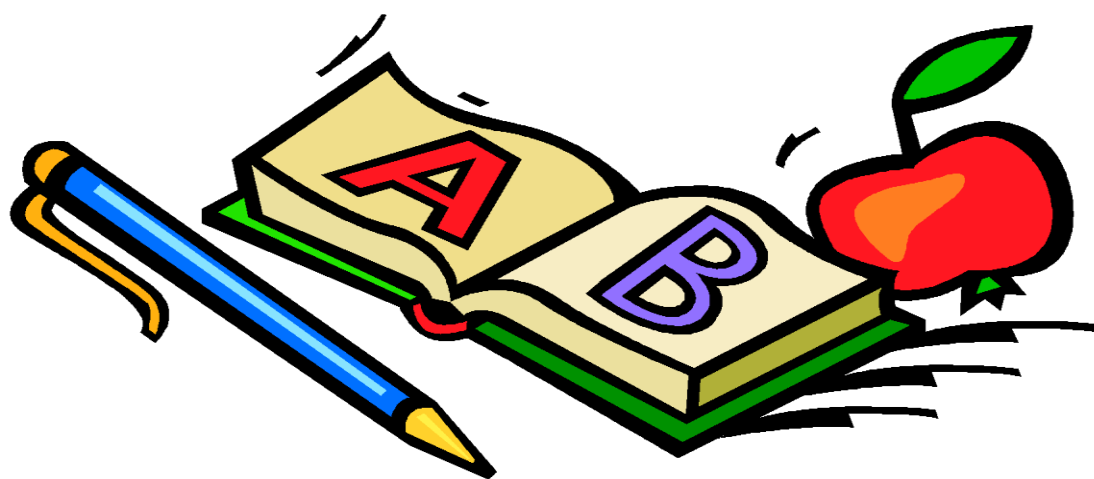


# **BARNSTABLE-WEST BARNSTABLE ELEMENTARY SCHOOL**

## **BWB STUDENT HANDBOOK 2021-22**



### **Our Vision**

Barnstable West Barnstable Elementary School educates the whole child by creating a student centered school culture that addresses students' physical, social, emotional, and academic needs by creating a safe and healthy learning environment in which students are challenged, supported by staff, parents and community, and engaged.

Dear Parents and Students,

The Barnstable-West Barnstable Elementary School student handbook is published yearly. The purpose is to provide families with information specific to BWB (section one) and the Barnstable Public Schools in general (section two). I would ask parents to review this information with their child.

I welcome you to BWB Elementary and sincerely hope that during this school year we can all work in unison to provide a positive educational experience for all our students.

Beth Forbes, Principal

### SCHOOL HOURS

School is formally in session at BWB from 9:00 am - 3:30 pm for Grades K-3.

**A student is considered tardy if they arrive after 9:00 am.**

### BWB INFORMATION RESOURCES

Main Office Number (508) 362-4949  
Health Office Number (508) 362-4949 X1  
Fax Number (508) 362-1740  
Five Star Bus Co. (508) 443-5074

Mailing Address:  
Barnstable-West Barnstable Elementary School  
2463 Main Street  
West Barnstable, MA 02668

The BWB Newsletter is sent home once a month via e-mail. Newsletters and calendars can also be found on the BWB web site listed below.

**BWB Web site:** <http://www.barnstable.k12.ma.us/BWB/>

*E-mail* Ms. Forbes: [forbes\\_elizabeth@mybps.us](mailto:forbes_elizabeth@mybps.us)

### BWB STAFF LIST 2021-2022

Elizabeth Forbes-Principal	Kathy Cremeans-KA	Leah Servis-3
Dylan Bissonette-Vice Principal	Deirdre Eldredge-1	Julianne Angiolilo-Nurse
Suzanne Morgan-AA	Stacy Brackett-1	Susan Hart-SW
Anina Sinclair-K	Holly Pandolfi-1	Angela Pidala-School Psychologist
Amanda Snead-K	Kristen Corbett-2	Suzanne Nadeau-SPED AA
Stacy Hadfield-K	Joelle McCarthy-2	Marisa Fullam-SPED Teacher
Lynn Weiss-KA	Amanda Stewart-2	Christine Wiley-SPED Teacher
Lauren Mamlock-KA	Jill Parziale-3	
	Letisha Morin-3	

Sacha Negron-SPED Teacher  
Emma Lass-SPED Teacher  
Kelly Fitzpatrick-OT  
Michaela Donohue-S/L  
Jen Clark-PCA  
Glenda Lebel- PCA  
Picabo Miskiv-PCA  
Brian Kilcoyne-PCA  
Stacy Scipione-PCA  
Molly Kelly-PCA  
Susan Graves-PCA  
Katelyn Blake-PCA

Aislinn Donovan SPED  
Assistant  
Ellen Savage-Reading  
Katie Beebe-School  
Counselor  
Betsy Delaney-Library  
Erin Izzo-SA  
Katie Kophammer-SA  
Kelly Lawrence-Math  
Kathleen Giorgio-SEAD  
Todd Jeffers-PE/Health  
Aislinn Donovan-Art

Caroline Buccino-Music  
Fred Cowan-Science  
Michelle Murphy-ELD  
Ellen Zontini-Gateway  
Sara Paananen-BBS  
Cheri Guadagnol-BBS  
Manny daLomba  
Debora Giombelli  
Kelli O'Leary-Kitchen  
Linda Spitz-Kitchen  
Carly Melillo-Math  
Aimee Smith-SW

### **ENTRY PROCEDURE**

Students may arrive at school between 8:45 – 9:00 am. **No supervision is available before 8:45 am so we ask that students not be dropped off any earlier. Early Morning Day Care is available to registered families.**

Any parents or other adults who escort their child to the building are asked to say their goodbyes at the front door. This allows teachers in the classroom to provide students with their undivided attention and to begin the school day on time.

Parents dropping off students by car should pull to the Basketball lot in a single line. Children should exit onto the sidewalk and begin the morning walk.

**Please do not block buses from leaving the bus loop and do not park in the drop-off area as this impedes the flow of car traffic.**

**The front door to the building will be locked at 9:05 am. Personnel in the main office must buzz in all visitors and ask why you are there, prior to entering the building. You may be asked for identification upon entry. Covid Restrictions do apply and masks should be worn at all times.**

### **EARLY DISMISSAL**

If you wish to have your child dismissed early from school, a note must be sent in with your child. A fax or e-mail will also be acceptable. If a parent/guardian is not picking up their own child, then the note must state who will be picking up. That person must identify himself/herself to school personnel in the office and show an I.D. Students may be dismissed only to their parent or legal guardian if the request is made by phone. The student must remain in the classroom until called for on the intercom. All students must report to the office before they are dismissed. Any last minute requests must be made prior to 3:00 pm.

## END OF DAY DISMISSAL PROCEDURE

In the interest of child safety, the following procedures have been developed:

Children who are regularly dismissed to parents or authorized persons and for whom we have a note on file will be dismissed at **3:20 pm** along with those who have WRITTEN NOTES for that particular day. Parents/Guardians need to be parked outside the building in the designated pick up area. A placard will be given to families so that each car can be identified at dismissal. Please pull up to the front of the school in a double line and stop and turn off your engine until a staff member deems it safe to move forward. Students will be escorted out to cars by BWB staff.

Parents or other adults who have not sent in notes but who arrive at the office to pick up children will need to park their cars and enter the building to pick-up their child.

Bus dismissal will commence alongside parent pick-up. Buses normally depart BWB at approximately 3:35-3:40 pm.

## HEALTH OFFICE

Our Health Office assesses illness and injury occurring at school, provides acute emergency care and referrals, skilled nursing care and case management for specific health care needs and collaborates with parents/guardians regarding individual student health concerns and issues. Please call our School Nurse directly at (508) 362-4949 X1 with any health related questions or information **during the school day**.

It is important that all **absences and reasons for absence** be reported to the Health Office. You can call the school's main number (508)362-4949 X1 for the Health Office to leave a message.

**Please also review the Medication Guideline section of this handbook.**

A **Health Record** is maintained on each child throughout his school years. The results of all testing, e.g. vision, hearing, physical exams, immunizations, diseases, etc., are recorded. Please provide the nurse with reports of all injuries, recent immunizations, physical exams (required in Kindergarten and Grade Three only), and major illnesses so that records can be kept up to date.

**Growth screenings** will be performed for Grade 1.

**Vision and Hearing screenings** will be performed annually for grades K-3. Parents/Guardians will be notified if a student fails a screening and will be expected to follow up with a physician.

## FOOD SERVICES

The cafeteria is operated by Aramark Food Service. Breakfast is offered daily at 8:45 am. The lunch program offers a variety of menu choices daily which include a hot lunch, sandwich or salad. Menus are sent home monthly and are available on-line. All breakfasts and lunches are free this year.

## **TECHNOLOGY ACCEPTABLE USE POLICY**

The Barnstable Public Schools has a Technology Acceptable Use Policy for all students. Before any child will be allowed to participate in any activities involving the Internet, a parent must review the policy and return a signed release. These release forms are kept on file for the grade levels covered by that particular policy. All students entering Kindergarten and Grade Three will receive a copy of the policy the first day of school. Students new to the building will also be required to have a completed Technology use policy on file.

## **STUDENT DRESS CODE**

The primary responsibility for appropriate dress at BWB lies with the student and their parents. Students are not permitted to dress in a manner that is disruptive to the educational process. Examples of items that could be considered disruptive include:

- Extremely short skirts or shorts, halter-tops, shirts with spaghetti straps, tube tops, or other garments that reveal the midriff or undergarments
- Clothing with language or pictures which are profane or suggestive, or which promote products (i.e. alcohol logos) or activities that are illegal or violent
- Clothing which is disparaging to others
- Clothing, pins, insignias, colors, jewelry, hats or emblems that identify students as a member of a gang
- Hats are not to be worn indoors

The principal has the authority to require a student to change their clothing in school and/or send students home to change their clothing.

## **RECESS**

A supervised recess is held each day for all students. We take students outdoors, weather permitting. They must be dressed appropriately for the weather conditions of the day. Students should not wear flip flops for safety reasons.

## **VISITORS AND/OR VOLUNTEERS**

**Due to Covid Restrictions, please check with our Administrative Assistant if you need to enter the building.**

## **REPORT CARDS**

Report cards for Grade K-3 are issued in December, March and June. An explanation of the grading system is provided on the report card itself. Report cards are available on your Aspen account.

## **PARENT TEACHER CONFERENCES**

Parent Teacher conferences are formally scheduled for December. However, conferences may be held at any time during the school year. Conferences may be arranged by contacting your child's teacher.

If parents have any questions regarding their child's progress, they are encouraged to schedule a meeting.

### **BWB SCHOOL COUNCIL**

The BWB School Council is composed of elected parents and staff, the principal and a community representative. Members are elected for a two-year term. The Council serves to advise the principal in the policies and procedures, governance and operation of the school. Amongst the council's duties and responsibilities are reviewing the school building budget, formulating a school accountability plan and carrying out building-based goals.

Members are elected in the fall and meetings usually take place once a month on a Wednesday at 5:00 pm.

**PLEASE NOTE:** With some exceptions, all school sponsored meetings or events held at Elementary Schools in Barnstable after school hours must be held on Wednesdays. This policy was adopted to minimize scheduling conflicts with events being held at the Grade 4/5 Building, the Intermediate School and the High School (each of whom has been assigned particular days for their events).

### **BWB PTA**

The Barnstable-West Barnstable Parent Teacher Association exists to enhance the communication between home and school, to promote community involvement at BWB through enrichment programs, fundraising and other events, and to create an educational atmosphere that inspires self-confidence, and a positive self-image amongst our students.

All parents who have children attending BWB are members of the PTA. Each and every one of you has a valuable contribution to offer to our students' environment and school life. Generally, BWB PTA meetings are held each month on a Wednesday at 6:00 pm in the school cafeteria. Announcements of specific meeting dates will be sent home in advance.

### **BIRTHDAY PARTIES/INVITATIONS**

As outlined in our Wellness Policy (see pages 13 & 14), **parents are asked not to send in food** to commemorate the day. Alternatives to mark birthdays have been developed by each classroom teacher. Decorations, balloons, and special deliveries detract from the business of learning and will not be permitted at school.

We also ask that invitations to parties or other events not be delivered at school with the exception of when a student invites all members (all boys or all girls) of the class.

### **INCLEMENT WEATHER INFORMATION**

- **No School:** If conditions are severe enough to threaten the safety of students traveling to and from school, a decision is made to close or delay school. The decision is usually made by 6 A.M. The announcement will be broadcast on local radio stations as well as television. However, in the event school is not closed, *if a parent has a concern regarding questionable weather conditions use your discretion as to whether or not to send your child to school that day.*
- **Delayed Opening:** The opening of school could be delayed by one hour, 90 minutes or two hours; depending on weather and road conditions. School will end at the normal time. All

other school activities will take place at their originally scheduled times.

- **Early Dismissal:** In the event weather conditions or an emergency warrant an early school closing, every attempt will be made to broadcast the announcement.

The school **WILL USE** an automated calling system to notify parents if there is a delayed opening or early dismissal. Please make sure your child has an action plan as to what to do in case of an early dismissal.

Please monitor local radio stations and television stations for notice of no school announcements, delayed openings or early dismissals. Also check the Barnstable Public School Website, [www.barnstable.k12.ma.us](http://www.barnstable.k12.ma.us)

### **CLASSROOM ASSIGNMENTS**

The Principal in consultation with the BWB Faculty determines classroom assignments for students. Great effort is expended in looking at the individual needs of each child as well as creating balanced classroom groups.

The process for placement is involved and complex. Due to the many factors that must be considered by school personnel, **parent requests will not be solicited or accepted.**

Some of the criteria used in constructing heterogeneous classrooms are as follows:

- A balance of different ability and achievement levels
- Students who require specialized instruction
- Boy/girl ratios are equally distributed
- Students who require additional teacher time for redirection
- As per the policy of the Barnstable Public Schools, the building principal shall have the final decision as regards assignment of students to classes

### **OTHER POLICIES**

Sneakers are a requirement for physical education classes. They must be worn during the gym period, indoor and out. Black solid soles that leave marks on the gym floor may not be worn.

Electronic devices such as computer games, cell phones, iPods, toys, etc. are not allowed on school grounds or the school bus. They are often disruptive to the learning process, expensive and easily broken. BWB will not be responsible for objects students bring to school. Exceptions will only be made via the written permission of the teacher.

### **FIELD TRIPS**

BWB recognizes that first hand experiences, provided by well-planned field trips, are worthwhile means of learning. The teacher will provide parents with an itinerary of the trip and other pertinent information. A signed permission slip is required for each student. Students are expected to ride the school bus on school-sponsored field trips. Students not participating in a field trip should be in attendance at school.

A student whose conduct is considered disruptive and/or unsafe to him/her or others may be denied participation.

### **SCHOOL BUS CONTACTS & BUS CHANGES**

If you have questions regarding bus stops, pick-up or drop off times or other concerns please contact Five Star Bus Company 508-443-5074 or Barnstable Public Schools Transportation Coordinator, Sandy Gifford at 508-790-6498.

A child can only ride the bus to which they are assigned. No exceptions will be allowed.

### **SCHOOL BUS RULES**

Students are expected to obey the directions of the driver, and to behave in a safe and courteous manner. The school discipline code is in effect on the school bus and when loading and unloading. Any of the following rules violations may result in a *School Bus Incident Report* being filed with the Principal:

- \*\*Fighting/Pushing/Tripping
- \*\*Throwing objects in or out of bus
- \*\*Behaviors which affect the safety of self & others
- Refusing to obey the driver
- Lighting matches/smoking
- Failure to remain seated
- Hanging out of the window
- Destruction of property
- Rude, discourteous and annoying conduct
- Spitting/Littering
- Improper boarding/departing procedures
- Tampering with bus equipment
- Bringing articles aboard the bus of injurious objectionable nature

### **Consequences for Misbehavior**

1. First Bus Incident Report: Discussion with the principal, a warning, parent contact
2. Second Report: The parent will be contacted, the child will have an assigned seat up front, for a period of time.
3. Third Report: The parent will be contacted; the child will lose recess privileges. Additional reports may result in a loss of the bus riding privilege.

### **KINDERGARTEN RETURN HOME BUS POLICY**

The safety of the child is of paramount importance to the Barnstable Public Schools. Therefore, a parent or a named authorized person is expected to be out at the bus stop as the bus arrives. If the aforementioned person is not out at the bus stop as the bus arrives, the bus driver will take the youngster back to school.



The principal or her designee will make a reasonable attempt to notify the parent of the whereabouts of the child. At the end of an hour, if a parent has not been reached, the Police Department will be notified to request an officer be assigned to immediately work with school personnel in attempting to locate parents, relatives and, if it becomes necessary, an appropriate agency to take custody of the child.

The parent of a Kindergarten student, via a written note, has the right to waive this procedure. However, in doing so, the parent assumes full responsibility for the safety and well-being of the child. A telephone call is not an accepted form to waive the above policy.

## **STUDENT BEHAVIOR**

**Students are expected to behave in a manner that is respectful of the rights of others.**

BWB Elementary has adopted a Behavior code and specific rules to create a learning atmosphere where students feel safe and learn to the maximum of their capabilities. Parents are asked to discuss and stress the importance of these rules with their child

### **BWB Behavior Code**

**B**e Responsible

**W**e are Ready to Learn

**B**e Respectful






## **CONSEQUENCES FOR INAPPROPRIATE BEHAVIOR**

Consequences for inappropriate behavior will be based upon the severity of the incident. Consideration will also be given to the child's age and maturity as well as previous behavior patterns. Parents will be notified of all serious behavior incidents.

The following actions may be taken for inappropriate behavior:

- Warning/Review of rule - Loss of recess/Reflective Walk
- Time out from class or school activity - Loss of special activity
- School suspension (in or out of school) - Expulsion

Please review with your child the Expectations Matrix on the following page.

School-Wide Expectations	Breakfast/ Lunch/ Snack	Bus	Bathroom	Classroom/ Specialist/ Outdoor Classroom	Recess	Hallway
<p>Be Respectful</p> 	<p>Look and listen when an adult is speaking</p> <p>Respond to the quiet signal</p> <p>Use appropriate manners</p>	<p>Listen to the bus driver</p> <p>Sit quietly</p> <p>Be kind to others</p> 	<p>One person at a time</p> <p>Wait quietly and keep physical distance until it is your turn to enter the bathroom</p> <p>Stay in your own stall</p> <p>Respect the privacy of others</p>	<p>Use whole body listening</p> <p>Follow directions</p> <p>Take care of classroom materials</p> <p>Stay in your own learning space</p> <p>Use your headphones for learning on your device</p>	<p>Include everyone</p> <p>Use kind words</p> <p>Be assertive</p>	<p>Follow teacher directions</p> <p>Voices off</p> 
<p>Be Safe</p> 	<p>Sanitize hands before and after eating</p> <p>Store mask and put back on before leaving seat</p> <p>Stay in seat and eat facing forward</p> <p>Eat only your own food</p> <p>Voices off</p>	<p>Stay in your assigned seat and face forward</p> <p>Keep your hands and body to yourself and inside the bus at all times</p> <p>Mask on</p> <p>Keep physical distancing entering and exiting the bus</p> <p>Sanitize hands on and off</p>	<p>Mask on</p> <p>Keep all water in the sink</p> <p>Keep your feet on the floor</p> <p>Walk at all times</p> <p>Sanitize your hands with soap and water for 20 seconds</p> 	<p>Keep physical distance from others</p> <p>Mask on</p> <p>Use only your own materials</p> <p>Sanitize hands before entering and exiting the classroom</p> <p>Push in chairs</p>	<p>Control hands and feet and keep physical distance</p> <p>Stay with your class</p> <p>Follow adult directions</p> <p>Wash hands/sanitize before and after</p>	<p>Mask on</p> <p>Stay on right side of road (hallway)</p> <p>Walking at all times</p> <p>Keep your hands to yourself and by your side</p> <p>Keep physical distance</p> <p>Walk with eyes facing forward</p>
<p>Be Responsible</p>	<p>Clean up your area (table/floor)</p>	<p>Keep your personal items, technology and food in your backpack</p> <p>Keep your backpack closed the entire ride</p> <p>Keep the bus clean</p>	<p>Flush when done</p> <p>Throw paper towels in the trash</p> <p>Report any problem to an adult</p> <p>Return to your classroom</p>	<p>Keep all materials in your crate</p> <p>Bring all your materials each day with technology charged</p> <p>Stay focused on learning tasks</p> <p>Use your best effort</p>	<p>Tell an adult if someone gets hurt</p> <p>Line up at your spot when the whistle blows</p> <p>Come into the building quietly, calmly and physically distanced</p>	<p>Walk straight to destination</p>

## **PARENTAL NOTIFICATION RELATIVE TO HEALTH CURRICULUM**

The essence of the Barnstable Public School system's Health Curriculum Pre K – 12 is to provide students with knowledge and skills necessary to make responsible, well-informed, personal health decisions. The curriculum covers a wide variety of topics including: Nutrition and Fitness, Drug Prevention, Personal and Mental Health, Human Growth and Development, the Second Step Program and Safety and First Aid.

We strongly recommend that all students participate in the lessons scheduled for their own grade level. However, if you do not want your child to participate, you have the right to exempt your child from class when a particular issue is being taught by submitting a request in writing to the building principal.

We encourage all parents to participate in the education of their child. You are welcome to review our curriculum and related materials at our school libraries.

Specific questions regarding the elementary or middle school curricula should be addressed to Margaret Drude, Director of Health Education PreK – 8.

-Legal Ref: M.G.L. Chapter 71, Section 32A BPS Policy IMBA, adopted 6/3/9

### **Barnstable-West Barnstable Elementary School Wellness Policy**

Barnstable-West Barnstable Elementary school recognizes that student wellness and proper nutrition are related to students' physical well-being, growth, development and readiness to learn. BWB Elementary is committed to providing learning opportunities that promote proper nutrition, regular physical activity and nutrition education as part of the total educational experience. With the adoption of our school wellness policy we hope to establish an environment in which active and well-nourished students are more likely to attend school and are better prepared to learn.

#### **Physical Education/Activity**

Our school recognizes that student participation in regular physical activities is an essential part of student wellness. BWB Elementary provides and will continue to provide opportunities for physical activity.

- 1) One recess period per day of 20-25 minutes (restricting participation in recess will be employed only in extreme cases)
- 2) One Physical Education class per week. The guidelines outlined by the Presidential Fitness Program will be incorporated at all grade levels.
- 3) Provide physical activity opportunities to students outside the regular school day. These could include: the PTA fall soccer program and activities in the BWB afterschool enrichment program (i.e. fun and fitness, sports activities, dance, etc.) and any other opportunities that may present in the future.

## **Food/Nutrition**

All food served in the school cafeteria will meet or exceed nutrition requirements established by state and federal statute and/or guidelines. Below is a listing of how BWB will address issues such as student birthdays, fundraisers, and other special issues commonly found in an elementary school.

- 1) Acknowledging that birthdays are special occasions for each child, BWB Elementary does not permit food to be brought into school to celebrate birthdays.
- 2) A non-child geared fund raiser will have no restrictions on food sales and/or distribution. Child-g geared fundraisers will promote the sale of healthy food, snacks and beverages.
- 3) Classroom holiday parties will have restrictions on the types of foods that are allowed. A letter outlining specifics will be provided to parents, the room parent, teacher and fund raising coordinator.
- 4) The sale of ice cream in the cafeteria will be allowed two days per month. Any ice cream item for sale must be fat free/reduced fat.
- 5) There will be no food reward systems.

## **Education/Nutrition**

The major educational components through which students learn about healthy nutrition will be via the Health and Science Curriculums.

The BWB Wellness was first adopted in September 2007.  
The latest revision was accepted in June 2010.

## **Barnstable Public Schools Student Handbook Information – Part II**

### **Notice of Nondiscrimination**

The Barnstable Public Schools does not discriminate on the basis of race, color, religion, national origin, age, gender, gender identity, sexual orientation, or disability in admission to, access to, employment in, or treatment in its programs and activities. The Coordinator for Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and M.G.L. Chapter 76, Section 5, is Dr. Gina Hurley who can be reached at (508) 862-4951, 230 South Street, PO Box 955, Hyannis, MA 02601. Inquiries regarding the application of the Barnstable Public Schools' nondiscrimination policy may be referred to Barnstable's Coordinator or the Assistant Secretary for Civil Rights, U.S. Department of Education, Washington, D.C. 20202 (or the Regional Director, U.S. Department of Education, Office for Civil Rights, Region I, 33 Arch Street, Suite 900, Boston, MA 02110-1491.)

Pursuant to M.G.L. Chapter 76, Section 5, no person shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex, religion, national origin or sexual orientation.

## **Notification of Rights under FERPA**

The Family Educational Rights and Privacy Act (FERPA) affords parents and students over 18 years of age ("eligible students") certain rights with respect to the student's education records. These rights are:

- 1) The right to inspect and review the student's education records. Parents or eligible students should submit to the School principal a written request that identifies the record(s) they wish to inspect. The School principal will make arrangements for access and notify the parent or eligible student of the time and place where the records may be inspected.
- 2) The right to request the amendment of the student's education records that the parent or eligible student believes is inaccurate. Parents or eligible students may ask the School to amend a record that they believe is inaccurate. They should write the School principal, clearly identify the part of the record they want changed, and specify why it is inaccurate. If the School decides not to amend the record as requested by the parent or eligible student, the School will notify the parent or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent or eligible student when notified of the right to a hearing.
- 3) The right to consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the School as an administrator, supervisor, instructor, or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on the School Board; a person or company with whom the School has contracted to perform a special task (such as an attorney, auditor, medical consultant, or therapist); or a parent or student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks. A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility. Upon request, the School discloses education records without consent to officials of another school district in which a student seeks or intends to enroll.
- 4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the School District to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, DC 20202-5901

## **FERPA Directory Information Notice**

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that Barnstable Public Schools, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the Barnstable

Public Schools may disclose appropriately designated “directory information” without written consent, unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of directory information is to allow the Barnstable Public Schools to include this type of information from your child’s education records in certain school publications. Examples include:

- A playbill, showing your student’s role in a drama production;
- The annual yearbook;
- Honor roll or other recognition lists;
- Graduation programs; and
- Sports activity sheets, such as for wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent’s prior written consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three directory information categories—names, addresses and telephone listings—unless parents have advised the LEA that they do not want their student’s information disclosed without their prior written consent.

If you do not want the Barnstable Public Schools to disclose directory information from your child’s education records without your prior written consent, you must notify your school principal in writing by October 1. The Barnstable Public Schools have designated the following information as directory information:

- Student’s name
- Participation in officially recognized activities and sports
- Address
- Telephone listing
- Weight and height of members of athletic teams
- Electronic mail address
- Photograph and video image
- Degrees, honors, and awards received
- Date and place of birth
- Major field of study
- Dates of attendance
- Grade level
- Post-high school plans

### **Notification of Rights Under Protection of Pupil Rights Amendment (PPRA)**

PPRA affords parents certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to: (1) *Consent* before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)—

- Political affiliations or beliefs of the student or student’s parent;

- Mental or psychological problems of the student or student's family;
- Sex behavior or attitudes;
- Illegal, anti-social, self-incriminating, or demeaning behavior;
- Critical appraisals of others with whom respondents have close family relationships;
- Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
- Religious practices, affiliations, or beliefs of the student or parents; or
- Income, other than as required by law to determine program eligibility.

(2) *Receive notice and an opportunity to opt a student out of—*

- Any other protected information survey, regardless of funding;
- Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, or scoliosis screenings, or any physical exam or screening permitted or required under State law; and
- Activities involving collection, disclosure, or use of personal information obtained from students for marketing or to sell or otherwise distribute the information to others.

(3) *Inspect, upon request and before administration or use—*

- Protected information surveys of students;
- Instruments used to collect personal information from students for any of the above marketing, sales, or other distribution purposes; and
- Instructional material used as part of the educational curriculum.

These rights transfer from the parents to a student who is 18 years old or an emancipated minor under State law.

The Barnstable Public Schools will develop and adopt policies, in consultation with parents, regarding these rights, as well as arrangements to protect student privacy in the administration of protected information surveys and the collection, disclosure, or use of personal information for marketing, sales, or other distribution purposes. The Barnstable Public Schools will directly notify, such as through U.S. Mail or email, parents of students who are scheduled to participate in the specific activities or surveys noted below and will provide an opportunity for the parent to opt his or her child out of participation of the specific activity or survey. The Barnstable Public Schools will make this notification to parents at the beginning of the school year if the District has identified the specific or approximate dates of the activities or surveys at that time. For surveys and activities scheduled after the school year starts, parents will be provided reasonable notification of the planned activities and surveys listed below and be provided an opportunity to opt their child out of such activities and surveys. Parents will also be provided an opportunity to review any pertinent surveys. Following is a list of the specific activities and surveys covered under this requirement:

- Collection, disclosure, or use of personal information for marketing, sales or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

*Parents who believe their rights have been violated may file a complaint with:*

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-5901

### **Massachusetts Student Records Regulations**

The regulations regarding Student Records apply to all information kept by a school committee on a student in a manner such that he or she may be individually identified. The regulations divide the record into two sections: the transcript and the temporary record. The transcript includes only the minimum information necessary to reflect the student's educational progress. The information includes name, address, course titles, grades, credits, and grade level completed. The transcript is kept by the school system for at least sixty years after the student leaves the system. The temporary records contain the majority of the information maintained by the school about the student. This may include such things as standardized test results; class rank; school-sponsored activities; and evaluations and comments by teachers, counselors, and other persons, as well as other similar information. The temporary record is destroyed within seven years after the student leaves school. Parents and students may receive copies of the temporary record before records are destroyed (no more than 7 years after the student leaves).

The following is a summary of the major parent and students' rights, regarding their student records, as provided by the Regulations Pertaining to Student Records:

#### **Inspection of Records**

A parent, or student who has entered the ninth grade or is at least 14 years old, has the right to inspect all portions of the student record upon request. The record must be made available to the parent or the student no later than 10 days after the request, unless the parent or student consents to the delay. The parent and the student have the right to receive copies of any part of the record, although a reasonable fee may be charged for duplicating the materials. Finally, the parent and the student may request to have parts of the record interpreted by a qualified professional of the school, or may invite anyone else of their choosing to inspect or interpret the record with them.

#### **Confidentiality of Records**

With a few exceptions, no individuals or organizations but the parent, student, and school personnel working directly with the student are allowed to have access to information in the student record without the specific, informed, written consent of the parent or the student. However, in line with federal regulations, the school may release "directory information" about a student to third parties; i.e. parent groups, without prior consent as long as the school gives this notice and permits students or parents to object. This information may include student/parent names, addresses, telephone number and year of graduation. *If you do not want this information released, please contact the Principal's office before October 1.*

#### **Amendment of Records**



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

### **Destruction of Records**

The regulations require that certain parts of the student record, such as the temporary record, be destroyed no later than seven years after the student leaves the school system. Temporary records will be given to students upon graduation.

### **Transfer of Records**

Consistent with the Education Reform Act, Barnstable Public Schools has the authority to transfer a student's complete record to a student's new school without prior consent of parents. Additionally, under M.G.L. Chapter 71, Section 37L, any student transferring into a new school district must provide the new district with a complete school record including, but not limited to, any incidents involving suspension of violation of criminal acts or any incident reports in which such student was charged with a suspended act. Barnstable High School's student records policy states that no part of the student's discipline record will be disclosed to any college/university/ or post secondary school to which the student is applying for admissions as a post-secondary institution. The exception to this would be unless the parent and/or student over the age of 18 specifically request that it be provided.

### **Access of Non-Custodial Parents to Student Records**

Access to student record information by non-custodial parents is governed by both federal and state laws and regulations. An eligible non-custodial parent who wants to obtain access to his or her child's student record must submit a written request to the school principal. The school must notify the custodial parent of the request before releasing information to the non-custodial parent. A custodial parent may block the release of information to the non-custodial parent by providing the school with documentation that the non-custodial parent is not eligible to obtain access to the information. For purposes of obtaining access to student record information, a non-custodial parent is any parent who does not have physical custody of his or her child. Legal custody is irrelevant. Additional information may be obtained by contacting the school.

**The above is a summary of some of the more important provisions of the Regulations Pertaining to Student Records that related to student and parent rights. If more information is desired, a copy of the regulations may be obtained from your school.**

### **Harassment Policy**

The Barnstable Public Schools are committed to maintaining a school environment free of harassment based on race, color, religion, national origin, age, gender, sexual orientation, gender identity, or disability. Harassment by administrators, licensed and support personnel, students, vendors or other

individuals at school or at school sponsored events is unlawful and is strictly prohibited. The Barnstable Public Schools expects 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.

### **Definition of Harassment**

In general, harassment includes communications such as jokes, comments, innuendoes, notes, display of pictures or symbols, gestures, or other conduct which offends or shows disrespect to others based upon race, color, religion, national origin, age, gender, sexual orientation, or disability. By law, what constitutes harassment is determined from the perspective of a reasonable person with the characteristics on which the harassment is based. What one person may consider acceptable behavior may reasonably be viewed as harassment by another person. Therefore, individuals should consider how their words and actions might reasonably be viewed by other individuals. It is also important for individuals to make it clear to others when a particular behavior or communication is unwelcome, intimidating, hostile or offensive.

### **Sexual Harassment**

The term “sexual harassment” means any sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when: (i) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of the provision of the benefits, privileges or placement services or as a basis for the evaluation of academic achievement; or (ii) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual’s education by creating an intimidating, hostile, humiliating or sexually offensive educational environment.

### **Harassment and Retaliation Prohibited**

Harassment in any form or for any reason is absolutely forbidden. In addition, retaliation against any individual who had brought harassment or other inappropriate behavior to the attention of the school or who has cooperated in an investigation of a complaint under this policy is unlawful and will not be tolerated by the Barnstable Public Schools.

Persons who engage in harassment or retaliation may be subject to disciplinary action, including, but not limited to reprimand, suspension, termination/expulsion or other sanctions as determined by the school administration and/or school committee, subject to applicable procedural requirements.

### **Title IX/Section 504/Title II Grievance Procedures**

The Barnstable Public School District has adopted internal grievance procedures providing for the prompt and equitable resolution of complaints alleging any action prohibited by Title IX of the Education Amendments of 1972 (Title IX), Section 504 of the Rehabilitation Act of 1973 (Section 504) or Title II of the Americans with Disabilities Act of 1990 (Title II). Title IX prohibits discrimination on the basis of sex. Both Section 504 and Title II prohibit discrimination on the basis of disability.

The Title IX/Section 504/Title II Coordinator for the District is: Gina Hurley, Ed.D., Director of Student Services, Barnstable Public Schools, 230 South Street, P.O. Box 955, (508) 862-4951. As used in these procedures, the term “complainant” means any student, parent, employee, or other District patron who believes he or she has been subjected to discriminatory action by the District in violation of Title IX, Section 504, or Title II.

### **Grievance Procedure**

A complainant who believes that they or someone else has been subject to discrimination on the basis of sex or disability may first discuss his/her concerns with the Title IX/Section 504/Title II Coordinator in an attempt to resolve the matter informally. If the Title IX/Section 504/Title II Coordinator is not successful in achieving a resolution that is satisfactory to the complainant within 10 calendar days, or if the complainant wishes to bypass the informal process, he/she may notify the Title IX/Section 504/Title II Coordinator that he/she would like to file a formal grievance. This must be filed within 90 calendar days after the complainant becomes aware of the alleged discrimination. (Processing of allegations of discrimination which occurred before this grievance procedure was in place will be considered on a case-by-case basis.) To file a formal grievance the complainant must inform the Title IX/Section 504/Title II Coordinator that he/she is filing a formal grievance and provide, either verbally or in writing: the name and address of the person filing and a brief description of the alleged discriminatory action, including the date the action occurred and the name(s) of the person(s) believed to be responsible. When this information is provided verbally, the Title IX/Section 504/Title II Coordinator will document the information provided. Upon receiving the grievance, the Title IX/Section 504/Title II Coordinator will conduct an investigation with respect to all timely filed grievances which raise issues under Title IX, Section 504, or Title II. This grievance procedure contemplates informal but thorough and impartial investigations, affording all interested persons and their representatives, if any, an opportunity to submit evidence relevant to a grievance. The District will provide a prompt and equitable resolution, including taking steps to prevent recurrence of any discrimination that it finds has occurred, and to correct the effects of such discrimination on the complainant and others, if appropriate. The Title IX/Section 504/Title II Coordinator will issue a written determination as to the validity of the grievance and a description of the resolution, if any, and forward a copy to the complainant no later than 30 calendar days after the grievance was filed. A complainant who is dissatisfied with the resolution can request a reconsideration of the case. The request for reconsideration must be made in writing to the Title IX/Section 504/Title II Coordinator within 10 calendar days after the complainant’s receipt of the written determination. The Barnstable School Committee will consider the request for reconsideration within 60 days after the District’s receipt of the request. At the meeting at which the request for reconsideration is considered, the complainant may address the School Committee concerning the grievance, in public or executive session, as appropriate and lawful. The School Committee will provide the complainant with a written decision within 10 calendar days after the meeting at which the request for reconsideration is considered.

### **General Provisions**

**Non-Exclusive Procedures:** The right of a person to a prompt and equitable resolution of any grievance filed under these procedures will not be impaired by the person’s pursuit of other remedies such as the filing of a Title IX, Section 504, and/or Title II complaint with the responsible federal

department or agency. Utilization of these grievance procedures is not a prerequisite to the pursuit of other remedies. However, these grievance procedures may not be used by an employee if he or she has filed a grievance under a collective bargaining agreement with the Barnstable School Committee which involves substantially the same set of facts and issue(s).

**Confidentiality:** Every reasonable effort will be made to protect the privacy and confidentiality of all parties during the investigation, consistent with and subject to the District's need to investigate the complaint and implement decisions made in order to resolve the complaint. It must be understood that in order to permit the District to carry out its obligation to investigate all complaints fairly, and to ensure that non-discrimination is a reality within the school community, no representative of the District is authorized to promise complete confidentiality to any person who possesses information relevant to the investigation of a complaint, including the complainant.

**Maintenance of Grievance Records:** The Title IX/Section 504/Title II Coordinator will maintain the records of the Barnstable Public School District relating to grievances filed under these procedures. A record must be kept of each grievance (whether informal or formal), including, at a minimum: the name of the complainant and his or her status (that is, student, parent, teacher, staff, etc.); the date the grievance was received; the allegation(s) made in the grievance; the name(s) of any person(s) alleged to be responsible for discrimination; a statement of the resolution and the nature of date of any corrective action taken.

**Alternate Title IX/Section 504/Title II Coordinator:** If a grievance alleges discrimination stemming from the Title IX/Section 504/Title II Coordinator, the complainant may discuss his/her concerns and/or file a formal grievance with the Superintendent, who will designate an alternate District official to serve as Title IX/Section 504/Title II Coordinator for purposes of that grievance.

**Retaliation Prohibited:** Discrimination against any individual because he or she reported Title IX, Section 504, and/or Title II violations, or made a complaint, testified, assisted, or participated in any investigation or proceeding, is prohibited. Coercion or intimidation of, threats toward, or interference with anyone because he or she exercised or enjoyed Title IX, Section 504, and/or Title II rights, or helped or encouraged someone else to do so, is also prohibited.

These procedures are intended to protect the substantive rights of interested persons, to meet appropriate due process standards, and to assure that the Barnstable Public School District complies with Title IX, Section 504, Title II, and their implementing regulations.

### **Bullying Prevention and Intervention Plan**

The Barnstable Public Schools are committed to providing all students with a safe learning environment that is free from bullying and cyber-bullying. The Bullying Prevention and Intervention Plan ("Plan") is a comprehensive approach to addressing bullying and cyberbullying, and the Barnstable Public Schools are committed to working with students, staff, families, law enforcement agencies, and the community to prevent issues of violence. For a complete copy of the plan please visit the school district's website ([www.barnstable.k12.ma.us](http://www.barnstable.k12.ma.us)) or any district school.

### **Definitions:**

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

“Bullying” is the repeated use by one or more students or by a member of a school staff, including but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity, or paraprofessional of written, verbal, or electronic expression (e.g., Facebook, MySpace, Text Messages, etc.), or a physical act or gesture, or any combination thereof, directed at a target that: (1) causes physical or emotional harm to the target or damage to the target’s property; (2) places the target in reasonable fear of harm to himself or herself, or of damage to his or her property; (3) creates a hostile environment at school for the target; (4) infringes on the rights of the target at school; or (5) materially or substantially disrupts the educational process or the orderly operation of a school.

Bullying includes cyberbullying. “Cyberbullying” means bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire; radio; electromagnetic; or photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.

Cyberbullying shall also include the creation of a web page or blog in which the creator assumes the identity of another person or knowingly impersonates another person as author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying.

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

The Barnstable Public Schools recognizes that students are more vulnerable to bullying based upon actual or perceived differences related to race, color, religion, ancestry, national origin, sex, socio-economic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical, developmental or sensory disability or by associations with other people who may have one or more of these characteristics. Through our school climate and counseling services we support students who may be vulnerable to bullying and/or harassment.

### **Prohibition of Bullying:**

Bullying is prohibited on 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, or through the use of technology or an electronic device owned, leased, or used by a school district; and at a location, activity, function, program that is not school-related, or through the use of technology or an electronic

device (cyber-bullying) that is not owned, leased, or used by a school, if the bullying creates a hostile environment at school for the victim, infringes on the rights of the victim at school or materially and substantially disrupts the education process of the school.

Retaliation is any form of intimidation, reprisal, or harassment directed against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying. Retaliation is prohibited. A student who knowingly makes a false accusation of bullying or retaliation shall be subject to disciplinary action.

### **Training and Professional Development:**

**School-Based:** (1) Annual training for all school staff on the Plan, which includes procedures for reporting and responding to bullying and retaliation; (2) Review with staff the bullying prevention curricula, initiatives, and strategies offered at each grade level within each school; (3) Annual information about bullying prevention shall be provided to substitutes and volunteers.

**District-Wide:** (1) Annually train new staff on bullying prevention and intervention; (2) Every year staff training on bullying prevention and intervention; Biannually (December and May) Leadership team reviews data on investigations of bullying; (4) Annual training of special education teachers by special education department heads addressing ways to prevent and respond to bullying or retaliation for students with disabilities that must be considered when developing students' IEPs.

### **Procedures for Reporting and Responding to Bullying and Retaliation**

A. **Reporting bullying or retaliation.** Reports of bullying or retaliation may be made by staff, students, parents or guardians, or others, and may be oral or written. Oral reports made by or to a staff member shall be recorded in writing. A school or district staff member is required to report immediately to the principal or designee any instance of bullying or retaliation the staff member becomes aware of or witnesses. Reports made by students, parents or guardians, or other individuals who are not school or district staff members, may be made anonymously. The school or district will make a variety of reporting resources available to the school community including an Incident Reporting Form, and a drop box in each school for anonymous reporting.

Use of an Incident Reporting Form is not required as a condition of making a report. However, the school or district will: 1) include a copy of the Incident Reporting Form in the beginning of the year packets for students and parents or guardians; 2) make it available in the school's main office, the counseling office, the school nurse's office, and other locations determined by the principal or designee; and 3) post it on the school's or district's website. The Incident Reporting Form will be made available in the most prevalent language(s) of origin of students and parents or guardians.

1. **Reporting by Staff:** A staff member will report immediately to the principal or designee when he/she witnesses or becomes aware of conduct that may be bullying or retaliation. The requirement to report to the principal or designee does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with school or district policies and procedures for behavior management and discipline.

2. **Reporting by Students, Parents or Guardians, and Others:** The school or district expects students, parents or guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the principal or designee. Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report. Students, parents or guardians, and others may request assistance from a staff member to complete a written report
- B. **Responding to a report of bullying or retaliation:** Before fully investigating the allegations of bullying or retaliation, the principal or designee will take steps to assess the need to restore a sense of safety to the alleged target and/or to protect the alleged target from possible further incidents. Upon determining that bullying or retaliation has occurred, the principal or designee will promptly notify the parents or guardians of the target and the aggressor of this, and of the procedures for responding to it. There may be circumstances in which the principal or designee contacts parents or guardians prior to any investigation when it is determined that the complaint appears viable. If the reported incident involves students from more than one school district, charter school, non-public school, approved private special education day or residential school, or collaborative school, the principal or designee first informed of the incident will promptly notify by telephone the principal or designee of the other school(s) of the incident so that each school may take appropriate action. At any point after receiving a report of bullying or retaliation, including after an investigation, if the principal or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the principal will notify the local law enforcement agency.
  - C. **Investigation:** The principal or designee will investigate promptly all reports of bullying or retaliation and, in doing so, will consider all available information known, including the nature of the allegation(s) and the ages of the students involved.
  - D. **Determinations:** The principal or designee will make a determination based upon all of the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the principal or designee will take steps reasonably calculated to prevent recurrence and to ensure that the target is not restricted in participating in school or in benefiting from school activities. The principal or designee will: 1) determine what remedial action is required, if any, and 2) determine what responsive actions and/or disciplinary action is necessary. The principal or designee will promptly notify the parents or guardians of the target and the aggressor about the results of the investigation and, if bullying or retaliation is found, what action is being taken to prevent further acts of bullying or retaliation. Because of the legal requirements regarding the confidentiality of student records, the principal or designee cannot report specific information to the target's parent or guardian about the disciplinary action taken unless it involves a "stay away" order or other directive that the target must be aware of in order to report violations.
  - E. **Responses to Bullying:** The district will respond to bullying by (1) teaching appropriate behavior through skills-building; (2) taking disciplinary action; (3) promoting safety for the target and others; (4) other ( e.g. referral of either the target and/or aggressor for an evaluation under Section 504 or Special Education, conducting a Danger Assessment of the Aggressor)

1. Any student who is found on school premises or at school sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or a knife; or a controlled substance as defined in Chapter 94 C, including, but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from school or school district by the principal.
2. Any student who assaults a principal, assistant principal, teacher, teacher's aide or other educational staff on school premises or at school sponsored or school-related events, including athletic games, may be subject to expulsion from the school or school district by the principal. Students should note that the definition of "assault" includes not only harmful or offensive contact, but also **threatening such contact**.
3. Any student who is charged with a violation of either paragraph (1) or (2) shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation along with the opportunity to present evidence and witnesses at said hearing before the principal.
4. After the hearing, a principal may, in his/her discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraph (1) or (2).
5. Any student who has been expelled from a school district pursuant to these provisions shall have the right to appeal to the superintendent. The expelled student shall have ten days from the date of the expulsion in which to notify the superintendent of his appeal. The student has the right to counsel at a hearing before the superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section. When a student is expelled under the provisions of this section and applies for admission to another school, the superintendent of the sending school shall notify the superintendent of the receiving school of the reasons for the pupil's expulsion. When a student is expelled under the provisions of this section, no school or school district within the Commonwealth shall be required to admit such student or to provide educational services to such student.

#### **M.G.L. Chapter 71, Section 37H $\frac{1}{2}$**

This law provides that the principal may suspend a student who has been charged with a felony or now is the subject of a felony delinquency complaint or may expel a student who has been convicted, adjudicated, or admitted guilt with respect to a felony or felony delinquency, if the principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. If, prior to disciplinary action, a district has knowledge that the student may be a student with a disability, then the district makes all protections available to the student until and unless the student is subsequently determined not to be eligible.

#### **M.G.L. Chapter 71, Section 37H $\frac{3}{4}$**

This law provides that the principal may suspend a student for disciplinary offenses other than offenses covered by M.G.L. Chapter 71, Sections 37H and 37H $\frac{1}{2}$ .

### **Short-Term Suspensions (10 days or fewer in a school year)**



The Statute requires that prior to the student's removal from school, the principal or designee must provide to both student and parent oral and written notice of the charges and an opportunity for an informal hearing (except in cases of emergency or in-house suspension).

### **Long-Term Suspension**

This law requires public schools to provide educational services for all students who are excluded from school for any offense for more than ten consecutive days. The provisions for suspending and expelling students under M.G.L. c. 71, sec. 37H or 37H½ for conduct involving possession of controlled substance, possession of a dangerous weapon, assault of educational staff or felony charges/convictions otherwise remain in place (see above), so long as services are provided. However, for all other conduct, the law requires the principal or designee to avoid imposing a long-term suspension (i.e., more than ten days, consecutively or cumulative in a school year, whether in-school or out-of-school) until other consequences have been considered and tried as appropriate; provides for appeal of such long-term suspensions to the Superintendent; and imposes a maximum length of ninety days for such suspensions.

The law allows for an exception to the advance parental notice and hearing for a short-term Emergency Removal if the student's continued presence was deemed to pose a danger to persons or property

The principal must create a "school-wide education service plan" for all students who are suspended or expelled for more than 10 consecutive school days, whether in or out of school, so that students have an opportunity to make academic progress. Students who are suspended from school for 10 or fewer consecutive school days, whether in or out of school, must be provided an opportunity to make academic progress during the period of suspension, to make up assignments, and earn credit missed.

### **Suspensions and Expulsions Procedures for Short-term Suspension:**

1. Whenever an incident(s) occurs that may lead to a suspension, the Principal or his/her designee shall provide: oral or written notice of charges against the student, opportunity for the student to present his/her version of the relevant facts and, if the student denies the charges, an explanation of the evidence.
2. Once a determination has been made to suspend a student, the student's parent/guardian should be notified in person or by phone as soon as practicable. A letter confirming the suspension will be sent to the parent within 24 hours of the decision.
3. If the suspension was imposed by the principal's designee, the student may appeal the suspension in writing to the principal (elementary schools) or the assistant principal (secondary schools). The appeal must be made within one school day of the student's receipt of notice of the suspension. A stay will not be provided during the appeal process for a 37H incident.
4. If the assistant principal turns down the student's appeal, s/he may then appeal to the principal. This second appeal must occur within one school day of the first appeal.
5. There is no appeal for an assignment of demerits.

### **Long-term Suspension/Expulsion**

1. The student is excluded from the Barnstable Public Schools. When expelled from school, the student may not attend school or to take part in or attend any school functions.
2. Following an expulsion, a student may not be readmitted to any school within the Barnstable Public School System, without the express consent of the superintendent. Additionally, it should be noted that when a student is expelled under the provisions of M.G.L. Chapter 71, Section 37H, no school district within the Commonwealth shall be required to admit such student or to provide educational services to such student.
3. Expulsion of students for possession of a dangerous weapon, controlled substance or a student who assaults school personnel is under the authority of the principal. The principal may also expel a student who has been convicted, adjudicated, or admitted guilt with respect to a felony charge. See the sections in this handbook entitled "M.G.L. Chapter 71, Section 37H" and "M.G.L. Chapter 71, Section 37H½."
4. Expulsion for any other reason than those stated in M.G.L. Chapter 71, Sections 37H and 37H½, is under the authority of the Barnstable School Committee. After careful examination of all factors involved, if the superintendent determines there are grounds for expulsion, s/he will arrange to convene the School Committee for a hearing under M.G.L. Chapter 76, Section 16.

### **Procedure for Long-term Suspension or Expulsion:**

1. Prior to long-term suspension or expulsion, the student will be provided with the following (except as otherwise provided in M.G.L. Chapter 71, Section 37H ½):
  - a. written notice of charges (in primary language of student)
  - b. right to be represented by a lawyer or advocate (at student's expense)
  - c. adequate time to prepare for the hearing
  - d. right to present witnesses and to question witnesses presented by the school department.
  - e. a reasonably prompt written decision, including specific grounds for the decision.
  - f. The school department will record (by tape or other appropriate means) the hearing and a copy of such will be made available to the student upon request. Notices and proceedings will be translated into the student's/parent's primary language if necessary for their understanding of the proceedings.
2. Students may appeal expulsions imposed by the principal to the superintendent within 10 days of the receipt of the written decision of the principal to expel. The appeal does not stay the expulsion. In addition, students may appeal a long-term suspension decision to the superintendent within 10 days of the receipt of the written decision of the principal to long term suspend.

### **Procedural requirements applied to students not yet determined to be eligible for special education**

1. If, prior to the disciplinary action, a district had knowledge that the student may be a student with disability, then the district makes all protections available to the student until and unless the student is subsequently determined not to be eligible. The district may be considered to have prior knowledge if:
  - a. The parent had expressed concern in writing; or

- b. The parent had requested an evaluation; or
- c. District staff had expressed directly to the special education director or other supervisory personnel specific concerns about a pattern of behavior demonstrated by the student.

The district may not be considered to have had prior knowledge if the parent has not consented to evaluation of the student or has refused special education services, or if an evaluation of the student has resulted in a determination of ineligibility.

- 2. If the district had no reason to consider the student disabled, and the parent requests an evaluation subsequent to the disciplinary action, the district must have procedures consistent with federal requirements to conduct an expedited evaluation to determine eligibility.
- 3. If the student is found eligible, then he/she receives all procedural protections subsequent to the finding of eligibility.

### **Disciplining Students with Disabilities**

The Individuals with Disabilities Education Act of 2004 and Section 504 of the Rehabilitation Act of 1973 and related regulations provide eligible students with certain procedural rights and protections in the context of student discipline. If, prior to disciplinary action, a district has knowledge that the student may be a student with a disability, then the district makes all protections available to the student until and unless the student is subsequently determined not to be eligible. A brief overview of the procedural rights and protections is provided below.

In general, if an eligible student has violated the school's disciplinary code, the school may suspend or remove the student from his or her current educational placement for no more than 10 consecutive school days in any school year. If an eligible student possesses, uses, sells or solicits illegal drugs on school grounds or at a school-sponsored event; carries a weapon to school or a school function; or inflicts serious bodily injury upon another person at school or a school-sponsored event, the school district may place the student in an interim alternative educational setting for up to 45 school days.

Any time the school wishes to remove an eligible student from his or her current educational placement for more than 10 consecutive school days in any school year, or if a student is removed for disciplinary reasons for more than a total of 10 days in any school year when a pattern of removal is occurring, this is a "change of placement." A change of placement invokes certain procedural protections under federal law. These include the following:

- a) Prior to any removal that constitutes a change in placement, the school district must convene a Team meeting to develop a plan for conducting a functional behavioral assessment that will be used as the basis for developing specific strategies to address the student's problematic behavior. If a behavioral intervention plan has been previously developed, the Team will review it to make sure it is being implemented appropriately, and will modify it if necessary
- b) Prior to any disciplinary removal that constitutes a change in placement the school district must inform the parent that the law requires that the school district consider whether or not the behavior that forms the basis for your child's disciplinary removal is related to his or her disability. This is called a "manifestation determination." The parent has the right to participate as a member of the group of people making this determination.

The law provides that the school district and the parent, along with relevant Team members, must consider all evaluation information, observational information, the student's IEP or 504 and

placement; and must determine whether the student's behavior that prompted disciplinary removal was a manifestation of his or her disability. The behavior is considered a manifestation of the student's disability if the conduct in question was caused by, or had a direct and substantial relationship to the student's disability, or was a direct result of the school district's failure to implement the student's IEP or 504.

If the manifestation determination decision is that the disciplinary behavior was related to the student's disability, the student may not be removed from the current educational placement (except in the case of weapon or drug possession or use, or serious bodily injury to another) until the IEP or 504 Team develops a new IEP or 504 and decides upon a new placement and the parent consents to that new IEP or 504 and placement, or a Hearing Officer orders a removal from the current educational placement to another placement.

If the manifestation determination is that the behavior was not related to the student's disability, then the school may suspend or otherwise discipline the student according to the school's code of student conduct, except that for any period of removal exceeding 10 days the school district must provide the student with educational services that allow your child to continue to make educational progress. The school district must determine the educational services necessary and the manner and location for providing those services.

If a parent disagrees with the Team's decision on the "manifestation determination" or with the decision relating to placement of a student in an interim alternative education setting or any other disciplinary action, the parent has the right to appeal the Team's decision by requesting an expedited due process hearing from the Bureau of Special Education Appeals.

Additional information regarding the procedural safeguards for students with IEPs can be obtained from the Director of Special Education (508-862-4993), and for students with 504 plans from the Director of Student Services (508-862-4951.)

**Child Find:** If you suspect that your child has a disability and requires services under Special Education or Section 504, please contact your child's school counselor or school psychologist.

### **Gun Free Schools Act**

In accordance with this federal law, any student who is determined to have brought a firearm to school or to a school related event will be excluded from the Barnstable Public Schools for a period of not less than one year, except as determined by the Superintendent on a case-by-case basis. A firearm includes not only guns, but also an explosive device. Any firearm on school property will be immediately reported to the police.

### **Administration of Medication**

The Barnstable Public Schools is registered with the Department of Public Health to administer medications during school hours under MGL: 105CMR 210.100.

The purpose of the regulation is to provide a safe, consistent and reasonable approach to the taking of medication by children during school hours. However, when possible, students should receive medications at home.

Our school district requires that the following forms (provided by school health services) must be on file in your child's health record prior to any medication administration:

1. Signed consent by the parent or guardian to give the medication.
2. Signed physician order.
3. Signed administration plan.

### **School Policy Regarding Medications:**

1. Medications should be delivered by the parent or guardian to the school.
2. You may designate another responsible adult to deliver the medication provided you notify the nurse in advance of the arrangement and the quantity of medication being delivered.
3. The pharmacy or manufacturer label must be attached to the container or inhaler. Please ask your pharmacy to provide separate bottles for school and home.
4. No more than a 4-week/20 day supply of the medicine should be delivered to the school.
5. All students taking medication will be monitored for response if deemed appropriate by the nurse.
6. Over the counter medications, may be administered to students 6 years and older with a signed consent by the parent or guardian. If more than 10 doses are administered during visits during the school year, at the nurse's discretion, parents will be contacted for physician documentation as needed. When your child needs a medication to be given during the school day, please act quickly to follow these procedures so we may begin to give the medication as soon as possible.

### **School Responsibility**

1. If the nurse or principal questions the advisability of dispensing a medication in school, the school physician is to be consulted.
2. All medication shall be stored in the Health Office with the exception of inhalers and Epipens, and those medications with specific physician orders.
3. All medication will be taken in the presence of and under the supervision of the nurse or nurse's designee unless the student has school nurse and parent consent to self administer.
4. School nurses will maintain a record in the individual student health file for all medicines dispensed.

### **Yearly Health Screenings**

The Barnstable Public Schools conduct the following health screenings as mandated by Massachusetts General Law and the Department of Public Health (DPH). At the beginning of the school year parents/guardians can request in writing that their child not participate.

Vision will be screened in grades K-5, 7, and 10.

Hearing will be screened in grades K- 3, 7, and 10.

Height and Weight will be measured in grades 1, 4, 7, and grade 10.

Postural screening will be conducted in grades 5-9.

Documentation of a recent physical exam is required when registering to enter the Barnstable Public Schools and in grades K, 3, 7, and 10. A yearly physical exam is also required for students participating in interscholastic sports.

Documentation of up to date immunizations is required when registering to enter the Barnstable Public Schools and throughout their school years. Exceptions: A signed parent/guardian statement that immunizations conflict with religious beliefs, or a physician statement that immunizations are waived for medical reasons. In addition, if a homeless child lacks immunizations or medical records, the student may attend school while the records are obtained.

Parents will be notified by the health office if their child fails a vision, hearing, or postural screening. If you have any questions about this information, please do not hesitate to contact the school's health office. Also, to learn more information about health and wellness for your child, visit the district's [health website](#).

### **Wellness Policy - Additional Guidelines**

The Barnstable Public School district is committed to providing school environments that promote and protect children's health, well-being, and ability to learn by supporting healthy eating and physical activity. School districts are required by public health law 108.25, Section 204, to have a wellness policy, as childhood obesity has reached epidemic levels in the United States. Obesity rates have doubled in children and tripled in adolescents over the last 2 decades, and physical inactivity and excessive calorie intake are the predominant factors. Heart disease, cancer, stroke, and diabetes are responsible for two-thirds of deaths in the US, and major risk factors for those diseases, include unhealthy eating habits, physical inactivity, and obesity, often established in childhood. Our goal is to create an environment that promotes healthy lifelong eating and exercise habits, and therefore the following guidelines have been established.

### **Competitive foods/beverages, vending machines, and other foods provided in schools will follow the Massachusetts School Nutrition Regulations for foods and beverages sold individually (signed into law in 2010). Nutritional Standards for food items:**

- No more than 35% of calories from fat and no more than 10% of its calories from saturated fat. All foods shall be trans fat-free. Fat exemptions: 1 ounce servings of nuts, nut butters, seeds and reduced-fat cheese.
- No more than 35% of total calories from sugar. Exceptions: 100% fruit with no added sugar and low-fat or non-fat yogurts with no more than 30 grams of total sugars, per 8 ounce serving.
- All breads or grain-based products shall be whole grain or partial grains.
- No food or beverage shall contain more than trace amounts of caffeine.
- No food or beverage shall contain an artificial sweetener.
- No food shall contain more than 200 mg of sodium per item. A la carte entrees shall not contain more than 480 mg of sodium per item.
- Beverages: Water without added caloric or artificial sweeteners; fruit and vegetable juices and fruit based drinks that contain 100% juice and that do not contain additional sugar; unflavored or flavored low-fat (1%) or fat-free milk. Portion sizes: juice no greater than 4 oz and milk no greater than 8 oz. No beverage other than juice, milk, milk substitute and water shall be provided or sold.

## **Snacks**

Snacks served during the school day or in after-school care or enrichment programs will follow the nutritional standards, and make a positive contribution to children's diets and health, with an emphasis on serving fruits and vegetables as the primary snacks and water as the primary beverage. The district will make available a list of healthful snack items to teachers, after-school program personnel, and parents.

## **Rewards**

If schools provide food or beverage rewards for academic performance or good behavior they shall meet the MA school nutrition regulations. Schools are encouraged to use other options besides foods for rewards. Food or beverages will not be held as a punishment.

## **Celebrations**

Schools should consider limiting celebrations that involve food during the school day to no more than one party per class per month. Each party should include no more than one food or beverage that does not meet nutrition standards for foods and beverages sold individually. The district will make available a list of healthy party ideas to teachers. Elementary Schools can consider having one birthday party per month for all students born in a particular month, and will look at alternative offerings rather than food. Parents will be notified of guidelines.

## **Fundraising activities**

To support children's health and school nutrition-education efforts, the use of foods that meet the nutrition standards will be encouraged to be used by schools groups engaged in fundraising activities. Schools will encourage fundraising activities that promote physical activity. The school district will make available a list of ideas for acceptable fundraising activities. PTOs will be notified of guidelines.

## **School-sponsored Events**

(such as, but not limited to, athletic events, dances, performances, presentations) Foods and beverages offered or sold at school-sponsored events during the school day and outside the school day will be encouraged to meet the nutritional standards for meals or for foods and beverages sold individually.

## **Communication with Parents/Guardians**

The schools will provide guideline information to parents through web sites, newsletters, or handouts. Schools should encourage parents to pack healthy lunches and snacks. Ideas for healthy celebrations, rewards and fundraising activities can be provided by the school.

## **Staff Wellness**

Each school will promote and support staff wellness. This can be done through school Wellness Taskforces, and will obtain staff input to encourage healthy eating and physical activity.

## **Physical Activity Opportunities and Physical Education**

Physical activity and education is provided at each grade level.

## **Physical Activity Opportunities Before and After School**

All schools are encouraged to offer extracurricular physical activity programs, including a range of activities that meet the needs, interests, and abilities of all students.

**Physical Activity and Punishment**

All schools are encouraged to promote "reflective walking" rather than withholding physical activity as punishment, as per the discretion of the Principal.

**Health Education**

Health Education is provided at each grade level that focuses on healthy choices.

**Monitoring**

The superintendent or designee will ensure compliance with established district-wide nutrition and physical activity wellness policies.

In each school, the principal or designee will ensure compliance with those policies in his/her school and will report on the school's compliance to the school district superintendent or designee. Each school is highly encouraged to have a Wellness Taskforce to address issues/communications in their building and improve compliance in their school. School food service staff, at the school or district level, will ensure compliance with nutrition policies within school food service areas and will report on this matter to the superintendent, or if done at the school level, to the principal. Each year the Barnstable Health Advisory Council will monitor policy compliance, provide updates, and resource information to schools as needed and requested.

**Latex Safety**

In an effort to protect staff and students who are allergic to latex, balloons made with latex and latex gloves are not allowed in the building. The use of rubber bands is discouraged.

**Smoking**

Smoking is not permitted in school buildings or on school grounds in the town of Barnstable. This restriction applies to staff, students, and all guests attending school functions.

**Student Handbook Responsibility**

The Barnstable – West Barnstable Elementary School Handbook is published on the school’s website and can be accessed through the [Barnstable Public Schools website](#).

My signature indicates that I have reviewed the contents of the student handbook and understand the statements, rules, and regulations set forth; including the information concerning school attendance.

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

Signature of Student: \_\_\_\_\_

Student’s Name (Please Print): \_\_\_\_\_