access in case of need. This has been requested by the American Academy of Allergies and Immunology and Allergy Associates, Inc. Please have the student report to the nurse to make her aware that he/she is carrying an inhaler.

As with any medication, any student carrying an inhaler will need a signed doctor's order specifying the student's name, name and dose of the medication, time (or times) when medication should be taken, and route of administration.

During the warmer months it is suggested that sunscreen and/or insect repellent containing DEET be applied to your child before school at home.

SBIRT

In order to help prevent students from starting to use substances, or intervene with early use, Fairhaven Public Schools nurses and counselors will be providing an interview-based screening for **7th** grade students about the use of substances. Student screening sessions will be brief (approximately 5 minutes) and conducted confidentially in private one-on-one sessions with the school nurse or guidance counselor using the CRAFFT screening tool. Students who are not using substances will have their healthy choices positively reinforced by the screener. For any student who reports substance use or is at risk for future substance use, they will receive feedback from trained personnel. If needed, the student will be referred for further evaluation. It is important to note that this screening is kept completely confidential between the screener and student and the results of the screening are not included in your child's record. The results are not shared with anyone.

This is a mandatory screening per Department of Public Health, Chapter 71, section 97. However, you may opt out of this screening. Please notify the school nurse **in writing** if you do not want your child screened. **We strongly encourage all families to participate in this screening** to help us reinforce your child's good decisions surrounding substance use or to give them resources in the event they are at risk for use or currently using.

Telephone Calls

There is a phone in the main office. Phone use is limited to emergency situations only. Students will not be allowed to use the phone relative to forgotten items including agendas, homework, money, etc., or to ask for a ride to attend an activity that has not been planned ahead of time.

Lost and Found

All items found in or around the school building will be sent to the main office. Materials such as clothing, towels, sneakers, etc. are to be put in a metal container located in the back of the cafeteria. Items not claimed are discarded periodically during the school year. Announcements to that effect are made and a reasonable time is allowed for you to claim your articles.

Student Council

Student Council members are elected from each homeroom. Members act as a link between the students, faculty, and administration. As a member of the student council you will have the opportunity to express your opinions and represent the position of your classmates.

Student of the Month

Each month at our school, staff members nominate and select students for recognition as students of the Month. Selection criteria for this award include academic achievement, school service, outstanding citizenship, or significant improvement. All students are eligible and usually two students from each team are chosen each month. If selected, you will receive a certificate and a letter notifying your parents of the award.

POLICIES AND REGULATIONS

FPS Bullying Prevention and Intervention Plan Link

(Click on link to access the plan)

Memorandum of Understanding

Between the Fairhaven School Department And Fairhaven Police Department

Preamble

This Memorandum of Understanding ("MOU") is established between Fairhaven Public Schools ("FPS") and the Fairhaven Police Department ("FPD") regarding the establishment of a protocol for the reporting and coordination of response to incidents of violence or other illegal activity within FPS facilities or at any school related activities. The MOU is intended to foster and ensure an environment in which students, teachers, parents, administrators, employees and members of the school community may participate in the educational process without fear of violence or other illegal activity. Toward that end, there shall be a "Zero Tolerance" policy regarding serious acts of violence, weapons, hate crimes and drug distribution within and on the grounds of the FPS. A zero tolerance policy means that such incidents will not be tolerated in the FPS and violators will be referred for disciplinary action, evaluation and/or prosecution in an expeditious fashion. Initially, this MOU will establish a protocol to foster and facilitate regular communication and cooperation between the parties in areas of mutual concern.

This MOU is an internal document between the parties and does not confer any rights, privileges or obligations nor is it enforceable as against the parties hereto in any court, administrative hearing, or other forum. Any written or oral communication between the parties of the MOU will be protected by all laws relating to privacy and confidentiality. This MOU is in addition to, and does not supplant, policies of the FPS with regard to disciplinary procedures and codes of student conduct which are now or may be formulated and published in any student handbook.

The parties hereby agree that in order to provide a "safe educational zone" for the FPS the following policies will be established:

I. Procedures and Responsibilities

1. The School Superintendent designates the school principal or his/her designee as the responsible school official in each school for handling reportable acts and the Chief of Police designates the Juvenile/School Resource Officer the police official responsible for handling all reportable acts.
2. The parties and personnel referred to in this memorandum of understanding agree to the following:
 - a. The school principal or his/her designee will be responsible for reporting all reportable acts to the Juvenile/School Resource Officer as soon as possible and the parents or guardian of the students involved, both verbally and in writing.
 - b. The Juvenile/School Resource Officer will notify the principal(s) on any day he/she is unavailable or out of district. The principal(s) or his /her designees will on these occasions phone directly to the police department any reportable

acts as soon as possible. A response will be made by the police department to the location of the incident as soon as possible.

- c. The Fairhaven Police Department will notify the School Department when they receive information that an enrolled student has been charged with or convicted of a felony.
3. A reportable act may include any of the defined behaviors included under Section II, Reports of Serious Acts of Violence, Weapons, Hate Crimes or Drug Distribution, and under Section III, Reporting of Any Illegal Activity. Reportable Acts may also reach beyond said definitions per Section IV, Roundtable Meetings.

II. Official Response to Reports of Serious Acts of Violence, Weapons, Hate Crimes or Drug Distribution

1. The FPS, through its superintendent or his/her designee, shall continue to promptly notify the FPD liaison of any information regarding any "serious act of violence." A serious act of violence shall include, but not be limited to, any actual or threatened assault involving at least one student against another student, teacher, administrator, employee or member of the school community occurring in a school facility, or on school property and/or in connection with a school function, which results in bodily injury and/or involved the possession or use of a weapon. The FPS, through its superintendent or his/her designee, shall continue to promptly notify the FPD liaison of any instance where a "weapon" is possessed by or taken from a student within the school, on school grounds or surrounding area, or in connection with a school function. A weapon includes any item as defined in Massachusetts General Laws chapter 269, section 10, and any other object that FPS, in its discretion, feels warrants further attention by FPD. The FPS, through its superintendent or his/her designee, shall continue to promptly notify the FPD liaison of any information regarding the distribution of drugs within the school, on school grounds or surrounding area, or in connection with a school function.
2. The FPD shall assign an officer to serve as liaison with the FPS. The FPD will whenever possible, make the liaison officer available to FPS during school hours. The liaison officer shall receive reports from the FPS superintendent or his/her designee regarding serious acts of violence, the possession or use of weapons, incidents of hate crimes or the distribution of drugs within the school, on school grounds or surrounding area, or in connection with a school function. The FPD liaison shall investigate such cases and, where appropriate, refer such cases for prosecution.

III. Discretionary Reporting of Any Illegal Activity

1. In addition, the FPS superintendent or his/her designee may report any illegal conduct by any student on school property or at any school-related activity to the FPD liaison, or directly to the police department whenever the liaison is not available. Such conduct may include unlawful trespassing, possession of drugs and/or alcohol, tagging, or any other illegal activity. Under these reporting procedures, students may be subject to disciplinary action and/or delinquency prosecution in the normal course, but in addition may be eligible to be diverted from prosecution in appropriate circumstances.

IV. Roundtable Meetings

1. The FPS and FPD shall establish regularly scheduled meetings to discuss the implementation and monitoring of this Agreement.
2. Such roundtable meetings will occur quarterly, unless by a suggestion of the parties, it is necessary or appropriate to meet more frequently. The parties may also invite other officials (e.g. District Attorney's Office) to participate as appropriate.
3. To the extent permitted by law, the parties shall share information regarding the implementation of the Agreement. The parties agree that any information acquired during roundtable meetings shall be confidential and subject to privacy restrictions established by law.

Mrs. Tara M. Kohler, Superintendent, Fairhaven Public School
Michael Myers, Chief of Police, Fairhaven Police Department

Massachusetts General Laws

The Massachusetts Education Reform Act of 1993

The Massachusetts Education Reform Act of 1993 was signed into law on June 18, 1993. This law has a direct impact on some student discipline policies and procedures. The information contained below details policy and procedural changes that are now in effect in all schools in Massachusetts. The Massachusetts Education Reform Act supersedes pertinent discipline policy and procedures that are outlined in the student handbook. These policies and procedures include:

- A. Possession of Weapons / Drugs
- B. Assault on School Personnel

It is important for students and parents to understand and be mindful of the information listed 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 94 C, including, but not limited to marijuana, cocaine, and heroin, may be subject to expulsion from the school or school district by the School Committee.
- b) Any student who assaults a principal, vice principal, teacher, teacher's aide or other educational staff on school premises or at school sponsored or school related events, including athletic games, may be subject to expulsion from the school or school district by the School Committee.

- c) Any student who is charged with a violation of either paragraph (a) or (b) shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the principal. After said hearing, a principal may, in his/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); provided, however, than any principal who decides that said student should be suspended shall state in writing to the school committee his reasons for choosing the suspension instead of the expulsion as the most appropriate remedy. In this statement, the principal shall represent that in his opinion, the continued presence of this student in the school will not pose a threat to the safety, security and welfare of the other students and staff in the school.
- 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 appeal. The student has the right to counsel at a hearing before the superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provision of this section.
- e) When a student is expelled under the provisions of this section and applies for admission to another school for acceptance, the superintendent of the sending school shall notify the superintendent of the receiving school of the reasons for the pupil's expulsion.
- f) Upon a student being convicted of a felony or upon adjudication or admission in court of guilt with respect to such a felony or felony delinquency, the principal may expel said student if such principal or headmaster determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the changes and reasons for such expulsion prior to such expulsion taking effect. The student shall also receive written notification of his right to appeal and the process for appealing such expulsion; provided, however, that the expulsion shall remain in effect prior to any appeal hearing conducted by the superintendent. The student shall have the right to appeal the expulsion of the superintendent. The student shall notify the superintendent, in writing, of his request for an appeal no later than 5 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 3 calendar days of the expulsion. At the hearing, the student shall have the right to present oral and written testimony on his/her 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 5 calendar days of the hearing. Such decision shall be the final decision of the city, town, or regional school district with regard to expulsion.

Section 37: Section 37L of said chapter 71 General Laws, as appearing in the 1990 Official Edition, is hereby amended by adding the following paragraphs:

In addition, any school department personnel shall report in writing to their immediate supervisor an incident involving a student's possession or use of a dangerous weapon on school premises at any time.

Supervisors who receive such a weapon report shall file it with the superintendent of said school, who shall file copies of said weapon report with the local chief of police, the department of social services, the office of student services or its equivalent in any school district, and the local school committee. Said superintendent, police chief, and representative from the department of social services, together with a representative from the office of student services or its equivalent, shall arrange an assessment of the student involved in said weapon report. Said student shall be referred to a counseling program; provided, however, that said counseling shall be in accordance with acceptable standards as set forth by the board of education. Upon completion of a counseling session, a follow-up assessment shall be made of said student by those involved in the initial assessment.

A student transferring into a local system must provide the new school system with a complete school record of entering student. Said record shall include, but not be limited to any incident reports in which such student was charged with any suspended act.

Massachusetts law provides that the issuance of a criminal complaint charging a student with a felony or upon the issuance of a felony delinquency complaint against a student, the principal or headmaster of a school in which the student is enrolled may suspend such student for a period of time determined appropriate by said principal or headmaster if said principal or headmaster determines that he 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/her request for an appeal no later than 5 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 3 calendar days of the student's request for an appeal. At the hearing, the student shall have the right to present oral and written testimony on his/her 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 5 calendar days of the hearing. Such decision shall be the final decision of the town school district with regard to expulsion.

Family Educational Rights and Privacy Act

The Family Educational Rights and Privacy Act (FERPA) afford parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

1. The right to inspect and review the student's education records within 45 days of the day the School receives a request for access. Parents or eligible students should submit to the School principal [or appropriate school official] a written request that identifies the record(s) they wish to inspect. The School official will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
2. The right to request the amendment of the student's education records that the parent or eligible student believes are inaccurate or misleading. Parents or eligible students may ask the School to amend a record that they believe is inaccurate or misleading. They should write the School principal [or appropriate official], clearly identify the part of the record they want changed, and specify why it is inaccurate or misleading. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
3. The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.
4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office

U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-5901

Protection of Pupil Rights Amendment

PPRA affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to: Consent before students are required to submit to a survey that concerns one or more of the following protected areas ("protected information survey") if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)-Political affiliations or beliefs of the student or student's parent;

Mental or psychological problems of the student or student's family;

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

Receive notice and an opportunity to opt a student out of -

1. Any other protected information survey, regardless of funding;
2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
3. Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

Inspect, upon request and before administration or use -

1. Protected information surveys of students;
2. Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
3. Instructional material used as part of the educational curriculum.

These rights transfer to from the parents to a student who is 18 years old or an emancipated minor under State law.

The Fairhaven Public Schools has developed policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The Fairhaven Public Schools will directly notify parents of these policies at least annually at the start of each school year and after any substantive changes. The Fairhaven Public

Schools will also directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. The Fairhaven Public Schools will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- Collection, disclosure, or use of personal information for marketing, sales or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.
- *Parents who believe their rights have been violated may file a complaint with:*

Family Policy Compliance Office

U.S. Department of Education

400 Maryland Avenue, S.W.

Washington, D.C. 20202-5901

Equity

Chapter 622

This law makes it clear that all aspects of public school education must be fully open and available to members of both sexes and of minority groups. No school may exclude a child from any course, activity or service or resource available in that public school on account of race, color, sex, religion, national origin or sexual orientation of such child. The State Board of Education has approved regulations for Chapter 622. These regulations address five areas of school policy: school admissions, admission to courses of study, guidance, course content and extra-curricular and athletic activities.

Title IX

Federal law prohibits discrimination on the basis of sex in educational programs or activities receiving federal assistance. In accordance with the requirements of Title IX of the Education Amendments of 1972, the Fairhaven Public Schools hereby makes notice that it does not discriminate in any educational program or activity or in employment herein.

Section 504

Section 504 of the Federal Rehabilitation Act of 1973, provides that no otherwise qualified handicapped individual in the United States, shall, solely by reason of his handicap, 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. All staff is required to ensure that we are in compliance, and are also required to report any violations or non-compliance issues.

Safe Schools

As a result of the enactment of Chapter 282 of the Acts of 1993, General Laws Chapter 76, section 5, now includes the following provision:

Every person shall have a right to attend the public schools of the town where he actually resides, subject to the following section. No person shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex, religion, national origin or sexual orientation.

NON-DISCRIMINATION STATEMENT

The Fairhaven Public School system does not and shall not discriminate on the basis of race, color, religion, creed, gender identity, age, national origin, ancestry, ethnicity, disability, pregnancy/parenting status, marital status, sexual orientation, homelessness, veteran or military status, or political affiliation in any of its programs, activities, employment practices, provision of and access to programs and services, as well as selection of volunteers, vendors and employers recruiting at the Fairhaven Public Schools. The following people have been designated as the District Contacts: Tanya Dawson, Director of Student Services and Mark Balestracci, Assistant Superintendent at 508-979-4000.

Procedure for Complaint and Investigation

It is the policy of Fairhaven Public Schools to have all complaints of discrimination fully investigated and to take any steps necessary to remedy the situation.

Normally, the investigation of a complaint of discrimination by the principal or assistant principal will include separate private interviews with the complainant, each person accused of discrimination and each of the witnesses, if any. Parties may have an advocate of their choice present during their own private interview. The interview will ordinarily be documented by the administrator conducting the investigation, but those interviewed may also be asked to provide a written statement. All students and employees are expected to cooperate fully with any investigation of discrimination.

Information provided during an investigation of discrimination will be treated as confidential. This means that such information will be shared with others on a need-to-know basis only. The parent or guardian of a student complainant and those accused may be notified. In appropriate circumstances as determined by the school, the accused may be informed of the identity of the complainant or witnesses, but, in those circumstances, the accused will be cautioned against reprisal or recriminations or any attempted intimidation or coercion of the complainant or witnesses.

At the conclusion of the investigation, the administrator will prepare a report, and recommend an appropriate course of action. The report and recommendation will be shared with both the complainant and the person or persons accused of discrimination. The recommended action will be implemented immediately, unless the recommendation, in the event of a student, is for suspension or expulsion. In the event of a recommendation for suspension or expulsion, the student shall have the right to appeal to the Superintendent. The student, teacher, administrator or employee shall notify the Superintendent in writing of a request for an appeal no later than five calendar days following the recommendation for suspension or expulsion. The Superintendent shall hold a hearing with the student and the student's parent or guardian, within three calendar days of the request for an appeal. At the hearing, the student shall have the right to present oral and written testimony on his/her behalf and shall have the right to counsel. The Superintendent shall render a decision on the appeal within five calendar days of the hearing, and may sustain, alter, or revoke the recommended disciplinary action. Such a decision shall be the final decision of the town with regard to the suspension or expulsion.

In cases involving employees, all collective bargaining protocols and district protocols will be followed through the procedures of the complaint, investigation, and appeals process.

PHYSICAL RESTRAINT AND TIME OUT PROCEDURE

Physical restraint is defined as the use of bodily force to restrict a student's freedom of movement

1. Physical restraint shall only be used as an emergency procedure when other less intrusive alternatives have failed or been deemed inappropriate. In the event that physical restraint is required to protect the safety of school community members, the Fairhaven School Committee has enacted the following procedures to ensure the proper use of physical restraint and to prevent or minimize any harm to the student as a result of the use of physical restraint. These procedures shall be annually reviewed, provided to the school staff, and made available to parents of enrolled students. None of the foregoing paragraphs or the procedures that follow precludes any teacher, employee or agent to the Fairhaven School Department from using reasonable force to protect students, other persons or themselves from assault or imminent, serious harm.

1. Staff Training

A. All staff/faculty will receive training regarding the school's restraint policy within the first month of each school year, and employees hired after the school year begins will receive training within one month of starting their employment.

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

- (1) The Fairhaven School Department physical restraint policy and procedures;
- (2) Interventions which may preclude the need for physical restraint, including de-escalation of problematic behaviors;
- (3) Methods of preventing student violence, self-injurious behavior, and suicide including crisis planning and de-escalation of potentially dangerous behaviors among groups of students or individuals;
- (4) Types of physical restraints and related safety considerations, including information regarding the increased risk of injury to a student when an extended restraint is used;
- (5) Administering physical restraint in accordance with known medical or psychological limitations and/or emergency procedures applicable to an individual student; and
- (6) Identification of school staff who have received in-depth training (as set forth below in Section C) in the use of physical restraint.

C. Designated staff members are recommended to participate in at least sixteen hours of in-depth training in the use of physical restraint.

(1) At the beginning of the school year, the Superintendent and/ or his/her designee will identify those staff who will participate in in-depth training and who will then be authorized to serve as school-wide resources to assist in ensuring proper administration of physical restraint.

Physical escort is defined as the touching or holding a student without the use of force for the purpose of directing the student. Physical escort is not physical restraint and is not covered by this policy/procedure.

(2) In-depth training will include:

- a. Appropriate procedures for preventing the need for physical restraint, including relationship building, the de-escalation of problematic behavior, and the use of alternatives to physical restraint;
 - b. A description and identification of dangerous behaviors on the part of a student that may indicate the need for physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of physical restraint is warranted;
 - c. The simulated experience of administering and receiving physical restraint, instruction regarding the effect(s) on the person restrained, including instruction on monitoring physical signs of distress and obtaining medical assistance;
 - d. Instruction regarding district documentation ('Physical Intervention Incident Report') and mandated state reporting requirements and investigation of injuries and complaints ('Physical Restraint Report'); and
 - e. Demonstration by participants of proficiency in administering physical restraint.
- D. Staff/faculty will review any emergency procedures pertaining to special techniques for identified students.

2. Administration of Physical Restraint

A. Physical restraint may only be used in the following circumstances:

- (1) When non-physical interventions would be ineffective; and
- (2) The student's behavior poses a threat of imminent, serious physical, harm to self and/or others.

B. Physical restraint is prohibited in the following circumstances:

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

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

D. Physical restraint shall be limited to the use of such reasonable force as is necessary to protect a student or others from assault or imminent, serious, physical harm.

E. A person administering physical restraint shall use the safest method available and appropriate to the situation. Floor or prone restraints are prohibited.

F. Physical restraint shall be discontinued when it is determined that the student is no longer at risk of causing imminent physical harm to self or others.

G. Additional safety requirements:

- (1) A restrained student shall not be prevented from breathing or speaking. A staff member will continuously monitor the physical status of the student, including skin color and respiration, during the restraint. If the student appears and/or indicates that he/she cannot breathe, then the restraint must be stopped and ceased immediately.

(2) If at any time during a physical restraint the student demonstrates significant physical distress, as determined by the staff member, the student shall be released from the restraint immediately (“break”), and school staff shall take steps to seek medical assistance.

(3) School staff shall review and consider any known medical or psychological limitations and/or emergency procedures regarding the use of physical restraint on an individual student.

H. At an appropriate time after release of a student from physical restraint, the Principal/or Principal designee, or an appropriate school staff member shall:

(1) review the incident with the student to address the behavior that precipitated the the physical restraint;

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

(3) consider whether any follow-up is appropriate for students who witnessed the incident.

3. Methods of Physical Restraint

A. Lower-level holding in a seated position

Medium-level holding in a seated position

Higher-level holding in a seated position

B. Lower-level holding in a standing position

Medium-level holding in a standing position

Higher-level holding in a standing position

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C. Children’s Control Position (CPI)

D. Team Control Position (CPI)

E. Interim Control Position (CPI)

4. Mechanical and Medical Restraints and Seclusion

The use of mechanical restraint, medical restraint, and seclusion is prohibited.

5. Reporting Requirements:

A. School staff shall report the use of physical restraint after administration of a physical restraint.

B. The staff member who administered the physical restraint shall verbally inform the principal of the restraint as soon as possible, and complete the ‘Physical Intervention Incident Report’ no later than the next school working day.

(1) The written Physical Intervention Incident Report shall be provided to the principal or his/her designee.

(2) The principal or his/her designee shall maintain an on-going record (Restraint Reporting Form) of all reported instances of physical restraint, which shall be made available for review by the Department of Elementary and Secondary Education, upon request.

C. The principal or his/her designee shall verbally inform the student’s parent(s)/guardian(s) of such physical restraint as soon as possible, and by written report postmarked no later than three school working days following the use of such physical restraint.

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

D. The Physical Intervention Incident Report must be thoroughly completed and signed by all personnel that were involved and/or witnessed the incident leading to physical restraint.

E. IN the event of an extended physical restraint (physical restraint lasting twenty (20) consecutive minutes, then the school staff must obtain Principal approval before going beyond twenty (20) minutes.

- (1) The Principal must be provided with all details to make the determination.
- (2) The Principal or Principal designee must complete the Department of Elementary and Secondary Education 'Physical Restraint Report' and submit to the Superintendent within three school working days of the reported physical restraint.

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F. In the event a physical restraint has resulted in any injury to a student or staff member, then the Principal will within three school working days of the reported physical restraint, provide to the Department of Elementary and Secondary Education a copy of the Physical Restraint Report as described above and a copy of the record of physical restraints maintained by the Principal for the thirty day period prior to the date of the reported physical restraint.

6. Responsibilities of the Principal

The following notes are specific to the reporting requirements of the Principal:

- A. Every physical restraint must be documented on a Physical Intervention Incident Report.
- B. Ensure a process by which notification of any physical restraint is received as soon as possible to the principal who will maintain an ongoing record;
- C. Notify parent of physical restraint verbally and in writing;
- D. Conduct weekly reviews of physical restraints to determine if any student has been restrained multiple times during the week (if so, must convene a review team to discuss, assess, develop written plan of action);
- E. Conduct monthly review of school-wide physical restraint data (look for patterns, identify student intervention plans, determine if revision to school physical restraint policy or more training is needed);
- F. Submit written report to DESE when physical restraint resulted in any injury to student and/or staff.
- G. Report all physical restraints to DESE on the Restraint Reporting Form.

7. Grievance Procedures

- A. Any party aggrieved by the administration of any physical restraint procedure, reporting requirement, documentation or investigation and findings as defined within this Policy, may request a hearing before the Fairhaven School Department.
- B. Requests for a hearing before the Fairhaven School Department, may be made verbally or in writing, but must be made no later than three school working days following the use of physical restraint and the receipt of a written report (as set forth in 5 – Section C).
- C. Within three working school days following a hearing, the Principal shall provide all parties to the hearing a written summation of his/her findings and disposition.
- D. Any party to the hearing aggrieved by the findings and disposition of the Principal may request, in writing and no later than 48 hours following the receipt of said findings and disposition, a hearing before the Fairhaven School Department.

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TIME OUT PROCEDURES

Time out from reinforcement ("time out") is a procedure in which a student self selects or is staff directed temporarily to a place in a different, less-rewarding situation or setting, away

from the learning activity or classroom, whenever he or she engages in undesirable or inappropriate behaviors, often defined in the student's Behavior Intervention Plan ("BIP"). (Cooper et al 2007, p.360) Time out is not a place it is an event. For time outs to be most effective, it is imperative that timeouts are absent of all possible reinforcing events. Typically,

timeout is used in tandem with positive discipline techniques. For example, time out might be employed to reduce the frequency of a student's negative behaviors while an individualized reward system might be put in place to increase the frequency of appropriate student behaviors. Time out is intended to reduce the frequency of a target behavior, as defined in BIP, and can result in unintended negative effects on the student. Subsequently, students should be carefully monitored when timeout is being used. All incidents in which the student is timed out should be recorded in writing on a time out log. Time out procedures should be explained to students prior to a time out being administered. The time out space must be clean, safe, sanitary, and an appropriate space for calming. The time out shall cease as soon as the student has calmed.

1. Inclusionary time out: The student is removed from positive reinforcement or full participation in classroom activities, but remains in the classroom i.e. planned ignoring, ask student put head down, place student different location in classroom (not walled off time out rooms in classroom).

2. Exclusionary time out: The student is removed from the classroom - complete visual separation or actual physical separation from classroom activities. Actual physical separation should only be used when students are displaying behaviors that are potentially unsafe or overly disruptive. Students remain supervised (with visual observation) by assigned staff at all times. This should not be used for punishment for non-compliance or incidents of misbehavior which are no longer occurring.

- Student must be continuously observed by staff;
- Staff must be immediately available at all times;
- Space must be clean, safe, sanitary, and appropriate;
- Time out must end as soon as student has calmed;
- Staff must record and keep a log of time in and time out ('Time out Log');
- Staff must seek approval from the Principal for continued time out use over 30 minutes;
- The Principal may not routinely approve such requests - must consider specific circumstances (is a student agitated to justify longer than 30 min or if has not helped, implement other behavioral strategies).
- If during an exclusionary time out, if the student is not safe for staff to be present, then the student may be left in time out setting with the door closed, but a school counselor or other behavioral support professional must be immediately outside the time out setting to continuously visually observe, communicate, and determine when student has calmed.
- If during an exclusionary time out, if the student is displaying self-injurious behavior, then the staff must be present to assure student safety at all times.

3. Seclusionary time out: Prohibited.

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Time out Parameters

Staffing - A minimum of two staff members should monitor a time out.

Entering Time Out - Staff should state the reason for time out briefly along with a directive to go to time out. (ex. "Spitting is not allowed. You need to go to time out."). Students should be expected to report independently to time out. If assistance is necessary, it should be

carried out solemnly and silently. This is not the time for discussion or to explain what the student did wrong, why it is wrong or how time out will be carried out.

Time In - A timer can be used to track time. Set the timer or look at your watch as soon as the student enters time out. No objects that pose a danger to self or others should enter the time out area (ex. Pencils/pens, keys, paperclips, etc.)

Supervision – Visually monitor at all times, but do not engage in any communication with the student during the time out period. Communicating with the Student During Time out - Talking with the student on the way to or during time out is reinforcing and only serves to sustain or increase student verbalization. Educators must refrain from engaging in ongoing explanations, warnings, and even arguments/power struggles with students regarding the procedures of time out. It is extremely important for the staff to remain objective, calm and matter-of-fact when using time out. Therefore, staff should implement planned ignoring (all communication and social attention is removed). Interactions with the student should be purposeful, simple-directive, and not socially engaging. Talking should be kept to a minimum. For example, ignore all protests or comments; do not respond to questions or be swayed by remarks such as “I don’t care if I have to go to time out!” Time Done - Be sure to release the student from time out as soon as the interval is over or if the student is displaying calm and in control behavior. The staff may process briefly with the student (ex. Your time out is done. You got the time out for spitting in class. What will you do in that situation next time?). The student may complete a behavior processing sheet after the time out is complete.

Return to Class - When the student is integrated back into the classroom, the teacher should welcome the student back to the room and direct the student to the last activity that preceded the behavior leading to the time out. The Teacher should immediately positively reinforce appropriate behavior as soon as it occurs. There should be no further references, lectures, or jokes about time out.

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Common Mistakes During Timeout

- Answering questions posed by the student regarding how much more time he or she has remaining
- Countering misbehavior by penalizing with additional time
- Trying to calm the student down, cajoling or urging him/her to stop the misbehavior (i.e., tantrums, yelling, swearing, kicking, etc.) so that he/she may leave time out (e.g., “If you are quiet, then time out will soon be over.”)
- Responding to swearing or threats from the student regarding what he/she will do when out.
- Please remember, these behaviors on the part of staff weaken the potential effectiveness of time out.

Time Out Practices

Open Door Time Out - The student is removed from the instructional setting to a separate time out space, i.e. a time out room. Door is left open. A staff must supervise the student at all times during time out.

Closed Door Time out - The student is removed from the instructional setting to a separate time out space, i.e. a time out room. The door may be closed if student exhibits aggressive, violent, or elopement behavior. The door may also be closed if the student exhibits significant disruption and/or safety concerns that disrupts the learning environment of others. A staff must supervise the student at all times during time out through the viewing window. The door is immediately opened when the behavior subsides and the student calms.

Time out Length - Generally a timeout is short (ex. 3-10 minutes based on the developmental age of the student). The student should display a period of safe, calm, compliant behavior. An effective time out should be swift and brief.

Prompting - Students will be prompted and given the opportunity every 5 minutes to display safe, calm, compliant behavior.

Clinical / Administrative Support - Administration should be notified if a student has not been able to process out of the time out at 30 minutes. Administration should collaboratively make a decision regarding next steps and a plan of action. Administration may continue the time out or

request support from the School Adjustment Counselor/Guidance Counselor for a mental status assessment or another clinical intervention as needed.

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Exiting Timeout - Generally a time out is a short (3-10 minutes) period of safe, calm, compliant behavior. The student may rejoin the class or move to a process area after he/she has demonstrated safe, calm, compliant behavior. If the student continues to be disruptive during time out, you can simply reset the time and tell the student that he or she must display safe, calm, compliant behavior for a set interval of time (e.g. 5 minutes) before the student can return to the class activity. The timer is reset at each additional outburst--until the student complies. **Nurse Involvement** - Students should be checked by the school nurse upon completion of the time out event if the student displayed self injurious behavior and/or unsafe physical behavior while in the time out. If injury is noted staff should report to nurse/administration immediately.

Time Out Space Environment

- Time out space should be a minimum space of 60 square feet.
- The time out space must be clean, safe, sanitary, and an appropriate space for calming.
- The space should be clear of any potentially dangerous objects such as desks, wires, etc.
- Electrical outlets should be capped, lights protected, and walls reinforced if needed.
- The time out space door should be a solid door with a window that allows staff to view all of the room. The door should open inward and have a handle on the outside.
- The time out room door should remain open at all times unless the behaviors listed in 'closed door time out' present.

Documentation

Time out space interventions should be reflected in a Behavioral Intervention Plan or a Program Overview and signed by all parties, including the parent/guardian, prior to implementation. Log all incidents in which time out is used as a behavioral consequence. Note key information about time outs, including:

- Date, Student's Name, Time In, Time Out, and Reason for Time out including antecedent behavior.
- Notation of 5 minute prompt.
- Signature/Initial of Administrator at 30 minutes
- Note any concerning behaviors during time out implementation.

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Evidence

There is a large body of evidence supporting the effectiveness of time out procedures and practices.

Miltenberger, 2008 Cooper, Heron, & Heward, 2007, p. 363 Kazdin, A.E. (1989). Behavior modification in applied settings. Pacific Grove, CA: Brooks/Cole Publishing Yell, M.L. (1994). Timeout and students with behavior disorders: A legal analysis. Education and Treatment of Children, 17, 293-301.

Grievance Procedures

A. Any party aggrieved by the administration of any time out procedure, reporting

requirement, documentation or investigation and findings as defined within this Policy, may request a hearing before the Fairhaven School Department.

B. Requests for a hearing before the Fairhaven School Department, may be made verbally or in writing, but must be made no later than three school working days following the use of the time out procedure.

C. Within three working school days following a hearing, the Principal shall provide all parties to the hearing a written summation of his/her findings and disposition.

D. Any party to the hearing aggrieved by the findings and disposition of the Principal may request, in writing and no later than 48 hours following the receipt of said findings and disposition, a hearing before the Fairhaven School Department.

S.C. Originally Adopted: July 26, 2006

S.C. Received/Revised: December 15, 2015

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S.C. Received/Revised: September 27, 2017

S.C. Received/Revised: January 25, 2018

Fairhaven Public Schools
District School Curriculum Accommodation Plan (DCAP)
Elizabeth Hastings Middle School: 6-8

MISSION

The Fairhaven Public School District, in partnership with families and the community, promote integrity, ambition, and perseverance to ensure high-level learning for all children in a safe and supportive environment, focused on the growth of each individual that is respectful of each other's differences, to ensure that each student becomes an independent, productive, and successful citizen. We ascribe to the belief of *All Kids, All the Time!* We are dedicated to meeting the needs of all our students.

PURPOSE

The **District Curriculum Accommodation Plan (DCAP)** purpose is to identify strategies and/or programs within the general education system in each school that will provide for the diverse needs of students who are not identified as receiving specialized services.

Per Massachusetts General Law (MGL Ch. 71 Section 38 Q ½, a school district shall adopt and implement a Curriculum Accommodation Plan to assist principals in ensuring that all efforts have been made to meet students' needs in general education. The plan shall be designed to assist the general classroom teacher in analyzing and accommodating the diverse learning style of all children in the general classroom and in providing appropriate services and support within the general education program including, but not limited to, direct and systematic instruction in reading and provision of services to address the needs of children whose behavior may interfere with learning, or who do not qualify for special education services under MGL Ch. 71B. The curriculum accommodation plan shall include provisions encouraging teacher mentoring, collaboration, and parent/guardian involvement.

The FPS DCAP divides accommodations into four categories: presentation, setting, timing, and response. The FPS DCAP is intended to serve as a resource for teachers who are seeking to best

educate the variety of learners who make up our classrooms. In the following pages, educators, parents, and students should find practical applications for supporting diverse learners.

SUPPORTS FOR OUR STUDENTS

Pre-K - 12	
<ul style="list-style-type: none"> • Profile of Learner Traits and Assessments • Technology and Assistive Technology • Related Services Consultation/Student Support Team • Guidance and School Adjustment Counselors • Anti-Bullying Prevention and Intervention Plan • Small Group Targeted Support (WIN) • Open House/Student-Teacher Conferences • BCBA Consultation • Collaborative Problem-Solving • Teaching Assistant Support in Classes • Universal Design for Learning (UDL) Strategies 	<ul style="list-style-type: none"> • School Psychologist • Student Support Team (SST) • EL Instructional Supports • Universal Social/Emotional Learning Screener (DESSA) • Student Success Plans • Skillbuilding Small Groups • Restorative Justice Practices • Social Worker Consultations • After School Support • Peer Mentoring • Guidance Seminar • BRIDGE Classroom • School Resource Officer(s) • School Security • After School Programs (Enrichment)

SUPPORTS FOR OUR EDUCATORS

Pre-K - 12	
<ul style="list-style-type: none"> • Profile of Learner Traits and Assessments • Targeted Professional Development • Teacher Mentoring Program • Universal Design for Learning Training • Professional Learning Communities • Curriculum Revision opportunities • FPS Family Center 	<ul style="list-style-type: none"> • Contractual Reimbursement for Additional Coursework • Staff Handbook • Instructional and Assistive Technology • CPI Training • MCAS Alternative Assessment Training • Employee Assistance Program (EAP)

ENCOURAGEMENT OF PARENTAL/GUARDIAN INVOLVEMENT

Pre-K - 12	
<ul style="list-style-type: none"> • Parent/Guardian-Teacher Organization • Parent/Guardian Teacher Conferences • Parent/Guardian Volunteer 	<ul style="list-style-type: none"> • Open House/Orientation • FPS Family Center • Special Education Parent Advisory

<p>Opportunities</p> <ul style="list-style-type: none"> ● School Councils ● Parent Portal in ASPEN X2 ● Parent/Guardian Newsletters ● District and School Surveys 	<p>Committee</p> <ul style="list-style-type: none"> ● College and Career Workshops ● After-School Enrichment Programs ● Social Media ● FHS Alumni Association
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ACCOMMODATIONS

Pre-K - 12	
<p>Presentations: How does the teacher get information across?</p> <ul style="list-style-type: none"> ● Provide rubrics ● Provide graphic organizers ● Provide examples and exemplars ● Provide audio supports ● Provide visual supports ● _____ ● _____ ● _____ ● _____ ● _____ 	<p>Timing: What is the time of day, how much time is allotted, and what is the pace of the lessons?</p> <ul style="list-style-type: none"> ● Break up larger assignments ● Recommend additional tutoring or lab work ● Allow extended time for assessments when appropriate ● Provide schedules that include movement and transition times ● _____ ● _____ ● _____ ● _____ ● _____
<p>Setting: What is the physical educational setting?</p> <ul style="list-style-type: none"> ● Allow for preferential seating ● Differentiated and flexible small groups ● Opportunities for movement ● Use of technology tools to adjust for noise level ● _____ ● _____ ● _____ ● _____ ● _____ 	<p>Responses: How do students communicate what they know to teachers?</p> <ul style="list-style-type: none"> ● Ensure access to appropriate task-related technologies ● Schedule student discussion and verbalization time prior to written assignments ● Offer varied manipulatives ● Offer varied notation ● Offer cueing tools to highlight key course concepts ● _____ ● _____ ● _____ ● _____ ● _____

FPS uses strategies of Universal Design for Learning. Universal Design for Learning (UDL) is a framework to improve and optimize teaching and learning for all people based on scientific insights into how students learn. The UDL Guidelines are a tool used in the implementation of Universal Design for Learning. These guidelines offer a set of concrete suggestions that can be applied to any discipline or domain to ensure that all learners can access and participate in meaningful, challenging learning opportunities.

For accommodations for Perception, Language and Symbols, Comprehension, Physical Action, Expressive Skills and Fluency, Executive Functions, Recruiting Interest Sustaining Effort and Persistence, and Self-regulation please refer to the UDL interactive Learning - [UDL Learning Wheel](#) and the checklist below.

<p>Options for Perception</p> <ul style="list-style-type: none"> ● Use text equivalents in the form of captions or automated speech-to-text for spoken language ● Provide visual diagrams, charts, and notations of music or sound ● Provide written transcripts for videos or auditory clips ● Vary the display of information in a flexible format including the size of text, images, graphs, tables or other visual content ● Contrast between background and text or image ● Color used for information or emphasis ● Volume or rate of speech or sound ● Speed or timing of video, animation, sound, simulations, etc. ● Font used for print materials ● _____ ● _____ ● _____ 	<p>Options for Comprehension</p> <ul style="list-style-type: none"> ● Activate prior knowledge (e.g. using visual imagery, concept anchoring, or concept mastery routines), using advanced organizers (e.g. KWL methods, concept maps), and pre-teaching critical prerequisite concepts through demonstration or models, concrete objects ● Bridge concepts with relevant analogies and metaphors ● Highlight patterns, critical features, big ideas, and relationships ● Emphasize key elements in text, graphics, diagrams, formulas ● Use cues and prompts to draw attention to critical features, explicit prompts for each step in a sequential process ● “Chunk” information into smaller elements ● Use checklists, organizers, sticky notes, electronic reminders, and mnemonic strategies ● Explicit opportunities for spaced review and practice ● _____
<p>Options for Language and Symbols</p> <ul style="list-style-type: none"> ● Pre-teach vocabulary and symbols in ways that promote connections to the learners’ experience and prior knowledge ● Highlight how complex terms, expressions, or equations are composed of simpler words or symbols ● Clarify unfamiliar syntax (in language or in math formulas) or underlying structure (in diagrams, graphs, 	<p>Options for Physical Action</p> <ul style="list-style-type: none"> ● Provide alternatives in the requirements for rate, timing, amplitude, and range of motor action necessary to interact with instructional materials, physical manipulatives, and technologies ● Provide alternatives for physically responding or indication selections (e.g. to marking with pen and pencil, to mouse control) ● Provide alternatives for physically

<p>illustrations, extended expositions or narratives</p> <ul style="list-style-type: none"> • Support decoding of texts, mathematical notations, and symbols • Present key concepts in one form of symbolic representations (e.g. an expository text or a math equation) with an alternative form (e.g. an illustration, dance/movement, diagram, table, model, video, comic strip, storyboard, photograph, animation, physical or virtual manipulative) • _____ • _____ • _____ 	<p>interacting with materials (e.g. by hand, voice, switch, joystick, keyboard, or adapted keyboard)</p> <ul style="list-style-type: none"> • Use keyboard commands for mouse action • Consider switch options, alternative keyboards, and customized overlays for touch screens and keyboards • _____ • _____ • _____
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<p>Options for Expressive Skills and Fluency</p> <ul style="list-style-type: none"> • Compose in multiple media such as text, speech, drawing, illustration, comics, storyboards, design, film, music, visual arts, sculpture, or video • Provide learners with spell checkers, grammar checkers, word prediction software, speech-to-text software, human dictation and recording • Provide calculators, graphing calculators, geometric sketchpads, and pre-formatted graph paper • Use sentence starters, sentence strips, story webs, outlining tools, concept mapping tools, Computer-Aided-Design (CAD), and music notation (writing) software • Provide base-10 blocks, algebra blocks (either concrete or virtual) • Use web applications (e.g. wikis, animation, presentation) • Provide scaffolds that can be gradually released with increasing independence and skills • _____ 	<p>Options for Recruiting Interest</p> <ul style="list-style-type: none"> • Provide learners with as much discretion and autonomy as possible by providing choices in the level of challenge, type of tools used, color, design, and layout of graphics, and sequence or timing of tasks • Involve learners, where and whenever possible, in setting their own personal academic and behavioral goals • Vary activities and sources of information so that they can be personalized and contextualized in learners' lives, culturally relevant and responsive, and appropriate for different racial, cultural, ethnic, and gender groups • Design activities so that outcomes are authentic, communicate to real audiences and are purposeful • Provide tasks that allow for active participation, exploration, and experimentation • Invite personal response, evaluation, and self-reflection to content and activities • _____
<p>Options for Executives Functions</p> <ul style="list-style-type: none"> • Use prompts and scaffolds to estimate effort, resources, and difficulty, and models or examples of the process and 	<p>Options for Sustaining Efforts and Persistence</p> <ul style="list-style-type: none"> • Use prompts or requirements to explicitly formulate or restate goals

<ul style="list-style-type: none"> product of goal-setting ● Provide learners with guides and checklists for scaffolding goal-setting ● Use prompts that embed “stop and think” before acting, coaches or mentors that model think-alouds of the process, and prompts for categorizing and systematizing ● Use checklists and project planning templates for setting up prioritization, sequences, and schedules of steps ● Break long-term goals into reachable short-term objectives ● Use checklists and guides for note-taking, and guided questions for self-monitoring ● _____ ● _____ ● _____ 	<ul style="list-style-type: none"> ● Use hand-held or computer-based scheduling tools with reminders ● Provide opportunities for collaboration, peer tutoring, and support ● Vary the degree of freedom for acceptable performance ● Emphasize process, effort, improvement in meeting standards as alternatives to external evaluation, performance goals, competition ● Use cooperative learning groups with scaffolded roles and responsibilities ● Provide learners on when and how to ask peers and/or teachers for help ● Construct virtual communities of learners engaged in common interests or activities ● Differentiate the degree of difficulty or complexity within which core activities can be completed ● _____ ● _____ ● _____
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Options for Self-Regulation

- Use prompts, reminders, guides and rubrics and checklists that focus on self-regulatory goals
- Use differentiated models, scaffolds and feedback for managing frustration, seeking external emotional support, and developing internal controls and coping skills
- Provide recording devices, aids, or charts to assist individuals in learning to collect, chart and display data from their own behavior (including emotional responses, effect, etc.) to monitor changes in those behaviors
- Design activities that in which learners get feedback and have access to alternatives scaffolds (charts, templates, feedback displays) that support them in understanding their progress in an understandable and timely manner
- _____
- _____
- _____

SYNOPSIS OF FEDERAL CIVIL RIGHTS LAWS AND DISTRICT COORDINATOR INFORMATION

Title VI of the Civil Rights Act of 1964

COORDINATOR:

128 Washington St. Fairhaven
508-979-4000

This statute prohibits discrimination on the grounds of race, color or national origin by recipients of federal financial assistance. This statute ensures that individuals are not excluded from participation in programs or activities receiving federal funds (or the benefits of) on account of their membership in one of these protected categories (42 DSC SZ000d). This statute has been interpreted to prohibit the denial of equal access to education because of a language minority student's limited proficiency in English.

Title IX of the Education Amendments of 1972

COORDINATOR:

128 Washington St. Fairhaven
508-979-4000

Title IX of the Education Amendments of 1972 provides that no individual may be discriminated against on the basis of sex in any education program or activity receiving federal financial assistance. Title IX requires that schools adopt and publish a policy against sex discrimination and have grievance procedures through which students can complain of alleged sex discrimination, including sexual harassment. State Law requires Massachusetts' employers to have a policy against sexual harassment (M.G.L. Ch. 151B, S3A)

Section 504 of the Rehabilitation Act of 1973

128 Washington St. Fairhaven
508-979-4000

Section 504 provides that no otherwise qualified individual with a disability shall solely by reason of his/her 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 regulations implementing Section 504 require that public schools provide a free appropriate education to each qualified handicapped person who is in the recipient's jurisdiction, regardless of the nature or severity of the person's handicap. (34 CFR 104.33)

Americans with Disabilities Act of 1990

COORDINATOR:

128 Washington St Fairhaven
508-979-4000

The regulations implementing the ADA provide that, "A public entity that employs 50 or more persons shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under this part, including any investigation of any complaint communicated to it alleging its noncompliance with this part or alleging any actions that would be prohibited by this part. The public entity must make available to all interested individuals the name, office address, and telephone number of the employee or employees designated pursuant to this paragraph." (34CFR 35.107)

Equal Educational Opportunities Act of 1974

COORDINATOR:

128 Washington St. Fairhaven
508-979-4000

This federal statute prohibits states from denying equal educational opportunities to an individual based on certain protected classifications including national origin. It specifically prohibits denying equal educational opportunities by failing to take appropriate action to overcome language barriers that impede participation by its students in its instructional programs. (20 USC S1203 (f))

Massachusetts General Laws Chapter 76.85 (also known as Chapter 622)

COORDINATOR:

128 Washington St. Fairhaven
508-979-4000

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

Title I of the Elementary and Secondary Education Act of 1965

COORDINATOR: Nicole Potter

12 Huttleston Ave. Fairhaven
508-979-4051

Title I is designed to help disadvantaged children meet challenging content and student performance standards.

Homeless Educational Liaison

COORDINATOR:

128 Washington St. Fairhaven
508-979-4000

Students without a permanent place to live have the right to: go to school, including public preschool; obtain free lunch (and breakfast if offered); receive transportation; participate in school activities; receive the same support and services provided to all other students as needed.

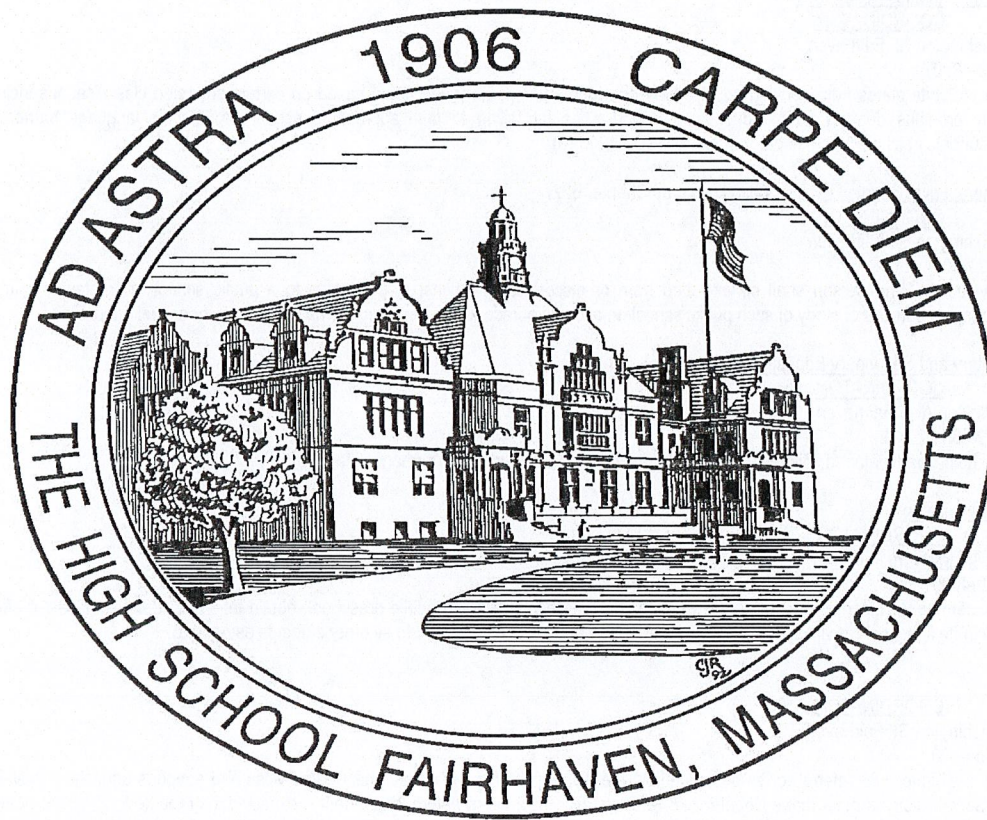
Chapter 688

COORDINATOR:

128 Washington St. Fairhaven
508-979-4000

School districts file a Chapter 688 referral for students with severe disabilities who will need continued services and supports after their eligibility for special education ceases. School districts must make Chapter 688 referrals at least 2 years before the student is expected to graduate from school or turn 22 years of age. This allows time to determine the student's eligibility for adult services and for agencies to include the anticipated cost of services for the student in its budget request that it submits to the state legislature each year.

**Fairhaven High School
Student Handbook
2025 – 2026**



**12 Huttleston Avenue
Fairhaven, MA 02719
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www.fairhavenps.org**