

**MALDEN PUBLIC SCHOOLS**  
**K-8 STUDENT/PARENT HANDBOOK**  
**2014 - 2015**



**BEEBE SCHOOL**



**FERRYWAY SCHOOL**



**FORESTDALE SCHOOL**



**LINDEN S.T.E.A.M. ACADEMY**



**SALEMWOOD SCHOOL**



**Table of Contents****Page Number(s)**

504 Accommodation Plans	23
Accelerated and Enriched Academic Program (A.E.-A.P.)	8
Adjustment Counselor	28
Assaults, Drugs, Weapons Law	32
Assemblies	26
Attendance Guidelines	14-16
Band	19
Bathroom Privileges	25
Bullying and Harassment	9-12
Cell Phones	24
Change of Address	21
Cheating Policy	18
Child Custody	14
Civil Rights	7
Connect-Ed Messaging System	6
Crutches in School	26
Detention	29
Directory of Personnel for Civil Rights	6
Discipline of Special Education Students	32
Discipline of Students on 504 Plans	45
District Curriculum Accommodation Plan	22
Dress Code	23
Drug/Alcohol Code	37
Drugs, Assaults, Weapons Law	32
Early Childhood/Pre-Kindergarten Program	8
Electronic Devices	24
Elevator Use	26
English Language Learner Program	8
Exclusion	29-32
Extracurricular and Co-Curricular Activities	19
Field Trips	19
Fire Alarm Law	50
Fire Drill Procedures	26
Fireworks Law	50
Grading	17
Guidance Counselor	28
Handgun Law	37
Harassment and Bullying	9-12
Hazing Law	38 & 39
Home Instruction/Hospitalization	28
Homework Policy	16
Immunization Requirements	27 & 28
Internet Acceptable Use Policy	51
K-8 School Definition	9
Kindergarten Program	8
Liability Waiver Signature Page	57
Library/Media Center Permission Slip	53
Lockers	25

Lost Books and Materials	26
Lunch Program	26
Make Up Work	17
Medication in School	28
MPS Administration (Central Office)	4
Nurse/First Aid	27
Parent-Teacher Conferences	18
Passes	25
Passing in Corridors	25
PCSM (Partnership for Community Schools Malden)	9
Phone Calls and Messages	26
Physical Education Requirements	19
Physical Examination Requirements	28
Physical Restraint Law	44
Progress Reports	17
Report Cards	17
Retention Guidelines	18
Safety Drills	26
School Hours	14
School Records	21
School Transfers	21
School Visitation Policy	13
Schools and Principals/Assistant Principals	6
Search and Seizure Law	38
Snow Days	25
Special Education Services	22-23
Staying After School	29
Student Behavioral Expectations	35-36
Student Contract for Acceptable User Policy and Internet Access	52
Student Grievance Procedure Under Title IX	39
Student Support Team (SST)	22
Student/Parent Handbook Signature Page	55
Superintendent's Message	5
Suspensions	29-32
Title IX	6 & 7
Title One Services	8 & 9
Tobacco-Free Environment	25
Transportation Rules and Regulations	54-55
Use of Cell Phones	24
Valuables in School Building	25
Video/Photograph Release Form	56
Weapons, Assaults, Drugs Law	32

**MALDEN PUBLIC SCHOOLS ADMINISTRATION**

**SCHOOL COMMITTEE**

Mayor Gary Christenson	Chairperson	781-397-7000
Mr. Pietro Cicolini	Ward 1	781-922-1478
Ms. Maria Doucette	Ward 2	781-324-1895
Mr. Lawrence Silverman	Ward 3	781-912-3000
Mr. Leonard Iovino	Ward 4	781-321-3568
Mr. Adam Weldai	Ward 5	781-264-1629
Ms. Jerry Leone	Ward 6	781-635-7070
Mr. Kevin Casucci	Ward 7	781-605-3331
Mr. John Froio	Ward 8	781-321-0339

**SUPERINTENDENT OF SCHOOLS**

Dr. David DeRuosi, Jr.  
781-397-7000 x2204

**ASSISTANT SUPERINTENDENTS**

Kelly Chase, Ed.D., Teacher Quality and Professional Development  
781-397- 7000 x2204

Maura Johnson, Special Education and Student Services  
781-397-7000 x2245

**DIRECTORS**

Janice Raymond, Literacy and Title One  
781-397-7000 x2332

Paul Teixeira, English Language Learners  
781-388-0647

Michael Schiavo, Technology and Data  
781-397-7279

Diane Perito, STEM  
781-397-6001

Patrick Dailey, Humanities  
781-397-1524

Daniel Keefe, Physical Education and Athletics  
781-397-7269

## Message from the Superintendent

Dear Students and Parents/Guardians,

My name is Dr. David DeRuosi, Jr. Superintendent of Schools, and on behalf of the Malden Public School System, I would like to welcome you to another school year.

Malden Public Schools are committed to the belief that all children can meet challenging expectations through a partnership between home, school and community. Our teachers, support staff, and administrators share a common focus, which is to prepare our students to be independent thinkers and enthusiastic learners. As students matriculate through our schools, we want them to work hard, respect others, appreciate the diversity that surrounds them, and strive for academic excellence. In short, we want Malden Public School graduates who are prepared to be active participants in a global world.

We can achieve this by surrounding our students with professionals who encourage, inspire, and have high expectations for all students. Our teachers, support staff, and administrators will promote and model best practices, they will continue to develop their professional skills and knowledge by taking part in quality professional development and implement what they learned into practice. As a district, we will continue to provide a safe school and classroom environment for our students. Our classrooms are places where students feel safe and respected. In our classrooms, students will be encouraged to think deeply and critically about important ideas and communicate effectively both orally and in writing. Students will understand that we have high expectations for them and we will provide them the support and encouragement they need to ensure their success.

We acknowledge the many barriers facing our students today. There are great social, emotional, and economic demands placed upon our students that many of us never had to face. Members of our school district recognize the need to build and foster relationships that extend beyond the schoolhouse doors. It is important for us to create school environments that allow parents and guardians to feel welcomed, respected, and encouraged to participate. Parents/guardians are the key to a student's success and as a district, we need to work with our stakeholders so they will come to know us, have confidence in our abilities, and value the Malden Public School System. Gone are the days when a school district can go it alone. The world is too complicated and Malden Public Schools will continue to reach out to our partners in the community to assist us in giving Malden's youth the best education a community can provide.

In closing, I would like to say how proud I am to be part of the Malden Public School Department and it is an honor to lead such a professional staff and a supportive community.

I wish you all the best of luck in the upcoming school year.

Sincerely,  
Dr. David DeRuosi, Jr.

## SCHOOLS AND PRINCIPALS/ASSISTANT PRINCIPALS

<b><u>ELC:</u></b>	Principal	Jessica MacLeod	Phone: 781-397-7025
<b><u>Beebe:</u></b>	Principal K-8	Susan Vatalaro	Phone: 781-388-0622
	Assistant Principal 5-8	Maura Donoghue	Phone: 781-388-0629
	Assistant Principal K-4	Kate Greco	Phone: 781-388-0634
<b><u>Ferryway:</u></b>	Principal K-8	Rebecca Gordon	Phone: 781-388-0659
	Assistant Principal K-8	Erin Francescone	Phone: 781-388-0654
	Assistant Principal K-8	Michael Ciampa	Phone: 781-388-0661
<b><u>Forestdale:</u></b>	Principal K-8	Don Concannon	Phone: 781-397-1507
	Assistant Principal K-8	Karie Carpenito	Phone: 781-388-0880
<b><u>Linden:</u></b>	Principal K-8	Richard Bransfield	Phone: 781-388-0868
	Assistant Principal K-4	Peter Dolan	Phone: 781-397-1510
	Assistant Principal 5-8	David Hochheiser	Phone: 781-388-0873
<b><u>Salemwood:</u></b>	Principal K-8	Carol Keenan	Phone: 781-388-0647
	Assistant Principal K-4	Van Huynh	Phone: 781-388-0643
	Assistant Principal 5-8	Abdel Sepulveda	Phone: 781-388-0647
<b><u>Supervisor of Attendance:</u></b>		John Parcellin	Phone: 781-322-4469

## CONNECT-ED MESSAGING SYSTEM

As part of our communication system with parents, the Malden Public Schools uses the Connect-Ed system. The Connect-Ed system allows the superintendent or principals to send information that is time sensitive and relevant to the safety and education of students in our schools. You will be asked to provide the school with a current phone number and an alternate number. During the school year you will receive school messages, for example, student absences, snow days, parent nights, academic events, and reminders such as early release days. If your phone number changes, please let your child's school know of the change in a timely manner.

## CONTACTS FOR DIRECTORY OF PERSONNEL

Daniel Keefe, Athletics and Physical Education	Title IX	781-397-7269
Kelly Chase, Assistant Superintendent	Title II	781-397-7214
Janice Raymond, Director of Literacy	Title I	781-397-7332
Paul Teixeira, Director of English Language Learners	Title VI	781-388-0647
Kelly Chase, Assistant Superintendent	MGL Chapter 76	781-397-7214
Maura Johnson, Assistant Superintendent	603 CMR 46.00 & 504	781-397-7257

**Title II: Title II of the Americans with Disabilities Act of 1990**

Prohibits discrimination, exclusion from participation, and denial of benefits on the basis of disability in the areas of educational programming and activities.

**Title VI: Title VI of the Civil Rights Act of 1964**

Prohibits discrimination, exclusion from participation, and denial of benefits based on race, color, and national origin.

**Title IX: Title IX of the Education Amendments of 1972**

Prohibits discrimination, exclusion from participation, and denial of benefits in educational programs based on sex.

**Section 504: Section 504 of the Rehabilitation Act of 1973**

Prohibits discrimination, exclusion from participation, and denial of benefits based on disability.

**MGL, Ch.76, Section 5: Massachusetts General Laws, Chapter 76, and Section 5**

Prohibits discrimination in all public schools on the basis of race, color, sex, gender identity, national origin, religion, and sexual orientation.

**603 CMR 46.00:**

Massachusetts Board of Education Physical Restraint Regulations governing the use of physical restraint on students in publicly funded elementary and secondary education programs.

Please see page 40 of this handbook regarding the policy and grievance procedures related to Title II, Title VI, Title IX, Section 504, and M.G.L. c. 76 §5. Please see p. X for more information related to Physical Restraint (603 CMR 46.00)

## SCHOOL PROGRAMS

### Early Childhood Education/Pre-Kindergarten

Please refer to The Early Learning Center Handbook. For more information about Malden's Early Childhood Program, call Principal Jessica MacLeod at 781-397-7025.

### Kindergarten

Kindergarten classes are open to all children who will be **5 years of age by September 1st** and are Malden residents. Full-day kindergarten classes are located at all schools. For more information, contact the Parent Information Center at 781-397-1568 or 1569.

### Accelerated and Enriched Academic Program (A.E.-A.P.)

The Accelerated and Enriched Academic Program (A.E./A.P.) is located at The Linden School and is an academically challenging program for students in grades 3-8 who have met specific criteria established for incoming students in August 2012. Students in grades 1 and 2 are encouraged to enroll and participate in our Pre-A.E.-A.P. Program and will be considered for final selection after grade 2. Please note that final selection to the program is done at the end of 2<sup>nd</sup> grade. There is no guarantee that all Pre-A.E.-A.P. students will meet the criteria. It is possible that in exiting the program, your child may have to attend another in-district school. The criterion for A.E.-A.P. include, but are not limited to the following:

1. Students should have "Secured" skills as indicated on their Report Card in Reading and Math Readiness (Kindergarten, 1<sup>st</sup> and 2<sup>nd</sup> grades).
2. Teacher and Principal recommendations, including teacher observation rubric.
3. Other assessments as determined by the screening committee, including state and district assessments.

The academic curriculum for each grade level is based on the high standards set for all of Malden's K-8 schools. However, the Accelerated and Enriched Academic Program will offer opportunities for advanced enrichment and specialized instruction by teachers specially trained in accelerated educational pedagogy. This is to ensure the students' academic needs are being met throughout the program. To apply for the Accelerated and Enriched Academic Program, parents/guardians need to complete and submit an Application Form (available at the Parent Information Center) together with documentation of the criteria listed above to the Parent Information Center, 200 Pleasant Street, Room 121, Malden Government Center. For more program information, contact School Principal Richard Bransfield at 781-397-7218. For application information, contact the Parent Information Center at 781-397-1568 or 1569.

### Programs For English Language Learners

The district offers Sheltered English Language Immersion (SEI) classes to students whose first language is not English and cannot perform ordinary class work in English. In these classes, the curriculum and presentation are designed for children who are learning the English language. Books and instructional materials are in English and all reading, writing, and subject matter are taught in English. English as a Second Language (ESL) support will be offered to English Language Learners at all K-8 schools.

For more information, contact Paul Teixeira, Director of English Language Learners, at 781-388-0647.

### Title One Services

What is Title One? It is the largest federal aid program for our nation's schools. It began in 1965 during President Johnson's administration. The federal government provides funding to states each year for Title One. Title One resources are directed to schools with high poverty levels. To acquire the funds, each state must submit a plan describing high quality standards of performance that all children are expected to meet and ways to measure progress. After the proposals are accepted, the states receive money based on the number of low-income families residing there. The states then distribute the money to the local districts according to the percentage of children from low-income families. Malden's Title One program focuses on Reading and/or Mathematics in the K-8 schools. Title One teachers identify students in need of educational help in those subjects and provide them with appropriate services. The teachers use a variety of teaching methods and materials to assist students to attain grade level proficiency in reading and mathematics. The Director of Literacy is **Janice Raymond** whose office is in the Malden Public Schools Central Office at Government Center – (781) 397-7332. An integral facet of the Title One project is the Family Support Center

on Highland Avenue at the old Emerson School staffed by the Title One Parent Coordinator. The Center is open weekdays from 8:00 a.m. to 12 noon. All parents/guardians are welcome, whether or not their children are in the Title One program. For more information about the Family Support Center, call (781) 388-0690. For more information about Title One, contact Janice Raymond, Director of Literacy and Title I at (781) 397-7332.

**Partnership for Community Schools in Malden**

The Partnership for Community Schools (PCSM) is a collaboration between the City of Malden, the Malden Public Schools, and partner agencies and organizations including the Malden YMCA, the Malden YWCA, Healthy Malden 2000, and others. The primary focus of the PCSM is to provide academic, enrichment, recreational, social, and cultural activities to students in the Malden Public Schools during out-of-school times. These times include before school, after-school, vacation, and summer. Our programs are run at each of the five K-8 schools in Malden. All programs are fee-based with financial aid available.

<b>Program:</b>	<b>Time:</b>	<b>Location:</b>
Before-school Programs	7:00 a.m. to 8:00 a.m.	at selected schools
After-school Programs	2:15 p.m. to 5:30 p.m.	at all five schools
Vacation Programs	9:00 a.m. to 4:00 p.m.	at selected schools (open to all public school children)
Summer Programs	9:00 a.m. to 4:00 p.m.	at selected schools (open to all residents of Malden)

The Partnership also runs adult-education, youth summer programs, and recreational programs throughout the year. For more information, you may call Karen Steele at (781) 397-7320.

**WHAT IS A K-8 SCHOOL?**

It is a school for students making the transition from childhood to adolescence. It is a school addressing the uniqueness of students from kindergarten to grade 8. A K-8 school stresses the importance of academics while giving the student opportunities to explore new and varied courses. Students in grades 5-8 follow a middle school model and are placed on an interdisciplinary team. Our primary responsibility to our students is to promote and support their learning PreK-12. We expect every child in the Malden Public Schools to be educated in learning centered classrooms where:

- There is a decent and respectful classroom atmosphere.
- Students are coached by teachers who have a good rapport with their students, are enthusiastic, and demonstrate passion for their work.
- Students are encouraged to be curious, inventive, and creative.
- There is equitable access to high level learning for all students.
- Students are learning knowledge, skills, and processes as individuals and as team members.
- Instruction is deliberate, thoughtful, and standards based.
- Teachers use a variety of instructional strategies and activities to build on student knowledge and experience.
- Student work including projects, products, and services is shared and exhibited.
- Technology is used to support teaching and learning.

**HARASSMENT and BULLYING**

**Bullying Policy:** Bullying (including cyber-bullying and harassment) are major distractions from learning. The grades of the victims can suffer. Fear can lead to chronic absenteeism, truancy, or even dropping out of school. Bystanders feel both guilty and helpless for not standing up to the bully. Bullying behavior often starts in elementary school and peaks in the middle school years. However, it can attract more attention from adults when it appears in high school. The students are older and physically larger and the behavior is recognized as being less tolerable and more inappropriate. Most bullying by students starts out verbally — teasing and put-downs — and may become progressively worse and assume physical dimensions. Bullying of any type, including cyberbullying, is unacceptable in our schools and

our community. The Malden Public Schools, in partnership with our students and families, will endeavor to maintain a learning and working environment free of bullying.

**Definition of Bullying:** Bullying, including cyber-bullying, as defined by M.G.L. c. 71 §37O, is the repeated use by one or more students or by a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional of a written, verbal or electronic expression, or a physical act or gesture, or any combination thereof, directed at a target that:

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

Cyber-bullying, as defined by M.G.L. c. 71 §37O, is bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic, or photo optical system, including, but not limited to, electronic mail, internet communications, instant messages, or facsimile communications. Cyber-bullying also includes:

- the creation of a web page or blog in which the creator assumes the identity of another person or
- the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions included in the definition of bullying above

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

**Jurisdiction:** Bullying is prohibited on school grounds and property immediately adjacent to school grounds as well as:

- at a school-sponsored or school-related activity, function, or program whether on or off school grounds
- at a school bus stop, on a school bus, or other vehicle owned, leased or used by the school district
- through the use of technology or an electronic device owned, leased or used by a school district or school, and
- at a location, activity, function or program that is not school-related, or through the use of technology or an electronic device that is not owned, leased or used by a school district or school, if the bullying creates a hostile environment at school for the target, infringes on the rights of the target at school, or materially and substantially disrupts the education process or the orderly operation of a school.

**Note:** Nothing contained herein shall require schools to staff any non-school related activities, functions, or programs.

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

**District Responsibilities:** Each year, the district shall...

- Provide all staff members with written notice of the bullying policy.
- Provide students and parents/guardians with written notice of the relevant, student-related sections of the bullying policy in age-appropriate terms and in the languages which are most prevalent in the district.
- Provide age-appropriate instruction on bullying prevention in each grade through an evidence-based curriculum.
- Provide professional development to build the skills of all staff members to prevent, identify, and respond to bullying. The content of such professional development shall include, but not be limited to:
  - developmentally appropriate strategies to prevent bullying incidents
  - developmentally appropriate strategies for immediate, effective interventions to stop bullying incidents
  - information regarding the complex interaction and power differential that can take place between and

- among an aggressor, target, and witnesses to the bullying
- research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment
- information on the incidence and nature of cyber-bullying, and
- internet safety issues as they relate to cyber-bullying.
- Inform parents and guardians about:
  - the bullying prevention curriculum of the school district
  - how parents and guardians can reinforce the curriculum at home and support the school district
  - the dynamics of bullying, and
  - online safety and cyber-bullying.
- Institute a policy regarding internet safety measures to protect students from inappropriate subject matter and materials that can be accessed via the internet and notify the parents or guardians of all students attending the school of the policy.
- Include the skills and proficiencies needed to avoid and respond to bullying, harassment, or teasing in Individualized Education Plans for children with a disability that affects their social skills development and for children who are vulnerable to bullying, harassment, or teasing because of the child's disability.

**Administrative Guidelines and Procedures:** The principal of each school is responsible for the implementation and oversight of the bullying policy at his or her school, including the following guidelines and procedures.

- Students, parents, and other witnesses will report incidents of alleged bullying or retaliation to any staff member, orally or in writing, in a timely manner. Reports may be made anonymously though no disciplinary action may be taken against a student solely on the basis of an anonymous report.
- Staff members including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional, who witness or are informed of alleged bullying or retaliation shall immediately report the incident to the principal or assistant principal right away and complete a Student Disciplinary Referral form by the close of the school day (or by the following morning should the incident happen during an after-school activity). If an assistant principal receives the report, s/he will immediately inform the principal.
- Any principal or assistant principal who receives a report of alleged bullying or retaliation will complete an investigation of the alleged incident within 24 hours of having received the report, including meeting(s) with involved students and witnesses.
  - If the incident includes a possible criminal offense, the Malden Police Department will be notified immediately.
  - If the allegations of bullying or retaliation are substantiated, the principal or assistant principal will determine the appropriate disciplinary response, which may include mediation, detention, suspension (in or out-of-school), or expulsion. The principal or assistant principal will also complete an Incident Report detailing: 1) his/her findings, 2) the disciplinary response, 3) actions that will be taken to prevent further acts of bullying or retaliation, and 4) the procedures and supports that will be used to restore a sense of safety for the target, as necessary. The principal or assistant principal will attach any related Student Disciplinary Referral form that s/he has received to his or her Incident Report.
  - The parents of the aggressor will be notified.
  - The target's parent/guardian will be notified, and to the extent consistent with state and federal law, notify them of the action taken to prevent any further acts of bullying or retaliation.
  - Repeated incidents of bullying by a student will result in more severe disciplinary actions.
- The administrator will notify parents/guardians of the action(s) taken to prevent any further acts of bullying or retaliation.
- The administrator/principal will provide strategies for protection for a person who
  - \*Reports bullying
  - \*Provides information during an investigation of bullying
  - \*Witnesses or provides reliable information about an act of bullying.
- Any student who knowingly makes a false accusation of bullying or retaliation shall be subject to disciplinary action, which may include a warning, detention, or suspension (in or out-of-school).
- If any aggressor of bullying is a staff member, appropriate disciplinary actions will be taken and may include a

reprimand, suspension, or termination depending on the severity of the incident.

- If an incident of bullying or retaliation involves students from more than one school in or outside the district, the school district or school first informed of the bullying or retaliation shall promptly notify the appropriate administrator of the other school district or school so that both may take appropriate action.
- If an incident of bullying or retaliation occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in the district, the Malden Police Department will be contacted immediately.

## **MALDEN PUBLIC SCHOOLS BULLYING PREVENTION AND INTERVENTION**

On May 3, 2010 Governor Patrick signed an *Act Relative to Bullying in Schools*. This new law prohibits bullying and retaliation in all public and private schools, and requires schools and school districts to take certain steps to address bullying incidents. Parts of the law (M.G.L. c. 71, § 37O and 603 CMR 49.00) that are important for students and parents or guardians to know are described above, with the necessary definitions explained below. These requirements are also included in the school's or district's Bullying Prevention and Intervention Plan ("the Plan").

### **Definitions of Terms Associated with Bullying:**

*Aggressor* is a student or member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional who engages in bullying, cyberbullying, or retaliation towards a student.

*Bullying* see definition in section above.

*Cyberbullying* see definition in section above.

*Hostile environment* is a situation in which bullying causes the school environment to be permeated with intimidation, ridicule, or insult that is sufficiently severe or pervasive to alter the conditions of the student's education.

*Target* is a student against whom bullying, cyberbullying, or retaliation is directed.

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

### **IF YOU OBSERVE BULLYING OR HARASSMENT -TAKE ACTION.**

- When you observe adults or students mistreating, disrespecting or condemning others, you **MUST** speak out. Don't "put up with put downs." These would include comments regarding: gender, race, national origin, sexual orientation, and other types of groups.
- Students should report examples of observed harassment or mistreatment. You should speak to a teacher, counselor, or administrator if you witness violations of the policy, and you may do so confidentially. If you wish, you may place a note in administrator's mailbox in the main office.

### **IF YOU ARE A VICTIM OF BULLYING OR HARASSMENT –REPORT IT**

If you feel you have been a victim of any form of harassment (as an individual or as a group) you should report it **IMMEDIATELY** to either the school's principal, an assistant principal, counselor, or a teacher, who will channel it to the appropriate person. Get support. **DO NOT REMAIN SILENT.** If you have been harassed, or, if your civil rights have been violated in any way, you will be listened to, supported, and assisted to the fullest of the school's capabilities.

### **IF YOU BULLY OR HARASS - IT WILL NOT BE TREATED LIGHTLY AND WILL NOT BE TOLERATED.**

The "mildest" consequence for actions that are deemed to be thoughtless and not malicious is a written warning. From there, consequences proceed through parent conferences, mandatory counseling, prohibition from all school sponsored events, suspensions, and possible expulsion from school

## SCHOOL VISITATION POLICY

All visitors entering the Malden Public Schools must report to the main office and sign-in at the time of arrival and departure.

- Parents/guardians and visitors are responsible for obeying traffic rules: this involves drop off and pick up areas and parking in areas around the buildings.
- Guests and visitors, including parents and members of the media, must register in the main office of the school. Sign-in logs and visitor badges will be provided. Signs will be posted on all outside doors directing visitors to register in the school's main office. Guests and visitors must sign-out when leaving the building.
- Classroom visits should be planned in advance with the consent of the principal and notice given to teachers when deemed appropriate by the principal.
- In order not to interfere with the education of children, and in order not to overcrowd a particular school or instructional area, the principal shall have the right to deny a request to visit a particular classroom at a particular time, to restrict the number of visitors to a classroom, and to determine reasonable times for visitors to remain in a classroom or instructional area.
- Students wanting to bring a guest to school must obtain prior approval from the principal.

### Observations for Current or Proposed Special Education Programs

In accordance with M.G.L. c. 71B §3, the Malden Public Schools permits parents and their designees (defined by law as parent designated independent evaluators and educational consultants) to conduct in-school observations of their student's current or proposed special education program.

When a parent or designee wishes to conduct such an observation, the following procedures shall be followed:

1. The parent shall contact the Special Education office and indicate that an observation is requested. The parent will indicate the name of the person who will conduct the observation and the affiliation of that person to the child and/or parent.
2. If the request for the observation comes from someone other than the parent, the school district will need to confirm with the parent the identity of the observer and ensure that the parent consents to the observation. If the designee wishes to observe the student's records, the school district must obtain written consent from the parent before allowing the designee to access the student's record in accordance with the Massachusetts student record regulations.
3. Upon notification of the request for the observation, the school district will provide timely access to the student's current or proposed educational program. The school district will contact the parent and/or designee to schedule a mutually convenient time for the observation. Please be advised that there may be certain times of the year such as when the MCAS is being administered that the district generally will not schedule observations due to the disruption the observation would cause during these particular time periods. If the observation is requested during one of these time periods the district will work with the observer to find another mutually agreeable time for the observation.
4. The school district will also discuss with the parent and/or designee in advance of the observation a reasonable time allotment for the observation. The observer will be permitted to observe both academic and non-academic activities if requested. Observation times will be determined on an individual basis depending on the circumstances of the particular student and/or program to be observed.

5. The Malden Public Schools is responsible to ensure the safety of its students at all times. If, in the opinion of the school district, the observation threatens to compromise the safety of the students in the observed program, the integrity of the program during the observation, or if there is the threat of disclosure by the observer of confidential or personally identifiable information he or she may obtain while observing the program, the school district may impose reasonable limitations and restrictions on the observation. The school district will discuss these concerns with the observer prior to the observation and the school district will make reasonable efforts to work with the observer around these issues to ensure a safe and productive observation. Any limitation and restrictions imposed pursuant to this paragraph will be done on a case by case basis.
6. The Malden Public Schools may exercise its discretion at any time to reschedule or terminate an observation in the event of a building emergency or a disruption that impacts the physical or emotional well-being of the children in the school or the program being observed.

### **K-8 SCHOOL HOURS**

Beebe School Hours: 8:15-2:15  
Ferryway School Hours: 7:45-3:30 (ELT School)  
Forestdale School Hours: 8:15-2:15  
Linden School Hours: 8:00-2:30 (Innovation School)  
Salemwood School Hours: 7:40-3:25 (ELT School)

\*Late Bell is 5 minutes after entrance time.

No student may leave the school after arriving. Any student not in his/her seat by the appropriate time is tardy and must report to the main office for a tardy slip. At dismissal, all students will immediately leave the school grounds. Remaining for an extended period may be considered loitering and may result in further actions up to and including detention, suspension, parental, and/or police notification.

### **CHILD CUSTODY**

If you are divorced (or separated) and have legal custody of your child through a court order, please see that the school administration has a copy of this document. Please do not assume that school employees know about custody issues. Be sure that the principal knows if any family member/adult is not to pick up your child from school. If at any time during the year, a court order is changed or issued, please notify the principal.

### **ATTENDANCE GUIDELINES**

Grades K-8\*

#### **Parental Responsibility**

The Malden Public Schools seeks to promote excellent school attendance. Massachusetts General Laws, Chapter 76 states that parents/guardians are legally responsible for ensuring that a child under their control attends school daily. The school system employs an attendance officer to support families and encourage regular compliance with the state statute. Parents/guardians and other concerned individuals may contact the supervisor of attendance at (781) 322-4469 regarding school attendance issues.

#### **Absences:**

### **STUDENT ABSENCES AND EXCUSES**

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

Therefore, students may be excused temporarily from school attendance for the following reasons: illness or quarantine; bereavement or serious illness in family; weather so inclement as to endanger the health of the child; and observance of major religious holidays.

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

A student's understanding of the importance of day-to-day schoolwork is an important factor in the shaping of his character. Parents can help their children by not allowing them to miss school needlessly.

Accordingly, parents will provide a written explanation for the absence or tardiness of a child. This will be required in advance for types of absences where advance notice is possible.

To ensure continuity and maximum advantage of the school program, students must attend school each day and arrive on time. Parents/guardians are expected to telephone the school office prior to 8:00AM to report that their child will be absent on any given day. In addition, a written excuse from the parent/guardian must be presented the day any pupil returns to school from an absence. Any situation resulting in an absence that may have serious extenuating circumstances must be brought to the attention of the principal, by the parent, as soon as those circumstances are apparent. Absent notes are given to the child's homeroom teacher. The date(s) of the absence, the student's full name, the reason for the absence, and the student's homeroom number should be on the note. Notes are necessary even when a parent has spoken to the principal, assistant principal, or the main office about the absence. Any student who is absent over three (3) consecutive days must report to the main office with his/her note and may be asked to see the school nurse.

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

### **Student Absence Notification Program**

Each Principal will notify a student's parent/guardian within 3 days of the student's absence in the event the parent/guardian has not informed the school of the absence.

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

### **Attendance Policy for The Ferryway School, The Forestdale School, and The Salemwood School**

Effective 2014-2015 school year, all grades 7 and 8 students who attend The Ferryway School, The Forestdale School, and The Salemwood School will be piloting the attendance policy used at Malden High School. The purpose of this is to expose our middle school students to what will be expected of them in grade 9 regarding school attendance. Three unexcused absences per quarter will be allowed. Four or more unexcused absences in a quarter will require the teacher to give the student a 59 for that quarter. A lower grade will be given if the student's actual average is lower than 59. Absences will be considered "excused" for the following reasons only.

**Excused absences** are limited to the following:

1. An illness or injury that prevents the student from attending school upon receipt of doctor's note.
2. A death in the immediate family (parent, sibling, grandparent, aunt, uncle, cousin).
3. A significant personal or family crisis that prevents the student from attending school as approved by school admin.
4. Court appearances: Students must present evidence of the required appearance.

5. Medical or psychological tests during the school day that cannot be scheduled after school or on the weekend: Students must show evidence (such as a note from the health center) that the tests could not be scheduled after school.
6. Religious holy days that require an absence from school to meet religious obligations.
7. Other extraordinary situations approved by the school administration.
8. Disability-related absences.

**Vacations** other than regularly scheduled school vacations **are unexcused absences**. “**Skipping school**” is considered a **truancy** and an unexcused absence.

The penalties for **truancies** are as follows:

FIRST OFFENSE:	Parents contacted: may result in up to five (5) hours of detention
SECOND OFFENSE:	Parents contacted; may result in school suspension
THIRD OFFENSE:	Parents contacted: may result in school suspension/courts may be notified

### **Tardies:**

Students are tardy to school after the late bell has rung and are expected to report to the office as soon as they enter the building. Tardy pupils should bring a note explaining the tardiness, including a phone number at which the parent/guardian may be reached. Administration will determine if the tardiness is excused. The student will receive a tardy slip, which should be given to the homeroom teacher. Any unexcused tardiness will require the student to stay for ½ hour after school in detention. Habitual tardiness may result in extended detention, parental involvement, and/or school suspension

### **Dismissals:**

Ordinarily, students are not dismissed before the designated school’s dismissal time. If circumstances warrant, a student may be dismissed earlier as long as the parent writes a note explaining the need for the early dismissal and the time of the early dismissal. The note must also contain the student’s name and his/her homeroom number. The student must bring the note to the office before the start of school for approval. After approval, dismissal notes are to be given to the homeroom teacher. Any time a student is dismissed, a parent or guardian must report to the office to sign the student out of school.

## **ACADEMIC INFORMATION**

### **Parent/Guardian Responsibilities:**

- Parent and student should talk to one another about homework assigned.
- Parents should monitor their child and provide an appropriate area to do homework.
- Parents should check their child’s agenda book daily (where applicable) and/or messages from teachers.
- Students should have an assignment notebook and parents are encouraged to check homework.
- Student assignments should be neat and completed on time.
- Student excuses for not completing an assignment should be in the form of a note from a parent.
- If a student neglects to do a homework assignment, teachers may require him/her to stay after school and complete the assignment.

### **Homework Policy**

- Homework has an important function in a student’s learning process, and students should generally expect to receive homework assignments each day.
- Teachers use homework in evaluating student progress and achievement.
- The length of time that it takes to complete homework may vary depending on the student’s individual pace.
- It is important that students remember that homework does not mean only written work; reading and reviewing material in class and looking ahead to new materials are parts of homework that are often overlooked by students.
- Long-term assignments help students to learn planning and pacing skills needed to complete these projects.

- Each grade and/or class, in consultation with the principal, will implement his or her own homework requirements. These requirements are based on specific goals and particular needs of each child and are developed by and adhered to by the child's teachers.
- The homework policy ensures that every student will be provided appropriate homework activities to reinforce and expand the concepts being taught and to enhance everyday understanding of course content.
- The following guidelines are set by the Malden School Committee as the minimum amount of time students are expected to spend on daily homework assignments:

Grades K-2	15 minutes per day
Grades 3 and 4	45 minutes per day at the teacher's discretion
Grade 5	45-60 minutes per day
Grade 6	60- 90 minutes per day
Grades 7 and 8	2 hours per day

Teachers are encouraged to coordinate assignments.

### **Make Up Work When Absent From School**

It is the responsibility of each student to make up work missed, including homework, when they return from any absence. This is done by seeing his/her teacher(s) after school and working out a schedule to complete the work missed.

Each teacher is available ½ hour after school each day Monday through Thursday to be of assistance to students or to confer with parents. Once a week grades 7 and 8 teachers will be after school for an extra 30 minutes to assist students.

### **Grading**

**Grades K-4 use a Standards Based Report Card.**

**Grades 5-8 use the following grading scale:**

A+ = 98 – 100	C = 73 – 76
A = 93 – 97	C- = 70 – 72
A- = 90 – 92	D+ = 67 – 69
B+ = 87 – 89	D = 63 – 66
B = 83 – 86	D- = 60 – 62
B- = 80 – 82	F = below 60
C+ = 77 – 79	

There will be two designations for the Honor Roll:

*HIGH HONORS* – a student must achieve all As on his/her report card in all subjects including exploratory subjects.

*HONORS* – a student must achieve Bs or better on his/her report card in all subjects including exploratory subjects.

### **Quarterly Progress Reports and Report Cards**

Student progress is reported to parents in several ways. Students receive a Progress Report and a Report Card four times a year. There are also individual conferences between parents and teachers and two parent visitations. The teachers may also call parents at any time to discuss a student's progress. Parents who wish to make immediate visits with teachers should call or E-Mail the principal or assistant principal's office or send a note to the teacher requesting an appointment. Students and parents/guardians also have access, via their own password, to our X2 On-Line Grading System which allows for students and parents/guardians to check their grades/averages on a regular basis.

**REPORT CARDS** – In grades 1-8 the report cards are issued quarterly. The first three must be signed by a parent/guardian and returned to school within three days. Kindergarten report cards are issued twice yearly.

**PROGRESS REPORTS** – The purpose of the mid-term progress report is as follows:

- To provide parents with information on how their child is doing in school

- To provide positive feedback to students who are doing well
- To provide information to students who are not doing well and to give them the opportunity to improve their performance before the marking period ends.

An unsatisfactory notation may be given to a student for a number of reasons. For example, low or failing performance on tests, incomplete homework, not working up to expectations, not passing in work on time, lack of effort, inappropriate behavior, etc. The progress report is an indicator and is intended to be a motivator for improvement. Progress reports are to be signed by a parent/guardian and returned within three school days.

### **Retention Guidelines for Grades K-5**

- Upon the closing of 2<sup>nd</sup> quarter, parents/guardians will be notified by the principal or designee via letter and meeting that their child is at risk of not being promoted with justification rationale (attendance, academic progress, educational history). A meeting will be held with the parents/guardians, principal, teacher(s), and support personnel to discuss the child's progress using academic, behavioral, and/or intervention data.
- Via a letter and meeting, the final determination of retention will be discussed with parents/guardians in late spring by the principal or designee. Above-mentioned data, and progress since first meeting, will be used to make this determination. The principal is the final arbiter of all decisions regarding retentions.

### **Retention Guidelines for Grades 6-8**

- Students who fail 4 out of 4 major subjects (English, Math, Social Studies, and Science) will be retained and are not eligible for Summer School. Parents/guardians will be notified by the principal via letter.
- Students who fail 3 out of 4 major subjects (English, Math, Social Studies, and Science) will be retained in June and are eligible for Summer School. Upon successful completion of Summer School, student will be promoted to the next grade level in August. Parents/guardians will be notified by principal via letter.
- Students who fail 2 out of 4 major subjects (English, Math, Social Studies, and Science) will be retained in June and are eligible for Summer School. Upon successful completion of Summer School, student will be promoted to the next grade level in August. Parents/guardians will be notified by principal via letter.

### **Cheating Policy**

Any teacher who determines that a student has committed an act of cheating will inform the student and parent/guardian, give a zero for the quiz, test, or assignment, and will not allow the work to be redone or a test to be retaken. The teacher will file an incident report with the appropriate administrator. If a student feels unjustly accused, he/she may request a meeting with the teacher and the administrator before action is taken. The teacher will keep evidence of the cheating incident.

Cheating includes but is not limited to the following:

- Copying another student's homework and/or Giving a Student Your Work to Copy
- Submitting another person's work, as your own (e.g., compositions, research projects, etc.)
- Using a crib sheet or any other type of concealed answers during a test or quiz
- Looking at another student's quiz or test to copy answers
- Leaving a classroom during a test and obtaining answers
- Deliberately ignoring test instructions
- Obtaining copies of a test or test questions illegally
- Plagiarism in any form (e.g., copying of notes, magazines, encyclopedias, etc. without proper documentation and downloading and/or copying from Internet)
- Unlawful use of computer software programs and CD-Rom materials
- Use of any unauthorized electronic devices (ex. Text messaging, cameras)

### **Parent/Guardian - Teacher Report Card Conferences**

Parent visitation provides an opportunity for parents to become better acquainted with the school and their child's teachers. There are two scheduled parent visitations during the school year. The dates and times of the parent visitations will be determined by each school's administration. Parents should check for flyers, notices, the Malden Public School website ([www.maldenps.org](http://www.maldenps.org)), MATV, and Connect-Ed.

## **Extracurricular and Co-Curricular Activities**

It must be clearly understood that participation in athletic activities in the Malden Public Schools is a privilege- not a right- extended to those students who conformed to the rules and regulations of eligibility and behavior set by the Massachusetts Interscholastic Athletic Association and the Malden Public Schools. A student must be present on the day in order to participate in an activity. The student athletes who exercise their privilege to participate are representing their school, community, family, and themselves, and therefore assume a greater responsibility for their behavior. The student participating must represent the Malden Public Schools and the ideals that it stands for and must act in a manner, which illustrates ideals of leadership, high moral character, loyalty, and academic “good standing”.

## **Physical Education Requirements**

All students in K-8 have physical education as part of the school requirements. Students in grades 5-8 taking physical education may be required to bring a change of clothing. Showers are available in the locker rooms. For the safety of all, we do not allow in the locker rooms:

- Glass
- Aerosol cans/Spray bottles
- Hairspray
- Nail polish
- Cologne/Perfume

In order for a student to be excused from gym class he/she must obtain a note from a parent, or the approval of the physical education teacher, the office, or the school nurse. Students must have a doctor’s written statement for any condition requiring two or more consecutive absences from gym. Unless a student has been excused from physical education for medical reasons, he/she will be required to make up all classes missed.

## **Field Trips**

During the school year teachers may schedule educational or recreational field trips for their classes. Before a student is allowed to attend a field trip, he/she must turn in a permission slip signed by their parent/guardian. Students may be ineligible to attend a field trip if teachers and/or the administration feel that their schoolwork has been neglected or their behavior has been inappropriate.

When representing our school and community on a field trip, students will:

- Remember to observe all school rules and behaviors
- Respect all adults
- Stay with their assigned groups
- Follow directions of teachers and chaperones
- Always let their assigned adults know where they are
- Use appreciative responses – “please, thank you,” etc.
- Follow bus rules

## **Band**

Band is an academic course that provides the opportunity for students to perform and to enhance their musical skills. Students selecting this course are required to make a commitment of time and energy that includes parades, evening performances, and after school rehearsals, as well as completing missed academic work.

# **SCHOOL RECORDS**

## **Providing Student Records**

A student transferring into the Malden Public Schools must provide a complete school record. Said record shall include, but not be limited to, any incidents involving suspension or violation of criminal acts or any incident reports in which such student was charged with any suspended act. M.G.L. c. 71 §37L.

## **Release of Information About Students**

The Malden Public Schools' treatment of student records shall be consistent with applicable state and federal law. 603 CMR 23.00 describes parents' and students' rights of confidentiality, inspection, amendment, and destruction of students' records in Massachusetts.

A parent (or student who has entered the 9<sup>th</sup> grade or is at least 14 years old, called the 'eligible student') has the right to inspect all portions of the student record upon request. The record must be made available to the parent or eligible student as soon as practicable and within 10 days after the request, unless the parent or student consents to the delay.

The parent and eligible student have the right to receive copies of any part of the record. A reasonable fee may be charged for the cost of duplicating the materials, unless charging the fee would effectively prevent the parent or eligible student from exercising their right under federal law to inspect and review the records.

The parent and eligible student may request to have parts of the record interpreted by a qualified professional of the school or may invite anyone else of their choosing to inspect or interpret the record with them.

It is necessary for divorced parents to submit a copy of the custody agreement or order, and any subsequent changes made thereto, to the District so that District personnel may identify which of the parents has physical custody of the child. The non-custodial parent may access his/her child's record unless:

1. the parent has been denied legal custody or has been ordered to supervised visitation, based on a threat to the safety of the student, and the threat is specifically noted in the order pertaining to custody or supervised visitation, or
2. the parent has been denied visitation, or
3. the parent's access to the student or to the custodial parent has been restricted by a temporary or permanent protective order, unless the protective order (or any subsequent order modifying the protective order) specifically allows access to the information contained in the student record, or
4. there is an order of a probate and family court judge which prohibits the distribution of student records to the parent.

The District shall place in the student's record any documents indicating that a non-custodial parent's access to the student's record is limited or restricted pursuant to 603 CMR 23.07(5)(a).

**Non-Custodial Parent Access:** In the case of a non-custodial parent who is eligible to access the student record, i.e., does not fit any of the four (4) categories under 1-4 above, the non-custodial parent must submit a written request for the student record to the school principal. Upon receipt of the request, the principal and/or his/her designee shall immediately notify the custodial parent by certified and first class mail, in English and the primary language of the custodial parent, that it will provide the non-custodial parent with access after 21 days, unless the custodial parent provides the principal with documentation that the non-custodial parent is not eligible to obtain access as set forth under 1-4 above.

When the student record is released to the non-custodial parent, the school will delete all electronic and postal address and telephone number information relating to either work or home locations of the custodial parent from student records provided to non-custodial parents. In addition, such records will be marked to indicate that they shall not be used to enroll the student in another school.

Please consult your school principal for further information.

### **Confidentiality of School Records**

All information regarding students is confidential. No individuals or organizations but the parents/guardians, student, and school personnel working directly with the student are allowed to have access to information in the student record without the specific, informed, written consent of the parent or student. Teachers have a moral responsibility to protect the well being of their students. For this reason, students should be aware that some information that they share with school personnel cannot remain confidential. This includes any information, which is reported to a staff member, which could result in personal harm to the student, such as abuse or neglect, drug use, suicide, etc.

### **Amendment of School Records**

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

### **Destruction of School Records**

After five years, everything is removed from the folder with the exception of the “permanent record” which includes the student’s vital statistics, course record and grades. State law mandates that the school keep this basic information for 60 years. School authorities are also allowed to destroy misleading, outdated, or irrelevant information in the record from time to time while the student is enrolled in the school system. Before any such information may be destroyed, the parent and student must be notified, and have an opportunity to receive a copy of any of the information before its destruction.

### **School Transfers Out of District**

Parents should call the office to inform the school of a transfer to another school. The office will need to prepare the records and make out a Massachusetts Transfer Card. In order to complete the card the student’s new address and the name of the new school is needed. Students should report to the office the morning of their last day. They should return all school materials and equipment before leaving. When all responsibilities have been taken care of, the parent/guardian of the student will be given his/her transfer card and a copy of his/her immunization record to take to the new school. The Malden Public Schools will forward student records to the school/s in which the student seeks or intends to enroll without written consent from the parent or eligible student pursuant to 603 CMR 23.07(4)(g).

### **School Transfers within the Malden Public Schools For The Next School Year**

Parents/Guardians of children attending the Malden Public Schools who are interested in transferring their child for the **next school year** may complete a **Request for Transfer Form** at the Parent Information Center in May. These requests will be processed during the first weeks of July, once the district has confirmed the number of available seats. School transfers will follow the school district’s “Controlled Choice” Student Assignment Plan.

### **School Transfer Requests For The Current School Year**

Parents/Guardians of children attending the Malden Public Schools who are interested in transferring their child **during the current school year** must request a transfer at the Parent Information Center. Current school year transfer requests will be evaluated on an individual basis. No more than one school transfer per year shall be granted. No requests will be honored after the first 15 days of school. School transfers will follow the school district’s “Controlled Choice” Student Assignment Plan.

### **Change of Address**

Any time a student changes his/her address or telephone number the school office should be notified immediately. The parent/guardian must provide the school with a utility bill/ lease etc. which shows the parent/guardian’s name and current address. Any change in contact information, including telephone numbers, should be submitted to the office immediately. If a student is moving from Malden, the parent must come to the school office to sign transfer documents.

(See TRANSFERS)

### **Access of Third Parties**

With certain exceptions, no third party shall have access to student records without written consent of the parent or eligible student. According to Student Record Regulations the following information may be released by the school administration without consent, unless a student or parent specifically requests that it not be released without their prior consent.

- Name, address, telephone listing, date/place of birth, major field of study, dates of attendance, weight/height (for members of athletic teams) class participation in officially recognized activities and sports, degrees, honors and awards, post high school plans.

The student records regulations allow other exceptions to the requirement for written consent, such as the ability to disclose information regarding a student to appropriate parties in connection with a health or safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals, upon the receipt of a court order, or when given anonymously in a statistical form to the Department of Elementary and Secondary Education (DESE) or independent researchers, or as requested by representatives of the DESE acting for the Commissioner in connection with the enforcement of federal and state education laws.

(The above is only a summary of some of the more important provisions of the regulations pertaining to student records that relate to student and parent rights. If more detailed information is desired, a copy of the regulation may be reviewed at the school's guidance office. See 603 CMR 23.00)

### **District Curriculum Accommodation Plan**

As required by law (Chapter 71 M.G.L Section 38Q ½), school districts in Massachusetts must develop a District Curriculum Accommodation Plan (DCAP). The intent of the plan is to guide educators in ensuring that all efforts are made to accommodate a student's needs in regular education. The law states, "A school district shall adopt or implement a curriculum accommodation plan to assist principals in ensuring that all efforts have been made to meet the students' needs in regular education. The plan shall be designed to assist the regular classroom teacher in analyzing and accommodating diverse learning styles of all children in the regular classroom in providing appropriate services and support within the regular education programming, including, but not limited to, direct and systematic instruction in reading and provision of services to address the needs of children whose behavior may interfere with learning, or who do not qualify for special education services under Chapter 71B. The curriculum accommodation plan shall include provisions encouraging teacher mentoring and collaboration and parental involvement." The objectives of Malden Public Schools' DCAP are to assist the general education teachers in meeting the diverse needs of all students, to recommend instructional interventions for struggling learners, and to highlight resources available to teachers in the areas of student support, mentoring, professional development, and coaching.

### **STUDENT SUPPORT TEAM (SST)**

One of the functions of the general education staff is the Student Support Team, where teachers can receive assistance for difficulties a general education student may be experiencing. Prior to referral for a Special Education Evaluation within the general curriculum there are instructional and remedial services for students having difficulty. Then in addition there is a Student Support Team.

The Student Support Team is comprised of an administrator and various classroom teachers and specialists. The role of the team is:

1. To provide a forum for the discussion of any child demonstrating difficulties (both academically and/or behaviorally) whose teacher desires advice or support.
2. To brainstorm possible strategies, modifications, and/or resources for the classroom teacher to implement; along with implementing interventions with fidelity including data collection and analysis.

### **SPECIAL EDUCATION SERVICES**

The purpose of Special Education State and Federal Law is to ensure that eligible Massachusetts students receive specialized instruction designed to develop individual students' educational potential in the least restrictive environment.

Eligible students shall mean a student ages three through twenty-one who has not attained a high school diploma or its equivalent, who has been determined by the Team to have a disability (ies), and as a consequence is unable to progress effectively in the general education program without specially designed instruction or is unable to access the general curriculum without a related service (603 CMR 28.02(9)).

A disability shall mean one or more of the following impairments:

- Autism
- Development Delay
- Intellectual Impairment
- Sensory Impairment
  1. Hearing
  2. Vision
  3. Deaf / Blind
- Neurological Impairment
- Emotional Impairment
- Communication Impairment
- Physical Impairment
- Health Impairment
- Specific Learning Disability

A referral for a Special Education evaluation may be made by a parent or any person in a care giving or professional position concerned with the student's development (28.04 (1)). Once a referral has been made, a consent form describing the types of testing suggested is sent to the parent/guardian. In addition, a Parent's Rights brochure is provided as well as information on the opportunity to consult with the Special Education Administrator, prior to the evaluation, to discuss the recommended assessments and the evaluators. Once consent has been received from the parent/guardian, a multi-disciplinary, appropriately credentialed, team will complete a thorough and comprehensive evaluation, including assessments in all areas of the suspected disability. A team meeting of all the evaluators and the parent/guardian then meet to review the testing and to determine eligibility for Special Education. Once eligibility is determined, the team then develops an Individualized Education Program (IEP) for the student in the least restrictive setting possible. There is a wide range of services available to students with disabilities. In addition, special educators work with general education teachers to assist them in making accommodations and modifications for students with disabilities within the general curriculum.

### **504 ACCOMMODATION PLANS**

The Rehabilitation Act Section 504 is a non-discrimination statute that ensures disabled students have educational opportunities and benefits provided to non-disabled students. Students may be eligible for educational services under Section 504, as well as under State and Federal Special Education laws. Eligibility under 504 requires that a student has, or has a record of having, or is regarded as having a physical or mental impairment, which substantially limits major life activity, such as learning, self care, walking, seeing, hearing, speaking, breathing, working or performing manual tasks. Evaluation and services are available to students meeting the above criteria through a 504 Accommodation Plan.

### **GENERAL GUIDELINES**

#### **Dress Code**

In accordance with Massachusetts State Law, there is an expectation that students dress in keeping with reasonable standards of safety, health, and cleanliness, so as not to detract from the education process. There is an expectation that students dress in a manner that is appropriate for a place of work or study. An individual's grooming, the way he/she dresses, and how he/she behaves does have a bearing on how others react to him/her. Dress and grooming should be clean and neat. If style demonstrates that it is disruptive to the educational process, constitutes a threat to the safety and health of self and others, or is in violation of any statute, it will not be permitted in school.

Due to the disruption caused by the wearing of certain items, **the following are not permitted:**

- Clothing with any picture and/or wording that relates or infers to sex, alcohol, drugs, tobacco, or improper language
- Hats, headbands, hoods, bandanas, or any other head coverings (except for religious reasons) and sweatbands or wristbands
- Clothing worn in such a manner as to reveal underwear, cleavage, or bare skin between the upper chest, belly area, and mid-thigh.
- Spaghetti straps, strapless tops, and halter tops
- See through and/or mesh garments
- Visible undergarments
- Clothing that is excessively baggy or tight.
- Skirts and shorts shorter than mid-thigh – even if wearing tights.
- ‘Wheelie’ sneakers/shoes (those containing wheels, hidden or visible, for skating)
- Sunglasses worn inside the school building
- Clothing that advertises adult entertainment symbols (Playboy, Playgirl, etc)
- Clothing or article that suggests gang activities
- `Chains (wallet, belt, large neck chains, etc.)
- Spiked collars, spiked belts, spiked bracelets
- Pants, when the waist falls below hip or the length of the pant touches the floor.
- Any other article of appearance that is physically revealing or provocative

The school principal, having discretion to render judgments regarding what is and what is not appropriate, may, if necessary, waive these policy restrictions in religious and/or medical situations. The principal will determine what consequences should follow when a student does not comply with this policy. A student may be sent home to dress appropriately or a parent may be required to bring in a change of clothing.

*All outer garments (ex. jackets/parkas/windbreakers etc.) and book bags must be removed and left in the student’s locker during the school day.*

### **Electronic Devices**

The following articles will be considered inappropriate and not allowed to be used in school:

- Cell phones, radios, tape players, CD players, MP3 players, IPODs, and/or any headset players
- Hand held video games
- Roller blades and/or skate boards
- Scooters
- Trading Cards of any kind
- Laser Pointers which are considered dangerous weapons and will not be returned. See page 33
- Any student in possession of stated articles will have the following occur:

FIRST TIME – Said article will be taken from student and may be picked up after school.

SECOND TIME – Said article will be taken from student and returned to parents only.

THIRD TIME- Said article will be taken from student and returned on the last day of school.

### **Use of Cell Phones**

- Cell phones and/or pagers may be brought with the permission of a parent/guardian. Use of cell phones during the school day is prohibited, and the power must be turned off. Cell phones are not allowed in bathrooms or locker rooms. Cell phone usage is not allowed within the school building. It is the students’ responsibility to ensure that their cell phones are turned off and put away. Students who violate the above restrictions shall be deemed to have created a disruption to the instructional environment and are subject to disciplinary action including suspension, as well as confiscation and return of the phone to the students’ parents or guardians.
- Students should be personally and solely responsible for the security of their cell phones. Malden Public Schools shall not assume responsibility for theft, loss, or damage of a cell phone, or unauthorized calls made on cell phones.

## **Valuables**

The school will not assume responsibility for valuables left in desks, homerooms, coat pockets, or unlocked lockers. Parents should put name labels on all students' personal belongings. These markings will help school staff locate lost items. Do not allow your child(ren) to bring extra money, valuable items, toys, and electronic devices to school unless written approval has been given by the child's teacher.

## **Snow Days**

School cancellation announcements will be made on Connect-Ed, as well as the following radio and television stations:

- WBZ radio 1030 AM
- WBZ TV channel 4
- WHDH radio 850 AM
- WHDH TV channel 7
- WEEI radio 590 AM
- WCVB TV channel 5

**Please do not call the school, the police, or the fire department for this information.**

## **Tobacco-Free Environment**

No one is allowed to smoke or to use smokeless tobacco on school buses, school property before or after school, anytime during the school day, or at co-curricular or athletic activities. M.G.L. c.71 §37H.

## **Bathroom Privileges**

Bathrooms are available during school hours. If a student needs to use the bathroom during class time, it is with the permission of the teacher, who must sign their bathroom pass and/or log book. If the teacher feels that any student is asking to leave class too often, the school nurse will be asked to contact the home, and perhaps a doctor's note will be needed to verify that a student needs unlimited use of the bathroom.

## **Passes**

Every student is expected to follow his or her daily schedule. Students must have a pass to deviate from this schedule. Any student out of a classroom during class time must have a written pass signed by a teacher. **NO EXCEPTIONS WILL BE ALLOWED.** Said pass must have a departure time designated. Students found in an unauthorized area of the building without permission may be subject to suspension.

## **Lockers**

Students are assigned a locker. This locker is designed only as a place to deposit coats, hats, boots, books, and lunches. Lockers should only be used at designated times. All lockers are loaned to students. When their assigned lockers are unattended, students in Grades PreK–6 may be required to keep them locked with a combination lock. Students in Grades 7 and 8 are required to keep them locked. School lockers are school property and, therefore, lockers may be searched at any time for any reason, and students have no expectation of privacy in the contents of the locker.

## **Passing in Corridors**

It is understood by teachers and administrators that students need time during the day in which to talk over the day's events and plan activities for after school. Therefore, quiet discussion will be allowed while passing in the corridors. In no way are the following rules an attempt to take this activity away from students. The short period of time between classes, the distances traveled, the number of students enrolled in school where classes are being conducted, make it necessary to list the following rules for behavior in corridors:

- Walk at a normal pace
- No running, jumping, or pushing
- Stay to the right
- No yelling or loud conversation
- Take the most direct route
- No physical contact

### **Phone Calls and Messages**

Students may not receive any incoming phone calls. Messages will be given to students. Parental and emergency messages only will be delivered. A student will be allowed to use the office phone for emergencies. The pay phone may be used with permission from the office.

### **Lost Books and Materials**

Students are responsible for all texts, paperback books, and other school supplied materials and must pay for loss or damage. At the end of the year, report cards may be withheld from those students who have not made restitution.

### **Elevator**

If for medical reasons using the elevator becomes necessary, student(s) will bring in a doctor's note. The school nurse will issue an elevator pass to the student for a prescribed number of days. Students with permission are to take one friend, to help carry their books, on the elevator.

### **Crutches**

If a student requires crutches while in school, a doctor's note is required, which must state the duration of use and that the child has been properly instructed in crutch use. If a student also requires the use of the elevator, the note must include treatment plan for crutches and length of elevator use. Any student reporting to school on crutches without written permission as indicated, the parent will be notified and the student will be sent home. Elevator passes will not be issued without a doctor's note.

### **Assemblies**

We may ask teams, grades, or the entire school to gather for an assembly program. We hope that students enjoy these programs because they are designed to be educational, informative, and entertaining. When students are invited to the auditorium, we ask that they arrive promptly, sit with their class, behave, relax, and enjoy the program. Polite applause is expected and rude behavior will not be tolerated.

### **Safety Drills**

In order to provide the safest and most secure learning environment for our students, we will be practicing three types of Safety Drills throughout the school year: Shelter-In-Place, Lockdown, and Evacuation. This insures that all students will know what to do in the event of an actual emergency.

### **Fire Drill Procedures**

Students will follow the directions of the teacher and obey the posted fire drill procedure for each room. The following rules will be observed:

- Look for the fire drill instructions in every room.
- Walk in silence and at a normal pace.
- Stay with the class at all times and assemble in an area outside the building designated by the teacher.
- Do not return to the building until told to do so by the teacher.
- Upon your re-entry to the building, proceed directly back to the classroom.
- If any alarm is sounded when a student is not in a classroom, leave by the closest exit and report to the nearest teacher.

### **Lunch Program**

Students will eat lunch in the cafeteria where they may purchase a hot lunch, sandwich, or bring their own lunch from home. Applications will be available for students qualifying for the free/reduced lunch program. For safety reasons, students are not allowed to bring glass bottles containing food or beverages to school. All eating and drinking is confined to the cafeteria, unless otherwise has been approved by the principal.

## **HEALTH SERVICES**

## **Nurse/First Aid**

If a student becomes ill in school, the student must ask his/her teacher for permission to see the nurse. If the nurse is not in the building, the student is to go to the principal or assistant principal's office. Students are not dismissed for illness unless the school contacts a parent or guardian. All students dismissed by the nurse will report to the main office before leaving the building. Any student having any kind of physical confrontation/incident shall be seen by a school nurse.

## **Immunization Requirements**

THE STATE LAW CHAPTER 76, SECTION 15, INDICATES THAT NO CHILD SHOULD BE ADMITTED TO SCHOOL UNLESS HE OR SHE HAS BEEN IMMUNIZED AGAINST DIPHTHERIA, TETANUS, PERTUSSIS, MEASLES, AND POLIO except for medical or religious reasons. PARENTS MUST INDICATE DATES OF IMMUNIZATION. Department of Public Health regulations effective March 1, 1990, require children to present evidence of having been previously screened for lead poisoning as a condition for entry into kindergarten. Parents should provide documentation from their child's pediatrician. Immunization inoculations may be obtained from a private physician or by appointment from the Board of Health Clinic. All immunizations must meet Massachusetts's minimum requirement and must be certified in writing by a licensed physician before a student accompanied by a parent/guardian is admitted to school.

## **Massachusetts State law requires the following immunizations:**

Students entering **pre-school** need:

- 3 doses of Hepatitis B,
- at least 4 doses of DtaP/DTP/DT/Td,
- at least 3 doses of Polio,
- 1- 4 doses of Hib,
- 1 dose of MMR,
- 1 dose of Varicella or documentation of chicken pox, by physician,
- a physical exam (within 6 months),
- Lead screening – most recent, date and results
- TB test and results, treatment if necessary

Students entering **kindergarten** need:

- 3 doses of Hepatitis B,
- 5 doses of DTaP/DTP/DT/Td,
- 4 doses of Polio,
- 2 doses MMR
- 2 doses of Varicella or documentation of chicken pox, by physician,
- a physical exam (within 6 months),
- Lead screening - most recent, date and results
- TB – test and results, treatment if necessary

Students entering grades **1-6** need:

- 3 doses of Hepatitis B,
- at least 4 doses of DTaP/DTP or at least 3 doses of Td,
- at least 3 doses of Polio,
- Grades 1-3= 2 doses of MMR
- Grades 4-6= 1 does of MMR,
- Grades 1-3=2 doses of Varicella,
- Grades 4-6= 1 does of Varicella,
- a physical exam on file and 5<sup>th</sup> graders need updated physical,
- Tb test or documentation of low risk (is not a state requirement, but is a city requirement)

Students entering grades **7-12**

- 3 doses of Hepatitis B,

- 4 doses of DTaP/DTP/DT/TD *and* 1 TD booster,
- 3 doses of Polio,
- 2 doses measles, 1 dose mumps, 1 dose rubella,
- Varicella – Grades 7-10= 2 does , Grades 11-12= 1 dose, or documentation of disease by physician,
- Physical exam – within 6 months,
- TB test and results, treatment if necessary
- **Failure to meet these requirements will result in exclusion from school until written documentation has been submitted.**

### **Medication in School**

Students are not allowed to carry prescription or over the counter medication on their person or in their locker except inhalers and epi-pens, and only if a medication administration plan has been developed by the nurse for the student See 603 CMR 210. All medication must have a written parent permission form filled out and submitted with medication to the nurse. Prescription medications must also have physician consent form filled out and submitted to nurse. The school does not supply over the counter medications. Students in grades K-8 must have medication brought in by parent/guardian. Students are not to transport medication to and from school. All medication must be brought into school in the original containers.

### **Physical Examination Requirements**

A complete physical examination is required of all children entering kindergarten or first grade for the first time. Completed physical examination forms must be presented no later than the first day of school in September. No child will be able to attend school without providing all required medical documentation. Only upon completion of this process will a child be fully registered and allowed to begin school. For more information about immunizations and physical examination requirements, contact Ms. Karen Reynolds, Nursing Supervisor, at 781-397-7210.

### **Guidance Counselor**

The guidance counselor is an integral part of the educational team providing services to students, parents, teachers and administrators. The counselor’s goal is to help each student to identify his/her needs, interests, and aptitudes and to use this information to get the most from their educational experience.

The guidance counselor will provide the following services:

- Individual counseling regarding personal problems, school, or home related.
- Information regarding school programs and course selections.
- Academic appraisal through interpretation of test results.
- Vocational and career information and educational opportunities beyond high school.

If a student wants to see the guidance counselor, he/she should go before school to make an appointment. If an emergency exists, other arrangements will be made.

### **Adjustment Counselor**

The adjustment counselor or team chairperson may be responsible for setting up and chairing Evaluation Meetings under Chapter 766. An administrator, teacher, or parent refers students to the adjustment counselor. The adjustment counselor also provides individual and group counseling to students as well as consultations to staff and parents/guardians as needed.

### **Home Instruction/Hospitalization**

Per the Massachusetts Department of Elementary and Secondary Education, “upon receipt of a physician’s written order verifying that any student enrolled in a public school or placed by the public school in a private setting must remain at home or in a hospital on a day or overnight basis, or any combination of both, for medical reasons and for a period of not less than fourteen school days in any school year, the principal shall arrange for provision of educational services in the home or hospital. Such services shall be provided with sufficient frequency to allow the student to continue his or her educational program, as long as such services do not interfere with the medical needs of the student.”

## **DISCIPLINARY ACTIONS**

### **When Students Have to Report After School For More Than 1 Teacher:**

When two or more teachers ask a student to report after school for misconduct on the same night, the student should report to the teacher who told them to stay first. When the student leaves the teacher, he/she should ask for a note to show the second teacher. If a student is told by two teachers to stay for make-up work, the student should stay first for the teacher whose make-up night it is that day. If an assistant principal had told a student to report to a teacher after school, the student should bring a note from that teacher to the assistant principal's office before leaving school. If a student's behavior requires staying after school, then this takes precedence over staying after school for extra help. Discipline always takes preference over make-up work.

### **Detention**

There are two types of detentions assigned to students, teacher detention and/or office detention. A teacher detention can be assigned whenever a teacher feels that student behavior is not appropriate or when academic work is not complete. Only an administrator assigns an office detention for behavior which violates the school's rules and policies. Office detention runs for 30- 60 minutes depending on the grade level of the student and the disciplinary infraction.

## **PRINCIPAL'S DISCRETION**

In every case of student misconduct for which suspension may be imposed, the principal, or his/her designee, shall exercise discretion in deciding the consequence for the offense. The principal shall consider ways to reengage the student in learning and shall attempt to avoid long term suspension as a consequence until alternatives have been tried. These alternatives may include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and positive behavioral interventions and supports.

### **PROCEDURES FOR SHORT-TERM SUSPENSION**

**(exclusion of a student from school premises and regular classroom activities for a specified period of not more than ten school days.)**

The principal, or his/her designee, may suspend students on a short-term basis. Unless a student poses a danger to persons or property, substantially and materially disrupts the order of school, possesses a firearm, controlled substance, or assaults a school staff member, the student will receive the following prior to a short-term suspension:

1. Oral and written notice of the charges in English and the primary language of the home if other than English. This notice shall include:
  - i. The disciplinary offense;
  - ii. The basis for the charge;
  - iii. The potential consequences, including the potential length of the suspension;
  - iv. The opportunity to have a hearing with the principal and the parent concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident;
  - v. The date, time, and location of the hearing;
  - vi. The right of the parent and student to interpreter services at the hearing; and
  - vii. If the student may be placed on a long-term suspension following the hearing with the principal:
    1. The rights set forth under the "Procedures for Long-Term Suspension"; and
    2. The right to appeal the principal's decision to the superintendent.
2. At the hearing, if the student and/or parent elects to attend, the student shall have the opportunity to present his/her version of the relevant facts and any mitigating circumstances. The principal shall make reasonable efforts to

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

3. Based on the available information, the principal shall make a determination as to whether the student committed the disciplinary offences and what remedy shall be imposed. The principal shall notice the student and parent in writing of his/her decision, the reasons for it, and, if applicable, the type and duration of the suspension and the opportunity to make up assignments and other academic work.
4. If the student is in a public preschool program or in grades K through 3, the principal shall send a copy of the written determination to the superintendent and explain the reasons for imposing an out-of-school suspension, before the suspension takes effect.

### **PROCEDURES FOR EMERGENCY REMOVAL**

If the student's continued presence poses a danger to persons or property, or materially and substantially disrupts the order of the school and, in the principal's judgment, there is no alternative available to alleviate the danger or disruption, the principal shall temporarily remove the student from the school. This temporary removal shall not exceed two (2) days following the day of the emergency removal and the superintendent shall be immediately notified of the removal. Additionally, the principal shall make immediate and reasonable efforts to orally notify the student and student's parent of the emergency removal, the reason for the emergency removal, and the other information required in a short-term suspension notification. The short-term suspension notice shall be provided in writing to the student and parent. The opportunity for a hearing with the principal shall occur within two (2) school days, unless otherwise extended by the school and parent. A decision regarding the student's continued suspension or other removal shall be rendered the same day as the hearing and written notice shall be provided the following school day. This written notice shall include all the information required based on the type of discipline imposed (short-term suspension, in-school suspension, long-term suspension, or expulsion).

The principal may also remove a student from privileges, such as extracurricular activities and attendance at school-sponsored events, based on a student's misconduct. This type of removal is not subject to the procedures for suspension and expulsion outlined in this policy.

### **PROCEDURES FOR AN IN-SCHOOL SUSPENSION**

An in-school suspension may be used as an alternative to short-term suspension for disciplinary events. An in-school suspension means the removal of a student from regular classroom activities, but not from the school premises, for no more than ten (10) consecutive school days, or no more than ten (10) school days cumulatively for multiple infractions in one school year.

If the principal chooses this alternative, the principal shall inform the student of the disciplinary offense charged and the basis for that charge and provide the student an opportunity to dispute the charge and explain the circumstances surrounding the charge. If an in-school suspension is issued, the principal shall make reasonable efforts to notify the parent orally of the disciplinary offense, the reasons for concluding that the student committed the offense, and the length of the in-school suspension.

The principal shall also invite the parent to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. This meeting shall be scheduled on the day of the suspension, if possible, or as soon as possible thereafter. The principal shall also send written notice to the student and parent about the in-school suspension, including the reason and length of the in-school suspension, and inviting the parent to the above described meeting, if such meeting has not already occurred.

### **PROCEDURES FOR LONG-TERM SUSPENSION**

**(exclusion of a student from school premises and regular classroom activities for more than ten school days.)**

The principal, or his/her designee, may issue long-term suspensions at the building level. The principal may also issue expulsions for the offenses set forth in M.G.L. c. 71, §37H and §37H½. Expulsions for other offenses are handled by the School Committee pursuant to M.G.L. c. 76, §16 and §17.

1. In the event of a long term suspension or expulsion, the student will be provided oral and written notice of the charges in English and the primary language of the home if other than English. This notice shall include:
  - i. The disciplinary offense;
  - ii. The basis for the charge;
  - iii. The potential consequences, including the potential length of the suspension;
  - iv. The opportunity to have a hearing with the principal and the parent concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident;
  - v. The date, time, and location of the hearing; and
  - vi. The right of the parent and student to interpreter services at the hearing.
5. The principal shall make reasonable efforts to notify the parent orally of the opportunity to attend the hearing. To conduct the hearing without the parent, the principal must be able to document reasonable efforts to include the parent. The principal is presumed to have made reasonable efforts if the principal sent written notice and has documented at least two (2) attempts to contact the parent in the manner specified by the parent for emergency notification.
2. In advance of the hearing, the student shall have the right to review the student's record and the documents upon which the principal may rely in making a determination to suspend the student.
3. The student shall also have the right to be represented by counsel or a lay person at the choice and expense of the student/parent.
4. At the hearing, if the student and/or parent elects to attend, the student shall have the opportunity to present his/her version of the relevant facts and any mitigating circumstances. The student shall also have the right to produce witnesses and the right to cross-examine witnesses presented by the school. The student may request that the hearing be audio recorded by the principal and may request a copy of the recording. All parties must be made aware that the hearing is recorded in advance of the hearing.
5. The parent, if present, shall have the opportunity to discuss the student's conduct and other information, including mitigating circumstances, that the principal should consider in determining consequences for the student.
6. The principal shall make a determination as to whether the student committed the disciplinary offences and what consequences shall be imposed. The principal shall notice the student and parent in writing of his/her decision, including the following information:
  - i. The disciplinary offence, the date on which the hearing took place, and the participants in the hearing;
  - ii. The key facts and conclusions reached by the principal;
  - iii. The length and effective date of the suspension and the date of return to school;
  - iv. The notice the student's opportunity to receive education services to make academic progress during the suspension;
  - v. The student's right to appeal the principal's decision to the superintendent or his/her designee if a long-term suspension has been imposed. This notice of appeal shall include the process for appealing the decision, which requires the parent or student to file a written notice of appeal with the superintendent within five (5) calendar days of the effective date of the long-term suspension.
    - a. The superintendent shall hold the hearing within three (3) school days of the student's request, unless an extension is mutually agreed to.
    - b. The superintendent shall make a good-faith effort to include the parent in the hearing.
    - c. The hearing shall be conducted to determine whether the student committed the disciplinary offense and, if so, what the consequence shall be. The hearing shall be audio recorded and a copy of the recording shall be provided to the student or parent upon request.
    - d. All the same rights as are afforded in the above long-term suspension principal's hearing shall apply to the student in a superintendent's hearing.
    - e. The superintendent shall issue a written decision within five (5) calendar days of the hearing. If the superintendent determines that the student committed the disciplinary offense, the superintendent may impose the same or lesser consequence than the principal.
    - f. The decision of the superintendent shall be the final decision of the school district.
  - vi. If the student is in grades K-3, the principal shall send a copy of the written determination to the superintendent and explain the reasons for the suspension before the suspension takes effect.

## **EXPULSION**

Expulsion is the removal of a student from the school premises, regular classroom activities, and school activities for more than ninety (90) days, indefinitely, or permanently. Conduct that may lead to expulsion includes but is not limited to possession of a dangerous weapon, assault on school personnel or upon other students, possession of a controlled substance, and certain criminal convictions and charges. See also, the Policies and Laws Relating to Student Conduct section of the handbook. Procedures associated with expulsion are set forth under the Procedures for Expulsion section of the handbook.

### **ADDITIONAL PROCEDURAL PROTECTIONS FOR SPECIAL EDUCATION STUDENTS**

In general, special education students may be excluded from their programs for up to ten school days per school year just as any other student. However, when the district seeks to exclude a special education student from his/her program for more than ten school days in the school year, the student's special education Team must first determine whether the student's behavior was caused by, or was directly and substantially related to his/her disability or whether the conduct in question was the direct result of the district's failure to implement the student's IEP (a "manifestation determination"). If the Team determines that the behavior was a manifestation of his/her disability or was caused by a failure to implement the IEP, it must conduct a functional behavioral assessment and develop a behavior plan (or review and modify an existing plan, if necessary), and return the student to his/her current program, unless the student's parents and the district agree to a change in placement.

If the Team determines the behavior was not caused by, or directly and substantially related to the student's disability or failure to implement the IEP, the school may discipline the student according to the school's code of student conduct, except that during the period of suspension or expulsion, the district must continue to provide the student with a free appropriate public education (FAPE) and, if appropriate, conduct a functional behavior assessment and provide intervention services and modifications to prevent the conduct from recurring. If the conduct involves weapons, drugs, or serious bodily injury, a special education student may be removed to an interim alternative educational placement for up to 45 school days regardless of the behavior's relationship to his/her disability.

Additional information regarding the procedural protections for students with disabilities can be obtained from the Director of Pupil Services at 978-567-6111.

### **POSSESSION OF WEAPONS OR CONTROLLED SUBSTANCES ASSAULT OF EDUCATIONAL PERSONNEL**

Massachusetts General Law Ch. 71, §37H authorizes the principal to expel students as follows:

1. 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.
2. 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.
3. Any student who is charged with a violation of either paragraph (1) or (2) 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, at his discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraph (1) or (2).

4. 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.
5. 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.
6. 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.
7. Under the regulations promulgated by the department, for each school that suspends or expels a significant number of students for more than 10 cumulative days in a school year, the commissioner shall investigate and, as appropriate, shall recommend models that incorporate intermediary steps prior to the use of suspension or expulsion. The results of the analysis shall be publicly reported at the school district level.

A copy of this law may be obtained in the main office.

**SUSPENSION/EXPULSION BASED UPON A FELONY CHARGE/CONVICTION M.G.L. c.  
71, § 37H<sup>1</sup>/<sub>2</sub>**

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

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

The principal may expel a student who has been convicted, adjudicated, or admitted guilt with respect to a felony or felony delinquency, if the principal determines that the student's continued presence in school

would have a substantial detrimental effect on the general welfare of the school. 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.

A copy of this law may be obtained in the main office.

### **EDUCATIONAL SERVICES AND ACADEMIC PROGRESS DURING SUSPENSIONS AND EXPULSION**

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

Any student expelled or suspended from school for more than ten (10) consecutive days, whether in school or out of school, shall have an opportunity to receive education services and make academic progress toward meeting state and local requirements, through a school-wide education service plan. This plan will be developed by the principal and shall describe the services that the school district will make available to students who are expelled or suspended for ten (10) or more consecutive days. The plan will include the process for notifying such students and their parents of the services and arranging the services.

**LEGAL AUTHORITY:** M.G.L. c. 71, § 37H  
M.G.L. c. 71, § 37H ½  
M.G.L. c. 71, § 37H ¾  
M.G.L. c. 76, § 21  
603 CMR 53.00

### **III. School Dropouts**

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 unexcused absence. The notice shall be sent within five (5) days of the tenth consecutive day of absence and shall offer at least 2 dates and times within the next ten (10) days for an exit interview with the Superintendent or designee, the student, and the student's parent/guardian. The notice shall be in both English and the primary language of the home, if applicable. The notice shall

include contact information for scheduling the exit interview and shall indicate the parties shall reach an agreement on the date/time of the interview within the ten (10) day timeframe. The timeframe may be extended at the request of the parent/guardian and no extension shall exceed 14 days.

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

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

## **RULES AND REGULATIONS**

It is our policy to recognize, preserve, and protect the individual rights of all students through the enforcement of rules and regulations that ensure proper conduct and student discipline.

### **Guidelines**

- School is a place for learning academic and exploratory skills, as well as how to work and interact with others.
- Respect for the rights of others and the individual is the basis for all relationships within the school.
- Each student performs to the best of his/her ability.
- Each student is responsible for his/her behavior.
- Inappropriate behavior may lead to a parent/guardian being contacted.

### **School-Wide Expectations**

- Treat adults and classmates with respect.
- Listen, follow directions, and complete assigned tasks.
- Accept responsibility for your actions.
- Attend school daily and be punctual at all times.
- Eat lunch in the cafeteria using good manners.
- Play safely at recess without fighting or disrupting the activities of others or hurting someone.
- Enter and leave the building in an orderly fashion.
- Be courteous and use appropriate language in and around the building.
- Leave classrooms only with a pass.
- Pass quietly in corridors without stopping at water fountains or bathrooms.
- Leave building only with permission from a school administrator.
- Maintain habits of personal cleanliness.
- Take responsibility for personal property.

### **Cafeteria Responsibilities**

- Follow the correct traffic patterns.
- Be respectful of fellow students in line.
- Keep hands and feet to yourself.
- Seat yourself properly in the assigned area.
- Respond to announcements or hand signals to be quiet.
- Always use good manners while eating.
- Stay at your assigned tables.
- Use quiet voices.
- Finish food and drink before leaving.
- Pick up all trash and trays around your assigned area.

- Return in a quiet orderly manner to your classroom.

### **Behaviors to Avoid**

All cases of student behavior will be treated individually. In the Malden Public Schools, our main objective is to educate students but in certain cases a student's behavior will require administrative and/or teacher action.

These actions include:

- Running in the building
- Hitting, pushing, shoving another student or any other inappropriate physical contact
- Refusing to identify one's self when asked to do so by any staff member
- Being part of any action, which could cause injury to one's self or other
- Being in any area of the building without a pass
- Being tardy to class
- Chewing gum or eating candy
- Using a cell phone without permission during school
- Leaving a room before being dismissed
- Loitering in or around the school building after dismissal time
- Bringing distracting or inappropriate articles to school
- Bringing wallet and/or neck chains to school
- Using roller blades, skateboards, scooters etc. in or around the outside of the school building, including handicapped ramps, stair rails, parking areas, and access roads (including before and after school hours)

**The following behaviors may result in parental involvement, police involvement, suspension, and/or expulsion depending on the nature of the offense:**

- Smoking on or around school grounds
- Using improper language (swearing)
- Spitting
- Physical or verbal harassment of school personnel
- Physical or verbal harassment of students
- Leaving school without permission
- Fighting or instigating a fight; verbal and/or physical
- Vandalism, defacing, or destroying school property
- Insubordination (refusal to follow directions)
  - Throwing snowballs, ice, rocks, or any objects that could endanger others
  - Card playing or gambling
  - Failing to follow schedule
  - Possession of cigarettes, matches, lighter, and/or smoking materials
  - Possession and/or selling of fire crackers, stink bombs, other small explosives, etc.
  - Stealing, cheating, giving out or copying homework
  - Possession of weapons (ex. knives, firearms, ninja stars, scissors, laser pointers etc.) (See Weapons Policy)
  - Possession of images, drawings, and/or pictures of weapons
  - Possession of drugs/alcohol (See Drug Policy)
  - Possession of images, drawings, and/or pictures of drugs/alcohol
  - Forging a parent or guardian's signature
  - Extortion (forcing a student to give up money or personal property)
  - Any other inappropriate or offensive behavior
  - Inappropriate use of text messaging, emailing, and social network sites
  - Any form of "computer hacking"
  - Changing grades on Progress Reports and/or Report Cards
  - Any violation of the Internet Acceptable Use Policy

## **POLICIES AND LAWS**

## **IMPORTANT NOTE**

While every attempt has been made to cover the normal daily activities of the school, it is possible that situations may arise that are not covered under the terms of this Guide. Malden Public Schools reserves the right to initiate and to enforce additional rules or to make rule changes during the school year.

### **Malden Public School Drug/Alcohol Code**

School is a place for learning. Drugs and alcohol interfere with a student's ability to learn. Therefore, there is no justification for them in school. The use of illicit drugs and the unlawful possession and use of drugs/alcohol is WRONG and HARMFUL. Students are reminded that the presence of drugs and alcohol in a school building, or at a school event, is in itself a criminal offense. Any person of any age, in violation of such statutes is subject to punishment under criminal code, and will be immediately under arrest. Compliance with the Malden Public Schools Drug/Alcohol Code is mandatory for all students.

### **Definition of a Drug**

Any substance that alters mood, perception, or consciousness, and is misused to the apparent injury of the individual or society is deemed a drug. In the case of any student found under the influence of, possession of, selling, exchanging, or giving illegal and/or harmful drugs, narcotics, drug paraphernalia, imitation drugs or alcohol in school, on school grounds, or at any school-sponsored event regardless of location or time, will be suspended from school and their parents notified.

### **Punishment for use and/or possession of drugs:**

#### **1. First Offense**

- a. Five day suspension (Principal's/Assistant Principal's discretion)
- b. Parental Conference
- c. Possible referral to outside agency

#### **2. Second Offense**

- a. Ten day suspension (Principal's Discretion)
- b. Parental conference (Assistant Principal and Principal)
- c. Mandatory outside counseling

#### **3. Third Offense**

- a. Referral to School Committee for possible expulsion

### **Punishment for the sale of drugs:**

#### **1. First Offense**

- a. Automatic minimum ten-day suspension with review by the assistant superintendent during this period for the disposition of further referral to the School Committee which could result in expulsion

#### **2. Second Offense**

- a. Parent/Police notification.
- b. Recommendation to School Committee for expulsion

**All drug offenses are cumulative.**

### **Handgun Law**

M.G.L. c. 269 §10(j):

Whoever not being a law enforcement officer, and notwithstanding any license obtained by him under the provisions of chapter one hundred and forty, carried on his person a firearm as hereinafter defined, loaded or unloaded, in any building or in the grounds of any secondary school, college or university without the written authorization of the board or officer in charge of such secondary school, college or university shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both. For the purpose of this paragraph, "firearm"

shall mean any pistol, revolver, and rifle or smoothbore from which a shot, bullet, or pellet can be discharged by whatever means.

### **Weapons, Assaults, Drugs Law**

Please see M.G.L. c.71 §37H and M.G.L. c.71 §37H ½, referenced above. **Search and Seizure Law**  
Equipment assigned to students, such as lockers and desks belong to the school system, and the school system reserves the right to inspect such equipment in accordance with the procedures set forth below. The School Department reserves the right to conduct at any time without notice searches and inspections of school property. School property includes, but is not limited to, lockers and desks. A school administrator or teacher may search a student and a student's personal belongings and personal effects, such as a book bag, sports equipment bag, lunch boxes, etc. based on a reasonable suspicion that a student is, or has been, in possession of contraband or materials indicating a violation of the discipline code or the law or where the student has violated or is violating the either the discipline code or the law at the school, a school sponsored event, or athletic event. The search itself will be conducted in a reasonable manner, given the age and sex of the student as well as the nature of the infraction. Any illegal, dangerous, or unauthorized articles discovered may be taken into custody and may be turned over to law enforcement officials. In addition, any student who refuses to submit for a proper and lawful search or who is found in possession of prohibited articles or items, will be subject to disciplinary action up to and including expulsion.

### **Hazing Law**

Be it enacted by the Senate and House of Representative in General Court assembled, and by the authority of the same, as follows that adding the following three sections hereby amends chapter 269 of the General Laws:

**Section 17-** Whoever is a principal organizer or participant in the crime of hazing as defined herein shall be punished by a fine of not more than one thousand dollars or by imprisonment in a house of correction for not more than one hundred days, or by both such fine and imprisonment.

The term "hazing" as used in this section and in sections 17 and 19 shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drugs or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest, or extended isolation.

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

**Section 18 –** Whoever knows that another person is the victim of hazing as defined in section seventeen and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practical. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars.

### **Section 19 –**

Each institution of secondary education and each public and private institution of post-secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections seventeen and eighteen; provided, however, that an institution's compliance with this section's requirements that an institution issue copies of this section and sections seventeen and eighteen to

unaffiliated student groups, teams or organizations shall not constitute evidence of the institution's recognition or endorsement of said unaffiliated student groups, teams or organizations.

Each such group, team or organization shall distribute a copy of this section and sections seventeen and eighteen to each of its members, plebes, pledges or applicants for membership. It shall be the duty of each such group, team or organization, acting through its designated officer, to deliver annually, to the institution an attested acknowledgement stating that such group, team or organization has received a copy of this section and said sections seventeen and eighteen, that each of its members, plebes, pledges, or applicants has received a copy of sections seventeen and eighteen, and that such group, team or organization understands and agrees to comply with the provisions of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post-secondary education shall, at least annually, before or at the start of enrollment, deliver to each person who enrolls as a full time student in such institution a copy of this section and sections seventeen and eighteen.

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

### **Hazing – Disciplinary Action**

Any student found violating the Hazing Law, above, will be suspended from the organization he/she is a member of for a period of one year. Any organization, which knowingly sanctions a violation of this law, will have its right to function as an organization in the Malden Public Schools suspended for a period of one year.

## **MALDEN PUBLIC SCHOOLS**

### **NON-DISCRIMINATION POLICY AND GRIEVANCE PROCEDURE**

Title VI, Title IX, Section 504, ADA, Age Discrimination Act M.G.L. c. 76 §5, M.G.L. c.151C,  
603 C.M.R. §26.08

#### **I. Introduction**

The Malden Public Schools has a commitment to maintaining an educational environment where bigotry and intolerance, including discrimination such as harassment on the basis of race, color, national origin, sex, gender identity, sexual orientation, religion, disability, or age, are not tolerated. Discrimination, including harassment, is contrary to the mission of the Malden Public Schools and its commitment to equal opportunity in education.

The Malden Public Schools does not discriminate against students, parents, employees or the general public. No person shall be excluded from or discriminated against in admission to the Malden Public Schools, or in obtaining the advantages, privileges and courses of study of the Malden Public Schools on account of race, color, sex, gender identity, religion, national origin, or sexual orientation. (M.G.L. c. 76 §5). Additionally, the Malden Public Schools does not tolerate harassment based upon race, color, sex, gender identity, religion, national origin, or sexual orientation. (603 CMR 26.08).

For purposes of this policy and procedure, "school" includes school - sponsored events, trips, sports events, similar events connected with school or employment. Any retaliation against an individual who has complained about discrimination, including harassment, or any retaliation against any individual who has cooperated with an investigation of a discrimination, harassment or retaliation complaint, is also unlawful and will not be tolerated.

The Malden Public Schools takes allegations of discrimination, including harassment, seriously and will respond promptly to complaints. Where it is determined that conduct that violates the law and this policy has occurred, the Malden Public Schools will act promptly to eliminate the conduct and will impose corrective action as necessary, including disciplinary action where appropriate, which may include school-related discipline.

## **II. Definition of Discrimination and Harassment**

"Discrimination" includes conduct that excludes a person from participation in, denies an individual the benefits of, or otherwise subjects an individual to different treatment on the basis of race, color, sex, gender identity, religion, national origin, sexual orientation, age, or disability. Harassing conduct involving these bases can be a form of discrimination.

"Harassment" is defined as unwelcome conduct, whether verbal or physical, that is based on: race, color, national origin, sex, gender identity, sexual orientation, religion, disability, or age. Harassment is prohibited by the Malden Public Schools, and violates the law.

Examples of harassment include:

- Display or circulation of written materials or pictures that are degrading to a person or group based upon the criteria listed above.
- Verbal abuse or insults about, directed at, or made in the presence of an individual or group described above because of one of the criteria listed above.
- Any action or speech that contributes to, promotes or results in a hostile or discriminatory environment to an individual or group described above.
- Any action or speech that is sufficiently severe, pervasive or persistent that it either (i) interferes with or limits the ability of an individual or group (as described above) to participate in or benefit from a school program or activity of the Malden Public Schools; or (ii) creates an intimidating, threatening or abusive educational environment.

Many forms of harassment have been recognized as violations of the civil rights laws (including Section 504 of the Rehabilitation Act of 1973, the ADA, Title VI, Title IX and state statutes like M.G.L. 151C) by federal courts, state courts, the U.S. Department of Education, Office for Civil Rights, and the Massachusetts Commission Against Discrimination.

"Sexual harassment" is defined as unwelcome sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

- Submission to or rejection of such advances, requests, or conduct is made either explicitly or implicitly as a term or condition of employment, academic standing, school-related opportunities, or as a basis for employment decisions.
- Such advances, requests, or conduct have the purpose or effect of unreasonably interfering with an individual's academic or work performance by creating an intimidating, hostile, humiliating, or sexually offensive work or educational environment.

While it is not possible to list all circumstances that may be considered sexual harassment, the following are examples of conduct that violate the law and policy and which, if severe and pervasive, constitute sexual harassment.

In each case, such a determination will depend upon the totality of the circumstances, including the severity of the conduct and its pervasiveness. Sexual harassment includes, but is not limited to:

- Unwelcome sexual advances, whether they involve physical touching or not.
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments.
- Sexual epithets, jokes, written or verbal references to sexual conduct, comments about an individual's body, comments about an individual's sexual activity, deficiencies, or prowess.
- Discussions of one's own sexual activities or inquiries into others' sexual experiences.
- Displaying sexually suggestive objects, pictures, cartoons.

The definitions of discrimination, harassment and sexual harassment are broad. In addition to the above examples, other unwelcome conduct, whether intended or not, that has the effect of creating a school environment that is hostile, offensive, intimidating, or humiliating may constitute discrimination, harassment and/or sexual harassment.

### **III. Grievance Procedure: Reporting Complaints of Discrimination and Harassment**

#### **a. Introduction**

If any Malden Public Schools student, parent or employee believes, in good faith, that he or she has been subjected to sexual harassment or any other form of harassment or discrimination described above, the individual has a right to file a complaint with the Malden Public Schools. This may be done informally or formally, as described below.

Teachers or other staff members who observe or receive reports of incidents of harassment or discrimination involving students shall report such incidents immediately to the student's Principal. Administrators aware of harassment or discrimination involving any employee shall report such incidents to the Civil Rights Coordinator, listed below, or to the Superintendent.

Please note that while these procedures relate to the Malden Public Schools' policy of promoting an educational setting free from discrimination and harassment, including sexual harassment, as detailed further in this policy, these procedures are not designed nor intended to limit the Malden Public Schools' authority to discipline or take remedial action for conduct which the Malden Public Schools deems unacceptable.

#### **b. Grievance Procedures**

##### **i. District Contact**

District Civil Rights Coordinator for Title VI (race, color, national origin); Title IX (sex); Section 504 (disability); Title II of the ADA (disability); Religion, Sexual Orientation, Gender Identity and Age is:

Assistant Superintendent Maura Johnson or Assistant Superintendent Kelly Chase  
Malden Public Schools, 200 Pleasant Street, Malden, MA 02148  
781-397-7204

Students, parents or employees who wish to initiate the formal complaint process may also put their complaint in writing to the building Principal. Any Principal receiving such a complaint shall immediately forward the complaint to the District Coordinator listed above, who will then begin the formal procedure described below.

Any teacher or other employee who receives a formal complaint of discrimination or harassment shall immediately forward the complaint to the building Principal. The Principal will then forward the complaint to the District Coordinator listed above, who will begin the formal procedure described below.

The District Coordinator shall handle the investigation and resolution of the complaint, unless the Superintendent chooses to investigate the complaint or designates another person to investigate it on his/her behalf. Any complaint about an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. Any complaint about the Superintendent should be submitted to the chairperson of the school board, who should consult with legal counsel concerning the handling and investigation of the complaint.

## **ii. Internal Grievance Procedure**

### **1. Informal Resolution of Discrimination and Harassment Complaints**

Before initiating the formal procedure, the student/parent/employee may wish, if possible, to resolve the complaint on an informal basis through discussion.

A student or parent can discuss the issue with his/her teacher or building Principal. An employee can discuss the issue with his/her immediate supervisor or the building Principal.

The person receiving the complaint shall attempt, within his/her authority, to work with the individual to resolve the issue fairly and expeditiously within ten (10) working days of receiving the complaint. If the complainant is not satisfied with the resolution from the informal process, or if he/she does not choose informal resolution, then he/she can begin the formal complaint procedure described below.<sup>1</sup>

Contact information for building principals and for the Superintendent is located below.

### **2. Formal Resolution of Discrimination and Harassment Concerns:**

A student, parent or employee who is not satisfied with the informal resolution process or who chooses not to participate in the informal resolution process may initiate the formal complaint procedure at any time by putting the complaint in writing to the District Civil Rights Coordinator. An employee, at the request of the student, may put the complaint in writing for the student.

#### **a. What the complaint should include**

The student/parent/employee's complaint should include: the name of the individual making the complaint, the name of the individual aggrieved, the name of the individual(s) accused of committing the harassing or discriminatory practice, the location of the school/department where the alleged discriminatory practice occurred, the basis for the complaint, witnesses (if any) and the corrective action the student is seeking.

If the written complaint does not contain this information, the District Civil Rights Coordinator will ask the complainant for this information.

---

<sup>1</sup> Informal resolution may not be appropriate in all cases, including but not limited to more severe or egregious allegations of discrimination or harassment.

**b. When to file a complaint**

Efforts should be made to file such complaint within twenty (20) calendar days after the alleged discriminatory practice occurred in order for an expeditious investigation to be conducted, unless extenuating circumstances exist. However, the Malden Public Schools will investigate any complaint no matter when it is filed.

**c. What will happen after the complaint is filed**

Promptly after receiving the complaint, the District Civil Rights Coordinator will conduct the necessary investigation, including making good faith efforts to gather all relevant evidence for consideration. In the course of his/her investigation, the District Civil Rights Coordinator shall contact those individuals that have been referred to as having pertinent information related to the complaint. This process shall include, at a minimum, contacting the complainant; and the person against whom the complaint was filed and/or the appropriate authority involved; interviewing witnesses; and considering relevant documentation. During this process, complainants will have the opportunity to present witnesses and other relevant evidence to the District Civil Rights Coordinator conducting the investigation.

The District Coordinator or designee should use appropriate interim measures during the investigation of a complaint to ensure that the student is free from discrimination and/or harassment during the pending investigation.

Barring extenuating circumstances, the District Civil Rights Coordinator, will complete the investigation within thirty (30) working days. When more than thirty (30) working days is required for the investigation, the District Civil Rights Coordinator shall inform the complainant that the investigation is still ongoing.

After completing the formal investigation of the complaint, the District Civil Rights Coordinator shall make a decision on the complaint within fifteen (15) working days and shall inform the complainant and the person(s) against whom the complaint was made, of the results of the investigation in writing. If the District Civil Rights Coordinator finds that there is reasonable cause for believing that a discriminatory or harassing practice has occurred, the District Civil Rights Coordinator will refer the matter to the Superintendent of the Malden Public Schools and/or his or her designee for appropriate action, up to and including discipline for either the employee or the student(s) who engaged in the harassing or discriminatory conduct.

**d. What you can do if you are not satisfied with the outcome of the formal complaint procedure**

If the complainant is not satisfied with the District Civil Rights Coordinator's decision, he/she can appeal the District Civil Rights Coordinator's finding to the Superintendent within five school days.

The Superintendent will review the information considered by the District Civil Rights Coordinator, collect any additional information he/she believes is necessary to make an informed decision and shall issue a written decision to the complainant and the person against whom the complaint was made. Again, strict timelines cannot be set for conducting the investigation because each set of circumstances is different. However, the Superintendent will make sure that the complaint is handled as quickly as feasible and will strive to complete the investigation within ten (10) working days.

If the complainant is not satisfied with the Superintendent's decision, or if he/she does not choose either of the internal resolution processes, he/she may follow the external grievance procedure described below.

Contact information for the Superintendent and the building principals is:

Dr. David DeRuosi, Jr., Superintendent.....781-397-7204  
Building Principals .....781-397-7204

**iii. External Grievance Procedure**

Any student, parent or employee who chooses not to use the district's internal grievance procedures or who is not satisfied with the district's internal grievance procedures may file a complaint of discrimination or harassment with an appropriate state or federal agency.

1. For complaints related to discrimination/harassment of students:

The Office for Civil Rights US Department of Education  
5 Post Office Square, 8<sup>th</sup> Floor  
Boston, MA 02109-3921  
Telephone: 617-289-0111 FAX: 617-289-0150 TDD: 877-521-2172

OR

The Massachusetts Commission Against Discrimination  
One Ashburton Place  
Sixth Floor, Room 601  
Boston, MA 02108  
Phone:617-994-6000  
TTY: 617-994-6196

2. For complaints related to discrimination/harassment of parents:

The Office for Civil Rights US Department of Education  
5 Post Office Square, 8<sup>th</sup> Floor  
Boston, MA 02109-3921  
Telephone: 617-289-0111  
FAX: 617-289-0150  
TDD: 877-521-2172

3. For complaints related to discrimination/harassment of employees:

The Office for Civil Rights  
US Department of Education  
5 Post Office Square, 8th Floor  
Boston, MA 02109-3921  
Telephone: 617-289-0111  
FAX: 617-289-0150  
TDD: 877-521-2172

OR

The Massachusetts Commission Against Discrimination  
One Ashburton Place  
Sixth Floor, Room 601  
Boston, MA 02108  
Phone: 617-994-6000  
TTY: 617-994-6196

OR

The Equal Employment Opportunities Commission  
John F. Kennedy Federal Building  
475 Government Center  
Boston, MA 02203  
Phone: 1-800-669-4000

#### **IV. General Policies**

1. No reprisals or retaliation shall be invoked against any person for processing, in good faith, a complaint, either on an informal basis or formal basis, or for participating in any way in these complaint procedures.
2. No reprisals or retaliation shall be invoked against any person who, in good faith, has testified, assisted or participated in any manner in any investigations, proceeding, or hearing of a complaint or for otherwise participating in any way in these complaint procedures.
3. Whenever possible, a conference should be scheduled during a time that does not conflict with regularly scheduled work and/or school programs.
4. The Malden Public Schools will work with an individual who files a complaint of discrimination or harassment; including conducting an investigation and holding conferences, in order to fairly and expeditiously resolve the complaint.

#### **Discipline of Students on 504 Plans**

Section 504 of the Rehabilitation Act of 1973 is a federal statute which prohibits a qualified individual with a disability from being excluded from the participation in, denied the benefits of, or subjected to discrimination under any program or activity receiving Federal financial assistance because of his/her disability. 29 U.S.C. s. 794 and its implementing regulations, 34 C.F.R. 104 *et seq.* School personnel may not suspend a student on a 504 plan for more than ten (10) school days without first conducting a manifestation determination. Please contact the building principal for more information on the discipline of students on 504 plans.

#### **Physical Restraint Policy (603 CMR 46.00)**

Physical restraint is defined as the use of bodily force to limit a student's freedom of movement. Physical restraint shall only be used as a behavior management tool when other less intrusive alternatives have failed or been deemed inappropriate. In the event that physical restraint is required to protect the safety of school community members, the Malden Public Schools has enacted the following policy and procedures to ensure the proper use of restraint and to prevent or minimize any harm to the student as a result of the use of restraint. These procedures shall be annually reviewed, provided to school staff, and made available to parents or enrolled students. None of the paragraphs of the policy/procedures which follow precludes a teacher, employee or agent of the Malden Public Schools from using reasonable force to protect students,

other persons, or themselves from assault or imminent, serious harm.

## **1. Staff Training**

- A. All staff/faculty will receive training regarding the school's restraint policy within the first month of each school year, and employees hired after the school year begins will receive training within one month of starting their employment.
- B. Required training for all staff will include review of the following:
  - 1. The district's restraint policy;
  - 2. Interventions which may preclude the need for restraint, including de-escalation of problematic behaviors;
  - 3. Types of restraints and related safety consideration, including information regarding the increased risk of injury to a student when an extended restraint is used;
  - 4. Administering physical restraint in accordance with known medical or psychological limitations and/or behavioral intervention plans applicable to an individual student; and
  - 5. Identification of program staff who have received in-depth training (as set forth below in section C) in the use of physical restraint.
- C. Designated staff members shall participate in at least sixteen hours of in-depth training in the use of physical restraint.
  - 1. At the beginning of the school year, the Principal will identify those staff who will participate in in-depth training and who will then be authorized to serve school-wide resources to assist in ensuring proper administration of physical restraint.
  - 2. In-depth training will include:
    - a. Appropriate procedures for preventing the need for physical restraint, including the de-escalation of problematic behavior, relationship building and the use of alternatives to restraint;
    - b. A description and identification of dangerous behaviors on the part of the student that may indicate the need for physical restraint and methods for evaluation the risk of harm in individual situations in order to determine whether the use of restraint is warranted;
    - c. The simulated experience of administering and receiving physical restraint, instruction regarding the effect(s) on the person restrained, including instruction on monitoring physical signs of distress and obtaining medical assistance;
    - d. Instruction regarding documentation and reporting requirements and investigation of injuries and complaints; and
    - e. Demonstration by participants of proficiency in administering physical restraint.
- D. Staff/faculty will review any behavior plans pertaining to special techniques for identified students.

## **2. Administration of Physical Restraint**

- A. Physical restraint may only be used in the following circumstances.
  - 1. When non-physical interventions would be ineffective; and
  - 2. When the student's behavior poses a threat of imminent, serious physical harm to self and/or others.
- B. Physical restraint is prohibited in the following circumstances:
  - 1. As a means of punishment; and
  - 2. As a response to property destruction, disruption of school order, a student's refusal to

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

- C. Only school personnel who have received required training or in-depth training pursuant to this policy shall administer physical restraint on students with, whenever possible, one adult witness who does not participate in restraint. The training requirements, however, shall not preclude a teacher, employee or agent of the school from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.
- D. A person administering a physical restraint shall use only the amount of force necessary to protect the student or others from physical injury or harm.
- E. A person administering physical restraint shall use the safest method available and appropriate to the situation. Floor or prone restraints may only be administered by staff who have received in-depth training as specified in this policy and, when in the judgment of the trained staff member, such method is required to provide safety for the student or others.
- F. Physical restraint shall be discontinued when it is determined that the student is no longer at risk of causing imminent physical harm to self or others.
- G. Additional safety requirements:
  - 1. A restrained student shall not be prevented from breathing or speaking. A staff member will continuously monitor the physical status of the student, including skin color and respiration, during the restraint.
  - 2. If at any time during the physical restraint, the student demonstrates significant physical distress, as determined by the staff member, the student shall be released from the restraint immediately, and the school staff shall take steps to seek medical assistance.
  - 3. Program staff shall review and consider any known medical or psychological limitations and/or behavioral intervention plans regarding the use of physical restraint on an individual student.
- H. At an appropriate time after release of a student from physical restraint, a school administrator or other appropriate school staff shall:
  - 1. Review the incident with the student to address the behavior that precipitated the restraint;
  - 2. Review the incident with the staff person(s) who administered the restraint to discuss whether proper restraint procedures were followed; and
  - 3. Consider whether any follow-up is appropriate for students who witnessed the incident.

### **3. Methods of Physical Restraint**

CPI and CALM

### **4. Chemical/Mechanical Seclusion Restraints Prohibited**

- A. Chemical restraint, the administration of medication for the purpose of restraint, is prohibited

unless explicitly authorized by a physician and approved in writing by the parent(s)/guardian(s).

- B. Mechanical restraint is the use of a physical device to restrict the movement of a student or normal function of a portion of his/her body and is prohibited unless explicitly authorized by a physician and approved in writing by the parent(s)/guardian(s).
  - 1. A protective stabilizing device, such as a harness, lap or other belts for securing a child in a chair, ordered by a physician or a therapist shall not be considered mechanical restraint.
- C. Seclusion restraint, physically confining a student alone in a room or limited space without access to school staff, is prohibited.
  - 1. The use of "time out" procedures during which a staff member remains accessible to the student, although not necessarily present, shall not be considered a "seclusion restraint".

## 5. **Reporting Requirements**

- A. Program staff will report the use of physical restraint after administration of a physical restraint that:
  - 1. Results in injury to a student or staff member; or
  - 2. Lasts longer than five minutes.
- B. The staff member who administered such a restraint shall verbally inform the principal of the restraint as soon as possible and by written report no later than the next school day.
  - 1. The written report shall be provided to the principal or his/her designee, except the principal shall prepare the report if the Principal administered the restraint;
  - 2. The Principal or his/her designee shall maintain an on-going record of all reported instances of physical restraint, which shall be made available for review by the Department of Elementary and Secondary Education, upon request.
- C. The Principal or his/her designee shall verbally inform the student's parent(s)/guardians(s) of such restraint as soon as possible and by written report postmarked no later than three school days following the use of such restraint.
  - 1. If the school customarily provides school related information to the parent(s)/guardian(s) in a language other than English, the written restraint report shall be provided in that language.
- D. The written report required by both sections B and C above shall include:
  - 1. Names and job title of staff who administered the restraint, and observers, if any;
  - 2. Date of restraint and time restraint began and ended;
  - 3. Name of administrator who was verbally informed following the restraint;
  - 4. Description of the activity the student, other students, and staff in the area were engaged in immediately preceding the use of physical restraint;
  - 5. Student's behavior that prompted the restraint;
  - 6. Efforts made to de-escalate the situation and alternatives to restraint that were attempted;
  - 7. Justification for initiating physical restraint;
  - 8. Description of administration of restraint including:
    - a. the holds used and reasons such holds were necessary,
    - b. the student's behavior and reactions during the restraint,
    - c. how the restraint ended, and
    - d. Documentation of injury to the student and/or staff, if any, during the restraint and any

- medical care provided;
9. For extended restraints (restraints lasting more than twenty minutes), descriptions of the alternatives to extended restraints that were attempted, the outcome of these efforts, and the justification for administering the extended restraint;
  10. Information regarding any further action(s) that the school has taken or may take, including any disciplinary sanctions that may be imposed on the student; and
  11. Information regarding opportunities for the student's parent(s)/guardians(s) to discuss with school officials the administration of the restraint, any disciplinary sanctions, and/or other related matters.
- E. The school will, within five school days of the reported restraint; provide to the Department of Elementary and Secondary Education a copy of the written report as described above and a copy of the record of physical restraints maintained by the program administrator for the thirty day period prior to the date of the reported restraint when:
1. A restraint that has resulted in a serious injury to a student or program staff member; or
  2. When an extended restraint has been administered
- F. Parent(s)/guardians(s) may voluntarily waive the reporting requirements as stated above for restraints that do not result in serious injury to the student or a program staff member and do not constitute extended restraint.
1. Malden Public Schools may seek such individual waiver for students who present a high risk of frequent, dangerous behaviors that may require the frequent use of restraint.
  2. Malden Public Schools shall not require parental consent to such a waiver as a condition of admission or provision of services.
  3. Parent(s)/guardian(s) may withdraw consent to such a waiver at any time without penalty.
  4. Extended restraints and restraints that result in serious injury to a student or program staff member must be reported as described above regardless of any individual waiver.
  5. The following documentation regarding individual waiver of reporting requirements will be maintained on-site in the student's file and will be made available for inspection to the Department of Education upon request;
    - a. Informed written consent of parent(s)/guardian(s) to the waiver, which shall specify those reporting requirements listed above that the parent(s)/guardian(s) agrees to waive, and
    - b. Specific information regarding when and how the parent(s)/guardian(s) will be informed regarding the administration of all restraints to the individual student.

## **6. Grievance Procedures**

This grievance procedure is established to meet the requirements of the Physical Restraint Policy. Any individual who believes that a physical restraint of a student may have been unwarranted or conducted inappropriately may file a complaint by utilizing this procedure:

The complaint must be submitted in writing or on audiotape to Asst. Superintendent Maura Johnson.

Asst. Superintendent Maura Johnson will meet with the complainant within ten (10) school days of receipt of the complaint.

A thorough investigation will be conducted which may include interviewing witnesses, staff involved

and/or the student; reviewing all written documentation leading up to and pertaining to the incident and all reports filed with the Superintendent or his designee and the Department of Elementary and Secondary Education.

A written report will be developed by the Maura Johnson and provided to the complainant.

## **7. Students with Disabilities**

- a. Restraints may be administered to a student with a disability pursuant to the student's Individualized Educational Plan or other written and agreed upon plan developed in accordance with state and federal law, subject to the following exceptions.
  1. The limitations on chemical, mechanical and seclusion restraint as stated above shall apply; and
  2. The training and reporting requirements described in this policy shall apply.

### **M.G.L.A., Ch71, Sect. 55A par. 2,**

No public school teacher and no collaborative school teacher, no principal, secretary to the principal, nurse or other public school or collaborative school employee who, in good faith, renders emergency first aid or transportation to a student who has become injured or incapacitated in a public school or collaborative school building or on the grounds thereof shall be liable in a suit for damages as a result of his acts or omissions either for such first aid or as a result of providing such emergency transportation to a place of safety, nor shall such person be liable to a hospital for its expenses if under such emergency conditions he causes the admission of such injured or incapacitated student, nor shall such person be subject to any disciplinary action by the school committee, or collaborative board of such collaborative for such emergency first aid or transportation.

### **Fireworks**

According to the General Laws of the Commonwealth of Massachusetts “No person shall sell or have in his possession, or under his control, or use, or explode, or cause to explode, any combustible or explosive composition or substance, or any other article, which was prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation. Whoever shall sell or keep for sale any fireworks in violation of this section shall be punished by a fine of not less than one hundred dollars or more than one thousand dollars or by imprisonment for not more than one year or both. Whoever shall have in his possession or under his control, or whoever shall use or explode any fireworks in violation of this section shall be punished by a fine of not less than ten dollars nor more than one hundred dollars.” These excerpts are taken directly from the Law of Massachusetts. The public law on fireworks will be strictly enforced within the buildings and on the grounds of the Malden Public Schools. Students in violation of the above laws will be suspended immediately and/or referred to the authorities for court action.

### **Fire Alarms**

Massachusetts law provides for imprisonment in a jail or House of Correction for up to one year, or for a fine of not less than one hundred dollars (\$100) for anyone who causes to be made a false alarm of fire (MGL Ch. 269, Sec. 13). Anyone apprehended making a false alarm on school property will be suspended and referred to the authorities for court action.

**ACCEPTABLE USE POLICY: MALDEN PUBLIC SCHOOLS**  
**INFORMATION TECHNOLOGY RESOURCES IN THE SCHOOLS**

Adopted by the Malden School Committee January 7, 2013

The school's information technology resources, including email and Internet access, are provided for educational purposes. Adherence to the following policy is necessary for continued access to the school's technological resources:

**Students and staff members must:**

1. Respect and protect the privacy of others.
  - Use only assigned accounts.
  - Not share account information with others.
  - Not view, use, or copy passwords, data, or networks to which they are not authorized.
  - Not distribute private information about others or themselves.
2. Respect and protect the integrity, availability, and security of all electronic resources.
  - Observe all network security practices, as included in student or staff handbooks or otherwise posted.
  - Report security risks or violations to a teacher or network administrator.
  - Not destroy or damage data, networks, or other resources that do not belong to them.
  - Conserve, protect, and share these resources with other students, staff and Internet users.
3. Respect and protect the intellectual property of others.
  - Not infringe copyrights (no making illegal copies of music, games, or movies!).
  - Not plagiarize.
4. Respect and practice the principles of community.
  - Communicate only in ways that are kind and respectful.
  - Report threatening or discomfoting materials to a teacher or administrator.
  - Not intentionally access, transmit, copy, or create material that violates the school's code of conduct (such as messages that are pornographic, threatening, rude, discriminatory, or meant to harass).
  - Not intentionally access, transmit, copy, or create material that is illegal (such as obscenity, stolen materials, or illegal copies of copyrighted works).
  - Not use the resources to further other acts that are criminal or violate the school's code of conduct.
  - Not send spam, chain letters, or other mass unsolicited mailings.
  - Not buy, sell, advertise, or otherwise conduct business, unless approved as a school project.

**Students and staff members may, if in accord with the policy above:**

1. Design and post web pages and other material from school resources.
2. Use direct communications such as IRC, online chat, or instant messaging with a teacher's permission.
3. Install or download software, if also in conformity with laws and licenses, and under the approval of the Director of Technology, or their building technology specialist designate.
4. Use the resources for any educational purpose, as assigned or approved by their teacher or school administrator.
5. Use a personal electronic device for any educational purpose, as assigned or approved by their teacher or school administrator.

**Jurisdiction:** This policy is in effect...

- on school grounds and property immediately adjacent to school grounds
- at school-sponsored or school-related activities, functions or programs whether on or off school grounds
- at school bus stops and on a school bus or other vehicle owned, leased or used by the school district
- through the use of technology or an electronic device of any sort, owned, leased or used by the school district, school, or student and
- at home or other locations, activities, functions or programs that are not school-related, if the improper use creates a hostile environment at school for any student or staff member, infringes on the rights of a student or staff member at school, or materially and substantially disrupts the education process or the orderly operation of a school.

Note: Nothing contained herein will require schools to staff any non-school related activities, functions, or programs.

**Consequences for Unacceptable Use:**

If a *student* violates any part of this policy, the consequences will be...

First Offense: Students will lose their computer or internet privileges for one week and the teacher or school administrator will phone the parent or guardian. Any assigned work will be completed without the use of Malden Public Schools' technology.

- Students will be provided with the opportunity to make up work that has been missed either through supervised, after-school sessions or at the end of the suspension of privileges.

Second Offense: Students will lose their computer or internet privileges for one month and the teacher or school administrator will phone the parent or guardian. Any assigned work will be completed without the use of Malden Public Schools' technology.

- Students will not be provided with the opportunity to make up work that has been missed either through supervised, after-school sessions or at the end of the suspension of privileges.

Third Offense: Students' computer or internet privileges will be revoked for one semester, the teacher or school administrator will call the parent or guardian, and a written violations form will be sent home. To reapply for new privileges, students will need to appeal to the designated administrator in their school.

- Students will not be provided with the opportunity to make up work that has been missed either through supervised, after-school sessions or at the end of the suspension of privileges.

If a *staff member* violates any part of this policy, s/he may be disciplined by his/her supervisor, pending the exercise of appropriate due process.

**Supervision and Monitoring.** School and network administrators and their authorized employees monitor the use of information technology resources to help ensure that uses are secure and in conformity with this policy. Administrators reserve the right to examine, use, and disclose any data found on the school's information networks in order to further the health, safety, discipline, or security of any student or other person, or to protect property. They may also use this information in disciplinary actions, and will furnish evidence of crime to law enforcement.

**I ACKNOWLEDGE AND UNDERSTAND MY OBLIGATIONS:**

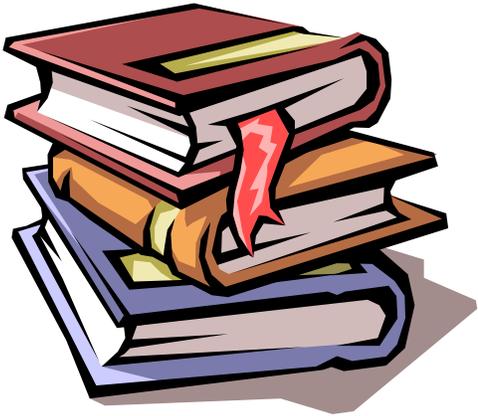
Student/Staff Member: \_\_\_\_\_ Date: \_\_\_\_\_

Parent/Guardian (of students): \_\_\_\_\_ Date: \_\_\_\_\_

**PARENTS, PLEASE DISCUSS THESE RULES WITH YOUR STUDENT TO ENSURE HE OR SHE UNDERSTANDS THEM.**

**THESE RULES ALSO PROVIDE A GOOD FRAMEWORK FOR YOUR STUDENT'S USE OF COMPUTERS AT HOME, AT LIBRARIES, OR ANYWHERE.**

**FOR MORE INFORMATION, SEE [www.cybercrime.gov](http://www.cybercrime.gov).**



**Malden Public Schools  
Library/Media Center Permission Slip**

Dear Parent/Guardian,

Your child will be visiting the school library in his/her school on a regular basis and, with your permission, will be taking out books to bring home. Your child can take out books based on the rules of the individual libraries and is responsible for returning it to the library on time. If a book is not returned to the library, you will be charged for the replacement value of \$5.00 -\$15.00 per book.

Please return the attached permission slip that allows your child to take home a book from their school library. Your child will benefit from the use of the library. Please return the slip as soon as possible.

---

**Malden Public Schools Library/Media Center Permission Slip**

I give my child \_\_\_\_\_ permission to check out books from the \_\_\_\_\_ School Library /Media Center. I, along with my child, accept responsibility for lost or stolen materials and agree to pay replacement costs of \$5.00-\$15.00.

Child's Signature: \_\_\_\_\_

Grade: \_\_\_\_\_ Room Number: \_\_\_\_\_

Parent's Signature: \_\_\_\_\_

## **Malden Public Schools** **Transportation Safety Rules and Regulations**

It is a privilege to ride the school bus! If a child is not well behaved and courteous or endangers the health and safety of other students, this privilege may be taken away. The bus driver shall be considered to have the same authority as a teacher in the classroom.

It is the responsibility of the parents to make sure that their children behave properly while waiting at the bus stop and obey the following regulations and rules:

### REGULATIONS:

- Students shall always cooperate with the bus driver for the safety of all concerned.
- Animals shall not be transported on the bus.
- Hazardous materials, flammable liquids, or weapons of any kind shall not be permitted on the bus.
- Students shall be picked up and delivered only at the designated bus stops.
- Students shall observe and respect the rights and safety of others.
- Only the Superintendent and/or designee has the right to make decisions on any items not specifically mentioned under these rules.
- Shall arrive at the bus stop five minutes before the scheduled pickup time.
- Shall remain well back from the roadway while waiting for the bus.
- Shall enter the bus in an orderly fashion and proceed directly to a seat. The student shall remain seated until the destination is reached.
- Shall not change seats at another stop unless the driver gives prior approval.
- Shall keep all articles, such as athletic equipment, book bags, musical instruments, etc., out of the aisle.
- Shall not throw things in the bus or out the windows while on the bus.
- Shall keep their hands, arms, and heads inside the bus.
- Shall not eat or drink on the bus.
- Shall not use profane language or inappropriate gestures.
- Shall not litter on the bus.
- Shall not touch safety equipment on the bus, including the emergency doors and windows. (Unless there is an actual emergency...e.g., crash/fire).
- Shall not damage or deface bus property.
- Shall not use tobacco products on the bus.
- Shall not fight or strike another person while on the bus, including the bus driver.
- Shall not bring flammable liquids, or use matches or lighters on the bus.

Continue \*

Students:

- Shall not use any illegal substance while on the bus. (Alcohol or drugs)
- Shall not bring hazardous materials, fireworks, or weapons of any kind on the bus.

All rules applicable at school are also applicable on busses.

**DISCIPLINARY ACTIONS:**

Any violation of the Transportation Safety Rules and Regulations may range from an oral warning to expulsion and may include removal from the bus.

.....

Parents are reminded of their responsibility to get their children safely to and from the bus stop. Kindergarten parents must remain with their child at the stop. No kindergarten student will be released from the bus unless a parent or responsible adult is present at the stop to accept the child. A kindergarten child will be returned to his or her school whenever a parent fails to meet their child at the bus stop. Transportation may be terminated if the parent continues to ignore the rule.

**I have read the Malden Public Schools Transportation and Safety Rules and Regulations and further agree to the conditions as stated.**

**Name of Student: (last)** \_\_\_\_\_ **(first)** \_\_\_\_\_

**Assigned School:** \_\_\_\_\_ **(Grade)** \_\_\_\_\_

**Parent/Guardian Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Malden Public Schools**

Dear Parent/Guardian:

We are requiring that after you have had the opportunity to see and read the **2014-2015 Student/Parent Handbook** with your child, you return the signed receipt to his/her teacher no later than **5 days** upon receipt.

Please keep Student Handbook for your use so that you may refer to policies, procedures and the rights of the school community in the Malden Public Schools K-8 buildings.

Thank you.

**I have received a copy of the 2014-2015 K-8 Student/Parent Handbook. I have read the handbook and understand its contents and that I am bound by the provisions in the handbook.**

Student Name \_\_\_\_\_ Grade \_\_\_\_\_ HR \_\_\_\_\_

Student Signature \_\_\_\_\_

Parent Signature \_\_\_\_\_

**Video/Photograph Release Form 2014-2015**

Dear Parent/Guardian:

Often during the course of the school year students are photographed and/or videotaped in the classroom or at special school events.

Please fill out the form below if you give permission for your child to be photographed and/or videotaped. These materials may be used in local newspapers, local access television shows, and/or our school website.

Student's Name: \_\_\_\_\_

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

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

Teacher: \_\_\_\_\_

I give permission for my child to be videotaped and/or photographed at school or school related events.

Parent/Guardian Signature: \_\_\_\_\_

Date: \_\_\_\_\_

