



# *The Clipper's Compass*

*The Student/Parent Handbook of*

*Newburyport High School*

**2025-2026**

**NEWBURYPORT HIGH SCHOOL**

*One hundred fifty-seventh year*

**1868-2026**

*Ninety Third Edition*

**1940-1941 ~ 2025-2026**

The Newburyport Public School System 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 School System is committed to maintaining a school environment free of harassment based on sex, race, color, national origin, religion, age, disability, sexual orientation or gender identity. Harassment by administrators, certified and support personnel, students, vendors and other individuals at school or at school-sponsored events are unlawful and are strictly prohibited. The Newburyport Public School System 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.

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### **District's Mission Statement**

*The mission of the Newburyport Public Schools, the port where tradition and innovation converge, is to ensure each student achieves intellectual and personal excellence and is equipped for life experiences through a system distinguished by students, staff, and community who: - practice kindness and perseverance - celebrate each unique individual - value creativity; experiential; rigorous educational opportunities; scholarly pursuits; and lifelong learning - provide the nurturing environments for emotional, social, and physical growth - understand and embrace their role as global citizens.*

### **Clipper Values**

*Respect*

*Kindness*

*Innovation*

*Perseverance*

*Responsibility*

*Reflection*



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## Welcome Message

Dear Students and Parents/Guardians,

The Clipper's Compass is our student-parent handbook, which outlines the rules and policies of Newburyport High School. Our mission drives us to foster a sustained passion for learning that each student will carry throughout life. As with prior years, we are committed to working together with students, staff, parents/guardians, and the community to provide a positive and inspiring educational experience that guides students to develop and showcase skills aligned to the NPS Portrait of a Graduate.

During the 2025-2026 school year we will focus on growing together and continuing to strengthen our school culture and climate. Our commitment to engage in school-wide dialogues around school and community issues will continue as we view this as an imperative part of having a culture grounded in learning and understanding.

Please make every effort to review the entire Clipper's Compass especially Chapters 4 and 5 dealing with attendance policies and school rules. For the 2025-2026 school year, please pay particular attention to changes to our Cell Phone Policy (5.5) and Attendance/Credit Loss Policies (4.7).

Sincerely,

Andrew Wulf, Principal  
Michael Testa, Associate Principal

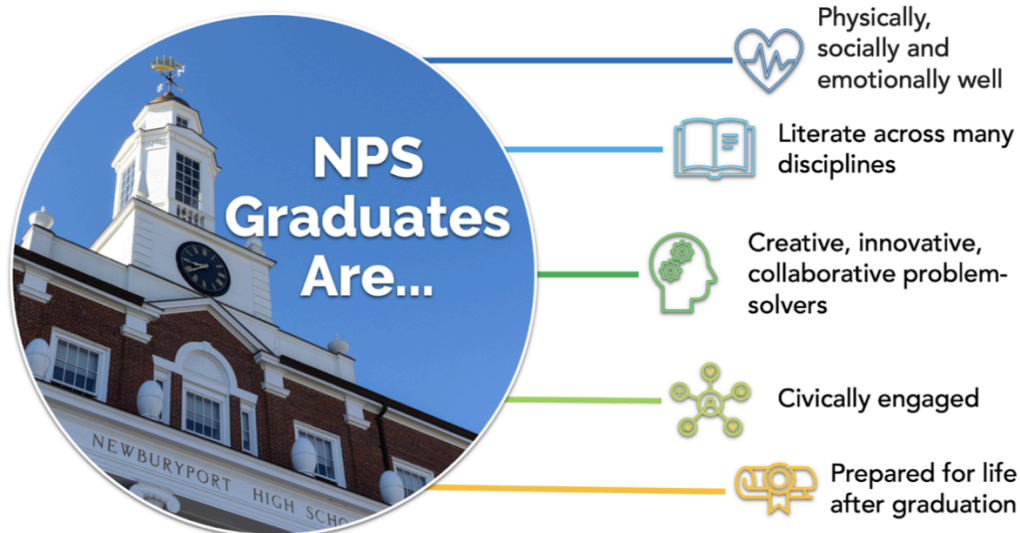
## Section 1 – Mission and School Traditions

### 1.1 – Accreditation Information

Newburyport High School is an accredited member of the New England Association of Schools and Colleges and has met the evaluation requirements of the Commission on Public Secondary Schools. The New England Association of Schools and Colleges accredits learning institutions in the six New England states. Membership in one of the six regional accrediting associations in the United States indicates that the school or college has been carefully evaluated and found to meet

### 1.2 – Vision & Portrait of a Graduate

*NPS graduates are prepared with deep content knowledge, healthy habits, and diverse skills.*



the standards agreed upon by qualified educators. Colleges support the efforts of public school and community officials to have their secondary school meet the standards of membership.

### **1.3 – Newburyport High School: A Brief History**

The history of Newburyport High School is not the story of one school, but rather, the story of the union of three earlier schools. The first high school was called the Latin and English High School and was established in 1831. It was opened to boys only, located at the east end of the Bartlett Mall, and in 1851 when the building was enlarged, became known as the Brown High School. The Female High School, the first of its type in America, was opened in Newburyport in 1843 and located in an "engine house on Pleasant Street". The Putnam Free School was founded in 1848 as an English High School; this was a private, tuition-free school established as a result of the bequest of Oliver Putnam, who provided for the "instruction of youth wherever they may belong."

On November 10, 1868, these three secondary schools united into one school that was known as the Consolidated High and Putnam School. Classes were held in the spacious building that had formerly housed the Putnam School, on the corner of High and Green Streets. In 1889 the school was remodeled and thereafter was known simply as The Newburyport High School or The High School. The school remained in the same building until 1937.

Overcrowded conditions progressively worsened until, in 1934, the citizens of Newburyport voted to build a new high school. Then mayor, Gayden W. Morrill, appointed Edwin S. Dodge as the architect of the new school. Mr. Dodge was a leading colonial architect and had played an important part in designing the reconstructed Williamsburg. He designed our present High School building as a memorial to himself, employing various interesting characteristics of colonial architecture. In March of 1935, the City of Newburyport acquired the property known as Mount Rural as the site of the new building. Two years later, the entire student body left the old building, marched up High Street as a group, and entered the new school. Our building was first occupied on March 12, 1937 and was considered, as it is today, one of the most beautiful school buildings in America.

Due to increased enrollment, in 1963 the "new wing", a fifteen room addition, was completed. In the early to mid-seventies, the interior of the High School building underwent a complete renovation and resulted in much expanded library facilities, a more functional auditorium and the addition of handicap facilities. As we entered the new millennium, the High School building needed complete restoration; in the fall of 2000, a massive building and renovation program began and lasted for two years. During that time, NHS was located in the Rupert A. Nock building and shared the facility with grades 7 and 8 of the Middle School. The renovations created a state-of-the-art facility that provides students, faculty, and staff with tremendous educational opportunities for learning in the 21<sup>st</sup> century.

Throughout its long history, Newburyport High School has served not only residents of the City

but also students from Newbury, Rowley and Salisbury. As the enrollment continued to increase, these towns joined together to construct Triton Regional High School and, since 1971, the student body of Newburyport High School has been composed primarily of Newburyport residents.

Newburyport High School has had a long and glorious history. It is one of the oldest secondary schools in America and fosters a legacy that makes it a unique, special place in which to learn. As the present stewards of this legacy we, students, faculty and staff, have a responsibility to preserve its reputation for excellence in all we do and continue its time honored traditions. We must pass our School on to future generations in a condition that is better, stronger and more beautiful than when we received it. To do less would be a disservice to ourselves and the legacy of Newburyport High School.

#### **1.4.1 – School Colors**

The school colors, chosen in 1894, are CRIMSON and OLDE GOLD.

#### **1.4.2 – School Flag**

The Newburyport High School Flag was designed by David Bennett and was dedicated by the Class of 1960. The flag consists of a gold clipper ship surrounded by two concentric gold ropes embroidered on a field of white. A crimson ribbon is superimposed on the ropes under the clipper ship and the words "*Newburyport High School*" appear on the ribbon. The flag is flown regularly and represents our belief in the words of our Alma Mater, "All are bound in loyal tie!"

#### **1.4.3 – School Symbol**

The symbol of Newburyport High School is the "Clipper Ship" and our athletic teams are known as "The Clippers". The use of a Clipper Ship as the symbol for this School is in recognition of the fact that many of the great sailing vessels of the nineteenth century, known as Clipper Ships, were built in the City of Newburyport.

#### **1.4.4 – Class Colors**

The freshman class meets as a group to decide upon its class colors. The colors will remain with the class during its high school career and will serve as a distinguishing part of the class' history at Newburyport High School. Class colors are reflected in each class' banner.

#### **1.4.5 – Class Banner**

Each class designs a unique Class Banner during its freshman year. The banner is another distinguishing part of the class' identity and is used during different occasions throughout the school year. Upon graduation, the class leaves its banner at Newburyport High School as a constant reminder of its role in the legacy of this School. The banner is then utilized on Alumni Day, Class reunions and other occasions.

#### **1.4.6 – School Song/Alma Mater**

Our School Song, adapted from "Havardiana" by Castlehun '31, Patten '31, and Reid '32, clearly symbolizes our strong attachment to Newburyport High School.

##### *Alma Mater*

*All hail to our Alma Mater, To the Crimson and the Gold,  
All hail to each son and daughter Who has honored thee of old; Young hearts with  
the old united, All are bound in loyal tie;  
To Newburyport, our High School, Let us raise our voices high.*

##### *Chorus*

*Onward! Forward! Onward! Forward! Onward! Forward!  
Newburyport High School, hail, all hail!*

*All hail to the glorious future That the coming years shall bring;  
We pledge to thee our devotion, And thy praise in chorus sing.  
Thy green ivy'd walls have sheltered Classes who have brought thee fame May we  
carry on the banner,  
And be worthy of thy name!*

#### **1.4.7 – Class Rings**

Class rings are selected during the sophomore year. Students may choose from a variety of options, provided by an outside vendor that feature The High School's school colors, the Clipper Ship, and the year of graduation.

#### **1.4.8 – Color Day**

Color Day, an annual rally and class competition, was started in 1940 by Miss Nancy Sornborger, an English teacher and Department Chair. The Color Day Rally is held in the auditorium the day

before Thanksgiving. The overriding theme of Color Day is school unity. To symbolize this, school colors are the only colors that should be used. Students wear crimson and olde gold clothing.

Traditionally, each class is assigned a specific function: the 9<sup>th</sup> grade presents an original cheer, the 10<sup>th</sup> grade creates a video (formerly a poster parade), the 11<sup>th</sup> grade sings an original song, and the 12<sup>th</sup> grade presents an original skit. There are cheers and songs led by the cheerleaders and accompanied by the student body. Included in the program are spirited talks by the coaches and football captain(s). All classes compete for points on the basis of their decorations, most school color, their theme, competition cheer, spontaneous spirit and sportsmanship. The class accumulating the largest number of points is declared the "winner of Color Day" and is awarded the coveted Color Day Jug. The numerals of the class are painted on the jug and ribbons, in the class colors, adorn the jug until the following Color Day celebration. The jug is kept on display in the Principal's Office throughout the school year.

Students may apply to give speeches at senior week ceremonies such as Vespers, Ivy Day and Graduation. They will be selected by a panel of faculty and administration. Students chosen to represent the class will exemplify the Clipper Values and will be members in good standing.

### **1.5 – Class Dues**

Class dues are \$50.00 per year, per student. Class dues must be current in order to participate in any class-oriented curricular activities. Dues are payable by check or money order, made out to "NHS Class of XXXX." Dues should be paid to the class advisor.

## **Section 2 – Communication**

### **2.1 – Contacting Administration and Staff**

NHS Main Office: 978-465-4440

Main Office Hours: During the school year, office hours are from 7:00 a.m. until 4:00 p.m. (Monday-Friday). During the summer, the Main Office is open from 8:00 a.m. until 3:00 p.m. (Monday-Thursday) and on Friday from 8:00 a.m. until 12:00 p.m.

Student Support Office: 978-465-4440, ext. 5009

Athletic Office: 978-465-4440, ext. 5002

Superintendent's Office: 978-465-4456

NHS website: <https://www.newburyport.k12.ma.us/nhs>

### **2.2 – Contacting Faculty/Staff**

Faculty/staff e-mail generally follows the pattern of first initial, last name: For example: (Mike Smith) [msmith@newburyport.k12.ma.us](mailto:msmith@newburyport.k12.ma.us)

For most academic questions or situations, please contact, in order, as needed:

1. Classroom Teacher
2. Student Support Counselor
3. Director of Guidance/Student Support
4. Associate Principal or Principal

### **2.3 – Communication to Parents/Guardians**

Parents and students are encouraged to use the Aspen X2 portal, available with the school's website, for information on students' attendance records and grades. Mid-semester reports will be available only through the online system. In addition, updated school information and master school calendar are available. Important messages are also sent to parents' emails via the Blackboard Connect communication system.

### **2.4 – School Cancellations and Delays**

School cancellation announcements will be sent out through the central office via Blackboard Connect (phone, text message and email). Various media outlets will post a list of districts with cancellations or delays when they are informed.

#### Delayed Opening of School

On occasion, weather conditions may be clear enough for schools to open, but at a later time than the usual starting time. During such times the opening of schools may be delayed. When the above conditions exist, the opening of school will be delayed by two hours. **School will begin at 10:15 a.m.** Buses will operate two hours later than their normal schedule. School will be dismissed at the usual time.

## **2.5 – Announcements**

Daily announcements to students will take place during the school day in the morning at a specified time. Daily announcements are also posted on the school's website.

## **2.6 – Address and Phone Changes**

Changes in addresses or phone numbers should be directed to the Main Office.

## **2.7 – Age of Majority/Emancipation**

When students reach the age of 18 years, they may sign a release form requesting that all correspondence from the school be directed to them only. According to law, all correspondence, be it written or verbal, must be directed to students only and not shared with parents. As a matter of courtesy, the school informs parents in writing when students have signed the 18-year-old release form. Eighteen year-olds who have completed the waiver process will be treated as adults and, along with accepting the rights of an adult, will be held responsible for their decisions.

Students should note: The normal rules and policies of the school still apply, regardless of the student's age. For example, students may not leave school without an excused dismissal, even if they have gone through this emancipation process.



## Section 3 - Academics

### 3.1 – Credits and Graduation Requirements

Newburyport High School credits for graduation are obtained by having attended NHS for at least one semester. All courses at Newburyport High School are semester courses that normally yield a total of 2.5 graduation credits. Credit values for individual courses are contained in the description presented in the current *Program of Studies* and are granted to students upon successful completion of a given course of study. To graduate from NHS, students must accumulate 110 credits, pass all of the required courses of study, achieve competency determination “CD” (see below 3.2), and have attended NHS for at least one semester.

The subject areas and credit quantities required of students are as follows:

English	4 years	20 credits
History	4 years	20 credits
Mathematics	3 years	15 credits
Science	3 years	15 credits
World Language	2 years	10 credits
Physical Education	4 semesters	10 credits
Visual and Performing Arts	2 semesters	<u>5 credits</u>
		95 credits

The additional credits required to reach 110 credits for graduation are to be chosen from those courses listed in the *Program of Studies*.

### 3.2 – Graduation Requirements/Competency Determination

In addition to the specific coursework listed above in 3.1, all students are required by Massachusetts General Law to meet a Competency Determination (CD) “by satisfactorily completing coursework that has been certified by the student’s district as showing mastery of the skills, competencies, and knowledge contained in the state academic standards and curriculum frameworks” in English, mathematics, and science. To meet the competency determination, NHS students must successfully complete coursework\* aligned with the Massachusetts Curriculum Frameworks that cover the content of the following courses:

1. English grade 9 and 10
2. Algebra I and Geometry
3. One of the following: Biology, Chemistry, or Physics

### 3.3 – Grading Scale

There are 5 (five) passing grades and 1 (one) failing grade at Newburyport High School. Grades used are:

**A** = general excellence.

**B** = consistently good work.

**C** = average accomplishment. This is the minimum mark recommended for a student to continue studies in sequence.

**D** = poor work. Students may not continue in a sequential course without the approval of

the Department Chairman.

**F** = failure and no credit is given. Students may not advance in a sequential course without

repeating the course that they failed.

**P** = a passing grade. This designation is only given in particular pre-arranged circumstances.

**INC** = incomplete work. A grade of 'INC' is assigned when the work of a report period is incomplete as a result of illness or some other valid reason.

**MED** = a medical exemption from a student's academic responsibilities due to medical reasons. No credit will be received for a student receiving an 'MED' final grade.

**WD** = a student withdrew from a class after the first progress report and was passing the course at the time of withdrawal.

**FW** = a student withdrew from a course after the first progress report and was failing the course at the time of withdrawal.

**NC** = No Credit due to attendance violation per course. See 4.7 and 4.8.

The 'INC' is replaced with an 'F' if the incomplete is not made up within two weeks, or ten school days, after the conclusion of the report period. Cases of extended or recurring absences shall be treated on an individual basis. In no case will an incomplete grade be carried beyond the end of the school year. *The student must take the responsibility for making up any missed work.*

#### Grade Equivalents for a 4-point scale

A+	4.3	98-100	C	2.0	73-76
A	4.0	93-97	C-	1.7	70-72
A-	3.7	90-92	D+	1.3	67-69
B+	3.3	87-89	D	1.0	65-66
B	3.0	83-86	F	0	64 and below
B-	2.7	80-82	P		No weight
C+	2.3	77-79			

### **3.4 – Grade Reporting**

Grade reports are issued at the end of first and second semesters. Grades and grade reports are available throughout the school year via the Aspen X2 parent and student portals on the school's website.

Final Semester Report Cards are released through Aspen/X2 to parents/guardians approximately two weeks after the close of the semester, including graduating seniors. It is expected that teachers will inform students of their academic standing at the completion of each quarter and discuss this standing with them.

### **3.5 – Grade Contesting**

Students who wish to contest a final course grade must submit a request in writing to the teacher of record within one month of the final grade being posted. (For contesting second semester final grades, this must occur within 1 month of the next academic year.) If the issue is not resolved between the teacher and student, the student may appeal to the principal. An appeal to the principal must be in writing, submitted by the student, and sent before the next quarterly/mid-semester point (typically early November and early April). In the event that the principal cannot come to a resolution between the teacher and student, the Academic Review Council may be called upon to provide guidance on a final decision. (See ARC–3.19).

### **3.6 – Standardized Testing Information**

**ACT's** (seniors and juniors) – Students planning to take the ACT Assessment should consult the ACT Registration booklet for further information regarding test centers, fees, application deadlines and other important data. On-line registration is also available at <http://www.act.org/>

**SAT's** (seniors and juniors) – Students planning to take the Educational Testing Service (ETS) College Board Examinations should consult the Student Support Office to obtain an information booklet and application or may obtain applications and information on-line at: <http://www.collegeboard.org>. There are numerous test dates throughout the year. Please consult the SAT Registration booklet or the web site for further information regarding test centers, fees, application deadlines and other important data.

**AP** (Advanced Placement) tests are administered at Newburyport High School and off site during the first two or three weeks of May. Dates by course are posted on the College Board website, listed above.

**PSAT's** – PSAT/NMSQT will be administered to all sophomores and juniors at Newburyport High School on a school day in October.

### **3.7 – Teacher Recommendations for Course Placement**

#### Grade 8 to 9

To be recommended for an honors level class at the 9<sup>th</sup> grade level, grade 8 students need to maintain at least a 93 average over the first two marking periods, and receive a recommendation from their 8<sup>th</sup> grade teacher.

#### Grades 10-12

To be recommended for an honors level class in grades 10, 11, and 12, students must earn a B+ average in the fall semester preceding the recommendation period, usually early March.

In the best educational interest of the student, great care should be taken by students, parents, and school personnel in making the selection of appropriate courses during the registration process.

The program which is finally approved by the student and his/her parents is the program which the student is expected to complete during the next school year.

### **3.8 – Level Recommendation Waivers**

We believe the recommendations of our professional staff are based upon their assessment of your son's/daughter's educational needs, and knowledge of his/her past academic achievement. However, we recognize your right as a parent/guardian to disagree with these recommendations and, in the final analysis, you have the right to override the recommendations of our staff. Each year a waiver deadline will be established and strictly followed. Students and parents should expect this deadline to be roughly towards the end of February/Early March.

Before making a final decision, we suggest parents speak to the recommending teacher and their child's guidance counselor. To waive the level placement, a form needs to be completed by the student and turned into the NHS guidance department by the established deadline. When a student moves into a class they have waived into, it is important for parents to understand that the student needs to remain in the chosen class until the end of the semester. In other words, another level change cannot be made before the end of a semester. At all times, waivers are granted based on space availability in the course.

### **3.9 – Credits Beyond the School Day**

A number of courses will be available for students outside the traditional school day. Students who enroll in credits beyond the school day may be eligible to enroll in an enrichment block during the school day. Specific course offerings may be found in the NHS Program of Studies.

#### **3.10 – Clipper Block & Advisory(Onward Block)**

**Advisory:** All students will be assigned to a grade level Advisory group which will meet approximately twice per month for 40 minutes. During advisory, students will be guided to reflect on their interests and connect these to their current schooling. Sessions will guide students to develop a post-secondary plan that connects to our Portrait of a Graduate and guides their work going into their senior year and beyond.

Clipper block meets every Day 1 from 1:33-2:42. It is a flexible period of time when students should have the opportunity to make up work, get extra help, collaborate with peers, or use the time to do their academics. Students will make appointments using the software, Enriching Students.

During Clipper Block there is an expectation for all students to be engaged in their academic work or school pursuits. If a student does not attend their Advisory or Clipper Block, it is considered a cut class and that student will receive appropriate disciplinary consequences. Students may lose the privilege of self-scheduling appointments, be assigned to the office, or have after school office detention(s).

### **3.11 – Academic Honors and Awards**

#### **3.11.1 – Honors Celebration**

The annual Honors Celebration is held each spring and recognizes the academic achievements of students of all four classes. Freshman who have earned a place on the Honor Roll first semester are invited to the ceremony to observe and students receiving an academic key are invited to receive their key. In addition, four students will be recognized and invited to speak: The Valedictorian, Salutatorian, Francis T. Bresnahan Scholar Athlete, and the Newburyport Scholar Artist.

The Francis T. Bresnahan Scholar/Athlete is a senior who exemplifies the highest qualities of the Scholar-Athlete. The recipient is chosen each year for consistent demonstration of excellence in the dual areas of academics and athletics. The Bresnahan Scholar Athlete is also the recipient of the Francis T. Bresnahan Student/Athlete Scholarship, given by the Bresnahan family in memory of our former Teacher, Principal, Assistant Superintendent and Superintendent.

#### **3.11.2 – Valedictorian and Salutatorian**

The Valedictorian will be the student with the highest weighted GPA and the Salutatorian will be the student with the second highest GPA. NHS does not issue class rank otherwise. However, students in the top 5% will be recognized at the Regional Honors Scholars Dinner each spring.

#### **3.11.3 – Academic Keys**

Academic keys of bronze, silver and gold are awarded to students at the annual Honors Celebration. The following guidelines are followed to determine the recipients:

Students must be on the Honor Roll for a number of semesters to earn a key. The semesters need not be consecutive. Semesters of study counted toward a key must be from courses taken at NHS. Courses and grades transferred from another school will not count towards academic keys, but will be counted towards graduating with honors or high honors, where applicable.

A **bronze key** is awarded to students who attain at least a B- final grade in each subject for three semesters;

A **silver key** is awarded to students who have attained at least a B final grade in each subject for five semesters;

A **gold key** is awarded to students who have attained at least a B final grade in each subject for seven semesters.

### **3.12 – Senior Scholarship Night**

Annually the Senior Scholarship Night is held in late May before graduation. At this event graduating seniors are presented with scholarships.

### **3.13 – Underclassmen Academic Awards Assembly**

The Underclassmen Academic Awards Assembly is generally held in June, after graduation. At this time, deserving students in individual subject areas are awarded Newburyport High School certificates of achievement and other academic recognitions.

### 3.14 – Honor Roll

The Honor Roll at Newburyport High School consists of the levels of High Honors and Honors. In order to be considered for placement on either Honor Roll or High Honor Roll, a student must be considered fully enrolled by participating in the equivalent of a minimum of 13 semester classes (this may be through a combination of traditional school day classes and Courses Beyond the School Day). The Honor Roll is computed and announced at the end of each semester.

- High Honors are awarded to students who have received only A's (A+, A, A-)
- Honors are awarded to students who have received only A's and B's (A+, A, A-, B+, B, B-) Note: If a student enrolls in a course which issues "P/F" (pass/fail) grades for all students, a "P" replaces the minimum B- grade for qualifying for the honor roll. However, if a student makes arrangements to receive a "P" grade in a traditionally graded academic course, the student will not qualify for the honor roll.

### 3.15 – Graduating with Honors

Students who meet the following criteria will be awarded the distinction of graduating with High Honors or Honors at the graduation ceremony in June.

- High Honors: awarded to students whose final course grades for their 9th, 10th and 11th grade years and for the first semester of their 12<sup>th</sup> grade year consist of all A's.
- Honors: awarded to students whose final course grades for their 9th, 10th and 11th grade years and for the first semester of their 12<sup>th</sup> grade year consist of all A's and B's.

### 3.16 – National Honor Society

The National Honor Society is an organization that recognizes students who reflect and demonstrate outstanding accomplishments in scholarship, leadership, service, and character. Members must achieve an unweighted grade point average of at least a 3.60 or have a weighted grade point average of at least a 3.90, as well as exhibit excellence in the remaining three criteria without exception. Membership responsibilities are most visible by the continued academic performance and service projects performed by the group. Other responsibilities less visible are extensive, varying, and diverse forms of individual service projects and a continued presence of positive leadership and character.

#### Article IV. Definitions of Criteria

##### Section 1. A student who achieves scholarship:

- Has a 3.60 unweighted cumulative grade point average OR has a 3.90 weighted cumulative grade point average

□ Is enrolled in the required number of courses for a full

time student. Section 2. A student who exercises leadership:

- ❖ Is resourceful in proposing new problems, applying principles, and making suggestions
- ❖ Demonstrates initiative in promoting school activities
- ❖ Exercises positive influence on peers in upholding school ideals
- ❖ Contributes ideas that improve the civic life of the school
- ❖ Is able to delegate responsibilities
- ❖ Exemplifies positive attitudes
- ❖ Inspires positive behavior in others
- ❖ Demonstrates academic initiative
- ❖ Successfully holds school offices or positions of responsibility; conducts business effectively and efficiently; demonstrates reliability and dependability
- ❖ Is a leader in the classroom, at work, and in other school or community activities
- ❖ Is thoroughly dependable in any responsibility accepted
- ❖ Is willing to uphold scholarship and maintain a loyal school attitude

Section 3. A student who serves:

- ◆ Volunteers and provides dependable and well organized assistance, is gladly available, and is willing to sacrifice to offer assistance
- ◆ Works well with others and is willing to take on difficult or inconspicuous responsibilities
- ◆ Cheerfully and enthusiastically renders any requested service to the school
- ◆ Is willing to represent the class or school in inter-class and inter-scholastic competition
- ◆ Does committee and staff work without complaint
- ◆ Participates in some activity outside of school, for example, Girl Scouts, Boy Scouts, church groups, volunteer services for the elderly, poor, or disadvantaged
- ◆ Mentors persons in the community or students at other schools
- ◆ Shows courtesy by assisting visitors, teachers, and students

Section 4. A student of character:

- Is respectful, responsible, trustworthy, fair, and caring
- Takes criticism willingly and accepts recommendations graciously
- Consistently exemplifies desirable qualities of behavior; cheerfulness, friendliness, poise, and stability
- Upholds principles of morality and ethics
- Cooperates by complying with school regulations concerning property, programs, office, halls, etc.
- Demonstrates the highest standards of honesty and reliability
- Regularly shows courtesy, concern, and respect for others
- Observes instructions and rules, is punctual and faithful both inside and outside the



classroom

- Has a power of concentration, self-discipline, and sustained attention as shown by perseverance and application to studies
- Manifests truthfulness in acknowledging obedience to rules, avoiding cheating in written work, and showing unwillingness to profit by the mistakes of others
- Actively helps rid the school of bad influences or environment

#### Article VI. Selection of Members

Section 1. Any student who has a cumulative unweighted grade point average equal to a 3.60 (or higher) or cumulative weighted grade point average equal to a 3.90 (or higher) at the end of the fifth semester of high school is eligible for selection.

Section 2. All candidates shall receive the following:

- ✓ A letter indicating that he/she is a candidate for the National Honor Society
- ✓ An information form to be filled out by the candidate
- ✓ The chapter bylaws

Section 3. The administration, faculty, secretaries, cafeteria staff, and the custodial staff receive a list of all candidates. They are asked to write comments, positive and/or negative, regarding any candidate.

Section 4. A candidate should read the bylaws of this chapter, and complete the information form. A candidate shall be asked to include any past or present leadership positions and service activities. Any past positions and/or activities must have occurred while the candidate was in high school. Additionally, a candidate must acquire three recommendations: one from a current teacher, one from any present or former high school teacher, and one from a coach, an adviser, or an employer. It is suggested that the candidate acquire a recommendation from a current coach, adviser, or employer.

Section 5. A candidate shall compose two one-page, double-spaced, essays. It is strongly suggested that the essays be typed.

□ Service Essay – A candidate shall choose one service activity that occurred while the candidate was in high school and discuss why it was a meaningful activity. It should include: why the candidate chose to participate, what it meant to the candidate, who benefited from the activity, and a brief description of the activity. The candidate's part in the service project must have been for a non-profit. It must have been for the benefit of someone other than a family member (extended family included) or something other than the family business. It is strongly suggested that no candidate consider baby-sitting as a service activity.

□ Leadership Essay – A candidate shall describe their leadership qualities by citing examples of their own experiences that occurred while in high school. It is strongly suggested that the candidate personalize each essay and compose it with excellence; have depth of content, use correct grammar, punctuation, spelling, sentence structure, and organization.

Section 6. A candidate shall return the information form with all recommendations and essays to the adviser by a predetermined date. Any forms received from a candidate after this date will not be considered for selection.

Section 7. A letter indicating selection or non-selection will be sent to a candidate after the Faculty Council has reviewed all information regarding every candidate.

Section 8. A candidate may request a meeting with the Adviser and/or Principal in cases of non-selection.

Section 9. An Adviser and/or Principal may request a meeting between candidate and the Faculty Council in cases of non-selection.

### **3.17 – Summer School/Credit Recovery**

Students at Newburyport High School may attend approved summer school courses to obtain credits for classes that they have failed at NHS. Summer school courses are equal to one semester of a year-long course. A student may also elect to enroll in a summer session course for enrichment purposes. Students enrolled in a course for enrichment will not receive academic credit for that course.

Students who plan to enroll in summer school must obtain a summer school permission form from their Student Support Counselor. NHS typically accepts summer school credits from Haverhill High School's summer program, and several online virtual platforms. Students and guardians should check with their student support counselor before registering for any summer school programs. Other programs would need to be approved by NHS administration and the instructional leader of the department.

### **3.18 – Extra Help After School**

At the beginning of the school year, teachers will inform their students of the times during which they will be available for conferences, extra help and make-up work. Students are required to familiarize themselves with these times and are urged to take advantage of these opportunities. Students can also get help during the Clipper Block.

### **3.19 – Academic Review Council**

The Academic Review Council (ARC) is an advisory group to the Principal that considers academic questions and/or situations that are not specifically addressed in the *Clipper's Compass*. The ARC is made up of the Principal or the Associate Principal, the Special Education Instructional Leader or Director of Guidance, and at least two other staff members. Students wishing the ARC to consider a request must make a written request, provide sufficient and appropriate information, and present their case for consideration to the ARC. Before making a recommendation, ARC will investigate the request and may ask for information from other expert sources.

### **3.20 – Semester Exams**

It is important that students make every effort to be present for exam days. While make-up periods are scheduled, these are not to be used at the discretion of the student. Make up exams should only be needed due to unavoidable circumstances and/or documented sickness.

Students and families should keep in mind the five additional days listed on our school calendar that may be needed in the event of make-up days (for snow days and any other school closings.)

Students who have opportunities outside of Newburyport High School that conflict with exam dates should make a proposal to the ARC, listed above (3.19). The ARC will make a determination as to how and when the student will take final exams.

## **Section 4 – Attendance**

### **4.1 – School Attendance**

Newburyport High School students are expected to maintain a good attendance record in order to receive the full benefit of their school experience. All students are required to be in school **from 8:15 a.m. to 2:42 p.m. for 180 school days**. Chapter 76, section 1 of the Massachusetts General Laws states that all children between the ages of six and sixteen must attend school. It is the parents'/guardians' responsibility to be certain that their children attend school daily.

The Main Office will keep official school attendance records. Daily attendance in school is formally taken at the beginning of the first block and subsequently updated throughout each day as students arrive tardy or are dismissed early.

Students with chronic school attendance problems will be identified as early as possible. The school shall make a reasonable effort to directly contact a parent or guardian of students who have reached their 3<sup>rd</sup> unexcused absence, and will make a reasonable effort to meet with the parent or guardian of a student who has 5 or more unexcused absences. The school and family will work to develop action steps and interventions for improved attendance.

### **4.2 – Attendance Protocol**

Attendance is taken during the first block, which begins at 8:15 a.m. In addition, period-by-period attendance is taken throughout the day. The school provides attendance records via the Aspen/X2 portal. Parents/guardians should review this information carefully and contact the Main Office (978-465-4440 x5001) if they have concerns regarding their children's attendance record at any time during the school year.

Parents/guardians should call the high school before school to notify the school of an absence. Later that morning the school will send an automated call home/email after attendance is posted confirming the absence.

### **4.3 – Attendance to School Events/Activities**

Students who are absent on the day of an activity or are dismissed due to illness are not permitted to attend school events that occur beyond the school day (dances, plays, musicals, sports, extra-curricular events/activities.)

### **4.4 – Attendance for Participation in Co-Curricular Activities/Athletics**

Students absent on the day of an activity, co-curricular event or athletic activity, or the day preceding a weekend activity, are not eligible to participate in that activity, unless authorization is received by the administration. Students must meet the following criteria to be considered eligible for participation: arrive to school on time and attend school for a minimum of 3 classes (8:15 AM-11:50 AM) or a student may arrive by the end of the second block (10:37 AM-2:42 PM) and remain in school for the remainder of the day, and not be dismissed due to illness. Students dismissed due to illness may not participate in events that day without administrative approval.

The principal or designee may excuse students from this rule if reasonable cause for the tardiness/dismissal is presented.

### **4.5 – Attendance to Class**

Each teacher keeps class attendance records. A student that misses more than half of the class period will be considered absent from that class. Parents should contact individual teachers if they have any questions relative to the absences from a particular class.

#### **4.6 – Reporting/Documenting Excused & Unexcused Absences**

Parents/guardians should call the attendance line to notify the school of an absence. This call does not “excuse” the absence, but it informs the school that the student is not truant, and the caregiver can account for their student. If an absence is excused for any of the following reasons, the student should bring documentation to the main office receptionist when they return from their absence, then the absence will be switched to “excused”.

Excused Absences: The following types of absences will be considered excused if proper paperwork is submitted to the Main Office:

- Medical visits, including dental & therapeutic. Doctors notes required.
- Court appearance: Documentation required.
- Registry of Motor Vehicles - Appointments for permit/license. (Note: Students who schedule driver's ed hours during school time are NOT excused.)
- College Visit (up to 3 per semester for juniors and seniors). Reasonable proof of visit required. Examples include a parking pass, dated note from the admissions office, campus maps/tour information etc.
- Religious Holidays
- Attendance at a wake/funeral: Parent/Guardian note will be considered proof.
- Note: External suspensions from school are not “unexcused absences.”

Unexcused Absences: Students are allowed up to 7 unexcused absences per course, per semester. Any absence that does not fall into the categories listed above is considered unexcused.

Students should submit documentation to excuse an absence to the Main Office within 48 hours of the absence. (Doctor's notes, college visits etc.)

Newburyport High School will send automated phone messages each morning for any student marked absent that day.

#### **4.7 – Maximum Number of Absences/School Warnings**

Class time and participation are highly valued at NHS. Students who exceed 9 daily absences of any type in a semester, will lose credit in all classes that semester. \*Students with extenuating circumstances impacting their attendance such as long term medical issues will be exempt from this credit loss penalty at the discretion of the school administration. Parents/guardians, students and the school share the responsibility of being aware of each student's attendance record.

This policy focuses on overall daily attendance which is managed at the main office. However, teachers will be able to refer students who have 7 or more class absences to the administrative office. These class absences may be due to tardiness, dismissals, or skipped classes.

Note: Students must attend at least 3 of 5 classes to be considered present for the day. (10:41–2:42 or 8:15–11:50). (See section on eligibility for extracurricular activities.)

Students are expected to attend classes whenever classes are scheduled; however, the school recognizes that sickness and emergency situations do occur that require a student to be occasionally absent from classes.

For students transferring into NHS after the 20<sup>th</sup> day of a semester, who are not transferring from another academic setting, a team will convene to decide whether or not a student is eligible to achieve credit in the courses assigned, as the students have already exceeded the attendance limit.

#### **4.8 – Appeals Process for Credit Loss due to Attendance Violations**

The attendance policy described above holds students, parents, teachers, and the school accountable for attendance. It is not the intent of this policy to be unreasonably punitive towards students for unusual or extenuating circumstances. If a student has displayed expected responsibility for his/her attendance but has nonetheless exceeded the allowable number of absences due to circumstances beyond his/her control, this should be brought to the attention of the administration of Newburyport High School. The procedure for appeals process is as follows:

1. An appeal may be initiated by a written request by the parent or guardian of a student who has exceeded the limitations as delineated in this document. The appeal should include, but may not be limited to, the unusual circumstances which warrant such an appeal and should be addressed to the Dean of Students or Associate Principal of Newburyport High School. This appeal must be initiated within two weeks of when the student is notified of his/her failure to comply with the attendance policy.
2. The **Attendance Review Panel** shall attempt to meet with the student and his/her parent/guardian to review the appeal and render a decision. Said decision shall be made within five days, and a written copy of the decision shall be forwarded to the student and his/her parent(s) or guardian(s).
3. The Attendance Review Panel consists of one administrator, a counselor, and at least one other staff member, often the school nurse. The purpose of the Attendance Review Panel shall be to review appeals initiated by parents or students and to render a timely decision according to the criteria provided above. A majority vote of the members shall constitute its decision.

#### **4.9 – Homework Requests**

Homework may be requested in a time of extended absence by calling the Main Office at 978-465-4440 X-5001. Teachers require 24 hour notice.

#### **4.10 – Tardiness to School**

It is important that students are in school on time. Students need to be in their first period class at 8:15 when school begins. Students who are late must sign in at the Main Office and receive a tardy pass. Tardiness will be reviewed daily. Students who exceed three unexcused tardies in a quarter will be assigned to office detention.

#### **4.11 – Tardiness to Class**

Students who arrive late to class are expected to present a pass admitting them to the class. Students may be subject to disciplinary action for tardiness in the form of teacher detentions, office detentions, and possible Friday Extended-Day Detention. A student that misses more than half of the class period will be considered absent from that class.

#### **4.12 – Vacation Policy**

We strongly discourage the planning of vacations during school time. Students who miss school as a result of vacation will have those days counted as unexcused absences. Should the vacation days contribute to a violation of the attendance policy, the student could lose credit in any course in which the attendance policy was violated. Parents may appeal to the Attendance Review Panel (see 4.8).

Students are responsible for making arrangements for all academic work and expectations upon their return from vacation.

#### **4.13 – Class Cuts**

Students are required to attend all assigned classes. It is the student's responsibility to verify his/her absence from a class to the teacher. Failure to verify an absence will result in the parent or guardian being notified that a class has been cut, and a zero received for that day's work. The consequences for cutting classes are:

- First offense: 2 office detentions; parents notified by the Main Office. · Second offense: Up to 3 hours of Friday Extended-day Detention on an Early Release day. Parents will be notified and there may be a conference with the Associate Principal.
- Subsequent offenses: Parent conference with the student and the Associate Principal and a 3 hour Extended-day Detention and/or OSS (Out of School Suspension) are options at this point and are at the discretion of the Principal or Associate Principal.
- See section 5.19 regarding leaving school grounds without permission.

Students who cut a class and leave grounds may be searched, and will be assigned to Friday Extended-day Detention on the first offense. Parents/guardians will be notified.

#### **4.14 – Truancy**

Truancy is defined as being out of school without prior parent/guardian knowledge and/or permission, and a reason acceptable to the administration

Truancy counts as a class cut in EACH class missed, resulting in a zero for the day's work and possible loss of academic credit due to absences.

In the most serious cases of truancy, school administrators may work cooperatively with the local police and the juvenile justice system.

#### **4.15 – Dismissals**

Students who plan on being dismissed during school should bring a written note from a parent to the Main Office before school begins. The note should contain the reason for the dismissal, time of dismissal, date, and parent phone contact. Students will then receive a dismissal pass from the office which will allow them out of class during the day. Before leaving the building, students must sign out in the Main Office.

Phone dismissals will not be accepted, except under unusual circumstances approved by administration. If a student forgets to bring a note, or if the dismissal was not planned, an email from the parent/guardian is acceptable.

A parent/guardian or a responsible person designated by the parent must pick up a student who is being dismissed. A student may walk home at the discretion of the Principal, Associate Principal or School Nurse, and with the parent's permission.

Parents should avoid making appointments for their children with doctors, dentists, etc., during school hours whenever possible.

#### **4.16 – Health Office/Nurse Dismissal Guidelines:**

The following list of Health Concerns/Conditions are used to evaluate the need for Dismissal or Exclusion from School:

- Temperature over 100 degrees
- Cough with fever
- Suspected infection
- Severe Headache or abdominal pain
- Suspected communicable disease
- Suspected fracture or any disabling injury
- Questionable need for sutures
- Vomiting or diarrhea
- Head injury requiring a physician evaluation
- Mental health crisis
- Immunization delinquencies without exemption documentation

We ask parents/guardians to refer to this list when determining the appropriateness of sending an ill or injured child to school, and in turn, our school nurses utilize this list when assessing students in school, and determining the need for dismissal.

A School Nurse determined dismissal is considered an excused absence. If a student communicates directly with a parent, or a parent opts to dismiss their child without the school nurse assessment, then the absence is unexcused.

Any student dismissed for illness, or absent for illness, may not participate in sports or extracurricular activities on that same day. Any student arriving late to school due to illness, must participate in the last three consecutive blocks to participate in sports and extracurricular activities.

For those students with chronic medical conditions or acute conditions requiring time out of school and other accommodations, the school nurse will work closely with the student, family, and administration to coordinate excused absences as needed.

#### **4.17 – Hallway/Library Passes**

A student should obtain teacher permission to leave the room. The student should sign out of the classroom/library and take the hall pass with them.



## **Section 5–Conduct & School Rules**

### **5.1 – Conduct/Rules**

Students at Newburyport High School are expected to act in a respectful, courteous manner at all times, including those times when they are in the corridors, on the bus or otherwise traveling to and from school. This respect and courtesy shall be extended to fellow students, teachers, administrators and staff members.

### **5.2 – Student Conduct Policy Enforcement (6/19/17)**

The Massachusetts General Laws require the School Committee to adopt written policies, rules and regulations not inconsistent with law, which may relate to study, discipline, conduct, safety and welfare of all students, or any classification thereof, enrolled in the public schools of the District.

The implementation of the general rules of conduct is the responsibility of the Principal and the professional staff of the building. In order to do this, each school staff in the District shall develop specific rules not inconsistent with the law nor in conflict with School Committee policy. These building rules shall be an extension of the District policies by being more specific as they relate to the individual schools.

The purpose of disciplinary action is to restore acceptable behavior. When disciplinary action is necessary, it shall be administered with fairness and shall relate to the individual needs and the individual circumstances.

Students violating any of the policies on student conduct and control will be subject to disciplinary action. The degree, frequency, and circumstances surrounding each incident shall determine the method used in enforcing these policies. Most of the situations which require disciplinary action can be resolved within the confines of the classroom or as they occur by reasonable but firm reprimand, and/or by teacher conferences with the student and/or parents or guardians.

If a situation should arise in which there is no applicable written policy, the staff member shall be expected to exercise reasonable and professional judgment.

Consequences for unacceptable behavior will vary depending on the seriousness of the infraction. The consequences range from a warning to detentions, suspensions, and possibly expulsion and involvement of the police.

Some examples of serious infractions and a possible range of consequences are:

- Defiance of the authority of a teacher/administrator/staff or insubordination with flagrant disregard of a verbal instruction or direction.
- Profanity or other improper language directed at a staff member.

- Restorative Meeting, Detention, In School Suspension, Loss of Privileges, up to OSS. Fighting, or any form of violence, is expressly forbidden at Newburyport High School. If students are involved in a fight, they will be suspended from 1 – 5 days. The punishment, however, may be increased depending on the circumstances surrounding the fight.
- In school suspension ranging up to three (3) day suspension

### **5.3 – Student Rights and Responsibilities**

The School Committee has the responsibility to afford students the rights that are theirs by virtue

of guarantees offered under the federal and state constitutions and statutes. In connection with rights, there are responsibilities that must be assumed by students.

Among these rights and responsibilities are the following:

Civil rights--including the rights to equal educational opportunity and freedom from discrimination; the responsibility not to discriminate against others. The right to attend free public schools; the responsibility to attend school regularly and to observe school rules essential for permitting others to learn at school. The right to due process of law with respect to suspension, expulsion, and decisions the student believes injure their rights. The right to free inquiry and expression; responsibility to observe reasonable rules regarding these rights. The right to privacy, which includes privacy with respect to the student's school records.

It is the School Committee's belief that as part of the educational process students should be made aware of their legal rights, and of the legal authority of the School Committee to make and delegate authority to its staff to make rules regarding the orderly operation of the schools.

Students have the right to know the standards of behavior that are expected of them and the consequences of misbehavior.

The rights and responsibilities of students, including standards of conduct, will be made available to students and their parents through handbooks distributed annually.

M.G.L. 71:3H; 71:82 THROUGH 71:86:

**Adopted 6/19/17**

### **5.4 – Dress Code**

Students of Newburyport High School are expected to dress in a manner that complies with sound health practices and should not distract from the learning environment. The following guidelines should be followed:

Students must wear:

- Shoes or sandals (no bare feet).
- A top.
- Bottom: Shorts, pants, leggings, dress, skirt, etc.

Students may not wear:

- Articles of clothing which promote the use of tobacco, alcohol, drugs, or other illegal substances.
- Articles of clothing with displays that are sexual, vulgar, lewd, indecent; include insulting words (e.g., racial/ethnic slurs); or have the potential to disrupt the educational environment.
- Clothing that is destructive to school property (e.g., cleats, pants with metal inserts that scratch furniture)
- Hoods (unless a headgear for cultural/religious purposes)
- Midriffs, chests and backs should be covered.
- A staff member may ask a student to remove a hat during a formal assessment.

These are general guidelines which apply to all students and are not gender specific. Any staff member who feels that a student is inappropriately dressed may refer the case to administration. Administration in consultation with a school counselor will make the final determination regarding the dress code.

## **5.5 – Electronic Devices: Cell Phones/Computers/Other Devices**

**5.5.1** – Cell Phones may be used before school, after school, and during lunch. At all other times of the day they should be out of sight. Students may not use phones during class time, during passing time, during Advisory, Clipper Block, or in the library.

### **5.5.2 – Consequences for Cell Phone Violations**

First Offense: Teacher instructs the student to put the phone away and documents to administration.

Second Offense: Teacher corrects behavior and documents to the administration. The student will turn the phone into the office for the day. The parent/guardian will be notified by administration.

Third Offense: There will be a meeting with the parent/guardian. The student will participate in check-in/check-out for two weeks turning the phone into the office for the full day.

Additional Offenses: The student will be assigned to participate in after school programming designed to teach self-regulation skills.

### **5.5.3 – Misuse of other Electronic Devices/iPads/Computers Etc.**

Electronic Devices are an important part of education. Students are expected to use personal devices as directed by their teachers and should not be watching videos or playing games etc. Consequences for misuse of other technology are:

First Offense: Warning from teacher. Administration notified.

Second Offense: Student referred to Administration. Parent/Guardian notified. Student assigned to office detention.

Additional Offenses: Meeting with parent/guardian. Student will be assigned to participate in after school programming designed to teach self-regulation skills.

**5.5.4 – NHS is not responsible for lost or stolen devices.**

**5.5.5 –** As with all personal property brought onto school premises, electronic devices are subject to search and seizure with reasonable suspicion that the device has been used in any way that violates school rules or laws.

### **5.6 – Food and drink**

Food and drink (with the exception of water) may not be consumed in the auditorium, the library, the gym, the weight room, or the computer labs. As a regular practice, food consumption in class is at teacher discretion. Violations of this rule will result in consequences as deemed appropriate by the teacher and/or administration.

## **5.7 – Bathrooms**

High School bathrooms are a community area and are the responsibility of everyone who uses them. Behavior that is inappropriate, such as smoking, vaping, littering and vandalism, will result in appropriate consequences. Students are not to loiter in or outside bathrooms.

### **5.8.1 – School Provided Learning Resources – Textbooks**

This school system provides textbooks for your use. Naturally, if you lose or damage a book, you will be expected to pay for it. When your books are issued to you, you should be sure that the book number inside the book is accurately reported to your teacher. If the number is missing or unclear, please tell your teacher so that the numbers can be adjusted. Write your name on the bookplate inside the front cover of the book in ink. This will help to identify the book if it is lost or stolen. When you return your books at the end of the course, the number of the book that you return must be the same as the one which you were issued. It is this verification system that protects you if your books are stolen. To protect books assigned to you, handle them with care, protect them by covering them and do NOT write in them.

If you do not return your books, or if you return them in a condition that is unacceptable to the teacher, the student/family will be financially responsible.

### **5.8.2 – Electronic Media Devices**

In borrowing electronic devices from NHS, including but not limited to a Chromebook, iPad, MacBook Pro, E-reader, or graphing calculator, video camera/camera students agree to be careful not to damage the device and follow our acceptable use policy.

Please note: Every classroom will have iPad devices available for student use. There will NOT be computers available for check out overnight or on a daily basis, only for individual in-class use.

Students and/or parents/guardians will be responsible for any damage or replacement fees, up to the full replacement cost of the technology or the accessories.

## **5.9 – Video Policy**

Students and parents will be required to sign a contract before students work on video projects for class assignments. The contract will explain the full video policy which covers appropriate usage and the responsibility for the equipment. Content should be G-rated. Students may not feature weapons, drugs, violence or sexual content/innuendo. Students may not disturb the school environment while filming, and may not film others without their permission.

### **5.10 – Obligations/Bills Issued to Students/Food Services**

Obligations are issued to students for a variety of reasons: failure to return school property that was issued (i.e. books, athletic equipment, uniforms, etc.); failure to return property in acceptable condition; damage to school property. In addition, students with money owed to the food services department will receive a written request for “payment in full.” Students with outstanding balances or other obligations may not be allowed to participate in grade level privileges (examples: proms, Senior Week activities, etc.)

### **5.11 – Bicycles**

Bicycles must be parked in the bike racks provided on campus.

### **5.12 – Parking**

Students who choose to drive a car to school should be aware that there exist school department, police department and fire department parking regulations that must be observed when parking near Newburyport High School. There is **no student parking** on the grounds of Newburyport High School on school days **until after dismissal**. Students who park on campus will be assigned to office detention and a conduct report will be logged in Aspen. Students who are repeat offenders risk sanctions from the Honor Society, as well as potential loss of privileges (dances/prom/Senior Week).

### **5.13 – Auditorium Conduct**

Students are sometimes called to the auditorium for a meeting or an assembly. Students are expected to proceed to the auditorium in an orderly manner and are to sit in their assigned section.

It is a custom at Newburyport High School that speakers and guests are treated with respect. It is expected behavior that all students remain seated and attentive while they are being addressed.

Food/drink is not allowed in the auditorium. Cell phones should be silenced and put away during a speaker/presentation/assembly.

At the conclusion of an assembly, the administrator in charge of the assembly will formally dismiss students.

### **5.14 – Cafeteria Conduct**

All students and teachers have thirty minutes for lunch. Each student should respect the space they are eating in and being conscientious about cleaning up after themselves. General conduct should reflect expectations that exist in the classroom. Noise levels should remain low. Students should only play music that they can hear, keeping it low enough that a neighboring table would not hear it.

### **5.15 – Student Conduct on School Buses**

School bus safety is a primary concern of the Newburyport Public Schools, which reserves the right to take whatever action is necessary to maintain a high level of safety. The courts have held that the right of a student to transportation is a qualified right, dependent on appropriate behavior. In those cases where a student seriously or repeatedly misbehaves, the Associate Principal or Principal will notify the student's parents. Such behavior may result in temporary removal from the bus for that student. If a student's behavior seriously endangers other students and/or the driver, that student is subject to immediate and possibly permanent removal from the bus. The following conduct is strictly prohibited:

- Smoking, vaping or use of tobacco (also see School Committee Policy *ADC*), lighting of matches or any device, extending any body part out of a window, standing or moving when bus is moving, throwing any object within the bus or out a window, interfering with anyone passing to or from a seat, eating of any food, profanity, bullying, possession of any illegal or dangerous or drug or weapon, talking or shouting in a manner that is disruptive to the bus driver or other students, behavior of any kind that is disruptive to the bus driver or to students on the bus.
- Any student conduct prohibited in the Student Handbook or Student Code of Conduct.

Failure to comply with the above regulations will result in disciplinary actions as detailed in each school's Student Handbook or Student Code of Conduct and may include temporary or permanent loss of bus privilege, suspension from school, or other disciplinary action as appropriate to the offense. A student who pays a fee for transportation and whose riding privileges are suspended because of a violation of these rules will not receive a fee refund in whole or in part.

The driver is in complete charge of the bus and the students while in route to and from school. All passengers must follow the instructions issued by the driver for loading, unloading and personal conduct.

**USE OF EMERGENCY DOORS IS PROHIBITED UNLESS THERE IS AN EMERGENCY SITUATION.**

Students will be held liable for any damage resulting from defacing or causing destruction of school buses.

### **5.16 – Gambling**

Gambling in the building or on school grounds is not acceptable at Newburyport High School. Violations will be referred to the Associate Principal for disciplinary action. Such disciplinary action shall include a conference with the student, notification of his/her parents, and if warranted,

notification of the Newburyport Police Department. Additional disciplinary action, depending upon the severity of the incident(s), shall include the possibility of detention and suspension. In a severe case of repeated gambling, the student could be referred for a long-term suspension.

#### **5.17 – Laser Pointers/Pens**

Any device that projects a laser beam is prohibited from school. If confiscated by a teacher or administrator, these items may be claimed from the Associate Principal's Office at the end of the school day. If confiscated a second time, these items will be returned only to a parent/guardian.

#### **5.18 – Campus Limits**

Once you step on school grounds, you are subject to all rules, regulations, and policies governing Newburyport High School students. The grounds are defined as follows:

- The sidewalk in front of the stone wall along High Street from Summit Place to Toppan's Lane and the grounds behind the wall extending to the chain link fence at the rear of the lower athletic field.
- The sidewalk and grounds along Toppans Lane from High Street to the end of the lower field.

#### **5.19 – Leaving the School Campus without Permission**

Students may not leave the school campus without permission at any time. A student who skips a class or Clipper Block and leaves campus may be required to serve multiple detentions or Friday Extended-day Detention on the first offense. Depending on circumstances the administration may assign up to 4 days of office detention depending on the individual case. Leaving campus is considered a serious offense. Second and subsequent offenses may result in parent conferences, more days of Extended-day Detentions, up to external suspension. In addition, any student found to have left campus without permission may be subject to a search by a school administrator (see section 5.29 Searches).

#### **5.20 – School Property**

We care a great deal about, and are very proud of, our school building and facilities and we hope that you will share that with us. The building and its equipment need to be treated with care and respect in order for them to remain attractive and functional. It is expected that you will treat all school property well, pick up any paper or litter that you see in the classrooms, corridors, lavatories, dining areas or grounds, and that you immediately report any marring or destruction of property which you observe in the building to a teacher or custodian.

#### **5.21 – Vandalism**

Vandalism includes all willful damage to school or personal property. Depending on the circumstances and severity, the police may be notified. Students involved in vandalism of school property may receive disciplinary consequences such as detention, Friday Extended-day Detention, or suspension (OSS). Additionally, students should expect to pay restitution. Second or subsequent offenses will result in more severe consequences.



## **5.22 – Plagiarism/Cheating Policy**

Academic integrity is a high priority at NHS. Students who cheat on or plagiarize their schoolwork will lose credit for that assignment and may also receive traditional disciplinary consequences such as detention and loss of privileges. Parents/guardians will be notified. The offense will be recorded in the student's conduct record and could impact eligibility or status in the National Honor Society.

Examples of plagiarism/cheating follow, but are not limited to: 1. Failure to credit an appropriate author(s). 2. Downloading Internet materials without citing appropriate sources and author(s). 3. The purchase and submission of teacher-directed academic assignments-prose, poetry, term papers, and/or any such written document. 4. The use of online translators (Internet translation sites are prohibited). 5. Unauthorized use of any electronic device during the time of a formal assessment/test/exam. 6. Copying work from another student. 7. Use of unauthorized notes/"cheat sheets."

## **5.23 – Unethical Uses of AI Technology**

### **First Offense**

- The teacher will conference with the student to bring forward concerns about the assignment.

(If desired or needed admin can support in this meeting).

- Parent/guardian will be informed by the teacher via email and a meeting *may* be set up to discuss the offense. (If desired or needed admin can support in this meeting).
- Provide the student with opportunities to make up the assignment or that portion of the assignment to ensure it's their original work. Depending on the assignment (formative vs. summative), a student may or may not lose credit.

### **Second Offense**

- Parents/guardians will be informed by the teacher by phone. Admin will be informed. Admin will support this process.
- Depending on the assignment (formative vs. summative), a student may or may not lose credit.

### **Third and Subsequent Offenses**

- Refer the student to administration. Parents/guardians will be informed by administration.
- The student will lose credit for the assignment and may also receive detention.

## **5.24 – Forgery/Misrepresentation**

Signing a name other than your own is considered forgery. This includes, but is not limited to, the names of parents, teachers, staff members, and peers. Misrepresentation electronically or over the phone is also considered a serious infraction. Consequences for forgery/misrepresentation and other acts of dishonesty are:

- First Offense: 1 to 3 days Friday Extended-day Detention; parents notified
- Second Offense: 3 days OSS; parental conference with the Associate Principal; referral to evaluation and/or other intervention.
- Subsequent Offenses: Referral to principal.

### **5.25 – Fire or Emergency Drills**

When the fire alarm sounds, every adult and student in the school is expected to respond. Students are to go quickly and quietly to the nearest exit as designated by the posted information and direction from teachers. Once outside, students must remain with their teacher until everyone is directed back into the building. If a student is away from their classroom when the alarm sounds, they should exit the building at the nearest exit and check in with their teacher outside. If his/her teacher is not available, the student should check in with any teacher.

If the safety drill is related to the ALICE safety training, every person in the school is expected to respond. All employees have gone through ALICE training and will help guide students through a drill and provide directions in a real crisis.

### **5.26 – Safety Issues**

Any act that imperils the safety of others, including but not limited to: throwing objects (snowballs, ice, food, water, etc.) or other actions which could cause injury or damage is forbidden. The severity of discipline will depend on the severity of the incident. Students' parents will be notified and students may receive consequences from a detention through suspension or expulsion.

### **5.27 – Trespassing/Triggering Alarm**

Students who enter the building when the facility is shut down will be considered trespassing. Students who trigger the security alarm will be required to pay for the custodial overtime to do a building check.

### **5.28 – Arson, Pulling Fire Alarms, or False Dialing 911**

Pulling fire alarms, arson and dialing 911 (when there is not an emergency) are violations of state laws. If such instances occur, the school will inform the police and may file a court complaint against the student(s). In addition, the student(s) will receive a minimum of ten days suspension. If a second offense is committed, the school administration will recommend that the student be excluded from school.

### **5.29 – Assault on an Administrator, Teacher, Teacher's aide or other staff**

Any student, who assaults an administrator, teacher, teacher's aide, or other educational or support 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. The student will be suspended and a hearing will be held with the principal to consider expulsion of the student. Police will be notified (see *Memorandum of Understanding*, Section 6.38).

### **5.30 – Student Searches**

The Fourth Amendment to the Constitution of the United States prohibits unreasonable search and seizures. If, however, there is reasonable suspicion to believe that a student has violated school rules or the law, or is in possession contraband (e.g. weapons, narcotics, alcohol, stolen property) on his/her person or possessions or located in his/her locker, Newburyport High School reserves the right to search that student, his/her possession(s) and/or locker. This shall be done in the presence of the principal or his/her designee and the student, if possible. Lockers are the property of Newburyport Public Schools and are provided as a privilege for convenience only. The locker, in its entirety, including the space within the locker, shall be the property of the school. Students are cautioned that they may use the locker subject to the right of the school to open the locker at any time for inspection, and there should be no expectation of privacy in the student locker. When necessary, the High School may work in cooperation with local authorities to allow the use of K-9 units. Every effort will be made to limit direct contact between the K-9 units and the students.

### **5.31 – Theft**

Students involved in the act of stealing or receiving stolen property may receive disciplinary consequences up to and including suspension (OSS). Additionally, students should expect to pay restitution and notification of parents. Depending on the circumstances, the police may be notified. (See the *Memorandum of Understanding*, Section 7.17).

Students involved in a second or subsequent offense may be suspended (OSS) for up to five days.

### **5.32 – Personal Property and Valuables**

In order to insure that possessions are safe on school property, the following procedures are recommended:

- Students are strongly urged not to bring unnecessary cash or valuables to school.
- Either lock up your belongings or carry them with you.
- Ask your coach or wellness teacher to lock up valuables, for extra protection, if necessary.
- Make every effort to look out for one another.

Faculty, coaches and staff members are concerned about theft, and they will continue to supervise areas as well as possible. Under no circumstances does the City of Newburyport, Newburyport Public Schools, Newburyport High School, its administration, or its staff assume liability for personal possessions brought into school buildings and/or onto school grounds.

### **5.33 – Weapons**

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 (including pocket knives and box cutters) may be subject to expulsion from the school by the principal. State laws identify such possession as a crime punishable by substantial fines and/or imprisonment. The student will be suspended and a hearing will be held with the principal to consider expulsion of a student found in possession of a dangerous weapon in school or at school activities. Police will be notified (See *Memorandum of Understanding*, Section 7.18).

### **5.34 – Possession or Use of a Deadly Weapon**

The term "dangerous or deadly weapon" is used to include knives, chains, sections of pipe, tire irons, razors, razor blades, guns, and any other object used by a student to intimidate or to inflict bodily harm on another person.

A student found to be in possession of a dangerous or deadly weapon will receive an external suspension of a minimum of 10 days, pending review by the principal for further suspension or expulsion: parents and police are notified verbally and in writing.

*Massachusetts General Law, .71, s.10 states: "Whoever not being a law enforcement officer, and notwithstanding any license obtained by him under the provisions of Chapter 140, carries on his person a firearm as hereinafter defined, loaded or unloaded, in any building or on 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, rifle, or smoothbore arm from which a shot, bullet, or pellet can be discharged by whatever means."*

### **5.35 – Nicotine, Tobacco, Smoking, Vaping/Diversión Program & Discipline**

Use of any nicotine or tobacco products, including, but not limited to: cigarettes, cigars, little cigars, chewing tobacco or nicotine pouches (such as Zyn), pipe tobacco and snuff and electronic cigarettes, electronic cigars, electronic pipes or other similar products that rely on vaporization or aerosolization, within the school buildings, school facilities, on school grounds or school buses, or at school sponsored events by any individual, including school personnel and students, is prohibited at all times. A student determined to be in violation of this policy shall be subject to disciplinary action pursuant to the student discipline code as outlined below:

First Violation:

- Notification to the athletic director and all other club/activity/co curricular advisors for the implementation of a probationary period due to a "Chemical Health Violation". See 9.12 for co-curricular penalties and 10.8 for athletic penalties.

- Dismissed to custody of the parents.
  - Students will participate in a school run diversion/intervention program. The program will consist of multiple after school sessions of approximately one hour each. The diversion program will be taught by members of the staff including counselors, nurses and teachers. Students must complete all sessions.
    - Students who do not show or refuse to complete the diversion program will be subject to disciplinary outcomes.
    - Students will be required to do a weekly check-in with a school adjustment counselor throughout the length of the diversion program.
- Second Violation:
- Subsequent Chemical Health Violation (See penalties, 9.12 and 10.8) · Sent home with parents and suspended the following day (OSS). Third and Subsequent Violations:
  - Two day OSS (out of school suspension).
  - Notification of all sports and activities directors

### **5.36 – Chemical Health Policy (effective 4/29/2008)**

Alcohol use, possession, distribution, purchasing, having consumed, or being under the influence of alcohol are all strictly prohibited in school, on school grounds, on school field trips, prior to or at any school events. Being part of a group, in school or at school events, in which alcohol is present, puts students in jeopardy; students are likely to receive the same discipline as all members of the group, simply by being present in the group, even if they are not consuming alcohol.

Students who are suspected of being under the influence of alcohol may be referred to the school nurse and/or a parent, and may be sent home. Alcohol "breathalyzers" may be used to determine whether or not a student is under the influence of alcohol. Students who violate the prohibition against alcohol use, possession, distribution, purchasing, having consumed or being under the influence will be subject to an immediate suspension of five\* days from school. In addition, depending on the nature of the offense, it may be determined by the administration that the violators will not be permitted to attend future social or athletic events at the school. Additionally, Newburyport police may be notified. (See the Memorandum of Understanding with the police, Section 7.17).

In the event of a second violation, the administrator may offer to defer a suspension or portion of a suspension if the student agrees to have a substance abuse evaluation. The expectation of such agreement is full compliance with evaluation protocol. This will include the signing of release for information from all relevant contacts such as school counselor, outpatient counselor, doctor etc. This agreement also requires compliance with evaluation recommendations for treatment. The treatment plan and/or recommendations will be disclosed to the school. Though this is a guideline, suspension duration may vary due to the circumstances of the infraction.

### Drugs (Controlled Substances)

Use, possession, distribution, purchasing, having used/consumed or being under the influence of a controlled substance are strictly prohibited in school, on school grounds, prior to or at any school events. Being part of a group, in school or at school events, in which a controlled substance is present puts students in jeopardy; students are likely to receive the same discipline as all members of the group, simply by being present in the group, even if they are not consuming controlled substances.

The definition of a controlled substance includes, but is not limited to: marijuana, K2/Spice, bath salts, cocaine, heroin, steroids, ecstasy, and prescription drugs not specifically issued to the bearer. Students who are suspected of being under the influence of drugs may be referred to the school nurse and/or a parent, and may be sent home. Students who violate the prohibition against drug use, possession, distribution, purchasing, having consumed or being under the influence will be subject to an immediate suspension of five\* days from school, and may be subject to an expulsion hearing by the principal and the police will be notified (See MOU: Memorandum of Understanding with the police 7.17,). In addition, depending on the nature of the offense, it may be determined by the administration that the violator will not be permitted to attend future social or athletic events at the school.

Any student identified as violating the prohibition against drugs for a second time will be subject to an immediate suspension of ten \* days from school, and will be subject to an expulsion hearing by the principal and the Newburyport police will be notified. (See MOU Memorandum of Understanding with the police). In addition, depending on the nature of the offense, it may be determined by the administration that the violator will not be permitted to attend future social or athletic events at the school. In the event of a second violation, the administrator may offer to defer a suspension or portion of a suspension if the student agrees to have a substance abuse evaluation. The expectation of such agreement is full compliance by the student with evaluation protocol. This will include the signing of release for information from all relevant contacts such as school counselor, outpatient counselor, doctor etc. This agreement also requires compliance with evaluation recommendations for treatment. The treatment plan and/or recommendations will be disclosed to the school. \*Though these are guidelines, suspension durations may vary due to the circumstances of the infraction.

#### **5.36.1 – Alcohol, Tobacco, and Drug Use by Students Prohibited (6/19/17)**

A student shall not, regardless of the quantity, use or consume, possess, buy or sell, or give away

any beverage containing alcohol; any tobacco product, including vapor/E-cigarettes; marijuana; steroids; or any controlled substance. The School Committee prohibits the use or consumption by students of alcohol, tobacco products, or drugs on school property, at any school function, or at any school sponsored event.

#### **5.37 – Breathalyzers**

School officials will administer a breathalyzer test to all students and students' guests who attend school dances/proms and social events such as senior week activities. This is a safety measure to deter students from using alcohol.

In addition, school administrators may utilize the breathalyzer during the school day or at any school sponsored activity or sporting event if there is reasonable suspicion that a student may be under the influence of alcohol or to test for the presence of alcohol in a beverage.

Students who fail a breathalyzer will be prohibited from entering the event. They will be supervised and parents/guardians will be contacted and requested to transport the student home. The student will be subject to disciplinary actions in accordance with the rules of this Clipper's Compass, up to a 5 day out of school suspension.

\*If there appears to be an imminent safety concern, or if the school is unable to contact parents, school officials will call the EMTs or police, as appropriate.

Students who refuse the breathalyzer will not be allowed to enter the event or participate and will be supervised until a parent/guardian can transport them home. Refusal to take the breathalyzer may result in disciplinary action if there are other indicators that the student is under the influence of alcohol. The refusal to take the breathalyzer will constitute reasonable suspicion that the student had consumed alcohol.

Additionally, any student who is under the influence of drugs or alcoholic beverages prior to, or during, attendance at or participation in a school sponsored activity, will be barred from that activity and may be subject to disciplinary action.

## **Section 6 – Discipline**

### **6.1 – Specific Misconduct and Disciplinary Action**

Respect is at the heart of Newburyport Public Schools, respect for yourself, respect for the staff, and respect for your school. Every student has a right to an education in a safe, secure and supportive environment, and every teacher has a right to expect respectful, prepared students in his/her classroom. The administration will treat all students consistently and equitably, and will respect the rights of all students to an education in a safe and healthy environment. It is the policy of the Newburyport Public Schools to ensure fair and effective disciplinary practices.

Accordingly, the following rules and regulations will be administered fairly and consistently to all students:

The Code of Conduct of the Newburyport Public Schools is administered within the framework of the United States Constitution and state laws and regulations with regard to due process for students. The Code of Conduct is intended to be administered for disciplinary infractions that occur on school grounds or at school-sponsored events (on and off school grounds) OR for disciplinary infractions that occur off school grounds but substantially disrupt the educational environment or create a hostile environment at school.

Enforcement of discipline is based on a system of progressive actions, starting with restorative justice, with a goal of limiting the use of long-term suspension as a consequence for student misconduct until other consequences need to be considered, as appropriate. The administrator will exercise discretion in determining disciplinary consequences. The administrator may utilize his/her discretion to significantly increase penalties in the cases of second and third offenses or for other factors. In determining the severity of the penalty or suspension, the appropriate administrator may consider all relevant facts, including but not limited to: 1) previous disciplinary record, 2) severity of disruption to the educational process, 3) degree of danger to self and/or others, 4) the degree to which the student is willing to change his/her inappropriate behavior and 5) whether alternative consequences are appropriate to re-engage the student in learning. Alternative consequences may include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and positive behavioral interventions and supports.

The Code of Conduct is based on a system of progressive discipline with a goal of limiting the use of long-term suspension as a consequence for student misconduct until other consequences have been considered, as appropriate. The administrator will exercise discretion in determining disciplinary consequences. The administrator may utilize his/her discretion to significantly increase penalties in the cases of second and third offenses or for other factors. In determining the severity of the penalty or suspension, the appropriate administrator may consider all relevant facts, including but not limited to: 1) previous disciplinary record, 2) severity of disruption to the



educational process, 3) degree of danger to self and/or others, 4) the degree to which the student is willing to change his/her inappropriate behavior and 5) whether alternative consequences are appropriate to re-engage the student in learning. Alternative consequences may include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and positive behavioral interventions and supports.

### **Student Conduct and Discipline Policies**

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 the school as a whole. Students are governed by the policies, regulations, and rules of this district and state law, which are applicable in school, on the school grounds, at a school activity away from school, on the way to or from school, and on a school bus. Such governing rules shall be published and disseminated to school personnel, students and parents each year.

The principal, in consultation with the School Council, shall prepare and distribute to each student a student handbook setting forth the rules pertaining to the conduct of students. The school council shall review the student handbook each spring to consider changes in disciplinary policy to take effect in September of the following school year, but may consider policy changes at any time. The annual review shall cover all areas of student conduct. We recognize that effective discipline should result in a positive change in the student's behavior, and at times must be adjusted to fit the individual situation.

### **6.2– Process for Classroom Discipline**

Teachers are in charge of classroom management within their classrooms. Teachers are expected to maintain the expectations for student behavior/conduct that meet the general code of conduct as outlined in this handbook. Additionally, teachers should be explicit about their own expectations that may be unique to their own rooms. These rules or guidelines should be outlined in the course syllabus. Teachers should hold students accountable for their conduct within the classroom. When issues of misconduct arise, teachers should attempt to find a resolution based on any or all of the following:

1. A student/teacher conference (or teacher detention) to resolve the problem;
2. Communication with the parent/guardian through phone, email or conference;
3. A teacher/parent/student conference to resolve the problem;
4. Referral of the student to administration for disciplinary action.

### **6.3 – Guidelines for Referrals to the Principal and/or his/her Designee**

It is expected that teachers will handle their own discipline situations on a normal basis. However, it is recognized that situations do occur which demand that a student be referred to administration for disciplinary actions. Newburyport students have the privilege of making decisions. However, all students must understand the rules and possible consequences for violating them. The consequences for infractions of school rules include the following range of responses:

- Teacher-Student Conferences
- Parent Conference
- Exclusion from areas in the school
- Loss of activity privilege
- Loss of “Senior Week” activities up to and/or including graduation exercises
- Office detention
- In School Suspension
- Friday Extended-day Detention
- Out-of-school suspension – both short term (10 days or less) and long-term (over 10 days)
- Expulsion
- Mediation, conflict resolution, restorative justice, as appropriate
- Positive behavioral interventions and supports, as appropriate

#### **6.4 – Teacher-Student Conferences**

Every teacher has the right to request that a student report after school for extra help or for disciplinary reasons. Students and teachers are bound to honor these appointments. The Teacher-Student Conference will be held upon the teacher’s request.

#### **6.5 – Parent Conferences**

Meetings may be arranged including parents/guardians, the student, administration, faculty and/or involved or pertinent personnel.

#### **6.6 – Peer Mediation/Collaborative Problem Solving**

At the determination of the Associate Principal and the director of student support, students may be referred for mediation of disputes between two or more students. Peer mediation will not be used to address bullying. Other types of conflicts between students or from student to teacher might be resolved to the collaborative problem solving approach.

#### **6.7 – Exclusion from Areas of the School**

If student behavior is disruptive and/or causes a safety concern, s/he may be excluded from an area of the school (for example a class, the library, a laboratory) for a period of time.

#### **6.8 – Loss of Activity Privileges / Student in Good Standing**

##### **ELIGIBILITY TO PARTICIPATE IN SCHOOL ACTIVITIES AND EVENTS**

To be a student “in good standing” students must maintain good attendance and demonstrate good behavior and citizenship during school and at school-sponsored events and not have any outstanding/owed discipline. In addition, students should have met their financial obligations for dues and owed materials to be considered *in good standing*. Extra-curricular activities and events are an important part of the educational experience for our students, but participation in these activities is a privilege, not a right. The variety of clubs, activities and events is extensive and students are encouraged to become involved in one or more of these opportunities. Participation in clubs and activities at Newburyport High School and attending school-sponsored, school-related events is a privilege afforded to students who remain *in good standing*.

Students not meeting these expectations may be excluded at the discretion of the Principal or his/her designee. A student's removal from extracurricular activities and attendance at school sponsored events is not subject to the procedural requirements of Massachusetts Laws Chapter 71, section 37H  $\frac{3}{4}$  (Principal's Hearing). The removal is not a suspension for the purpose of counting the school days that a student is suspended. Parents will be notified when a student is removed or excluded from extracurricular activities.

#### **6.9 – Loss of “Senior Week” activities up to and/or including graduation exercises**

Senior activities are privileges afforded to students in good standing. If, during the senior activities after senior classes are over and before graduation, a student commits an infraction that warrants a suspension or expulsion, s/he will also forfeit his/her opportunity to participate in any other senior activities including the graduation ceremony. The student's diploma will be given to him/her at some time after the official graduation date.

#### **6.10 – Office Detentions**

Office detention will be 30 minutes from 2:45 until 3:15 p.m. Students assigned to detention are expected to report to the detention on the day that the detention is issued, although a maximum 24-hour grace period may be granted if warranted. Athletic contests, practices, student activities, family plans and work will generally not be accepted as excuses for postponing a detention. Students should bring work to do or material to read and are to remain quietly seated throughout the entire detention period. If a student doesn't show up to detention the parent/guardian will be notified. There may be additional days of detention for students intentionally skipping an assigned detention. Habitual offenders would be assigned to an in-school-suspension.

#### **6.11 – Extended-day Detention: Friday and Early Release Days**

Friday Extended-day Detention will go from 2:50 – 5:50 p.m. Students may be assigned to an Extended-day Detention on an Early Release day. The detention will run from 11:50 a.m. – 2:50 p.m. If a student arrives late, but within 15 minutes, he/she may be assigned to stay longer in the detention, or to office detention to be served another day. If a student arrives excessively late with no excuse, he/she will be sent home and be required to attend the next Extended-day Detention. Tardiness to the next Extended-day Detention could result in OSS or other disciplinary consequences. If a student skips an Extended-day Detention entirely, they will be assigned two extended day detentions.

If either is missed, he/she will be assigned in school or out of school suspension, with the appropriate due process procedures. In an effort to emulate civic responsibility, students will be permitted *one* postponement for an Extended-day Detention if he/she has a legitimate note from a parent/guardian stating why he/she cannot attend. Each student is expected to be doing productive work and should come prepared with school work to do. If a student comes prepared and works throughout the afternoon evening, he/she will be permitted to leave up to 45 minutes early.

## **6.12 – Suspensions**

The Newburyport Public Schools adheres to the Student Discipline Laws and Regulations as set forth in Massachusetts General Laws Chapter 71, sections 37H, 37 H1/2 and 37 H ¾ and 603 CMR 53.00 et seq.

### **IN-SCHOOL SUSPENSION PROCEDURES:**

A student may be removed from regular classroom activities, but not from the school premises, for up to ten (10) consecutive school days or up to ten (10) school days cumulatively for multiple infractions during the school year. Students who are placed in in-school suspension shall have the opportunity to earn credits, make up assignments, tests, papers, and other school work as needed to make academic progress during the in-school suspension.

A student who is unable to consistently adhere to acceptable classroom standards in a particular class may be removed from the class permanently and assigned to a different class at the discretion of the principal and/or his/her designee.

#### *Notice of In-School Suspension:*

The principal or his/her designee shall inform the student of the disciplinary offense charged and the basis for the charge, and provide the student with an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident. If the principal or his/her designee determines that the student committed the disciplinary offense, the principal or his/her designee shall inform the student of the length of the student's in-school suspension. If the in-school suspension exceeds ten (10) days, cumulatively or consecutively, in a school year, the student shall have the right to appeal the suspension to the Superintendent of Superintendent's designee.

On the same day as the in-school suspension decision, the principal or his/her designee shall make reasonable efforts to notify the parent orally of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension.

On the day of the suspension, the principal or his/her designee shall send written notice (by hand-delivery, certified mail, first class mail or email) to the student and parent including the reason and the length of the in-school suspension, and inviting the parent to a meeting if the meeting has not already occurred. The notice shall be in English and the primary language of the home if another language is identified in the home language survey, or by other means, as

appropriate.

Parent Meeting:

The principal or his designee 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. Such a meeting shall be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the principal or his/her designee is unable to reach the parent after making and documenting at least (2) attempts to do so, such attempts shall constitute reasonable efforts for purposes of orally informing the parent of the in-school suspension.

No Right to Appeal:

The decision of the Principal or his/her designee is the final decision for in-school suspensions not exceeding ten (10) days, consecutively or cumulatively during a school year.

**OUT-OF-SCHOOL SUSPENSION PROCEDURES UNDER M.G.L. CH. 71, SEC. 37H<sup>3/4</sup>:**

Due Process Procedures for Out-of-School Suspensions:

There are two types of out-of-school suspensions, Short-Term Suspensions and Long-Term Suspensions. The principal or his/her designee shall determine the extent of the rights to be afforded the student at a disciplinary hearing based on the anticipated consequences for the disciplinary offense. If the consequence may be long-term suspension from school, the principal or his/her designee shall afford the student additional rights as described below, in addition to those rights afforded to students who may face a short-term suspension from school. All students facing out-of-school suspension shall have the right to oral and written notice, as described below.

Notice for Any Out-of-School Suspension:

Prior to suspending a student, the Principal or his/her designee will provide the student and the Parent oral and written notice of the possible suspension, an opportunity for the student to have a hearing and the opportunity of the Parent(s) to participate in the hearing. The notice will be in English and in the primary language of the home if other than English as identified in the home language survey, or by other means of communication where appropriate. The notice will set forth in plain language:

- (a) the disciplinary offense;
- (b) the basis for the charge;
- (c) the potential consequences, including the potential length of the student's suspension;
- (d) the opportunity for the student to have a hearing with the principal or his designee concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident, and for the parent to attend the hearing;
- (e) the date, time, and location of the hearing;
- (f) the right of the student and the student's parent to interpreter services at the hearing if needed to participate;
- (g) if the student may be placed on long-term suspension following the hearing with the principal:

1. the rights set forth in 603 CMR 53.08(3)(b); and
2. the right to appeal the principal's decision to the Superintendent.

The principal or his/her designee shall make reasonable efforts to notify the parent orally of the opportunity to attend the hearing prior to conducting a hearing without the parent present, the principal or his/her designee will document reasonable efforts to include the parent. The principal or his/her designee is presumed to have made reasonable efforts if the principal or his/her designee has 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.

Written notice to the parent may be made by hand delivery, first-class mail, certified mail, email to an address provided by the parent for school communications, or any other method of delivery agreed to by the principal and parent.

#### Emergency Removal of Student

Under certain emergency circumstances, it may not be practical for the principal or his/her designee to provide prior oral and written notice before removing a student from school. The principal or his/her designee may remove a student from school temporarily when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the principal's (or his/her designee's) judgment, there is no alternative available to alleviate the danger or disruption. The principal or his/her designee will immediately notify the Superintendent in writing of the removal and the reason for it, and describe the danger presented by the student.

The temporary removal shall not exceed two (2) school days following the day of the emergency removal, during which time the principal shall:

- (a) Make immediate and reasonable efforts to orally notify the student and the student's parent of the emergency removal, the reason for the need for emergency removal, the disciplinary offense, the basis for the charge, the potential consequences, including potential length of suspension, the opportunity for a hearing including the date/time/location of the hearing, the right to interpreter services, and other rights permitted for students who may be placed on long-term suspension as set forth in 603 CMR. 53.08(3)(b);
- (b) Provide written notice to the student and parent, including the information described in 603 CMR 53.06(2);
- (c) Provide the student an opportunity for a hearing with the principal or his/her designee that complies with 603 CMR 53.08(2) or 53.08(3), as applicable, and the parent an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the principal, student, and parent.
- (d) Render a decision orally on the same day as the hearing, and in writing no later than the following school day, which meets the requirements of 603 CMR 53.08(2)(c) and 53.08(2)(d) or 603 CMR 53.08(3)(c) and 53.08(3)(d), as applicable.

A principal will not remove a student from school on an emergency basis for a disciplinary offense until adequate provisions have been made for the student's safety and transportation.

*SHORT-TERM SUSPENSION PROCEDURES UNDER M.G.L. CH. 71, SEC. 37H<sup>3/4</sup>:*

A Short-Term Suspension is the removal of a student from the school premises and regular classroom activities for ten (10) consecutive school days or less. The principal, or his/her designee, may, in his or her discretion, allow a student to serve a short-term suspension in school. Any student facing a potential short-term suspension is entitled to a hearing with the Principal or his/her designee with the following process:

*Principal Hearing - Short-term Suspension:*

(a) The purpose of the hearing with the principal or his/her designee is to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction. At a minimum, the principal or his/her designee shall discuss the disciplinary offense, the basis for the charge, and any other pertinent information. The student also shall have an opportunity to present information, including mitigating facts that the principal or his/her designee should consider in determining whether other remedies and consequences may be appropriate as alternatives to suspension. The principal or his/her designee shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the principal should consider in determining consequences for the student.

(b) Based on the available information, including mitigating circumstances, the principal or his/her designee shall determine whether the student committed the disciplinary offense, and, if so, what remedy or consequence will be imposed.

(c) The principal or his/her designee shall notify the student and parent of the determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal, as provided in 603 CMR 53.13(1). The determination shall be in writing and may be in the form of an update to the original written notice.

(d) 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 short-term suspension takes effect.

*No Right to Appeal:*

The decision of the Principal or his/her designee is the final decision for short term out-of-school suspensions not exceeding ten (10) days, consecutively or cumulatively during a school year.

LONG-TERM SUSPENSION PROCEDURES UNDER M.G.L. CH. 71, SEC. 37H<sup>3/4</sup>:

A Long-Term Suspension is the removal of a student from the school premises and regular classroom activities for more than ten (10) consecutive school days, or for more than ten (10) school days cumulatively for multiple disciplinary offenses in any school year. The principal or his/her designee, may, in his or her discretion, may allow a student to serve a long-term suspension in school. Except for students who are charged with a disciplinary offense set forth in Massachusetts General Laws Chapter 71, §37 H, or in Massachusetts General laws Chapter 71 § 37H ½, no student may be placed on long-term suspension for one or more disciplinary offenses for more than ninety (90) school days in a school year beginning with the first day that the student is removed from school. No long-term suspension shall extend beyond the end of the school year in which such suspension is imposed. Any student facing a potential long-term suspension is entitled to a hearing with the Principal or his/her designee with the following process

Principal Hearing - Long-term Suspension:

(a) The purpose of the hearing with the principal or his/her designee is to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction. At a minimum, the principal or his/her designee shall discuss the disciplinary offense, the basis for the charge, and any other pertinent information. The student also shall have an opportunity to present information, including mitigating facts, that the principal should consider in determining whether other remedies and consequences may be appropriate as alternatives to suspension. The principal or his/her designee shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the principal should consider in determining consequences for the student.

(b) In addition to the rights afforded a student in a short-term suspension hearing, the student shall have the following additional rights:

1. In advance of the hearing, the opportunity to review the student's record and the documents upon which the principal may rely in making a determination to suspend the student or not;
2. the right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense;
3. the right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so;
4. the right to cross-examine witnesses presented by the school district;
5. the right to request that the hearing be recorded by the principal, and to receive a copy of the



audio recording upon request. If the student or parent requests an audio recording, the principal shall inform all participants before the hearing that an audio record will be made and a copy will be provided to the student and parent upon request.

(c) The principal or his/her designee shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the principal should consider in determining consequences for the student.

(d) Based on the evidence, the principal or his/her designee shall determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension. The principal or his/her designee shall send the written determination to the student and parent by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or any other method of delivery agreed to by the principal and the parent. If the principal or his/her designee decides to suspend the student, the written determination shall:

1. Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing;
2. Set out the key facts and conclusions reached by the principal;
3. Identify the length and effective date of the suspension, as well as a date of return to school;
4. Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school;
5. Inform the student of the right to appeal the principal's decision to the Superintendent or designee, but only if the principal has imposed a long-term suspension. Notice of the right of appeal shall be in English and the primary language of the home if other than English as determined by the home language survey, or other means of communication where appropriate, and shall include the following information stated in plain language:
  - a) the process for appealing the decision, including that the student or parent must file a written notice of appeal with the Superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent may request and receive from the Superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days; and that the long-term suspension will remain in effect unless and until the Superintendent decides to reverse the principal's determination on appeal.

*Superintendent's Appeal Hearing:*

(1) A student who is placed on long-term suspension following a hearing with the principal shall have the right to appeal the principal's decision to the Superintendent.

(2) The student or parent shall file a notice of appeal with the Superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5)

calendar days, the student or parent may request and receive from the Superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days. If the appeal is not timely filed, the Superintendent may deny the appeal, or may allow the appeal in his or her discretion, for good cause.

(3) The Superintendent shall hold the hearing within three (3) school days of the student's request, unless the student or parent requests an extension of up to seven (7) additional calendar days, in which case the Superintendent shall grant the extension.

(4) The Superintendent shall make a good faith effort to include the parent in the hearing. The Superintendent shall be presumed to have made a good faith effort if he or she has made efforts to find a day and time for the hearing that would allow the parent and Superintendent to participate. The Superintendent shall send written notice to the parent of the date, time, and location of the hearing.

(5) The Superintendent shall conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence shall be. The Superintendent shall arrange for an audio recording of the hearing, a copy of which shall be provided to the student or parent upon request. The Superintendent shall inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent upon request.

(6) The student shall have all the rights afforded the student at the principal's hearing for long-term suspension.

(7) The Superintendent shall issue a written decision within five (5) calendar days of the hearing which meets the requirements of 603 CMR 53.08(3)(c)1 through 5. If the Superintendent determines that the student committed the disciplinary offense, the Superintendent may impose the same or a lesser consequence than the principal, but shall not impose a suspension greater than that imposed by the principal's decision.

(8) The decision of the Superintendent shall be the final decision of the school district, with regard to the suspension.

**A parent conference (re-entry meeting) with the Principal or his/her designee is strongly encouraged before students who are suspended return to school. This conference will be used to promote the engagement of the parents or guardians in discussions of the student's misconduct and to assist the student in re-engaging with the school community.**

**LONG-TERM SUSPENSION/EXPULSION PROCEDURES FOR SPECIAL CIRCUMSTANCES:**

The long-term suspension or expulsion of a student from school will be in accordance with Massachusetts General Laws, Chapter 71, Section 37H. The grounds for long-term suspension or expulsion include but are not limited to the following:

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, a knife, or their facsimile, or anything used in the commission of assault and battery; or a controlled substance as defined in Chapter 94C, including, but not limited to, marijuana, cocaine, and heroin, may be subject to long-term suspension or expulsion from the school by the principal or his/her designee.
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 long-term suspension or expulsion from the school or school district by the principal or his/her designee.

Due process for a student who is subject to an expulsion or a long-term suspension as a result of possessing drugs/weapons or assaulting school staff includes:

- a. A student shall receive written notice before the expulsion or a long-term suspension takes place and written notice of the right to appeal.
- b. The student shall be given an opportunity for a hearing and the opportunity to present witnesses and evidence. The student may have an attorney at their own expense.
- c. Following the hearing, the principal or his/her designee may, in his/her discretion, decide to suspend rather than expel the student.
- d. The student may appeal the expulsion or long-term suspension to the Superintendent provided the appeal is requested in writing, within ten (10) calendar days following the long-term suspension or expulsion.
- e. At the appeal hearing the student may be represented by an attorney and may present oral and written testimony.
- f. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of MGL c. 71 Section 37H.
- g. The Superintendent's decision is final.
- h. Any student who is suspended or expelled for more than ten (10) consecutive days shall have the opportunity to receive education services and make academic progress toward meeting state and local requirements, through the school-wide education service plan.

*PROCEDURES FOR STUDENTS WITH FELONY COMPLAINT OR CONVICTION:*

In accordance with Massachusetts General Laws Chapter 71 (§37 H ½), principals have the authority to suspend students charged with a felony and expel or issue a long-term suspension to students convicted or adjudicated of committing a felony if the principal has determined that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

Due process for a student who is subject to suspension as a result of a felony charge includes:

- a. The student shall receive written notice before the suspension takes effect and written notice of the right to appeal.

- b. The student shall be given an opportunity to respond to the charges before the suspension takes effect.
- c. The student may appeal the suspension to the Superintendent, provided the appeal is requested in writing within five (5) calendar days following the suspension.
- d. The Superintendent must hold the appeal hearing within three (3) calendar days of the request.
- e. At the appeal hearing the student may be represented by an attorney. The student has the right to present oral or written testimony on his/her behalf.
- f. The Superintendent must render a decision within five (5) calendar days.
- g. The Superintendent's decision is final.
- h. Any student who is suspended or expelled pursuant to this section shall have the opportunity to earn credits, as applicable, make up assignments, tests, papers and other school work as needed to make academic progress during the period of his/her removal.
- i. Any student who is suspended or expelled for more than ten (10) consecutive days shall have the opportunity to receive education services and make academic progress toward meeting state and local requirements, through the school-wide education service plan.

Due process for a student who is subject to an expulsion or a long-term suspension as a result of a felony conviction includes:

- a. A student shall receive written notice before the expulsion or a long term suspension takes place and written notice of the right to appeal.
- b. The student shall be given an opportunity to respond to the charges.
- c. The student may appeal the expulsion or long-term suspension to the Superintendent provided the appeal is requested in writing, within five (5) calendar days following the expulsion.
- d. The Superintendent must hold the appeal hearing within three (3) calendar days of the request.
- e. At the appeal hearing the student may be represented by an attorney and may present oral and written testimony.
- f. The Superintendent must render a decision within five (5) calendar days.
- g. The Superintendent's decision is final. Any student who is suspended or expelled for more than ten (10) consecutive days shall have the opportunity to receive education services and make academic progress toward meeting state and local requirements, through the school-wide education service plan.

**EDUCATION SERVICES AND ACADEMIC PROGRESS UNDER M.G.L. CH. 71, SECS. 37H, 37H1/2 AND 37H3/4:**

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, tests, papers, and other school work as needed to make academic progress during the period of his or her removal from the classroom or school. The principal shall inform the student and parent of this opportunity in writing when such suspension or expulsion is imposed.

Any student who is 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 the school-wide education service plan. A description of the school-wide education service plan is provided below. The principal shall notify the parent and student of the opportunity to receive education services at the time the student is expelled or placed on long-term suspension. Notice shall be provided in English and in the primary language spoken in the student's home if other than English as determined by the home language survey, or other means of communication where appropriate.

The notice shall include a list of the specific education services that are available to the student and contact information for a school district staff member who can provide more detailed information.

**SCHOOL-WIDE EDUCATIONAL SERVICES PLAN:**

The School-Wide Educational Services Plan for each school is found on the district website. Written copies are available at the Superintendent's Office located at 70 Low Street, Newburyport, MA.

**6.13 – Sending Student Home**

If the situation indicates that the student should be removed from the premises, the administrator shall attempt to reach the student's parents or guardians to request that they come to school for their child. The administrator may forgo the previous provision in the event of mass violations of school rules and where it is not possible to keep the student(s) on school grounds and restore order to protect people on school property. Even in such an emergency situation, the administrator will take into account such factors as the distance to home and the age of the individual students involved and shall take whatever action is necessary and possible, including having the student removed from the campus by the police.

**6.14 – Multiple Suspension Alternatives**

The administration may, at its discretion, substitute community service projects in place of some portion of multiple suspensions. The community service suspension alternative can only be approved in conjunction with consecutive external suspensions, and only when the administration feels that the specifics of the individual situation warrant such consideration. In addition, Newburyport High School is a member of the regional PASS Program in Beverly. In some instances, students may be referred to the PASS Program as an alternative to suspension, or to reduce the length of suspension.

**6.15 – Corporal Punishment**

Corporal punishment in public schools is illegal in Massachusetts. School staff may not hit or physically punish students. School staff may, however, use reasonable force if necessary to protect students, other persons, or themselves from an assault by a student. School Committee policy:

*State law provides that: The power of the School Committee or of any teacher or other employee or agent of the Committee to maintain discipline on school property shall not include the right to inflict corporal punishment upon any student. (adopted 6/19/17)*

## **6.16 – Discipline of Students with Disabilities**

In general, all students are expected to meet the requirements for behavior as set forth in the student handbook and the school's code of conduct. In accordance with Chapter 71B of the Massachusetts General Laws and with federal law IDEA 2004: Section 615 (k), and with Section 504 of the Rehabilitation Act of 1973: 29 U.S.C. Section 794 (A), the school may suspend or remove your child from his or her current placement for no more than 10 school days. Special provisions are outlined below for students with a documented disability who have an Individualized Education Program (IEP) or a Section 504 Plan.

### **Suspension of Students with Disabilities**

Procedures for suspension(s) not exceeding 10 school days:

- Any student with a disability may be suspended for up to ten (10) days during a school year. Disciplinary decisions are the same as for students without disabilities.
- Special circumstances exist if your child: possesses, uses, sells or solicits illegal drugs on school grounds or at a school-sponsored event; carries a weapon to school or a school-sponsored event; or inflicts serious bodily harm upon another person at school or a school-sponsored event. Under these circumstances, the principal may place your child in an interim alternate educational setting (IAES) for up to 45 school days. Your child may remain in this IAES for a period of time not to exceed 45 school days. Thereafter, your child will return to the previously agreed-upon placement unless a hearing officer has ordered another placement, or you and the school agree to another placement.

### **Procedures for suspension of students with a disability when suspension exceeds 10 school days.**

- If your child is suspended for more than 10 school days in a school year, this removal is considered a "change of placement". A change of placement invokes certain procedural protections under federal special education law and Section 504.
- Prior to any removal that constitutes a change of placement, the school will convene a Team meeting to develop a plan for conducting a functional behavioral assessment (FBA) that will be used as the basis for developing specific strategies to address your child's problematic behavior.
- Prior to any removal that constitutes a change in placement, the school must inform you that the law requires the school district to consider whether or not the behavior that forms the basis of the disciplinary action is related to your child's disability. This consideration is called a "manifestation determination". Parents have a right to participate in this process. All relevant information will be considered including the IEP or Section 504 Plan, teacher observations, and evaluations reports.

- At a manifestation determination meeting, the Team will consider:
  - Did the student's disability *cause* or have a *direct and substantial relationship* to the conduct in question? Was the conduct a *direct result* of the district's failure to implement the IEP?
- If the manifestation determination decision is that the disciplinary action *was* related to the disability, then your child may not be removed from the current educational placement (unless under the special circumstances). The Team will review the IEP or Section 504 Plan and any behavioral intervention plans.
- If the manifestation determination decision is that the disciplinary action *was not* related to the disability, then the school may suspend or otherwise discipline your child according to the school's code of conduct. For students with IEPs, during the period of time of removal from school that exceeds 10 school days, the school district must provide educational services that allow your child to continue to make educational progress. For students with Section 504 Plans, there is no automatic right to receive educational services beyond the 10th school day of suspension.

#### **Special circumstances for exclusion**

- Special circumstances exist if your child: possesses, uses, sells or solicits illegal drugs on school grounds or at a school-sponsored event; carries a weapon to school or a school-sponsored event; or inflicts serious bodily harm upon another person at school or a school-sponsored event. Under these circumstances, the principal may place your child in an interim alternative educational setting (IAES) for up to 45 school days. Your child may remain in this IAES for a period of time not to exceed 45 school days. Thereafter, your child will return to the previously agreed-upon placement unless a hearing officer has ordered another placement, or you and the school agree to another placement. For students with Section 504 Plans, there is no automatic right to receive educational services beyond the 10<sup>th</sup> school day of suspension.

School personnel will provide Parent's Notice of Procedural Safeguards (Special Education) or Notice of Parent and Student Rights under Section 504 for students with disabilities prior to any suspension exceeding 10 school days in one school year. These notices will provide an explanation of the process should there be disagreement regarding the manifestation determination or any placement decision. The parent/guardian and/or student may petition the Bureau of Special Education Appeals for a hearing or the Office of Civil Rights (Section 504). Until issues are resolved, the student remains in his or her current placement.

#### **Discipline of Students Not Yet Determined Eligible for Special Education**

The IDEA protections summarized above also apply to students who have not yet been found eligible for IEPs if the school district is deemed to have knowledge that the students were eligible for IEPs before the conduct that precipitated the disciplinary action occurred. The IDEA provides that a school district is "deemed to have knowledge" if:

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

However, a school district is not "deemed to have knowledge" if the district evaluated the student and determined that the child was not eligible for special education services or the child's parent refused an evaluation of the child or IDEA services. If the school district has no knowledge that a student is an eligible student under the IDEA before taking disciplinary measures against the student, the student may be disciplined just as any other student may be. If, however, a request is made for an evaluation to determine eligibility while the student is subject to disciplinary measures, the district must conduct the evaluation in an expedited manner. Pending the results of the evaluation, the student must remain in the educational placement determined by school authorities, which may include suspension or expulsion without services. If the student is determined eligible for an IEP as a result of the evaluation, the school district must provide the student with special education and related services in accordance with the IDEA.



## **Section 7 – Policies & Process**

### **7.1 – Title IX Notice/Nondiscrimination Statement (adopted 6/18/18)**

Public schools have the responsibility to overcome, insofar as possible, any barriers that prevent children from achieving their potential. The public school system will do its part. This commitment to the community is affirmed in the following statements of the School System's intent to:

1. Promote the rights and responsibilities of all individuals as set forth in the State and Federal Constitutions, pertinent legislation, and applicable judicial interpretations.
2. Encourage positive experience in human values for children and youth and adults, all of whom have differing personal and family characteristics and who come from various socioeconomic, racial and ethnic groups.
3. Work toward a more integrated society and to enlist the support of individuals as well as groups and agencies, both private and governmental, in such an effort.
4. Use all appropriate communication and action techniques to air and reduce the grievances of individuals and groups.
5. Carefully consider, in all the decisions made within the school system, the potential benefits or adverse consequences that those decisions might have on the human relations aspect of all segments of society.
6. Initiate a process of reviewing policies and practices of the school system in order to achieve to the greatest extent possible, the objectives of this statement.

This policy of nondiscrimination will extend to students, staff, the general public, and individuals with whom it does business. No person shall be excluded from or discriminated against in admission to a public school of any town or in obtaining the advantages, privileges, and courses of study of such public school on account of race, color, sex, gender identity, religion, national origin, sexual orientation, or disability.

If anyone has a complaint, or feels that they have been discriminated against because of their race, color, sex, gender identity, religion, national origin, sexual orientation, disability, pregnancy or pregnancy related conditions, their complaint should be registered with the Title IX compliance officer.

LEGAL REFS.: Title VI, Civil Rights Act of 1964

Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972 Executive Order 11246, as amended by E. O. 11375 Equal Pay Act, as amended by the Education Amendments of 1972 Title IX, Education Amendments of 1972

Rehabilitation Act of 1973, Education for All Handicapped Children Act of 1975, M.G.L. 76:5; 76:16 (Chapter 622 of the Acts of 1971), Board of Education Chapter 622 Regulations Pertaining

to Access to Equal Educational opportunity, adopted 6/24/75, as amended 10/24/78, Board of Education Chapter 766 Regulations, adopted 10/74, as amended Through 3/28/78, McKinney-Vento Homeless Assistance Act 2001 (42 U.S.C. 11431 et seq.), Sec.721

Nondiscrimination Statement: The Newburyport Public Schools does not discriminate on the basis of race, color, religion, national origin, age, sex, gender identity, 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, sex, gender identity, sexual orientation, or disability. Harassment by administrators, staff, and support personnel, students, vendors and other individuals at school, or at school-sponsored events, is 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.

To file a complaint alleging discrimination by Newburyport Public Schools on the basis of race, color, national origin, sex, gender identity, disability, age, sexual orientation, or religion or to make inquiry concerning the application of Title VI, Title IX, Section 504, the ADA, the Age Discrimination Act, or applicable state laws and their respective implementing regulations, please contact:

District Level

Title IX Coordinator/Civil Rights Officer  
Newburyport Public Schools  
70 Low Street  
Newburyport, MA 01950

School Level:

NHS Athletic Director & Associate Principal

Inquiries concerning the applicability of the aforementioned federal laws and regulations to Newburyport Public Schools also may be referred to:

Office for Civil Rights  
U.S. DOE  
5 Post Office Square, 8<sup>th</sup>  
Floor Boston, MA  
02109-3921

Phone: 617-289-0111; or, 1-800-437-0833

FAX: 617-289-0150

e-mail: [OCR.Boston@ed.gov](mailto:OCR.Boston@ed.gov)

## **7.2 – Nondiscrimination on the Basis of Handicap**

Title II of the Americans with Disabilities Act of 1992 requires that no qualified individual with a disability shall, because the district's facilities are inaccessible to or unusable by individuals with disabilities, be excluded from participation in, or be denied the benefits of the services, programs, and activities of the district or be subject to discrimination. Nor shall the district exclude or otherwise deny services, programs, or activities to an individual because of the known disability of a person with whom the individual is known to have a relationship or association.

**Definition:** A "qualified individual with a disability" is an individual with a disability who, with or without reasonable modification to rules, policies, or practices, the removal or architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the district.

**Reasonable Modification:** The district shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to practices, to avoid discrimination on the basis of disability, unless the district can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.

**Communications:** The district shall take the appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others. To this end, the district shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in, and enjoy benefits of, a service, program, or activity conducted by the district. In determining what type of auxiliary aid service is necessary, the district shall give primary consideration to the requests of the individuals with disabilities.

**Auxiliary Aids and Services:** "Auxiliary Aids and Services" includes:

- (1.) Qualified interpreters, note takers, transcription services, written materials, assistive listening systems, and other effective methods for making aurally delivered materials available to individuals with hearing impairments.
- (2.) Qualified readers, taped texts, audio recordings, Brailled materials, large print materials, or other effective methods for making visually delivered materials available to individuals with visual impairments.
- (3.) Acquisition or modification of equipment or devices.
- (4.) Other similar services and actions.

**Limits of Required Modification:** The district is not required to take any action that it can

demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. Any decision that, in compliance with its responsibility to provide effective communication for individuals with disabilities, would fundamentally alter the service, program, or activity or unduly burden the district shall be made by the Superintendent after considering all resources available for use in funding and operating the program, service, or activity. The decision shall be accompanied by a written statement of the reasons for reaching that conclusion.

**Notice:** The district shall make available to applicants, participants, beneficiaries, and other interested persons information regarding the provisions of Title II of the Americans With Disabilities Act (ADA) and its applicability to the services, programs, or activities of the district. The information shall be made available in such a manner as the School Committee and Superintendent find it necessary to apprise such persons of the protections against discrimination assured them by the ADA.

**Compliance Coordinator:** The district shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title II of ADA, including any investigation of any complaint communicated to it alleging its noncompliance or alleging any actions that would be prohibited under ADA. The district shall make available to all interested individuals the name, office address, and telephone number of the employee(s) so designated and shall adopt and publish procedures for the prompt and equitable resolution of complaints alleging any action that would be prohibited under the ADA. The Title IX coordinator will serve the function of Compliance Coordinator.

The School system receives Federal financial assistance and must comply with the above requirements. Additionally, it is generally viewed that: 1. Discrimination against a qualified handicapped person solely on the basis of handicap is unfair. 2. To the extent possible, qualified handicapped persons should be in the mainstream of life in a school community. Accordingly, employees of the school system will comply with the above requirements of the law and policy statements of the School System to ensure nondiscrimination on the basis of handicap.

#### **References:**

Rehabilitation Act of 1973, Section 504

Education For All Handicapped Children Act of 1975

M.G.L. 71B:1 et seq. (Chapter 766 of the Acts of 1972) Title II, Americans with Disabilities Act of 1992

Board of Education Chapter 766 Regulations, adopted 10/74, as amended Through 3/28/78 McKinney-Vento Homeless Assistance Act 2001 (42 U.S.C. 11431 et seq.), Sec.721

### **7.3 – Policy Against Harassment**

Newburyport Public Schools is committed to the prevention of harassment based upon sex, race color, national origin, religion, age, disability, sexual orientation, and gender identity. It is the policy of the Newburyport Public Schools to provide a school and workplace and environment free from harassment. The Newburyport Public Schools strictly enforces a prohibition against harassment of any of its student or employees, by anyone, including a fellow student, teacher, supervisor, co-worker, vendor or other third party, as such conduct is contrary to the mission of the School District and its commitment to ensuring equal opportunity in education and employment.

Harassment consists of unwelcome conduct, whether verbal or physical, that is based on a characteristic protected by law, such as sex, race, color, national origin, religion, age, disability, sexual orientation or gender identity. The Newburyport Public Schools will not tolerate any harassing conduct that: Has the purpose, or effect, of creating an intimidating, hostile or offensive academic or work environment; has the purpose, or effect, of substantially or unreasonably interfering with an individual's academic or work performance; or otherwise adversely affects an individual's academic or employment opportunities. The Newburyport Public Schools prohibits and will not tolerate harassment of employees or students occurring in the schools or work place. For the purposes of this policy, "workplace" or "school" also includes school-sponsored social events, trips, sports events, work-related or similar events connected with school or employment.

Staff, students or third party complaints of harassment based upon sex, race, color, national origin, religion, age, disability, sexual orientation and gender identity should be reported to those individuals listed below. Upon receipt of a complaint of harassment, the Newburyport Public Schools will respond promptly by taking interim measures to protect the complainant from further harassment and by conducting a timely, thorough and impartial investigation. Where it is determined that prohibited conduct has occurred, the School District will act promptly to eliminate the conduct and will impose corrective action if appropriate, up to and including school related discipline or termination of employment. In all actions taken, the School District will strive to provide due process rights to those persons involved, while minimizing the burden to the complainant student or teacher.

Any retaliation against an individual who has complained about harassment or retaliation; or any retaliation against an individual who has cooperated with an investigation or harassment or retaliation complaint is similarly unlawful and will not be tolerated. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment. Claims of retaliation will also be investigated pursuant to this policy and procedures, and corrective action will be taken as appropriate.

The policy and procedures set forth herein shall apply to complaints pursuant to both state and federal laws, including Title VI of the Civil Rights Act of 1964; Title IX of the Education Amendment Act of 1972; Section 504 of the Rehabilitation Act of 1973; the Americans with Disabilities Act; and Massachusetts General Laws Chapter 151B.

### Responsibilities

Individual: All students, teachers, administrators and other school personnel of the Newburyport Public Schools 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.

A. 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 School District's Civil Rights Officer.

B. Superintendent or Designee: The Newburyport Public Schools are responsible for the dissemination of this policy and training. The School District will ensure that it will:

1. develop a method of discussing this policy with students and employees;
2. provide appropriate training to administrators and others who are assigned the responsibility to implement the procedures of this policy; and
3. see that this policy is reviewed at least annually for compliance with state and federal law.

### Reporting

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 Harassment Report Form available on the School district's website, or from the school principal, each School District's Central Office or Superintendent's Office. Oral reports/complaints will also be accepted. Nothing in this policy shall prevent any person from reporting alleged prohibited conduct directly to the Civil 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 Director of Pupil Services as the Civil Rights Officer with responsibility to oversee administration of these procedures and to monitor compliance. If a complaint involves the Director of Pupil Services, 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 harassment. Any employee who receives a report of alleged harassment shall promptly inform the principal or other school administrator as indicated below. If the complaint involves the school principal, the complaint shall be filed with the Superintendent.

### Harassment Contacts:

Civil Rights Officer: Director of Pupil Services & Superintendent of Schools

Title IX Coordinator: Director of Pupil Services

School Based Administrators are the Primary Contacts for Harassment

Complaints: Early Childhood Director(Grades PreK-K)

Francis T. Bresnahan Elementary School Contact: Principal (Grades 1-3)

Edward G. Molin Upper Elementary School: Principal and District Director of Pupil Services. Rupert A. Nock Middle School: Principal and Assistant Principal

Newburyport High School: Principal and Associate Principal

### Investigation

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 investigator.

In determining whether conduct alleged 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.

Upon completion of the investigation, the harassment contact shall generate an investigation report, which 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. 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.

#### 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.

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.

During the entire process of reporting, investigating, and corrective action (if applicable), confidentiality will be maintained to every extent possible. If harassing conduct constitutes a hate crime or abuse/neglect of a child, it will be reported to the appropriate state agencies/authorities as required by law.

Right to Alternate Complaint Procedures: State and Federal Remedies Nothing in the policy shall be deemed to affect a complaint's right to other remedies at law, including administrative appeals or lawsuits. Administrative agencies with jurisdiction in these matters include:

The Massachusetts Commission Against  
Discrimination One Ashburton Place, Room 601,  
Boston, MA 02108 617-727-3990

Massachusetts Department of Elementary and Secondary Education 75  
Pleasant Street Malden, MA 02148  
781-388-3300

#### **Office for Civil Rights**

**U.S. DOE**  
**5 Post Office Square, 8<sup>th</sup>**  
**Floor Boston, MA**  
**02109-3921**

**Phone: 617-289-0111; or, 1-800-437-0833**

**FAX: 617-289-0150**

**e-mail: [OCR.Boston@ed.gov](mailto:OCR.Boston@ed.gov)**

Newburyport Police  
Department 4 Green Street  
Newburyport, MA 01950 (978-465-4411)

#### 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. McKinney-Vento Homeless Assistance Act 2001 (42 U.S.C. 1143 et seq.), Sec. 721

Approved June 20, 2016

#### **7.4 – Bullying Prevention and Intervention Plan (BPIP)**

The entire Bullying Prevention and Intervention Plan can be found on the district's website.

[BPIP: June 2025](#)

It is the goal of the Newburyport School Committee to promote a learning atmosphere for students free from all forms of bullying. Because bullying affects not only students who are targets but also those who participate and witness such behavior, it is detrimental to student learning and achievement and will not be tolerated by Newburyport Public Schools.

Bullying is the repeated use by one or more students or school staff members of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a target that: a. causes physical or emotional harm to the target or damage to the target's property; b. places the target in reasonable fear of harm to himself or of damage to his property; c. creates a hostile environment at school for the target; d. infringes on the rights of the target at school; or e. materially and substantially disrupts the education process or the orderly operation of a school.

For the purposes of this policy and related procedures, bullying shall include cyber-bullying. Cyber-bullying is bullying through the use of technology or any electronic devices such as telephones, cell phones, computers and the internet. It includes, but is not limited to, email, instant messages, text messages, and internet postings. Reports of cyberbullying by electronic or other means, occurring in or out of school will be reviewed and, when a connection to school exists, will prompt investigation and disciplinary action.

This policy applies to all sites and activities under the supervision and control of the district, or where it has jurisdiction under the law, including school grounds, property immediately adjacent to school grounds, at a school sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased, or used by a school district or school, or through the use of technology or an electronic device owned, leased, or used by a school district or school.

Bullying is also prohibited at a location, activity, function or program that is not school-related or through the use of technology or an electronic device that is not owned, leased or used by the district, if the act or acts in question create a hostile environment at school for the target, infringe on the rights of the target at school or materially and substantially disrupt the education process or the orderly operation of the school.

For further information on legal references, reporting, investigating, please see the full Bullying Prevention and Intervention Plan posted on the district's web-site.

[BPIP: June 2025](#)



## **7.5 – Hazing Policy**

In accordance with Massachusetts General Laws, the School Committee hereby deems that no student, employee or school organization under the control of the School Committee shall engage in the activity of hazing a student while on or off school property, or at a school sponsored event regardless of the location. No organization that uses the facilities or grounds under the control of the School Committee shall engage in the activity of hazing any person while on school property. Any student who observes what appears to them to be the activity of hazing another student or person should report such information to the Principal including the time, date, location, names of identifiable participants and the types of behavior exhibited. Students and employees of the District are obligated by law to report incidents of hazing to the police department.

Any student who is present at a hazing has the obligation to report such an incident. Failure to do so may result in disciplinary action by the school against that student and could involve suspension from school for up to three days. Any student who participates in the hazing of another student or other person may, upon the approval of the Superintendent of Schools, may be suspended from school for up to ten (10) school days.

Any student determined by the Principal to be the organizer of a hazing activity may be recommended for expulsion from school but will receive no less disciplinary action than that of a participant.

In all cases relating to hazing, students will receive procedural due process.

CH. 269, S.17. CRIME OF HAZING; DEFINITION; PENALTY 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 three thousand dollars or by imprisonment in a house of correction for not more than one year, or by both such fine and imprisonment. The term "hazing" as used in this section and in sections eighteen and nineteen, 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, drug 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 be contrary, consent shall not be available as a defense to any prosecution under this action.

### CH. 269, S.18. DUTY TO REPORT HAZING

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 practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars.

### CH. 269, S.19. HAZING STATUTES TO BE PROVIDED; STATEMENT OF COMPLIANCE AND DISCIPLINE POLICY REQUIRED

Each secondary school and each public and private school or college shall issue to every group or organization under its authority or operating on or in conjunction with its campus or school, and to every member, plebe, pledge or applicant for membership in such group or organization, a copy of this section and sections seventeen and eighteen. An officer of each such group or organization, and each individual receiving a copy of

said sections seventeen and eighteen shall sign an acknowledgment stating that such group, organization or individual has received a copy of said sections seventeen and eighteen. Each secondary school and each public or private school or college shall file, at least annually, a report with the regents of higher education and in the case of secondary schools, the Board of Education, certifying that such institution has complied with the provisions of this section and also certifying that said school has adopted a disciplinary policy with regards to the organizers and participants of hazing. The Board of Regents and, in the case of secondary schools, 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 a report.

## **7.6 – Equal Educational Opportunities**

In recognition of the diversified characteristics and needs of our students and with the keen desire

to be responsive to them, the School Committee will make every effort to protect the dignity of the students as individuals. It also will offer careful consideration of their human rights, particularly with reference to their race, color, sex, gender identity, religion, national origin, sexual orientation, homelessness, or physical and intellectual differences. To accomplish this, the Committee and its staff will make every effort to comply with the letter and the spirit of the Massachusetts equal educational opportunities law which prohibits discrimination in public school admissions and programs. The law reads as follows:

*No child shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and course of study of such public school on account of race, color, sex, gender identity, religion, national origin, sexual orientation, or homelessness.*

*This will mean that every student will be given equal opportunity in school admission, admissions to courses, course content, guidance, and extracurricular and athletic activities.*

All implementing provisions issued by the Board of Elementary and Secondary Education in compliance with this law will be followed.

## **7.7 – Student/Parent Right to Translated Materials**

The Newburyport Public Schools is committed to its obligation under Title VI of the Civil Rights Act of 1964 (Title VI), Section 504 of the Rehabilitation Act of 1973 (Section 504), and Title II of the Americans with Disabilities Act of 1990 (Title 11). As part of the District's obligations, during initial student registration, all parents/guardians will be inquired, in their native language or a language they can understand, whether they would like notices and information from their child's school and the District to be provided in a language other than English. The District will record this information in all relevant student information files or folders and in any electronic student information system. In addition, during initial student registration, the District will also inquire whether parents/guardians require the student-parent handbook translated and, upon Parent request, the District will translate the parent-student handbook into the Parents' native language or a language they can understand.

All notices or documents containing essential information will also be translated for parents/guardians who have requested notices in a language other than English. Essential information includes but is not limited to the following: information about special education matters arising under the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act of 1973 (*e.g.*, IEP or 504 meetings); report cards and other academic progress reports; information about the disciplinary process; requests for parent/guardian permission for student participation in District/school sponsored programs and activities; promotional materials

and announcements distributed to students that contain information about school and District activities for which notice is needed to participate in such activities (*e.g.*, testing, activities requiring an application, parent-teacher conferences, open houses); Student-parent handbooks; documents concerning enrollment or registration; Documents concerning academic options and planning; documents concerning screening procedures requesting a student's language background and a parent's/guardian's preferred method of communication; information related to public health and safety; and any other written information describing the rights and responsibilities of parents/guardians or students and the benefits and services available to parents/guardians and students. The District will also provide written or oral translations of information that is not deemed "essential information" upon receiving a reasonable, specific request for such information from limited-English proficiency ("LEP") parents/guardians.

In addition, when a District employee needs to communicate with an LEP parent/guardian orally regarding essential information, the communication will be provided, without undue delay, in a language that the parent/guardian understands by means of a qualified interpreter.

Concerns should be reported to the High School administration.

## **7.8 – Armed Forces Recruiter Access Policy**

### **Armed Forces Recruiter Access to Students and Student Recruiting Information SEC. 9528.**

#### **(1) Access to Student Recruiting Information**

Notwithstanding section 444(a)(5)(B) of the General Education Provisions Act and except as provided in paragraph (2), each local educational agency receiving assistance under this Act shall provide, on a request made by military recruiters or an institution of higher education, access to secondary school students names, addresses, and telephone listings.

#### **(2) Consent**

A secondary school student or the parent of the student may request that the student's name, address, and telephone listing described in paragraph (1) not be released without prior written parental consent, and the local educational agency or private school shall notify parents of the option to make a request and shall comply with any request.

#### **(3) Same Access to Students**

Each local educational agency receiving assistance under this Act shall provide military recruiters the same access to secondary school students as is provided generally to post-secondary

educational institutions or to prospective employers of those students.

### **7.9 – Publication of Names**

The school plans to publish the names of students in certain situations. Examples of this include:

Honor Society induction, sports assemblies, term honor rolls, special awards and assemblies, college acceptances and graduation. If a student does not wish to have such information released to the news media or printed in school programs, the student must inform the principal in writing.

### **7.10 – Publication of Student Photographs and Images**

This policy of the Newburyport Public School District protects the rights of parents and guardians of our students to restrict the publication and public display of photographs and electronic images or video of their son/daughter in any media controlled by the NPSD, including school bulletin boards, school and PTO publications, school partner publications, and on the NPSD website. It also protects against the release of student photographs, electronic images, or video to any media organization outside of the school system.

Students' addresses and phone numbers will not be included with any photos published in NPSD controlled media. The District recognizes the right of students eighteen years old or older to indicate their own wishes as to what restrictions are placed upon the publication or public display of photos of themselves. The school district shall take reasonable care to ensure that the school district and each school in the district comply with any written request to impose such a restriction that is received from the parent/guardian or eighteen year-old student. If a photo does appear contrary to this policy, the school principal shall be immediately notified. The Principal and/or Superintendent of Schools will immediately make every reasonable effort to cease publication or withdraw the photo(s) from display.

At the beginning of each school year, all parents/guardians of students and all students who have reached the age of eighteen will be provided a form on which to indicate to the student's school any restriction on the publication of photos or images. Parents/Guardians must take a positive action by returning the form in order to request restriction. The Superintendent of Schools will determine the administrator(s) responsible for sending the notice(s) or shall ensure that such form is included in or with the Student/Parent Handbook published annually by each school and distributed to all parents and guardians. If any such form is not signed and returned by the parent/guardian of any student or by a student who is 18 years of age or older, then the schools will be free to use that student's photograph in school publications or release it to outside media organizations.

This policy does not apply to photos taken and published by media organizations outside the control of the Newburyport Public School District. In particular, photographs taken and published by local newspapers of any student participating in activities to which the general public is given open access, such as school sports, school plays, and school assemblies, are not restricted by this policy.

### **7.11– Health Education Policy**

The Newburyport School Committee recognizes the need for all students to develop and maintain good physical and mental health in order to become responsible citizens. To this end, Health Education, including an understanding of human sexuality, will be a part of the curriculum. Parents will be notified. To the extent possible, program instruction materials for a said curriculum shall be made accessible to parents/guardians for inspection and review.

Under Massachusetts law, parents have a right to inspect and review program instruction materials and you may request an exemption for your child from any portion of the curriculum that primarily involves human sexuality education. To request an exemption, simply send a letter to the principal requesting an exemption for your child. No student who is exempted from this portion of the curriculum will be penalized. To the extent possible, names of students and parents requesting exemptions and other identifying information will be kept confidential.

### **7.12 – Acceptable Use Policy**

The Newburyport Public School Acceptable Use Policy for technology resources applies to students, faculty, staff and volunteers. The entire policy is posted on the website for the Newburyport Public Schools. To utilize technology resources all students and parents/guardians must agree to the terms of the Newburyport Acceptable Use Policy. Student use of the internet is a privilege, not a right. Although use of the internet is conducted under faculty supervision, students are expected to exercise good judgment and become responsible users. The school committee expects all members of the Newburyport school community to realize that all posted/published information represents the school system and must maintain legal and high ethical standards. The school committee also expects all members of the Newburyport school community to maintain legal and high ethical standards in accessing and using information, whatever the source. When using technology resources, you are responsible for your own actions.

### **7.13 – Field Trips**

School-sponsored field trips specifically relate to curriculum or extra-curricular activities of the school. Field trips are aimed at enriching a student's academic experience. This includes travel by individuals or small groups of students who participate in school-related events (e.g. state science fair, academic competitions, peer mediation training). The students incur the cost of most field trips. There is financial assistance available to students with need. These students should speak to their guidance counselor or a principal. Determination of financial hardship will be a confidential, discretionary decision by the principal. If a student is excused from a field trip with prior approval, there will be no academic penalty and the teacher will provide a parallel alternate learning activity.

A field trip is a privilege that is earned through appropriate classroom behavior. Students

participate at the discretion of the student's teachers and/or building administrators. Students participating in field trips are required to adhere to the rules and policies stated in the *Clipper's Compass: The Student/Parent Handbook of NHS*. Any student failing to meet expected rules and regulations will be sent home, at the discretion of the chaperone, with the student's parent/guardian responsible for actually picking the student up from the field trip location at the parent/guardian's expense. The school, in accordance with the policies of the *Clipper's Compass: the Student/Parent Handbook of NHS*, may take further disciplinary action.

**Non-school-sponsored field trips:** Faculty members, as individuals, sometimes conduct extended educational tours or day trips involving the participation of Newburyport students. The School Committee neither sanctions nor prohibits such activities, nor assumes any responsibility for them.

#### **7.14 – School Accident Insurance**

At the beginning of the school year, each student will receive a form giving them the option to purchase insurance. This is handled by the family.

#### **7.15 – Visitors**

All visitors, including alumni of NHS, must report to the Main Office. Visitors will show ID and get a visitor's badge. NHS students seeking to have a student from another school shadow them will get permission from student support and administration. As a general rule the only student shadows allowed are those who intend to enroll in NHS.

#### **7.16 – Volunteer Policy for In-School Volunteers and Chaperones**

Newburyport Public Schools policy is that all in-school volunteers and school event chaperones must be checked through the Criminal Offender Record Investigation (CORI) check process.

At the beginning of each school year a CORI form with an explanatory letter will be sent home for new parents, for those who decide to volunteer or chaperone for the first time, or for those doing a recheck after three years. Information regarding the policy is contained on the website: [www.newburyport.k12.ma.us](http://www.newburyport.k12.ma.us).

Only the Superintendent 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.

#### **7.17 – Student Privacy and Volunteer Confidentiality**

Students in the Newburyport Public Schools have the right to expect that information about them will be kept confidential by all volunteers. Additionally, the U.S. Congress has addressed the privacy-related concerns of educators, parents, and students by enacting the Family Educational Rights and Privacy Act (known more commonly as "FERPA" or the "Buckley Amendment").

Among other provisions, FERPA allows the government to withdraw federal funds from any educational institution which disseminates a student's education records without his or her parent's consent.

Each student with whom you work has the right to expect that nothing that happens to or about him or her will be repeated to anyone other than authorized school department employees, as designated by the administrators at your school. Even when discussing a student with those who are directly involved in a student's education, such as a teacher, principal, or guidance counselor, you may not share otherwise confidential information with them unless it is relevant to the student's educational growth, safety, or well-being.

You may not share information about a student even with others who are genuinely interested in the student's welfare, such as social workers, scout leaders, clergy or nurses/physicians (a grave medical emergency, in which confidential information may be necessary for a student's care, is the only exception). Thus, you must refer all such questions to the school employees so authorized and indicated to you, typically the student's teacher or principal.

Parents, friends, or community members may, in good faith, ask you questions about a student's problems or progress. Again, you must refer all such questions to the authorized school employees. You may not share information about a student even with members of your own family or the student's family.

Before you speak, always remember that violating a student's confidentiality isn't just impolite, it's against the law!

**Agreement for Student Privacy/Volunteer Confidentiality**

I, (print name) \_\_\_\_\_, as a volunteer for the Newburyport Public Schools, agree never to disclose information about a student's records to anyone other than an authorized school department employee. I will refer all such requests for such information from those not directly involved in the student's education to authorized school department employees.

Signature \_\_\_\_\_ Date \_\_\_\_\_

## **7.18 – Memorandum of Understanding Between Police, School System & District Attorney**

### **I. General Principles**

The Newburyport Public Schools, the Newburyport Police Department, and the Essex County District Attorney's Office agree to coordinate their response to violent, delinquent, or criminal acts by students and to alcohol and other drug use, which occur on school premises or at school sponsored or school-related events. To ensure a safe educational environment, this collaborative effort between school administration and law enforcement supports "zero tolerance" for drugs, alcohol, weapons and violence. Non-students involved in such acts on school premises or at school events are to be reported as students are.

It continues to remain the sole prerogative of school officials to impose discipline for infractions of school rules and policies. In cases where the school has reported an incident to the police, as described below, the school agrees to notify the police department before suspending a student under the provisions of M.G.L. Chapter 71, Section 37H 1/2. M.G.L. Chapter 71, Section 37H requires each school district to have a written Code of Conduct reflected in student handbooks stating the standards and procedures to assure building security and safety of students and school personnel, and the disciplinary measures to be taken in cases involving the possession or use of illegal substances or weapons, the use of force, vandalism, or civil rights violations. Reference to this Memorandum shall be made in these handbooks.

### **II. Objectives**

A. To develop and implement a process for school officials and local police to coordinate a response to criminal/delinquent behavior and to refer appropriate first time or early offenders, ages 7-17, to the Essex County District Attorney's Juvenile Diversion Program. The Juvenile Diversion Program is an alternative to the court system. Participating youth are required to attend counseling/education programs, perform community service and in some cases pay restitution. Youth who successfully complete the Juvenile Diversion Program will have no court record.

B. To work with a Substance Abuse Advisory Committee, which should include representatives for the school age population, local police, clergy, parents, teachers, school administrators, community agency representatives and the District Attorney's Juvenile Diversion Coordinator, and which should make recommendations to the appropriate school officials and parent groups concerning more effective ways to promote an awareness of the dangers of drug and alcohol use and abuse and sound preventative measures.

### **III. Procedures**

While acknowledging that school officials are not agents of the police or Commonwealth and the Commonwealth and police are not agents of the school, the school and police should develop policies and protocols for coordinated efforts.



A) The Superintendent of Schools and the school Principal are responsible for reporting acts. The Police Chief shall designate an officer (or officers) to coordinate all reported criminal acts.

A mandatory reportable act shall include:

- Any serious incident of assaultive behavior, assault and battery, destruction of property, or theft;
- Violation of a restraining order;
- Possession of a dangerous weapon;
- Finding any student who is in actual or constructive possession of what is reasonably believed to be a controlled substance as defined by state law, except that possession of drugs pursuant to a valid prescription is a discretionary reportable act; and
- Having a reasonable belief that any student has sold or offered to sell or otherwise distribute a drug that is believed to be a controlled substance under the law.

A discretionary reportable act shall include:

Any student's violation of a state criminal statute which warrants reporting but is not as serious as a mandatory reportable act; and finding any student, regardless of age, who is reasonably believed to be under the influence of alcohol or other drugs.

B) Any teacher or other school employee who has reasonable grounds to believe that a student has committed a mandatory reportable act or a discretionary reportable act, as defined above, shall take (or cause to be taken) the student to the Principal or Superintendent. The Principal/Superintendent shall ask the reporting teacher/employee what happened and take custody of any physical evidence.

C) The Principal/Superintendent shall inform the student and his/her parent or guardian of the nature of the offense and inform them that certain offenses must be reported to the police. The Principal/Superintendent may offer the student the opportunity to respond to the teacher/employee's report. The Principal/Superintendent shall in the case of a mandatory reportable act, and may in the case of a discretionary reportable act, notify the police of the incident and the existence of any physical evidence. All contraband (drug, alcohol, firearms, and dangerous weapons) shall be immediately surrendered to the appropriate police department. In addition, the Principal/Superintendent will comply with M.G.L. Chapter 71, Section 37L requires that an incident involving a student's possession or use of a dangerous weapon on school premises at any time be reported in writing to the Chief of Police. This report must be filed in any case involving a student's possession or use of a dangerous weapon on school premises, regardless of whether it occurred during school hours, and whether or not the student has been expelled.

D) School personnel are permitted to search a student's clothing, personal possessions or locker at the direction of the Principal/Superintendent if there is a reasonable basis for believing that the student is concealing material the possession of which is prohibited by federal, state, or local law, or the provisions of the School Discipline Code. However, if the Principal/Superintendent believes, prior to the search, that the student's act should be reported to the police, they should inform the police that the school intends to conduct the search. The Principal/Superintendent shall inform students in writing at the beginning of each school year of this practice. The Principal/Superintendent should keep a record of such searches detailing time, place, reasons and witnesses.

E) Upon notification from the Principal/Superintendent, police shall respond in cases of mandatory reportable acts and may respond in other cases.

F) Juvenile offenders who meet the eligibility criteria for the Essex County District Attorney's Juvenile Diversion Program may be admitted to that program in lieu of prosecution.

Diversion/Juvenile Justice Coordinator together with police and the Assistant District Attorney will decide which candidates should be offered the Juvenile Diversion Program. Cases that are not appropriate for Juvenile Diversion will be prosecuted through the Juvenile Justice System. For those student offenders who have reached their seventeenth birthday, the police and the Assistant District Attorney will decide which adult cases to prosecute in the criminal court.

## **Section 8 – Student Services**

### **8.1 – Academic Student Supports**

Everyone is capable of learning. Given the many variables that impact learning, it is not surprising that some students may experience difficulty at some point. There are many ways in which students can receive assistance when these difficulties arise. Help at these points from school can come in a variety of forms. Extra assistance can come from the classroom teacher or instructional assistant by direct involvement. Teachers are able to make accommodations within the classroom if they know a student responds best to a particular approach. Additionally, there are a range of learning tools and strategies that can be used to help students within the class. Parents seeking to work with their children at home can consult with the teacher to find additional ways of providing assistance.

For students who are eligible, instructional support services can be provided under the umbrella of two laws/regulations, which serve as guides for the schools. One of these laws is Section 504 of the American Rehabilitation Act, a Civil Rights law. This law guarantees that students with a physical or mental impairment (or a history of, or being seen as having such impairment) which substantially limits one or more major life activities (i.e., walking, learning) will have access, or equal opportunity, to participate in a public school education. For example, a child with a specific disability or impairment that interferes with the ability to access classroom learning, or the school's physical environment, may be eligible under Section 504 to receive services or classroom accommodations that will give him/her the opportunity for an equal chance to be part of the school program. Under this regulation, if a student is eligible, a team of educators within the building develops an Accommodation Plan and a written plan that may recommend services and/or accommodations is developed. Parents seeking more information about eligibility under Section 504 can contact their child's guidance counselor.

The other support program within the public schools is Special Education (MA c.71B or "Chapter 766 and IDEA"). To be eligible under these laws, a student must have a disability that interferes with progress in school. In addition the student would require specialized instruction in order to make progress. An educational TEAM, including parents, makes decisions about eligibility and programming. An individual educational plan (called an IEP) that may recommend services and accommodations is drafted as a result of this TEAM Meeting. Parents seeking more information about Special Education can contact their child's guidance counselor or the Special Education Team Coordinator.

### **8.2 – Learning Support Team and Curriculum Accommodation Plan**

The Response to Intervention (RTI) Team works to identify how it will make regular education accommodations and resources available to students with diverse learning needs who do not qualify for services or accommodations under special education law or Section 504 of the Rehabilitation Act of 1973. Similar processes have existed in this district and in other districts for many years. These programs have been named Pre-referral, Child Study, Building-Based Support Teams, Student-Teacher Assistance Teams and, in Newburyport, TACT Team and STEP Process.

### **8.3 – Accommodation Plans & RTI**

Learning Support Teams such as the RTI Team are part of a program that includes a District Accommodation Plan and a Building Accommodation Plan in each school. These plans detail the regular education resources, programs, and accommodations available to students at each school. The plans also describe how the District is providing continuous training to teachers and other staff in the art and skills of teaching students with diverse learning styles and needs. The

School Council must be an active partner of the school in developing the Curriculum Accommodation Plan, reviewing it regularly, and helping to match it to the needs of students.

The school district will, through the district nurse leader, register with the Department of Public Health and train personnel in the use of Epi-pens.

Following consultation with the school nurse, students who fall into the following exceptions may self-administer medications:

- Students with asthma or other respiratory diseases may possess and administer prescription inhalers.
- Students with cystic fibrosis may possess and administer prescription enzyme supplements.
- Students with diabetes may possess and administer glucose monitoring tests and insulin delivery systems. The Response to Intervention (RTI) process and building based accommodation plans both:
  - provide an opportunity to differentiate between students who can be helped through accommodations, strategies, and resources in the regular classroom and those who require the more comprehensive evaluation provided by special education or the accommodations and modifications required by a 504 plan
  - provide strategies and resources necessary to reduce or avert learning difficulties or behavioral problems, lessening their impact and preventing them from becoming a disability to the student
  - provide needed accommodations and strategies to students who have learning needs and do not qualify under Special Education or 504. Additionally, the RTI process can help students with different learning styles and/or preferences to better succeed in the classroom
  - help to identify learner characteristics, learning strengths and weaknesses, and helpful accommodations that will be valuable if and when the student needs to be evaluated for a suspected disability
  - support parent/school communication and collaboration around learning and school difficulties by sharing school and home observations and other information
  - make effective referrals for evaluation of disabilities under the special education laws or Section 504 when needed and strengthen these evaluations by contributing information, observations and the results of collaboration among staff and parents around learning or school issues. For more information about the Learning Support Team, Building Based Accommodations, or RTI, contact the Student Support Office or Principal.

#### **8.4 – Financial Aid**

Financial Aid and Scholarship information is available in the Guidance Office and on the Naviance website, as well as FAFSA and CSS Profile applications. A Financial Aid Night for parents is planned each year to coincide with the arrival of the Free Applications for Federal Student Aid (FAFSA). Students are kept up to date on available scholarship opportunities via announcements and directly from the Principal's secretary. Students may use the computer facilities in the guidance department to gather information relating to higher education and career opportunities. Students and community members are welcome to do college and scholarship searches as well as career exploration on the Guidance computers.

#### **8.5 – Regulations Pertaining to Student Records**

Under both state and federal laws, parents and students have rights related to student records including rights to access records and rights to confidentiality of records. In January 1975, the State Board of Education originally adopted regulations pertaining to student records. State laws enacted in 1972 and 1974 mandated the development of these regulations, which have the force of law. The regulations apply to all public elementary and secondary schools. They are designed to insure parents' and students' rights of confidentiality, inspection, amendment, and destruction

of student records, and to assist school authorities in their responsibilities for the maintenance of student records. The Newburyport Public Schools complies with all state and federal statutes and regulations regarding student records. The law and regulations include: M.G.L., c.71, & 34E and 603 CMR 23.00.

#### **8.6 – Student Records Forwarded Without Consent**

The student record may be forwarded to a school to which the student is transferring without the student or parent's consent. When records are requested and transferred, parents will be notified. Regulations provide that the parent may request a copy of the records transferred and may ask for a hearing to challenge the content of the record. Such requests should be addressed in writing to the principal.

#### **8.7 – Library/Media Center**

When visiting the library/media center, students must sign in and out. Students are welcome to use the facilities for academic pursuits. Inappropriate use of library materials, supplies, and furnishings or playing computer games, eating, or excessive noise is not permitted. Abuse of any of the rules could result in the loss of library privileges or other consequences as deemed appropriate. Students who have lost their library privileges may come to the media center only when accompanied by a teacher.

If a student's behavior does not meet the above standards or is deemed otherwise inappropriate, the student will receive a warning and he or she will be asked to return to their class or advisory/Clipper Block. On a second occurrence, the student will lose the privilege of using the library media center during the school day for one week. A third violation will result in the student losing library privileges during the school day for three weeks.

#### **8.8 – Student Support Services: School Counselor**

Guidance services are available for every student in the school. These services include individual and group counseling, educational and career planning, interpretation of test scores, dissemination of occupational career information, help with study skills, help with home, school and/or other social concerns, motivational issues, and any question the student may feel he/she would like to discuss with his/her counselor. Each student may be assured confidentiality will be maintained at all times by all members of the Student Support Department. As professional school counselors, we will respect the rights of confidentiality of personal information disclosed during the course of conversation between ourselves and students except in the following cases: If the student present danger to him or herself, if the student presents danger to others, if the student has been abused by other, if the student needs hospitalization or if required to do so by court order. We are bound by Federal and State law to break confidentiality in the above mentioned situations and will do so to protect our students and to remain legally and ethically true to our profession.

Counseling is available to students at NHS on a short-term as needed basis in order to help support students in managing school related issues and other life stressors. Students are able to self-refer or can be referred by teachers, parents, or friends. Consultation is also available for teachers and parents.

#### **8.9 – Referrals for Drug/Alcohol Support**

The School Nurse, the School Counselor, and appropriate referrals shall serve as resource persons for all drug and alcohol related incidents. They shall maintain files of information related to treatment centers and professionals. Such information will be readily available to all students at school. If a member of the staff seeks to refer a student to a treatment professional, he/she should obtain direct collaboration with a nurse, school counselor or school adjustment counselor.

**8.10 – Health Services**

School Nurses are present in the building to implement health services that may include: illness assessment and care, medication administration, individual health education, and emergency first aid.

Illness in School: Students must report to the nurse's office with a pass from the teacher or from

office personnel. A written "time in/time out" log system confirms a student's presence for teachers and administrators.

Dismissals: All telephone calls will be made by the nurse to advise a parent/guardian that a student is to be dismissed. Parents/guardians will be responsible for providing transportation.

Injuries: Injuries sustained in school or in sports must be reported at once to a teacher, school nurse or coach/athletic trainer, as it is very important to have the injury confirmed in writing for insurance purposes.

Physicals: By Massachusetts state law (MGL 105 CMR 200.100), students are required to have a physical exam on record within one year prior to entrance to school or within 30 days after school entry and at intervals of either three or four years thereafter. All students in grade 10 will be required to have a physical examination on record. Students transferring in from other schools may have their health records sent from the student's previous schools; this record may be used to determine compliance with this requirement. All candidates for athletics must have a physical exam on record within 13 months before participation (including practice) in a school sport. A sports physical or transfer physical examination will meet this requirement. If there are hardship circumstances affecting the fulfillment of this requirement, please contact the school nurse so that alternate arrangements can be made.

Immunizations: Students must present evidence of required immunizations as directed by Massachusetts law (MGL 105CMR 220.000). Parents will be notified if immunizations are not up to date.

### **8.11 – Medication Policy**

Medications may not be administered to students while at school except by the school nurse acting under the specific written request of the parent or guardian and under the written directive of the student's personal physician. No one but the school nurse, and those others listed in the medical administration plan acting with the above restriction may give any medication to any student.

SOURCE: MASC Updated May 2006 LEGAL REF: M.G.L 71:54B Dept. of Public health Regulations 105 CMR 210.00

## **Section 9 – Co-Curricular Activities**

### **9.1 – Co-Curricular Activities (adopted 6/19/17)**

1. Advantages and privileges of Newburyport Public Schools include all extracurricular activities made available, sponsored or supervised by any public school. No school shall sponsor or participate in the organization of outside extracurricular activities conducted at such schools which restrict students' participation on the basis of race, color, sex, gender identity, religion, disability, sexual orientation or national origin. 603 CMR 26.06(1) does not prohibit School Committees from allowing use of school premises by independent groups with restrictive membership.
2. No student shall be denied the opportunity in any implied or explicit manner to participate in an extracurricular activity because of the race, color, sex, religion, disability, sexual orientation or national origin of the student except as provided in 603 CMR 26.06(7).
3. Each school system shall provide a fair distribution of athletic expenditures. Each school within the system shall provide equal opportunity for male and female students to participate in intramural and interscholastic sports. Factors considered in determining equal opportunity shall include budgetary allocations, the proportion of male and female students in the student body, the number and nature of activities offered, levels of competition, equipment (including rate of replacement), supplies, awards, uniforms, facilities, scheduling of games and practice times, travel opportunities and allowances, opportunities to receive equitable coaching and instruction at each level of competition and the availability of services such as medical and insurance coverage, publicity, clerical and administrative staff, and scouting services.
4. In developing its athletic program, a school shall be required to demonstrate good faith by taking into account determined student interest.
5. In order to insure fair distribution of athletic expenditures as defined in 603 CMR 26.06(4), each school shall indicate in the budget that is reviewed by the School Committee the anticipated expenditure for each interscholastic and intramural athletic activity and the anticipated student participation in the activity by number and sex.
6. A school may establish separate teams for males and females for interscholastic and intramural compensation in a particular sport, provided that the requirements of 603 CMR 26.06(8) are satisfied.
7. Teams comprised primarily or solely of persons of one sex shall be granted equal instruction, training, coaching, access to available facilities, equipment and opportunities to practice and compete as teams engaged in a similar activity comprised primarily or solely of persons of the



opposite sex.

8. Participation in extracurricular activities shall be actively encouraged by each school for both boys and girls and for racial and ethnic minorities. When offering extracurricular programs, schools shall take into consideration the ethnic traditions of the student body. Criteria not related to skill levels which act to exclude members of one sex or any racial, religious, or ethnic group represented in the school from participation in specific athletic or other extracurricular activities cannot be permitted. Newburyport High School provides a wide variety of organizations and activities for student involvement. The purpose of these activities varies but, fundamentally, they all exist in order to provide an opportunity for the application of the diverse talents and interests of the student body. Activities may be added as students indicate a serious interest in new ideas. Some extracurricular activities may incur fees.

### **9.2 – Academic Eligibility for Co-Curricular Activities**

Participation in extra-curricular/co-curricular activities is a privilege and must be earned by maintaining a solid academic standing. Student academic eligibility will be based on the same standard as outlined in our athletic academic eligibility—see section 10.4.

### **9.3 – Student Government**

Newburyport High School believes in and encourages effective student representation. A student government exists which provides the "opportunity" for NHS students to participate in the formation of school procedures, policies, and activities.

### **9.4 – Student Council**

NHS will have student representatives from each advisory group that will meet approximately once a month to provide input and guidance to the administration on issues that impact school culture, rules and policies.

### **9.5 – Class Office**

There are five traditional, elected class officers. Their duties encompass all parts of class business, recordkeeping, and general leadership in class activities.

**President:** The President of each class oversees all the activities of the class. They work closely with the Class Advisor, and both the President and the Class Advisor are responsible for providing the leadership necessary for the success of class activities. The President is responsible for all groups under their jurisdiction. The President must ensure that the class officers do their jobs diligently. The President is also a member of the Student Council.

**Vice President:** The Vice-President assists the President in the performance of the duties of his

or her office; the Vice-President shares the responsibility for providing class leadership. In addition, the Vice-President may attend Student Council meetings.

**Secretary:** The Secretary must keep accurate records of all meetings of the class officers and/or class.

**Treasurer:** The Treasurer keeps accurate records of class dues payments, class expenses, and projects. This responsibility is the Treasurer's under the supervision of the Class Advisor and the School Finance Manager. It is essential that the Treasurer be interested in accounting and in dealing with financial matters.

**Historian:** The Historian keeps an accurate 'history' of the class. He/she must keep a written account of everything the class or members of the class have done within a given year. At the end of the class' years at Newburyport High School, the Historian's records are compiled into a class history. This History becomes a chapter in the long history of Newburyport High School.

## **9.6 – School Council Representatives**

The School Council is an advisory board to the principal made up of teachers, parents, a community member and students. In their monthly meetings, the School Council looks at the School Improvement Plan, the budget, the student handbook, and other topics that may come up about policies and practices at the high school. Student input is a crucially important factor in the work and discussions of the School Council.

## **9.7 – Clubs**

NHS has many extra-curricular clubs. Offerings may change year-to-year based on staffing and levels of student interest/participation. There may be a fee required for participation. NHS typically has a "Club Fair" week when student representatives from each club set up tables during lunches and showcase their clubs and have interested students sign up and share contact information.

## **9.8 – Community Service Program**

Community service at Newburyport High School is for students to experience both the satisfaction of a good deed done and credit for the work they do. This program will now evolve to a tightly organized program where the expectations are high, the motivation is self-satisfaction, and the results integrate our students with the community at large.

Students can be involved in community service at any time as long as they are doing a service without payment. For the first 75 hours a student completes, he or she will receive 2.5 credits at

the high school. Students can earn an additional 2.5 credits for the next 75 hours of community service. Any additional hours after the 150 hours will be placed on the student's transcript.

Service hours can be logged on a tracking sheet and submitted to the secretary in the main office. Community service is not a requirement for graduation, but it is for National Honor Society acceptance. The hours a student attains will be included in his or her school file. Students may also do community service during the summer, on weekends, after school, or during school time.

### **9.9 – Dances**

As a general rule, only Newburyport High School students will be allowed to attend school-sponsored dances including the Sophomore Semi Formal. The only exception to this will be formally scheduled proms, when guests will be allowed to attend provided they are registered with the appropriate administrator in advance of the prom. Once a student has entered the site of the dance he/she is expected to remain. If a student leaves the dance, he/she will not be readmitted and must also leave the School Campus. All school rules are in effect at dances. If disciplinary actions are required, the student involved may lose the privilege of attending dances.

Students who are absent from school or who were dismissed from school because of illness are not permitted to attend extra-curricular activities on the same day. A student too ill to be in school is presumed to be too ill for recreation as well.

Improper/inappropriate displays of affection will result in those students being dismissed from the dance.

### **9.10 – Intramurals**

An intramural program is run periodically during the year by the Wellness Department. There will be a fee for individuals and/or teams to enter the competitions. Some of the sports in intramurals are badminton, volleyball, floor hockey and ultimate Frisbee.

### **9.11 – Publications**

- En-Aitch-Ess: The N.H.S. Yearbook, otherwise known as "En-Aitch-Ess", was first published by the Class of 1919. The book consists of photographs of activities and students from all classes.

- Record: The Record, Newburyport High School's historical, literary and art magazine, was first published in 1891. It is the second oldest high school magazine of its kind and contains short

stories, essays, poems, editorials, commentaries, and drawings all produced by members of the student body.

### **9.12 – Penalties for Alcohol/Drugs for Co-Curricular Activities**

For students participating in a co-curricular activity (including but not limited to: clubs, theatrical performance, musical performance, student government or intramurals) the prohibition period for use, possession, distribution, purchasing, having consumed, or being under the influence of alcohol and/or drugs (controlled substances) includes the school year from the first official day of school to the last official day of school including weekends and vacations.

Minimum Penalties:

- First Offense: Removal from activity for four (4) weeks.
- Second Offense: Removal from position or activity for eight (8) weeks. If a student on his/her own volition becomes a participant in an approved chemical dependency program or treatment program, student may be reinstated in position or activity after a minimum of four (4) weeks.
- Subsequent offenses: Removal for eight weeks and hearing with the Principal and Associate Principal to determine if permanent removal from position or activity is warranted.

Students in leadership positions, including but not limited to: co-curricular activity, club, student government officers or captains additionally jeopardize their position if they violate the alcohol or drug (controlled substance) prohibition. An officer or captain who is disciplined or involved in an incident involving an alcohol/drug (controlled substance) violation at **any time**, including summer vacation, will lose his/her leadership position in addition to any other consequences.

## **Section 10 – Athletics**

### **10.1 – MIAA & Cape Ann League**

All public high schools in the state of Massachusetts are under the control of the Massachusetts Interscholastic Athletic Association (MIAA). As a participating member, Newburyport High School agrees to abide by all of its rules and regulations.

Newburyport High School is a member of the Cape Ann League and must comply with all its rules and regulations. The purpose of the Cape Ann League is to “promote and develop good sportsmanship in all interscholastic sports that may be deemed beneficial to the physical health and well-being of all participants.”

### **10.2 – Department of Athletics Handbook for Students/Parents**

Please refer to the Department of Athletics Handbook for Students/Parents for all other important rules and regulations pertaining to Newburyport High School athletics. Students must adhere to all the rules and regulations contained in this document. This handbook can be found on the high school web page under “Athletics”. A hard copy of the Department of Athletics Handbook for Students/Parents may also be obtained at our pre-season parents’ meetings or at any time in the Main Office at the high school. The website will also outline a full list of sports offered by season and the associated fees.

### **10.3 – Attendance Rules for Athletic Eligibility**

See 4.4. Students absent on the day of an activity, co-curricular event or athletic activity, or the day preceding a weekend activity, are not eligible to participate in that activity-practice or game, unless authorization is received by the administration. Students must meet the following criteria to be considered eligible for participation: arrive to school on time and attend school for a minimum of 3 classes (8:15 AM-11:50 AM) or a student may arrive by the end of the second block (10:37 AM-2:42 PM) and remain in school for the remainder of the day, and not be dismissed due to illness. Students dismissed due to illness may not participate in events that day without administrative approval.

The principal or designee may excuse students from this rule if reasonable cause for the tardiness/dismissal is presented.

### **10.4 – Academic Eligibility**

Newburyport High School holds academic eligibility standards that exceed the expectations of the MIAA. To be eligible to participate:

Students must be passing the minimal equivalent of four year long classes, per MIAA policy. Grades are reviewed quarterly (Nov/Jan/April/June) Additionally, students must meet these standards regarding course failures:

A student will be eligible if they are failing a maximum of 1 course as long as they are passing four or more.

Any student who is failing two classes is ineligible until the next academic checkpoint/quarter. A student failing two courses but passing at least four at the mid semester points may appeal to be provisionally eligible\*.

\*An appeal to be considered provisionally eligible begins with a written request to the Associate Principal. The Athletic Director and Associate Principal will meet with the student. If the appeal is successful, a plan will be developed to allow provisional eligibility (practice only) over a two-week span. The student athlete will not be allowed to participate in games or competitions until course averages have increased to the level of being academically eligible. The student must raise course grades to the level of earning eligibility within this two-week span or will be removed from the team/program.

A student failing 3 or more courses is ineligible regardless of whether or not they are passing four courses.

### **10.5 – Physicals**

All candidates for athletics must have a physical exam on record within 13 months before participation (including practice) in a school sport. A sports physical or transfer physical examination will meet this requirement.

### **10.6 – Athletic Trainer**

The athletic trainer provides care related to the prevention, evaluation and treatment of athletic injuries. The trainer is usually available after school or at varsity events.

### **10.7 – MIAA Discipline for Student-Athletes: Chemical Health Violations: Alcohol/Drugs for Athletics**

Newburyport High School adheres to the MIAA “Rule 62” regarding Chemical health/alcohol/drugs/tobacco:

62.1 From the earliest fall practice date, to the conclusion of the academic year or final athletic event (whichever is latest), a student shall not, regardless of the quantity, use, consume, possess, buy/sell, or give away any beverage containing alcohol; any tobacco product (including e-cigarettes, vape pens & all similar devices); marijuana (including synthetic); steroids; drug paraphernalia; or any controlled substance. This policy includes products such as “NA or near beer,” inhalants (defined as any substance that produces a mind-altering effect when inhaled), and misuse of over-the-counter medications and substances used for the purposes of altering one’s mental state. It is not a violation for a student to be in possession of a defined drug specifically prescribed for the student’s own use by his/her doctor. This MIAA statewide minimum standard is not intended to render “guilt by association”, e.g. many student athletes might be present at a party where only a few violate this standard. This rule represents only a minimum standard upon which schools may develop more stringent requirements. If a student in violation of this rule is unable to participate in interscholastic sports due to injury or academics, the penalty will not take effect until that student is able to participate again. Prior to any chemical health violation a student's request for and enrollment in a substance abuse treatment shall not in and of itself constitute a violation of the chemical health/alcohol/drugs/tobacco Rule 62.

If a violation occurs in the summer, the student will be ineligible to participate in the first game of his/her team in the fall season. If the student does not participate in a fall sport, he/she will be ineligible to participate in the first game of the next season of sport they participate in.

Any student participating in athletics that receives a suspension resulting from a violation of the NHS Chemical Health Policy rules must complete the athletic season in which he/she is serving the suspension, otherwise the suspension shall not be considered served.

Team captains and co-captains or other leadership positions jeopardize their position if they violate the alcohol or drug (controlled substance) prohibition. A captain, co-captain or other team leader who is disciplined or involved in an incident involving an alcohol/drug (controlled substance) violation at ANY TIME, including summer vacation, will lose his/her leadership position in addition to any other consequences. When the principal confirms that a chemical health violation occurred, that student will not be eligible for the captaincy or other leadership position in any sport for a period of one calendar year.

You may also refer to the MOU Memorandum of Understanding (MOU, Section 7.18) for details of the agreement between the school, the Newburyport Police Department and the District Attorney's Office with regard to alcohol/drug use and abuse.

### **10.8 – Penalties per MIAA & Athletic Disciplinary Board**

The Newburyport community recognizes the use of tobacco, alcohol, and illegal drugs as serious health, safety, legal, and security issues. Further, participation in interscholastic activities requires that student-athletes refrain from the use of these substances during the season (tryouts until awards night). If a student-athlete is found to be in possession of, selling, or using tobacco, alcohol, and/or illegal drugs during the season of participation (either in school or out of school), the student will be subject to the following consequences:

First offense: The student-athlete will be suspended for 25% of the MIAA sanctioned events for the next sport in which he/she is a participant. The student athlete will be allowed to remain at practice and support their team during this time of suspension. If fewer than one quarter of the season's events remain, then the student will be suspended for the remainder of the team's events and the penalty will carry over to the next season in which the student-athlete is a participant. A student-athlete may be reinstated if he/she follows the rehabilitation plan set forth through the Athletic Disciplinary Board.

The Athletic Disciplinary Board Consists of:

1. Associate Principal or Principal
2. Athletic Director
3. Student Support Counselor

Rehabilitation Plan: Must include all three components

1. Counseling designed to address behavior
2. Community Service project
3. Educational Activity

Second offense: (within the calendar year of first offense and regardless of whether or not the student-athlete is participating on a team) the student-athlete becomes ineligible for any interscholastic participation for 60% of the team's next scheduled contests. After the 60% suspension has been served, the student-athlete must meet with the Athletic Disciplinary Board to seek eligibility to participate in further interscholastic activities at Newburyport High School. The penalty may be reduced to 40% if the student-athlete enters a school-approved treatment program and provides written documentation that the program has been successfully completed.

**Role of the Athletic Disciplinary Board:**

The Athletic Disciplinary Board is the committee that is responsible for determining the penalty and consequences of cases of serious misbehavior that may affect continuing participation on a team. The purpose of this board is to establish fairness and consistency to all situations involving serious misbehavior as part of Newburyport High School Athletics. In addition, student-athletes who appear in front of the Athletic Disciplinary Board learn and reflect on their behaviors. It is for that reason that professional legal representation is limited to giving advice to one's client. Lawyers will not be allowed to cross-examine witnesses or interfere in proceedings. The presentation of the case is limited to the evidence and testimony related to the infraction and any witnesses that are needed to establish the facts of the case.

**Self-Reporting**

This policy will focus on getting help for the student. There will be no disciplinary consequences, provided the student seeks out help and follows through with that support prior to disciplinary action being taken.

*Grievance Procedure*

The coaching staff and head coach have the right of judgment in matters concerning enforcement of team rules. A student-athlete has the right to appeal the coaches' decision regarding suspension or dismissal from the team to the Athletic Director and from there to the Athletic Disciplinary Board.

**10.9 – Spectators**

Any athlete knows that fan support is a great boost and frequently may spell the difference between victory and defeat. NHS fans are encouraged to be in attendance at all home and away contests during the year. Students are reminded that their actions reflect upon all of us at Newburyport High School. Remember, as a spectator, you represent our school as much as any team member.

NHS students attending games, at home or away, are subject to all Newburyport High School rules and regulations just as they are during the regular school day. To prevent incidents that could lead to undesirable behavior, the following rules will be enforced at home games:

- No obscene cheers, gestures, or behaviors
  - No noisemakers, horns, bells, etc. of any kind
  - No signs or banners, except those put up by cheerleaders (cheerleaders are responsible for the removal of signs after the contest is completed)
- Be courteous and friendly to visiting team members and spectators before, during and after the game.
  - No taunting the opposing players. Do not shout names or numbers
  - Do not boo or jeer the officials/referees.

Students involved in such behavior will be suspended from further involvement in athletic events for a period of time determined by the high school administration.

Offenders will be asked to leave the contest after one warning. A second offense by the Newburyport High School student will cause him/her to lose other opportunities to participate in extracurricular activities for a period determined by the administration.