



*Elementary  
Handbook*

**for Parents, Students  
and Teachers**

Lexington Public Schools  

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Lexington, Massachusetts

# Lexington Public Schools

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Elementary  
Handbook for  
Parents, Students  
and Teachers

Lexington Public Schools

146 Maple Street, Lexington, MA 02420

Revised: December 2014



*Dear Parents and Guardians,*

*W*elcome to the Lexington Elementary Schools. This handbook is designed to provide you with pertinent information you should be aware of regarding your child's elementary education. We trust that you will share this useful information with your child in the most appropriate manner.

A limited number of copies is available in school offices and libraries, and it is also available on the Lexington Public Schools website.

The Lexington Elementary Schools are full of knowledge, enthusiasm, fun, challenge, constructive play, creativity, support and encouragement. Our dedicated teaching staff and support personnel strive to provide for each student's individual needs. We encourage your support and assistance throughout the school year so that your child will have a successful and rewarding year.

Sincerely,

*Paul B. Ash*

Superintendent



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# Lexington Public Schools

## Core Purposes

### **Academic Excellence for All Children**

- Set high standards in both the planning process and day-to-day interactions
- Use data and results to evaluate ourselves and our practices
- Work hard and persevere
- Confront problems without delay
- Take personal responsibility to improve the quality of programs

### **Respectful and Caring Relationships**

- Use open and honest communication
- Help others
- Use effective teamwork
- Acknowledge that other people have value, even when you disagree with their ideas or behavior
- Treat people the way you would want to be treated

### **A Culture of Reflection, Conversation, Collaboration and Commitment to Continuous Improvement**

- Reflection – analyze our individual and collective practices
- Conversation – generate and evaluate ideas and practice with colleagues
- Collaboration – work with colleagues to achieve individual, group, school or system goals
- Commitment to continuous improvement – act on multiple sources of data to improve practice

**We work to make these Core Purposes a reality.**

## Policy of Non-Discrimination

Lexington Public Schools does not discriminate in admission to, access to, treatment in, or employment in its services, programs and activities, on the basis of race, color or national origin, in accordance with Title VI of the Civil Rights Act of 1964 (Title VI); on the basis of sex, in accordance with Title IX of the Education Amendments of 1972; on the basis of disability, in accordance with Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (ADA); or on the basis of age, in accordance with the Age Discrimination Act of 1974 (Age Discrimination Act), or on the basis of race, color, sex, religion, national origin, sexual orientation, or religion, in accordance with Mass. General Laws chs. 71 and 151B.

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

Assistant Superintendent for Human Resources  
146 Maple Street  
Lexington, MA 02420  
781-861-2580

## Elementary Schools

### Bowman

9 Philip Road  
Lexington 02421  
781-861-2500  
Mary Antón-Oldenburg,  
Principal

### Bridge

55 Middleby Road  
Lexington 02421  
781-861-2510  
Margaret Colella, Principal

### Estabrook

117 Grove Street  
Lexington 02420  
781-861-2520  
Sandra Trach, Principal

### Fiske

55 Adams Street  
Lexington 02420  
781-541-5001  
Thomas Martellone, Principal

### Harrington

328 Lowell Street  
Lexington 02420  
781-860-0012  
Elaine Mead, Principal

### Hastings

7 Crosby Road  
Lexington 02421  
781-860-5800  
Louise Lipsitz, Principal

**T**he Lexington elementary schools provide a comprehensive education which encompasses a core curriculum enhanced by special program offerings. Our overall goal is to help children learn and succeed. Teachers strive to create a stimulating and challenging learning environment that is sensitive to the needs of all students.

### Instructional Program

Language arts instruction includes reading, writing, speaking, spelling and listening with an emphasis on connections among the skills. Mathematics instruction emphasizes real-life application and problem-solving skills. Science utilizes an inquiry approach to the study of the natural and physical world as well as practical applications of science and technology. Social Studies instruction examines the interrelationships of people and cultures to historic, geographic and economic environments. The curriculum exceeds the expectations of both the Common Core State Standards (guidelines for what students should know and be able to do in mathematics and English language arts from Kindergarten through 12th grade), and the Massachusetts Curriculum Frameworks

Arts instruction includes the visual and performing arts; instrumental music is

offered beginning in grade four. Physical and health education emphasize physical fitness, motor skills and lifelong habits of healthy living. All aspects of the curriculum make use of information technologies and an extensive media center in each school.

## Special Features

Children are given opportunities to assume responsibility for their own education and are guided to develop strong study skills, to use time efficiently and to complete tasks. We value each child's uniqueness and try to build on his/her strengths.

Parents are our partners in the important job of educating the children of this community. Each school has an active Parent/Teacher Association that plans special programs, such as talent shows, school fairs, before- or after-school sports, and cultural enrichment programs that tie in to the curriculum.

Each school has a site-based School Council that works as an advisory board to the Principal.

Opportunities are provided for volunteers to work in the schools. Communication between home and school is vital, and newsletters are provided on a regular basis. Lextended Day, a non-profit, tuition-supported after-school program serves children from all six elementary schools in Lexington, and operates from school dismissal until 6:00 p.m. For further information, visit their website at <[www.lexextendedday.org](http://www.lexextendedday.org)>.

# General Information

## School Hours

Our doors are open for the children at 8:30 a.m., and for their safety we ask that children not arrive on school grounds before that time. There is aide coverage on the playground for bus children who arrive prior to that time, generally beginning about 8:15 a.m. Because of school meetings or other morning obligations, teachers may not be in their classrooms before 8:30 a.m.

### GRADES K - 5

#### Mon. Tues. Wed. Fri.

8:30 a.m..... Enter classrooms

8:45 ..... Attendance is taken

3:15 ..... Dismissal

#### Thursday

8:30 a.m... Enter classrooms

8:45 ..... Attendance is taken

12:15 ..... Dismissal

All children are dismissed at 12:15 p.m. on Thursdays in order that teachers may participate in townwide meetings, curriculum committees, in-service professional learning workshops, planning sessions, staff meetings, team meetings, and parent conferences. Parents are encouraged to attempt to use this time for medical and dental appointments as well as other special appointments or classes.

## Attendance Policy

Lexington Public Schools require a high level of participation in engaged learning. Regular class attendance enables students to benefit from classroom discussions, presentations and interactive activities. These shared academic experiences are integral to the learning process and cannot be re-created or replicated.

Massachusetts law requires compulsory attendance for all students.

Chapter 76, section 1 of the Mass General Laws states that all children between the ages of six and 16 must attend school.

## Absence and Tardy Information

Students arriving late to school must report to the main office with a parent and be signed in. A child is considered late for elementary school if he or she is not in the classroom by 8:45 a.m. ready to begin the school day.

## Student Absence Notification Program

At the commencement of each school year, parents/guardians will be sent

a notice instructing them to call a designated telephone number at a designated time to inform the school of the student's absence and the reason for such absence. The notice will also require such parent or guardian to furnish the school with a home, work or other emergency telephone number where they can be contacted during the school day. If the school does not receive a message from the parent/guardian by the designated time, then the school shall call the telephone number or numbers furnished to inquire about the student's absence. Parents will be contacted within three (3) days of the student's absence if the Parent(s) or Guardian has not contacted the school regarding the absence.

Students arriving late to school must report to the main office with their parent/guardian or with a signed parent/guardian note.

Parents/guardians are encouraged to contact school staff and work collaboratively with them to correct the reasons that the student is missing school.

A meeting will be scheduled with the building Principal (or his/her designee), the Parent(s)/Guardian and the student to develop an action plan to improve the student's attendance if a student has accrued any of the following:

- Five (5) or more unexcused absences in the school year
- Five (5) or more days tardy (unexcused)
- Two (2) or more classes/periods (unexcused)

Please note that when a student has been absent for five (5) or more consecutive days, parents must obtain a doctor's note and submit it to school.

*If a student is absent for eight or more days in a quarter, school officials may file a CRA (Child Requiring Assistance) petition with the Juvenile Court which could result in a hearing before a Juvenile Court Judge. Prior to the filing of a CRA, families and students will be required to work with school administrators to improve the student's attendance.*

*Chronic absenteeism may also lead to academic failure for the year and retention of the student.*

An EXCUSED ABSENCE/TARDY includes:

- Documented illness or injury
- Bereavement/family funeral
- Major religious observances
- Extraordinary family circumstances (excused at the discretion of the principal)

An UNEXCUSED ABSENCE/TARDY is not covered by the aforementioned definition of “Excused Absence/Tardy”. Examples of an unexcused absence may include, but may not be limited to:

- Repetitive or chronic absence or tardiness due to illness or injury not documented by a doctor or other medical professional
- Cutting class (suspendable offense)
- Truancy
- Family vacations
- Undocumented absences
- Non-emergency family situations

## Early Dismissal

If your child will be leaving during the school day, please send in a note to the homeroom teacher. Then, plan to pick up your child *at the office* where personnel will call the homeroom to notify the child and teacher.

## Changing Dismissal Routine

If your child’s normal dismissal routine is to be altered on a particular day, please send a note to the classroom teacher describing the change and indicating who will meet your child at school, if someone is to do so. Experience tells us that, if a child does not have a note and we can not locate the parent, the child will be dismissed following the normal dismissal routine.

## Office Hours

School offices are open from 8 a.m. until 4 p.m.

## Inclement Weather

In the spring of 1993, the Lexington School Committee adopted a new policy to deal with inclement weather. It states that, “In the case of inclement weather, the Superintendent shall exercise his/her best judgment as to whether or not school shall be kept open. The Superintendent will consider a delayed opening of either one or two hours as a response to inclement weather or other emergency conditions. A decision to open with a delay will be communicated to the public and to staff in the same manner as a no school announcement.”

When a decision is made for a delayed opening or cancellation, or in the case of emergency closings, parents and guardians will be notified by telephone through our CodeED notification system. Announcements will



also be broadcast on radio stations WBZ (Radio AM/1030; TV Channel 4); WRKO/WHDH (Radio AM/680; TV Channels 7 and 56); WCVB (TV Channel 5) or WFXT (TV Channel 25) after 6:00 a.m.

In addition, parents and guardians may check the school district website <<http://lps.lexingtonma.org>> and click the “About Our District” tab and the School Cancellation link for updated information. Please do not call the school unless it is an emergency.

In the best interest of public safety, please do not call the police, fire, or public works departments for “No School” information as their lines need to be kept open for emergency purposes. The best practice is to listen to one of the radio or television stations listed above or check the LPS website for information.

In the event that parents or guardians feel weather conditions will not allow their children to reach school safely, they are encouraged to keep their children home.

## Emergency School Closing

It is a rare occurrence that school is canceled because of an emergency during the day, e.g., mid-day snow storm, no heat, etc., but when this happens the principal initiates a CodeEd alert to parents that the children are coming home earlier than usual.

We ask every parent to discuss with his/her child what to do in case of an emergency school closing. You, too, need an emergency plan.

We ask you not to suggest that the child call you because our telephone lines are jammed on these days and very few calls can get in or go out.

## School Lunch Program and Snacks

Hot lunches, with plain, chocolate or skim milk included, are available to all students who wish to purchase them. For those children who bring their lunches from home, milk is sold separately (one price for plain, chocolate or skim milk).

Menus are printed weekly in the Lexington Minuteman and also are distributed to students on a monthly basis from the school. A debit card system is available to students when paying for lunch or snacks. Details about the program and sign-up information will be mailed to each family and is also available in each school office. Further information may also be found at the website of our food service provider, Whitsons <<http://schools.whitsons.com/ma/lexington-public-schools>>.

The children have 45 minutes for a lunch and recess period (generally 20 minutes for recess and 25 minutes for lunch). They are allowed to take as much time as necessary to eat lunch. Teacher aides supervise the lunch and playground periods. Behavior conducive to good eating habits is expected in the lunchroom. Children may bring a snack for the mid-morning or mid-afternoon recess.

## Pupil Progress Reports and Parent/Teacher Conferences

Pupil progress reports for children in grades K-5 are sent home two times a year—in January and June. Parent conferences are held twice a year and are scheduled in October/November and again in March/April.

## Volunteers

There is no better way to learn about your school and to help your school than to share your time and talent with us. You may choose, for example, to volunteer as a library helper, to assist students with computers, be a member of the PTA Board, serve on a PTA committee, chaperone a field trip, share an activity with children in a classroom, or help in a classroom. Call the school for further information. Volunteers are subject to CORI checks (to be renewed every three years) based on the following statute:

## CORI Checks

M.G.L. c. 71, § 38R requires all schools in Massachusetts to conduct criminal background checks on current and prospective employees and volunteers, including those who regularly provide school related transportation to students and those who may have direct and unmonitored contact with children. The CORI law requires a school or district to notify all persons for whom a CORI is requested that such information is being or may be obtained. Prospective employees and volunteers are required to complete and sign a CORI Request Form which is available through the secretary at each of our six elementary schools. The Request Form is used to document that we have provided you with notice that a CORI is being conducted and to verify your identity through a government issued form of photographic identification (usually a driver's license). If you have any questions concerning the CORI process please contact the Assistant Superintendent for Human Resources.

## Emergency Response Drills

Students and staff practice a range of different emergency response drills throughout the year: these include, but are not limited to, bus evacuation drills, fire drills and other emergency response drills. Students are to leave their rooms under the direction of the teacher. They will follow the drill directions written and posted in each room. Students should be familiar with the directions in each classroom they attend. The “no talking” rule is in effect during the drills. When outside the building, students must remain with their own classes.

General drill instructions – Teachers are expected to review these instructions with each class at the beginning of the year.

1. Walk, do not run!
2. All classes are to move at least 100 feet from the building exit. Teachers are to urge students to move promptly to the designated areas.
3. Individual classes are to remain together.
4. Teachers are responsible for the accounting and the supervision of the students in their classes during a drill or emergency.
5. The ringing of the school bells will be the signal to re-enter the building.
6. Teachers not assigned to classes are to report to the nearest exit and assist during the drill or emergency.
7. Alternate routes – all teachers and students must be ready to deviate from the drill pattern if an emergency should cause the closing of an exit or route.

Provision for physically disabled students – The Special Education Department has developed plans for the evacuation of physically disabled students during drills and in the event of an actual emergency. These plans are available for review in the Special Education Office.

## METCO Program

The Metropolitan Council for Education Opportunity (METCO) Program is a voluntary urban/suburban educational desegregation program. It provides opportunities for urban students of color to attend school in suburban public school systems. It also provides suburban students and staff opportunities to interact with many minority students and to benefit from a culturally diverse learning environment. METCO provides additional resources to the schools and to our students throughout the year in order to facilitate learning and cultural experiences for everyone in the school system.

The METCO Program is funded by the Commonwealth of Massachusetts under the Racial Imbalance Act. Annually, each METCO community receives money from the State which pays for METCO staff, transportation of, and special education services for, our Boston resident students. METCO funding also pays a portion of the salaries for classroom teachers in Lexington. The Program budget has enabled us to afford multicultural programs for our schools, workshops and seminars for students and parents, and professional development opportunities for school staff.

METCO exists in 36 suburban communities across the State. Lexington was one of the first communities to enter into the METCO urban/suburban partnership when it first began in 1966. Lexington is the third largest METCO community, enrolling 247 students in the school system. Boston resident students are usually placed into our METCO Program at the elementary school level. Occasionally, placements are made at the middle school level when space exists. Our students are members of their school community at all schools in Lexington.

The METCO Family Friends Program is another supportive aspect of the METCO partnership wherein Lexington families volunteer to become “partners” with Boston families. When a child enters one of our schools via the METCO Program, she/he is paired with a volunteer Lexington family (preferably a family with a child in the same classroom or grade level as the Boston child). The Family Friends Program provides opportunities for Lexington and Boston children and their parents to broaden relationships through the sharing of family, cultural and social experiences in their respective communities. At the elementary level, Family Friend students participate in METCO Friends Visiting Days which are scheduled in advance on specified Thursday afternoons. Overnight visitations may occur (individually arranged, if desired) both in Lexington and in Boston. Open and regular communication between families in Lexington and Boston is encouraged throughout the year to help nurture the mutual development of relationships.

The METCO Program is committed to educational excellence for all children. METCO provides support services to students, staff and parents around educational, cultural and social issues. In addition, the program strives to provide opportunities for Lexington and Boston families (as well as staff) to learn together, to break down stereotypes, and to open lines of communication.

If you have any questions about the METCO Program, please feel free to call the building Principal or the Lexington METCO Academic Director.

K-12 METCO Academic Director ..... Ms. Barbara Nobles  
781-861-2320, ext. 69123

## Special Education Services

Special education services are available in all of the elementary schools to students with disabilities who meet state and federal regulations for such services. Before services can be provided, a student must have a team evaluation consisting of multi-source assessments to determine if he/she has a disability as defined by the Commonwealth of Massachusetts, is not making effective progress in school, that the lack of progress is related to the identified disability and that he/she requires specialized instruction and/or related services in order to access the general curriculum.

Upon completion of the evaluation, the evaluation team must answer the following questions:

1. Does the student have a disability? If so, what type of disability?
2. Is the student making effective progress in school? If not, is the lack of progress a result of the student's disability?
3. Does the student require specially designed instruction in order to make effective progress in school or does the student require related services in order to access the general curriculum?

There is a continuum of special education services available in the Lexington Public Schools. All of the elementary schools provide special education teaching and support in areas such as reading, math, writing, and organization, as well as related services such as speech/language, occupational therapy, physical therapy, counseling, and adaptive physical education. The school system also offers district-wide programs at individual elementary schools to service lower-incidence populations.

School districts are required to provide the student's parents an opportunity to consult with the Director of Special Education or his/her designee (e.g., Evaluation Team Supervisor, Principal) regarding the evaluators who will be used by the school district to conduct the assessments comprising the team evaluation, including the initial evaluation to determine eligibility and any subsequent reevaluations. This requirement may be met by meeting with the parent prior to an evaluation or by incorporating information on this consultation opportunity in the notice sent to the parents when a district is requesting permission to conduct an evaluation. The intent of this requirement, in conjunction with the requirement to consult with the parent on the types of assessments recommended by the school district, is to allow the parent to be involved in planning the

evaluation conducted by the school district, so as to maximize parental satisfaction with the school district's evaluation.

If you have any questions about special education regulations, please call the Director of Special Education at 781-861-2490, ext. 234.

Parents should contact their child's principal or their school's Evaluation Team Supervisor (ETS) if they believe their child has a special need that necessitates an evaluation.

# Life-Threatening Allergies

*Date Approved by School Committee: December 6, 2011*

The Lexington Public Schools (LPS) will maintain a system-wide response plan to address life-threatening allergic reactions. Parents/guardians, primary care physicians and/or allergists are encouraged to provide recommendations in writing to the appropriate building principal regarding the content of an Individual Health Care Plan (IHCP) for any student who has a life threatening allergy.

## **I. Implementation of the Life-Threatening Allergy Policy**

The Lexington Public Schools (LPS) will:

- A. Provide life-threatening allergy awareness education and EpiPen training for all LPS employees based on Department of Public Health and Department of Elementary and Secondary Education recommendations.
- B. The use of food for curriculum instruction or special luncheons during the school day will be restricted to approval by the principal and school nurse. The use of food as a reward in any classroom will be eliminated, unless otherwise specified in an Individualized Education Plan (IEP) or 504. All schools will require that any parties and celebrations during the school day are food free.
- C. The principal or designee in each school will implement a “No Food or Utensil Sharing” practice, with particular focus at the elementary school level.
- D. If necessary, each elementary school will provide peanut free/tree-nut free tables in the cafeteria. Reasonable efforts will be made for such tables to become “free” of other allergens as deemed needed for an individual student through documentation from the student’s primary care physician or board certified allergist. At the middle and high schools accommodations will be made as needed.
- E. No bake sales will be permitted at elementary or middle schools during the school day. Bake sales conducted outside the school day are limited to those at which only adults are allowed to purchase products. At the high school level, the sale of food products as a fundraiser will be at the discretion of the principal. LPS staff is not responsible for implementing the Life Threatening Allergy Policy and related protocols and procedures during (1) school sponsored events beyond the school day that are open to the public (e.g.,

school athletic contests, plays, or ceremonies) or (2) programs or events on LPS property that are sponsored by various staff, parent, community, or private groups. School nurses are not available after school hours.

- F. At the elementary school level, when a student's medical need to be in an LTA-safe environment is clearly documented by a board certified allergist, and clear directions from the allergist are provided, LPS will make reasonable efforts to create LTA-safe classrooms for the student. LPS reserves the right to consult with a board certified allergist of its choice to review the recommendation to determine if it will authorize its implementation.
- G. Each school's Incident Management Plan will include how to respond to a life-threatening allergic reaction. This plan will be reviewed annually by each building principal and will be part of all LTA and EpiPen administration training.
- H. Because of the confidentiality of medical records, a student's parent/guardian has the responsibility for notifying school bus drivers directly of any life threatening allergies of which the bus driver should be aware.
- I. For any event outside of the regular school day which is neither sponsored by LPS nor part of the LPS curriculum, the sponsor of such event is responsible for assuring that appropriate provisions concerning LTAs of participants are in place.

## **II. Employee/Contractor Training And Education**

- A. Life-threatening allergy (LTA) awareness training will be required of all teachers, aides, tutors, secretaries and student teachers in the school system.
- B. The custodial staff either will be included in staff LTA-awareness training or will be offered informational sessions on life-threatening allergies by the building principal.
- C. All substitute teachers contracted by the LPS will receive LTA-awareness training, following the LPS curriculum. No substitute will be employed in the system who has not received this training. The Assistant Superintendent of Human Resources will be responsible for ensuring that personnel who provide contracted services to LPS students and substitute teachers are provided LTA-awareness training.
- D. Food-service personnel contracted by LPS will be given building-based LTA-awareness training annually.



- E. The LPS Business Office will offer to bus drivers the opportunity for LTA-awareness training annually, and will as part of the specifications with the bus contractor, require their participation.
- F. Principals or their designees will be responsible to schedule LTA-awareness training in their schools and to ensure that all employees are trained.

## Animals in Schools Policy

*Date Approved by School Committee: June 15, 2011*

No animal shall be brought onto a Lexington Public School property without prior permission of a building Principal.

### **Wild Animals and Domestic Stray Animals**

Because of the high incidence of rabies in bats, raccoon, skunks, foxes and other wild carnivores, such animals may not be permitted in school buildings under any circumstances (including dead animals). Bat houses may not be installed on school grounds.

### **Fur-Bearing Animals**

These animals, including but not limited to pet dogs, cats, wolf-hybrids, ferrets may not be brought to school. These animals may pose a risk for transmitting rabies as well as parasites, fleas, other diseases and injuries.

### **Poisonous Animals**

Venomous insects and spiders and poisonous snakes, reptiles, and lizards are prohibited in school for safety reasons.

### **Exceptions: Guide, Hearing, and other Service Dogs or Law Enforcement Dogs**

These animals may be allowed in school or on school grounds with proof of current rabies vaccination, after consultation with a school principal and in accordance with procedures established by the Superintendent of Schools.

For purposes of this policy, a “service animal” includes any dog or miniature horse that has been individually trained to do the work or perform tasks for the benefit of an individual with a disability.

Ref: Revised ADA Regulations Implementing Title II and Title III; Final Rule amending 28 40 CFR Part 35; Nondiscrimination on the Basis of Disability in State and Local Government Services as published in the Federal Register September 15, 2010.

Town of Lexington Park and Recreational Facilities Regulations, Appendix E, February 9, 1981 (under review.)

Town of Lexington Board of Health, Article VI, Animals (Adopted April 7, 1998; amended May 8, 2001.)

## Bullying Prevention and Intervention Policy

*Date Approved by School Committee: February 4, 2014*

The Lexington Public Schools (LPS), in partnership with parents, guardians, and the community, and in keeping with the LPS core value of respect for human differences, believes that a positive, safe, and civil environment in school is necessary for students to learn and achieve. Bullying is conduct that can disrupt a student's ability to learn by preventing that student's full engagement with his or her education. Moreover, bullying compromises a school's ability to educate its students in a safe environment. The Lexington School Committee, therefore, prohibits acts of bullying or cyber-bullying throughout the Public Schools of Lexington.

“Bullying” shall include, but is not limited to, the repeated use by one or more students or a member of the school staff of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, directed at a target that:

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

School staff includes but is not limited to: an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity, paraprofessional, clerical and technology staff.

“Cyber-bullying” 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, photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages, facsimile communications, cell phone or texting.

Cyber-bullying 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.

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

Bullying and cyber-bullying can occur in and out of school, during and after school hours, at home and in locations outside of a home. When bullying and cyber-bullying are alleged, the full cooperation and assistance of parents or guardians and their families are expected.

For the purpose of this policy, whenever the term bullying is used, it is to denote either bullying, or cyber-bullying.

Bullying is prohibited:

- on school grounds;
- on property immediately adjacent to school grounds;
- at school-sponsored or school-related activities, functions or programs, whether on or off school grounds;
- at school bus stops;
- on school buses or other vehicles owned, leased or used by the school district; or,
- through the use of technology or an electronic device owned, leased or used by the LPS.

Bullying and cyber-bullying are prohibited at a location, activity, func-

tion or program that is not school-related or through the use of technology or an electronic device that is not owned, leased or used by the LPS if the act or acts in question:

- create a hostile learning and/or social environment at school for the target;
- infringe on the rights of the target at school; and/or
- materially and substantially disrupt the education process or the orderly operation of a school.

## **Prevention and Intervention Plan**

The Superintendent or designee shall oversee the development of a prevention and intervention plan, in consultation with all district stakeholders, which may include parents and guardians, teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, and students, consistent with the requirements of this policy, as well as state and federal laws. The bullying prevention and intervention plan shall be reviewed and updated at least biennially.

The principal or designee is responsible for the implementation and oversight of the Plan except when a reported bullying incident involves the principal or the assistant principal as the alleged aggressor. In such cases, the Superintendent or designee shall be responsible for investigating the report and other steps necessary to implement the Plan, including addressing the safety of the alleged victim. If the Superintendent is the alleged aggressor, the School Committee or its designee shall be responsible for investigating the report and taking other steps necessary to implement the Plan, including addressing the safety of the alleged victim.

## **Reporting**

Students who believe that they are a target of bullying are encouraged and urged to report the matter to a member of the school staff. Students who observe an act of bullying, or who have reasonable grounds to believe that these behaviors are taking place, are obligated to report incidents to a member of the school staff, and may be subject to discipline for failing to report such incidents. However, the target shall not be subject to discipline for failing to report bullying.

A school or district staff member shall immediately report any instance of suspected bullying or retaliation the staff member has witnessed or

become aware of to the school principal or designee. This includes bullying or retaliation of a student by another student or bullying or retaliation of a student by a staff member. If the principal is the alleged aggressor, the report shall be made to the superintendent or designee. If the superintendent is the alleged aggressor, the report shall be made to the school committee or designee. If the staff member fails to report, he or she may be subject to disciplinary action.

Parents or guardians, or members of the community, are encouraged to report an incident of suspected bullying as soon as possible to the school principal or designee. This includes bullying of a student by another student or by a staff member. If the principal is the alleged aggressor, the report shall be made to the superintendent or designee. If the superintendent is the alleged aggressor, the report shall be made to the school committee or designee.

Each school shall have a means for anonymous reporting by students of incidents of suspected bullying. No formal disciplinary action shall be taken solely on the basis of an anonymous report.

Any student who is found to have knowingly made a false accusation/report of bullying may be subject to disciplinary action.

## **Investigation Procedures**

A school principal or designee shall promptly investigate any report of bullying, using a Bullying/Cyber-bullying Report Form. It may include, but is not limited to, interviewing the alleged target, alleged aggressor, staff members, students and/or witnesses. The principal or designee (or whoever is conducting the investigation) shall remind the alleged student aggressor, target, and witnesses of the importance of the investigation, their obligation to be truthful and that retaliation against someone who reports bullying or provides information during a bullying investigation is strictly prohibited and will result in disciplinary action.

A principal or designee, upon determining that bullying or retaliation has occurred, shall promptly contact the parents or guardians of the alleged target(s) and when the alleged aggressor(s) is a student, parents or guardians of the alleged aggressor(s). Actions being taken to prevent further acts of bullying shall be discussed.

The investigation shall be completed within a reasonable amount of time. The parents or guardians of both the student aggressor(s) and the target(s) shall be notified if there has been a finding that bullying has oc-

curred. They will be updated periodically during the investigation, and, upon its completion, shall be informed of the results, including whether the allegations were found to be factual, whether a violation of this policy was found, whether disciplinary action has or shall be taken, and whether or what steps will be taken to prevent retaliation or further acts of bullying.

If the alleged aggressor is a staff member, notice will be made to that individual in accordance with district policies and procedures, including in accordance with any applicable collective bargaining agreements.

A principal or designee shall assess an alleged target's needs for protection and create and implement a safety plan that shall restore a sense of safety for that student.

Confidentiality shall be maintained to protect all parties, which includes, but is not limited to, alleged aggressor(s) or target(s), a person who reports bullying, or provides information during an investigation of bullying, or is witness to or has reliable information about an act of bullying.

## **Disciplinary Actions**

If a school principal or designee determines that bullying has occurred, he/she shall take appropriate disciplinary action, and if it is believed that criminal charges may be pursued against the aggressor, the principal shall notify the appropriate local law enforcement agency and notify the superintendent.

Disciplinary actions for students who are found to have committed an act of bullying or retaliation shall be in accordance with LPS disciplinary policies.

Disciplinary actions for employees who are found to have committed an act of bullying or retaliation shall be in accordance with state law, any applicable Collective Bargaining Agreements, and Lexington Public School's policies and procedures.

## **Assistance**

The LPS may provide appropriate counseling or referral to appropriate services, including, but not limited to, guidance, academic intervention, and protection to any affected students, as necessary.

## **Documentation**

Each school shall document any incident of bullying that is reported per this policy, and the principal or a designee shall maintain a file of these reports.

The Superintendent or designee shall inform the School Committee periodically of any trends or implications of these reports in order to give the School Committee the opportunity to review and amend this policy.

Confidentiality shall be maintained consistent with the school's obligations under law.

## **Retaliation**

Reprisal or retaliation against any person associated with a report of bullying or the investigation thereof is prohibited. Disciplinary action for a person who is found to have engaged in reprisal or retaliation will reflect the extreme seriousness of such an act. Disciplinary action of an alleged student aggressor may include, but is not limited to, suspension or expulsion. If the principal or designee decides that disciplinary action is appropriate for a staff member, the disciplinary action is determined on the basis of facts found by the principal or designee and appropriate expectations in light of the staff member's role and responsibilities.

## **Vulnerable Students**

LPS recognizes that students may be 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. LPS staff shall provide additional support to vulnerable students, as necessary, to provide them with the skills, knowledge and strategies needed to prevent or respond to bullying or harassment.

## **Training and Assessment**

The Superintendent or designee shall provide training annually for all staff, including but not limited to educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, paraprofessionals, clerical and technology staff so as to improve preventing, identifying, responding to,

and reporting incidents of bullying. The faculty and staff at each school shall be trained annually on the bullying prevention and intervention plan applicable to the school.

Age-appropriate, evidence-based instruction on bullying prevention shall be incorporated into the curriculum for all K to 12 students.

### **Publication and Notice**

Annual written notice of the relevant sections of the bullying prevention and intervention plan shall be provided in each school handbook to students and their parents or guardians, in age-appropriate terms.

The superintendent or designee shall provide written notice annually of the bullying prevention and intervention plan to all school staff.

Relevant sections of the bullying prevention and intervention plan relating to the duties faculty and staff and bullying of students by school staff shall be included in faculty handbooks.

The bullying prevention and intervention plan and policy shall be posted on the LPS website.

### **Data Collection**

LPS will collect data on the number of reported allegations of bullying or retaliation, the number and nature of substantiated incidents, the number of students disciplined for engaging in bullying or retaliation, and any other information required by the Department of Elementary and Secondary Education.

REFERENCES: Massachusetts Department of Elementary and Secondary Education's Model Bullying Prevention and Intervention Plan

### **LEGAL REFS. :**

Title VII, Section 703, Civil Rights Act of 1964 as amended

Federal Regulation 74676 issued by EEO Commission

Title IX of the Education Amendments of 1972

603 CMR 26.00

MGL 71:37O

M.G.L. c. 71, 37H & 37H1/2

MGL 265:43, 43A

MGL 268:13B

MGL 269:14A

Discipline of Special Education Students Under IDEA 2004

20 U.S.C. 1415(k) and 34 CFR 300.530-300.536

M.G.L. ch. 71 §41 and §42



# Child Abuse and Neglect Policy

*Date Approved by School Committee: October 7, 2003*

## I. Background of Policy

The Lexington Public Schools (LPS) is dedicated to the goal of protecting our students from child abuse and neglect and to responding effectively to incidents of child abuse and neglect. LPS recognizes local, state, and national efforts to address problems associated with child abuse and neglect and will work cooperatively with all agencies with responsibility for addressing such concerns.

Massachusetts General Laws (M.G.L) c. 119, § 51A, requires that certain persons in their professional capacity are mandated to report child abuse and neglect when they have reasonable cause or suspicion to believe that a child under the age of 18 years is suffering physical or emotional injury resulting from abuse that causes harm or substantial risk of harm to the child's health or welfare, including sexual abuse, or from neglect, including malnutrition. All employees of the LPS are mandated reporters.

This policy serves to assist all LPS employees to carry out their responsibilities effectively under M.G.L. as well as to establish responsibilities and roles for LPS child protection teams. It also establishes expectations for LPS employees to receive training in both identifying and reporting child abuse and neglect.

## II. Purpose and Scope

All employees of the LPS are mandated reporters under this policy.

LPS employees, like employees in other school departments, are in a unique position to identify potential cases of abuse and neglect of children, because of their sustained contact with school-age children. Responsible action by employees can be achieved through recognition and understanding of potential incidents of abuse, knowing and following established reporting procedures, and participating in available child abuse and neglect information/training programs.

### **Definition of Terms:**

- Neglect is the failure, either deliberately or through negligence or inability, to take those actions necessary to provide a child with minimally adequate food, clothing, shelter, medical care, supervision, emotional stability and growth, or other essential care. It is understood

that such inability is not solely due to inadequate economic resources or solely due to the existence of a handicapping condition. Neglect can occur while the child is in an out-of-home or in-home setting. Permitting a child to be truant or failing to enroll a child in school without providing an alternative program can constitute neglect.

- Physical abuse includes infliction, by other than accidental means, of physical harm upon the body of a child.
- Emotional abuse refers to excessive, aggressive, or unreasonable behavior by an adult that places demands on a child that are above his/her capabilities. This may include verbal attacks, humiliation, degradation, and chronic rejection of the child, close confinement of the child, or the permitting or abetting of delinquent behavior.
- Sexual abuse refers to any sexual contact between a caretaker and a child or the commission of a sex offense against a child as defined by the criminal laws of the Commonwealth.
- Verbal sexual harassment of a child by anyone, including school district employees/volunteers, is recognized as a form of child abuse and a warning sign of actual physical or sexual abuse.

All LPS employees who have reasonable cause or suspicion to believe that a child is suffering physical or emotional injury resulting from abuse or neglect shall report such a belief to the appropriate authority, according to the LPS Child Abuse and Neglect Reporting Procedures.

### III. Application

The Superintendent of Schools has the responsibility to ensure that the LPS Child Abuse and Neglect Policy and the LPS Child Abuse and Neglect Reporting Procedures are implemented in the school system. The organizational structure to implement this policy will be through the establishment and support of building-based and systemwide Child Protection Teams.

### Child Protection Teams (CPT)

LPS will establish and support building-based and system-wide Child Protection Teams.

#### **Building-based**

A building-based CPT will be established in each school. This team will consist minimally of the principal, the counselor, and the school nurse. The names of the members of the building-based team will be made

known to all employees working in the building.

Each team will:

- meet at the beginning of each school year to review the LPS Child Abuse and Neglect Policy and the LPS Child Abuse and Reporting Procedures,
- conduct one child abuse and neglect information/training workshop for the school's employees in the first month of each school year,
- collaborate with the system-wide CPT and community agencies regarding programs to raise awareness of issues of child abuse and neglect, and
- coordinate mental health services to children deemed to be suffering from child abuse and neglect and to their families, whenever they are requested or considered to be necessary.

### **Systemwide**

LPS will have a system-wide CPT. This team will consist minimally of a representative from each building-based team.

The Superintendent of Schools or designee will be responsible for overseeing the operation of the system-wide team. The Superintendent or designee will be responsible for maintaining data that result from reports to the Department of Children and Families.

The team will:

- provide consultation and support to individual team members and to the school-based teams,
- monitor cases reported to the Department of Children and Families,
- review and evaluate annually the continued efficacy of the LPS Child Abuse and Neglect Policy and the LPS Child Abuse and Neglect Reporting Procedures, and
- develop, on an annual basis, a curriculum for one child abuse and neglect information/training workshop for all school-system employees to be conducted in the first month of each school year. The curriculum will be developed with input from each of the building-based Child Protection Teams and with the advice of one or more consultants who are experts in the field of child abuse and neglect, hired by LPS in consultation with the Middlesex District Attorney's Office (MDAO).

## Implementation

The procedures for implementing the Child Abuse and Neglect Policy will include information about training all LPS employees on information about child abuse and neglect and mandated reporting procedures, and maintaining documentation and record keeping resulting from reports of suspected abuse and neglect to the Department of Children and Families (DCF). Nothing in this policy, however, prohibits any professional from notifying the DCF directly when such professional has reasonable cause to believe abuse or neglect occurred. In such a case, the Building Principal and Superintendent must be informed that the suspected abuse or neglect was reported.

## Training

### **New Employees**

Prior to the start of employment or within the first six months of employment, every new employee will be required to participate in training on mandated reporting requirements pursuant to M.G.L. c. 119, § 51A.

### **Current Employees**

Every employee will be required on an annual basis to participate in training on mandated reporting requirements pursuant to M.G.L. c. 119, § 51A.

This training will include information on the legal and psychological aspects of child sexual and physical abuse, the impact such abuse has on children, and the appropriate response to a child who has made an allegation of abuse.

## Documentation and Record Keeping

### **The Superintendent of Schools will:**

- develop a procedure for building-based and system-wide documentation and record keeping of complaints relating to the conduct of school personnel and students regarding child abuse and neglect,
- in cases involving school personnel, develop a procedure for communicating in writing to the complainants of the status and disposition of the case, to the extent possible, without compromising the investigation or confidentiality rights of involved persons, and
- notify school administrators on an annual basis of their obligation to advise and inform the superintendent of allegations and complaints that involve suspected criminal activity as it relates to issues of child abuse and neglect.

## Complaints

A person who believes the policy and/or procedures have not been correctly observed, should contact either of the following LPS administrators:

Assistant Superintendent for Human Resources  
Lexington Public Schools  
146 Maple Street  
Lexington, MA 02420  
Tel: 781-861-2580

or

Superintendent of Schools  
Lexington Public Schools  
146 Maple Street  
Lexington, MA 02420  
Tel: 781-861-2580

## Penalties

According to M.G.L. c. 119, § 51A, mandated reporters are immune from civil or criminal liability when they file a report pursuant to their duties. Mandated reporters cannot be discharged, discriminated against or retaliated against by their employers if they, in good faith, make a report or testify in any proceeding involving child abuse or neglect. If any of these things happen, the employer shall be liable.

The statute also states that any person who is legally required to report suspected child abuse, i.e., is a mandated reporter, who fails to do so is subject to a criminal fine. In addition, school employees will be subject to disciplinary action by the school department up to and including dismissal.

## IV. References

- M.G.L. c. 119, §51A
- Memorandum of Understanding (MOU), an agreement between the Lexington School Committee (LSC) and the Middlesex District Attorney's Office (MDAO), February 10, 2003
- Commonwealth of Massachusetts Department of Social Services (DSS)
- Crosson-Tower, C. Designing and Implementing a School Reporting Protocol: A How-to Manual for Massachusetts Educators. Boston, MA: Children's Trust Fund, 1998.

# Field Trip Policy

*Date Approved by School Committee: February 28, 2006*

## I. Background

Lexington Public Schools field trips are intended to allow students experiences that provide them with insight, information, or knowledge that might not be learned within the classroom. Field trips allow students the opportunity to expand their learning in ways different from those typically available inside the classroom.

## II. Purpose and Scope

A field trip is student travel away from school premises that is approved by the school district through established procedures for the purpose of curriculum-related study, co-curricular activities, or for interscholastic programs.

### A. Types of Field Trips

1. Curriculum-related: a classroom-associated learning experience to afford students the opportunity to gain insight, information or knowledge, such as, but not limited to, a walk on adjacent conservation land, a visit to a historic site or museum, or attendance at a cultural performance.
2. Co-curricular: school-sponsored experiences associated with school groups that normally meet outside regularly scheduled classes, such as, but not limited to, clubs, student organizations, or academic-related teams.
3. Interscholastic: in-district or out-of-district events in which students participate as representatives of the Lexington Public Schools, such as, but not limited to, athletics, cheerleading, and the performing arts.

### B. Duration of Field Trips

1. Day Trips
  - a. a one-way distance from the school that does not exceed 100 miles and
  - b. overnight travel is not involved
2. Long-distance and Overnight Trips
  - a. a one-way distance from the school that exceeds 100 miles or overnight travel is planned between the hours of midnight and

six a.m., inclusive, or  
an overnight stay is planned  
the trip is within the continental United States

### 3. International Trips

a. a multi-day program beyond the borders of the continental United States

## C. Inclusion

Reasonable accommodations will be provided to allow eligible students with disabilities to participate in scheduled field trips.

## D. Funding

The Lexington Public Schools will strive to offer field trips with a minimum of expense to the individual student. Reasonable charges may be assessed to cover the actual field-trip costs. The Lexington Public Schools will attempt to provide field-trip scholarships to those who qualify and require them. However, no student is guaranteed a full or partial scholarship for the purpose of attending any field trip.

# III. Application

## A. Components of the Procedures for Field Trips

The Superintendent of Schools shall develop and promulgate written procedures for the operation of field trips that will provide for the health and safety of the students and meet the requirements of state law or regulation. Matters to be addressed include, but are not limited to the following:

1. accommodations
2. approval process
3. cancellation/trip insurance
4. consent/waiver
5. costs
6. Criminal Offender Record Information (CORI) checks for all chaperones
7. emergency contacts
8. forms
9. fund raising
10. liability insurance
11. medical insurance and medical care
12. provision during schools hours for those students not participating

13. scholarships
14. student behavior
15. supervision/chaperones
16. transportation
17. travel plan

## B. Planning

The principal is responsible for seeing that a teacher, advisor, or group of individuals proposing a field trip plans, implements, and assesses the field trip with the following guidelines in mind:

1. the objectives of the trip are specifically related to the curriculum, co-curricular experiences, or interscholastic events
2. the total ongoing school program will not be adversely affected by participation of staff and students taking the trip
3. the planning of the trip provides for the safety and access of students
4. appropriate educational experiences will be provided for those eligible students who do not participate in curriculum-related field trips scheduled on school days
5. the proposed program is feasible within the time allocated
6. if possible, and where appropriate, there should be a preview of the place to be visited by a teacher or staff member, unless the trip has been experienced previously
7. the financial impact on school system and family resources will be considered
8. the planning of the field trip provides a minimum of two adult chaperones and adult-student ratio appropriate for the particular student group and the trip
9. the primary transportation for overnight field trips will be a commercial carrier licensed for passenger transportation by the Federal Motor Carrier Safety Administration (FMCSA). Carriers with a safety rating of “conditional” or “unsatisfactory” will not be used. Trip itineraries will leave enough time for drivers to rest in conformity with federal hour-of-service requirements. (Any contract with a private carrier must prohibit the use of subcontractors unless approved by the Superintendent. The Superintendent shall not approve use of any subcontractor unless the subcontractor meets the criteria referenced previously in this section.)
10. If primary transportation for any field trip, whether day, overnight, or international trip, is other than US commercial carrier, the form



of transportation will be noted on the Consent/Waiver form

## C. Authorization

### 1. Day Trips

The building principal is vested with the authority to approve day trips.

### 2. Long-Distance and Overnight Trips

The Superintendent of Schools is vested with the authority to approve long-distance and overnight trips.

### 3. International Trips

The Lexington School Committee is vested with the authority to approve all trips beyond the borders of the continental United States.

### 4. Cancellation/Exclusion from School Sponsored Trips

The Superintendent has the authority to cancel any field trips up until the time of departure for any reason. In such event, school officials will make a reasonable effort to obtain a refund of monies paid by students and parents. However, such refunds are not guaranteed.

In the event a student fails to meet expectations for appropriate conduct on a field trip, including but not limited to those set forth in the school's Code of Conduct, school staff may contact the student's parents or guardian, and staff shall have the discretion to send the student home. The student's parents or guardian shall be responsible for any additional expense incurred in such circumstances. Students may also be disciplined in accordance with the school's Code of Conduct.

### 5. Non-School Sponsored Trips

Teachers and other school staff sometimes privately conduct educational tours or trips involving the participation of Lexington students. The School Committee neither sanctions nor prohibits such activities, nor assumes any responsibility for them. Teachers and other school staff are prohibited from soliciting students for privately run trips through the school system.

Teachers and other school staff are expected to clearly state that such trips are not school-sponsored and that the Lexington School Committee and the Lexington Public Schools do not sanction the trip or assume any responsibility.

## D. Implementation

The Superintendent of Schools will develop appropriate procedures pursuant to this policy.

# Fund Raising/Contribution Policy

*Date Approved by School Committee: January 23, 2001*

## I. Purpose and Scope

The purpose of this revision to the fund raising/contribution policy is to codify activities and events that support the elementary schools and set an expectation for collaboration between school affiliated groups, Site-Based School Councils, building administrators and members of the community at large. Improved communication and coordinated efforts will result in a more cohesive approach to system-wide enhancements.

The Lexington School Committee, parents, teachers and the greater Lexington community share a common purpose to provide ongoing support for public education. The Committee welcomes and encourages efforts in support of individual schools whether those efforts are demonstrated by the contribution of time and talents or by financial donations.

Activities to promote communication between home and school, support the educational program and build a sense of community are important to the spirit of each school and should continue. Examples of such activities at the elementary level include but are not limited to school newsletters and notices, school fairs, family events such as picnics and talent shows, family math nights, interior/exterior enhancements such as plantings and murals, interior display cases and bulletin board supplies.

## II. Application

The School Committee recognizes that residencies secured through Arts Created Together (A.C.T.) monies and or Lexington Education Foundation (L.E.F.) grants enhance curriculum and should continue. However, any initiative to provide enrichment materials and activities must be consonant with the educational goals of each school and with Lexington Public Schools' core values. The School Committee urges all school affiliated groups to work collaboratively with the principals and Site-Based School Councils throughout the year to define appropriate enrichment objectives.

Trying to reach an appropriate balance between focus on individual schools and focus on the school system as a whole is a worthy goal. The role of the School Committee is to maximize systemwide resources for all Lexington students and to see they are distributed in a fair and equi-

table manner. Enrichment should focus at class, grade or school levels as opposed to being for the benefit of individual students. The final decision with regard to approving efforts to enrich student experiences before, during and after school hours rests with the school principal.

Acquisition of computer technology by individual schools through fund raising, donation of equipment and/or grants will be counted toward the goals enumerated within the Technology Plan. The Lexington School Committee endorses the systemwide Technology Plan and will advocate for funds toward the Plan's full implementation.

Generally speaking, fund raising for the purpose of purchasing large capital items that are standard use for school buildings and grounds is beyond the scope of responsibility for parent-teacher organizations and members of the community at large. Examples of large capital items include but are not limited to copier machines, playground equipment and classroom furniture. However, there are times when funding from the PTA can enhance a school program. Therefore, PTAs will be allowed to spend up to \$2500.00 for building and equipment projects annually. In addition, a system will be developed for PTAs to work with their building principals and the Director of Facilities and Grounds to generate a list for system-wide prioritization of building and equipment related projects.

Providing financial resources for the purposes of hiring building staff (certified and classified contracted personnel) and/or changing established curricula is beyond the scope of responsibility for parent-teacher organizations and members of the community at large. This decision is the responsibility of the Lexington School Committee in concert with the professional judgment of the school administration.

Fund raising projects which entail door-to-door solicitations by students of grades K-5 will not be allowed. Fund raising projects which entail door-to-door solicitations by students grades in 6-12 should be discouraged. Exceptions may be made by the Principal for projects which relate directly to services or performances by students (plays, musical, etc.)

Appeals and request for consideration of exceptions to this policy should be directed to the attention of the Lexington School Committee and the Superintendent of Schools.

# Policy Prohibiting Harassment

*Date Approved by School Committee: February 2003*

## I. Background of Policy

The Lexington Public Schools is committed to maintaining a school environment free of any harassment based on, but not limited to, age, color, disability, gender, national origin, race, religion or sexual orientation. Such harassment in the workplace or school environment is unlawful and is absolutely prohibited. This includes harassment by administrators, certified and support personnel, students, vendors, and other individuals in school or at school-related events. Further, any retaliation against an individual who has complained about harassment or against individuals for cooperating with an investigation of a harassment complaint is similarly unlawful and will not be tolerated.

## II. Purpose and Scope

Harassment is defined as any communication or conduct that is sufficiently serious to limit or deny the ability of a student to participate in or benefit from the educational program or the ability of a staff member to perform his/her duties. It includes, but is not limited to, any communication, written, spoken or otherwise, such as jokes, comments, innuendoes, notes; material placed on the internet or other electronic media such as email, web page, and voice mail; writing placed on school property, the display of pictures or symbols, graffiti, gestures, or other conduct that offends or shows disrespect to others based upon age, color, disability, gender, national origin, race, religion, or sexual orientation.

By law, the particular communication or conduct is viewed from the perspective of a reasonable person with the characteristic 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 be viewed by other individuals.

It should be noted that, while this policy sets forth the goal of the Lexington Public Schools to maintain a work and educational environment that is free of harassment based upon age, color, disability, gender, national origin, race, religion or sexual orientation, the policy is not designed or intended to limit the authority of school officials to discipline or take remedial action for conduct which is deemed unacceptable, whether or not that conduct satisfies the definition of harassment.

## Sexual Harassment

While all types of harassment are prohibited, sexual harassment requires particular attention. Sexual harassment includes sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature when:

1. Acceptance of or submission to such conduct is made either explicitly or implicitly a term or condition of employment or education, or
2. The individual's response to such conduct is used as a basis for employment decisions affecting an employee or as a basis for educational, disciplinary, or other decisions affecting a student, or
3. Such conduct interferes with an individual's job duties, education, or participation in extracurricular activities, or
4. The conduct creates an intimidating, hostile or offensive work or school environment.

The legal definition of sexual harassment is broad. In addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a work or educational environment that is hostile, offensive, intimidating or humiliating to individuals of either gender may also constitute sexual harassment. While it is not possible to list all circumstances that may constitute such harassment, examples may include references to sexual conduct, comments on an individual's body, unwelcome leers, and suggestive or insulting comments.

## III. Application

### Employee Complaints

An employee who believes that he/she is the victim of harassment should contact:

Assistant Superintendent for Human Resources  
Lexington Public Schools  
146 Maple Street  
Lexington, MA 02420  
781-861-2580

If an employee does not wish to discuss the issue with the Assistant Superintendent for Human Resources or feels that he or she is not addressing the problem in an effective manner, the employee should contact the Superintendent of Schools (781-861-2580).

## Student Complaints

A student who believes that he/she is the victim of harassment should report the matter to a teacher, counselor, or administrator who in turn will notify a complaint manager in the school. As an alternative, a student may report directly to a complaint manager. Notice of each school's complaint managers will be posted in a prominent location in the school.

All employees of the Lexington Public Schools must respond to complaints by students of harassment by notifying the building principal or an appointed complaint manager. Employees are required to take every report of harassment seriously.

A student may also file a complaint alleging harassment by contacting:

Director of Guidance K-12  
Lexington Public Schools  
146 Maple Street  
Lexington, MA 02420  
781-861-2580

If a student does not wish to discuss the issue with a teacher, counselor, administrator, complaint manager, or the Director of Guidance, or if the student feels that the aforementioned people do not address the problem in an effective manner, the student should contact the Superintendent of Schools (781-861-2580).

The Director of Guidance and Superintendent as listed above are also available to provide information about this policy and the Lexington Public Schools' complaint process.

## Investigation and Closure of a Complaint

The Lexington Public Schools urges all individuals in the school community to bring any complaint of harassment to the attention of school personnel so that they can resolve the issue. The Lexington Public Schools will promptly investigate every complaint, observing all relevant state and federal laws and regulations and school system policies and procedures, as well as applicable contractual requirements. If it determines that harassment has occurred, Lexington Public Schools will take appropriate action to end the harassment and to ensure that it is not repeated.

When an investigation has been completed, school personnel will inform the complainant of the results and file a report with the Director of Human Resources, Coordinator for Title IX, the Director of Guidance for Section 504 of the Rehabilitation Act and for M.G.L. Chapter 76 Section

5 (commonly known as Chapter 622).

Retaliation against any individual who has filed a complaint of harassment or who cooperates in an investigation is unlawful and will not be tolerated.

## Penalties

Persons who engage in harassment or retaliation will be subject to suspension, termination/expulsion or other sanctions, subject to applicable school system policies and procedures, as well as applicable contractual requirements.

In certain cases, harassment of a student, and in particular, sexual harassment of a student, may constitute child abuse under Massachusetts law. Verbal sexual harassment of any child by anyone, including school district employees/volunteers, is recognized as a form of child abuse and a warning sign of actual physical or sexual abuse. Such abuse must be reported immediately to the Department of Social Services in accordance with the requirements of M.G.L. c. I 19, s. 51A. A matter reported under this section shall be screened to determine whether an investigation is pursuant to the Child Abuse and Neglect Policy, the Sexual Harassment Policy, or both. The Lexington Public Schools will comply with all legal requirements governing the reporting of suspected cases of child abuse.

## References

State agencies that enforce laws prohibiting harassment or receive complaints thereunder include the Massachusetts Commission Against Discrimination (MCAD), which is located at One Ashburton Place, Boston, MA 02108, telephone (617) 727-3990, and the Massachusetts Department of Elementary and Secondary Education, 75 Pleasant Street, Malden, MA 02148, telephone (781) 338-3000.

Federal agencies responsible for enforcing federal laws prohibiting harassment include the Equal Employment Opportunity Commission (EEOC), One Congress Street, Boston, MA 02109, telephone (617) 565-3200, TDD Users (617) 565-3204; and the U.S. Department of Education, Office for Civil Rights (OCR), J.W. McCormack POCH, Boston, MA 02109-4557, telephone (617) 223-9662, TDD Users (617) 223-9695.

# Homework Policy

*Date Approved by School Committee: December 1989*

## I. Purpose And Scope

Homework is an important extension of activities begun in school by students under the guidance of their teachers and continued at home. Working together, home and school can guide students as they develop their learning capacities by making possible experiences which foster learning.

Homework provides for practice of skills and application of principles based upon work begun in the classroom. It may enrich school experiences and promote a permanent interest in learning. A secondary goal of homework is to stimulate individual initiative, personal responsibility and self-direction.

Due to differences in age levels and modes of instruction between the elementary and secondary schools, homework expectations will necessarily differ.

## II. Application

Listed below are the responsibilities of teachers, students and parents with regard to homework.

### **Teachers:**

- Assign homework that is meaningful and useful to individuals.
- Provide appropriate and timely response to all homework assignments.
- Provide a balance between long-range and short-term assignments.
- Give assignments over weekends, that are no longer than a daily assignment.
- Refrain from assigning homework during vacation periods and on legal and religious holidays.
- Monitor long-term assignments in order to avoid last minute student efforts.
- Give clear, concise directions; allow time for student questions; consider availability of materials; provide legible worksheets when used.
- Inform parents of their role in supervising homework.
- Ensure that students who are absent know how they may makeup homework.
- Monitor the effectiveness of homework as reflected in student performance.
- Record the directions for homework.
- Ask questions when necessary to clarify the assignment.



**Students will:**

- Follow a schedule and keep materials in order.
- Hand in, on time, neat, accurate, and meaningful products.
- Plan time for completion of long-term assignments.
- Determine and complete homework assigned during absence.

**Parents will:**

- Provide a suitable place for study.
- Help students develop routine home study habits.
- Ensure that absence does not interfere with makeup.
- Assist and correct but not do the actual work and notify the teacher if students experienced extreme difficulty.
- Assist students in making wise course and course level choices.
- Be aware of long-term assignments and assist students in learning to budget their time accordingly.
- Contact the teacher if he/she observes an absence of homework.

Because the time required of individuals to complete assignments varies, homework activities must, therefore, be planned to meet each student's individual learning profile. Homework guidelines for some students with special needs may be determined by the student's educational plan and should be specifically related to the student's learning profile. The modifications in an educational plan supersede the suggested guidelines listed below. Though it is impossible to predict the time necessary for all students to complete assignments because of different learning rates and age levels, the following is suggested:

**At the Elementary level:**

- Grade K- Occasionally.
- Grade 1 - Fifteen minutes each night.
- Grade 2- Twenty minutes each night.
- Grade 3- Thirty minutes each night.
- Grade 4- Forty minutes each night.
- Grade 5- Forty-five minutes each night.

In addition, parents should continue to read to their children and encourage and support their children's recreational reading.

Homework is generally assigned two to four times a week, generally Mondays to Thursdays. No homework will be given on legal and religious holidays or during vacations.

# Standards for Acceptable Use of Technology

*Date Approved by School Committee: February 11, 2014*

## 1.0 Purpose and Acceptable Use

- 1.1 The Lexington Public School (LPS) district provides and maintains sophisticated technology systems and network resources to support the delivery of education and the administration of the district's operation. The technology systems and network resources include desktop workstations, laptops, handheld computer devices, applications, internal networks (both wired and wireless), servers, online databases, and access to outside networks, including the Internet, all of which are referred to hereinafter as "technology systems." This policy and guidelines apply to all users of LPS technology systems including students, staff, and, where applicable, guests and adult learners.
- 1.2 The technology mission of the LPS is to ensure access to appropriate technology in our educational community to support and enhance student learning, staff instruction, school communication and data management. The Lexington Public Schools fulfills this mission by offering an institutional network between the schools, as well as internet access to staff and students. Our goal in providing this service to staff and students is to promote the educational excellence by facilitating resource sharing, innovation, and communication.
- 1.3 LPS permits its staff to use the LPS technology systems for incidental personal use as long as the technology systems are not used in a manner that violates this policy and such use is limited to times before or after work hours, during non-assigned teaching or duty time, and lunch periods.
- 1.4 This policy describes acceptable and unacceptable uses of LPS technology systems, but these descriptions are not exhaustive lists of all acceptable or unacceptable uses. Any user who has a question regarding whether or not a particular activity is acceptable should seek guidance from the Building Principal or the Superintendent.

## 2.0 Roles

- 2.1 The Director of Educational Technology and Assessment (or designee of the Superintendent) will oversee and approve the program-

matic direction, selection, and distribution of technology services and tools to support the overall goals of the district.

- 2.2 The Director of Technology (or designee of the Superintendent), working with the technology staff, will oversee access to all network and technology systems and will establish processes for setting up user access protocols, accounts, authorization of installation of all software and hardware architectures, required disk quota and usage on the system, backup, retention and archive schedules, virus protection, infrastructure configuration, security, web content filtering and other necessary activities to support the educational goals of LPS.
- 2.3 Principals(or designee of the Building Principal) will serve as the building coordinator for all technology systems and network related activities. The building coordinator, in partnership with the Director of Educational Technology & Assessment (and the Director of Technology, as needed) and applicable curriculum leaders, will coordinate building level technology activities. Together they will ensure that staff receives training in the use of all systems and this policy. They will establish a system to ensure that students using any computing resources receive appropriate supervision and understand how to use all systems responsibly.
- 2.4 Teachers, when using the Internet for instruction, are responsible for selecting materials that are relevant to curriculum objectives and are appropriate for students. Teachers are responsible for monitoring students' online usage while in the classroom and previewing all sites and resources that the teachers will be using in their classroom instruction. Teachers are also responsible for modeling effective and appropriate use of technology. Teachers will teach students about cyber bullying and appropriate responses; appropriate online behavior, including interacting with other individuals on social networking sites; and will assist students in developing the skills to ascertain the reliability of information, distinguishing bias and quality of information as it relates to their research.
- 2.5 LPS will develop a coordinated web presence to provide information about the district. LPS will develop and inform parents of expected channels of communication.

### **3.0 Access to the System and Resources**

- 3.1 Staff. LPS will provide this policy to new staff at the time of hire. Any staff member who signs the technology systems access agree-

ment will have access, with the permission of his/her supervisor, to the following computing resources through their classrooms, offices, library media centers, and/or computer and mobile labs: e-mail including conferencing and collaboration tools, web hosting, online subscription databases and information services, LPS servers for secure file storage, and all resources and tools found on the internet/world wide web. Resources may change as technology develops; these, too, however, will fall within the purview of this policy. Building principals (or designee) will ensure that technology systems access agreements are signed and maintained.

- 3.2 Students. Students will have appropriate access to the Internet and LPS network through the schools' technology equipment.
- 3.3 Other Users. Guest accounts may be established for, for example, temporary staff (e.g., long term substitutes, service vendor, interns, student teachers, community education instructors, volunteers). A guest's access may be limited.

#### **4.0 Disclaimer**

- 4.1 LPS makes no warranties of any kind, either express or implied, that services provided through its technology systems will be error-free or without defect. LPS is not responsible for the accuracy or quality of the information obtained through the system. Users of LPS's technology systems assume full responsibility for their use of the system including, but not limited to, loss of data, interruptions of service, costs, liabilities, or damages.

#### **5.0 Ownership/Privacy**

- 5.1 The LPS technology systems are the property of the LPS. As such, a user's activities and files are subject to inspection by the administration at any time. LPS has the right to monitor and log any and all aspects of its technology systems including, but not limited to, monitoring Internet usage, file downloads, and all communications. LPS designs and updates its network and computing environment by integrating appropriate controls in support of this policy. Tools used may include, but are not limited to: monitoring devices, content and spam filtering, virus protection, log-on utilities, virtual networks, user access profiles and network security settings.
- 5.2 Users should not have an expectation of privacy regarding any use of the LPS technology systems.
- 5.3 E-mail 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 the Massachusetts public records law.

## **6.0 Unacceptable Uses**

- 6.1 LPS technology systems may not be used for political or social advocacy or solicitation. This prohibition includes fund raising or advocacy for any non-school organization or group.
- 6.2 LPS technology systems may not be used for entertainment, illegal purposes (or support of illegal activities), or commercial purposes such as, but not limited to, offering, providing or purchasing goods and/or services for personal use or gain. In addition, the technology systems cannot be used as a public access service or a public forum. As such the district reserves the right to place reasonable restrictions on the materials users can access or post through the LPS technology systems.
- 6.3 Users may not use the LPS technology systems to obtain or share information about staff, students or families for any non-school purpose.
- 6.4 Users are prohibited from copying copyrighted material without authorization from the copyright holder unless the copies are used for teaching (including multiple copies for classroom use), scholarship or research. If there is uncertainty as to the extent of copyright protection for Internet materials, users must obtain permission to use material from the copyright holder.
- 6.5 Users shall not attempt to gain unauthorized access to files or accounts using LPS technology systems or network.
- 6.6 Users shall not vandalize the LPS technology systems by, for example, causing physical damage, reconfiguring the computer system, attempting to degrade or disrupt the technology systems, or destroying data by spreading computer viruses or by any other means. Anyone found to intentionally vandalize the LPS technology systems shall be responsible for the costs associated with hardware, software and/or system restoration. This covers equipment, materials, software and/or data.
- 6.7 Users shall not pretend to be someone else when sending or receiving electronic communications.
- 6.8 Use of another person's password or account is strictly prohibited.
- 6.9 It is unacceptable to attempt to read, delete, copy, or modify the electronic communications of other users or to interfere with other users' ability to send or receive communications.

- 6.10 Users shall not access, send, or forward materials or communications that are defamatory, pornographic, obscene, sexually explicit, threatening, harassing, profane, or inflammatory.
- 6.11 Users shall not download or install any commercial software, shareware, freeware or similar types of materials on the LPS technology systems without prior approval and authorization from the technology department.
- 6.12 Users shall refrain from actions or language via email, instant messaging, or any other online mode of communication that is harassing or threatening to others and which may be in violation of LPS' Bullying Prevention and Intervention Plan Policy. Users shall refrain from swearing, using vulgarities or any other inappropriate language or images.

## **7.0 Internet Safety**

- 7.1 Use of the Internet has potential dangers. All users are encouraged to read information that the Massachusetts Office of the Attorney General has published on Cyber Crimes and Internet Safety which is found on the Commonwealth of Massachusetts government website ([www.mass.gov](http://www.mass.gov)); search "Attorney General" to find the website of the Office of the Attorney General, where you will find "Cyber Crimes and Internet Safety" under "Community Safety" heading. Additionally, all students will participate in LPS' anti-bullying curriculum per LPS' Bullying Prevention and Intervention Plan Policy.
- 7.2 All users are granted individual accounts and agree to keep passwords secured. Users are responsible for their accounts, credentials, security codes, and passwords and will not share or allow others access to them. Users are responsible for keeping these secured and for reporting any suspected breach to the Building Principal.
- 7.3 Users will refrain from revealing private information (e.g., addresses, phone numbers) in any school-related electronic communications including communications via email, the internet, or other network tools. Specifically, all users should refrain from revealing personal or private information on any commercial or other internet media sharing site (e.g. Facebook; Myspace, chat rooms), particularly if these are not school sponsored or hosted sites. The system should not be used to meet or arrange to meet unknown people.
- 7.4 When accessing schools resources and data from any systems (including outside the LPS network), staff will use due caution to protect the privacy and integrity of student data.

7.5 LPS will continue to use filtering technologies to help control user's access to inappropriate internet content and websites while using our networks.

## **8.0 Data and Control**

8.1 LPS has the right to re-image any technology device as necessary.

8.2 LPS is responsible for the provision, installation and maintenance of all software and maintaining proper licensure.

8.3 No personal data or files may be stored on the local machine or network, which is the property of LPS.

8.4 The school district provides all users with network accounts and storage. It is the users' responsibility to insure that all files and data are stored on the network servers. The District conducts regularly scheduled backups to prevent against loss or corruption. However, the school district cannot guarantee that all information can be recovered in the event of a catastrophic failure.

8.5 The district maintains a disaster recovery plan to insure against loss of data and or services.

8.6 Responsibility for backing up any hand held or mobile device issued to a school district user falls upon the user. The District is not responsible for providing backups for these devices.

## **9.0 Hardware/Software**

9.1 Any and all equipment issued by LPS for use by any user must be treated with due care. We are all responsible for ensuring equipment is not damaged or stolen. Abuse, damage or improper use should be reported immediately to the Building Principal and the Director of Technology.

9.2 Any LPS owned (or leased) computer or device (including but not limited to laptop computers, netbooks, iPods, iPads, projectors, digital cameras, hand held devices, etc.) that are to be taken off the building premises may be checked out of the library (with standard lending agreements in place) or loaned from the building or district office when (and only when) there is a signed agreement in place which specifies responsibilities and care for the device.

9.3 Any and all issues or problems related to any hardware, software, system or network must be reported to the technology department using the LPS reporting system.

9.4 LPS does not provide technical support for equipment brought in

from the outside by any user.

- 9.5 Users understand that the district accepts no liability or responsibility for outside equipment brought into the system.
- 9.6 The District reserves the right to confiscate or disable any outside equipment that interferes with the operation of the network, systems, or provided services.
- 9.7 LPS is not responsible under any circumstances for damage to, or loss of, equipment brought in from the outside.

## **10.0 Violations**

- 10.1 Access to LPS's technology systems is a privilege not a right. LPS reserves the right to deny, revoke, or suspend specific user privileges and/or to take disciplinary action up to, and including, suspension, expulsion (students), and dismissal (staff) for violations of this policy.
- 10.2 LPS will advise appropriate law enforcement agencies of any illegal activities conducted using LPS's technology systems. LPS also will cooperate fully with local, state and/or federal officials in any investigation related to any illegal activities conducted through the LPS computing system.

Leg. Ref:

Children's Internet Protection Act (CIPA) 47 USC §254

Copyright Law 17 U.S.C. Section 107

Policy Ref:

Bullying Prevention and Intervention Plan Policy

Harassment



# Medication Policy

*Date Approved by School Committee: May 31, 2011*

- I. The Lexington Public Schools (LPS) follows regulations under the Massachusetts Department of Public Health 105 CMR 210.000: THE ADMINISTRATION OF PRESCRIPTION MEDICATIONS IN PUBLIC AND PRIVATE SCHOOLS and the Massachusetts Department Board of Registration of Nursing regulations. The LPS physician and the LPS nurse leader shall supervise the medication administration program and develop and oversee procedures to administer such a program. Nursing staff shall establish a record-keeping program for each student requiring medication.
- II. The school nurse shall develop with parents/guardians a medication administration plan for each student requiring such medication administration. Provision for medication administration during field trips and other short-term special school events shall be a part of the plan. Nurses will not delegate medication administration for out-of-state field trips. Epinephrine is administered only in accordance with a written medication administration plan developed by the school nurse and updated annually.
- III. A student may be responsible for self-administration of his or her own medication upon meeting certain requirements established by procedures in (I).
- IV. Alternative therapies such as homeopathic, herbal, and nutritional supplements will only be administered when there is a written order from a Massachusetts licensed prescriber who is caring for the student. The school nurse may not administer any type of regimen if it is not approved by the FDA, in accordance with the Nurse Practice Act and 105 CMR 210.000.
- V. Medication errors – Failure to administer medication according to the prescribed order will be reported to the parent and the LPS nurse leader as procedure established in (I).

# Policy: Non-Resident Students

*Date Approved by School Committee: January 1996*

## I. Background

Eligibility for enrollment in the Lexington Public Schools is governed by Mass. General Laws, Chapter 76. Except as provided for in collective bargaining agreements, the School Choice Law, the METCO Plan, the McKinney Homeless Act or as provided below, the Lexington Public Schools will not admit students who do not actually reside in the town of Lexington.

Residence is defined as sleeping in the town of Lexington for at least four (4) nights per week.

## II. Application

### 1. Attendance by arrangement with another school committee:

The Superintendent may make arrangements with a neighboring community for a Lexington pupil to attend school in that community or for a student from another community to attend school in Lexington in the following circumstances:

- (a) the student requires special education pursuant to Mass. Gen. Laws, c. 71B (Chapter 766) and/or related federal laws;
- (b) a student moves to or from Lexington after the beginning of the school year and requests permission to complete the year in his/her former place of residence;
- (c) a student entering his/her senior year of high school who moves to or from Lexington and requests permission to attend school in his/her former place of residence during his/her senior year; or
- (d) a student is admitted to Lexington pursuant to an agreement with the school committee of the community in which the student resides. (See M.G.L. C 76 s. 12)

Such arrangements are contingent upon the respective school committees reaching mutually agreeable terms for such attendance, the payment of tuition and upon the availability of space as determined by the Superintendent of schools.

2. Students who reside in Lexington for the sole purpose of attending the Lexington Public Schools:

Students who take up residence in Lexington for the sole purpose of attending the Lexington Public Schools will be charged tuition which shall be set by the school committee (M.G.L. c. 76 s. 6).

Students who are admitted with “student visas” will be charged tuition unless they are admitted pursuant to a “foreign exchange program,” e.g., American Field Service (AFS) or ASSE International Student Exchange Program, which has been approved by the school committee prior to the time of enrollment. (See “Guidelines for Admission of Exchange Students”.)

Unless the student is enrolled pursuant to a “foreign exchange program” approved by the School Committee, Lexington will not participate in the application process required for a student visa.

#### Legal References:

Mass. Gen. Laws, c. 76, s 6

Mass. Gen. Laws, c. 76, s 12

Mass. Gen. Laws, c. 76, s 12A

Mass. Gen. Laws, c. 76, s 12B

Mass. Gen. Laws, c. 71, s 6A

# Parental Notification Relative to Sex Education Policy

*Date Approved by School Committee: July 17, 1997*

## I. Purpose and Scope

In accordance with Massachusetts General Laws, Chapter 71, s. 32A, the Lexington Public School Committee has adopted the following policy relating to the rights of parents and guardians of our students in relation to curriculum that primarily involves human sexual education or human sexuality issues.

## II. Application

The Lexington Public Schools afford parents or guardians the flexibility to exempt their children from that portion of the curriculum that specifically involves human sexual education or human sexuality issues. Parents must request the exemption in writing to the school principal. No child so exempted shall be penalized by reason of such exemption.

Students who are exempted from that portion of the curriculum specifically involving human sexual education or human sexuality issues will be assigned related coursework and material to occupy the exempted curricular time. Students will be responsible for course materials and performance criteria as determined by state mandated assessments and local school district requirements.

At the beginning of the course the school will inform parents/guardians, in writing, about curriculum that primarily involves human sexual education or human sexuality issues. This notice will include the topics covered in the course as well as the course requirements, expectations and methods of assessment. Parents/guardians will be required to sign the notice and return it to their child's teacher as part of that course's requirements.

To the extent practicable, program instruction materials for said curricula will be made reasonably accessible to parents, guardians, educators, school administrators, and others for inspection and review.

## III. Background

Upon formal adoption by the Lexington School Committee this written policy will be distributed and made available to each principal in the district by September first, nineteen hundred and ninety-seven, and each year thereafter. Each principal will then include this policy with any other school policies that are made available to parents.

# Site-Based School Councils Policy

*Date Approved by School Committee: February 1994*

## I. Background

This policy is designed to implement the provisions of Chapter 71 of the Acts of 1993, Section 53, which requires the establishment of Site-Based School Councils in all of the public schools in the Commonwealth of Massachusetts.

The Lexington School Committee supports and encourages the intent and purpose of Site-Based School Councils. The Committee believes that parents, teachers, high school students and other members of the community working collaboratively to assist the principal will enhance the education of all the children in Lexington. In fulfilling their statutory responsibility, Site-Based School Councils should adopt a leadership role in creating a climate in the schools in which faculty, parents, administrators, students (where appropriate), and other community participants, working together, share responsibility for school improvement, better student performance, increased satisfaction among professional educators and greater commitment to, and involvement with, parents and the broader community.

While the School Committee supports the attempt to foster a collaborative effort at the local school level, it also recognizes its responsibility to provide a common direction for all the students in Lexington, regardless of which school they attend. To that extent, it is the expectation of the Lexington School Committee that Site-Based School Councils, when developing school improvement plans, will address the areas contained within the Reform Act in the context of the system-wide goals, known as the core values of the school system.

The purposes of the Site-Based School Councils are to:

- 1) assist the principals in adopting educational goals for the schools;
- 2) assist principals in the identification of the educational needs of the students;
- 3) assist principals in the review of the annual school budget; and
- 4) assist principals in the formulation of a school improvement plan.

## II. Application

### **Membership**

Each Site-Based School Council will be composed of the school principal who will serve as co-chair; teachers elected by the professional staff of the school; parents elected from a process identified by the school parent-teacher association in consultation with the principal; non-parent community persons recruited by the principal; support staff, including custodians, secretaries, and aides; and at the secondary level, at least one student elected by the student council. The number of parents has to equal the number of teachers plus the principal. The selection/election of parents, staff, students and other community members should produce a council that is broadly representative of the racial and ethnic diversity of the school building and the community.

Each Site-Based School Council shall determine its own procedure for electing members, provided that the procedure shall be approved initially by the Superintendent. A term of office is either two (2) years or (3) years, with each Site-Based School Council having the prerogative to decide term lengths. Members may serve, but are not limited to, two (2) consecutive terms in office. After a lapse of at least two years (one term), former members are eligible for re-election. Provisions for staggering terms and conditions for re-election should be considered.

### **Meeting Procedures**

At the first meeting of a council, a member will be elected to serve as co-chair with the principal. All meetings are to be conducted according to the requirements of the Open Meeting Law. In addition, an agenda for each meeting, prepared by the co-chairs, will be provided to the council members and posted prior to the meeting date. Every effort will be made to inform the parent community of the agenda prior to the meeting in a timely manner. The Superintendent, any member of the staff, any parent, any student, or any member of the council who wishes to have an item included on an agenda may request its inclusion to the principal no later than three days prior to the meeting. Any item of interest may be placed on the council's agenda, and the council will decide whether individual items will actually be discussed. All meetings will be conducted in accordance with the prepared agenda. Decisions should be reached only on agenda items; other issues may be brought up for discussion, but decisions should not be reached on them until they are formally placed on a future agenda. Minutes of each meeting should be available for distribution to the school community. The official records for each school council meeting will be kept at the school.

**School Improvement Plans/Educational Goals**

The principals, in consultation with Site-Based School Councils and subject to approval by the Superintendent, shall adopt educational goals for the schools and shall formulate a school improvement plan to advance such goals. Each school's educational goals must include the student performance standards adopted by the Massachusetts Board of Elementary and Secondary Education and, consistent with any educational policies established for the district, shall assess the needs of the school in light of these goals. The school improvement plan also shall be consistent with the system-wide goals/core values.

The plan shall identify ways to meet the diverse learning needs of children; the establishment of a welcoming school environment characterized by tolerance and respect for all groups' professional learning for the school community; the allocation of resources toward enhancement of parental involvement in the life of the school; safety and discipline; extra-curricular activities; and such further subjects as the principal, in consultation with the Site-Based School Council, shall consider appropriate.

Each school improvement plan shall be submitted to the School Committee for review and approval every year. If the school improvement plan is not reviewed by the School Committee within thirty days, the plan shall be deemed to have been approved.

**Training**

The School Committee will include in its annual budget a plan to train members of Site-Based School Councils. Training will be arranged by a system-wide Steering Committee whose purpose will be to support and encourage the continued operation of Site-Based School Councils. The Steering Committee shall be composed of the Superintendent or his/her designee, the President of the teachers' association or his/her designee, and a member of the School Committee. They shall jointly appoint up to four additional members representing school principals, teachers, parents, and community members. Steering committee members may serve up to two (2) consecutive two-year terms, with a possibility of re-election following a two-year absence from the Steering Committee.

In addition, the Steering Committee will coordinate and stimulate the flow of information among the councils and various stakeholders; review the overall implementation of school-based management in the context of the system-wide core values as well as the education reform law; distribute occasional newsletters and informational items to Site-Based School Councils; and provide technical assistance to the councils as requested.

# Student Transfer Policy

*Date Approved by School Committee: April 1994*

The Lexington Public Schools recognizes there are situations where, in the best interest of a student, he/she should be transferred to an out-of-district school. Transfers may be made when (1) a student with special needs requires placement in a program provided in an out-of-district school; or (2) when a change in a student's social or learning environment is likely to achieve significantly improved conditions for adjustment and/or learning (to ameliorate conditions apparently aggravating emotional, psychological or behavioral problems). To effect a transfer, space must be available in the receiving program or classroom. Approval of any transfer request rests with the Superintendent of Schools.

Transfers are conditional and will be renewed annually, depending on space available in the years following the initial transfer. Parents will be informed in August of each year as to the possibility of continuation of the transfer. Even in circumstances where continuation appears likely, a new Transfer Request Form must be completed.

The School Committee reserves the right to reconfigure or redistrict schools based on student population and space availability. In the case of such redistricting, students must revert to their "home" districts and re-apply for transfers. Transportation will be the responsibility of the parents.

## **A. Special Needs Placements**

When a special education Team determines and agrees that a student on an Individualized Education Program (IEP) requires the services and supports of a special education program in the district that is not within his or her geocoded school, placement in another school may be recommended to meet his or her needs and allow the student to make effective progress. This placement will be reviewed each year, either at an annual or three year re-evaluation review of the IEP. Transportation is provided by the district, but parents or guardians may choose to transport their student.



## **B. Placements for Emotional Adjustments and/or Learning Needs**

A parent or staff member may request a transfer. Using the Request for Transfer Form, the person requesting the transfer will describe the nature of the need or problem, and the kind of learning environment thought to best meet the student's needs. All transfer requests will be reviewed and evaluated by the principals of the sending and receiving schools.

The receiving principal will send the Request for Transfer Form to the Assistant Superintendent for Business and Operations who will certify the space available in the receiving school and then send the form to the Superintendent of Schools for a final decision on the transfer request. If a transfer request is denied, parents will receive a written explanation of the reasons for the decision.

Parents seeking to transfer a child to an out-of-district placement must submit the Request for Transfer Form to the sending principal by May 15 of the year preceding the year of the desired transfer placement. Transfer requests will be honored insofar as student enrollments and classroom capacities allow. Parents will be notified of the acceptance or rejection of their transfer request as early as possible before the start of the school year.

Criteria to be used in making a decision about a transfer request include, but are not limited to the following: previous status as a transfer student, past school experiences, social and emotional development of the student, placement of siblings, family movement within Lexington, personal circumstances.

A parent may request his/her child remain in the assigned school when parents move within the town but out of that school's district. Such request will be automatically honored if the student is in or will be in his last year of school in an elementary or middle school, or to complete any one school year already begun. A transfer form must be processed even though the request will be approved automatically. It may be considered if the student has completed fourth grade in an elementary school, and the seventh grade in a middle school. The parent must present reasons supporting remaining in the former school district and the process will be followed as above.

For any student granted a transfer under the above, parents will be responsible for transportation to the out-of-district school. The Lexington School Committee cannot guarantee transportation for transfer students; however, if a school bus has room and can be boarded at a regular stop, a student may ride, after securing authorization from the Assistant Superintendent for Business and Operations. The selection of the receiving school is the decision of the Lexington Public Schools.

# School Transfer Requests

## Administrative Procedure for Requesting Transfers Between K-5 Schools

A parent or legal guardian of an elementary child may request a transfer from a class in his/her school district to an out-of-district school.

1. The application for out-of-district placement **MUST** be submitted to the Superintendent of schools **NO LATER** than May 15. Application forms are available at your elementary school and on our website.
2. Applications will be sorted into two lottery pools:
  - (a.) Requests to continue an out-of-district placement: Applications from parents whose children currently attend an out-of-district school will be considered first.
  - (b.) New, first-time requests for out-of-district placement: Applications from parents whose children currently attend a neighborhood school will then be considered only if there are still available spaces after the first lottery.
3. The following conditions will be evaluated and considered before a decision is made:
  - (a.) For parents whose children currently attend an out-of-district school — the out-of-district class size **MUST** not exceed the School Committee's recommended class size guidelines.

<b>School Committee's Recommended Class Size Guidelines</b>		<b>Maximum Class Size for Transfers</b>
Kindergarten	18 students	18
Grades 1 & 2	22 students	22
Grades 3, 4, & 5	24 students	24

If the transfer request creates an imbalance in the teacher/pupil ratio in excess of 3 students per class between the 2 schools, the request will be denied, except in such cases when the transfer of a student reduces the range of class sizes.

- (b.) For parents whose children currently attend a neighborhood school—the out-of-district class size **MUST** have at least 2 fewer students than the recommended class size guidelines.

<b>School Committee's Recommended Class Size Guidelines</b>		<b>Maximum Class Size for Transfers</b>
Kindergarten	18 students	16
Grades 1 & 2	22 students	20
Grades 3, 4, & 5	24 students	22

If the transfer request creates an imbalance in the teacher/pupil ratio in excess of 3 students per class between the 2 schools, the request will be denied, except in such cases when the transfer of a student reduces the range of class sizes.

4. All decisions will be made on a random basis, unless there is a substantial overriding social or educational consideration, which shall be determined by both the sending and receiving principals.
5. The Superintendent will notify parents/legal guardians of the final decision, in writing, by August 1.
6. Once an out-of-district placement has been approved for a given year, the parent or guardian must make an annual application in order to keep his/her child in the out-of district school. Each year, the transfer request will be decided based on the above mentioned criteria.
7. Once the out-of-district placement has been approved, the parent or legal guardian accepts responsibility for providing transportation to and from school. If space is available on an existing route, a transfer student may be allowed to ride the bus; however, no special bus routing will be established and the parents must pay for the bus seat.

March 2007

# Conduct and Discipline Policy

The Lexington Public Schools strive to provide all students with a quality education in a safe school environment. Students are expected to conduct themselves in a manner which promotes a safe, orderly learning environment within the schools and may be subject to disciplinary action up to and including the possibility of expulsion for serious offenses if they fail to do so. In imposing disciplinary action, school staff should consider the need to maintain or restore an orderly learning environment, the overall disciplinary record of the individual student, and the need to improve the student's behavior where appropriate. Because effective discipline involves the participation of staff, parents or guardians, and students, school officials are required to contact parents or guardians of students under age 18 for offenses of this discipline policy which may result in students' suspension or expulsion.

A student whose safety or learning at school is jeopardized by other students is expected to report the matter to a professional staff member. Retaliation in any form against a person who makes a complaint is forbidden. Staff members who are aware of disruptive students should take appropriate action, including immediately reporting matters which cannot be appropriately handled in the classroom to the school administration.

## I. Procedural Due Process

A student will not be excluded from school without being afforded appropriate due process as set forth below. If, however, a student's continued presence in school poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the administrator's judgment there is no alternative available to alleviate the danger or disruption, a student who is charged with a disciplinary offense may be removed temporarily from school before receiving due process pursuant to an Emergency Removal (see below for more information).

### **Suspensions**

Suspensions may be short term or long term. Short term suspension means the removal of a student from the school premises and regular classroom activities for ten (10) consecutive school days or less. Long term suspension means the removal of a student from the school premises and regular classroom activities for more than ten (10) consecutive

school days, or for more than ten (10) school days cumulatively for multiple disciplinary offenses in any school year.

Suspensions may also occur in-school or out-of-school. In-school suspension is the removal of a student from regular classroom activities, but not from the school premises, for no more than ten (10) consecutive school days, or no more than ten (10) school days cumulatively for multiple infractions during the school year. Long-term suspension means the removal of a student from the school premises and regular classroom activities for more than ten (10) consecutive school days, or for more than ten (10) school days cumulatively for multiple disciplinary offenses in any school year. A principal may, in his/her discretion, allow a student to serve a long-term suspension in school.

During the course of any suspension, a student is ineligible to participate in any school-related activities, including athletic activities. The student and his/her parents are expected to meet with a school administrator prior to the student's return to class. During the course of an out-of-school suspension, a student may not be on school premises.

### **I. In-School Suspension**

An in-school suspension is a removal of a student from regular classroom activities, but not from the school premises. The procedure for an in-school suspension of no more than (10) school days (consecutive or cumulatively for multiple infractions during the school year) will be as follows:

1. The administrator will inform the student of the disciplinary offense charged, the basis for the charge, and provide the student an opportunity to respond. If the administrator determines that the student committed the disciplinary offense, the administrator will inform the student of the length of the student's in-school suspension, which may not exceed 10 days, cumulatively or consecutively, in a school year.
2. On the same day as the in-school suspension decision, the administrator will make reasonable efforts to notify the parent orally of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension. The administrator will also invite the parent to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. Such meeting will be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the administrator is un-

able to reach the parent after making and documenting at least (2) attempts to do so, such attempts will constitute reasonable efforts for purposes of orally informing the parent of the in-school suspension.

3. The administrator will send written notice to the student and parent about the in-school suspension, including the reason and the length of the in-school suspension, and inviting the parent to a meeting with the principal for the purpose set forth above, if such meeting has not already occurred. The administrator will deliver such notice on the day of the suspension by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or by other method of delivery agreed to by the administrator and the parent.

An in-school suspension of more than 10 cumulative days in a school year will be subject to the procedures for long-term suspension found at page 71.

The Principal may remove a student from privileges, such as extracurricular activities and attendance at school-sponsored events, based on the student's misconduct. Such a removal is not subject to such due process procedures.

## **II. Short Term, Out-of-School Suspension**

Except in the case of an Emergency Removal (see below), prior to imposing a short term out-of-school suspension (10 days or less in a school year) for conduct not covered by M.G.L. c. 71, §37H and 37H ½, an administrator will provide the student and his/her parent oral and written notice and an opportunity to participate in an informal hearing.

1. Notice: The written notice to the student and the parent will be in English and in the primary language of the home if other than English, or other means of communication where appropriate and will include the following:
  - a) the disciplinary offense;
  - b) the basis for the charge;
  - c) the potential consequences, including the potential length of the student's suspension;
  - d) the opportunity for the student to have a hearing with the administrator concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident, and for the parent to attend the hearing;
  - e) the date, time, and location of the hearing;

- f) the right of the student and the student's parent to interpreter services at the hearing if needed to participate;

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

2. Efforts to Involve Parent: The administrator will make reasonable efforts to notify the parent of the opportunity to attend the hearing. To conduct a hearing without the parent present, the administrator must be able to document reasonable efforts to include the parent. The administrator is presumed to have made reasonable efforts if the administrator has sent written notice and has documented at least two (2) attempts to contact the parent in the manner specified by the parent for emergency notification.
3. Format of Hearing: The administrator will discuss the disciplinary offense, the basis for the charge, and any other pertinent information. The student also will have an opportunity to present information, including mitigating facts, that the administrator should consider in determining whether other remedies and consequences may be appropriate. The administrator will provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the administrator should consider in determining consequences for the student.
4. Decision: The administrator will provide written notice to the student and parent of his/her determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal. The notice of determination may be in the form of an update to the original written notice of hearing.

### III. Long-Term Suspension

Except in the case of an Emergency Removal, prior to imposing a long-term suspension (more than ten days of suspension, whether in-school or out-of-school, whether consecutive or cumulative for multiple offenses during a school year), an administrator will follow the procedures for short-term suspension plus additional procedures as follows:

1. Notice: The notice will include all of the components for a short-term suspension in Section C above, plus the following:
  - a) In advance of the hearing, the opportunity to review the student's record and the documents upon which the administrator may rely in making a determination to suspend the student or not;
  - b) the right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense;
  - c) the right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so;
  - d) the right to cross-examine witnesses presented by the school district;
  - e) the right to request that the hearing be recorded by the administrator, and a copy of the audio recording provided to the student or parent upon request; and
  - f) the right to appeal administrator's decision to impose long-term suspension to the superintendent.
2. Format of Hearing: The Hearing will afford the rights set forth in the notice above. The administrator will also provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the administrator should consider in determining consequences for the student.
3. Decision: Based on the evidence, the administrator will determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to long-term suspension, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension. The administrator will send the written determination to the student and parent by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or any other method of delivery agreed to by the school and the parent. If the administrator decides to suspend the student on a long-term basis, the written determination will:
  1. Identify the disciplinary offense, the date on which the hearing



- took place, and the participants at the hearing;
2. Set out the key facts and conclusions reached;
  3. Identify the length and effective date of the suspension, as well as a date of return to school;
  4. Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school (if more than 10 cumulative days);
  5. Inform the student of the right to appeal the administrator's decision to the Superintendent or designee. Notice of the right of appeal will be in English and the primary language of the home if other than English, or other means of communication where appropriate, and will include the following information stated in plain language:
    - a) the process for appealing the decision, including that the student or parent must file a written notice of appeal with the Superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent may request and receive from the Superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days; and that
    - b) the long-term suspension will remain in effect unless and until the Superintendent decides to reverse the administrator's determination on appeal.

No long-term suspension will extend beyond the end of the school year in which such suspension is imposed.

#### **IV. Expulsion**

Students are subject to expulsion (i.e., permanent exclusion) by the Principal for the conduct listed below. (See also, M.G.L. ch. 71, §§37H at page 73)

- Possession of a dangerous weapon\*
- Possession of a controlled substance (such as marijuana, cocaine, or prescription drugs not authorized by the school nurse)
- Assault on teachers, administrative staff or other educational personnel

\* This includes not only knives and guns, explosive devices and realistic replicas of such weapons/devices, but also other objects used to assault another person or to otherwise create a dangerous situation, such as a baseball bat, a pair of scissors, matches or a lighter. While such objects

would not always constitute “dangerous weapons”, administrators and educational professionals will review the circumstances of each case and make a reasonable determination about whether a particular object in a student’s possession constitutes a dangerous weapon in the school setting. Any illegal weapon will be turned over to the Police Department. Any student who brings a firearm to school must be expelled for a minimum of one school year, with exceptions granted only by the Superintendent. (The definition of a firearm includes but is not limited to guns (including a starter gun), bombs, grenades, rockets, missiles, mines and similar devices.)

Students are also subject to long term suspension/expulsion by the Principal when charged/convicted of a felony based upon the standards and procedures set forth in M.G.L. c.71, §37H½.

Any student who is removed from school for a disciplinary offense under G.L. c. 71, §37H or §37H½ for more than ten consecutive days will have an opportunity to receive educational services and make academic progress during the period of removal under a school-wide education service plan, and will be so informed at the time of the suspension/expulsion.

#### **V. Procedures Applicable To Conduct Covered by M.G.L. C. 71, §37H AND 37H ½**

When considering the exclusion of a student from school for possession of a dangerous weapon, possession of a controlled substance (such as marijuana, cocaine, or prescription drugs not authorized by the school nurse), or assault on teachers, an administrator may place a student on short term suspension (ten days or less) based upon an informal hearing, to be followed by a formal hearing before the Principal within that period of suspension to determine whether to take additional disciplinary action, up to and including expulsion from school.

- 1 The informal hearing will be in the form of a conference between the student and the principal or designee. At this conference, the student (1) shall be informed of the reason for the conference, (2) shall be given the opportunity to present his or her side of the story, and (3) shall be given a decision on the suspension. If the administrator deems delay of the hearing necessary to avoid danger or substantial disruption, this process may occur immediately after, rather than before, the suspension.
- 2 Prior to putting a suspension into effect, the Principal or designee

shall make a reasonable effort to telephone and inform the student's parent or guardian of the impending suspension; this shall include attempts to contact the parents or guardian at home and at work. Parents may contact the school for additional information regarding the suspension.

3. A letter will be mailed to the parent/guardian of the suspended student stating:
  - a) The reason for the suspension
  - b) A statement of the effective date and duration of the suspension
  - c) A statement regarding whether or not the Principal will schedule a formal hearing to consider further discipline, up to and including expulsion from school in accordance with M.G.L. c. 71, §37H

When considering a suspension/expulsion of a student charged with/convicted of felony, the Principal will use the standards and procedures set forth in M.G.L. c.71, §37H1/2. In addition, prior to initiating such procedures, the Principal may meet informally with the student and/or his parents to review the charge and the applicable standards if the Principal deems appropriate.

## **VI. Exception for Emergency Removal**

Notwithstanding the provisions for short or long-term suspension set forth above, a student who is charged with a disciplinary offense may be removed temporarily from school if the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the administrator's judgment, there is no alternative available to alleviate the danger or disruption.

The administrator will immediately notify the superintendent in writing of the removal and the reason for it, and describe the danger [or disruption] by the student.

The temporary removal will not exceed two (2) school days following the day of the emergency removal, during which time the administrator will provide the following, as applicable to the length of suspension:

- Make immediate and reasonable efforts to orally notify the student and the student's parent of the emergency removal, the reason for the need for emergency removal, and other applicable matters;
- Provide written notice to the student and parent as provided in Section C or D above, as applicable;
- Provide the student an opportunity for a hearing with the admin-

istrator, as applicable, and the parent an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the administrator, student, and parent.

- Render a decision orally on the same day as the hearing, and in writing no later than the following school day.

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

## **VII. Appeal to the Superintendent**

If a decision by an administrator, following the parent meeting, results in suspension of a student for more than 10 cumulative school days for the school year, the student may appeal the decision to the superintendent. In order to do so the student or parent must file a notice of appeal with the Superintendent within five (5) calendar days with a seven (7) day postponement option. The superintendent must hold the hearing within three (3) school days of the student's request, unless the student or parent requests an extension of up to seven (7) additional calendar days. If the appeal is not filed within this time frame, the Superintendent may deny the appeal, or may allow the appeal in his or her discretion, for good cause.

The following apply:

- The Superintendent will make a good faith effort to include the parent in the hearing. The superintendent will be presumed to have made a good faith effort if he or she has made efforts to find a day and time for the hearing that would allow the parent and Superintendent to participate. The Superintendent will send written notice to the parent of the date, time, and location of the hearing.
- The Superintendent will conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence will be. The Superintendent will arrange for an audio recording of the hearing, a copy of which will be provided to the student or parent upon request. The Superintendent will inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent upon request.
- The student will have all the rights afforded the student at the administrator's hearing for long-term suspension as described in Section D above.

- The Superintendent will issue a written decision within five (5) calendar days of the hearing which meets the requirements for a long-term suspension as described in Section D above. If the superintendent determines that the student committed the disciplinary offense, the superintendent may impose the same or a lesser consequence than the administrator, but will not impose a suspension greater than that imposed by the administrator's decision.

The decision of the Superintendent constitutes the final decision of the school district.

### **VIII. Dangerous Weapons, Controlled Substances & Assaults on Educational Staff**

Massachusetts General Laws Chapter 71, section 37H requires that all student handbooks contain the following provisions:

- (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 a knife; or a controlled substance as defined in chapter ninety-four C, including, but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from the school or school district by the principal.
- (b) 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.
- (c) Any student who is charged with a violation of either paragraph (a) or (b) shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the principal.

After said hearing, a principal may, in his discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraph (a) or (b).

- (d) 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.

- (e) Any school district that suspends or expels a student under this section shall continue to provide educational services to the student during the period of suspension or expulsion under section 21 of chapter 76. If the student moves to another district during the period of suspension or expulsion, the new district of residence shall either admit the student to the school or provide educational services to the student in an education service plan, under section 21 of chapter 76.

**Students should note that the definition of “assault” includes not only harmful or offensive contact, but also threatening such contact.**

**Additionally, students should be aware that the federal Gun Free Schools Act mandates that any student who brings a firearm to school be expelled for a minimum of one year, with exceptions granted only by the Superintendent. Under this Act, a firearm includes not only a gun but also an explosive device.**

## **IX. Felony Complaints or Convictions**

Massachusetts General Laws Chapter 71, section 37H 1/2 provides that:

- (1) 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 or headmaster of a school in which the student is enrolled may suspend such student for a period of time determined appropriate by said principal or headmaster if said principal or headmaster determines that the student’s continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and the reasons for such suspension prior to such suspension taking effect. The student shall also receive written notification of his right to appeal and the process for appealing such suspension; provided, however, that such suspension shall remain in effect prior to any appeal hearing conducted by the superintendent.

The student shall have the right to appeal the suspension to the superintendent. The student shall notify the superintendent in writing of his request for an appeal no later than five calendar days follow-

ing the effective date of the suspension. The superintendent shall hold a hearing with the student and the student's parent or guardian within three calendar days of the student's request for an appeal. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The superintendent shall have the authority to overturn or alter the decision of the principal or headmaster, including recommending an alternate educational program for the student. The superintendent shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the city, town or regional school district with regard to the suspension.

- (2) 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 or headmaster of a school in which the student is enrolled may expel said student if such principal or headmaster determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and reasons for such expulsion prior to such expulsion taking effect. The student shall also receive written notification of his right to appeal and the process for appealing such expulsion; provided, however, that the expulsion shall remain in effect prior to any appeal hearing conducted by the superintendent.

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

- (3) Any school district that suspends or expels a student under this section shall continue to provide educational services to the student during the period of suspension or expulsion under section 21 of chapter 76. If the student moves to another district during the period

of suspension or expulsion, the new district of residence shall either admit the student to the school or provide educational services to the student in an education service plan, under section 21 of chapter 76.

## II. Reporting Possible Crime to Police

When school staff have a reasonable basis for believing that a crime has been or is being committed by a student on school property or at school related events, such matters shall be reported to the police. Reportable crimes include, but are not limited to, possession of a controlled substance or dangerous weapon, assault, vandalism, stalking, and hazing.

## III. Special Education Laws

The discipline of a student who has been identified as having special needs pursuant to Chapter 766 or the Individuals with Disabilities Education Act (IDEA) is subject to the requirements of the student's Individualized Education Program. If it becomes apparent that a student identified as having special needs or referred for a special education evaluation may be excluded from school for a total of ten days in any school year (including both in-school and out-of-school suspensions), the student's special education TEAM must be convened prior to expulsion beyond the ten days and the requirements of Chapter 766 followed. (See Policy on Discipline of Students with Special Needs.)

The school principal shall comply with the requirements of Chapter 766 regulations in the case of regular education students. (Such Chapter 766 regulation currently states that the principal must consider referring for evaluation any regular education student who is suspended for more than five days during a school quarter and must inform the parent whether a referral is being made and of the parent's right to make such a referral.)



## IV. Prohibition of the Use of Tobacco Products Policy

*Date Approved by School Committee: June 18, 2002*

### Purpose and Scope

Use of any tobacco products within all school buildings, school facilities, school grounds, or school buses of the Lexington Public Schools by any individual is prohibited at all times.

A staff member determined to be in violation of this policy shall be subject to disciplinary action.

A student determined to be in violation of this policy shall be subject to disciplinary action pursuant to the student discipline code.

### Application

This policy shall be promulgated to all staff and students in appropriate handbook(s) and publications.

LEGAL REF: M.G.L. 71, §37H

## Student Records: Non-Custodial Parent

### Introduction

Under federal and state law, a divorced or separated parent has full access to his/her child's student records unless there is a court order, state statute, or legally binding document relating to matters such as divorce, separation or custody that specifically revokes this right. The Massachusetts legislature recently passed a statute (Mass. Gen. L. ch. 71, §34H) that is designed to standardize the process by which public schools provide copies of student records to parents who do not have physical custody of their children ("non-custodial parents"). Non-custodial parents who want copies of their children's student records must submit a written request to the school principal as described below.

**(5) Access Procedures for Non-Custodial Parents as required by M.G.L. c. 71, § 34H, is described below:**

- (a) A non-custodial parent is eligible to obtain access to the student record unless:
  - 1. the parent has been denied legal custody or has been ordered to supervised visitation, based on a threat to the safety of the student and the threat is specifically noted in the order pertaining to custody or supervised visitation, or
  - 2. the parent has been denied visitation, or
  - 3. the parent's access to the student has been restricted by a temporary or permanent protective order, unless the protective order (or any subsequent order modifying the protective order) specifically allows access to the information contained in the student record, or
  - 4. there is an order of a probate and family court judge which prohibits the distribution of student records to the parent.
- (b) The school shall place in the student's record documents indicating that a non-custodial parent's access to the student's record is limited or restricted pursuant to 603 CMR 23.07(5)(a).
- (c) In order to obtain access, the non-custodial parent must submit a written request for the student record to the school principal.
- (d) Upon receipt of the request the school must immediately notify the custodial parent by certified and first class mail, in English and the primary language of the custodial parent, that it will provide the non-custodial parent with access after 21 days, unless the custodial parent provides the principal with documentation that the non-custodial parent is not eligible to obtain access as set forth in 603 CMR 23.07 (5)(a).
- (e) The school must delete all electronic and postal address and telephone number information relating to either work or home locations of the custodial parent from student records provided to non-custodial parents. In addition, such records must be marked to indicate that they shall not be used to enroll the student in another school.
- (f) Upon receipt of a court order that prohibits the distribution of information pursuant to G.L. c. 71, §34H, the school shall notify the non-custodial parent that it shall cease to provide access to the student record to the non-custodial parent.

Regulatory Authority:

603 CMR 23.00: M.G.L. c. 71, 34D, 34E

## Transportation Services

In keeping with the mandates of the Commonwealth of Massachusetts relative to the transportation of students to and from school, the Lexington Public Schools has established the following criteria for the implementation of the Lexington Public Schools' Transportation Policy:

1. K-6 students living more than two miles from their district school, as measured from the center line in front of the homeowner's property to the official school bus drop area, will be transported at Town expense.
2. K-6 students who live two miles or less from their school and ALL students in Grades 7-12 will NOT be transported at Town expense. Those students wishing to ride the school bus must purchase a bus pass according to the fee schedule, payable in advance, and for the entire year. One-way tickets are not available. The only exceptions to this rule are for those students whose Individualized Education Plan (IEP) requires special transportation, and those who have been approved for financial assistance. Financial Assistance Applications are available for consideration for ALL student fees associated with the Lexington Public Schools including transportation.
3. Students will be picked up and dropped off at organized bus stops; door-to-door service is not available.
4. Once a child boards the bus, and only at that time does he or she become the responsibility of the school district. Such responsibility shall end when the child is delivered to the regular bus stop at the close of the school day. The parent/guardian is responsible for behavior and safety of the student between the residence and the designated bus stop, while waiting at the bus stop, and the afternoon drop off.
5. Only children possessing bus passes may ride on a bus. For liability purposes, as well as safety issues, students may only ride their assigned bus. Transporting to social events, daycare or religious classes is not permitted. We offer a second pass (based on space availability) to students with two households. (The cost is referenced in the fee structure of the program.)
6. All Town paid and fee-based students are issued a bus pass that they must show each day upon entering the bus. The pass entitles students a school bus ride to and from school. In the event a student loses a bus pass, a duplicate pass may be obtained from the Transportation Office for a fee.

7. A student who allows another student to use his/her bus pass or sells his/her bus pass is subject to having bus privileges revoked for the remainder of the year or the remainder of the time as a student in the Lexington Public Schools.
8. Registration of students on bus routes will not exceed the legally allowed limits for which the bus is licensed. This assumes three to a seat in most if not all seats.
9. Students who opt to purchase a pass later in the year, provided space is available on the bus, will be required to pay the full dollar amount.

## Regulations for Bus Students

### **At School**

- Walk to the bus line when bus is called, not before.
- Walk to the bus behind the adult leading the line.
- There is no giving or taking cuts. No “back cuts.”
- Keep on the sidewalk while walking to the bus.
- When you have questions about your bus, see your teacher, an aide, or the principal.

### **At Your Bus Stop**

- Arrive at your bus stop on time.
- Pupils shall stand on the sidewalk or another designated place while waiting for the school bus. They shall respect other people’s property, respect the right of other people to pass on the sidewalk, and display manners that indicate consideration and safety for others.
- Pupils shall never approach a school bus until it has completely stopped and the door is opened. In boarding the bus, they should proceed in an orderly manner, single file. Younger students should board and alight first from the bus.
- In crossing the roadway after alighting from the bus, cross only in front of the bus when the blinking lights are on and the stop sign is extended. Pass at least 10 feet in front of the bus and look for traffic in both directions before crossing the roadway. Never run beside

a bus, chase after a bus, or pick up anything that has fallen near the wheels of a bus.

### **On Your Bus**

- All students are issued a bus pass that they must show each day upon entering the bus. A student who allows another student to use his/her bus pass or sells his/her pass is subject to having the bus pass privileges revoked.
- The bus driver has full authority as well as responsibility for control of the conduct of pupils while they are on the bus. Pupils should not annoy the operator or distract his/her attention from driving. The bus drivers should be treated with courtesy and respect at all times.
- The safety of students, and particularly those who suffer from life threatening allergies, is a major concern. It is because of this that food (including any type of candy or gum) and drinks are strictly prohibited from consumption on the school bus. All food, drink, and candy must remain contained while on the school bus.
- Vandalism, destruction, or defacing of property will not be tolerated.
- Pupils who witness the destruction of property have a responsibility to report such misbehavior to the driver or school authorities.
- Due to the width of the school bus aisle (12" at the knees and 15" at the waist/chest) and the height of the seat backs (44" from the floor to the top of the seat back), no large instruments (e.g., cellos, French horns), large projects or large objects may be brought on the bus. In addition, a child must be able to carry and contain any and all items between his/her legs or on his/her lap. Cellos, French horns, large projects, or other large objects cannot be accommodated in the one seat in which a child is sitting.
- Do not block the aisle.
- Find a seat quickly. No saving seats.
- Two or three children permitted in a seat, no more.
- Stay seated while the bus is moving. Wait until the bus stops before getting up.
- Pupils shall not open windows without permission. Do not throw anything out of the window. Do not put your hands, arms, or any parts of your body out the window at anytime. Do not open the rear exit emergency door unless there is an emergency or the driver directs you.
- There shall be no pushing, striking, or general fooling. Pupils are not allowed to use profane or abusive language.

**Behavior**

The procedure for handling behavior problems, including bad language, on school buses shall be as follows:

- a. First Offense: A letter and the Bus Conduct Form shall be sent from the principal of the school or transportation coordinator to the parents of the student advising the parents of the offense.
- b. Second Offense: Bus privileges may be revoked for a two-week period, and parents shall be so notified by the principal of the school the student attends.
- c. Third Offense: Transportation privileges may be taken away from the student for the remainder of the year, and the parents shall be so notified by the principal of the school the student attends. There are no refunds if privileges are revoked.

In cases where a pupil's conduct jeopardizes the safety and well-being of other students, based upon the assessment of the driver, that pupil may be immediately excluded from the bus. Parents shall be notified by the Principal of the school the child attends.

A pupil who pays a fee for transportation and whose riding privileges are suspended because of a violation of rules will not receive a fee refund.

# Student Rights

## Right to Education

The Commonwealth of Massachusetts guarantees “an adequate publicly supported education to every child resident.” This right cannot be denied “on the basis of national origin, sex, economic status, race, religion, and physical or mental handicap.” Any person pregnant or married has the same right to an education.

In Massachusetts, a child between the ages of six and 16 is required by law to attend an approved educational institution unless legally excused. All persons from 3 through 21 have the right to an education to suit their individual needs as may be determined through an evaluation process. This process is designed to provide all children unable to function in the regular educational program with an educational plan suited to their special needs. This plan is created as a result of assessments made by psychologists, social workers, physicians, teachers and other professionals.

The evaluation process guarantees due process rights for parents, individualized educational plans, careful and non-discriminatory use of testing, and educational placements in the least restrictive settings. Questions about referrals and eligibility for support services should be directed to the school principal.

## Equal Educational Opportunity

Discrimination on account of sex is prohibited by the United States Constitution and federal law. In Massachusetts, the law is more comprehensive than the federal law. For example, Chapter 622 and its implementing regulations include in their coverage the prohibition of sex bias in instructional materials, an area not covered in the federal regulation. It is the policy of the Commonwealth of Massachusetts to afford all persons, regardless of race, color, sex, religion, national origin, economic status or handicap, equal rights and opportunities in the educational institutions within the State, as described by the guidelines of school policy.

## Freedom of Assembly

Students have the right to assemble peacefully. The Students Rights and Responsibilities Law guarantees “the right to assemble peaceably, with the responsibility to obtain prior approval of school officials.”

There is an appropriate time and place for the expression of opinions and

beliefs. Conducting or participating in demonstrations which substantially interfere with the operation of the school or classroom is prohibited. All student meetings in school buildings or on school grounds may function only as part of the formal educational process or as authorized by school authorities. Organizations that meet the above conditions are entitled to equal rights of peaceable assembly on school property.

## Freedom of Religion

It is the responsibility of the school to protect the religious freedom of students.

Students have the right to practice their own religious beliefs as long as they violate neither the constitutional rights of others nor the Supreme Court's prohibition on the school's extending the mantle of public sanction or support to any particular religion.

Students have the right to study, examine, discuss, and analyze religious ideas and institutions just as they might explore any other subject included in the curriculum of the Lexington Schools; therefore, the study of religion and religious holidays as an academic subject or as part of a foreign culture is appropriate.

## Patriotic Ceremonies

Certain rights and privileges pertaining to patriotic ceremonies are afforded by the First Amendment.

A student may decline to participate in the salute to the flag, the Pledge of Allegiance, and the singing of the National Anthem. The school may not force the student to leave the room or otherwise punish the student. Students who choose to refrain from participation have a responsibility to respect the rights and interest of others who do wish to participate in the ceremony. The student may refuse to perform the ceremony in a manner that will not disrupt the ceremony for other persons.

## Freedom of Expression

The First Amendment provides, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances." Not only is Congress prohibited from infringing upon rights guaranteed by this amendment, but also state officers and employees, school directors, superintendents, principals, and teachers.



The chief purpose of the First Amendment is to encourage a free expression and exchange of ideas however unusual, unpopular, distasteful, or radical, without threat of punishment or reprisal. This free expression and exchange is vital to education in a democracy.

Therefore:

Students have the right of freedom of expression, subject only to the responsibilities to keep such expression from disrupting the educational process, and to allow other points of view to be expressed.

Students also have the right to be free from dress codes, subject only to the responsibility to observe reasonable standards of health, safety and cleanliness.

Free speech and expression include not only the actual saying of words, but also symbolic speech such as the wearing of buttons, armbands, decals, and the like. (A student's right to exercise this freedom may not be limited merely because there is a hypothetical fear of disturbance).

Freedom of press includes not only the printing and distribution of a school newspaper, but also the printing and distribution of other newspapers, magazines, pamphlets, leaflets and other literature.

## Right to Privacy

Parents, students and former students are guaranteed the rights of confidentiality, inspection, amendment, and destruction of student records. Specifically:

A parent has the right to inspect the school records of his/her child;

A parent has the right to a hearing to contest records that are allegedly inaccurate, misleading, or in violation of the rights of privacy of the student;

Search of an area assigned to a student shall be made in the presence of a witness and, when reasonably possible, in the presence of the student;

Illegal items as defined by federal, state, or local law or a provision of this policy and which may reasonably be determined to be a threat to health, safety, or security of others may be seized by the school authorities and turned over to the police department; and

Items which are used to disrupt or interfere with the educational process may be temporarily removed from a student's possession.

## 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.

## Freedom from Corporal Punishment

While “reasonable” corporal punishment is permissible in certain other states, Massachusetts law clearly forbids it:

The power of the School Committee or of any teacher or 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 pupil.

The above statement, however, refers only to punishment. As the student has the right to protection from bodily harm, so do all other members of the community. Therefore, in instances where there is a need for a teacher, Principal, or other school official to defend himself or others, to divest a student of a dangerous instrument, or to prevent injury to property, reasonable force may be used. All acts and threats of physical violence are inconsistent with the maintenance of the humane institution and are prohibited.

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