

## SECTION J: STUDENTS

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## 1. STUDENT POLICIES GOALS

The student is the focal point of all operations of the Beverly Public Schools. Consequently, the School Committee can expect to spend much of its time in study, deliberation and policy formulation on matters directly related to students.

The Committee and staff will work together to establish an environment conducive to the very best possible learning achievements for each student through meeting the following goals regarding students:

1. To individualize the learning program in order to provide appropriately for each student according to his/her specific background, capabilities, learning styles, interests and aspirations.
2. To protect and observe the legal rights of students.
3. To enhance the self-image of each student by helping him/her to feel respected and worthy through a learning environment that provides positive encouragement through frequent success.
4. To provide an environment of reality in which students can learn personal and civic responsibility for their actions through meaningful experiences as school citizens.
5. To deal with students in matters of discipline in a just and constructive manner that is consistent with information provided in student handbooks.
6. To provide in every way possible for the safety, health and welfare of students.
7. To promote faithful attendance and student achievement.

Adopted: August 28, 2002  
Revised: January 18, 2012

## 2. 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. The Committee will also offer careful consideration and sympathetic understanding of their personal feelings, particularly with reference to their race, creed, sex, religion, nationality, and 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 (known as Massachusetts 622 of the Acts of 1971), 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, religion, national origin or sexual orientation.

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

In addition, all implementing provisions issued by the Board of Education in compliance with this law will be followed.

**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 Executive Order 11375)**

**Title IX, Education Amendments of 1972**

**M.G.L. Chapter 76, Section 5 & 16**

**Board of Education Chapter 622 Regulations Pertaining to Access to Equal Educational Opportunity (adopted 6/24/75, amended 10/24/78)**

Adopted: August 28, 2002

Revised: January 10, 2007

### 3. ATTENDANCE

The Beverly School Committee, recognizes the importance of regular attendance as a factor in successful academic achievement, and maintains that the only acceptable reasons for being absent from school are those caused by personal illness or quarantine, death or serious illness in the family, weather so inclement as to endanger the health of a child, religious holidays, court appearance, and other exceptional reasons approved by the school administration. Absences for any other reasons are considered unexcused absences. Each school principal shall be responsible for viewing attendance records and initiating appropriate actions at the building level to address unexcused pupil absences and tardiness. Students are expected to make up any work missed due to excused absences or tardiness. Parents who take their child out of school for unapproved reasons, including vacations or family trips, may not expect makeup work for their children during this time and should consult student handbooks for specific expectations and procedures. Truancy, excessive absences, and tardiness have a major negative impact on learning and are to be discouraged with school discipline or court action, as necessary.

Each level of school (elementary, middle and high school) shall develop detailed expectations and procedures consistent with this policy, and these expectations shall be published in student handbooks at each level.

#### School Census

An annual school census shall be taken by the Office of the Superintendent of Schools as of October 1 of each school year.

Adopted: January 15, 2003  
Revised: February 13, 2008

## 4. ENTRANCE AGE REQUIREMENTS

### Kindergarten

It is the policy of the Beverly Public Schools that all children entering Kindergarten must be five years of age on or before August 31st of the year in which they enroll. There will be no exceptions to this policy.

### First Grade

It is the policy of the Beverly Public Schools that all children entering Grade One must be six years of age on or before August 31st of the year in which they enroll. The only exception to this policy will be for a child who has successfully completed a public school kindergarten in a community where he/she resided previously and where the entering school age does not coincide with that of the Beverly Public Schools.

### **M.G.L. Chapter 69, Section 1B**

### **Board of Education Regulations for Entrance to First Grade and Kindergarten (adopted 7/20/71)**

Adopted: September 8, 1997

Revised: June 15, 2011

(See Section J: Admission of Transfer Students)

## 5. SCHOOL ADMISSIONS

### General Requirements

No child shall, except as hereinafter provided, be admitted to school except upon presentation of a physician's certificate that the child has been successfully immunized against diphtheria, pertussis, tetanus, measles and poliomyelitis and such other communicable diseases as may be specified from time to time by the Board of Health.

A child shall be admitted to school upon certification by a physician that he/she has personally examined such child and that his/her health would be endangered by such vaccination or by any of such immunizations. Such certification shall be submitted at the beginning of the school year to the physician in charge of the school health program. If the physician in charge of the school health program does not agree with the opinion of the child's physician, the matter shall be referred to the Department of Public Health, whose decision will be final.

In the absence of an emergency or epidemic of disease declared by the Department of Public Health, no child whose parent or guardian states in writing that vaccination or immunization conflicts with his/her sincere religious beliefs shall be required to present said physician's certificate in order to be admitted to school.

Children must present evidence of having been previously screened for lead poisoning as a condition for entry into Kindergarten.

### High School

With specific respect to Beverly High School, students who have successfully completed the eighth grade course of study shall be admitted to the High School as regular members. Other candidates for admission presenting credentials of equivalent or satisfactory preparation may, at the discretion of the Superintendent and of the Principal of the High School, be admitted on probation. The Superintendent is authorized to determine by examination the qualifications of any candidate whose preparation is in doubt, based on a recommendation by the High School Principal.

Adults who are residents of the City of Beverly may apply for enrollment in the regular day courses at the high school for credit towards their high school diplomas or for enrichment. Enrollment in any class shall be based on class size limitations and course availability, with high school-age students being accommodated first.

### Regular Requirements

In addition, the school committee shall cause every child in the public schools to be separately and carefully examined in such manner and at such intervals including original entry to ascertain defects in sight and hearing, postural and other physical defects tending to prevent his/her receiving the full benefit of his/her school work, or requiring a modification of the same in order to prevent injury to the child or to secure the best education results, and to ascertain defects of the feet which might unfavorably influence the child's health or physical efficiency, or both, during childhood, adolescence and adult years, and shall require a physical record of each child to be kept by the Beverly Public Schools.

**M.G.L. Chapter 71, Section 57**  
**M.G.L. Chapter 76, Section 15**  
**105 CMR 460.050 and .060**

Adopted: January 15, 2003  
Revised: February 13, 2008

## 6. ADMISSION OF EXCHANGE STUDENTS

The Beverly School Committee supports the concept of an exchange student program at Beverly High School. The following policy parameters are offered to govern the management of this important program within the school district:

1. The number of exchange students enrolled in Beverly High School shall be limited to a maximum of six (6) per academic year. In addition, no more than four (4) foreign students and no more than two (2) of the same nationality can be sponsored by a single organization.
2. It is preferred that an individual sponsoring a student from an exchange program file for acceptance by the end of the school year prior to the anticipated arrival of the exchange student. The Principal, with the approval of the Superintendent, will make the admission of an exchange student if in his/her discretion the placement is appropriate for both the student and the school.
3. Selection of exchange students who meet the requirements will be made on a "first come, first served" basis. Candidates will be informed of their status as quickly as possible.
4. Placement of the student in Beverly High School must be arranged at least five (5) weeks in advance of the student's departure from the student's native country.
5. The designated program sponsor is responsible for the selection of the American host family. A program's sponsor representative must personally interview and visit the home of each host family before the school will agree to accept an exchange student.
6. Exchange students will be expected to comply with all school rules and procedures including, but not limited to, minimum attendance requirements for course credit.
7. Exchange students will be expected to demonstrate proficiency in English and to meet minimum requirements for the student's grade level.
8. The School Committee shall be informed of the admittance of all exchange students.

Adopted: January 15, 2003  
Revised: February 13, 2008

## 7. OPEN ENROLLMENT

It is the policy of the Beverly Public Schools to allow open enrollment at the elementary school level when space permits and without affecting building or classroom staffing levels.

Non-resident (school choice) students accepted to the Beverly Public Schools in prior years shall be treated in the same fashion as students who reside in Beverly.

All elementary requests must be made by May 1st, and all written responses to parents will be provided by July 15th. Requests from families moving into Beverly will not be held to this timeline. In all cases, transportation for open enrollment students is the sole responsibility of the parent(s).

Parents of elementary school students may apply to the Superintendent's office for open enrollment. All requests will be considered if space is available at each school, a number that has been certified as part of the elementary school choice procedures.

The principal of the proposed receiving school, in conjunction with the Superintendent, will consider approval for a request to be granted, provided that such approval does not create a staffing increase or cause a class to exceed class size maximums established by the School Committee. In considering requests, priority shall be given to employees of the Beverly Public Schools. All requests will be evaluated on a yearly basis.

The District will consider the following situations as extenuating circumstances in granting permission for students residing in one area of the city to attend elementary school outside their attendance area, when the exception does not create a staffing increase or cause a class to exceed class size maximums:

1. With the permission of the building principal and Superintendent, elementary students (grades K-5) who move from one region to another within the city may remain at the original school for the remainder of the school year.
2. When it has been determined that the physical, emotional, or intellectual health of a child will be substantially impacted by the normal school placement, the parent may request a change in placement. The Superintendent, in consultation with the building principal(s), will make this determination. Each application must be evaluated on a yearly basis.

With the permission of the building principal and Superintendent, elementary students (grades K-5) who move to another location outside the city may remain at a Beverly elementary school for the remainder of the school year.

The School Committee affirms its position that it shall not discriminate in the open enrollment of any child from one school to another on the basis of race, color, religious creed, national origin, sex, age, sexual orientation, ancestry, athletic performance, physical handicap, special need, academic performance, or proficiency in the English language, subject to the availability of specific programs and student services at the specific building for which space is available.

Adoption: August 27, 2001  
Revised: June 13, 2007

## 8. HOMELESS CHILDREN: ENROLLMENT RIGHTS & SERVICES

It is the policy of the Beverly Public School District that homeless students will be provided with access to the same, free, appropriate public education, and opportunities thereof, that is provided to all other children and youth living in Beverly. Furthermore, the Beverly Public School District will provide homeless students or unaccompanied youth all educational services for which they are eligible, including education programs for students with disabilities, free or reduced school meals, English language services, vocational and technical education, gifted and talented services, special education, and Title I services.

A fixed residence is one that is stationary, permanent, and not subject to change. A regular residence is one that is used on a regular (i.e., nightly) basis. An adequate residence is one that is sufficient for meeting both the physical and psychological needs typically met in home environments. Therefore, children and youth who lack a fixed, regular, and adequate residence will be considered homeless. These include the following:

1. Sharing the housing of other persons due to loss of housing or economic hardship;
2. Living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations;
3. Living in emergency or transitional shelters;
4. Being abandoned in hospitals;
5. Awaiting foster care placement;
6. Living in public or private places not designated for or ordinarily used as regular sleeping accommodations for human beings;
7. Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations or similar settings;
8. Migratory children living in conditions described in the previous examples.

The superintendent shall designate an appropriate staff person to be the district's liaison for homeless students and their families.

To the extent feasible, homeless students will continue to be enrolled in their school of origin while they remain homeless or until the end of the academic year in which they obtain permanent housing. Instead of remaining in the school of origin, parents or guardians of homeless students may request enrollment in the school in the attendance area in which the student is actually living, or other schools. Attendance rights by living in attendance areas, other student assignment policies, or intra- and inter-district choice options are available to homeless families on the same terms as families resident in the district.

If there is an enrollment dispute, the student shall be immediately enrolled in the school in which enrollment is sought. The parent or guardian shall be informed of the district's decision and their appeal rights in writing. The district's liaison will carry out dispute resolution as provided by state rule. Unaccompanied youth will also be enrolled pending resolution of the dispute.

The Beverly Public School District will enroll homeless students in school, even if they do not have the documents usually required for enrollment, such as school records, medical records or proof of residency. If a homeless student arrives without records, the school district's designated homeless liaison will assist in obtaining the required academic, immunization, and medical records and ensure that the homeless students are attending school during this process.

Homeless students are entitled to transportation to their school of origin or the school where they are to be enrolled. If the school of origin is in a different district, or a homeless student is living in another district but will attend his or her school of origin in this district, the districts will coordinate the transportation services necessary for the student, or will divide the costs equally.

The district's liaison for homeless students and their families shall coordinate with local social service agencies that provide services for homeless children and youths and their families; other school districts on issues of transportation and records transfers; and state and local housing agencies responsible for comprehensive housing affordability strategies. This coordination includes providing public notice of the

educational rights of homeless students in schools, family shelters and soup kitchens. The district's liaison will also review and recommend amendments to district policies that may act as barriers to the enrollment of homeless students.

**No Child Left Behind (Title I, Part C)**

**Massachusetts Department of Education: Homeless Education Advisory, 2002**

Adopted: March 10, 2004

Revised: March 12, 2008

## 9. SCHOOL CHOICE

It is the policy of the Beverly Public Schools to admit non-resident students under the terms and conditions of the Interdistrict School Choice Law (M.G.L. 76-12) and under the following local conditions:

1. The administration will determine the number of spaces available at each level for school choice students by May 1<sup>st</sup> of each school year.
2. The total number of students at each grade level will be certified by the School Committee by May 1<sup>st</sup> and will be reported to the Department of Education each year.
3. The School Committee will conduct a public meeting by June 1st of any year if consideration is being given to withdraw from the provisions of the choice law.
4. In accordance with the district open enrollment policy (see Section J, Policy #9), resident students will be given priority placement in any classes or programs within the district.
5. When the number of requests for school choice exceeds the number of available spaces, the selection of non-resident students for admission will be in the form of a drawing. The drawing will take place no later than June 1<sup>st</sup> of each year. Any sibling of a student currently enrolled as a school choice student shall, upon application, receive priority for admission to the program.
6. Any student who is accepted for admission under the provisions of this policy is entitled to remain in the district until graduation from high school, except if there is a lack of funding for the program.
7. Transportation for school choice students shall be the sole responsibility of the parent/guardian.
8. The School Committee affirms its position that it shall not discriminate in the admission of any child on the basis of race, color, religious creed, national origin, sex, age, sexual orientation, ancestry, athletic performance, physical handicap, special need, academic performance, or proficiency in the English language, subject to the availability of specific programs and student services at the specific building for which space is available.
9. With respect to students requiring special needs, in accordance with current law, the district will charge the sending district of the non-resident student the actual cost of educating any special needs student accepted as part of the choice program, including the cost of a substantially separate program or private Chapter 766 day or residential school placement, if applicable.

**M.G.L. Chapter 71, Section 6 & 6A**  
**M.G.L. Chapter 76, Section 6, 12 & 12B**

Adopted: August 28, 2002  
Revised: June 13, 2007

## 10. STUDENT RIGHTS AND COMMUNITY RESPONSIBILITIES

Every student has the right to attend Beverly Public Schools without fear or intimidation. Each member of the school community is equally responsible for the well being of every other member of the community as a whole. The atmosphere of complete safety that provides the maximum opportunity to learn shall be fostered by the following measures:

### *The School Committee and Administration*

- Shall remain vigilant to identify students and student behavior that infringes upon the safe atmosphere of the school.
- Shall recognize their responsibility to report any violent behavior to proper authorities.
- Shall continue to reinforce in students their obligation to behave in a responsible and appropriate manner.
- Shall implement procedures that will improve the unsanctioned behavior of disruptive students.
- Shall consistently enforce the rules and regulations of the school disciplinary code and will support teachers and other personnel during the disciplinary process.

### *Students of the Beverly School System*

- Shall act in a manner that recognizes education as the major role of the school system.
- Shall promote a sense of community in which they can experience respect and demonstrate respect for the uniqueness of others.
- Shall accept responsibility and accountability for their actions within the School Community.
- Shall promote within their peer structure a sense of school pride, obligation and commitment.

### *Parents of Beverly School Students*

- Shall send their children to school as disciplined and respected learners.
- Shall support the rules, regulations, and policies pertaining to discipline within the school community.
- Shall provide a home environment that continues and extends the educational process.
- Shall discourage negative and disruptive behavior.

### *The Beverly Community*

- Shall recognize the unique value of our schools in promoting a secure, educated and socially responsible citizenry.
- Shall provide moral and financial support to Beverly Public Schools.
- Shall assume its responsibility to provide an education for all children.

All educational and non-academic programs, activities, and employment opportunities in Beverly Public Schools are offered without regard to race, color, sex, religion, ancestry, national origin, sexual orientation, disability, and any other class or characteristic protected by law.

Adopted: January 15, 2003  
Revised: April 9, 2008

## 11. STUDENT DUE PROCESS RIGHTS

The Massachusetts Supreme Court has held that before a student is temporarily suspended from public school for ten days or fewer, the student has the right to receive:

- oral or written notice of the charges against him/her;
- an explanation of the evidence against him/her; and
- the opportunity to present his/her side of the story to an impartial decision-maker (who may be a school administrator).

Notice of the suspension and the hearing must occur before the student may be asked to leave school, except when a student presents an immediate threat to school officials, other students or himself/herself, or endangers the school environment. In this case, the hearing may be delayed, but must be held within a reasonable period of time.

Expulsion and long term suspension (more than 10 days) requires more formal procedures than short-term suspensions. Massachusetts law requires that the student and his/her parents be provided a fair hearing before the student is permanently excluded from school for misconduct. The procedure rights for students facing expulsion include:

- written notice of the charges;
- the right to be represented by a lawyer or advocate (at the student's expense);
- adequate time to prepare for the hearing;
- access to document evidence before the hearing;
- the right to question witnesses;
- a reasonably prompt, written decision including specific grounds for the decision.

In addition, the student or his/her parent may request that the meeting be tape-recorded and that the proceedings be translated into the student and/or parent's primary language.

### *Student Expulsion*

- A. Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or knife; or a controlled substance as defined in Chapter 94C, including but not limited to, marijuana, cocaine and heroin, may be subject to expulsion from the school or school district by the High School Principal. Only the School Committee may expel middle and elementary school students.
- B. Any student who assaults a principal, assistant principal, teacher, teacher's aide or other 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 High School Principal. Only the School Committee may expel middle and elementary school students.
- C. Any student who is charged with a violation of either paragraph A or B above shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the Principal or School Committee.
- D. Any high school student who has been expelled from Beverly Public Schools pursuant to these provisions shall have the right to appeal to the Superintendent. The expelled student shall have ten days from the date of the expulsion in which to notify the Superintendent of his appeal. The student has the right to counsel at a hearing before the Superintendent. The subject matter shall not be limited solely to a factual determination of whether the student has violated any provisions of this section.
- E. When a student is expelled from another school district under the provisions of this section, Beverly Public Schools shall not be required to admit such student or to provide educational services to said student.
- F. If said student does apply for admission to Beverly Public Schools, the Superintendent shall

request and receive from the Superintendent of the school expelling such student, a written statement of the reasons for said expulsion.

#### *Suspension for Felony Charges*

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

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

#### *Expulsion for Felony Conviction*

Upon a student being convicted of a felony or upon an adjudication or admission in court of guilt with respect to such a felony or felony delinquency, the principal of a school in which the student is enrolled may expel said student if said principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and the reasons for such expulsion prior to such expulsion taking effect. The student shall also receive written notification of his/her right to appeal and the process for appealing such expulsion; provided, however, that such expulsion shall remain in effect prior to any appeal conducted by the Superintendent.

The student shall have the right to appeal the expulsion to the Superintendent. The student shall notify the Superintendent in writing of his/her request for an appeal no later than five calendar days following the effective date of the expulsion. The Superintendent shall hold a hearing with the student and the student's parent or guardian within three calendar days of the student's request for an appeal. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel.

The Superintendent shall have the authority to overturn or alter the decision of the principal, including recommending an alternate educational program for the student. The Superintendent shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the school district with regard to the expulsion. Upon expulsion of such student, no school or school district shall be required to provide educational services to such student.

#### *Special Education Students*

Special education students are expected to follow the school code of conduct. If a student's Individualized Educational Plan (IEP) calls for a modification of the discipline code, the specific program written into the student's IEP will be followed. The guidelines for the discipline of special needs students will be delineated in student handbooks and the special education procedures and IEP process manual.

**M.G.L. Chapter 76, Section 16 & 17**  
**M.G.L. Chapter 71, Section 37H & 37H1/2**

Adopted: January 15, 2003  
Revised: April 9, 2008

## 12. STUDENT INVOLVEMENT IN DECISION-MAKING

As appropriate to the age of students, class or school organizations and school government organizations, such as student councils, may be formed to offer practice in self-government and to serve as channels for the expression of students' ideas and opinions.

The School Committee will take into consideration student opinions in establishing policies that directly affect student programs, activities, privileges and other areas of student sensitivity.

Students will be welcomed at School Committee meetings and granted privileges of speaking in line with the privileges extended to the general public.

### Student Advisory Committee

As required by state law, the School Committee will meet at least once every other month, while school is in session, with its Student Advisory Committee, which is composed of five students elected by the high school student body. The Chairperson of the Student Advisory Committee shall be an ex-officio non-voting member of the School Committee, without the right to attend executive sessions unless the School Committee expressly grants such right.

### **M.G.L. Chapter 71, Section 38M**

Adopted: September 8, 1997  
Revised: June 15, 2011

### 13. STUDENT ELIGIBILITY FOR PARTICIPATION IN ATHLETICS AND CO-CURRICULAR ACTIVITIES

Students' academic achievement can be complemented by their participation in athletics and in co-curricular activities. However, when that participation detracts from, instead of complementing, their schoolwork, schools need to offer appropriate guidance.

Accordingly, it is the policy of the Beverly School Committee that participation in athletics or co-curricular activities at Beverly High School has the following prerequisites:

- Eligibility for first quarter activities is determined by final grades for the second semester preceding the activities. All other eligibility is determined by quarterly grades in the last marking period preceding the activities (e.g., second quarter grades and not semester grades determine third quarter eligibility). In order to qualify for participation, a student may have no F's and no more than two D's in the relevant quarter or semester.
- Eligibility will be removed or restored in a manner consistent with MIAA policy; that is, on the date on which report cards are issued. In all other matters concerning this policy, unless otherwise stated, the District will follow MIAA policy. (MIAA.net)
- In extreme situations due to a student's health (documented by medical personnel) or family circumstances (e.g., death of an immediate family member) the Principal may grant a waiver of the "no F's" for one marking period,

#### **M.G.L. Chapter 71, Section 47**

Adopted: August 28, 2002  
Revised: April 11, 2007

## 14. STUDENT CITIZENSHIP

It is the policy of Beverly Public Schools that all students will be encouraged to develop citizenship skills as well as a sense of personal integrity prior to graduating from Beverly Public Schools. The administration will develop programs and procedures to implement this policy. These may include, but not be limited to, the following:

- Development of a community and school service policy
- Inclusion of decision-making and conflict resolution skills throughout the curriculum
- Opportunities to experience leadership and represent student interests in the schools and within the district

### **M.G.L. Chapter 71, Section 37H**

Adopted: February 12, 2003

Revised: April 9, 2008

## 15. CARE OF SCHOOL PROPERTY

### Textbooks

It is the policy of the Beverly School Committee that each child will assume responsibility for maintaining, in good condition, any book issued to him/her. Students will be expected to care for these books, keep them covered at all times, and maintain them free of pencil, ink or other marks.

### School-Issued Property

It is the policy of the Beverly School Committee that each student will assume responsibility for maintaining, in good condition, any school property issued to, or used by, him/her. Lockers, desks, chairs, or other equipment will be maintained in good, clean, working order, free of damage or marks.

### Replacement Costs

Students will be assessed replacement cost for any assigned textbooks, other school property, or equipment that is damaged or lost due to negligence.

Adopted: September 8, 1997  
Revised: February 8, 2006  
Revised: January 18, 2012

## 16. HAZING

It is the policy of Beverly Public Schools that hazing of any kind is strictly prohibited and will result in immediate disciplinary action as defined in the student handbook by school administrators, in accordance with the Massachusetts State hazing regulations.

For the purpose of definition, “hazing” is defined as 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 person, or which subjects such student or other person to extreme stress, including extended deprivation of sleep or rest or extended isolation.

### **M.G.L. Chapter 269, Section 17, 18 & 19**

Adopted: September 8, 1997

Revised: February 8, 2006

Revised: January 18, 2012

## 17. TOBACCO USE BY STUDENTS

Students are not permitted to smoke, use, or possess tobacco in school buildings, on school buses, on school grounds, or at any school-related activity. Students who disregard these rules will be subject to discipline as outlined in the student handbook.

All off-campus activities to which students are invited as participants, honorees, or beneficiaries shall be conducted consistent with this no smoking policy. Said activities conducted indoors in facilities shall be free from tobacco products and smoking.

The sponsoring group for said activities shall ensure that the owners of the host facility agree to the conditions cited above and that proper signs and precautions are taken to enforce the tobacco-free or no smoking conditions.

### **M.G.L. Chapter 71, Section 2A**

Adopted: February 12, 2003

Revised: June 18, 2008

## 18. PHYSICAL RESTRAINT

It is the policy of Beverly Public Schools that “physical restraint” is defined as the use of bodily force to limit a student’s freedom of movement. Physical restraint shall only be used as a behavior management tool when other less intrusive alternatives have failed or been deemed inappropriate.

Procedures for appropriate implementation of this policy will include staff training, administration of restraint, safety requirements, methods of restraint, grievance process, and mandatory reporting methods. These procedures will be annually reviewed, provided to school staff, and made available to parents of enrolled students.

Nothing in the preceding paragraphs or this policy shall preclude any teacher, employee or other agent of Beverly Public Schools from using reasonable force to protect students, themselves or other persons from assault or imminent, serious harm.

**M.G.L. Chapter 69, Section 1B**  
**M.G.L. Chapter 71, Section 37G**  
**603 CMR 46.00**

Adopted: February 12, 2003  
Revised: June 18, 2008

## 19. DRUG AND ALCOHOL USE

The use of alcohol or other illegal drugs interferes with the educational purpose of Beverly Public Schools. Therefore, purchasing, selling, distributing, consumption of, or possession of such substances, as well as the attendance at school while under the influence of such substances, is not permitted in Beverly Public Schools or on school property.

Further, a student shall be barred from any school-sponsored activity if he or she has been drinking alcoholic beverages prior to attendance at, or participation in, said school-sponsored activity. In addition, state and local laws prohibit on school property the use or possession of alcohol or controlled substances, other than those medicinally and/or therapeutically prescribed.

The School Administration shall be responsible for communicating this policy to the students, staff, parents, and community-at-large. Furthermore, it shall be the responsibility of all staff members to be aware of the provisions of this policy, and to be involved in its effective implementation.

The administration shall publish procedures for implementation of this policy that shall include, but are not limited to, investigation, search, seizure, and potential consequences as outlined in the student handbook.

Beverly Public Schools recognize their obligation to promote a process of continuing communication, information and substance abuse education among all members of the community. They assume this duty in conjunction with existing social service agencies that shall be asked to cooperate in sponsoring seminars designed to promote communication in the family and positive health attitudes.

### **M.G.L. Chapter 272, Section 40A**

Adopted: April 16, 2003  
Revised: June 18, 2008

## 20. ACCEPTABLE USE POLICY

This document sets forth the rights and responsibilities for all students and staff and District employees under the District's Internet Safe and Responsible Use Policy and Regulations. The intent of this Acceptable Use Policy (AUP) is to provide a computing environment in the Beverly Public Schools (BPS) that will enhance teaching and learning, be safe and secure and financially sustainable by the school district. Most standards and policies outlined in this AUP apply to all students and BPS Staff who use computers and access the internet in our schools, i.e. "BPS Computer Users" = users. **Standards and policies in this document that apply only to BPS students and/or parents will specifically reference these users in the text.**

### Beverly Public Schools Computer Users Rights and Expectations

#### A. Educational Purpose

1. The district Internet system has been established for a limited educational purpose. The term "educational purpose" includes classroom activities, continuing education, professional or career development, and educationally enriching research.
2. The district internet system has not been established as a public access service or a public forum. The district has the right to place reasonable restrictions on the material you access or post through the system. The user is expected to follow the rules set forth in this policy and the law in his/her use of the district internet system. BPS students are also expected to follow the student disciplinary code outlined in the BPS Student Handbooks in his/her use of the district internet system.
3. Users may not use the district internet system for commercial purposes. This means users may not offer, provide, or purchase products or services through the district Internet system.
4. Users are expected to act in a manner consistent with all other district policies and protocols.

#### B. Limitation of Liability

The district will not guarantee that the functions or services provided through the district internet service will be without error. The district will not be responsible for any damage the users may suffer, including but not limited to, loss of data, interruptions of service, or exposure to inappropriate material or people. The district is not responsible for the accuracy or quality of the information obtained through the system. The district will not be responsible for financial obligations arising through the unauthorized use of the system. Users can be held financially responsible for any harm that may result from intentional misuse of the system. The student may only use the system if his/her parents have signed a disclaimer of claims for damages against the district.

#### C. Email

1. School sponsored email should be used for educational or administrative purposes only.
2. Email transmission, stored data, or any other use of online services by students, shall not be considered confidential and may be monitored at any time by designated staff to ensure appropriate use.
3. All BPS Staff email and all contents are property of Beverly Public Schools.
4. Email that is created or received by a public school employee is a matter of public record and may be subject to public production in accordance with MA public records law.

#### D. Cyberbullying

Cyberbullying is prohibited and is defined as repeated use by one or more students of an electronic expression (including the transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic, photo optical

system, including but not limited to the electronic mail, the internet communications, instant messages or facsimile communication, creation of web pages or blogs in which the creator assumes the identity of another person, the knowing impersonation of another person, the knowing impersonation of another person as the author of posted content or messages or the distribution of communications to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons), alone or in combination with any written or verbal expression or physical acts or gestures, directed at a target that: (i) causes physical or emotional harm to the target or damage to the target's property; (ii) places the target in reasonable fear of harm to himself or of damage to his property; (iii) creates a hostile environment at school for the target; (iv) infringes on the rights of the target at school; or (v) materially or substantially disrupts the education process or the orderly operation of school. See Massachusetts General Laws, Chapter 71, Section 370.

#### **E. Access to Materials**

For students to be permitted to gain independent access to the web or individual email accounts, they must agree to and abide by the standards set out below. For students under 18, parents must provide signed permission forms before students will be permitted to gain independent access to the web or individual email accounts. If the Beverly Public Schools does not receive a signed user agreement and if applicable a signed parental permission form, students will not gain independent access to the web or individual email accounts, but they still may have exposure to the Internet during classroom instruction or library research exercises.

1. Users will not use the district internet system to access material in violation of the following standards:
  - a. Prohibited Material. Prohibited material may not be accessed at any time, for any purpose. The district designated the following types of materials as prohibited: obscene materials, pornography, material that appeals to a prurient or unhealthy interest in, or depicts or describes in a patently offensive way, violence, nudity, sex, death, or bodily functions, material that has been designated as for "adults" only and material that promotes or advocates illegal activities.
  - b. Restricted Material/Sites. Occasionally materials that may have been considered prohibited may have educational value when used in a class context. This included materials such as literary, artistic, political, or scientific value. In addition, restricted material includes materials that promote or advocate the use of alcohol, drugs and tobacco; harassment or bullying; hate and discrimination, satanic and cult group membership, school cheating, and weapons. Social networking and personal advertisements sites are also considered to be restricted materials.
  - c. Limited Access Material. Limited access material is material that is generally considered to be non-educational or entertainment. Limited access material may be accessed in the context of specific learning activities that are directed by a teacher. Limited access material includes such material as electronic commerce, games, jokes, recreation, entertainment, sports, and investments.
2. If a student mistakenly accesses inappropriate information, he/she should immediately disclose this access to his/her teacher. This will protect a student against a claim that he/she has intentionally violated this policy.

#### **F. Privacy and Communication Safety Requirements**

Personal contact information includes student name together with other information that would allow an individual to locate the student, including, but not limited to, parent's name, home address or location, work address or location, or phone number.

1. Users will not disclose personal contact information, except to education institutions for educational purposes, companies or other entities for career development purposes, or with specific staff approval.
2. Users will keep their log-in and password private. Use by anyone other than yourself creates a security risk for both your own files and the network. Seek help from an administrator if you forget your password or cannot get into your account.
3. User shall not allow others persons to use their name, login, password, or files for any reason unless specifically directed by a faculty or staff member.

4. Using the school's internet system, students will not disclose names, personal contact information, or any other private or personal information about other students under any circumstances.

#### **G. Illegal, Unauthorized, and Inappropriate Uses and Activities**

1. Users will not use computers to make sound recordings or digital images of others without the consent of those being recorded.
2. Users will not attempt to gain unauthorized access to the district internet system or to any other computer system through the district internet system or go beyond his/her authorized access. This includes but is not limited to, attempting to log in through another person's account or access another person's files.
3. Users will not make deliberate attempts to disrupt the district internet system or any other computer system or destroy data by spreading computer viruses, by any malicious attempt to harm or destroy data or hardware.
4. Users will not use the district internet system to engage in any other illegal act, such as arranging for a drug sale or the purchase of alcohol, gambling, engaging in criminal gang activity, threatening the safety of a person, harassment, discrimination, bullying, or cyberbullying of other students, etc.
5. Restrictions against inappropriate language apply to all speech communicated through the district internet system, including but not limited to public messages, private messages, and material posted on web pages.
6. BPS students will not agree to meet with someone they met online without the approval of their parents. Students must report any contact of this nature, or any messages that feel inappropriate, to school officials immediately.
7. BPS students will not respond to any unsolicited online contacts
8. Users will act in accordance with the district harassment and discrimination and bullying policies. (e.g. cyberbullying)
9. Users will not repost messages sent to him/her without the permission of the person who sent the message.
10. Users will not access, send, or forward materials or communications that are obscene, profane, lewd, vulgar, rude, inflammatory, threatening, or disrespectful language, images or materials.
11. Users will not knowingly or recklessly post false or defamatory information, images or materials about a person or organization.
12. Users will not post information or images that could cause damage or a danger of disruption.
13. Users will not engage in personal attacks, including prejudicial or discriminatory attacks.
14. Users will not discuss highly sensitive or confidential school department information on email communications.
15. BPS Internet and email systems may not be used for political or social advocacy or solicitation. This prohibition includes fundraising or advocacy for any non- school organizations

#### **H. Privacy**

1. The district will cooperate fully with local, state, or federal officials in any investigation related to any illegal activities conducted through the district internet system.
2. In the event there is a claim that the student user has violated this policy, any other district policy, or student disciplinary code in his/her use of the district internet system, an investigation will be conducted. The student will be provided with notice and opportunity to be heard in the manner set forth in district policy and the student disciplinary code as outlined in the BPS Student Handbooks.
3. If the violation also involves a violation of district policies or other provisions of the student disciplinary code, it will be handled in a manner described in the policies or code. Additional

restrictions may be placed on the student's use of the internet.

4. The district will not turn over student's information for any financial gain.

#### **I. Plagiarism and Copyright Infringement**

1. Users will not plagiarize works that are found on the Internet or the school's network. Plagiarism is taking the ideas or writings of others and presenting them as if they were yours.
2. Users will respect the rights of copyright owners in his/her use of materials found on, disseminated through, or posted to the internet. Copyright infringement occurs when you inappropriately reproduce a work that is protected by a copyright. Copyright law can be very confusing. If a student has questions, he/she should ask the librarian.
3. Users may not download copyrighted materials to any school computer without express permission of the copyright holder, unless it is used in an educational context following fair use guidelines.
4. Users must comply with trademark, copyright laws and all license agreements.

#### **J. System Security and Resource Limits**

##### **1. System Security**

- a. Users are responsible for his/her individual account and should take all reasonable precautions to prevent others from being able to use his/her account. Under no conditions should a Users provide his/her password to another person, unless directed by faculty or staff member.
- b. Users will immediately notify a teacher or the system administrator if he/she has identified a possible security problem. The student should not go looking for security problems, because this may be construed as an illegal attempt to gain access.
- c. Users will not damage the computers, computer systems, or computer networks. Users will avoid the inadvertent spread of computer viruses by following the district virus protection procedures.

##### **2. Resource Limits.**

- a. The student will use the system only for educational and career development activities and limited, personal research.
- b. Users will not download large files, or use excessive amounts of bandwidth unless absolutely necessary for academic use.
- c. Users will not misuse district, school, or personal distribution lists or discussion groups for sending irrelevant messages.

#### **K. Consequences**

1. Violations of any aspect of the Beverly Public Schools Acceptable Use Policy will result in enforcement of the school's disciplinary code. Students committing these infractions will be subject to sanctions such as, but not limited to, detentions, suspensions, expulsions, legal consequences and fines.
2. Illegal, unauthorized, and/or inappropriate uses and activities will be investigated and remediated as outlined in the Discrimination/Harassment and Bullying Policies. Student bystanders who witness discrimination, harassment, bullying, cyberbullying and/or retaliation are strongly encouraged to report the incident to the principal, building equity coordinator, Title(s) VI & IX Coordinator, or any other school staff member.

Adopted: January 10, 2000  
Revised: June 13, 2007  
Revised: February 9, 2011

## 21. SEARCH AND SEIZURE

### 1. Search

It is the policy of Beverly Public Schools that a student will be subjected to a search of his/her person, locker, desk, gym bag, purse or any other space which might conceal material if there is reasonable suspicion to believe that he/she is carrying or concealing alcohol, drugs, illegal substances, weapons, or any other object which may result in physical injury or harm to other students on campus.

Examples of reasonable suspicion include, but are not limited to:

- Eyewitness reports of a student carrying illegal or contraband articles.
- Statements by the student himself/herself that he/she is carrying an illegal item.
- Behavior that provokes alarm among teachers or is threatening to students or staff.

### 2. Suspected Students

If reasonably suspected, students will be informed of the following:

- The purpose of the search.
- The specific rules and laws, which are potentially being violated.

### 3. Seizure

A building administrator will conduct the property search. If, at the conclusion of the search, alcohol, weapons, or illegal substances are found, the materials will be confiscated and sent to the police. If illegal materials are found which are not the focus of the search, these, too, will be confiscated and sent to the police. In addition, any other items found during searches, which violate school rules, shall also be seized and turned over to a parent/guardian after meeting with the appropriate administrator(s).

### 4. Body Search

A body search is defined as a search of students' outer clothing and pockets. In the event that a body search is considered necessary, the administrator shall ask assistance from another teacher or administrator of the same sex as the student. Another adult must always be present for a body search. The search should not be conducted in the presence of any other students or non-necessary parties. In the event that the health, safety, and welfare of the administrator(s) / staff are threatened during the search procedure, or the student becomes belligerent or defiant a police officer will be requested to assist. Every effort will be made to seek the assistance of the parent / guardian.

### 5. Strip Search

A strip search involves the removal of some clothing and, in general, implies that a student's underwear is revealed. Strip searches are never to be conducted by school personnel. Rather, if it is determined that a strip search may be necessary, the police should be contacted immediately.

Adopted: May 21, 2003  
Revised: September 3, 2008

## 22. FUND RAISING ACTIVITIES

### 1. General

It is the policy of the Beverly Public Schools that any fund-raising projects that involve or benefit its facilities, teams, athletes, or other students be registered at the Office of the Superintendent of Schools. The adoption of this policy is to provide uniform procedures that should serve to lessen the duplication of fund drives and encourage a responsible system of accounting of funds.

### 2. Procedure

A form, which can be obtained at the Superintendent's Office, must be completed and on file fifteen (15) days in advance of the intended day of the start of the project.

### 3. Solicitation of Staff

Teachers and other members of the staff may not be solicited during the school day.

### 4. General

Whenever possible, a tangible item should be given in return for a contribution.

Adopted: September 8, 1997

Revised: April 5, 2006

Revised: December 8, 2010

## 23. STUDENT ACTIVITY ACCOUNTS

Student funds may be raised to finance the activities of authorized student organizations. Student activity funds are considered a part of the total fiscal operation of the district and are subject to policies established by the School Committee and the Office of the Superintendent. The funds shall be managed in accordance with sound business practices that include budgetary and accounting practices.

The Beverly School Committee:

- Authorizes the Principals to accept money for recognized student activity organizations which currently exist or which may be approved.
- Authorizes the City Treasurer to establish and maintain Student Activity Agency Accounts that are to be audited as part of the city's annual audit. The interest that is earned on such accounts shall be maintained in the Agency Accounts and distributed annually among the Student Activity Checking Accounts as directed by the procedures recommended by the Superintendent and approved by Beverly School Committee.
- Authorizes Student Activity Checking Accounts for use by the Principals with specific maximum balances established for each school by the School Committee upon recommendation of the Superintendent.
- Authorizes Principals to provide the Treasurer with a bond in an amount agreeable to the Treasurer and the Business Manager.

### Procedures

#### *Student Activity Agency Accounts*

- The School Committee shall authorize the City Treasurer to establish a Student Activity Agency Account (SAAA) for each school.
- Each Principal is authorized to receive money in connection with the conduct of student activities that have been approved by the Principal and the Superintendent and, in some cases, by the School Committee.
- All money received will be deposited into the SAAA that has been set up by the Treasurer.
- Any interest earned by the account shall be retained in the fund and distributed into the Student Activity Checking Accounts at the beginning of each fiscal year.

#### *Student Activity Checking Accounts*

- The City Treasurer will establish Student Activity Checking Accounts (SACA) for each school.
- These checking accounts shall be used for expenditures only. Funds received for student activities must be deposited into the SAAA and not directly into the checking account.
- Funds may be expended exclusively for student activity purposes for the student activities authorized by the appropriate school authorities.
- Checks may not be written to "Cash".
- Checks for any amount over \$1,000 must first be approved in writing by Beverly Business Manager.
- Monthly activity reports (account balance reports) must be submitted to the Business Manager summarizing the total funds on hand by each individual student activity and reconciling the reports to the Principal's checking account and the depository account maintained by the City Treasurer. To the extent that the funds are available in the SAAA, funds to the maximum balance set by the School Committee shall be transferred from the SAAA through the warrant process to initially fund such checking accounts. Periodically to the extent that funds are available from the SAAA, the City Treasurer shall reimburse the SACA through the warrant process to restore the limit set by the Beverly School Committee.
- The Principals designated to control the SACA shall give bond to the City in an amount determined by the Business Manager and the City Treasurer.

**M.G.L. Chapter 71, Section 47**  
**Massachusetts Association of School Committees Policy Guidelines, December 1997**

Adopted: April 16, 2003  
Revised: November 12, 2008

## 24. PEDICULOSIS

It is the policy of the Beverly Public Schools that when a child is discovered to have pediculosis, all children in the group should be examined to determine if they also are harboring the parasites. The regular classroom teacher, who suspects that a child may be carrying the head louse, should avoid causing any embarrassment to the child while arranging for the nurse to examine the child in the nurse's office.

If the nurse determines that the child has pediculosis, the nurse or principal will call the student's home immediately and ask the parent to have the child picked up from school. If the parent is unable to pick up the child and is unable to designate another to do so, the child will remain in the office area until the end of the day. A note will be sent home to the parents of all classmates alerting them that the lice have been discovered.

The child must remain at home until all evidence of lice and nits are absent from the head or body. Furthermore, the child must be examined by the school nurse upon his/her return to school.

### **M.G.L. Chapter 71, Section 55**

Adopted: September 8, 1997

Revised: May 9, 2007

## 25. LIFE-THREATENING ALLERGIES

It is the policy of Beverly Public Schools to maintain a consistent set of procedures for the treatment of students diagnosed with life-threatening allergies. Our commitment to provide a safe and healthy environment for students and staff requires a cooperative and collaborative effort including the home, physician, school nurse, and staff. To this end, Beverly Public Schools maintain allergy protocols to meet the specific needs of our students with life-threatening allergies.

At the beginning of each school year, all parents/guardians of students in our schools will be notified of our allergy protocols, in writing, and asked to provide medical documentation detailing the diagnosis, specifically the allergen and prescribed treatment.

In accordance with the prescribed protocols, an individual health care plan (IHCP) will be developed for each child with such diagnosed allergy. The IHCP will be reviewed periodically by designated responders and all staff who interact with identified student(s).

The school nurse will provide in-service training regarding allergens, steps to prevent life-threatening reactions, Epi-pen administration and emergency action according to DESE/DPH Guidelines to designated responders annually and as indicated.

Procedures will be established to create allergy-free classrooms and allergy-free tables in the cafeteria consistent with Beverly Public Schools Food Allergy Protocol.

Adopted: May 11, 2005  
Revised: March 9, 2011

## 26. CHILDREN AND ADOLESCENTS WITH HIV/AIDS IN SCHOOL SETTINGS

It is the policy of the Beverly Public Schools to protect the rights of all its students. Students with AIDS/HIV infection have the same right to attend classes or participate in school programs and activities as any other.

The student's parent(s) or guardian(s) are the gatekeepers of information relating to the student's AIDS/HIV status. They are not obliged to disclose this information to school personnel. However, should they decide to inform certain school personnel, they may elect to do the following:

1. Inform the school nurse or physician directly.
2. Request the primary care physician make the disclosure. In this case, specific, informed, written consent of the student's parent(s) or guardian(s) is required.

Further disclosure of a student's HIV status by the school nurse or school physician to other school personnel requires the specific, informed, written consent of the student's parent(s) or guardian(s).

### **M.G.L. Chapter 71, Section 55**

Adopted: September 8, 1997  
Revised: January 10, 2007

## 27. CODE OF CONDUCT

Effective school discipline encourages orderly educational processes without stifling creativity, individuality or the joy of learning. It is at best a delicate balance designed to protect and nurture the students' cognitive, physical, social, and emotional growth. Effective discipline is maintained by the efforts of school personnel and the support and cooperation of the community. The ultimate goal of school discipline is to modify behavior, create a safe environment for student learning and/or encourage the development of self-discipline.

The School Committee, while requiring that disciplinary regulations be formulated, disseminated and implemented, recognizes that individual schools may have varying needs. Therefore, it delegates to the chief administrator of each school the responsibility of developing, administering, and enforcing equitable regulations which: (1) meet legal requirements; (2) foster an appropriate learning environment; and (3) conform to the philosophy of the Beverly Public Schools.

To these ends, each school will have a written discipline code that is periodically updated, readily available to all students and faculty, through school handbooks and district website and in compliance with the statutes of the Commonwealth of Massachusetts. If a situation should arise in which there is no applicable written policy, the school administrator shall be expected to exercise reasonable and professional judgment.

Adopted: August 27, 2003  
Revised: March 11, 2009

## 28. STUDENT RECORDS

It is the policy of Beverly Public Schools to insure parents' and students' rights of confidentiality in matters relating to the maintenance, retention, duplication, storage, and periodic destruction of student records. Pursuant to state law, Beverly Public Schools maintain two types of records about students: the transcript and temporary record.

The transcript includes information necessary to reflect the student's educational progress. This information includes name, address, course titles, grades, credits, and grade levels completed. Furthermore, the school keeps the transcript for at least sixty years after the student leaves the system.

The temporary record contains the majority of information maintained by the school about students. This includes such things as standardized test results, class rank, school sponsored extracurricular activities, discipline records, evaluations, comments by teachers, counselors, and other persons, as well as other similar information. With the exception of the discipline records, the temporary record is destroyed within five years after the student leaves the school system.

The discipline records, which are part of the temporary record, are destroyed during the summer following a student's high school graduation. Discipline records from the elementary and middle levels are passed on as the student completes that level. Before it is destroyed, a parent or student may request to receive a copy of any of the information contained in it. If the district does not receive a request from a student or his or her parent to receive any part of the discipline folder, it will be destroyed.

The guidance folder of a student, which is also part of the temporary record, must be destroyed within the five-year period following a student's leaving school. As with the discipline folder, a parent or student may examine any part of this folder.

Parents may request additional copies of these student records for a reasonable fee.

In accordance with 20 U.S.C., Section 7908 of the *No Child Left Behind Act*, the Beverly School Department will provide military recruiters access to schools and the name, address, and telephone number of secondary school students unless the student and/or parent specifically requests that this information not be released.

**Family Educational Rights and Privacy Act of 1974, P.L. 93-380**  
**M.G.L. Chapter 66, Section 10; Chapter 71, Section 34A through 34F**  
**603 CMR 23.00**  
**Massachusetts Board of Education Student Records Regulations: Adopted 2/10/75;**  
**Amended 2/24/76**

Adopted: August 28, 2003  
Revised: March 11, 2009

## 29. CORPORAL PUNISHMENT

The power of the School Committee or of any other employee or agent of the School Committee to maintain discipline upon school property shall not include the right to inflict corporal punishment upon any student. Corporal Punishment is defined as physical punishment; that is, punishment that is inflicted upon the body.

The provisions of this section shall not preclude any member of the School Committee or any teacher or any employee or agent of the School Committee from using such reasonable force as is necessary to protect students, other persons, and themselves from an assault by a student. When such an assault has occurred, the principal shall file a detailed report of such with the Superintendent of Schools.

**M.G.L. Chapter 71, Section 37G**  
**Section J - Students, #17: Physical Restraint**  
**Black's Law Dictionary, 7th edition**

Adopted: May 21, 2003  
Revised: May 20, 2009

### 30. CHILD ABUSE AND NEGLECT REPORTING

It is the policy of Beverly Public Schools that any teacher or other school employee who suspects that a child's health or welfare may be adversely affected by abuse or neglect shall report their reasonable suspicion to the Principal or his/her designee.

Abuse means "the non-accidental commission of any act against a child which causes or creates a substantial risk of physical injury or emotional injury; serious physical injury to a child or the commission of a sex offense against a child as defined by the criminal laws of the Commonwealth, or any sexual contact between a child and a caretaker. "Neglect includes "the failure by a caretaker either deliberately, through negligence or inability to take actions necessary to provide a child with minimally adequate food, clothing, shelter, medical care, supervision, emotional stability and growth, or other essential care."

Principals, as well as other school personnel, are considered to be mandatory reporters under the laws of the Commonwealth. Mandatory reporters having reasonable cause to believe that a child under the age of eighteen years is suffering physical or emotional injury resulting from abuse, including sexual abuse, or from neglect, shall immediately report by oral communication such condition to the Department of Social Services (DSS).

The report should provide the following information: name and address of the child and his/her parents or other persons responsible for the child's care; the child's age; the child's sex; the nature and extent of the child's injuries, abuse, maltreatment or neglect, including any evidence of prior injuries, abuse, maltreatment or neglect; the circumstances under which the reporter first became aware of the child's injuries, abuse, maltreatment or neglect; what action, if any, was taken to assist the child; the name of the person making the report; and any other information that the reporter believes might be helpful in establishing the cause of the abuse or neglect.

A mandatory reporter must follow their oral report to DSS with a written report within 48 hours. Each school building will have a designee of the Principal to see that the above reporting steps can take place within a school day in the event of the Principal's absence.

A system of documentation that addresses the issue of confidentiality must continually be exercised throughout this procedure. Reports are not part of a child's educational record, but are kept separately in the Principal's Office.

Each building Principal will review this policy and guidelines with his/her staff annually.

#### **M.G.L. Chapter 119; Section 51A**

Adopted: April 14, 2004  
Revised: June 17, 2009

### 31. STUDENT DISMISSAL

No students shall be dismissed before the close of school except upon the written request of the parent or guardian. In cases of illness or emergency, elementary and middle school students shall be dismissed to the parent, guardian, or designated emergency contact; high school students may be dismissed upon notification to their parent, guardian or emergency contact.

It is the responsibility of the parent/guardian to provide the school with a copy of any existing custodial agreement or restraining order against a parent in order to prevent attendance/dismissal problems. The schools must also be notified of any change in status of a custodial agreement or existing restraining order.

Adopted: June 16, 2004  
Revised: June 17, 2009

## 32. STUDENT FEES, FINES AND CHARGES

The Beverly School Committee provides students with books and other educational materials at taxpayers' expense. Students who do not return their books or other articles in satisfactory condition must pay for the replacement cost of the book(s) or other material. Parents and guardians will be held responsible for books and materials issued to their children. Students may be denied certain privileges for the loss or damage of school property.

Furthermore, the School Committee reserves the right to establish fees for participants in certain activities to support these individual programs. Examples would include, but are not limited to, student transportation (grades seven through twelve and/or beyond 1.5 miles from the local school), extended day kindergarten, preschool, student parking, and athletics. Unless qualified for a scholarship, all fees are due upon the schedule established by the individual program. If the payment is not received, the Superintendent or his/her designee may take one or more of the following actions, unless or until prohibited by state law or regulation:

1. Prohibit participation of the student in the program.
2. Prohibit participation of student or other students in the student's household from participating in any future fee based program until or unless outstanding balances are resolved.
3. Prohibit student participation in senior week activities or graduation exercises.
4. Referral to small claims court.

Unless otherwise specified through School Committee action, each fee shall be established on a yearly basis for the next school year.

### **M.G.L. Chapter 71, Section 49 DESE Full Day Kindergarten Regulations**

Adopted: August 24, 2005  
Revised: November 12, 2008

### 33. STUDENT SAFETY

The Beverly School Committee expects that proper attention will be paid to the safety of students on school property during the normal school day, during their participation in school sponsored extracurricular activities on school grounds, and at school functions scheduled away from school property.

The Superintendent or designee is responsible for developing a district-wide program that emphasizes safety of pupils on school property during the normal school day, at school district sponsored extracurricular activities on school property, and at school functions scheduled away from school property.

The School Committee recognizes that it is the parents' responsibility to supervise students on their way to and from school, with the exception of students who ride to school on district provided transportation. Students riding to school on district provided transportation will be subject to the rules and regulations developed for their safety.

It is the responsibility of the Principal and teachers to arrange for adequate supervision of students on school property during the regular school day, as well as extracurricular activities sponsored by the school district on school property, and school sponsored activities held off school property. Special attention should be given to the prevention of accidents.

Unless authorized by the principals, teachers may not permit any person to enter the school for the purpose of photographing students, interviewing, or in any other way associating with students.

Teachers shall not request or permit a student to leave the school property during school hours without permission of the principal.

Adopted: December 14, 2005  
Revised: March 9, 2011

## 34. WELLNESS

Beverly Public Schools are committed to providing school environments that promote and protect children's health, well-being, and ability to learn by supporting healthy eating, physical activity, and social/emotional well-being. Therefore, it is the policy of the Beverly Public Schools that:

- The school district will engage students, parents, staff, food service professionals, health professionals, and other interested community members in developing, implementing, monitoring, and reviewing the district-wide wellness policy.
- All students in grades PreK-12 will have opportunities, support, and encouragement to be physically active on a regular basis.
- Foods and beverages sold or served at school will meet or exceed the nutrition recommendations of the *U.S. Dietary Guidelines for Americans*.
- Qualified child nutrition professionals will provide students with access to a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of students and will provide clean, safe, and pleasant settings and adequate time for students to eat.
- To the maximum extent practicable, all schools in our district will participate in available federal school meal programs.
- Schools will provide nutrition education and physical education to foster lifelong habits of healthy eating and physical activity.

Beverly Public Schools will operate in compliance with all applicable state and federal laws and regulations.

**Child Nutrition and WIC Reauthorization Act of 2004, P.L. 108-265, Section 204.**

Adopted: June 14, 2006  
Revised: January 18, 2012

### 35. ADMINISTERING MEDICATION TO STUDENTS

- A. The school nurse shall be the supervisor of the medication administration program in the school.
- B. The school nurse, the school physician, and the school health advisory committee, if established, shall develop and propose to the School Committee or Board of Trustees policies and procedures relating to the administration of medications.
- C. Medication Orders/Parental Consent:
  - 1. The school nurse shall ensure that there is a proper medication order from a licensed prescriber which is renewed as necessary, including the beginning of each academic year. A written order is required for any change in medication.
    - a. In accordance with standard medical practice, a medication order from a licensed prescriber shall contain:
      - 1. The student's name.
      - 2. The name and signature of the licensed prescriber and business and emergency phone numbers.
      - 3. The name of the medication.
      - 4. The route and dosage of medication.
      - 5. The frequency and time of medication administration.
      - 6. The date of the order and discontinuation date.
      - 7. A diagnosis and any other medical condition(s) requiring medication, if not a violation of confidentiality or if not contrary to the request of a parent, guardian or student to keep confidential.
      - 8. Specific directions for administration.
    - b. Every effort shall be made to obtain from the licensed prescriber the following additional information, if appropriate:
      - 1. Any special side effects, contraindications and adverse reactions to be observed.
      - 2. Any other medications being taken by the student.
      - 3. The date of the next scheduled visit, if known.
    - c. Special Medication Situations
      - 1. For short-term medications, i.e., those requiring administration for ten school days or fewer, the pharmacy-labeled container may be used in lieu of a licensed prescriber's order. If the nurse has a question, she may request a licensed prescriber's order.
      - 2. For "over-the-counter" medication, i.e., non-prescription medications, the school nurse shall follow the Board of Registration in Nursing's protocols regarding administration of over-the-counter medications in schools.
      - 3. Investigational new drugs may be administered in the schools with (a) a written order by a licensed prescriber, (b) written consent of the parent or guardian, and a pharmacy-labeled container for dispensing. If there is a question, the school nurse may seek consultation and/or approval from the school physician to administer the medication in the school setting.
  - 2. The school nurse shall ensure that there is written authorization by the parent or guardian which contains:

- a. The parent or guardian's printed name, signature and an emergency phone number.
- b. A list of all medications the student is currently receiving, if not a violation of confidentiality or contrary to the request of the parent, guardian, or student that such medications not be documented.
- c. Persons to be notified in case of a medication emergency, in addition to the parent or guardian and licensed prescriber.

**Regulations Governing the Administration of Prescription Medications in Public and Private Schools 105 CMR 210.000**

Adopted: May 9, 2007

### 36. PREGNANT STUDENTS

Pregnant students are permitted to remain in regular classes and participate in extracurricular activities with non-pregnant students throughout their pregnancy. After giving birth students are permitted to return to the same academic and extracurricular program as before the leave.

The district does not require a pregnant student to obtain the certification of a physician that the student is physically and emotionally able to continue in school unless it requires such certification for all students for other physical or emotional conditions requiring the attention of a physician. The only exception is if there is a letter from their physician excluding any activities due to health reasons.

**Title IX: 20 U.S.C. 1681: 34 CFR 106.40(b)**

Adopted: December 10, 2008

### 37. ADMISSION OF TRANSFER STUDENTS

The Beverly Public School district will enroll and place transfer students, including students from Commonwealth charter schools, by adhering to examination of the course of study and level of academic attainment when determining the student's appropriate grade placement or eligibility for high school graduation.

All students who enroll in the Beverly Public School district, including Commonwealth charter school students, shall be subject to the graduation requirements of the school district, may have certain graduation requirements waived, and may make-up certain Beverly Public School graduation requirements.

**Legal Refs: Chapter 12, Section 11 of the Acts of 2010**  
Adopted: May 18, 2011

## 38. SPORTS RELATED HEAD INJURIES AND CONCUSSIONS

Sports-related head injuries and concussions can have serious consequences for students, including long term health and educational issues if they are not properly managed. Early recognition of a concussion is essential to maximize safe management. Beverly Public Schools are committed to promote the safety and well being of our students. As part of this commitment, we fully support the Massachusetts General Law and the Department of Public Health (DPH) regulations regarding procedures pertaining to sports-related head injuries occurring in extracurricular athletic activities.

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All persons as specified in DPH 105 CMR 201.008 shall be required to annually participate in a mandatory prevention and recognition of extracurricular athletic activity related head injury training program approved by DPH. Participation requirements for athletes and parent/guardians are as stated in DPH 105 CMR 201.009. The Superintendent shall designate the Athletic Director as the person responsible for the implementation of these policies and protocols.

### **Definitions**

Extra-curricular athletic activities: An organized school sponsored athletic activity generally occurring outside of school instructional hours under the director of a coach, athletic director or band leader.

Athlete: A student who prepares for or participates in an extracurricular athletic activity.

Copies of the Proposed Regulations, 105 CMR 201.000, are available in all nurses' offices within the district as well as through the Athletic Director. These proposed regulations can also be downloaded directly from the Massachusetts Interscholastic Athletic Association website at:

[http://www.miaa.net/contentm/easy\\_pages/view.php?page\\_id=98&sid=38&menu\\_id=200](http://www.miaa.net/contentm/easy_pages/view.php?page_id=98&sid=38&menu_id=200)

LEGAL REF: M.G.L. Chapter 111, Section 222  
D.P.H. 105 CMR 201.000

Recommended to the School Committee (Second Reading): January 18, 2012