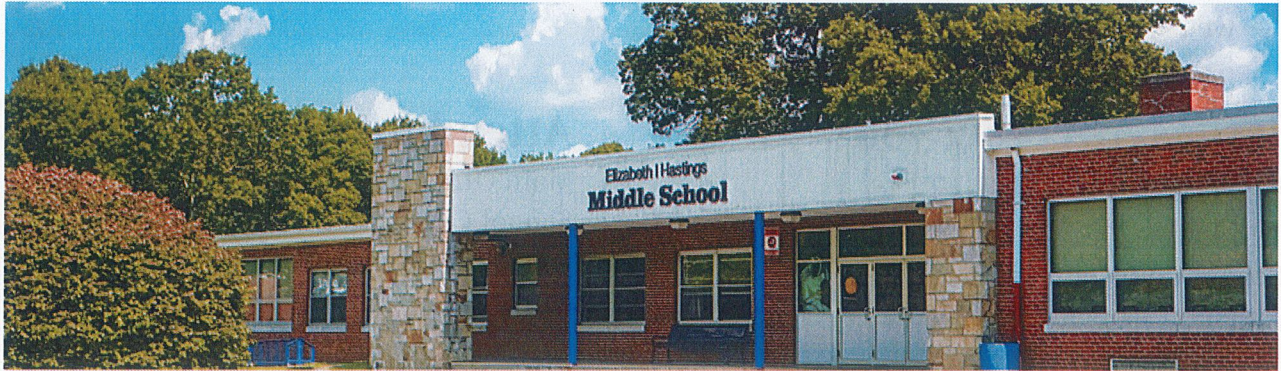


Fairhaven Public Schools School Committee Members:

Nicole Pacheco (Chair)
Erik Andersen (Vice Chairman)
Erik Baumann
Donna McKenna
Kelly Ochoa
Michael Sherman



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.

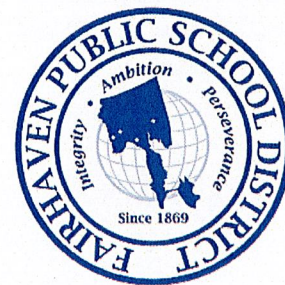
To Our Students: You have a very important responsibility: put forth your best effort, take pride in what you do, develop good work habits, actively participate in classroom learning experiences, participate in activities, come to school on time, complete your assignments, and strive for excellence. Our goal is to foster a school climate that is safe and supportive where kindness, compassion and respect guide our words, actions, and interactions everyday.

To Our 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 their dreams 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. Joey Winterhalter, Assistant Principal

ADVOCATING FOR YOUR CHILD



If you or your student have any questions, concerns, or issues throughout the school year, please contact the individuals listed below in the order provided so we can assist you as efficiently as possible.

Issues Affecting your Child's Learning

Teacher
School Counselor
Assistant Principal
Principal

Attendance

Main Office
School Counselor
Assistant Principal
Nurse

General School Issues

School Counselor
Assistant Principal
Principal

Student Services (IEP, 504, Multi-Language Learners)

Special Education Teacher
School Counselor
Principal
Assistant Director of Student Services
Director of Student Services

Discipline

Assistant Principal
Principal

Family Resources/Support

School Counselor
Family/Student Engagement Coordinator

Safety

School Counselor
School Resource Officer
Assistant Principal
Principal

District/School Directory

District Office	
Superintendent, Assistant Superintendent Student Services, Business, Transportation	
Phone	(508) 979-4000
Fax	(508) 979-4149
EHMS	
Main Office Hours: 7:00 AM to 3:00 PM Teacher Hours: 7:30 AM to 2:37 PM	
Main Office	(508) 979-4063
Fax	(508) 979-4068
Principal	(508) 979-4063 ext 2050
Assistant Principal	(508) 979-4063 ext 2051
Nurse's Office	(508) 979-4064
Family/Student Engagement Coordinator	(774) 929-6032
Reliable Bus Company	(508) 992-0342

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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 students should **not** be on school grounds 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 2:00 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

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 Middle School 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 absence?

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

Mission and District Goals of Fairhaven Public Schools

Mission

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).

Mission Statement of Elizabeth Hastings Middle School

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.

Trauma-Informed School

At EHMS, we are committed to maintaining a trauma-sensitive environment where every student feels safe, supported, and ready to learn. Trauma can impact a child's behavior, relationships, and academic performance. By taking a whole-school approach, our entire staff works together to support the whole child.

Our core priorities include:

Universal Safety: Creating a physically, socially, emotionally, and academically safe environment in every area of our school.

Holistic Support: Focusing on strong relationships, self-regulation, well-being, and academic success rather than taking a punitive approach.

Inclusion & Belonging: Keeping students connected to their peers and school community while helping them build essential life skills.

Shared Responsibility: Working as a collaborative team of educators, support staff, and families to proactively adapt to our students' evolving needs.

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

Profile of a Learner

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, students will receive a certificate and a letter notifying your parents of the award.

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 Middle School, 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) begins. 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 exploratories 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.

Grade 6 & 8		Grade 7	
Category	Weight	Category	Weight
Homework/Classwork	30%	Homework	10%
Quizzes	30%	Classwork	20%
Tests	40%	Quizzes	30%
		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 Family 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-login/?deploymentId=ma-fairhaven>. 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.

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
- Exploratories classes are considered in promotion as follows:
- Students who fail two exploratories 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

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.

Instructional Materials

As an important part of our inventory process, each textbook, novel, chromebook, 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 the items issued to you at ALL times. Handle them as the valuable and expensive materials that they are. At the end of each year, you must return the items that were loaned to you. It is your responsibility to return the loaned items. Normal wear is expected. If you have lost an item, you must pay for it. If the item 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.

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/administrators based on a student's appropriate or inappropriate use of one. EHMS students may use approved fidgets or sensory tools to help with focus, attention, and self-regulation during learning activities.

Expectations for Use of Fidgets

- Fidgets are learning tools, not toys.
- Fidgets must be used quietly and in a way that does not distract the student or others.
- Students should keep fidgets in their hands or on their desks unless otherwise directed by a teacher.
- Fidgets should not be thrown, shared during instruction, traded, or used to make noise.
- Teachers may ask a student to put away a fidget if it becomes a distraction or is used inappropriately.

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 only at designated times. Each grade level will follow its own locker access schedule. 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/Google Calendar

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 use agendas to write their daily assignments. 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.

Extra Help

Teachers are available after school until 2:37PM unless otherwise offered by the teacher to offer you extra help.

Extra help is intended to reinforce, not replace classroom instruction. We urge students to take advantage of this opportunity. Please check with the teacher ahead of time and arrive with specific questions or topics for specific help.

Scheduling

Students receive schedules on the first day of school and team assignments will not be changed.

School Counselors

During the school year, students may have questions or concerns related to school, friendships, family, emotions, or other personal matters. School counselors are available to support students with academic, social, and emotional needs.

Students who would like to meet with their school counselor may:

- Stop by before school (7:30–7:45 a.m.) or after school (2:17–2:37 p.m.)
- Request to visit during the school day with teacher permission
- Complete a School Counselor Check-In Form through Google Forms

Elizabeth Hastings Middle School has two school counselors. Each student is assigned to a counselor who serves as their primary point of contact and support throughout the school year.

Confidentiality

School counselors respect students' privacy and work to create a safe and supportive environment where students can share their thoughts and concerns. Information discussed with a school counselor is kept confidential whenever possible.

However, there are times when counselors are required to share information with parents/guardians, school administrators, or other appropriate professionals to help keep students safe.

This includes situations involving:

- Risk of harm to yourself or others
- Abuse or neglect
- Threats to school safety
- Other situations required by law or school policy

If information needs to be shared, the counselor will make every effort to discuss this with the student whenever appropriate.

To help maintain privacy and confidentiality for all students, the SEL suite may only be accessed with permission from a school counselor or Admin staff. Students should not enter or remain in the SEL suite when a counselor is not present. This helps ensure a safe, respectful, and confidential space for all students receiving support.

Human Sexuality Education Notification

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.

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 are physically unable to participate 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. It is required that students wear sneakers to participate in class.

Attendance

Attendance

Regular attendance is essential to student success and academic achievement. Students are expected to attend school every day and arrive on time prepared to learn. When attendance concerns arise, the school will work collaboratively with students, families, and support staff to identify barriers to attendance and develop appropriate interventions.

The school may implement attendance support measures including parent/guardian conferences, student support team meetings, counseling services, attendance contracts, mentoring, academic assistance, and referrals to community resources. Attendance data will be reviewed regularly to ensure students receive the support necessary to maintain consistent school attendance and engagement.

Families are encouraged to communicate with the school regarding any circumstances that may impact attendance. Our goal is to partner with students and families to promote regular attendance, foster positive school connections, and ensure every student has access to a high-quality educational experience.

In accordance with Massachusetts General Laws and district policy, excessive absences, tardiness, or truancy may result in additional interventions and required meetings with school personnel. The school is committed to addressing attendance concerns through supportive, proactive, and collaborative approaches that prioritize student success.

Daily Schedule

Starting Time: 7:45 A.M.

Students will be marked tardy if not in their first period classroom in their seats at this time.

Dismissal starts: 2:17 P.M.

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

Student Absences and Excuses Policy

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
- 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 policy 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.

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

Chronic Absences

Students who miss at least 10% of days enrolled (e.g., 18 days absent when enrolled for 180 school days) are considered chronically absent. National research shows that chronic absenteeism erodes the academic and social skills needed to succeed in school

Absence Notification/After School Eligibility

When students are absent from school, parents/guardians must call to report the absence and the reason for it. The school telephone number to report absences is 508-979-4063. Parents/guardians 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.

Tardiness

Students are expected to arrive on time and to be inside their homeroom when morning attendance is taken. Students are tardy if students are not in your homebase by 7:45 A.M. Students 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- Letter home
- 6 or more Tardies - Meeting with the family

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.
- 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.
- Three or more undocumented dismissals in a term may result in administrative detentions.

In School Illness

- 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 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.
- Students who need to be dismissed due to illness must be released through the Health Office and may only be picked up by a parent/guardian or an individual listed on the Emergency Form on file with the Health Office. For this reason, it is essential that all emergency contact information be kept current and updated throughout the school year.
- 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 unexcused 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

Family Vacations should not be scheduled during school. 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 "unexcused" absences.

Make-Up Work

All children enrolled in the Fairhaven Public School system shall be given the opportunity to make-up work missed. Students are responsible for all work they miss when you are absent.

Students are allowed two days to make up missed assignments for each day they are absent due to illness or another excused absence. For absences due to vacation or an unexcused absence, students are allowed one day to make up missed assignments for each day missed. If students know that they will be absent for more than two days, they may request assignments from their teachers. Families should notify homeroom teacher and attendance secretary.

CONDUCT AND BEHAVIOR

Student Conduct and Behavior/Intervention

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 students and the teachers meet their 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.

Table of Conduct

Code of Conduct - Tier 1 - Classroom Teacher/Administration	
Infraction	Subject To:
Cheating in any fashion	Restorative practices, After Session, Office Detention, Guardian Conference
Distraction in class	Restorative practices, After Session, Office Detention, Guardian Conference
Lack of preparation for class	Restorative practices, After Session, Office Detention, Guardian Conference
Late for class	Restorative practices, After Session, Office Detention, Guardian Conference
Littering	Restorative practices, After Session, Office Detention, Guardian Conference
Homework issues	Restorative practices, After Session, Office Detention, Guardian Conference
Swearing or using unacceptable language not directed at other persons	Restorative practices, After Session, Office Detention, Saturday Detention, Guardian Conference
Any gum, food, or beverages other than water	Restorative practices, After Session, Office Detention, Saturday Detention, Guardian Conference
Violation of Acceptable Computer Use Policy	Restorative practices, After Session, Office Detention, Saturday Detention, Guardian Conference
Cell Phone Violation	Restorative practices, After Session, Office Detention, Saturday Detention, Guardian Conference

Code of Conduct - Tier II - Administration	
Referral to office from classroom teacher Horseplay (unnecessary use of force)	Restorative Practices, Detention, Saturday Detention, In-school Suspension, Short-term Suspension, Family Conference
Inappropriate actions or comments	Restorative Practices, Detention, Saturday Detention, In-school Suspension, Short-term Suspension, Family Conference
Bus violations of any kind	Restorative Practices, Detention, Saturday Detention, In-school Suspension, Short-term Suspension, Family Conference, or Removal from Bus
Loitering	Restorative Practices, Detention, Saturday Detention, In-school Suspension, Short-term Suspension, Family Conference
Non-report to teachers after session	Restorative Practices, Detention, Saturday Detention, In-school Suspension, Short-term Suspension, Family Conference
Not following cafeteria rules and regulations	Restorative Practices, Detention, Saturday Detention, In-school Suspension, Short-term Suspension, Family Conference
Severe defiance and disrespect	Restorative Practices, Detention, Saturday Detention, In-school Suspension, Short-term Suspension, Family Conference
Throwing of objects (including snowballs)	Restorative Practices, Detention, Saturday Detention, In-school Suspension, Short-term Suspension, Family Conference
Cell phone/electronic device violations	Restorative Practices, Detention, Saturday Detention, In-school Suspension, Short-term Suspension, Family Conference
Continual Dress Code Violation	Restorative Practices, Detention, Saturday Detention, In-school Suspension, Short-term Suspension, Family Conference
Selling/trading of an item(s) (food, shoes, etc.)	Restorative Practices, Detention, Saturday Detention, In-school Suspension, Short-term Suspension, Family Conference
School Truancy	Restorative Practices, Detention, Saturday Detention, In-school Suspension, Short-term Suspension, Family Conference

Class Truancy	Restorative Practices, Detention, Saturday Detention, In-school Suspension, Short-term Suspension, Family Conference
Abusive or vulgar remarks directed at a fellow student	Restorative Practices, Detention, Saturday Detention, In-school Suspension, Short-term Suspension, Family Conference
Unauthorized area	Restorative Practices, Detention, Saturday Detention, In-school Suspension, Short-term Suspension, Family Conference
Code of Conduct - Tier III - Administration	
Bullying/harassment	Restorative Practices, Detention, Saturday Detention, In-school Suspension, Short-term Suspension, Family Conference
Continual violation of school rules	Restorative Practices, Detention, Saturday Detention, In-school Suspension, Short-term Suspension, Family Conference
Fighting/assault	Restorative Practices, Detention, Saturday Detention, In-school Suspension, Short-term Suspension, Family Conference
Use of bodily fluid at or towards another person	Restorative Practices, Detention, Saturday Detention, In-school Suspension, Short-term Suspension, Family Conference
Immediate safety issue/concern	Restorative Practices, Detention, Saturday Detention, In-school Suspension, Short-term Suspension, Family Conference
Leaving school grounds without permission	Restorative Practices, Detention, Saturday Detention, In-school Suspension, Short-term Suspension, Family Conference
Malicious damage of or marking of school property (monetary restitution and clean up will be the responsibility of the student)	Restorative Practices, Detention, Saturday Detention, In-school Suspension, Short-term Suspension, Family Conference
Profanity to a staff member	Restorative Practices, Detention, Saturday Detention, In-school Suspension, Short-term Suspension, Family Conference
Smoking	Restorative Practices, Detention, Saturday Detention, In-school Suspension, Short-term Suspension, Family Conference

Theft of any kind	Restorative Practices, Detention, Saturday Detention, In-school Suspension, Short-term Suspension, Family Conference
Selling or trading of any item(s) on school property	Restorative Practices, Detention, Saturday Detention, In-school Suspension, Short-term Suspension, Family Conference
Texting, posting or sending inappropriate pictures or posts	Restorative Practices, Detention, Saturday Detention, In-school Suspension, Short-term Suspension, Family Conference
Violation of Acceptable Computer Use Policy	Restorative Practices, Detention, Saturday Detention, In-school Suspension, Short-term Suspension, Family Conference
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.	Restorative Practices, Detention, Saturday Detention, In-school Suspension, Short-term Suspension, Family Conference
Hazing	Restorative Practices, Detention, Saturday Detention, In-school Suspension, Short-term Suspension, Family Conference
Code of Conduct - Tier IV - Administration	
Possession and/or distribution of tobacco products including lighters/matches/e-cigarettes/jules/vapes	Restorative Practices; ISS, Short Term Suspension, Long-Term Suspension, or Expulsion
Possession and/or distribution of alcohol, drugs, paraphernalia	ISS, Short Term Suspension, Long-Term Suspension, or Expulsion
Possession and/ or distribution of weapons of any kind	ISS, Short Term Suspension, Long-Term Suspension, or Expulsion
Possession and/or distribution of prescription drugs, over the counter drugs, or inhalants	ISS, Short Term Suspension, Long-Term Suspension, or Expulsion

Perceived to be under the influence of alcohol or substance	ISS, Short Term Suspension, Long-Term Suspension, or Expulsion
Verbal and/or physical assault on school personnel or fellow students including threats	ISS, Short Term Suspension, Long-Term Suspension, or Expulsion
<i>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.</i> <i>Cameras are for school use only. Footage will not be released to or viewed by non-school personnel.</i> <i>*The typical consequences are meant to be typical. Actual disciplinary measures are determined by the administrator.</i>	

Restorative Practice

Restorative Practices is an umbrella term used for strategies that help us to proactively build community and relationships and manage conflict and tensions in ways that treat humans with dignity and respect. Circle Practices, a form of restorative practices, are a range of proactive approaches that aim to develop a safe community and build relationships, while Restorative Justice, perhaps the most well-known form of restorative practices, is more reactive in nature and aims to manage conflict and tensions by repairing harm and restoring relationships. Restorative justice holds students accountable by involving them in face-to-face encounters with the people they have harmed both directly and indirectly.

After Session

An After Session is a 20-minute, teacher-issued consequence held immediately following the regular instructional day from 2:17 PM to 2:37 PM. Designed as a proactive behavior intervention rather than a traditional punitive detention, this structured period provides students with direct support and opportunity to reflect on classroom expectations. During this time, the student and teacher collaboratively address specific conduct concerns, discuss actionable strategies for improvement, and establish a clear path forward to foster personal growth and academic success.

Office Detention

Office Detention is a disciplinary measure from 2:17 to 3:00 PM assigned by school administration requiring a student to report to the main office typically during lunch, open air, or after school to reflect on behavior choices, complete academic work, or fulfill consequences for violating the student code of conduct.

Saturday Detention

Will occur weekly with the exception of Holiday weekends, from 8:00 -11:00 am.

In School Suspension (ISS)

In-School Suspension refers to the removal of a student from regular classroom activities, but not from the school premises, for a period of up to ten (10) consecutive school days, or up to ten (10) school days cumulatively within a single school year.

Short-Term Suspension

Short-Term Suspension refers to the disciplinary removal of a student from both regular classroom activities and the school premises, as well as all school-sponsored events, for ten (10) consecutive school days or fewer.

Long-Term Suspension

Long-Term Suspension refers to the disciplinary removal of a student from school premises and regular classroom activities for more than ten (10) consecutive school days, or for more than ten (10) school days cumulatively for multiple offenses in a single school year.

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: (i) 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
- Undergarments 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- legal
- Clothing which implicitly promotes or advocates drugs, alcohol, tobacco, sex, or violence -legal
- 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
- 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 items up in the main office.

Massachusetts is a "two-party" (or "all-party") consent state. Under Massachusetts General Laws Chapter 272, Section 99, it is a felony to secretly record any in-person, telephone, or electronic conversation without the permission of everyone involved.

Cafeteria

Students are to place your instructional materials in your locker before entering the cafeteria. The following rules will be in effect:

- 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.
- Talk in a normal voice. Disrespectful comments/behavior towards cafeteria staff, peers, or supervisors will result in disciplinary action.

- 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.
- Students 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.
- 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

Through state funding, ALL Fairhaven Public School students are eligible to receive free breakfast and lunch. 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.

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.

Massachusetts is a "two-party" (or "all-party") consent state. Under Massachusetts General Laws Chapter 272, Section 99, it is a felony to secretly record any in-person, telephone, or electronic conversation without the permission of everyone involved

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 of 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.

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.

- Students are expected to enter and exit the bus in an orderly manner.
- Students are expected to remain in your seat until the bus comes to a complete stop at your destination.
- Students must have the permission of the bus driver to open windows and you must keep all parts of your body inside the bus.
- Students 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. All cameras record both video and audio. 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 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

All students will enter and exit through the main entrance. Students will be permitted to enter the building before school and remain in the cafeteria or auditorium areas. 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. Students should not loiter in the building before or 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, or scooters.

Motorized Transportation

Motorized means of transportation by students E-Bike with the capability to go speeds beyond 20mph 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 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 a walk. 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 Hastings Middle School are allowed to attend after school activities
- 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.

- 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.

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. Each restroom has a wall bin outside the restroom door where the student will place their pass 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 maintained for every student. To ensure this record remains accurate and up to date, it is important for the school nurse to have complete information about your child's past and current health history.

If your child has a scheduled appointment with a healthcare provider, please notify the school nurse and provide any updated health information following the visit. Keeping your child's health record current allows the school nurse to monitor ongoing health needs and provide appropriate care during the school day.

Ongoing communication and collaboration between parents/guardians and the school's health office are essential to supporting your child's health, safety, and well-being while at school.

The Massachusetts Department of Public Health regulations state that physicals are required for entering school and every 3-4 years thereafter.

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 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. 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.

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 for student use. Phone use is limited to **emergency situations only.**

Lost and Found

All items found in or around the school building will be sent to the Cafeteria. 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.

POLICIES AND REGULATIONS

Memorandum of Understanding Between the Fairhaven School Department And Fairhaven Police Department

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.

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 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 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 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/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;
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 - Appendix A

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.