

## Introduction

Dear Parent or Guardian,

Thank you for taking the time to read through the Edward G. Molin Parent/Student handbook. It is our ability to communicate effectively between home and school that will inevitably guide the continued success of your child. Please become familiar with the handbook and share with your child the areas you feel they most need to be aware of. Please do not hesitate to direct comments or questions to school personnel. I ask that you please sign and return the signature page at the back of the handbook by Friday, September 11, 2009.

Sincerely,

Lori A. Gallivan  
Principal

## **Non-Discrimination Notice**

The Newburyport Public Schools does not discriminate on the basis of race, color, religion, national origin, age, gender, sexual orientation, or disability in admission to, access to, employment in, or treatment in its programs and activities.

The Newburyport Public Schools is committed to maintaining a school environment free of harassment based on race, color, religion, national origin, age, gender, sexual orientation, or disability. Harassment by administrators certified and/or support personnel, students, vendors and other individuals at school or at school-sponsored events are unlawful and is strictly prohibited. The Newburyport Public Schools requires all employees and students to conduct themselves in an appropriate manner with respect to their fellow employees, students and all members of the school community.

## **Crisis Response and School Emergency Planning**

The school system has done extensive work in preparing for school crises and emergencies of all types. A core document for the district and each school, *Crisis Response and Emergency Preparedness Guidelines*, was developed in 2005, revised during the summer of 2008 and can now be found on the District web page.

Each school has a Crisis Response Team (CRT) trained in handling emergencies and taking actions that protect the health and safety of students and staff. Schools regularly practice emergency situations. The district's crisis response and emergency planning efforts are guided by the School Safety Council whose members include our public safety chiefs and other officers, teachers, administrators, health professionals, and parents. Our schools are very safe for our students and staff, but the district will continue to work hard at preparation for all.

# DIRECTORY

2009 - 2010

## SCHOOL

Lori A. Gallivan, <i>Principal</i>	463-8212
Michelle Rybicki, <i>School Nurse</i>	463-8212
<i>Team Facilitation Leader</i>	463-8212
Julia Luedemann, <i>School Psychologist</i>	463-8212
Absent Alert Line	463-3501
FAX	463-3280

## CENTRAL OFFICE

Deirdre Farrell, <i>Superintendent</i>	465-4456
Angela Bik, <i>Director of Curriculum</i>	465-4455
Karen Brann, <i>Director of Student Services</i>	465-4453

## OTHERS

Sharyn Seale, <i>Food Services Director</i>	465-4460
Salter Transportation	462-6433

## SCHOOL COMMITTEE

John Moak, <i>Mayor</i>	465 - 4412
Steven Cole -- 8 Hallisey Drive	462 - 8805
Gordon Bechtel, <i>Vice Chair</i> – 26 Marlboro St.	465 - 5681
Dana Hooper – 25 Marlboro St.	462 - 3904
Nick deKanter	462 - 1252
Bruce Menin – 83 Lime St.	499 - 3883
Stephanie Weaver	225 - 8198

**Molin Upper Elementary School Staff  
2009-2010**

Principal	Lori A. Gallivan
Secretary	Diane Voss
Nurse	Michelle Rybicki
Team Facilitation Leader	
Special Educator	Maureen Farren
BCBA.	Karen Butkovich

**Grade 4**

Elizabeth Doyle  
Anne Enaire  
Lauren Eramo  
Emily Webber  
Patricia Levitt  
Mary Lucci  
Kristin Mercer  
Eileen Peyton

**Grade 4/5**      Corneilus Reardon

**Grade 5**

Eleanor Bailey  
Catherine Case  
Leigh Cassidy  
Robert Doyle  
Ann Langlois  
Kathleen Petrie  
Carol Snow

School Adjustment Counselor	Margaret Flaherty
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School Psychologist	Julia Luedemann
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Special Education Teachers	Jennifer Dupray Monique Fraktman Cheryl Remley Mary Ulasewicz
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Reading Specialist	Maureen Lyons-Taylor
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Physical Education	Jason Beuparlant Janice Krusemark
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Life Skills/P.E.	Jay Murphy
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Art	Agnes Manning Kim Salathe
Music	Joseph Nuccio Thomas Stolar
Tech Engineering	Brad Balkus
OT/PT	Cindy Carroll Erin Rich Cheryl Hooper
Speech	Jennifer Manry Audrey Proctor

## **WHO TO CALL AND WHEN**

If you have a question or concern, you'll get the best response if you speak directly to the person most closely involved.

- Questions about the curriculum or a situation in your child's class - speak to the classroom teacher - call the office and the teacher will return your call.
- A question about Molin School policy - call Lori A. Gallivan
- Questions about the lunch program - call Food Service Director.
- Questions about the bus policy - call Salter Bus Company.
- Molin parents also have representatives on the School Council.
- School Committee members are your elected representatives and can be contacted with a question or comment.

PTO officers may be able to assist you with general school issues. Don't know whom to call? Call Lori A. Gallivan

Phone numbers are listed on the Directory page of this handbook. School personnel are required to return phone calls within 48 hours.

## **SCHOOL HOURS**

8:10 a.m. – 2:40 p.m.

## Entering and Leaving School

Students at the Molin School are to be on school grounds only during the regularly scheduled school day and for school sponsored activities. Once a student has arrived at school s/he may not leave school without written permission. A student is considered being at school when a bus or a parent drops off the student.

### Dropping Off and Picking Up Students

No cars may enter the driveway in front of the school (off of Low Street) during arrival and dismissal. The driveway is open only for busses from 7:00 a.m. to 8:15 a.m. and 1:45 p.m. to 3:00 p.m. Students may be dropped off and picked up at the sidewalks in the main parking lot, at the sidewalk on the street in front of the school, by the front entrance in the vicinity of the flag pole, or with the crossing guard directly across the street from the front of the school. Students should not be dropped off before 7:55 a.m. because there is no supervision until that time.

### Walkers

Student safety is a primary concern of the school. To see that students get across busy streets safely, crossing guards are located at the intersections of Route 1 and Pond Street, High Street and Johnson Street, High Street and Toppans Lane, Low Street and Toppans Lane, and the Low Street crossing at the front of the school. Students need to obey all crossing guard instructions.

Students are reminded to use sidewalks and good judgment when walking, and leave in time to arrive at school close to 7:55 a.m.

### Bicycles

Students may ride their bicycles to school under the following conditions:

1. They obey safety regulations for bicycles.
2. They walk their bicycles on school grounds to and from the bike rack.
3. They park and **lock** their bicycles in the racks provided by the school.

Bicycle racks are located on the side playground area as well as in the rear of the school and are clearly visible to all of the classrooms in that part of the building. The school takes every reasonable measure to ensure the security of bicycles. However, the school is not responsible for loss of or damage to bicycles.

## Morning Entrance:

1. Students walking to school are to come directly to school and are not to trespass on private property.
2. Students should not arrive at school before 7:55 a.m. because there is no supervision until that time.
3. All students must report to the designated entrance area on the Toppans Lane Playground by the basketball courts for entrance at 8:05 a.m..
4. During times of inclement weather, students may enter the building and report to the designated areas through the entrances at the Toppans Lane Playground when given permission to do so by the supervising teacher.
5. A student is considered late if arriving after 8:10 a.m. Late students must enter through the front doors and stop at the office and get a late slip.

## Afternoon Dismissal:

1. Upon dismissal from school, all students are to report directly to assigned areas (extra help, after-school activities, etc) or leave the school building and school grounds immediately. **Adult supervision ends at 2:55 p.m.**
2. Students walking home are to go directly from school and are not to trespass on private property or loiter on streets or areas adjacent to the school.

Please do not come into the building at dismissal because the congestion is confusing for students and could compromise safety. Wait outside and students will meet you. Walkers exit through the SIDE DOORS BY THE BASKETBALL COURTS. Bus students exit through the main doors on Low Street. Please do not come in and pull students from the classroom or hallway.

At the end of the day, it is difficult for a secretary to get a message to a teacher that a student's destination or transportation has changed. We also need to keep telephone lines clear for emergencies. Please make plans for pick up and play dates before school and send in a written note or email to the school.

## VISITING THE MOLIN SCHOOL

When visiting the school, please enter through the front doors only (off Low Street) and stop in the office to sign in and take a visitor's pass. Please park in the visitor's spaces in front, or in the parking lot. Please do not block crosswalks.

Due to fur-related allergies and to the possible apprehension that some students may have toward certain types of animals, *no pets are allowed within the Molin School at anytime.*

Persons looking to meet with a teacher for the purpose of discussing a particular concern shall do so at any time when it does not interrupt the normal school program. Persons wishing to make an appointment with a teacher may do so by sending in a note or phoning the Molin School office at 978-463-8212.

## VISITOR PASSES

All visitors and volunteers must sign in at the main office and obtain a visitor pass. The pass should be worn prominently throughout the visit.

## ATTENDANCE/TARDINESS

If your child is going to be absent, please call 463-3501 to inform us. When returning to school after an absence, please send a note to the classroom teacher stating the reason for the absence. Good attendance helps a student develop good habits and can be linked to achievement. Please attempt to avoid scheduling vacations during school time. It is disruptive to learning and sends students the message that school is not as important as vacation. ***Teachers are not required to provide work for students to take on vacation.*** Much of the elementary level curriculum is hands-on and cannot be made up. It is a student's responsibility to make up any missed work that can be made up.

A student is considered late if arriving after 8:10 a.m. *Late students must enter through the front doors and stop at the office and pick up a late slip.*

Parents of students with excessive tardiness or absences will receive a letter from the principal. Further tardiness or absence may be reported to the Superintendent.

## ILLNESS

Parents should keep children at home when they show evidence of any of the symptoms listed below:

Vomiting	Enlarged Glands
Running Nose	Red or Discharging Eyes
Fever	Headache
Sore Throat	Chill
Coughing	Earache
Head Lice	Stomach Ache
Skin Eruption	Pain
Diarrhea	

## **EARLY DISMISSAL OF STUDENTS**

It is disruptive to students' schedules and learning to be dismissed during school hours. However if you need to dismiss a child early for a doctor's appointment or other unavoidable reason, please write a note to the teacher. Please avoid scheduling regular lessons (piano, dance, skating, etc.) for times that would require students to be dismissed from school. A parent must come into the office to pick up the child.

## **WITHDRAWAL**

If you are going to transfer to another school during the school year, please inform the office in advance. A parent or legal guardian must come to the main office to sign a release and fill out the paperwork associated with the withdrawal. Your school records will then be sent by us to your new school. If you are moving during the summer, please be sure to notify the office that your child will be withdrawing. You will need to sign the record release forms.

## **SCHOOL CANCELLATION**

1. The Superintendent has the authority to close schools whenever, in her judgment, this is warranted by weather conditions or other emergencies which present threats to the safety of students, school staff members, or school property.
2. The signal to announce the closing of school shall be as follows:  
6:45 a.m. Four fire alarm blasts: no school, all schools, all day.  
7:30 a.m. Repetition of the above signal.
3. Announcements of the closing of schools will be made available to all major Boston TV news programs starting at 6:00 a.m.  
Announcements will be made over the following radio stations:  
WNBZ (1450) Newburyport  
WBZ (1030) Boston
4. In the event that there is a two hour delay due to weather, school will begin at 10:10 a.m. Students may arrive after 9:55 a.m.

## **LUNCH PROGRAM**

Our school lunch program is managed and operated by Chartwells School Dining Services. Beginning the first day of school, students may purchase a lunch which includes milk for \$2.50 per day. Students who bring lunch from home may purchase milk for 50 cents per day. Low -income families are eligible to receive free or reduced lunches; application forms are available in the office.

School lunch menus are printed in Saturday's *Newburyport Daily News* and are available on the District website: [newburyport.k12.ma.us](http://newburyport.k12.ma.us)

## **SUPPORT SERVICES**

Students who have evidence of possible learning, behavior, speech/language, or developmental disabilities may be referred for an evaluation in accordance with regulations of Chapter 766 of Public Law 94-142. The referral process can be initiated by a parent or teacher. Parent inquiries about possible referrals should be made to the classroom teacher or the building Special Education Coordinator. Any process to evaluate a student is done with written permission of the parent. After the evaluation, a meeting is held with parents and school officials to determine if a disability is present and if it is interfering with educational process.

# Newburyport Public Schools

## Newburyport, Massachusetts

Curriculum Accommodation Plan  
 Molin Upper Elementary School  
 Lori Gallivan, Principal  
 2009-10

The following information is provided to comply with the Massachusetts General Laws C. 71, § 38Q ½ mandating that school districts provide a **District Curriculum Accommodation Plan** designed to assist principals in ensuring that all efforts have been made to meet students' needs in regular education and avoid unnecessary referrals to special education. In addition, Section 59C of Chapter 71 mandates that the school council will meet with the principal "for the development, implementation, and assessment of the curriculum accommodations plan" which should be individualized for each school building.

Strategies	Description
<p><i>Assistance to regular education teachers, such as professional development, that will help them to analyze and accommodate various students' learning needs, including students who are English Language learners and to manage students' behavior effectively.</i></p>	<ul style="list-style-type: none"> <li>▪ Professional Development</li> <li>▪ District In-service Programs on Differentiated Instruction</li> <li>▪ District In-service on Balanced Literacy</li> <li>▪ Effective Teacher 1</li> <li>▪ Teacher Induction Program; Mentor &amp; Peer Coaching</li> <li>▪ Behavior Plans</li> <li>▪ Child Study Team</li> <li>▪ School Adjustment Counselor &amp; Psychologist</li> <li>▪ ELL Teacher</li> <li>▪ IEP/504 Accommodation Plans</li> <li>▪ District Developed Curriculum Benchmarks</li> <li>▪ Speech and Language</li> <li>▪ Occupational Therapy</li> <li>▪ Physical Therapy</li> <li>▪ Instructional Assistants to Support Instruction</li> <li>▪ Task Forces</li> <li>▪ Study Groups</li> <li>▪ Peer Coaching and Observation</li> <li>▪ Informal Observations and Consultation</li> <li>▪ Professional Learning Community Collaborative Teams</li> </ul>
<p><i>Support services that are available to students through the regular education program, including services to address the needs of students whose behavior may interfere with learning.</i></p>	<ul style="list-style-type: none"> <li>▪ Behavior Plans</li> <li>▪ Child Study Team</li> <li>▪ School Adjustment Counselor &amp; Psychologist</li> <li>▪ Differentiated Instruction and Assessment</li> <li>▪ Differentiated Curriculum</li> <li>▪ Testing Accommodations</li> <li>▪ Weekly Progress Reports</li> <li>▪ ELL Teacher</li> <li>▪ IEP/504 Accommodation Plans</li> <li>▪ Instructional Assistants to Support Instruction</li> <li>▪ Flexible Groups within Classrooms</li> <li>▪ Home/School Communications</li> </ul>
<p><i>Direct and systematic instruction in math and literacy for all students.</i></p>	<ul style="list-style-type: none"> <li>▪ Comprehensive Literacy Framework</li> <li>▪ Investigations Math</li> </ul>

	<ul style="list-style-type: none"> <li>▪ Guided Reading and Writing</li> <li>▪ Project READ</li> <li>▪ Daily Oral Language</li> <li>▪ Reading Specialist/Consultant</li> <li>▪ Literacy Coach/Specialist</li> <li>▪ Math Coach/Specialist</li> </ul>
<i>Encouraging of teacher mentoring and collaboration</i>	<ul style="list-style-type: none"> <li>▪ Professional Development</li> <li>▪ District In-Service Programs on Differentiated Instruction</li> <li>▪ District In-service Programs on Balanced Literacy</li> <li>▪ Effective Teacher 1</li> <li>▪ Teacher Induction Program; Mentor and Peer Coaching</li> <li>▪ Literacy Coaches</li> <li>▪ Child Study Team</li> <li>▪ Peer Coaching and Observation</li> <li>▪ Curriculum Advisory Board</li> <li>▪ Professional Development Council</li> <li>▪ School Psychologists and School Adjustment Counselor; Consultation and Modeling</li> <li>▪ Title I teachers; Reading Recovery &amp; Literacy Support</li> <li>▪ Informal Common Planning</li> <li>▪ Task Forces</li> <li>▪ Study Groups</li> <li>▪ Professional Collaboration in Professional Learning Communities</li> <li>▪ Teachers Sharing Best Practices</li> </ul>
<i>Review of local curriculum in relation to the state learning standards.</i>	<ul style="list-style-type: none"> <li>▪ Professional Development</li> <li>▪ District Developed Benchmarks</li> <li>▪ Curriculum Advisory Board</li> <li>▪ Professional Learning Communities</li> <li>▪ Use of Standards-based Report Cards</li> <li>▪ In-house and District-wide Staff Meetings</li> <li>▪ Development of Curriculum Assessments</li> <li>▪ Curriculum Mapping</li> </ul>
<i>Review of school policies and discipline codes</i>	<ul style="list-style-type: none"> <li>▪ Administrative Council &amp; Staff meetings</li> <li>▪ Elementary Principals Council (EPC)</li> <li>▪ Staff &amp; Parent/Student handbooks</li> <li>▪ School Council</li> </ul>
<i>Additional staffing or consultation on behavior issue and on literacy development</i>	<ul style="list-style-type: none"> <li>▪ Child Study Team (STAT)</li> <li>▪ School Adjustment Counselor &amp; Psychologist</li> <li>▪ Speech and Language Pathologists</li> <li>▪ Occupational Therapists</li> <li>▪ Physical Therapists</li> <li>▪ Instructional Assistants</li> <li>▪ ELL Teacher</li> <li>▪ Professional Development Consultants</li> <li>▪ District Attorney's Office</li> <li>▪ Newburyport Police Department</li> <li>▪ Department of Social Services</li> </ul>
<i>Documentation of accommodations/interventions:</i>	<ul style="list-style-type: none"> <li>▪ 504/IEP plans, STAT forms, 51A's</li> <li>▪ MCAS Analysis</li> <li>▪ Individual Student Success Plans</li> <li>▪ Documentation of Title I Services</li> </ul>
<i>After school options such as homework</i>	<ul style="list-style-type: none"> <li>▪ Before school and/or after school extra</li> </ul>

<i>assistance and peer coaching</i>	help 1X/week per teacher
<i>Strategies for using or increasing the use of community agencies and volunteers to assist students and teachers.</i>	<ul style="list-style-type: none"> <li>▪ Newburyport Education Business Coalition</li> <li>▪ Newburyport Education Foundation</li> <li>▪ School Improvement Plan</li> <li>▪ District Improvement Plan</li> <li>▪ Strategic Plan</li> <li>▪ Volunteer Program</li> <li>▪ PTO</li> <li>▪ School Council</li> <li>▪ Pettengill House</li> <li>▪ Kelleher Park Program</li> </ul>

## **CONFIDENTIALITY**

Students and their families are entitled to privacy. All school personnel and volunteers are expected to hold all information and conversations with and about students in confidence. We also keep the addresses of students' families confidential. Telephone numbers will only be given to room liaisons. Please contact us if you do not wish your number to be included.

## **PROGRESS REPORTS**

Progress reports will be issued three times a year in December, March and June, with an interim report halfway through each term. Music, Art, Life Skills, Technology, and Physical Education reports are given twice a year. Children receiving special education services will also receive a report from the service provider.

## **HEALTH SERVICES**

If an accident or illness occurs, first aid will be administered and parents notified. The school nurse will give no care beyond basic first aid. First aid is defined as immediate temporary care. If further attention is necessary, care and movement of the child will be directed or provided by the parent. If the parent or designee cannot be located, and emergency immediate medical attention is needed, the child will be taken to Anna Jaques Hospital. All care beyond that administered by the school nurse shall be at parents' expense. Only those designated on the Health Information form will be contacted or allowed to pick up a child.

Other health services available are:

- a physical exam by the school physician in grade 4.
- yearly vision and hearing tests.
- follow-up on negative findings on health, vision, or hearing exams.
- keeping school personnel informed of health issues of any child
- administering medications with doctors' orders.

### **HEAD LICE**

Head lice can be a periodic problem in the schools where there are close associations of large numbers of children. The management of this problem at school involves prevention effected by the detection of active cases and isolating them. The heads of all students are checked at least 4 times during the school year and sometimes more frequently as a result of active cases being reported. Management also consists of an education program for both students and their parents. The school cannot handle this program alone. With home and school working cooperatively together the problem of head lice can be kept to a minimum.

To control this problem the following procedures have been adopted for the elementary schools:

1. Parents are informed that school-wide head checks will be made at least 4 times a year, or more often if necessary.
2. When a case is reported or discovered, the school nurse shall check all members of the class. The nurse will contact the parents and they will be informed of the procedure for dealing with head lice and encouraged to check their children's heads regularly.

3. Brothers and sisters also in the school of students who are found to have active head lice shall be checked.
4. A note will be sent home with class members to notify parents that head lice have been found in that classroom. Information on how to handle the problem will be included.
5. Because the shampoo's treatments are not 100% effective, some of the nits may remain viable and hatch subsequent to the treatment. To eliminate this common source of re-infestation, it is important that **ALL NITS** be removed from the hair before treatment is considered complete.
6. Therefore, before the student returns to school, the nurse shall check to make sure that there are no longer any active lice or any nits remaining. Rechecks will be made in 7 days and in 14 days time.

### **PRESCRIPTION MEDICATION PROCEDURES**

Any student who is required to take medication during the school day must comply with the following regulations:

- a. Written orders from a physician detailing the name of the drug, dosage and time interval is to be given. (A properly labeled medication bottle from the pharmacy with the student's name printed on the label is acceptable for short term medication. Students requiring long term medication should have medication administration plan on file.)
- b. Written permission from the parent/guardian of the student requesting that the school system comply with the physician's order.
- c. Medication **MUST** be brought to school in a container appropriately labeled by the pharmacy or physician
- d. Each medication given on an ongoing basis must be recorded on a medication sheet which includes date, time, and initials of person giving the medication.
- e. Drugs given intermittently, i.e. antibiotics will be recorded on the student's individual Health Card.

### **NON-PRESCRIPTION DRUG PROCEDURES**

- a. Written permission from the parent/guardian must be provided and include the name of the drug, frequency, and indications for administration.
- b. Written permission is on file from School System Physician to give over the counter medication with parent permission. Administration of the medication shall be recorded on the individual's health card.

### **COMMUNICATION OF MEDICATION ISSUES**

The school nurse will inform the appropriate school personnel of the potential benefits and side effects of the drug being administered.

## **ABUSE/NEGLECT**

Families should be aware that school personnel, such as teachers, nurses, principals and counselors are mandated reporters by law. This means that school personnel are required by law to report to the Department of Children and Families (DCF) all suspected cases of abuse or neglect.

## **SAFETY DRILLS**

Under the state law, each school is required to hold safety drills periodically. Children are trained to leave the building quickly and in an orderly fashion. Other emergency drills shall also be held periodically.

## **FIELD TRIPS**

Teachers schedule field trips with the approval of the principal. It is the School Committee's policy that the school must gain permission from parents whenever teachers are involved in out of class activities with students. Permission slips will be sent home, and must be returned before a child is allowed to go on a field trip.

## **EXTRA HELP**

There are many opportunities for students to receive extra help both during and after school. After-school extra help may be initiated by the teacher, student or parent. The extra help after school will be scheduled one day in advance so that transportation arrangements can be made. Extra help is usually held from 2:45 to 3:15 p.m., but may vary from teacher to teacher. Extra help should not be considered as a punishment by students, but rather as an act of a student taking responsibility for his or her learning.

## **LOST AND FOUND**

Students are responsible for their own property. All valuable items found are turned in to the principal. Other items are placed in lost-and-found. All hats, coats, lunch boxes, etc. should be marked with student name to facilitate return. The Lost and found bin will be kept in the cafeteria. Periodically, all unlabeled lost articles will be discarded or donated to charity. Items will be donated at the end of each school Trimester.

## **SCHOOL COUNCIL**

The Molin School Council is advisory to the principal in developing an annual school improvement plan, reviewing the budget, adopting educational goals and identifying educational needs of students. All parents are welcome to observe the meetings. Meeting times and location are available at the office.

## VOLUNTEERS

Newburyport School system policy is that all in-school volunteers and school event chaperones must be checked through the Criminal Offender Record Investigation (CORI) check process. Information regarding the policy is contained in school handbooks and on the District website [www.newburyport.k12.ma.us](http://www.newburyport.k12.ma.us)

Only an authorized CORI employee will review the returned information. Individual principals will be notified if there is a concern regarding an individual. By law, this process must be completed every three years. Returned information will be kept on file in the central office.

## PARENT TEACHER ORGANIZATION

Parents are welcome at the Molin School. The PTO meets regularly. Watch for dates of PTO meetings and events in the monthly newsletter and on the school website.

## SCHOOL BUS TRANSPORTATION

All students who ride the school bus must be issued a school bus pass. All students must register in order to be issued a bus pass. By law, mandated transportation, which is free, must be provided to all students in grades K-6 who live two miles or more from their school. Students who are not mandated to be transported are eligible for ridership by paying a transportation fee. Transportation fees for the 2009-2010 school year are \$275.00 for each pass with a \$550.00 family maximum. Only full day passes are available.

### **Please review these School Bus rules with your children:**

- Listen to the bus driver and follow his/her instructions
- Stay in your seat unless the bus driver tells you to move
- Keep your backpacks/lunch boxes on your lap
- Do not swear, fight, throw anything, eat on the bus, or put your hands/head out the window
- Keep your hands and feet to yourself

Any student who consistently breaks these rules will receive a warning slip from the driver and may be suspended from taking the bus.

## **Emergency Procedures for Early Dismissal of Students**

In the event it becomes necessary to dismiss school early, the following actions will be implemented:

1. Staff will be notified as quickly as possible
2. All extracurricular activities will be cancelled.
3. The Principal will utilize the system's voice messaging system to notify all parents and personnel of emergency procedures.
4. Dismissal order will proceed as usual.
5. Students of parents who have not been contacted will be housed at the school until their parents or other designated person pick them up at school or designated waiting area. A student will not be dismissed until his/her parent or other designated person has been contacted.
6. Teachers will be responsible for classroom supervision and for maintaining the accuracy of the student roster and attendance noting the whereabouts of every child released from the school.
7. Classroom teachers will be expected to remain at school until every one of their respective students has been safely accounted for. Other staff members will be expected to assist in the process and will be released as the emergency subsides.
8. Custodians will perform duties as assigned by the Principal. In their capacity as special officers, they may be required to help manage traffic of parents picking up children and supervise the embarkation of bus students.
9. In the event of power loss and the school is unable to broadly communicate to the public on the suddenness of any contingency, the school will act in the best interest and safety of its students. Parents can reasonably assume that their children are being held at school. Children will be released if picked up by parents or a person designated on the Safety Alert card.
10. If the building needs to be evacuated due to fire; loss of power, heat or water; or other cause, students and staff will be moved by bus to another school building and parents will be called.

**\*\* It is very important that Safety Alert information be kept up to date. Please send new names and numbers for us to add as it becomes necessary.**

## **Procedure for Application for Choice-In of Students from Other Massachusetts School Systems**

All requests for School Choice from other districts go through the Superintendent's Office at 70 Low Street, Newburyport. Applicants who call between October and spring requesting School Choice are told to wait until mid-April when the district announces where space will be available for the upcoming year. Following the public advertisement, parents are invited to apply by May 1 so that the timeline for acceptance can be managed efficiently. No

applications will be processed through an individual school. Each application is date-stamped once received at the Superintendent's Office.

Candidates who apply for School Choice may be accepted throughout the spring and summer and even into the early fall if space remains available.

## **CODE OF CONDUCT**

Typical discipline systems in schools often rely on reaction to negative behavior and punishment of the offender. Hundreds of studies have shown, however, that this approach does little to reduce chronic misbehavior, nor does it produce positive long-term outcomes for school or student. At the Molin Upper Elementary School we believe strongly that correct behaviors are established, taught, modeled and acknowledged in a systematic way throughout the school. Considerable thought and effort goes into getting the entire school community on the same page with respect to common definitions of, and the most effective response to, our behavioral expectations. On the next page, you will find the "EGMUES School-Wide Expectations," which are the basis of our expectations for your son's or daughter's behavior. Throughout your child's time at our school, these expectations will be taught, modeled, and acknowledged.

School rules are to protect students' rights and to provide a safe atmosphere of learning. The school's primary goal is to educate, not to discipline. However, when the behavior of individual students comes in conflict with the rights of others, corrective actions may be necessary both for the benefit of that individual and for the school as a whole. Due to the subjective nature of discipline, it is difficult to determine specific actions for each incident that violates the school's rules. However, the following list of possible consequences may be used by school personnel. Any severe violation of the rules which endangers the health or safety of any person may result in a suspension. In such cases the parent will be notified immediately and a hearing will be scheduled to determine the appropriate course of action.

### Possible Consequences:

1. Verbal warning;
2. Loss of recess;
3. Temporary removal from group activities;
4. Parent/teacher communication;
5. Parent/teacher/student conference;
6. Principal involvement, including parent communication or office detention;
7. In or out-of-school suspension. Child will not be allowed to return to classes without meeting with the school counselor. Parents must meet with principal.

It is important to know that at any step in this process, staff, faculty and/or parents may consult with the school's psychologist, guidance counselor, and/or school administrator.



# Molin Upper Elementary School

## Rules of Conduct

1. **You may not take anything that belongs to someone else.**

**Why?** Stealing is illegal. Trusting one another and respecting each other's property is important.

**What happens?** You may be required to have your parents come to school for a conference with your teacher and/or principal. The stolen item must be returned or replaced.

2. **You must come to school dressed in a neat and appropriate way. Any extreme form of dress that is distracting or disruptive is not allowed. You may not wear shirts that display violence or obscene or questionable language. Clothing advertising drug, alcohol, and/or tobacco use is not allowed.**

**Why?** We do not want to encourage violence or drug abuse. Learning to dress appropriately is an essential life skill.

**What Happens?** You will be sent home to change or your parents will have to bring a change of clothes to school, or an appropriate article of clothing will be provided for your use that day.

3. **You may not wear hats in the school building.**

**Why?** Hats are distracting in the classroom.

**What Happens?** You will be asked to put your hat away.

4. **Mp3 players, IPODS, radios, or other electronic devices, chains, water guns, water balloons, gambling apparatus are not allowed in school.**

**Why?** They interfere with learning.

**What Happens?** The first time, the article in question will be taken away and you may pick it up at the end of the school day. If you continue to bring such items to school, they will be held and your parents will be notified.

5. **You may not ride skateboards, roller blades, or the like on school property.**

**Why?** It is dangerous to other students.

**What Happens?** The first time, the item will be taken away and you may pick it up at the end of the school day. If you continue to bring such items to school, they will be taken away and your parents will be notified.

6. **Students are expected to behave in an orderly, respectful manner while riding on the school bus.**

**Why?** The safety of all is of primary importance. Each student must comply with state and local regulations.

**What happens?** Riding the school bus is a privilege. Any student who damages any part of the bus or interferes with the driver's ability to operate the bus safely, or harasses another student on the bus will have the privilege suspended and will make restitution for the damage. Incidents involving bus riders are handled by the bus company.

**7. You may not leave the school grounds during the day without permission.**

**Why?** The school is responsible for taking care of you during the school day. It is important for us to know where you are during school hours.

**What Happens?** You and your parents will be required to meet with the principal.

**8. All Massachusetts public schools are smoke-free facilities by law. Tobacco products, drugs, and alcohol are not allowed.**

**Why?** Smoking is dangerous to your health and to the health of those around you. It is against the law to smoke on school grounds or at any school activity. Possession of drugs and/or alcohol is against local, state, and federal law. They are very harmful to your health.

**What Happens?** You will be required to meet with the principal and appropriate school personnel to implement a plan of support and guidance. Court involvement could follow an incident involving drugs or alcohol. When appropriate, police may be called and the child may be suspended or expelled from school.

**9. You may not bring knives or other sharp objects, hand guns, slingshots, matches, fireworks, or any other explosive materials to school.**

**Why?** It is dangerous and against the law.

**What Happens?** The objects will be taken away, and you will be sent to the principal. Your parents will be notified. When appropriate, police may be called and the child may be suspended or expelled from school.

**10. Any physical or verbal attack is forbidden, as is all fighting (real or play-acting). This includes any negative racial, ethnic, religious, or gender comments; swearing and obscenities.**

**Why?** Harassment can be verbal or physical. Every student must be safe from intimidation or harm.

**What Happens?** You will be sent to the principal. Parents will be notified. When appropriate, police may be called and the child may be suspended or expelled from school.

**11. You may not damage school property or the property of any other person. You may not write on walls, desks, books, lockers, etc.**

**Why?** School property belongs to all of us and should last for a long time. You do not have the right to harm anything that belongs to another person.

**What Happens?** You will repair or pay for the damage. Your parents will be notified. When appropriate, police may be called and the child may be suspended or expelled from school.

**12. Appropriate behavior is required in the cafeteria. All school rules and expectations remain in effect during lunch.**

Appropriate behavior at lunchtime includes:

- a). Waiting quietly in lunch line;
- b). Eating in assigned areas only and leaving your area clean and neat;
- c). Using polite language and good table manners; being certain not to throw food or not to take food belonging to others;
- d). Emptying your tray in designated areas;
- e). Talking quietly with your table partners;
- f). Walking to your table and trash areas.

**Why?** The safety of all is of primary importance.

**What Happens?** You will be warned verbally, and if behavior continues, you may be assigned a separate seat for a period of time.

**13. Playground rules**

**Why?** To prevent conflict and to keep all children safe.

**What Happens?**

1. Sit out part of recess – 5 minutes
2. Miss next recess
3. Teacher to parent communication
4. Principal, including parent communication

The only exception will be any physical act of aggression. We will maintain a zero tolerance to hurting. Any student who hurts another will be sent to the principal.

**14. Students must respond appropriately and respectfully to all school staff, including substitute teachers, bus drivers, playground, instructional assistants, and lunchroom monitors, custodians, crossing guards, and parent volunteers.**

**Why?** Using respectful, polite language is a sign of respect. Disrespect disrupts the learning of all students and may endanger your safety and the safety of others. Please refer to Massachusetts General Law, Article 37H, P. 19.

**What Happens?**

You may receive disciplinary action from the teacher and the principal.

**15. You may not be rude, defiant, or use foul language.**

**Why?** Using good manners and polite language show respect for your friends and others around you.

**What Happens?** You will be sent to the Principal for disciplinary action. Your parents may be notified.

**16. Cheating will not be tolerated.**

**Why?** Doing one's own work and being honest are essential life skills.

**What Happens?** Your work will not be accepted by your teacher and the assignment must be redone.

**17. Throwing any item other than approved playground equipment is not allowed.**

**Why?** It is potentially dangerous and destructive.

**What Happens?** Recess choices may be limited.

***This Code of Conduct outlines the rights and responsibilities of all students. The list of discipline standards has been prepared to meet the situations that most commonly occur, but is BY NO MEANS all inclusive.***

***There are many other instances which require appropriate action (not defined here) to be taken by the administration. In addition, these standards apply to all students regardless of special education need, unless alternative consequences are specified in the student's Individual Education Plan.***

## **ITEMS NOT PERMITTED IN SCHOOL**

The following items are not permitted (or allowed to be used) in the school building or on school grounds:

- gambling devices
- water pistols and water balloons
- beepers
- chains of any type
- other devices deemed inappropriate by the principal

The following items are not allowed to be used in the school building during the school day:

- scooters
- cell phones
- skateboards/waveboards
- rollerblades
- heelys
- radios, tape/CD walkman/electronic music devices such as ipods, MP3 players, etc.
- other devices deemed inappropriate by the principal

Skateboards and rollerblades are not to be used on school property between the hours of 7:30 a.m. – 2:40 p.m. After 2:40 p.m. they may be used **only in the skateboard park at the rear of the Middle School building.**

If a student is found in violation of these guidelines, the item in question will be taken away, and in most circumstances returned to the student at the end of the day. In some circumstances, including repeated violations, a parent/guardian must come to claim it.

Policy regarding items that are prohibited by state law (i.e. illegal drugs, weapons, etc.) is covered in the Code of Conduct section of this handbook.

## **APPEARANCE/DRESS CODE**

Policy: School officials support the idea that students should be able to make individual choices with regard to clothes that are worn to school. However, there are certain appropriate standards that apply to all students enrolled at the Molin Upper Elementary School.

Rules:

1. Students will wear clothing appropriate to a working environment in the classroom.
2. Students should not wear clothing or hair styles that can be hazardous to them or distracting to others in their school activities.
3. No hats or any other head adornment deemed inappropriate. Students will not be allowed to wear in the building.
4. Any other clothing that is deemed inappropriate by the principal. Students will not be allowed to wear in the building.

### **ASSAULT ON A PRINCIPAL, ASSISTANT PRINCIPAL, TEACHER, TEACHER'S AIDE, OR OTHER SCHOOL STAFF**

A student who assaults a principal, assistant principal, a teacher, a teacher's aide, or any member of the school staff will be subject to a ten (10) day suspension pending review by the principal for further suspension or expulsion: parents and police will be notified verbally and in writing.

## **SUSPENSION**

A student who is on suspension from Molin School shall not trespass on school property. The student must follow the admittance process as outlined in the letter of suspension. School property involves the school buildings and any area of the school grounds. A student on suspension is also excluded from participating in or attending any school-related or school-sponsored functions, activities, or events.

### **Due Process for Suspensions Up to Ten (10) Days**

A student facing a temporary (up to ten (10) days) suspension shall be given oral or written notice of the charge(s) against him/her with an explanation of the evidence against him/her. The student will be afforded the opportunity to present his/her version of the incident to an impartial decision maker. This presentation of the evidence to an impartial decision maker should precede the suspension, except where students whose presence in the school poses a continuing danger to persons or property or an ongoing threat of disrupting the academic process. Under these circumstances, the student may be immediately removed from the school and the necessary notice and hearing should follow as soon as is practicable. Goss v. Lopez, 419 U.S. 565 (1975).

**Massachusetts General Laws**

## Expulsion

Pursuant to Massachusetts state law, chapter 71, section 37H, students may be expelled for the following reasons:

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

Any student who is charged with a violation of any of the above shall be notified in writing of an opportunity for a hearing before the principal.

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 (10) days from the date of expulsion in which to notify the superintendent of his/her appeal.

### **Felony Complaint or Conviction**

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 may suspend said student for a period of time determined appropriate by the principal if the principal determines that the student's continued presence in the school would have a substantial detrimental effect on the general welfare of the school. The student has the right to appeal this suspension to the superintendent in accordance with Massachusetts state law, chapter 71, section 37H1/2.

Upon a student being convicted of a felony or upon an adjudication or admission in court of guilt with respect to such felony or felony delinquency, the principal may expel said student if the principal determines that the student's presence in the school would have a substantial detrimental effect on the general welfare of the school. The student has the right to appeal this expulsion to the superintendent in accordance with Massachusetts state law, chapter 71, section 37H1/2.

### Special Education Students – Discipline

The disciplining of students with disabilities eligible for special education is governed by federal and state special education laws and the regulations promulgated there under. These laws included the Individuals with Disabilities Act, 20 U.S.C. 1401 *et seq.*, its implementing regulations 34 C.F.R. 300 *et seq.*, and the Massachusetts General Laws, chapter 71B and its implementing regulations, 603 C.M.R. 28.00.

Students with disabilities who violate school rules are subject to removal from their current educational placement for up to ten(10) school days per year, to the extent that such a removal would be applied to students without disabilities, without prior determination as to whether the misconduct is related to the student's disability.

School personnel may order a change in educational placement of a child with a disability to an appropriate Interim Alternative Educational Setting (IAES) that provides the student with a free appropriate public education for the same amount of time that a child without a disability

would be subject to discipline, but not for more than forty-five (45) calendar days if the student:

- A. Carries or possesses a weapon to or at school, on school premises, or to or at a school function.
- B. Knowingly possesses or uses illegal drugs at school, a school function, or school-sponsored event.
- C. Sells or solicits the sale of a controlled substance while at school, a school function, or a school-sponsored event.

Anytime school personnel seek to remove a student from his/her current educational placement for more than ten(10) days in any school year, this constitutes a “change of placement”. A change of placement invokes certain procedural protections under the IDEA, the federal special education law. These include, but are not limited to:

- A. If the school did not conduct a functional behavioral assessment and implement a behavioral intervention plan for such student before the behavior that resulted in the discipline, the school shall convene an IEP meeting to develop an assessment plan to address the behavior; or if the child already has a behavioral intervention plan, the IEP Team shall review the plan and modify it, to address the behavior.
- B. A review by the IEP Team of the relationship between the child’s disability and the behavior subject to the disciplinary action, which is often referred to as the Manifestation Determination.

School personnel may also seek an order from the Department of Education Bureau of Special Education Appeals (BSEA) placing a student in an IAES for up to forty-five (45) calendar days.

Parents/guardians and/or students, where appropriate, may request a hearing at the Bureau of Special Education Appeals regarding a disciplinary action described above to challenge the interim alternative educational setting or the manifestation determination.

For a copy of the Massachusetts Department of Education brochure on Special Education Parents’ Rights, available in many languages, visit [www.doe.mass.edu/sped/parents](http://www.doe.mass.edu/sped/parents) or contact the Director of Special Education at 978-465-4453.

### Students on 504 Plans - Discipline

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. 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.

# **Newburyport District Policies**

## **NEWBURYPORT PUBLIC SCHOOLS**

### **Anti-Bullying Policy**

The Newburyport Public Schools are committed to making our learning environment a safe and caring place for all students. We will treat each other with respect and we will refuse to tolerate bullying in any form in our district. Students in our district are being taught through prevention programs to identify, refuse to tolerate, cope with, and report bullying behavior. In each school, interventions for students who engage in bullying behaviors will be clearly outlined and behaviors will be assessed on a continuum from mild to severe that is appropriate to the developmental level of the student(s).

Our district defines *bullying* as follows: Bullying is unfair and one-sided and involves an imbalance of power. It happens when someone is repeatedly hurting, frightening, threatening, or leaving someone out on purpose.

Like harassment, bullying situations take into account the perception of the victim and not just the individual or group action.

Examples of bullying may occur in various environments such as the bus, gym, sport fields, bathroom, locker room, classroom, hallway, internet, playground, cafeteria, and may include, but are not limited to:

- Hurting someone physically by hitting, kicking, tripping, pushing, and so on.
- Embarrassing someone on purpose.
- Stealing or damaging another person's things.
- Ganging up on someone.
- Saying something hurtful using various forms of media, including but not limited to, text messaging, MySpace, Facebook, etc.
- Teasing someone in a hurtful way.
- Using put-downs, such as insulting someone's differences.
- Threatening or intimidating someone into a particular action.
- Spreading rumors about someone on purpose to be hurtful.
- Leaving someone out on purpose.
- Trying to get other students to exclude someone.

Staff in our district will do the following things to prevent bullying and help children feel safe at school:

- Supervise students according to building expectations.
- Intervene safely and effectively in all bullying situations
- Integrate bullying prevention into the culture of each school.
  - Post Anti-Bullying Policy
  - Provide parent and staff training
- Respond quickly and sensitively to bullying reports.
- Take seriously families' and students' concerns about bullying.
- Look into all reported bullying incidents.
- Assign consequences for bullying based on the school discipline code.

- Provide immediate consequences for retaliation against students who report bullying.
- Bullying situations will be responded to on an individual, case-by-case basis.
- Dependent upon the level of bullying behavior, police may be notified and/or become involved.

Students in our district will do the following things to prevent bullying:

- Treat each other respectfully.
- Refuse to bully others.
- Refuse to stand by and let others be bullied.
- Refuse to watch, laugh, or join in when someone is being bullied.
- Try to include everyone, especially those who are often left out.
- Report bullying to an adult.

This policy is designed to disrupt a negative pattern of bullying behavior. It is an integrated approach which incorporates disciplinary action, behavior management, preventative education, and restorative justice (a balanced approach to the needs of the victim, wrongdoer, and community through processes that preserve the safety and dignity of all).

Read: January 21, 2009

## **Molin Upper Elementary School Intervention Procedures for Bullying Behavior**

### **Warning**

A staff member may re-direct or re-teach the rule with which a student is having difficulty. Depending upon the severity of the offense, the student may be referred directly to the principal.

### **Step One: Sent to Principal, First Time**

A conference is held with student(s) involved, individually. School expectations and rules for bullying are reviewed with student. Student is informed of Steps 2-4.

### **Step Two: Sent to Principal, Second Time**

Student-parent-teacher-principal conference required. Behavior contract is created, which is signed by parent(s) and student. Student is informed of Steps 3-4.

### **Step Three: Sent to Principal, Third Time**

In-school suspension. Parent is notified. Student is informed of Step 4. *If a student retaliates against a student who made a bullying report, he/she goes to this step.*

### **Step 4: Sent to Principal, Fourth Time**

Parent must pick up student and remove from school. Short or long-term suspension is required.

## POLICY AGAINST HARASSMENT

INCLUDING HARASSMENT BASED UPON SEX, RACE, COLOR, NATIONAL ORIGIN, RELIGION, AGE, HANDICAP AND/OR DISABILITY, AND SEXUAL ORIENTATION.

**The Newburyport School Committee is committed to the prevention of harassment based upon sex, race, color, national origin, religion, age, handicap and/or disability and sexual orientation. This policy has been developed to ensure that the educational opportunities of all students, and the employment conditions of all employees, are not threatened or limited by such harassment. This policy defines prohibited conduct, the responsibility of the School District to prevent the occurrence of such prohibited conduct, the personal responsibilities of all students, employees, and agents of the School District to ensure prohibited conduct does not occur, a referral procedure for reporting violations of this policy, and defined disciplinary procedures if violations of this policy have been substantiated.**

### HARASSMENT/PROHIBITED CONDUCT DEFINED

- A. Prohibited Conduct includes, but is not necessarily limited to the following conduct when related to a person's sex (gender), race, color, national origin, religion, age, handicap and/or disability and sexual orientation and when such conduct is unwelcome by the recipient:
1. name calling, teasing, jokes, rumors, or other derogatory or dehumanizing remarks
  2. graffiti
  3. notes or cartoons
  4. unwelcome touching of a person or clothing
  5. offensive or graphic posters, pictures, or book covers, or other possessions
  6. any words or actions that provoke feelings of discomfort, embarrassment, or hurt.

Prohibited Conduct: slurs, swastikas, and related types of verbal harassment can be instances of a hate crime and can be pursued in the legal system as a civil rights violation. Hate crimes will be reported to appropriate law enforcement agencies for anti-bias criminal investigations.

The foregoing list was provided to give some concrete examples of conduct that constitutes harassment. However, all members of the Newburyport community must assess their conduct in light of the following definitions of the various forms of harassment. Thus, if certain conduct is not listed in the foregoing list, but does fall into one of the following definitions of harassment, then the conduct is harassment and is prohibited conduct.

B. Sexual Harassment/Gender Harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature when:

1. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining an education, or obtaining or retaining employment;
2. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting the individual's education or employment;
3. that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's education or employment, or creating an intimidating, hostile or offensive educational or work environment;
4. that conduct adversely affects an individual's academic or employment opportunities.

Sexual Harassment includes but is not limited to:

1. unwelcome verbal harassment or abuse;
2. unwelcome pressure for sexual activity;
3. unwelcome sexually motivated or inappropriate touching, patting, pinching, or other sexual contact other than reasonable and necessary restraints of students by teachers, administrators, or other school personnel to avoid physical harm to persons or property;
4. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or over **threats** concerning an individual's educational or employment status;
5. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt **promises** of preferential treatment with regard to an individual's educational or employment status;
6. unwelcome behavior or words directed at an individual because of gender;
7. sexual epithets, jokes, written or oral reference to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
8. displaying sexually suggestive objects, pictures, cartoons;
9. inquiries into one's sexual experiences;
10. discussion of one's sexual activities.

Sexual harassment can include prohibited conduct as defined above that occurs between members of the same or opposite sex.

Sexual harassment in the workplace and retaliation against an individual for filing or cooperating in an investigation of complaint is unlawful.

**Harassment** in addition consists of conduct that is related to an individual's race, color, national origin, religion, age, handicap and/or disability, and sexual orientation when the conduct:

1. has the purpose or effect of creating an intimidating, hostile or offensive academic or work environment;
2. has the purpose or effect of substantially or unreasonably interfering with an individual's academic or work performance;
3. otherwise adversely affects an individual's academic or employment opportunities.

## **RESPONSIBILITIES**

- A. **Individual**: All students, teachers, administrators and other school personnel of the Newburyport School District are responsible for creating an environment that is free of harassment and other offensive behaviors, and for conducting themselves in a manner consistent with the spirit and intent of this policy.
- B. **Principals**: Principals are responsible to ensure that this policy is conspicuously posted in appropriate student/employee work areas, and that it is printed in each school's student handbook. The posting shall include the name, mailing address, and telephone number of each school's harassment contact, as well as the name, address, and telephone number of the District Human Resource Officer.
- C. **Superintendent or Designee**: The Newburyport School District is **responsible for** the dissemination of this policy and training. The School District will ensure that it:
  1. will develop a method of discussing this policy with students and employees.
  2. will provide appropriate training to administrators and others who are assigned the responsibility to implement the procedures of this policy.
  3. will see that this policy is reviewed at least annually for compliance with state and federal law.

## **LEGAL REFERENCES**

**Title VI and VII of the Civil Rights Act of 1964, Title IX of the 1972 Education Amendments to the Civil Rights Act, Section 504 of the Rehabilitation Act of 1973, the Age of Discrimination in Employment Act, the Americans with Disabilities Act, Chapter 622 of the Acts of 1971, G.L. c. 151B and G.L. c. 151C, G.L. 265 Section 37, G.L. 265 Section 39, G.L. 266 Section 98, G.L. 266 Section 126A, and G.L. 266 Section 126B.**

**Adopted: June 28, 2000**

**(This replaces the Newburyport Public Schools Policy ACAB in the Policy Manual; Section A)**

# **POLICY AGAINST HARASSMENT - PROCEDURES**

## REPORTING PROCEDURES

Any person who believes that a student, teacher, administrator or other school personnel has engaged in conduct prohibited by this policy, whether such conduct has been directed at him/her or some other person, is encouraged to report the alleged prohibited conduct as soon as possible to the appropriate individual listed in this policy. The reporting party or complainant is encouraged to use the report form (see attachment I) available from each Principal of each school or available from the School District's Central Office, but oral reports will be considered complaints as well. Nothing in this policy shall prevent any person from reporting alleged prohibited conduct directly to the District Human Rights Officer or to the Superintendent. Further, nothing in this policy shall prevent any person from reporting alleged prohibited conduct to a different administrator than the administrator designated, or in the case of a student, to a district employee.

The School District designates the Assistant Superintendent as the District Human Rights Officer with responsibility to oversee administration of these procedures and to monitor compliance. If a complaint involves the Assistant Superintendent, the complaint shall be made or filed directly with the Superintendent. If a complaint involves the Superintendent, the report will be filed directly with the School Committee.

In each school there are two (2) designees with the responsibility for receiving and investigating oral or written reports of alleged prohibited conduct. Any employee who receives a report of alleged prohibited conduct shall inform the principal or his/her designee, as soon as possible. If the complaint involves the school principal, the complaint shall be filed with the Superintendent.

- A. How to File a Complaint – If any Newburyport School District student or employee believes that he or she has been subjected to harassment or has observed potential violations of the Policy Against Harassment, that student or employee has a right to file a complaint.
  
- B. Harassment Contacts – If you would like to file a complaint, you may do so by contacting:

G. W. Brown School Contact  
Margo Perriello, Principal

Francis T. Bresnahan Elementary School Contacts  
Kristina Davis, Principal  
William McGowan, Assistant Principal

Edward G. Molin Upper Elementary School Contact  
Lori A. Gallivan, Principal

Rupert A. Nock Middle School Contacts  
Barry Hopping, Principal  
Peter Holtz, Assistant Principal

Newburyport High School Contacts  
Tim McCarron, Dean of Student Life  
Christina Palmer, Dean of Student Services

Human Rights Officers  
Deirdre Farrell, Superintendent  
Karen Brann, Special Education Director

Title IX Coordinator  
Deirdre Farrell, Superintendent

These individuals are available to discuss any concerns you may have and to provide information to you about our Policy Against Harassment and complaint process.

- A. State and Federal Remedies – In addition to the above, if you believe you have been subjected to harassment, you may file a formal complaint with either or both of the government agencies set forth below. Using the School District’s complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies has a short time period for filing a claim (MCAD – 180 days; EEOC – 300 days).

1. The Massachusetts Commission Against Discrimination (MCAD)

Boston Office:  
One Ashburton Place, Room 601  
Boston, MA 02108  
(617)727-3990

Springfield Office:  
424 Dwight Street, Room 220  
Springfield, MA 01103  
(413) 739-2145

- B. Community Remedies - In addition to the above if you believe you have been subjected to a civil rights violation, you may file a formal complaint with your local police department. Using the School District’s complaint process does not prohibit you from filing with this agency:

Newburyport Police Department  
4 Green Street  
Newburyport, MA 01950  
978-462-4411

Your local Police Department will contact:

Office of the District Attorney for the Eastern District  
Museum Place  
One East India Square  
Salem, MA 01970  
(978) 745-6610

All cases are logged-in and monitored by the District Attorney's Civil Rights Unit.

### COMPLAINT INVESTIGATION PROCEDURES

Upon receipt of a report or complaint of alleged prohibited conduct, the responsible administrator or designee shall initiate a timely investigation of the complaint.

If warranted by the circumstances of the complaint, the District Human Rights Officer may assist the harassment contact with the investigation, may assume responsibility for the investigation, or may authorize an investigation by a third party who shall report to the District Human Rights Officer.

The investigation may consist of personal interviews with the complainant(s), the individual(s) against whom the complaint is filed, and others that may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.

In determining whether "alleged conduct" constitutes a violation of this policy, the investigator shall consider the surrounding circumstances: the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationship between the parties involved and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all facts and surrounding circumstances.

The investigation will be completed as soon as practicable, and written monthly reports will be filed by the building contact person with the District Human Rights Officer. It is advised that the contact person keeps the principal and the Title IX coordinator informed immediately when deemed necessary. The District Human Rights Officer will give periodic reports to the Superintendent on the status and outcome of complaints. The reports will include a determination of whether the allegations have been substantiated as factual and whether they appear to be violations of this policy. The complainant will be informed in writing as to whether or not the allegation of harassment was substantiated. It is the responsibility of the Superintendent to determine disciplinary action if necessary.

During the entire process of reporting, investigating, and corrective action (if applicable), confidentiality will be maintained to every extent possible.

## **CORRECTIVE ACTION**

Upon completion of an investigation and substantiation of the complaint, the School District will take appropriate corrective action. Such action may include, but is not limited to, an apology, direction to stop the offensive behavior, counseling, or training, warning, suspension, exclusion, expulsion, transfer, remediation, termination, or discharge. School District action taken for violation of this policy will be consistent with requirements of applicable collective bargaining agreements, Massachusetts and federal laws and School District policies.

At the close of an investigation, the complainant will be informed in writing that the alleged harassment was substantiated or not substantiated. In accordance with state and federal law regarding law or records privacy, the complainant will also be informed that appropriate corrective action has been taken.

In the case of substantiated harassment by an employee, the Superintendent will include a written statement of the findings, the corrective action taken, and the consequences of continued harassment, in the individual's personnel file.

In the case of substantiated harassment by a student, the principal will include a written statement, as above, in the student's discipline file.

## **REPRISAL**

The School District will discipline or take appropriate actions against any student, teacher, administrator, or school employee who retaliates against any person who reports an alleged violation of this policy or any person who testifies, assists, or participates in an investigation, or who testifies, assists, or participates in a proceeding or hearing relating to such harassment. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment.

## **RIGHT TO ALTERNATIVE COMPLAINT PROCEDURES**

These procedures do not deny the right of any individual to pursue other avenues of recourse that may include:

- A. filing charges with the Massachusetts Department of Education, Massachusetts Commission Against Discrimination, Equal Employment Opportunity Commission, and the Office of Civil Rights of the U.S. Department of Education; Office of the District Attorney for the Eastern District.
- B. initiating civil action or seeking redress under criminal statutes and/or federal law.

## **HARASSMENT AS CHILD ABUSE**

Under certain circumstance, alleged harassment may also constitute abuse or neglect under G.L. c.119 51A. If so, State requirements for mandatory reporting must be followed.

## **SCHOOL COMMITTEE ELECTRONIC INFORMATION USE POLICY**

The Newburyport School Committee recognizes that telecommunications and other new technologies have altered the ways that information may be accessed and communicated by students and staff. The School Committee supports access by students to reach information resources along with the development by staff of skills to analyze and evaluate such resources.

In the past, school instructional and library materials could be screened before being used by students. The technologies have drastically changed, and will continue to change, how that information may be acquired and used. One consequence is that effective screening has become problematical.

The School Committee nonetheless believes that in a free and democratic society operating in an ever-changing world, the educational benefits to students of free and ready access to information outweigh the concerns that go along with that access.

The Committee also believes that with such freedom comes commensurate responsibility. While parents and guardians are responsible for setting overall standard for their children, the school system is responsible for providing guidance and instruction to students in the appropriate use of such resources for educational purposes.

The Committee expects all members of the Newburyport school community to maintain high ethical standards in accessing and using information, whatever the source.

### **NON-CUSTODIAL PARENT**

#### 603 CMR 23.07: Access to Student Records

Access Procedures for Non-Custodial Parents. As required by M.G.L. c. 71, 34H, a non-custodial parent may have access to the student record in accordance with the following provisions.

- (a) A non-custodial parent is eligible to obtain access to the student record unless:
  1. the parent has been denied legal custody based on a threat to the safety of the student or to the custodial parent, or
  2. the parent has been denied visitation or has been ordered to supervised visitation, or
  3. the parent's access to the student or 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.
- (b) In order to obtain access, the non-custodial parent must submit a written request for the student record to the school principal.



Please sign, remove, and return this page  
by Friday September 11, 2009.

Molin Student Name(s): \_\_\_\_\_ Gr. \_\_\_\_\_  
\_\_\_\_\_ Gr. \_\_\_\_\_  
\_\_\_\_\_ Gr. \_\_\_\_\_

We have read and understand the contents of the Molin Upper Elementary Student Handbook 2009-2010. We understand that we are accountable for the information in this book and will need to review the contents occasionally during the school year to keep informed. By signing this page, parents and guardians also give permission for students to use the Internet according to the Internet Usage Policy.

Signed \_\_\_\_\_, Molin Student(s)

Signed \_\_\_\_\_, Molin Student(s)

Signed \_\_\_\_\_, Molin Student(s)

Signed \_\_\_\_\_, Parent/Guardian

Date \_\_\_\_\_

\*\*\*\*\*

Please sign, remove, and return this page  
by Friday, September 11, 2009.