

Section J

Students

JA	Student Policy Goals
JB	Equal Educational Opportunities
JE	Student Attendance
JEB	Entrance Age
JF	Student Admissions To/Withdrawals from School
JFABD	Education of Homeless Students
JFBB	School Choice
JFCJ	Dangerous Weapons
JH	Student Absences and Excuses
	<i>JH-E Student Absences and Excuses-Exhibit</i>
JHB	Truancy
JHD	Exclusions and Exemptions from School Attendance
JI	Student Rights and Responsibilities
JICA	Student Dress Code
JICB	Care Of School Property by Students
JICC	Student Conduct on Buses
	<i>(Also EEAEC)</i>
JICE	Student Publications
JICF	Gang Activity/Secret Societies
JICH	Student Use of Drugs, Alcohol and Tobacco
JICJ	Acceptable Use of Technology
	<i>(Also GBH)</i>
	<i>JICJ-R Ware Public Schools Access Release and Authorization Form-Regulation</i>
	<i>(Also GBH-R)</i>
JID	Students of Legal Age
JIH	Investigations and Searches
	<i>JIH-E Memorandum of Understanding: Protocol For The Reporting and Investigation of Civil Rights Violations and Other Crimes Within The Ware Public Schools-Exhibit</i>
JIJ	Guidelines for Canine Searches of Schools
JJA	Student Organizations
JJE	Student Fund-Raising Activities
JJF	Student Activity Agency Accounts

JJG	Contests for Students
JJH	Student Travel JJH-R <i>Student Travel-Regulation</i>
JJI	Athletics JJI-R <i>Athletics-Regulation</i> JJI-E <i>Parental Permission form Student Participation in Extra Curricular Activities-Exhibit</i> JJI-E-1 <i>Physical Examination form for Participation in Extra Curricular Activities-Exhibit</i>
JJIB	Interscholastic Athletics JJIB-E <i>Parental Permission form Student Participation in Extra Curricular Activities-Exhibit</i> JJIB-E-1 <i>Physical Examination form for Participation in Extra Curricular Activities-Exhibit</i>
JK	Student Discipline JK-R <i>Student Discipline-Regulation</i>
JKA	Corporal Punishment
JKB	Sex Offender Policy
JL	Reporting Child Abuse
JLA	Student Insurance Program
JLAB	Prohibited Activities and Equipment on School Property (Also KFAB)
JLB	Accident/Injury Policy (Also GBG) JLB-E <i>Ware Public Schools Accident/Injury Report Form For Students-Exhibit</i>
JLC	Physical Examinations of Students
JLCB	Inoculations of Students
JLCC	Communicable Disease
JLCCA	Aids (Acquired Immune Deficiency Syndrome) JLCCA-R <i>Aids (Acquired Immune Deficiency-Regulation)</i>
JLCCB	Pediculosis Capitis (Head Lice)
JLD	Guidance Program
JLIB	Student Dismissal JLIB-R <i>Student Dismissal-Regulation</i>
JP	Student Fees, Fines, and Charges
JRA	Student Records JRA-R <i>Student Records-Regulation</i>
JRD	Student Photographs

STUDENT POLICY GOALS

The student is the focal point of all operations of a school system. This top priority is shared with no one.

Consequently, the School Committee can expect to spend much of its time in study, deliberation, and policy formulation on matters directly related to students.

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

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

Adoption date: July 17, 1997

EQUAL EDUCATIONAL OPPORTUNITIES

In recognition of the diversified characteristics and needs of our students and with the keen desire to be responsive to them, the School Committee will make every effort to protect the dignity of the students as individuals. It also will offer careful consideration and sympathetic understanding of their personal feelings, particularly with reference to their race, creed, sex, religion, nationality, and physical and intellectual differences.

To accomplish this, the School Committee and its staff will make every effort to comply with the letter and the spirit of Massachusetts equal educational opportunities law (known as Chapter 622 of the Acts of 1971), which prohibits discrimination in public school admission and programs. The law reads as follows:

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

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

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

LEGAL REFS.: Title VI, Civil Rights Act of 1964
 Title VII, Civil Rights Act of 1964, as amended by the Equal
 Employment Opportunity Act of 1972
 Executive Order 11246, as amended by E.O. 11375
 Title IX, Education Amendments of 1972
 M.G.L. 76:5; 76:16 (Chapter 622 of the Acts of 1971)
 Board of Education Chapter 622 Regulations Pertaining to Access to
 Equal Educational Opportunity, adopted 6/24/75, amended 10/24/78

CROSS REFS.: ACAB – GBAA Subcategories for Sexual Harassment
 AC – ACA – ACE Subcategories of Nondiscrimination
 GBA – Equal Educational Opportunities

Adoption Date: July 17, 1997

Revision Date:

Last Date Reviewed:

STUDENT ATTENDANCE

The Ware School Committee believes that regular attendance is an essential requirement for an effective school experience. Only through daily instruction and interaction in learning activities does the School Committee believe that the legislative intent of the Massachusetts Department of Education and the personal and academic interests of all of the students in Ware will be met.

Attendance at school is expected every school day, unless extreme emergencies, personal illness or unusual weather prevents a student from attending. The Superintendent of Schools will establish regulations that ensures consistent treatment of all students who are absent from school. Such regulations will be published as a permanent part of the student handbook which is available to all students.

The Superintendent of Schools will be responsible for supervising an orderly record keeping system of student attendance and absences.

Adoption date: July 17, 1997

ENTRANCE AGE

In an attempt to permit children to enter kindergarten and first grade at the time most appropriate for them individually, the School Committee establishes the following policy on entrance age:

1. Children, who will be five years of age on or before September 1 of the school year during which they wish to enroll, will be eligible to enter kindergarten for that school year.
2. Children, who will be six (6) years of age on or before December 31 of the school year during which they wish to enroll, will be eligible to enter first grade for that school year.
3. The age limitations for kindergarten and first grader students will apply to students entering from other school systems even if they have attended those grades previously.
4. Initial admission of children to other grades will involve a consideration of both chronological age and the readiness of the children to do the work of those grades.
5. Children who will be five (5) years of age on or before December 31st of the school year during which they wish to enroll, will be eligible to request a waiver to enter Kindergarten for that school year by submitting a letter of request to the Superintendent.

Adoption Date: July 17, 1997
Revision Date: August 13, 2007
Last Date Reviewed:

LEGAL REFS.: M.G.L. Chapter 69, Section 1B
603 C.M.R. 8.01, 8.02, 8.03

STUDENT ADMISSIONS TO / WITHDRAWALS FROM SCHOOL

All students entering are required to be fully immunized according to Massachusetts State Health Laws (chapter 16, section 15). Children must present documented evidence of having been previously screened for lead poisoning as a condition for entry to kindergarten, in accordance with Massachusetts Department of Public Health Regulations. Parents/guardians are required to provide the school with written proof of immunizations with specific dates. All entering students must have a physical exam during the year of transfer, if not, they will have 2 weeks within which to get a physical.

Students entering from another school area are required to also have a transfer card from the sending school.

Parents/guardians of students withdrawing from school are requested to notify the school in person that withdrawal procedures may be initiated and completed. The parent will receive the transfer card and health record. It is necessary to notify the school in person, in order to avoid truancy. Upon request, academic records will be forwarded to the receiving school.

Adoption date: July 17, 1997

LEGAL REFS.: M.G.L. 15:1G; 76:1; 76:5; 76:15; 76:15A

REF.: Student Handbook

Education of Homeless Students

As required by the federal McKinney-Vento Homeless Education Assistance Act and to the extent feasible, the Ware Public Schools will work with homeless students and their families to provide stability in school attendance and other services. Homeless students will be provided any district services for which they are eligible, including but not limited to Head Start and comparable pre-school programs, other state and federal programs, special education, bilingual education, vocational and technical education programs, gifted and talented programs, and school nutrition programs. Homeless students may participate in any extracurricular and other school-sponsored programs, depending on specific eligibility requirements of such programs, except a requirement of permanent residence in the district.

The superintendent shall designate an appropriate staff person to be the district's liaison for homeless students and their families. This liaison's name and contact information will be available in the main office of each school, in the superintendent's office and on any printed material that provides information regarding education for homeless students.

LEGAL REF.: Title I, Part C of No Child Left Behind Act, 2002

1st Reading-Recommended For Revision: January 19, 2005
2nd Reading/Adoption of Revision: February 2, 2005

SCHOOL CHOICE

It is the policy of this school system to admit non-resident students under the terms and conditions of the Inter-district School Choice Law (M.G.L. 76:12) and under the following local conditions:

1. That by May 1 of every school year, the administration will determine the number of spaces in each school available to choice students.
2. That by June 1 of every school year, if consideration is being given to withdraw from the provisions of the choice law, a public meeting will be held to review this decision.
3. That resident students be given priority placement in any classes or programs within the school system.
4. That the selection of non-resident students for admission when the number of requests exceed the number of available spaces be in the form of a random drawing. There will be two drawings for this purpose. The first will take place during the last week of the current school year but no later than July 1st. The second will be conducted during the week immediately preceding the opening of the next school year and will be based on the possibility of unexpected additional openings.
5. Any student who is accepted for admission under the provisions of this policy is entitled to remain in the school system until graduation from high school except if there is a lack of funding of the program.
6. The School Committee affirms its position that it shall not discriminate in the admission of any child on the basis of race, color, religious creed, national origin, sex, age, sexual orientation, ancestry, athletic performance, physical handicap, special need academic performance or proficiency in the English language.

Adoption date: July 17, 1997

LEGAL REF.: M.G.L. 71:6; 71:6A; 76:6; 76:12; 76:12B

DANGEROUS WEAPONS

The Ware School Committee is concerned over the rising tide of violence in our society and prohibits the use of tobacco products, the possession or use of illegal substances, the possession of a dangerous weapon, and/or the use of force, vandalism or violation of other student's civil rights. These prohibitions pertain to use and/or possession within the school buildings, the school facilities, on the school grounds, or on school buses by any individual including school personnel.

"Illegal substances" are defined as controlled substances including, but not limited to marijuana, cocaine and heroin. "Dangerous weapon" is defined as any traditional weapon (knife, gun/firearm, cudgels, brass knuckles, etc.) and any object which, by its use was intended to threaten or cause bodily harm to another.

Any Ware School Department employee, who has knowledge of an incident involving a student's possession or use of a dangerous weapon on school grounds or at any school-sponsored or school-related event, including athletic games, shall make an initial report of such incident to his or her immediate supervisor as soon as possible. The employee shall also file a written report with his or her supervisor concerning the incident as soon thereafter as is practicable under the circumstances.

A supervisor, who has knowledge of an incident involving a student's possession or use of a dangerous weapon on school grounds or at any school-sponsored or school-related event, including athletic games, shall make an initial report of such incident to the Superintendent of Schools as soon as possible. The supervisor shall also file a written report with the Superintendent concerning the incident as soon thereafter as is practicable under the circumstances. The Superintendent of Schools or his/her designee shall file a copy of the weapon report with the local Police Chief, the Department of Social Services and/or the Ware District Court via the Children in Need of Services (C.H.I.N.S.) petition process, the office of student services (i.e., Department of Pupil Services) in the Ware School System, and the Ware School Committee. The Superintendent, Police Chief, and representative from the Department of Social Services and/or the Ware District Court, together with a representative from the Department of Pupil Personnel Services, shall arrange an assessment of the student involved in said weapon report. Said student shall be referred to a counseling program; provided, however, that said counseling shall be in accordance with acceptable standards as set forth by the board of education. Upon completion of a counseling session, a follow-up assessment shall be made of said student by those involved in the initial assessment.

This policy contains 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; or, a controlled substance including, but not limited to marijuana, cocaine, and heroin, may be subject to expulsion from the school or school system 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 system by the principal.
- c. Any student who is determined to have brought a gun/firearm to school shall be expelled. The period of expulsion shall be a minimum of one (1) year as a disciplinary sanction, subject to modification by the Superintendent, if warranted, on a case-by-case basis.
- d. Any student who is charged with a violation of either paragraph (a), (b), or (c) 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/her discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraph (a) or (b). Provided, however, that any principal who decides that said student should be suspended shall state in writing, if necessary, to the School Committee his/her reasons for choosing the suspension instead of the expulsion as the most appropriate remedy. In this statement, the principal shall represent that, in his/her opinion, the continued presence of this student in the school will not pose a threat to the safety, security and welfare of the other students and staff in the school.

- e. Any student who is expelled from the Ware School System under the provisions of this section shall have the right to appeal to the Superintendent. The expelled student shall have ten (10) days from the date of the expulsion in which to notify the Superintendent of his/her 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 policy.
- f. When a student is expelled from the Ware School System under the provisions of this policy and applies for admission to another school for acceptance, the Superintendent of the Ware School System shall notify, in compliance with the Education Reform law, the Superintendent of the receiving school of the reason for the pupil's expulsion.
- g. A student transferring into the Ware School System must provide the Ware School System with a complete school record as an entering student. Said record shall include, but not limited to, any incidents involving suspension or violation of criminal acts for any incident reports in which such student was charged with any suspended act.

Adoption date: July 17, 1997

Revised: December 4, 1997

CROSS REFS.: JKA, Corporal Punishment

STUDENT ABSENCES AND EXCUSES

Regular and punctual school attendance is essential for success in school. The School Committee does recognize, however, that parents of children attending our schools have special rights as well as responsibilities, one of which is to ensure that their children attend school regularly, in accordance with state law.

Therefore, students may be excused temporarily from school attendance for the following reasons:

1. Illness or quarantine.
2. Bereavement or serious illness in family.
3. Weather so inclement as to endanger the health of the child.
4. For observance of major religious holidays.
5. Legal responsibilities.
6. An absence excused by the administration (such as verified off-campus college visits, field trips, etc.).
7. School suspension.

A child may also be excused for other exceptional reasons with approval of the school administrator.

A student's understanding of the importance of day-to-day schoolwork is an important factor in the shaping of his/her character. Parents can help their children by refusing to allow them to miss school needlessly.

Accordingly, parents will provide a written explanation for the absence and tardiness of a child. This will be required in advance for types of absences where advance notice is possible.

In instances of chronic or irregular absence reportedly due to illness, the school administration may request a physician's statement certifying such absences to be justifiable. A child who has been absent from school because of a contagious disease will not be readmitted without permission from the attending physician or the approval of the School Nurse. Absence from school for more than three (3) consecutive days requires that the School Nurse call the home to inquire as to the reason for the continued absence.

LEGAL REFS: M.G.L. 76:1; 76:16; 76:20

Adoption Date: July 17, 1997

Revision Date: May 30, 2007

Last Date Reviewed: May 30, 2007

TRUANCY

Through cooperation with parents, strict regulations in regard to tardiness and unexcused absence, and diligence in investigation of the causes of absence, the School Committee will endeavor to reduce truancy.

The building principal will be responsible for enforcing the compulsory attendance laws which require regular attendance, provide for penalties if parents and guardians do not carry out their responsibilities, and establish procedures for referral of a truant student to juvenile authorities.

Adoption date: July 17, 197

LEGAL REFS.: M.G.L. 76:1; 76:16; 76:20

EXCLUSIONS AND EXEMPTIONS FROM SCHOOL ATTENDANCE

Denial of Admission

Denial of admission means the withholding of the privilege of enrolling in a school of the school system.

The following shall be the grounds for denial of admission to school or diversion to an appropriate alternative program:

Graduation from the twelfth grade of any school or receipt of any document evidencing completion of the equivalent of a secondary curriculum;

Failure to meet the requirements of age as fixed by the School Committee as provided by Massachusetts General Laws;

Having been expelled during the same school year from this school system or any school system in the Commonwealth;

Not being a resident of the school system and the school system has opted not to participate in the School Choice Law;

Failure to comply with the provisions of the Massachusetts School Entry Immunization Law.

Adoption date: July 17, 1997

LEGAL REFS.: M.G.L. 71:37H; 76:12; 76:12A; 76:12B

STUDENT ABSENCES AND EXCUSES

In accordance with Chapter 76 of the State Law, all children are expected to attend school unless they are ill or a family emergency arises. "Every person in control of a child between (6-16) shall cause him/her to attend school as required."

In addition: "Whoever induces or attempts to induce a minor to absent himself/herself unlawfully employs or harbors a minor who, while school is in session, is absent unlawfully therefrom, shall be punished by a fine of not more than two hundred dollars (\$200.00). (C76:S4) supervisors of attendance may apprehend and take to school without warrant any truant or absentee found wandering in the streets or public places.

Student Absentee Procedure Policy:

1. Parents/guardians MUST telephone & notify the school immediately whenever their son/daughter is absent or is going to be absent giving the reason for absence, such as illness, etc. Following every absence, the parent/guardian must write a note to the homeroom teacher stating the reason for the absence.
2. Teachers shall require a written excuse from parents/guardians for each absence of a student. When a child has been absent from school on account of a contagious disease, he/she shall not be readmitted without a permit from the attending physician, or the approval of the school nurse.
3. Whenever a student is absent for three(3) consecutive days, the school nurse will call the home and inquire as to the reason for the continued absences, if and when necessary.
4. Failure to notify the school and/or give reason for absences will result in home contact.
5. Parents/guardians of suspected truants will be notified by the school principal.
6. Chronic absenteeism during a school year (24 or more absences) will result in a review of the student's academic performance and may result in a student's non-promotion to the next grade.

Please remember that a written note explaining absence is required after a student has been absent. We realize that there will be instances when your child may be tardy. But please avoid this whenever possible. Tardiness interrupts your child's instructional time.

Adoption date: July 17, 1997

STUDENT RIGHTS AND RESPONSIBILITIES

The School Committee has the responsibility to afford students the rights that are theirs by virtue of guarantees offered under the federal and state constitutions and statutes. In connection with rights there are responsibilities that must be assumed by students.

Among these rights and responsibilities are the following:

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

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

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

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

Adoption date: July 17, 1997

LEGAL REFS.: M.G.L. 71:37H; 71:82 through 71:86

STUDENT DRESS CODE

Ware School District encourages the use of education to help students form their own identity, express themselves, and show their individuality. No uniforms are required in the Ware School District. Therefore, students currently enrolled at Ware are required to follow a dress code. This code will ensure safety and decency alike.

An outfit should not cause a disturbance within the classroom and should never cause damage or harm to the building or another student. The requirement of a proper wardrobe is a must, and students of the Ware School District are obliged to meet the following requirements:

- No articles of apparel that could cause personal injury or damage school property are allowed, including but not limited to chains, studs, steel studded clothing, dog collars and so on. If a style of dress or appearance presents a danger to any student's health, safety, or school work he/she will be asked to correct the problem. Failure to comply with the rules will result in discipline from the proper authorities (i.e. teacher or administration).
- Clothing with language or designs that are violent, obscene, lewd, profane, sexually suggestive, offensive to individuals/groups, promote alcohol or illegal materials, and messages which demean individuals or groups because of their racial, ethnic, sexual or cultural origins or orientation are not permissible in the school. Clothing that expresses political views is permitted as long as it meets the requirements stated above.
- Fabric resting over the shoulder must be at least two inches wide starting in the front and continuing to the back of the shirt. This regulation prohibits spaghetti strap tanks, crop tops, halter tops, tube tops, and backless shirts. A top must be long enough to meet the top of pants, skirts, shorts, etc. so as to prevent the exposure of any skin.
- Appropriate footwear must be worn at all times (i.e. sneakers, sandals, flip-flops, shoes or boots). Flip-flops are not allowed at the S.M. K. Elementary School.
- The wearing of hoods, hats and bandanas are not permitted in school.
- All clothing from the waist to four inches above the knee must not be torn with the exception of the outer layer of the pocket.
- Visible undergarments are not allowed for any person.
- The length of skirts and shorts should be acceptable whether in public school, at work or in the public. Skirts are only permitted if they are no shorter than four inches above the center of the knee. If a skirt is questioned, the proper authority may measure from the center of the knee to the bottom of the skirt. Skirts must also be a consistent length all the way around.
- Clothing that reveals cleavage is not permitted.

This list is not limited to the examples given. Responsibility for the dress and appearance of a student should be governed by the students and their guardians. In the Ware School District, the educational experience students can receive will help them throughout life. For that reason, the

individual student should take the initiative in dressing appropriately under all circumstances. The dress code should be followed by all; however, some changes are allowed (due to religious, medical or other reasons). Whether or not clothing is deemed appropriate and/or safe will be determined at the discretion of the professional staff.

Failure to comply with this policy will require the student to change clothing, including potentially being sent home to do so. Please refer to the student discipline policy regarding discipline for repetitive offenses, insubordination, or refusal to change clothing.

The Ware School Committee gratefully acknowledges Ware High School students Briana Howell and Sarah Przybyla for developing the initial draft of this policy.

Adoption Date: July 17, 1997
Revision Date: March 5, 2008
Last Date Reviewed: March 5, 2008

CARE OF SCHOOL PROPERTY BY STUDENTS

Students have a responsibility to respect and protect school property and the property of others. The Superintendent of Schools will establish rules and procedures that will hold students responsible for the repair, replacement, and related costs for the willful damage, loss or abuse of the property of the school or others.

Persons are held responsible for lost or damaged texts and related materials assigned to them even if these materials are taken from lockers. Everyone should take normal precautions needed to protect themselves from loss and should have a lock on their lockers.

Adoption date: July 17, 1997

STUDENT CONDUCT ON BUSES

The School Committee and the school staff share with students and parents/guardians the responsibility for student safety during transportation to and from school. The authority for enforcing School Committee requirements of student conduct on buses will rest with the principal.

To ensure the safety of all students who ride in buses, it may occasionally be necessary to revoke the privilege of transportation from a student who abuses this privilege. Parents/guardians of children whose behavior and misconduct on school buses endangers the health, safety, and welfare of other riders will be notified that their children face the loss of transportation privileges in accordance with regulations approved by the School Committee.

Good pupil control is mainly the responsibility of the school bus driver. Drivers should understand that children are more likely to respond to firm, kindly treatment. Drivers will endeavor to be pleasant and will treat children with respect. Contractors are responsible for ensuring that their drivers follow all School Committee regulations on busing, and all state laws and regulations on bus operations.

Adoption date: July 17, 1997

REF.: Student Handbooks

STUDENT PUBLICATIONS

Students will enjoy the constitutional rights of freedom of expression. They will have the right to express their views in speech, writing, or through any other medium or form of expression within limitations comparable to those imposed on all citizens but specifically designed for children and youth in a school setting.

The School Committee will encourage student publications not only because they offer an educational activity through which students gain experience in reporting, writing, editing, and understanding responsible journalism, but also because they provide an opportunity for students to express their views.

All student publications will be expected to comply with the rules for responsible journalism. This means that libelous statements, unfounded charges and accusations, obscenity, defamation of persons, false statements, material advocating racial or religious prejudice, hatred, violence, the breaking of laws and school regulations, or materials designed to disrupt the educational process will not be permitted.

The Superintendent will establish guidelines that are in keeping with the above and provide for the review of the content of all student publications prior to their distribution.

Review of content prior to publication is not censorship, but part of the educational process as this concerns student publications. It can be pointed out to students, as it frequently is to journalists, that a publisher (in this case, the school system) enjoys freedom to determine what it will and will not publish.

Distribution of Literature

The time, place, and manner of distribution of literature will be reasonably regulated by the principal.

Adoption date: July 17, 1997

LEGAL REF.: M.G.L. 71:82

GANG ACTIVITY / SECRET SOCIETIES

The goal of the School Committee is to keep district schools and students free from the threats or harmful influence of any gang. For purposes of this policy, gang is defined as any group, secret society, organization or association that advocates drug use, violence, ethnic intimidation, or disruptive or illegal behavior. The principal or his/her designee shall maintain supervision of school premises to deter intimidation of students and confrontation between members of different gangs and/or other students.

The Superintendent shall establish open lines of communication with local law enforcement agencies so as to share information and provide mutual support in this effort within appropriate legal guidelines.

The School Committee finds that gang symbols are inherently disruptive to the educational process, and therefore prohibits the presence of any insignia, apparel, jewelry, accessory, notebook or other school supply, or manner of grooming which by virtue of its color, arrangement, trademark, or any other attribute denotes membership in gangs. The School Committee further prohibits any demonstration of gang membership through the use of hand gestures, graffiti, or printed materials. This policy shall be applied by the principal or his/her designee as the need for it arises at individual school sites. A student may be suspended or expelled for failure to comply with the provisions of this policy.

Prevention Education

The School Committee realizes that students may become involved in gangs without understanding the consequences of such membership. Early intervention is a key component of efforts to break the cycle of such memberships. Therefore, gang violence prevention information shall be made available in all schools as appropriate.

SECRET SOCIETIES

Fraternities, sororities, and/or secret societies shall not receive school system or building recognition in any manner.

A student may be suspended or expelled for failure to comply with the provisions of this policy.

Adoption date: July 17, 1997

CROSS REF.: JJA, Student Organizations

BULLYING

The Ware School District will endeavor to maintain a learning and working environment free of bullying. Bullying of any type has no place in the Ware School District. Bullying is defined as the act of one or more individuals intimidating one or more persons through verbal, physical, mental, or written interactions. Bullying can take many forms including hazing and harassment and can occur in virtually any setting. It can create unnecessary and unwarranted anxiety that will affect attending school, walking in corridors, eating in cafeterias, playing in the school yard or recreation areas, participating in or attending special and extra-curricular activities, or riding on the bus to and from school each day. Bullying is strictly prohibited whether such actions occur in person, in writing, through email or other electronic means, or through any other means of communication.

Examples of bullying include but are not exclusive to:

1. Intimidation, either physical or psychological.
2. Threats of any kind stated or implied.
3. Assaults on students and staff, including those that are verbal, physical, psychological and emotional.
4. Attacks on student property.
5. Cyber and text message bullying.

The School Committee expects administrators and supervisors to make it clear to students and staff that bullying in the school building, on school grounds, on the bus or school sanctioned transportation or at school-sponsored functions will not be tolerated and will be grounds for disciplinary action (refer to most current approved student handbook).

The principal or assistant principal will be responsible for handling all verbal and written complaints alleging harassment, including bullying. Within two school days, the Ware School District will reasonably investigate and respond to the allegations of harassment, including bullying. Instances of harassment and/or bullying will be reported to the appropriate state and/or federal agencies in accordance with state and/or federal law. Mediation will be offered to students and/or parents.

School personnel will be instructed not to tolerate and to immediately report harassment, hazing or bullying, as defined by this policy, by any student or personnel, or any third party who are participating in, observing, or otherwise engaged in activities, including extracurricular activities, on school property or at school related services, activities or events.

The Superintendent will develop administrative guidelines and procedures for the implementation of this policy.

LEGAL REF: 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

Adoption Date: August 15, 2007

Revision Date:

Last Date Reviewed:

STUDENT/STAFF USE AND/OR ABUSE OF CONTROLLED SUBSTANCES

Pursuant to the Drug-Free Workplace Act of 1988 and any other appropriate State or Federal Legislation, the Ware School Committee recognizes that it has a duty to take reasonable and responsible measures to prevent the introduction of any and all drugs that may be recreationally used and/or abused into the school environment and to take prompt remedial action should we learn that it has occurred. The term “drug” in this policy applies to, but is not limited to, the following: alcohol, marijuana, amphetamines, barbiturates, cocaine, heroin, codeine, hashish, LSD, methadone, organic solvent (glue, cleaner, aerosols), peyote, mescaline, etc., and any and all prescription medication improperly obtained from home or through non-medical transactions (although this does not include any legally obtained prescription or over-the-counter stop-smoking products). There will be absolutely no use of tobacco products (to include, but not be limited to, cigarettes, cigars, rolling papers, chewing tobacco, smokeless tobacco) of any kind on school grounds at any time by students and staff. Violators will be subject to student suspension and disciplinary action for staff. In addition, it should be made clear that students and faculty will be disciplined for possession or use of any of the substances heretofore described. For purposes of clarification, the use and/or abuse of such substances shall be prohibited in school buildings, in school facilities, on school grounds, on school buses at any time or at any school-sponsored event. The Ware School Committee further needs to encourage the school and the community to cooperatively develop and conduct programs that provide every child with a good understanding of the physical, psychological, and social dangers associated with drug abuse. The school administration will work cooperatively with police, medical and social agencies, and other community organizations, in the matter of drug education and drug abuse and prevention.

The Ware School District shall establish and maintain a referral system for any student enrolled in the school and seeking help with a personal problem that involves drug usage. The Ware School District recognizes that rehabilitation and education are the most significant factors in helping individuals. To this end students will have a curriculum that gives proper attention to the issues of drug abuse. All Ware School District faculty and staff shall hold confidential any and all student requests for referral to drug rehabilitation.

The Superintendent of Schools will develop guidelines and procedures, which shall provide a system of discipline and support services for students who possess, use, distribute, or sell drugs on school property and school buses or at any event sponsored by the school system. Such regulations are intended to discipline transgression of school rules, protect non-users of drugs and provide help for drug abusers.

This policy does not create regulations but does provide guidelines and establishes a framework for authority by which those regulations are supported. The administration is guided by the following:

1. Where there is evidence of a violation of this policy, the administration will conduct a thorough investigation of any student/staff, his/her locker or possessions..
2. Where there is evidence of violation of this policy, the administration will notify the parents of the student and the proper authorities for every infraction.
3. Evidence of possession and/or distribution of drugs will be referred to the police department but this shall not, in any way, diminish the right of school officials to take disciplinary action and/or make referral for rehabilitation.
4. “Under the influence” shall mean having made use of any substance prohibited under this policy and includes but is not limited to any perceptible degree of impairment of a student’s functioning.
5. A violation of this policy will be considered grounds for suspension and/or expulsion from school.
6. The Ware School District recognizes that parents have rights and responsibilities in matters that affect their children. The administration will take reasonable measures to notify students’ parents immediately whenever their children are found to be in violation of this drug policy or other drug regulations.
7. Persons who knowingly support or conceal the use, possession of, or distribution of drugs on school grounds shall be deemed to have violated school regulations and shall be subject to disciplinary action.
8. In matters involving student suspension and/or expulsion, the Ware School District will adhere to the district’s discipline policies and procedures.
9. Any employee who violates this policy shall be subject to disciplinary action per collective bargaining agreement.

Specifically regarding the use and abuse of non-medicinal tobacco products, it shall be the policy of the Ware School Committee that:

- The school curriculum shall include information on the health risks associated with the use of tobacco products.
- Signs shall be posted at each school building indicating that smoking is prohibited by policy and requirements of state law.
- Any student who violates this policy shall be subject to student disciplinary procedures up to, and including, expulsion.
- Copies of this policy are available upon request from the principal of each school.
- This policy shall be promulgated to all staff and students in appropriate handbooks and publications.

LEGAL REF: M.G.L. 71:37H
M.G.L. 272:40A
CROSS REF: JIH, Interrogations and Searches

Adoption Date: July 17, 1997
Revision Date: August 15, 2007
Last Date Reviewed: September 12, 2007

The Ware School Committee hereby establishes this policy concerning the acceptable use of technology in the Ware Public Schools:

**STUDENT USE
ACCEPTABLE USE OF TECHNOLOGY**

NETWORK

1. To use the Ware Public School System's network to promote the exchange of information that furthers education and research, and to be consistent with the mission of the Ware Public School System.
2. To use the equipment and system in a manner that respects the rights and property of others and not to improperly access, misappropriate or misuse the files, data or information of others.
3. To use the Ware Public Schools network to communicate and exchange for professional development, for research and instruction, and any other activities which support and further the Ware Public Schools goals and objectives. All files and resources on the network are the property of the Town of Ware/Ware Public Schools.
4. To efficiently use the network resources to minimize interference with others.
5. Not to use any of the Ware Public Schools network for profit or commercial business use, personal (non-school based), political or religious purposes, illegal activity, or to send material that is offensive or objectionable to recipients.
6. Not to use programs that harass other users or infiltrate a computing system and/or damage the software components.
7. It shall not be a violation of the Acceptable Use of Technology Policy for Network Administrators to access and review web sites or files or messages or other computerized information or data to verify use or access by students. Network Administrators are authorized to remove files, mail, materials or programs that violate this policy.
8. Computer logs showing internet activity and computer control sheets shall normally be maintained by the School District for a ninety (90) day period. After such time, those documents will normally be discarded. School Administrators and/or Network Administrators may elect to keep certain documents beyond the ninety (90) day period in the event they relate to an ongoing investigation or litigation (or potential litigation) or for other appropriate reasons.

SECURITY

1. To change passwords regularly, using combinations of letters and numbers, and avoiding standard English words and names.

2. Not to share the account with anyone or leave the account open or unattended. Users who provide their confidential password or account information to another or use another user's password or account shall be subject to disciplinary action on that basis and may also be held responsible for any improper activity conducted using his/her password.
3. Users will keep all accounts and passwords confidential and not accessible to others. All computer lab users must sign-in at each computer and print their name; time-in and time-out on the designated computer log sheets.

SOFTWARE

1. Not to install copyrighted software, shareware, games or files for use on school system computers or on personal equipment used for school access. Software installations can only be performed by authorized system administrators or designated school personnel.
2. Duplicating copyrighted software, files or information is prohibited.

HARDWARE

1. Vandalism will result in the cancellation of system privileges and will require restitution for costs associated with hardware, software and system restoration and may subject person(s) responsible to civil liability and/or criminal prosecution.
2. The use of portable school equipment and school laptops must be consistent with the conditions set forth in this policy. There shall be a record maintained by the main office at each school of all equipment which is authorized to be removed from the building and the person taking the equipment shall sign the log verifying the equipment taken, the purpose for removing the equipment from school grounds, the date and time of the removal and the date and time the equipment was returned. The Building Principal or designee shall sign the log confirming the authorization for the removal.

INTERNET SAFETY

1. The Ware Public Schools filters Internet content in compliance with the Children's Internet Protection Act. The Ware Public Schools Internet filter is intended to restrict minors' access to inappropriate or harmful material. No filter is 100% effective.
2. The Internet filter(s) may be temporarily disabled by an authorized system administrator for use by a person to enable access for bona fide research or other lawful purposes consistent with this policy. Reactivation of all filters will immediately follow said research. Prior to deactivation, written approval must be obtained from the building administrator.
3. Users are not to access any obscene, pornographic or otherwise inappropriate Internet and web material.
4. Users are not to subscribe or use listserv, bulletin boards, chat rooms, hot mail, web mail, instant messenger or any other form of electronic communications outside of those services approved by the school system.

5. Any attempt to harm, alter, remove or destroy equipment, materials, data or programs is prohibited. "Hacking" and other unlawful online activities are prohibited.
6. Disclosure, use and dissemination of personal information are prohibited. Users are not to give out any personal information about themselves or others, e.g. name, address, phone numbers, passwords.
7. All internet access on school premises must connect through the school system's network and internet filter.

Recommended Practices for School and Home

1. Take precautions to prevent viruses on personal equipment and the Ware Public School System's equipment. Examples of good practice include:
 - maintain updated antivirus software
 - scan floppies and external media sources before access
 - open emails from trusted sources only
 - do not propagate chain letter emails
 - use discrimination when accessing list servers and websites
 - make back-up copies of documents which relate to school work or work for the district
2. If inappropriate information is mistakenly accessed, notify a teacher or school staff member immediately.
3. Monitor file directories and delete obsolete files.

Misuse or damage to technology equipment, software, access, data and/or other technology equipment, property or resources, shall subject a user to disciplinary action up to and including expulsion from school. The user will also be liable for full restitution for any damage, including costs of materials and labor including the cost of restoration of any lost data. The student may also be subject to criminal prosecution.

*Interpretation, application, and modification of this Acceptable Use Of Technology Policy is within the sole discretion of the Ware Public School System. Any questions or issues regarding this policy should be directed to the Ware Public School System Administration. **Violation of any condition of use described here or in the Student/Parent Handbook shall be cause of disciplinary action up to and including expulsion for a student.***

Adoption Date: October 2, 1997

Revision Date/1st Reading: June 11, 2003

2nd Reading/Adoption Date: June 25, 2003

1st Reading-Recommendation For Revision: August 31, 2005

2nd Reading/Adoption of Revision: August 31, 2005

**WARE PUBLIC SCHOOLS
STUDENT ACCESS RELEASE AND AUTHORIZATION FORM**

As a condition for using the Ware Public School System network, I understand the use and access to public networks, i.e. the Internet, is a privilege, and agree to the following:

1. The Ware Public School System has the right to review material stored on any system provided by the School System and to edit or remove any material. I hereby waive any right, which I may otherwise have in and to such material.
2. All information and services available on the Internet and school networks are placed there for informational purposes. I use them at my own risk.
3. The Ware Public School System does not warrant the function of its school network or any of it accessible to meet any specific requirements that I may have, or that it's school network will be error free or uninterrupted. The Ware Public School System is not liable for any damages incurred in connection with the use, operation, or inability to use its school network.
4. In consideration for using and having access to public school networks, I hereby release the Ware Public School System and its officers, employees and agents from any claims and damages arising from my use, or inability to use its school network.
5. I have read and agree to comply with the Acceptable Use Of Technology Policy and the District School Committee policy. I also understand that any violation of the regulations constitutes improper conduct and may constitute a criminal offense. Should I commit any violation, my access privileges may be revoked and disciplinary action taken.

Student Name: *(please print)* _____ **School:** _____

Student Signature: _____ **Date:** _____

PARENT OR GUARDIAN

(If you are under the age of 18 a parent or guardian must also read and sign this agreement).

As the parent or guardian of this student, I have read the Acceptable Use Of Technology Policy and Access Release and Authorization Form. I understand that this access is designed for educational purposes. The Ware Public School System has taken precautions to eliminate inappropriate material. However, I also recognize it is impossible for the Ware Public School System to restrict access to all inappropriate materials and I will not hold them responsible for materials acquired on the network. Further, I accept full responsibility for supervision if and when my child's use is not in a school setting. I hereby give permission to create an account for my child and certify that the information on this form is correct.

Parent or Guardian Name *(please print)* _____

Parent or Guardian Signature: _____ **Date:** _____

Adoption Date: October 2, 1997

Revision Date/1st Reading: June 11, 2003

2nd Reading/Adoption Date: June 25, 2003

1st Reading-Recommendation For Revision: August 31, 2005

2nd Reading/Adoption of Revision: August 31, 2005

Ware Public Schools

STUDENTS OF LEGAL AGE

All students 18 years of age or older shall be considered students in the same manner as those under the age of 18 except that policies and regulations which refer to the parent or guardian will not in a legal sense refer to the student directly.

Unless the school is officially instructed by the individual student to do so otherwise, the school system will continue to keep the parent or guardian informed about disciplinary actions, academic progress and students records information, as is the case with all other students. When a student 18 years or older makes an official request as outlined above, the school will notify the parents or guardians in writing and shall comply with student records laws and regulations.

Adoption date: July 17, 1997

INTERROGATIONS AND SEARCHES

Searches by Staff:

The right of inspection of student's school lockers and automobiles parked on school grounds is inherent in the authority granted School Committees and administrators. This authority may be exercised as needed in the interest of safeguarding children, their own and school property.

All student lockers remain the sole and exclusive property of the Ware Public Schools. The administration reserves the right to search lockers without advance notice. To the extent that it is practicable and warranted under the circumstances, public schools shall make an attempt to contact the student prior to the search and provide the student with the opportunity to open the locker or automobile in the presence of one (1) or more school administrators and allow the student to remove the contents for inspection by the administrator(s).

Furthermore, when the administration provides locks for student lockers, the administration will retain keys or combinations to all locks for purposes of checking lockers when appropriate. When students choose to provide their own locks for placement on their lockers, the administration will be given a duplicate key and/or the combination for such locks for purposes of checking lockers when appropriate. Students shall only put school related items and necessary clothing items in their lockers. Students will bring no contraband or other items which are not appropriate for public school environment onto school grounds and/or into the school building for placement in student lockers.

Investigations:

When law enforcement officials (e.g. police, fire department) find it necessary to question students as part of an investigation during the school day or periods of extracurricular activities, the school principal or designee will be present when possible. An effort by the school administration will be made to contact the student's parent or guardian so that the responsible individual may be notified of the situation.

Adoption date: July 17, 1997

CROSS REF.: JICH, Student Use of Drugs, Alcohol and Tobacco

STUDENTS

MEMORANDUM OF UNDERSTANDING
Protocol for the Reporting and Investigation
of Civil Rights Violations and Other Crimes
Within the Ware Public Schools

PARTIES:

Ware School Committee
Nancy J. Talbot, Chairperson
Melinda K. Pelletier, Vice Chairperson
Fred W. Marsland
Peter D. Harder
Roy M. St. George

Northwestern District Attorney
Elizabeth D. Scheibel
One Gleason Plaza
Northampton, MA 01060-9225
(413)-586-9925
Ware Police Department
Dennis M. Healey, Chief
22 North Street
Ware, MA 01082

Paul J. Demers
Superintendent of Schools
Ware Public Schools
239 West Street - P.O. Box 240
Ware, MA -01082
(413)-967-4271

SUBJECT:

Law Enforcement Investigations
Reporting of Crimes, Possible Criminal Conduct
Reporting Civil Rights Violations

PURPOSE:

The Ware School Committee and the administrators of the Ware Public Schools wish to establish a positive and cooperative working relationship with the District Attorney and the Ware Police Department for the reporting and investigation of civil rights violations and other crimes which may occur within the Ware Public Schools. The District Attorney and the Ware Police Department wish to establish a positive and cooperative working relationship with the Ware School Committee and the administrators of the Ware Public Schools for the reporting and investigation of civil rights violations and other crimes which may occur within the Ware Public Schools.

RESPONSIBILITIES:

The Ware School Committee has adopted student handbooks for each of its schools for the regulation of student conduct, promotion of a safe and secure learning environment and for the uniform and measured response to criminal conduct or other violations of its student handbook. The student handbook recognizes, by specific reference or by general definition, conduct which violates not only the student handbook, but also the criminal statutes of the Commonwealth. Offenses covered by the student handbook are categorized in the regulations and policies section of each student handbook. Violations of these policies that involve criminal conduct or any other criminal conduct must be reported to the Ware Police Department when such conduct is not minor or minimal in the judgment of the school principal.

Violations of the policies of the Ware Public Schools (i.e. Sexual Harassment Policy and Hazing) are serious offenses. Offenses of this type shall be reported to the Ware Police Department by the principal of the building where the violation occurred. All of the signatories to this Memorandum of Understanding agree that where school administrators have knowledge of violations of a student's state or federal civil rights or violations of constitutionally-protected rights, the school administrator must report such knowledge to the Ware Police Department or District Attorney.

REPORTING:

The Ware School Committee, Superintendent and administrators of the Ware Public Schools will henceforth, in accord with this Memorandum of Understanding, report all known violations of a student's civil rights which are violations of the Commonwealth's criminal laws governing civil rights. Offenses will be reported to the Superintendent of Schools by the principal of each building where the offense occurred. The report will be made by the Superintendent of the Ware Public Schools or his designee, to the Ware Police Department.

INVESTIGATIONS:

Once an offense has been reported to the Ware Police Department, if they or any other law enforcement agency with jurisdiction over the offense elects to investigate the offense, teachers and administrators enjoy no privilege or immunity from cooperating with the investigating agency. Teachers and administrators, however, are barred from providing any confidential student records or reports to law enforcement officers without a subpoena or other court order. G.L. c.71 SS 34-D, 603 CMR 23.01 et. seq. The Ware Police Department will consult with the District Attorney's office at the inception of any school based civil-rights investigation.

INITIATION OF INVESTIGATION:

A. By Law Enforcement Agency:

When a law enforcement agency, signatory to this memorandum, needs to conduct any portion of any criminal investigation related to an offense involving a student or students in the Ware Public Schools, in or on property of the Ware Public Schools, they will advise the principal of the building where the investigation is required to be conducted of the necessity for conducting the investigation upon school premises and during school hours. Law enforcement officers will notify the school's principal upon entering school premises and will work with the principal to conduct their investigation in a manner least intrusive to the educational environment and operation of the school.

Law enforcement officers will notify the principal of any arrest or other warrants to be executed by them upon school premises in order for the principal to notify a student's parents and to cooperate in the investigation, including summoning a student to the principal's office to aid in the execution of the warrant and avoid disrupting a classroom.

If, in the course of any investigation, law enforcement officers learn of any other violations of the student handbook, school rules or policies or other crimes, they will promptly notify the school's principal.

B. By School Administrators:

When a school administrator notifies the Ware Police Department or the District Attorney of a suspected offense under this Memorandum of Understanding, the appropriate school administrator shall take whatever steps are necessary and appropriate to preserve the integrity of any law enforcement investigation: e.g., retain any narcotics found or seized, not move or remove any physical evidence and will conduct such further investigation only as is necessary to protect the educational environment of the school and to establish the proof of the offense as a violation of the policies within the student handbook.

The school's principal shall work with the assigned law enforcement officer to conduct any investigation in a manner conducive to both an effective investigation and minimum disruption of the school's educational environment.

File: JIH-E

The school's principal shall, upon notification by the Ware Police Department or the District Attorney that a crime is being investigated, assist in the investigation to the extent permitted without violating any statute or regulations of the Commonwealth.

ASSISTANCE IN THE INVESTIGATION:

School administrators and law enforcement officers will work together to protect the rights of all students in any investigation and will use their best efforts to conduct any investigation in a manner least disruptive to the educational environment or the schools.

School administrators and teachers will cooperate with the investigating officer by giving the officer such information about the crime as the teacher may have knowledge of, including:

- 1. What, if anything, the teacher or administrator may have seen or heard concerning the commission or evidence of the crime.**
- 2. What, if anything, the suspect (culprit) or any other witness may have told the teacher or administrator.**
- 3. The names and identity of any participants, if known.**
- 4. Any information regarding the event.**

An administrator, working with the investigating officer, may summon a student or students to an office for questioning by the officer. Upon the request of an investigating officer to speak with a student, the administrator should immediately notify the child's parents of the request. No teacher or administrator shall release any confidential or protected records except as provided by the student record law and regulations.

Such protected information may be helpful and useful to the investigating officer, but it is the teacher's and administrator's obligation to protect the student's record from release except as specifically authorized by statute and regulation. The investigating officer has no such obligation to protect the student's record and any unauthorized release will ultimately be the responsibility of the teacher or administrator making such unpermitted release. Any investigating officer may ultimately be able to obtain such information upon a subpoena, warrant or other court order.

File: JIH-E

AGREEMENT:

This Memorandum of Understanding is intended to be consistent with the adopted regulations and policies within each student handbook of the Ware Public Schools.

COMPLIANCE:

The parties to this Memorandum of Understanding agree to meet at least annually, or as needed, to update and revise the understandings contained herein and to effectuate a cooperative working relationship. The parties further agree to promulgate this Memorandum of Understanding and issue such notices or regulations as are necessary to inform their respective personnel of the understandings and obligations imposed by this memorandum.

1st. Reading: June 17, 1999

2nd Reading and Adoption: August 26, 1999

Updated: August 23, 2001

Annual Review Update: August 22, 2002

Cross Reference: Sexual Harassment - File: ACAB (Also: GBAA)

STUDENTS

File: JIH-E

MEMORANDUM OF UNDERSTANDING
Protocol for the Reporting and Investigation
of Civil Rights Violations and Other Crimes
Within the Ware Public Schools

SIGNED AND ACCEPTED:

WARE SCHOOL COMMITTEE

Dated: _____

By: _____

Nancy J. Talbot, Chairman
Ware School Committee

Dated: _____

By: _____

Paul J. Demers
Superintendent of Schools

WARE POLICE DEPARTMENT

Dated: _____

By: _____

Dennis M. Healey, Chief of Police,
Town of Ware

NORTHWESTERN DISTRICT ATTORNEY

Dated: _____

Elizabeth D. Scheibel
Northwestern District Attorney

GUIDELINES FOR CANINE SEARCHES OF SCHOOLS

- When using canines to locate controlled substances in a school, the canines may be directed by their handlers to sniff inanimate objects such as desks, lockers, book bags that are not in the immediate possession of students, bathrooms that are not being used by students, classrooms that are not being used by students and cars parked on school grounds. These types of examinations by canines are not “searches” under the state and federal constitutions.
- Absent exigent circumstances, canines should not be used to sniff students’ persons and belongings in the immediate possession of students, nor should they be used in a manner that causes flight or significant apprehension of students. These types of examinations by canines constitute “searches” and are prohibited under the state and federal constitutions unless probable cause exists to believe that the student being sniffed possesses a controlled substance.
- If school officials want to search particular classrooms or other areas being used by students must be escorted away from the area by school officials before canines are brought in to the area to look for drugs.
- School canine searches should be planned and conducted in a manner that leaves open an option for school and police officials to decide to seek criminal complaints against students found in possession of drugs and maximizes the likelihood that drugs found during searches will not be suppressed in court.
- Although an alert by one canine to the presence of controlled substances may constitute probable cause, if a canine alerts to the presence of a controlled substance in a students locker, desk, book bag, car or other belongings, a search should not be conducted until a second canine is brought in to examine the same area. We recommend a system of using canines to corroborate each other. Courts are more likely to conclude that probable cause existed if two canines independently alerted to the presence of a controlled substance in the same area.

- If two canines independently alert to the same locker, desk, book bag, car or other area, it is recommended that a search warrant for that area be obtained. Obtaining a search warrant best preserves the option of deciding to seek a criminal complaint if drugs are found. Courts are less likely to suppress drugs that are found during a search conducted pursuant to a warrant. But, if school and police officials decide not to seek a search warrant, the area still may be searched without a warrant. The search should be conducted by school officials, in accordance with school policy. If a controlled substance (or what appears to be a controlled substance) is found, school officials must report such information to the police and permit police officials to take custody of the controlled substance.
- If the first canine alerts to the presence of a controlled substance in a particular locker, desk, book bag, car or other area, but the second canine does not alert to the same area, we do not recommend seeking a search warrant. In such a case, school officials should be asked to decide whether to conduct a search in accordance with school policy. If a controlled substance (or what appears to be a controlled substance) is found, school officials must report such information to the police and permit police to take custody of the substance.
- School and police officials still may decide to seek a criminal complaint even if drugs are found during a warrantless search based solely on an alert by one dog.

1st Reading: June 18, 1998

2nd Reading and Adoption: July 16, 1998

CROSS REF.: JICH, Student Use of Drugs, Alcohol and Tobacco;
JIH, Investigations and Searches

STUDENT ORGANIZATIONS

Student Organizations

Student organizations in the Ware Public Schools shall be encouraged when they meet the criteria of contributing to student self-esteem and performance and should operate within the framework of state statutes, School Committee policies, and administrative procedures.

Each building principal shall develop general guidelines for the establishment and operation of student organizations within the particular school. Among other provisions, such guidelines shall require the approval of the School Committee upon recommendation of the Superintendent prior to the formation of any club or organization in the school and the assignment of at least one faculty or designated adult advisor to each approved student organization. Within such guidelines will be provisions for a periodic review by the Superintendent of all student organizations.

The formation of any student organization that may engage in activities of a controversial nature shall require approval by the School Committee.

All student organizations shall be required to open membership to all interested and/or eligible students. Disruptive groups, secret societies, and/or gangs shall not receive recognition in any manner under this policy. (see also Policy JICF)

All forms of hazing in initiations shall be prohibited in as student organization.

The adult advisor or a designated adult representative must attend every meeting of the student organization whether conducted on school premises or at another location.

Student Organizations - High Schools

In addition to the above requirements, all clubs or organizations at the high school level will relate to the subject matter covered by the curriculum. The Principal is responsible for determining that the purpose of a student organization is related to the curriculum. The Principal is authorized to deny requests by unauthorized student organizations desiring to meet or form in a particular school. The Principal shall inform the group of the reasons for the denial. The students and/or group may submit a written request to the Superintendent for review of the Principal's decision.

Adoption date: July 17, 1997]

CROSS REF.: JICF, Gang Activity/Secret Societies

STUDENT FUND-RAISING ACTIVITIES

In general, the School Committee does not encourage fund-raising in the community by students for school activities. The School Committee does recognize, however, that there may be times when such activities are necessary. In order to limit the sale of goods by companies for profit, such as magazines, candy and similar items the Building Principals shall coordinate these activities on a system-wide basis.

Other activities may include:

1. Sale of tickets to scheduled athletic events and school dramatic and musical performances.
2. Sale of advertising space in school publications.
3. Proposals to raise funds for charitable purposes or for benefit of the school or community (for example: American Field Service activities, United Nations, or scholarship funds) provided such proposals have been individually approved by the Building Principal and Superintendent.

All monies collected shall be deposited in the appropriate student activity account.

Adoption date: July 17, 1997

STUDENT ACTIVITY AGENCY ACCOUNTS

The Ware School Committee recognizes that a program of activities developed within the school system which provide for co-curricular and extra-curricular experiences is important to the enhancement of the total educational program. Recognizing that these funds do not belong to the Town of Ware or the School District but to the students, guidelines are required to insure that these funds are raised and expended solely for the betterment of the students of the Ware Public Schools. It is expected that all types of funds referenced in this policy will be brought into compliance. Specific guidelines and forms for implementing this policy will be provided through the Superintendent of Schools and the Director of Business Services.

A student activity account is defined as any fund maintained by a school for a recognized club, team, organization, or activity which is a repository for funds to be expended solely for the benefit of students upon approval of the School Principal. Examples of funds which are subject to deposit into such account include, but are not limited to, class dues, receipts from fund-raisers, book sales, profits from dances, food sales, receipts for class and other field trips, and other commissions.

In accordance with M.G.L. Chapter 71, Section 47 (as amended by Chapter 66 of the Acts of 1996), a School Principal may receive monies in connection with the conduct of particular student activities and must deposit said monies via the school business office to the Town Treasurer. The Town Treasurer shall maintain an interest bearing account for each school entitled "Student Activity Agency Account".

Each School Principal may maintain a checking account for expenditures for student activity purposes. Deposits into checking accounts shall be made through the warrant process from each school's municipal student activity agency account based on acceptable evidence of expenditures to the extent monies are available in said account. The maximum balance in each principal's checking account at any time is as follows:

Elementary School	\$ 5,000
Middle School	\$ 5,000
High School	\$10,000

The Principal and their co-signatories will be bonded or covered by sufficient insurance coverage to secure the Principal's faithful performance in his/her duties in connection with the account.

The interest earned on each municipal student activity agency account shall remain in the account and be recorded as a separate line item by the building principal. Said interest shall be used to cover the following expenditures without requiring further approval from the Ware School Committee:

- to cover the cost of periodic outside audits of the accounts;
- to cover the cost of any bank fees, and the cost of forms and supplies as related to maintaining the student activities agency account;
- to cover the cost of a student(s) attending a class or school function when students are charged for such but the principal determines the family is unable to cover such expenses;
- to apportion for use by various student organizations;
- to cover the cost of refreshments for parent/student activities and for volunteers who helped support student programs;

Monthly reports of balance shall be made to the Ware School Committee. An annual report of activity shall be filed with the Superintendent of Schools' Office. All student activity accounts shall be audited at least every three years by an independent audit firm. This audit will be arranged by the Superintendent of Schools' Office. Every year the accounts will be subject to an internal audit performed by personnel in the Superintendent's Office.

Adoption date: July 17, 1997

CONTESTS FOR STUDENTS

The schools may cooperate with community organizations and agencies desiring to sponsor activities in the Ware Public Schools when they keep with the purposes and educational aims of the school. Such activities must be integrated into the school program without disruption or loss of instructional time for students and without imposing an unreasonable added work load on school staffs. Involvement in contests shall be approved by the Building Principal with notification to the Superintendent.

Adoption date: July 17, 1997

STUDENT TRAVEL

All student trips, which include late night or overnight travel, must have prior approval of the School Committee. Initial approval by the School Committee is required before engaging students in fundraising activities. The School Committee will also consider the educational value of the trip in relation to the cost prior to granting initial approval. Overnight trips should offer significant educational benefits to students that clearly justify the time and expense of the trip. Such trips should be appropriate for the grade level.

Final approval will not be granted until all preparations for the trip have been completed including, but not limited to, all logistical details involving transportation, accommodation arrangements and fundraising efforts. The School Committee requires that final approval be sought no less than 30 days prior to the scheduled trip dates.

Teachers and other school staff are prohibited from soliciting for privately run trips through the school system and in the schools. The School Committee will only review for approval school-sanctioned trips. The School Committee will not review or approve trips that are privately organized and run without school sanctioning.

LEGAL REF.: Chapter 346 of the Acts of 2002 (et al) approved on October 9, 2002
M.G.L. 69:1B; 71:37N

1st Reading /Adoption: May 24, 2006

STUDENT TRAVEL REGULATIONS

1. Transportation

The use of vans or private automobiles for trips planned to include late night or overnight student travel is prohibited. Late night or overnight trips will use commercial motor coaches.

Trips planned to include late night or overnight student travel will include a pre-trip check of companies, drivers, and vehicles. C.O.R.I. checks will be conducted in accordance with Massachusetts General Laws Chapter 71, Section 38R.

The Superintendent or designee will ensure that the selected carrier is licensed for passenger transportation by the Federal Motor Carrier Safety Administration (FMCSA). The district will not contract with any carrier that has a safety rating of “conditional” or “unsatisfactory”. FMCSA ratings are available at <http://www.safesys.org/>.

The contract with the carrier will prohibit the use of subcontractors unless sufficient notice is given to the district that allows verification of the subcontractor’s qualifications.

2. Trip Scheduling

Overnight accommodations should be made in advance with student safety and security in mind. Whenever possible, trip schedulers should avoid planning student travel between the hours of midnight and 6:00 a.m., due to the increased risk of vehicular accidents during this time period.

Whenever possible, overnight trips should be scheduled on weekends or during school vacations to minimize lost classroom time. Non-academic field trips are considered “optional school programs” and do not count toward meeting structured learning time requirements. (Refer to the Massachusetts Department of Education publication Student Learning Time Regulations Guide.)

Trip itineraries must leave enough time for drivers to rest in conformity with federal hour-of-service requirements and common sense.

Trip scheduling should take into account the likelihood of delays due to weather, traffic, stragglers, and other unanticipated factors.

If substantially all members of a class are participating in a trip, the school should provide appropriate substitute activities for any students not participating.

3. Fundraising

The amount of time to be devoted to fundraising should be reasonable and commensurate with students’ obligations for homework, after-school activities, and jobs.

Group fundraising activities are preferred. Students should not be assigned individual fundraising targets.

If students are charged individual fees for participation, every effort should be made to provide scholarships where needed.

LEGAL REF.: Chapter 346 of the Acts of 2002 (et al) approved on October 9, 2002
M.G.L. 69:1B; 71:37N; 71:38R 603 CMR 27:00

1st Reading /Adoption: May 24, 2006

ATHLETICS

The School Committee believes that students will benefit from the experiences in self-discipline and team effort made possible through participation in inter-school sports.

Participation in interscholastic athletics will be subject to approval by the School Committee and will be in accordance with regulations and recommendations of the Massachusetts Interscholastic Athletic Association (M.I.A.A.). Students will be allowed to play individual sports on the basis of their abilities and regulations governing such activities will be offered as an outgrowth of class instruction in physical education.

The School Committee is aware of the conflicting demands made upon students to meet social and family obligations, academic requirements, and athletic schedules. Coaches are to recognize their duties as educators who are concerned for the intellectual, emotional, and social development of students as well as developing proficiency in particular sport. The Superintendent will make regulations that will insure that our student athletes are thought of as students first and athletes second.

Adoption date: July 17, 1997

INTERSCHOLASTIC ATHLETICS

The School Committee believes that students will benefit from the experiences in self-discipline and team effort made possible through participation in inter-school sports.

Participation in interscholastic athletics will be subject to approval by the School Committee and will be in accordance with regulations and recommendations of the Massachusetts Interscholastic Athletic Association (M.I.A.A.).

At the high school level, interscholastic competition will include a variety of sports. Students will be allowed to participate in individual sports on the basis of their abilities and desire. Additionally, intramural athletic activities may be offered as an outgrowth of class instruction in physical education.

The School Committee is aware that team participation in athletic contests by members of the student body requires that "away games" be scheduled. It also recognizes that there is a need to regulate certain aspects of student participation in such contests. Therefore, the Superintendent will establish regulations to ensure the safety and well being of students and staff members who participate in these activities.

Adoption date: July 17, 1997

LEGAL REFS.: M.G.L. 71:47 Athletic Programs; School Organizations; Regulations
M.G.L. 71:54A Medical Personnel (E.M.T.) assigned to football games

CROSS REFS.: AC, Nondiscrimination
JB, Equal Educational Opportunities
JLA, Student Insurance
JLC, Physical Examination of Students

STUDENTS

File: JJIB-E (Also File: JJI-E)

Parental Permission and Waiver
Request Form Re: Student Participation in Extra-Curricular Activities

In order to participate in an extra-curricular activity, a student must have the requisite physical examination form completed by his/her physician and filed with the Central Office. A copy of the approved physical examination form is attached. Students who unable to secure a physical examination by a physician, must consent, as a condition of participation in an extra-curricular activity, to a physical examination by a member of the Health Department, or its authorized representative, to determine whether the student is in proper physical condition to participate in an activity in question.

Check the appropriate response:

____ I have attached the physical examination form completed by my physician.

____ I, the undersigned parent or guardian of the minor named above, do hereby consent to the giving of a physical examination of said minor for the purpose of determining whether said minor is in proper physical condition to participate in the activity specified above.

Signature of Parent or Guardian

Date

STUDENTS

File: JJIB-E-1 (Also File: JJI-E-1)

PHYSICAL EXAMINATION FORM AUTHORIZING
PARTICIPATION IN DESIGNATED EXTRA-CURRICULAR ACTIVITY
OF THE WARE PUBLIC SCHOOLS

I, hereby certify that I have personally conducted a physical examination of
_____ and determined that said student is physically fit to engage
(Name of Student)

in the following extra-curricular activity_____.

Name of Physician

Date

STUDENTS

File: JJI-E (Also File: JJIB-E)

Parental Permission and Waiver
Request Form Re: Student Participation in Extra-Curricular Activities

In order to participate in an extra-curricular activity, a student must have the requisite physical examination form completed by his/her physician and filed with the Central Office. A copy of the approved physical examination form is attached. Students who unable to secure a physical examination by a physician, must consent, as a condition of participation in an extra-curricular activity, to a physical examination by a member of the Health Department, or its authorized representative, to determine whether the student is in proper physical condition to participate in an activity in question.

Check the appropriate response:

____ I have attached the physical examination form completed by my physician.

____ I, the undersigned parent or guardian of the minor named above, do hereby consent to the giving of a physical examination of said minor for the purpose of determining whether said minor is in proper physical condition to participate in the activity specified above.

Signature of Parent or Guardian

Date

STUDENTS

File: JJI-E-1 (Also File: JJIB-E-1)

PHYSICAL EXAMINATION FORM AUTHORIZING
PARTICIPATION IN DESIGNATED EXTRA-CURRICULAR ACTIVITY
OF THE WARE PUBLIC SCHOOLS

I, hereby certify that I have personally conducted a physical examination of
_____ and determined that said student is physically fit to engage
(Name of Student)

in the following extra-curricular activity_____.

Name of Physician

Date

ATHLETICS

Coaches are hired to perform a very complex task. They are expected to pursue athletic excellence, allow for the participation of all students, foster academic achievement, balance family needs against a fixed schedule of practice and competition, promote safety, treat each student as an individual, and foster a team ethic. All coaches work under the direct supervision of the Athletic Director and must follow his/her specific requirements. In addition there are regulations in support of school wide policies.

1. Coaches must support the academic program by regular review of students' grades. They must counsel students and support opportunities, tutoring programs, etc.
2. There can be no punishment or loss of privilege for participation in any academic or remedial program.
3. Holidays and religious holy days are normally exempt from practice or game sessions.
4. Sundays are not normally used for practices except in special circumstances with prior approval of the Athletic Director. Sunday practice may not exceed two sessions per sport in any one academic year with the exception of those sports that have Monday games. Sunday practice may not start before 2:00 p.m.
5. Coaches are to consider the individual needs of students in meeting family obligations when developing schedules.
6. Coaches must submit schedules in writing to the Athletic Director, Building Principal, Superintendent, and School Committee two(2) weeks prior to the first game of each season. Changes in schedules must be in writing to the Athletic Director one week before the change takes place with copies of the approved change in schedule provided to the Building Principal, Superintendent, and School Committee.
7. These rules may be revised in specific circumstances by appealing in writing to the School Committee.

Adoption date: July 17, 1997

STUDENT DISCIPLINE

Good discipline in a school is extremely important to the school program. Staff and students share responsibility for maintaining a climate in which education can be pursued. What is best for the individual must be balanced with what is most desirable for the entire school population.

The following principles will be observed by the school staff in maintaining student control and discipline in the schools.

1. It is believed that most individuals modify behavior faster under praise than under blame. Therefore, the general approach to discipline will be a positive one. This will include attempting to identify the social, emotional, and academic problems that underline a student's poor attitude or misconduct and striving to meet his/her social, emotional, and academic needs.
2. Every individual needs to feel worthy and accepted as a person. In criticizing a student for his/her conduct or attitude and in taking disciplinary action, teachers and other staff members will endeavor to show the student that it is his/her behavior that is objectionable, not the student.
3. The best discipline is self-discipline. Modes of student control over classroom management will offer students the freedom to acquire self-control and self-discipline. This freedom will be extended in keeping with the student's maturity.
4. Good discipline is always fair, dignified and in good temper. Student discipline will be administered through an approach including the following characteristics: Consistency with regard to consequence/punishment, communication among all concerned parties; and, legal considerations in which the primary elements of due process will be an integral part of the student discipline system.
5. Conferences with teachers, principals, and parents should be effectively employed to bring about acceptable classroom and general school behavior.

The School Committee authorizes all of its school employees, professional and nonprofessional, the authority to enforce policy and regulations governing student behavior. Students will comply with the directions given them by staff members.

The Ware School System is guided by policies established by the School Committee and specific regulations and codes of conduct established by the Superintendent of Schools. All school regulations with their attendant consequences are published in the school handbooks for students. A "Code of Conduct" which covers the specific policies of the School Department will be an integral part of this policy manual as well as forming part of each handbook.

Adoption date: July 17, 1997

CORPORAL PUNISHMENT

The power of the School Committee or of any teacher or any other employee or agent of the School Committee to maintain discipline upon school property shall not include the right to inflict corporal punishment upon any student.

This shall not preclude any member of the School Committee or any teacher or any employee or agent of the School Committee from using such reasonable force as is necessary to protect pupils, other persons, and themselves from an assault by a pupil. When such an assault has occurred, the principal shall immediately contact the Superintendent of Schools and also file a detailed, written report of the incident with the Superintendent as soon thereafter as is practicable under the circumstances. The Superintendent or his/her designee shall file a report with the local Police Department and the Department of Social Services when appropriate.

Any employee who violates this policy shall be subject to disciplinary action up to and including discharge and referral for prosecution.

Any employee who exercises the use of force against another employee, individual, or student shall immediately report such use of force to the Principal and the Superintendent of Schools.

Adoption date: July 17, 1997

Revised: December 4, 1997

LEGAL REF.: M.G.L. 71:37G

CROSS REF.: JFCJ, Dangerous Weapons

SEX OFFENDER POLICY

The Sex Offender Registry Law (M.G.L. c. 6, § 178C through O) requires that all convicted sex offenders in the Commonwealth of Massachusetts register with the Police Departments in the cities or towns where they live and work. Offenders are classified on a level from one to three. It is our intent that this policy be established to insure the safety of students and staff within the school setting.

Each year the Superintendent will request a list from the local Police Department of all sex offenders that are registered with the Police Department and living and working within a one (1) mile radius of any school building.

The Principals will inform the necessary staff of any sex offenders that attend their school or live within one (1) mile of the school building. Staff will be informed of the confidential nature of this information and it will be used as a precaution to provide a safe school environment. Actual written lists will not be disseminated to the staff and will be retained in a secure file by the principal.

Any parent or community member may request SORI information directly from the Police Department, not from the school.

1st Reading: July 16, 1998

2nd Reading and Adoption: August 13, 1998

STUDENT DISCIPLINE

Special Needs Discipline

Students with special needs under Chapter 766 are treated in a manner which mostly closely resembles their peers in regular education, while at the same time considering their unique programming needs. Unless spelled out differently in student I.E.P. or listed below, special needs students are treated the same as regular education students.

1. When a special needs student is suspended a copy of the letter is sent to the Special Education administration.
2. Records of the number of suspensions are kept by school officials.
3. The I.E.P. for every special needs student will indicate whether the student can be expected to meet the regular discipline code or if a modification is required. If a modified discipline code is required as determined by the 766 Evaluation Team, it will be written into the I.E.P. condition, or the result of an inappropriate special education placement, and that the original I.E.P. was fully implemented:
 - a. an amendment to the I.E.P. will be fully developed and implemented to provide for the delivery of special education services to the student during the period of exclusion.
 - b. the original I.E.P. will be modified to reflect a long-term plan (including discipline code expectations) designed to assure the student's continued attendance in an educational program.
4. If suspension will result in an exclusion of more than 10 days in a school year, immediate written notification of the suspension and request for approval of the alternative plan must be made to the Division of Special Education through the appropriate Department of Education, with a copy to the student's parents. A copy of the alternative plan must be included and the request for approval must demonstrate that:
 - a. the school has complied with the due process procedure required by Goss vs Lopez and by the School Committee's code of conduct, a copy of which is on file with the Department.
 - b. the school has considered less restrictive disciplinary measures, including modifying the student's I.E.P. to set out specific methods of discipline.
 - c. the disciplinary action is for a stated and limited number of days.
 - d. the action is necessary in light of the needs of the student and other students in the school.

- e. the school administrators have conferred with appropriate Special Education staff as to the disciplinary action and have met the requirements of number 4 above.
5. The Massachusetts Department of Education will review all information presented by the school officials and will approve or reject the alternative plan within 5 days of its receipt by the Department of Education. In the case of a long-term suspension or the exclusion of a student with special needs. Department of Education staff generally will approve an alternative program for the provision of Special Education Services as an interim placement only, based on limited duration and consistent with the goals and objectives of the student's I.E.P. Home tutoring is viewed as a last resort of very limited duration to be used while an appropriate program is being determined.

Adoption date: July 17, 1997

REF.: Chapter 766 Regulations
Student Handbook

REPORTING CHILD ABUSE

Each year more and more cases of child abuse and neglect are reported. In many instances, child abuse goes unreported. According to Massachusetts State Law, it is not a subject which school employees can ignore. Non-accidental injury, sexual molestation, abuse and neglect must be reported to the Child Protective Services. People who are required to report suspected abuse and neglect are protected by state law from any civil or criminal liability.

Adoption date: July 17, 1997

LEGAL REFS.: M.G.L. 119:51A; 119:51B

REF: Student Handbook

STUDENT INSURANCE PROGRAM

A noncompulsory accident insurance plan totally administered by an insurance company may be made available to students. The School System does not assume any responsibility regarding service, claims, or other matters relating to the insurance program.

All students participating in competitive athletics shall be required to be covered by a medical insurance plan.

Adoption date: July 17, 1997

REF.: Student Handbook

CROSS REF.: JJIB, Interscholastic Athletics

PROHIBITED ACTIVITIES & EQUIPMENT ON SCHOOL PROPERTYI. PHILOSOPHY

School walkways, grounds, athletic fields, parking areas, and driveways exist to provide students, staff and the public with access to the business of educating students. Every effort is made to provide and maintain these facilities in a condition which is attractive and safe. However, weather, physical deterioration, terrain, and other environmental factors can create conditions by which physical injuries can occur. Individuals who enter school property using equipment or sports gear for which the property was not specifically designed can either damage school property or cause serious injury to themselves or others. The law requires that the property owner take action to provide for the care and safety of each visitor. Therefore, the School Committee establishes the following policy:

II. POLICY STATEMENT:

It is the policy of the Ware School Committee that the Building Principal and Director of Building and Grounds Maintenance shall continually assess the types of unsupervised and unapproved recreational activities that occur on school property and seek authorization from the School Committee to post signs in conspicuous places advising people of activities which may pose an unsafe condition.

III. EXCEPTIONS TO POLICY:

In the case of an immediate and dangerous safety issue or destruction of property, the School Principal/designee or Director of Buildings and Grounds Maintenance/designee may make an interim decision banning such activity.

IV. AMPLIFYING INSTRUCTIONS AND GUIDELINES:

- A. A “licensee” is defined as a person who is not invited to the property but whose presence is known to the owner and is tolerated.
- B. A “trespasser” for the purposes of this policy is a person on site without proper authorization and against whom the owner has taken precautionary action.
- C. Individuals found on school property who are “licensees” or trespassers” and violate the provisions of this policy shall have the key elements of the policy explained in a polite manner and be asked to vacate the premises.
- D. Students who violate the provisions of this policy and refuse to leave as requested are subject to the disciplinary rules of their respective schools.
- E. If necessary, the Ware Police shall be contacted to secure the orderly removal of “licensees” or “trespassers” who violate the provisions of this policy and refuse to leave.
- F. The School Committee considers steps leading to the entrance of a building, walls, railings or playground equipment to be unsafe for students or others to ride bicycles, skate boards, roller skates, roller blades, and other types of wheeled paraphernalia or equipment.
- G. No one is permitted to take any of the items mentioned in “F” above on the athletic track or the athletics fields on the Ware Public Schools Campus.

- H. No golfing is permitted on school fields or lawns unless part of the physical education program, and/or the extra-curricular/athletic program of the Ware Public Schools.
- I. No four-wheelers, all terrain vehicles, or snowmobiles are permitted on school grounds.
- J. Dogs, horses and other animals, with the exception of guide dogs for disabled persons and animals used by law enforcement and other public safety officials in the course of their official duties, are prohibited from the Ware Public Schools Campus. Other exceptions to this policy, regarding the curricular and/or extra-curricular programs of an educational nature in the Ware Public Schools, may be allowed subject to the determination of each principal (i.e. the use of various animals on the Ware Public Schools Campus as part of the curricular and/or extra-curricular programs provided in the schools and/or on the school grounds).

V. DELEGATION OF AUTHORITY:

- A. The Superintendent is responsible for communicating this policy to all site administrators and directing that it be enforced.
- B. Each site administrator is responsible for enforcing these provisions everywhere on property belonging to the Ware School Department.
- C. Any school employee may act in the Ware School Department's behalf in carrying out the provisions of this policy.
- D. All Town of Ware residents are encouraged to assist Ware School Department staff by notifying a person in authority of any violations.
- E. The Director of Building and Grounds Maintenance is directed to prepare and place signs in conspicuous locations on the Ware Public Schools Campus relative to the contents of the policy statement.
- F. Each principal shall prepare and distribute notices to parents and students which advises them of potential unsafe areas and recreational activities that are occurring on campus.
- G. Copies of this policy shall be made available at each school in the Principal's office and at the Superintendent of Schools office.

VI. EXPIRATION DATE:

This policy shall remain in effect until amended or rescinded by the Ware School Committee.

1st Reading: June 1, 2000

Recommended for 2nd Reading and Adoption: June 15, 2000

STUDENTS

File: JLB (Also GBG)

ACCIDENT/INJURY POLICY

Accidents and injuries occurring to students and staff members on school grounds or while under school supervision shall be reported and filed promptly to the school office. The school office shall notify the central office of the incident. A written accident/injury report must be completed on the form provided and filed with the school principal. The accident/injury report must be completed by the injured employee (or in the case of a student by the supervising staff member) and submitted to the principal or his/her designee as soon as possible and no later than 48 hours after the accident/injury. The detailed report must include the name, address and age of the injured individual(s), the nature of the injury, the specific body part(s) injured, what the injured person(s) was doing at the time of the injury or accident, the date and time of the injury, the names of any witnesses, the actions taken at the time and any other pertinent information regarding the accident.

A copy of the report shall also be promptly forwarded to the office of the Superintendent by appropriate staff.

1st. Reading: November 18, 1999

2nd Reading and Adoption: December 2, 1999

___ Building Principal
___ Nurse
___ Central Office

STUDENTS

File: JLB-E

WARE PUBLIC SCHOOLS
ACCIDENT/INJURY REPORT

To be filled at the time of the accident only for an injured student who is referred to a physician:

Student name _____ Home address _____
School _____ Sex: M F Age _____ Grade _____

Date _____ Time of Accident _____ Insurance _____

Place of Accident: School Building _____ School Grounds _____ To/From School _____

Specify activity: Athletic Field _____ Corridor _____ Shop _____
Auditorium _____ Gymnasium _____ Stairs _____
Bathroom _____ Home Ec. _____ Other (specify) _____
Cafeteria _____ Laboratory _____
Classroom _____ Locker Rm _____

Part of body injured: Abdomen _____ Eye* _____ Knee* _____
Ankle* _____ Face _____ Leg* _____
Arm* _____ Finger* _____ Teeth** _____
Back _____ Foot* _____ Wrist* _____
Chest _____ Hand* _____ Other _____
Elbow* _____ Head _____

*left, right, both **specify

Nature of accident: Abrasion _____ Dislocation _____ Shock _____
Bruise/Bump _____ Head Injury _____ Sprain _____
Burn _____ Fracture _____ Other _____
Cut _____ Laceration _____
Convulsion _____ Puncture _____

How did it happen?

Treatment and
Disposition:

Was a parent or other individual notified? Yes ___ No ___ How _____ Time _____

Name of individual notified _____ By whom? _____

Signed: _____

Principal

Teacher

Date Received _____

1st Reading: November 18, 1999

2nd Reading and Adoption: December 2, 1999

PHYSICAL EXAMINATIONS OF STUDENTS

Once each school year, every student will be required to participate in a sight or hearing screening and for other physical problems as provided for by Massachusetts General Laws. A record of the results will be kept by the school nurse.

Every student will be required to complete a general physical examination by their primary care physician at the prescribed intervals: upon entering Ware Public Schools/Kindergarten and subsequently during the third, seventh, and eleventh grades and must provide written documentation on the approved medical examination form provided for the Massachusetts Department of Education of this physical examination to the school. In the event that the child does not have a primary care physician or does not have medical coverage, the parent/guardian of the child will notify the Lead School Nurse who will arrange for the required examination by the school physician at school committee expense. The results of examinations will be a basis for determining what corrective measures or modifications of school activities, if any, should be recommended. A record of all examinations and recommendations will be kept.

Every candidate for a school athletic team will present the signed consent of parent or guardian in order to participate on an athletic team and will, with the signed consent of parent or guardian, be thoroughly examined to determine physical fitness. A written report stating the fitness of the student to participate signed by the student's primary care physician will be sent to the school principal. In the event that the child does not have a primary care physician or does not have medical coverage, the parent/guardian of the child will notify the Lead School Nurse who will arrange for the required physical examination by the school physician at school committee expense.

The school physician will make a prompt examination of all children referred to him/her to the school nurse. The School Physician will examine school employees when, in his/her opinion, the protection of the student's health may require it. Except in an emergency, the school physician will not prescribe for or treat any student.

Whenever the school nurse finds a child to be suffering from any disease or medical problem, the situation will be reported to the parent or guardian by telephone and in writing, or by personal visit if remedial treatment is recommended. A copy of the report will be filed at the school.

The school nurse will make a monthly report to the Superintendent of the number of students examined; the number excluded; and the number recommended for treatment or special adjustment of work. In all cases of exclusion or recommendation, the causes will be included in the report.

Adoption date: July 17, 1997

Revised: August 12, 1999

LEGAL REFS.: M.G.L. 71:53; 71:54; 71:56; 71:57
Student Handbook

INOCULATIONS OF STUDENTS

Students entering school for the first time, whether at kindergarten or through transfer from another school system, will be required to present a physician's certificate attesting to immunization against diphtheria, whooping cough, poliomyelitis, tetanus, measles, and such other communicable diseases as may be specified from time to time by the Department of Public Health. The only exception to these requirements will be made on receipt of a written statement from a doctor that immunization would not be in the best interests of the child; or, the student's parent or guardian stating that vaccination or immunization is contrary to the religious beliefs of the student or parent.

Adoption date: July 17, 1997

LEGAL REF.: M.G.L. 76:15

COMMUNICABLE DISEASES

The Ware Public Schools is required to provide educational services to all school age children who reside within its boundaries. By law, however, admission to school may be denied to any child diagnosed as having a disease whereby attendance could be harmful to the welfare of other students and staff, subject to the School System's responsibilities to handicapped children under the law.

The School Committee recognizes that communicable diseases which may afflict students range from common childhood diseases, acute and short-term in nature, to chronic, life-threatening diseases such as Acquired Immune Deficiency Syndrome (AIDS).

Management of common communicable diseases shall be in accordance with Massachusetts Department of Health guidelines. A student who exhibits symptoms of a communicable disease may be temporarily excluded from school attendance. The School System reserves the right to require a physician's statement authorizing the student's return to school.

The Educational placement of a student who is medically diagnosed as having a life-threatening communicable disease shall be determined on an individual basis in accordance with this policy and accompanying administrative procedures. Decisions about the proper educational placement shall be based on the student's behavior, neurologic development, and physical condition; the expected type of interaction with others in school setting; and the susceptibility to other diseases and the likelihood of presenting risks to others. A regular review of the placement decision shall be conducted to assess changes in the student's physical condition, or based on new information or research that may warrant a change in a student's placement.

In the event a student with a life-threatening communicable disease qualifies for services as a handicapped child under state and federal law, the procedures for determining the appropriate educational placement in the least restrictive environment shall be used in lieu of the procedures designated above.

Neither this policy nor the placement of a student in any particular program shall preclude the administration from taking any temporary actions including removal of a student from the classroom as deemed necessary to protect the health, safety, and welfare of the student, staff, and others.

In all proceedings related to this policy, the School System shall respect the student's right to privacy. Only those persons with a direct need to know shall be informed of the specific nature of the student's condition.

Adoption date: July 17, 1997

REFS.: Americans with Disabilities Act (ADA)
Individuals with Disabilities Education Act (IDEA)
M.G.L. 71B

Ware Public Schools

AIDS (ACQUIRED IMMUNE DEFICIENCY SYNDROME)

Whereas, there is a great deal of concern in the community about the history, symptoms, and transmissibility of Acquired Immune Deficiency Syndrome (AIDS) and AIDS Related Complex (ARC); and

Whereas, misinformation or lack of knowledge regarding the scope of the disease could result in improper decisions about children's attendance at school; and

Whereas, a comprehensive policy on AIDS and ARC has been developed by the Massachusetts Department of Public Health, which has been adopted by the Massachusetts Department of Education as policy; therefore be it RESOLVED, that the Massachusetts Medical Society strongly recommends at this time that school systems in the Commonwealth appropriately implement an official policy governing school attendance by children and teachers with Acquired Immune Deficiency Syndrome (AIDS) and AIDS Related Complex (ARC) using the guidelines currently developed by the Massachusetts Department of Public Health.

**AIDS (ACQUIRED IMMUNE DEFICIENCY SYNDROME)
SCHOOL ATTENDANCE POLICY***

Epidemiological studies show that AIDS is transmitted via sexual contact or blood to blood contact. To date, there is no recorded transmission of AIDS to family members who are non-sexual contacts. This fact is also observed with medical personnel who directly care for and are exposed to AIDS cases. Since there is no evidence of casual transmission by sitting near, living in the same household, or placing together with an individual with AIDS, the following guidelines are recommended by the Governor's Task Force on AIDS for implementation in school systems throughout the Commonwealth.

1. All children diagnosed as having AIDS or with clinical evidence of infection with the AIDS associated virus, Human Immunodeficiency virus, (HIV), and receiving medical attention are able to attend regular classes.
 - A. If a child has cutaneous (skin) eruptions or weeping lesions that cannot be covered, he/she should not be in school.
 - B. If a child exhibits inappropriate behavior which increases the likelihood of transmission (i.e. biting or frequent incontinence), he/she should not be in school.
 - C. Children diagnosed with AIDS or with clinical evidence of infection with the AIDS associated virus (HIV), who are too ill to attend school, will have an appropriate alternative educational plan.
 - D. Siblings of children diagnosed as having AIDS or with clinical evidence of infection with the AIDS associated virus (HIV) are able to attend school without any further restrictions.

*NOT INTENDED FOR DAY CARE

2. The child's personal physician is the primary manager of the child diagnosed as having AIDS or with clinical evidence of infection with the AIDS associated virus (HIV). Management includes acting as the liaison for the child's attendance at school in accordance with the policy outlined above.
 - A. The child's personal physician, after consultation with the family, is responsible for reporting cases of AIDS to the Massachusetts Department of Public Health's Division of Communicable Disease. The School Superintendent will be notified by the child's personal physician and will provide assistance in identifying those educational or health care agents with an absolute need to know.

- B. Only persons with an absolute need to know should have medical knowledge of a particular student. In individual situations, the Superintendent might notify one or more of the following:
- Principal
 - School Nurse
 - Teacher
- C. Notification should be by a process that would maximally assist patient confidentiality. Ideally, this process should be direct person to person contact.
- D. If school authorities believe that a child diagnosed as having AIDS or with clinical evidence of infection with the AIDS associated virus (HIV) has evidence of conditions described in #1, then the school authorities can dismiss the child from the class and request authorization from the child's personal physician so that class attendance is within compliance with the school policy.
- E. If school authorities and the child's personal physician are in conflict, then the case should be referred to the Department of Public Health for review by an appointed physician who would determine the permissibility of attendance.
3. Since the child diagnosed as having AIDS or with clinical evidence of infection with the AIDS associated virus (HIV) has a somewhat greater risk of encountering infection in the school setting, the child should be excluded from school if there is an outbreak of a threatening communicable disease such as chicken pox or measles until he/she is properly treated (possibly with hyperimmunegamma globulin) and/or the outbreak has no longer become a threat to the child.
4. HIV screening is a blood test for detecting the presence of antibody to the HIV virus. Antibodies are substances produced by white blood cells and help fight infection caused by viruses or bacteria. Testing for HIV antibody is not recommended for any purposes other than to assist the child's personal physicians in a highly selected set of clinical decisions. Results of HIV antibody tests are confidential and should not be reported to schools.
5. Blood or any other body fluids including vomitus and fecal or urinary incontinence in any child should be treated cautiously. It is recommended that gloves be worn when cleaning up any body fluids.
- A. These spills should be disinfected with bleach (one part bleach to ten parts water), or another disinfectant, by pouring the solution around the perimeter of the spill.

- B. All disposable materials, including gloves, should be discarded into a plastic bag. The mop should be disinfected with the bleach solution described in 5A.
 - C. Persons involved in the clean-up should wash their hands afterward.
6. In-service education of appropriate school personnel should ensure that proper medical and current information about AIDS is available.

Adoption date: July 17, 1997

REF.: Massachusetts Department of Public Health (1986)

PEDICULOSIS CAPITIS (HEAD LICE)

Ware Public Schools endorses the National Pediculosis Association recommendation requiring children, who are excluded from school following a discovery of head lice, not be re-admitted to school until they are determined to be lice and nit free. This requirement represents an essential component of an effective and thorough pediculosis control program. A policy for head lice must consider not only the infested child, but also his or her peers who have already been successfully deloused or who have not yet been infested.

Schools are to take the following steps to educate families and deter outbreaks:

1. Up-to-date information, developed by health authorities on head lice and treatment, is to be included in enrollment and beginning-of-year packets for all students.
2. Because the majority of cases tend to occur in younger children, all preschool and elementary-level students are to be examined, by the school nurse, for head lice within the first 4-6 weeks of school.
3. All preschool and elementary students should be examined for head lice during routine health, vision and dental screenings.

Schools are to take the following steps upon discovery of a case of head lice:

1. If a student is found to have lice and/or nits, the child is removed from the classroom.
2. The principal and classroom teacher will immediately be notified when a case of head lice is found.
3. The parent/guardian or emergency designee is contacted to dismiss the child. The child is not allowed to ride the bus to or from school until all lice and nits are removed. (Such determination is to be made by the school nurse.)
4. At the time of dismissal, the nurse will review treatment options with the parent/guardian or emergency designee, inform them of the “nit free” policy and provide them with a copy. They will also be informed that they, or a designated adult, must bring the child to the school nurse for re-screening before a return to the classroom or bus will be permitted. If lice or nits are seen, the child is sent home for further care.
5. Children, in classrooms where a case of head lice has been determined, should be checked by the school nurse, for infestation, within one day of the discovery.
6. A letter of notification, accompanied by educational and treatment options, will be sent home, no later than the next school day, to all students in the classroom in which a case has been discovered.

7. In the instance a classroom is carpeted, custodians will be notified to vacuum that classroom at the end of the school day. The classroom should be vacuumed daily until the nurse has determined all children in that classroom are free of lice and nits.
8. A child will be allowed two days of excused absence to treat their case of head lice. After such time, absence will be considered unexcused.
9. Any child who returns to school after having an active case of head lice shall have a follow-up with the school nurse in 10-15 days.

Outbreaks of head lice are a common and difficult problem in schools. Parents have responsibility for assisting in the prevention and management of outbreaks of head lice. The school nurse is encouraged to work collaboratively with the classroom teacher, school principal and family of an infected child to the benefit of everyone in the district.

Adoption Date: March 14, 2007

Revision Date:

Last Date Reviewed:

GUIDANCE PROGRAM

Guidance is defined as helping individuals understand themselves in the light of their abilities, aptitudes, interests, attitudes, strengths, and limitations. This process should assist students in the development of their potential; their decisions relating to personal, educational, and vocational matters, and also in becoming capable of mature self-guidance.

The school system's guidance program will be based on this definition and developed from these fundamental principles:

1. Individuals are different from one another in their capabilities, aptitudes, interests, needs, goals, desires, and values.
2. Conditions are improvable. Equality of educational opportunity will benefit the individual and society.
3. Guidance is a continuous and developmental process. Every experience of the individual influences his/her performance in some way.
4. Guidance does not propose to program an individual's course of action but rather tries to assist him/her in arriving at his/her own satisfactory solutions.

Guidance services will include: educational guidance; testing programs; occupational, career, and higher education assistance and information; study aids; consultation services; and personal developmental guidance as needed. These services will be available to all students.

While some of the problems of the individual may relate to behavior and consequently entail guidance on behavior, student discipline will not be a regular function of guidance personnel.

Adoption date: July 17, 1997

STUDENT DISMISSAL

The Superintendent of Schools will provide consistent regulations to permit the early dismissal of students in exceptional circumstances.

Adoption date: July 17, 1997

STUDENT DISMISSAL

All students are dismissed from school at the regularly scheduled time unless a special request has been made from the child's parent or guardian in writing. The release of students through telephone messages is not acceptable except in emergency situations and then only if verified by school personnel.

All students will be picked up only by a parent/guardian or other designee that has been named by the parent/guardian. All students who walk to school or have their own transportation may be released on their own pending a parental written request.

All dismissals originate at the school offices. Students will be released from the office only. It is at the office where a record of all dismissals is maintained and parents or students will have to sign the dismissal notebook.

Adoption date: July 17, 1997

STUDENT FEES, FINES, AND CHARGES

The School Committee recognizes the need for student's fees to fund certain school activities. It also recognizes that some students may not be able to pay these fees. No student will be denied access into any program because of inability to pay these supplementary activity fees.

A school may initiate a fee or charge only upon School Committee approval except in the following instances:

1. Students enrolled in certain courses may be charged for the cost of the materials used in projects that will become the property of the student;
2. Students may be charged for lost or damaged books, locks, materials, supplies and equipment.

Students who are indigent (e.g. eligible for free or reduced lunch) are exempt from paying fees. However, indigent students are not exempt from charges for lost and damaged books, locks, materials, supplies, and equipment.

All student fees and charges, both optional and required, will be listed and described annually in each school's student handbook or in some other written form and distributed to each student. The notice will advise students that fees and charges are to be paid and of the penalties for failing to pay required fees and/or charges. Permissible penalties may include the denial of participation in extra class activities.

Any fee or charge due to any school in the school system and not paid at the end of the school year will be carried forward to the next succeeding school year, as such debts are considered to be debts of the student to the school district and not to a particular school.

Adoption date: July 17, 1997

Recommended Revision – 1st Reading: November 15, 2000

2nd Reading and Adoption – November 30, 2000

LEGAL REF.: Massachusetts Student Record Regulations as Issued by Massachusetts
Department of Education 603CMR23.07(2)

Ware Public Schools

STUDENT RECORDS

In order to provide students with appropriate instruction and educational services, it is necessary for the school system to maintain extensive and sometimes personal information about them and their families. It is essential that pertinent information in these records be readily available to appropriate school personnel, be accessible to the student's parents or legal guardian and/or the student in accordance with law, yet be guarded as confidential information.

The Superintendent will provide for the proper administration of student records in keeping with state and federal requirements. The temporary record of each student will be destroyed five years after the student transfers, graduates, or withdraws from the school system. Former students desiring information from their records may obtain it by requesting such information from the principal before the date of destruction.

The School Committee wishes to make clear that all individual student records of the school system are confidential. This extends to giving out individual addresses and telephone numbers.

Adoption date: July 17, 1997

LEGAL REFS.: Family Educational Rights and Privacy Act of
 1974, P.L. 93-380
 M.G.L. 66:10; 71:34A through 71:34E
 Board of Education Student Records Regulations, adopted 2/10/75,
 amended 2/24/76
 P.L. 103-382 of 1994

STUDENT RECORDS

The State Department of Education has adopted regulations pertaining to student records. These regulations apply to all public elementary and secondary schools and are summarized below.

1. A student record includes all the information concerning a student, which is kept by the school system either in the Guidance Office, the Principal's Office, the Department of Pupil Personnel Services, and/or the Superintendent's Office.
2. A parent, or a student who has entered the ninth grade or is at least 14 years old, has the right to inspect all portions of the student record upon request.
3. The record must be made available to the parent or student no later than two consecutive weekdays or two working days unless the parent or student consents to the delay.
4. Authorized school personnel to include school administrators, teachers, counselors, school nurses and school clerical staff are the only ones who do not need permission to see student records. Exceptions to the above include probation officers and people designated by subpoenas or court order. In these cases written notice must be given to the student or parent by the school and an entry must be made showing the person and reason for examining a record.
5. Students or parents may request (in writing) that relevant data be inserted/added to any record and have the right to request amendment or removal of any untrue or incorrect material.
6. The transcript part of a student record must be maintained by the Superintendent of Schools for sixty (60) years following graduation, transfer or withdrawal from school. The transcript contains administrative records that constitute minimum information necessary to reflect a student's education progress and to operate the education system.
7. The temporary part of a student record will be destroyed five (5) years after a student graduates, transfers or withdraws from school. The temporary record consists of all information in the student record which is not contained in the transcript. This information clearly shall be of importance to the education process. Such information may include relevant family background, standardized test results, class rank (when applicable) sponsored extra curricular activities, and evaluations by teachers, counselors and other school/staff.

The above is only a summary of some of the more important regulations pertaining to student records. If more detailed information is desired, please contact the Principal's Office, Department of Pupil Personnel Services at 967-7261 or the Superintendent's Office at 967-4271.

Adoption date: July 17, 1997

REF.: Student Handbook

Ware Public Schools

STUDENT PHOTOGRAPHS

Individual schools may arrange, in cooperation with either the school's parent organization, student council, designated student committee, or a staff committee, to take individual student and/or class group pictures. Awarding of the photographic services shall be conducted through bidding procedures.

Individual and/or class group pictures may be taken at the school facility and during the regular school day hours. The pictures shall be made available for purchase by students and/or parents on a voluntary basis. The building principal or his/her designee shall have final authority in authorizing the picture-taking program and will be responsible for overseeing the process.

Students may be required to have an individual picture taken for the cumulative file or identification purposes; however, no student shall be pressured or required to purchase photographs.

The purpose of the policy is to:

Enhance the safety of students through visual identification in an emergency situation.

Facilitate the social, educational, and administrative activities conducted in the school.

Provide a service to parents and students.

Allow the profits gained from the picture-taking program to be used by the sponsoring group and authorized by the Building Principal.

Adoption date: July 17, 1997