

STUDENT POLICIES GOALS

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

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

The committee and staff will work together to establish an environment conducive to the very best 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 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 feel respected and worthy through a learning environment that provides positive encouragement through frequent success.
4. To provide an environment of reality in which students can learn personal and civic responsibility for their actions through meaningful experiences as school citizens.
5. To deal with students in matters of discipline in a just and constructive manner.
6. To provide in every way possible for the safety, health, and welfare of students.
7. To promote faithful attendance and good work.

LEGAL REF.: 603 CMR 26:00

STUDENT POLICIES GOALS

Active Efforts

- (1) The School Committee of each school district shall establish policies, promote regulations and procedures, and implement monitoring and evaluation practices that support and promote affirmative action and stimulate necessary changes to endure that all obstacles to equal access to school programs for all persons regardless of race, sex, color, national origin, religion or limited English-speaking ability, no matter how subtle or unintended are removed. Such policies shall include a requirement for an annual evaluation of all aspect of the K through 12 school program to insure that all students regardless of race, color, sex, religion or national origin are given an opportunity to develop skills, competence, and experience, and to receive appropriate guidance so that they may be able to participate in all programs offered by the school including athletics and other extra-curricular activities. Special attention shall be given in this examination to schools and programs in which students of either sex or of racial or national origin groups present in the community are markedly under represented.
- (2) If participation in any school sponsored program or activity has previously been limited to students based on race, color, sex, nationality origin, or religion, then the School Committee shall make active efforts to insure that equal access to all school sponsored programs or activities be provided within the system.
- (3) It shall be the responsibility of the School Committee and the Superintendent to provide necessary information and in-service training for all school personnel in order to:
 - (a) advance means of achieving educational goals in a manner free from discrimination on account of race, color, sex, religion or national origin.
 - (b) enhance consciousness of the kinds of discriminatory and prejudicial practices and behavior which may occur in the public schools.
- (4) The Superintendent, as an agent of the School Committee, shall promote and direct effective procedures for the full implementation of 603 CMR 26.00, and shall make recommendations to the committee for the necessary policies, program changes, and budget resource allocations needed to achieve adherence to 603 CMR 26.00/
- (5) At the beginning of the school year, the Superintendent of each school system shall be responsible for sending to the parents of all school age children, in their primary language, a notice of the existence of S. 1971 c.622 and its implications. Such notice shall include the information that all courses of study, extra-curricular activities, and services offered by the school are available without regard to race, color, sex, religion or national origin. This notice may be included with other communications sent to parents by the school system. Upon request, the Department of Education shall provide a translation in requested languages to assist Superintendents in complying with this section. The Superintendent shall inform the community of the existence of the law and of its implications through newspaper releases or radio or television announcements.

- (6) The Superintendent shall ensure that all students are annually informed in a manner certain to reach them of the existence of St. 1971, c.622 and its implications. Students shall be informed that all courses of study, extra-curricular activities, services, and facilities offered by the school are available without regard to race, color, sex, religion or national origin.
- (7) The Superintendent of each school system shall make certain that employers who recruit new employees in and through the schools of that district, do not discriminate on account of race, color, sex, religion or national origin in their hiring and recruitment practices within the schools. Before any employer is allowed to recruit at or through any school, the employer shall be required to sign a statement that he/she does not discriminate in hiring or employment practices on account of race, color, sex, religion or national origin.
- (8) Since adults serve as role models for students, school authorities shall utilize adults in a variety of jobs, and as members of policy making committees, to the extent consistent with their contractual obligations, without regard to race, color, sex, religion or national origin.
- (9) Adults serving on athletic regulatory boards shall fairly represent the interest of both male and female students.
- (10) Because selective secondary schools have had atypical student bodies in the past, such selective secondary schools, including but not limited to selective academic high schools, regional vocational-technical schools and trade schools, shall admit qualified applicants of each sex and racial and ethnic groups in numbers proportionate to the existence of members of such class in the secondary school population of the geographic area served by that school. After the period for application to the school has closed, if it is found that qualified applicants of one of the above classes have not applied in numbers sufficient to maintain this proportion, qualified students of the other categories may be selected to fill the remaining openings.
- (11) Any contributions to a school for activities and monetary awards within or sponsored by the school or for scholarships administered by the school made after the effective date of 603 CMR 26.00 by any person, group or organization shall be free from any restrictions based upon race, color, sex, religion or national origin.
- (12) The opportunity to receive guidance and counseling in a student's primary language should be made available to students from homes where English is not the primary language spoken.

LEGAL REF.: 603 CMR 26:00

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 committee and its staff will make every effort to comply with the letter and the spirit of the Massachusetts equal educational opportunities law (known as Chapter 622 of the Acts of 1971), which prohibits discrimination in public school admissions and pro- grams. The law reads as follows:

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

This will mean that every student will be given equal opportunity in school admission, 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
Board of Education, Chapter 766 Regulations 10/74 - amended through 3/28/78, 603 CMR 26:00

CROSS REF.: AC, Nondiscrimination

**POLICY AND REFERRAL PROCEDURES AGAINST HARASSMENT INCLUDING
HARASSMENT BASED UPON SEX, RACE, COLOR, NATIONAL ORIGIN, AGE,
HANDICAP AND/OR DISABILITY, AND SEXUAL ORIENTATION.**

I. Harassment Policy Statement: Harassment on the basis of race, age, national origin, sex, sexual orientation, or disability is illegal and Will not be tolerated in the Lynn Public Schools. Harassment, on any level, is a form of discrimination. Harassment is defined as advances, requests, or conduct having the purpose or effect of unreasonably interfering with an individual's education or employment by creating an intimidating, hostile, humiliating, offensive, or unsafe educational or professional environment.

The Lynn Public School System believes that we have a commitment to provide staff and students with a safe working and learning environment. It is the belief of the Lynn Public Schools that preventing school violence, harassment, and discrimination is of paramount concern, as is creating a school climate that is supportive, respectful of all school community members, and conducive to serious learning.

We expect all students, employees, parties contracted by the Lynn Public Schools, and other members of the school community to conduct themselves in an appropriate manner with respect, dignity, courtesy, and fair treatment for all individuals.

II. Policy Rationale: In February, 1992, the US Supreme Court ruled in *Franklin V. Gwinnett County (Ga.) School District* that, under Title IX of the Education Amendments of 1972, schools and school districts have an obligation to protect students from all forms of harassment. In this case, a female student alleged that she repeatedly reported to school officials that a male teacher was sexually harassing her. School officials did nothing to stop the harassment and attempted to convince her not to file a complaint with the US Department of Education Office of Civil Rights. The Franklin decision is leading many school districts to seek assistance in developing sexual harassment policies. More recently, Governor Weld signed legislation, Massachusetts General Law Chapter 278 of the Acts of 1996, which requires all employers in Massachusetts with 15 or more employees to adopt a sexual harassment policy.

Title IX of the Educational Amendments of 1972, the Massachusetts General Law Chapter 622 of the Acts of 1971, and Massachusetts General Law Chapter 278 of the Acts of 1996 are three laws which address harassment, discrimination, and equity. Title IX is concerned with discrimination on account of sex, while Chapter 622 prohibits discrimination on the basis of race, color, national origin, religion, and sexual orientation, in addition to sex discrimination. Title IX bans sex discrimination in the employment practices of a school, whereas the thrust of Chapter 622 is toward equalizing the opportunities made available to students: and Title IX applies to school, public or private, that receives federal financial assistance whereas Chapter 622 covers the practices of public elementary and secondary schools.

III. Harassment/ Prohibited Conduct Defined Prohibited conduct includes, but is not limited to, the following conduct when related to a person's sex (gender), race, color, national origin, religion, age, handicap and/or disability, or sexual orientation and when much conduct is unwelcome by the recipient

1. name calling, teasing, jokes, rumors, or other derogatory or dehumanizing remarks;
2. pulling at clothing or other possessions;
3. graffiti;
4. notes or cartoons;
5. unwelcome touching of a person or a person's clothing;
6. offensive or graphic posters, pictures, book covers, or designs on clothing;
7. any words or actions which might provoke feelings of discomfort, embarrassment, or hurt.

The foregoing list is provided to give some concrete examples of conduct which constitute harassment based upon an impermissible basis. However, all members of the Lynn school community must assess their conduct in light of the following definitions of the various forms of harassment. If certain conduct is not previously listed, but does fall into one of the following definition of harassment, then the conduct shall be considered harassment and is prohibited conduct.

IV. Definitions of Various Form's of Harassment

A. Sexual Harassment/Gender Harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature when:

1. submission to that conduct or communication is made a term or condition, either explicitly or implicitly, of obtaining education, or of obtaining or retaining employment; or
2. submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting the individual's education or employment; or
3. that conduct or communication has the purpose or effect of substantially or unreasonably interfering with an individual's education or employment, or creating an intimidating, hostile, or offensive educational or work environment;
4. Adversely affects an individual's academic or employment opportunities.

Sexual Harassment includes but is not limited to:

1. unwelcome verbal harassment or abuse;
2. unwelcome pressure for sexual activity;
3. unwelcome sexually motivated or inappropriate touching, patting, pinching, or other sexual contact other than reasonable and necessary restraints of students by teachers, administrators, or other school personnel to avoid physical harm to persons or property;
4. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt threats concerning an individual's educational or work status;
5. unwelcome sexual behavior or words, including demands for sexual favors, accompanied by implied or overt promises of preferential treatment with regard to an individual's educational or work status;
6. unwelcome behavior or words directed at an individual because of gender.

Sexual harassment can include prohibited conduct as defined above which may occur between members of the same sex.

- B. Racial Harassment consists of physical or verbal conduct which is related to an individual's race when the conduct:
 1. has the purpose or effect of creating an intimidating, hostile, or offensive academic or work environment;
 2. has the purpose or effect of substantially or unreasonably interfering with an individual's academic or work performance;
 3. otherwise adversely affects an individual's academic or work opportunities.
- C. Harassment Based Upon Color consists of physical or verbal conduct which is related to an individual's color when the conduct:

1. has the purpose or effect of creating an intimidating, hostile, or offensive academic or work environment;
 2. has the purpose or effect of substantially or unreasonably interfering with an individual's academic or work performance;
 3. otherwise adversely affects an individual's academic or work opportunities.
- D. National Origin Harassment consists of physical or verbal conduct which is related to an individual's national origin when the conduct:
1. has the purpose or effect of creating an intimidating, hostile, or offensive academic or work environment;
 2. has the purpose or effect of substantially or unreasonably interfering with an individual's academic or work performance;
 3. otherwise adversely affects an individual's academic or work opportunities.
- E. Religious Harassment consists of physical or verbal conduct which is related to an individual's religion when the conduct:
1. has the purpose or effect of creating an intimidating, hostile, or offensive academic or work environment;
 2. has the purpose or effect of substantially or unreasonably interfering with an individual's academic or work performance;
 3. otherwise adversely affects an individual's academic or work opportunities.
- F. Age Harassment consists of physical or verbal conduct which is related to an individual's age when the conduct:
1. has the purpose or effect of creating an intimidating, hostile, or offensive academic or work environment;
 2. has the purpose or effect of substantially or unreasonably interfering with an individual's academic or work performance;
 3. otherwise adversely affects an individual's academic or work opportunities.

G. Handicap and/or Disability Harassment consists of physical or verbal conduct which is related to an individual's handicap and/or disability when the conduct:

1. has the purpose or effect of creating an intimidating, hostile, or offensive academic or work environment;
2. has the purpose or effect of substantially or unreasonably interfering with an individual's academic or work performance;
3. otherwise adversely affects an individual's academic or work opportunities.

H. Sexual Orientation Harassment consists of physical or verbal conduct which is related to an individual's sexual orientation when the conduct:

1. has the purpose or effect of creating an intimidating, hostile, or offensive academic or work environment;
2. has the purpose or effect of substantially or unreasonable interfering with an individual's academic or work performance;
3. otherwise adversely affects an individual's academic or work opportunities.

V. Referral Procedures

A. Retorting Responsibilities: Any person who believes that a student, teacher, administrator, or other school personnel has engaged in conduct prohibited by the Lynn Public Schools harassment policy should report the alleged prohibited conduct as soon as possible to the appropriate school district officials as designated by this policy statement. The school district encourages the complainant to use the Complaint of Harassment form included here. Copies of this form will be available from each school principal and designated school district officials. Verbal reports will also be considered complaints and shall be documented on the Complaint of Harassment form as soon as possible after the verbal report is made.

Nothing in this policy statement shall prevent any person from reporting alleged prohibited conduct directly to the Superintendent of Schools. Further, nothing in this report shall prevent any person from reporting alleged prohibited conduct to an administrator other than the designated school district officials, or, in the case of a student, to a teacher or counselor.

1. The Lynn Public Schools designates the Superintendent of Schools and the Director of Equity/Program Support as having the responsibility to oversee administration of these procedures and to monitor compliance.
2. In each School the School Principal and/or a designee is the person responsible for receiving and investigating verbal or written reports of alleged prohibited conduct. Any school personnel who receive a report of alleged prohibited conduct shall inform the principal and/or the designee as soon as possible. If the complaint involves the school principal, the report should be filed directly with the Superintendent.
3. In district-wide departments the administrator or his/her designee is the person responsible for receiving and investigating verbal or written reports of alleged prohibited conduct. Any school district personnel who receive a report of alleged prohibited conduct shall inform the administrator or the designee as soon as possible. If the complaint involves the district wide administrator, the complaint shall be filed directly with the Superintendent.

*In Units 1, 2, and 3, administrators shall choose a designee of the opposite gender. By doing this, complainants have the option of making their report of alleged prohibited conduct to a male or a female.

Upon resolution of incidents prohibited by this policy statement, all Complaint of Harassment forms shall be forwarded to the Superintendent of Schools.

B. Complaint Investigation Procedures Upon receipt of a report or complaint of alleged prohibited conduct, the responsible administrator or designee shall initiate a timely investigation of the alleged incident. If warranted by the circumstances of the complaint, the administrator or designee may request assistance from the Superintendent of Schools, the Director of Equity/ Program Support, or a third party (i.e., HAWC) who will report directly to the Superintendent.

The investigation may consist of personal interviews with the complainant(s), the individual(s) against whom the complaint has been made, and others who have knowledge of the alleged incident or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigating party.

In determining whether "alleged conduct" constitutes a violation of this policy, the investigating party shall consider the surrounding circumstances: the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationship between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all facts and surrounding circumstances.

Failure to investigate a complaint as provided herein or failure to forward the Complaint of Harassment form to the Superintendent of Schools in a timely manner will result in disciplinary action as determined by the Superintendent of Schools. Such disciplinary action may include, but is not limited to, verbal or written reprimand, suspension, transfer, or termination of employment. (Disciplinary action will be consistent with provisions of collective bargaining agreements, state and federal laws, and school district policies.)

C. Corrective Action/Resolution: Upon completion of an investigation, the administrator or designee shall take the appropriate corrective action.

1. If it is proved, after investigation, that an individual has filed an intentionally false complaint, appropriate disciplinary action will be taken against that individual. (See Sec. D)
2. If it is proved, after investigation, that the incident reported constituted any form of harassment, the administrator will take appropriate action. (See Sec. D)

D. Examples of Corrective/Disciplinary Action: Depending upon the severity of the harassment, action may include, but is not limited to, an apology, direction to stop the offensive behavior, parental notification and/or conference, counseling or training, remediation, warning about more severe corrective action if behavior persists, suspension, exclusion, expulsion, transfer, termination of employment. (Corrective/Disciplinary action taken will be consistent with provisions of collective bargaining agreements, state and federal laws, and school district policies.)

More specific guidelines for handling complaints of student to student sexual harassment, dating violence, or sexual assault incidents are contained in Part II of this document.

VI. Reprisal: The school district shall take appropriate disciplinary action against any individual who retaliates against any person who reports or assists in the investigation of an alleged violation of this policy. Retaliation includes, but is not limited to, any form of intimidation, reprisal, or harassment. (See IV-D for examples of disciplinary action. Disciplinary action will be consistent with provisions of collective bargaining agreements, state and federal laws, and school district policies.)

VII. Right to Alternative Complaint These procedures do not deny the right of any individual to pursue other avenues of recourse.

Any student, parent/guardian, or employee who feels that he/she has been harassed or discriminated against on the basis of race, color, age, national origin, sex/ gender, or handicap may discuss and/or file a complaint using this form.

COMPLAINT OF HARASSMENT

Complaint filed against _____

Employee _____ Student _____

Name of Complainant _____

Employee _____ Student _____ Parent/Guardian _____

Home Address _____

Phone _____ Date of Complaint _____ Date of Incident _____

(If you can be proved that an individual has filed an intentionally false complaint, disciplinary action will be taken against that individual (see pg. 6, Sec D).

This incident of harassment/discrimination was based upon my:

- _____ A. Sex/Gender
- _____ B. Race
- _____ C. Color
- _____ D. National Origin
- _____ E. Religion
- _____ F. Age
- _____ G. Handicap/Disability
- _____ H. Sexual Orientation

Statement of Incident (should include all pertinent information - who, how, when, where, how often, specific language, witness). This portion of the form may be completed with the assistance of the Principal or his/her designee.

Complainant's Signature _____

Resolution of Incident:

Date of Resolution _____ Principal/Designee _____

Complainant's Signature _____

Signature of all/other party (ies) involved _____

If either party feels that the complaint has not been handled in a fair, satisfactory, or timely manner, he/she has the right to appeal the decision with the Superintendent of Schools or his designee.

Complainant's Signature: _____

All complaints will be kept in a confidential file in the office of the Superintendent

STUDENT DISCIPLINE POLICY HARASSMENT/SEXUAL HARASSMENT

HARASSMENT

Harassment on the basis of race, age, national origin, sex, sexual orientation or disability is illegal and will not be tolerated. We expect all students, employees, parties contracted by the Lynn Public Schools, and other members of the school community to conduct themselves in an appropriate manner with respect, dignity, courtesy, and fair treatment for all individuals in the school community.

Any individual who is found, after appropriate investigation, to have engaged in any form of verbal or physical harassment will be subjected to disciplinary action up to and including termination of employment or expulsion.

Any student who believes that he or she has been subjected to harassment should feel free to discuss the matter with a trusted adult and/or file a complaint in person or in writing.

SEXUAL HARASSMENT

Sexual harassment is unwanted sexual attention from anyone with whom the student may interact in the course of receiving an education in school or at school-sponsored activities.

Incidents of sexual harassment may include verbal harassment-(derogatory comments, jokes, slurs or remarks, questions of a sexual nature), physical harassment-(unnecessary or offensive touching) or visual harassment-(offensive posters, cards, cartoons, graffiti, drawings, looks or gestures).

Sexual Harassment by a Student - Any student who feels that he/she has been the victim of sexual harassment by another student should report the Incident to a teacher, counselor -or school administrator. Students should feel comfortable in seeking the help of a responsible adult. All reported incident should be Investigated by the principal and/or vice-principal. A written record of all reports should be maintained by the principal.

If it is determined that a student has been sexually harassed by another student, the offending student is subject to one or all of the following consequences: parental conference, detention, conditional suspension, apology to the victim and referral to the police. Repeated harassment, reprisal, threats or intimidation of the victim will be treated as serious offenses and could result in a recommendation by the principal to the Superintendent of Schools and School Committee for expulsion.

Sexual Harassment by an Adult-Any student who feels that he/she has been the victim of sexual harassment by an adult should immediately report the incident to another adult whom he/she trusts. Any school staff member receiving such information must immediately report the incident to the principal. A written record of all reports should be maintained by the principal.

If it is determined that an adult has sexually harassed a student, serious disciplinary action toward the adult may occur. Under certain circumstances, sexual harassment/violence may constitute sexual abuse. School staff (as mandated reporters) must comply with state regulations regarding child abuse/neglect.

At the school level, the principal is responsible for gathering reports and maintaining a written record of all reports of sexual harassment. If the complaint involves the building principal, the complaint must be filed directly with the Superintendent.

All allegations involving school staff members must be immediately reported to the Superintendent of Schools. The Superintendent shall immediately authorize an investigation by appropriate school officials. The investigation may include personal interviews with anyone involved or having knowledge of the allegations and review any reports or documents concerning the incident. In all cases, a high degree of confidentiality will be maintained by school authorities. Every effort will be made to protect the alleged victim, the complainant, students and employees during the investigation and disposition of the incident.

II. GUIDELINES FOR HANDLING
STUDENT TO STUDENT
SEXUAL HARASSMENT, DATING VIOLENCE
AND
SEXUAL ASSAULT
FOR THE LYNN PUBLIC SCHOOLS

Written by:
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PROCEDURES FOR HANDLING STUDENT TO STUDENT SEXUAL HARASSMENT, DATING VIOLENCE AND SEXUAL ASSAULT.

1. safe, swift, and effective resolutions which maximize safety and confidentiality;
2. resolutions which enable students, where possible, to change their attitudes and behaviors;
3. a school atmosphere which makes it safe and important for a student to confide in an adult;
4. responses to incidents which acknowledge cultural differences but continue to adhere to school policy;
5. full utilization of all resources, inside and outside the school, to help staff and students deal with these issues.

Considerations:

- Maximum confidentiality must be established for all students involved; safety must always be a key issue.
 - Peer mediation is never appropriate for these situations; never bring students involved together before an investigation of the incident.
 - A decision to establish a meeting between the reporting student, the aggressor, and the appropriate school administration and faculty can be made ONLY IN CASES OF SEXUAL HARASSMENT AFTER AN INVESTIGATION HAS TAKEN PLACE AND WITH THE FULL AGREEMENT OF THE REPORTING STUDENT AND WITH SAFETY MEASURES IN PLACE.
1. Establish physical or emotional safety of the reporting student; get her/him to a safe, comfortable place. Call security if there is ongoing danger or the school nurse if there are any injuries; do not bring the reporting student and aggressor together.
 2. Notify the principal/director or his/her designee.
 3. Notify the principal/director or his/her designee of any other student involved.

4. The principal/director, his/her designee, and team members are key persons for the report of every incident. The principal/director who receives the report will:
 - a. Inform any other principal whose student(s) were involved;
 - b. Investigate the complaint: meet separately with students involved; talk with witnesses if necessary; determine the facts; assess the level of intervention indicated.
5. The Principal/Director or his/her designee should notify the Superintendent within 24 hours of any incident; sexual harassment, dating violence or sexual assault, which does not violate confidentiality.

III. Level I – Resolution at the School Level

A. Level I - Resolution at the School Level

Appropriate for dating violence involving verbal or written language or unwanted touching; a single incident in which fear is not involved; complaint does not rise to conditions in Level II.

1. If harassment is found, the key person involved asks the victim about the desired resolution and also evaluates the attitude of the aggressor.
2. A meeting between the reporting student and the aggressor can be part of the resolution only if the reporting student desires a meeting and feels safe, if both or all parties agree to the meeting and an adult is present.
3. Parents will be notified when appropriate.
4. Discipline is involved if deemed appropriate.

B. Level II - Case Conference

Appropriate for complaints which involve a pattern of harassment, stalking, physical or emotional intimidation, non-homicidal threats (see Level III), and/or fear for safety on the part of the reporting student. The goal of Level II is to assess how best to approach each student with the hope of de-escalation of the violence and an outcome, which helps the aggressor, deal with and change behavior.

1. Key personnel will consult, when necessary, with Help for Abused Women and Children (HAWC), Project COPE Batterer's Program, and school security staff to evaluate factors of danger or lethality and the most promising intervention, including possible referral of reporting student and/or aggressor for counseling.

2. The victim's parent(s) will be notified after working with the victim and developing a plan that ensures his/her safety. Parent(s) will be notified within 24 hours.
3. Key personnel who are involved will develop a plan of intervention which takes into account information about students involved; a review of all possible resources; the victim's confidentiality.
4. The principal/director will make the final decision about intervention and/or discipline. Discipline can include mandating participation in a batterer's program, private counseling, or a requirement that the aggressor and his/her friends stay away from the reporting student. Discipline may also include one or more of the following: detention, suspension, parental conference, or referral to the police.

C. Level m - Police Court Assistance

Appropriate for dating involving physical harm which rises to the level of criminal assault, threats of homicide or suicide, particularly by a known violent person, violation of an existing Restraining Order, or sexual assault or rape. The goal of Level III is to intervene immediately in a violent situation, interrupt serious threats of harm to self or others, and involve specially trained police officers in sexual assault incidents.

1. Key personnel will call the principal/director, and if necessary, school security. In cases of sexual assault or rape, the police will conduct an appropriate interview of students and make a written report and file formal charges if necessary; the court advocate may be notified;
2. The principal/director will decide the appropriateness of notifying parents / guardians (confidentiality / incest).
3. Student safety will be ensured.
4. The principal/director, with the assistance of key personnel, will consult with the police, HAWC, Project COPE, school counselors or outside counseling to determine the best intervention for all involved students. A 51A will be filed.
5. Discipline may include one or more of the following: detention, suspension, parental conference, and referral to police and possible expulsion.

ATTENDANCE AREAS

Attendance areas for the various schools of the town will be drawn up by the Superintendent and approved by the Lynn School Committee. The primary considerations that govern the establishment of a school attendance area are school capacity and transportation considerations. Generally, students will attend the school in the attendance area in which they live.

In establishing an attendance area, the following general guidelines will also be applied:

1. Use of safe walking conditions consistent with the committee's transportation policies; where possible, major traffic thoroughfares and natural barriers will be used for boundaries.
2. Honoring community of interest; where possible, school attendance zones will incorporate community patterns.

From time to time an overcrowded condition in an existing school, the development of new residential areas, or the opening of a new school may require the establishment or change of previously established school attendance areas.

The committee will confer with community representatives prior to setting new attendance lines. However, the committee's primary basis for judgment must be equality of educational opportunity for all students rather than the personal desires of any one group.

The Superintendent is authorized to make exceptions to attendance lines for individual children in the best interests of the student and/or the school.

LEGAL REFS.: M.G.L. 71:37C; 71:37D; 71:37I; 71:37J
Board of Education Regulations Pertaining to Section 8 of Chapter 636 of the Acts of 1974, Regarding Magnet School Facilities and Magnet Educational Programs, adopted 2/25/75
Board of Education Regulations Pursuant to Chapter 636 of the Acts of 1974, adopted 9/10/74
Board of Education Regulations Pertaining to the Preparation of Racial Balance Plans which Involve Redistricting, adopted 4/24/73

CROSS REF.: JCA, Assignment of Students to Schools

ASSIGNMENT OF STUDENTS TO SCHOOLS

No pupil shall be allowed to attend any school outside of the prescribed boundaries within which the pupil lives, unless for cause satisfactory to the Superintendent of schools and the School Committee, or unless the number of pupils in any grade exceed the accommodations for that grade in his district, in which case the Superintendent shall assign to adjoining districts enough pupils living nearest to those districts to relieve the overflow.

Any pupil at-tending a school outside of his district may, at the end of the school year, be assigned to a school in the district where he regularly belongs. In case of the removal of a pupil from one district to another within the school year, he shall not be compelled to change his school until the end of that year, provided his residence does not interfere with his regular and punctual attendance.

SCHOOL CENSUS

NOTE: For pertinent legal information, refer to M.G.L. 70:5; 71A:2; 71B:3; 71B:6; 72:2; 72:2A; and to the Board of Education Regulations Pertaining to the Census of School Age Children, adopted 3/10/78.

STUDENT ATTENDANCE

- A. Daily attendance of all who are enrolled in the Lynn Public Schools is required in accordance with the laws of the Commonwealth and the School Committee rules.
- B. It is the responsibility of the administrator and teachers to know who are absent from school and assigned classes each day.
- C. Chapter 766 regulations shall apply.
- D. Attendance at school is mandated by state law, subject to the following:
 - 1. All school absences require a note explaining the absence. School absences are defined as follows:
 - a. Documented Absence

Illness covered by a doctor's note, a note regarding illness from the parent or guardian, death in the family, religious holiday, school sponsored activities; in case of an emergency, a waiver may be granted by a school administrator.
 - b. Un-documented Absence

ANY ABSENCES NOT COVERED BY THE ABOVE, ARE UN-DOCUMENTED ABSENCES FROM CLASS AND MAY RESULT IN A GRADE REDUCTION OF FOUR (4) POINTS FOR EACH OCCURRENCE. EXCEPT IN THE CASE OF SUSPENSION, THE STUDENT MAY MAKE UP THESE POINTS IF THE TEACHER FEELS IT IS APPROPRIATE. IT IS THE STUDENT'S RESPONSIBILITY TO INITIATE THE PROCESS OF MAKING UP THESE POINTS.
 - 2. The school administration should make every effort to ensure attendance by careful daily and quarterly monitoring of attendance records.
 - 3. Upon returning to school after an absence, a student is required to present a signed note of explanation from the parent or guardian stating the reason and date of the absence. This note must be presented to all classroom teachers. After ten (10) absences have occurred in any one school quarter or in the case of a prolonged illness which may result in an absence of ten (10) or more consecutive days, an official physician will be required. School officials reserve the right in certain situations, to investigate the legitimacy of parental absence notes.

4. Pupils who are absent from school may not attend or participate in school events of the same day unless permission has been granted by the school principal or designee prior to the absence.
5. In accordance with provisions of the Massachusetts attendance law, continued absence from school for any reason, or especially absence from school due to truancy, shall be referred to the attendance officer for follow-up.
6. In accordance with section 315.1 (c) of Chapter 766 Regulations, "Any child who has been absent without a medical excuse more than fifteen (15) days in any quarter" may be referred by the principal to the 766 chairperson for evaluation.
7. The school department does not condone family or students scheduling vacations while school is in session. Student absence because of a family vacation is not considered a "DOCUMENTED" absence and therefore the school is not required to provide assignments or make-up work for students who go on vacations while school is in session.

LEGAL REFS.: Student Handbooks

STUDENT ATTENDANCE

CENSUS AND ATTENDANCE DEPARTMENT

1. **SCOPE OF ACTIVITIES** - It shall be the business of the census and attendance department, under the general direction of the Superintendent, to enforce all laws of the Commonwealth relative to compulsory school attendance and the employment of minors, to issue employment certificates, to prosecute in court such cases of truancy and habitual school offense as may be deemed necessary for the good of the individual or the morale of the schools and in cases of misunderstanding to act as a coordinating agency between the school and the home.

This department shall prepare such reports as may be required either by law or by the Superintendent of schools.

2. **PERSONNEL** - The department shall be under the immediate supervision of a chief supervisor of attendance who shall be assisted by such supervisors of attendance as the School Committee shall from time to time elect.
3. **DUTIES** - The chief supervisor of attendance shall, under the direction of the Superintendent, direct and supervise the work of the supervisors of attendance and shall be held responsible for the work of the attendance department.

Supervisors of attendance shall serve under the immediate direction of the chief supervisor of attendance. They shall make regular visits to the school to check irregularities in attendance, trancies, persistent disobedience to the rules of the school; they shall assist, when necessary, in making home contacts in cases of suspension; they shall prosecute in the name of the Lynn Public Schools when directed to do so all persons violating school regulations which call for court action; they shall make factory inspections and check street trades as provided by law, acting as a supplementary agency; they shall bring to the attention of department of social services all cases of suspected neglected children; they shall transport children from schools to the central office for testing. They shall transport students to school or court.

Members of this department shall devote their entire time to the duties of their positions.

4. **LEGAL ACTION** - The chief supervisor of attendance shall determine what legal complaints shall be made, who shall make them, and designate the supervisor of attendance who shall prosecute individual cases for violation of the compulsory school attendance laws and laws governing the employment of minors.

STUDENT ATTENDANCE

The Massachusetts Board of Education has the power to establish the minimum length for a school day, the minimum number of days in the school year and the permissible and mandatory ages for school attendance.

Subject to the conditions and alternatives provided in the law (such as the alternatives for private school attendance and the alternatives for persons fourteen to sixteen years of age), every child between the minimum and maximum ages established for school attendance shall attend a public day school, in the city or some other school approved by the School Committee during the entire time the public schools are in session.

Cases of necessary absence not exceeding seven day sessions or fourteen half day sessions in any period of six months may be excused.

Under conditions set forth in the law, up to but not more than one hour absence may be permitted for religious education at such times as the School Committee may establish.

The School Committee of each city shall provide for and enforce the school attendance of all children actually residing in the city.

Registers for daily attendance have to be faithfully kept. With the approval of the department of education, automated equipment may be used.

The Superintendent of each city shall annually on or before December first file with the Commissioner of Education on forms provided by the department of education, a sworn statement reporting the number of minor children whose parents or guardians were residents of the city and who were enrolled on the preceding October first for full-time attendance in specified schools and classes, kindergarten and grades one through twelve.

The law provides various penalties for persons who obstruct or prevent children from attending school.

LEGAL REFS.: M.G.L. 15:1G; 72:2A; 76:1; 76:2; 76:4

ENTRANCE AGE

MINIMUM AND MAXIMUM AGES FOR ATTENDANCE

Evidence of age for establishing either eligibility for entrance, requirement for compulsory attendance, eligibility for work experience, eligibility for adult and evening education programs shall be documented by one of the following:

1. Preferably and when at all possible, an officially "sealed" birth certificate.
2. A notarized statement by parent or guardian and one of the following which indicates date of birth: baptismal certificate, certified copy of entrance into the United States, family Bible record, insurance policy or record from another school system.
3. If none of the above are available, an affidavit of age sworn by the parent or guardian and accompanied by a certificate of age from a public health officer or the school physician.

The board of education has established the following provisions with reference to minimum and maximum mandatory ages for education in Massachusetts. Effective September 1, 1972, the mandatory minimum age for school attendance was established as follows: each child shall attend school beginning in September of the calendar year in which he attains the age of six. The permissible ages for school attendance are established by each School Committee, provided that such ages are not older than the minimum (six in September, 1972) nor younger than the maximum (sixteen) established for school attendance. The board of education may upon petition of a School Committee waive the provisions of this regulation as to any particular district and for such period of time as may to the board seem reasonable to avoid undue hardship to such district.

LEGAL REFS.: M.G.L. 15:1G; 71:22; 71:25; 76:1; 76:5; 76:6 Commissioner of Education, MEMORANDUM--No. 32, September 3, 1971, reporting on action by Board of Education, July 20, 1971 MAXIMUM AGE FOR SCHOOL ADMISSION

MAXIMUM AGE FOR SCHOOL ADMISSION

The Lynn School Committee acknowledges that, in accordance with M.G.L., Chapter 76, Section 5

...No person shall be excluded from or discriminated against in admission to a public school (Lynn)... or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex, religion, or national origin.

The Lynn School Committee, however, requires that all persons admitted or readmitted to the Lynn Public Schools into a regular education program or a vocational education program or any other non-special education program shall not be twenty years of age as of the day of admission.

Specifically, persons who have attained the age of twenty years shall not be admitted into any non-special education program in the Lynn Public Schools unless approved by the Superintendent. The Superintendent shall report to the School Committee once every six months how many persons who have attained the age of twenty years requested admission or readmission in the preceding six months and of those students, how many were approved by the Superintendent for admission or readmission, and for those students who were not approved the services to which the Superintendent referred them.

The Superintendent shall base his/her approval, in large measure, on the advisory recommendation of the Principal who may receive the student in his/her school.

Revised and Adopted: January 31, 2019

SCHOOL ADMISSIONS

New Admissions All students in the Lynn Public Schools, except those enrolled in special programs (Sec. ID), are guaranteed the right to choose to attend their district schools upon entry into the system. If the district school is not the first choice of the parent, Lynn Public School students may have various, limited choices according to the student assignment policy in accordance with the Voluntary Plan for School Improvement and the Elimination of Minority Isolation. In order to determine the choices available to parents, PIC must consider the following information:

1. the current address of the parent or guardian
2. the race of the child
3. racial balance at the sending and the receiving schools
4. class size at the sending and receiving schools (elementary)

Within-System Transfers: Transfers which have a positive or neutral effect on the racial balance of the sending and receiving schools are allowed. At the elementary level, class sizes are reviewed before transfers are approved.

THE APPEALS PROCESS

In some cases, the school assignment requested by the parent is not an available option under the guidelines of the student assignment policy in accordance with the Voluntary Plan for School Improvement and the Elimination of Minority Isolation. If the parent rejects or declines placement at any of the schools that are options, he/she has the right to an appeal hearing before the Superintendent of Schools, the Associate Superintendent of Schools, and a community representative. The appeals board considers each request individually and delivers its decision to the parents through the Parent Information Center.

A. ELEMENTARY LEVEL

New Admissions: early Childhood Program: Early Childhood Program seats are extremely limited for several reasons. First, the program is only available at selected schools. Also, it is a 2 year program for 3 & 4 year olds – 3 year olds stay in the program for 2 years. Finally, seats are assigned based on the guidelines of the grant. Under existing guidelines, space must be made available for regular education, SPED, bilingual students, and students deemed to be at-risk. Seats are prioritized for district children, by the categories listed above. Some choice is allowed, following the 4 guidelines of the student assignment policy in accordance with the Voluntary Plan for School Improvement and the Elimination of Minority Isolation (Sec. I). When available spaces are filled, PIC establishes a waiting list by date of registration.

- Parents of students attending an early childhood program may choose to continue their elementary education (K-5/6) at that same school on an out-of-district basis. These students are NOT required to transfer to their district schools unless class size exceeds thirty (30).

New Admissions: Title 1 Pre-K programs are for all 4 year olds who have legal residence I the City of Lynn and who show educational need. Title 1 Pre-K classrooms are located at eligible Lynn elementary schools. Students are assigned by district first. If additional seats are available, students are assigned by a feed pattern. Limited choice is allowed following the 4 guidelines of the student assignment policy in accordance with the Voluntary Plan for School Improvement and Elimination of Minority Isolation sec.I). When available space are filled, PIC established a waiting list for eligible students by date of registration. All Title 1 Pre-K programs are ½ day.

*Parents of students attending a Title 1 Pre-K program may chose to continue their elementary education (K-5/6) at that same school on an out-of-district basis. These students are NOT required to transfer to their district schools unless class size exceeds thirty (30).to transfer to their district schools unless class size exceeds thirty (30).

New Admissions: ½ Day-K: Some Lynn elementary s~ have half-day kindergarten programs. Half-day kindergarten seats are for 5 year olds and are guaranteed to all Lynn school children who request a placement The seats are assigned to district students first. If additional seats are available, students are assigned by a feeder pattern or in accordance with the Voluntary Plan for School Improvement and the Elimination of Minority Isolation (Sec. I). That is, PIC considers district first, race of the child, racial balance, and class size.

*Parents of students attending a 112 day kindergarten programs may choose to continue their elementary education (1-5) at that same school on an out-of-district basis. These students are NOT required to transfer to their district schools unless class size exceeds thirty (30).

New Admissions; Title 1 ADK: Title 1 all – day kindergarten seats are also for 5 year olds. They are limited and are available for eligible (educationally needy) Title I district students only on a first come - first served basis. Title 1 all - day kindergarten seats are FIRST assigned to those students who attended Title I Pre-K. Students who live in Title I districts are assigned based on the guidelines of the student assignment policy in accordance with the Voluntary Plan for School Improvement and the Elimination of Minority Isolation (Sec. I). When available spaces are filled, PIC establishes a waiting list by date of registration.

- Parents of students attending an all day kindergarten program may choose to continue their elementary level education (1-5/6) at that same school on an out-of-district basic These students are not required to transfer to the district school unless class size exceeds thirty (30).

New Admissions: Grades 1 – 5/6: All grade I - 6 students, except those enrolled in special programs (Sec ID), are guaranteed the right to choose to attend their district schools upon entry into the system. If an alternative placement is requested, PIC follows the 4 guidelines of the student assignment policy in accordance with the Voluntary Plan for School Improvement and the Elimination of Minority Isolation (Sec. 1). District, race of the child, racial balance, and class size are considered.

Within-System Transfers: Transfers which have a positive or neutral effect on the racial balance of the sending and receiving schools are allowed if class size at the receiving school permit (sec. IIB).

B. MIDDLE LEVEL

New Admissions All middle level students grades 6*, 7, and 8), except those enrolled ins pedal programs (Sec. ID), are guaranteed the right to choose to attend their district schools upon entry into the system. If the district school is not the first choice of the parent, Lynn Public School middle level students may have various, limited choices as defined by the student assignment policy in accordance with the Voluntary Plan for School Improvement and the Elimination of Minority Isolation. In order to determine the choices available to parents, the PIC must consider the following information:

1. the current address of the parent/guardian
2. the race of the child
3. racial balance at the sending and there receiving schools

(*At tills time, grade 6 seats at the middle schools are available as an option for parents, but are very limited in number. For this reason, grade 6 middle school seats are assigned to district students only.)

Within-system Transfers: Transfers which have a positive effect on the racial balance of the sending and receiving is are allowed. All other requests for transfer at the middle level must be approved by the sending and receiving principals, in that order. The PIC win process the transfer only if both principals approve the request Parents have the right to an appeal (See Sec. I).

C. HIGH SCHOOL LEVEL

New Admissions English and Classical: Students living in the English or Classical High School districts (grades 9-12) and not enrolled in special programs (Sec. ID) are guaranteed the right to choose to attend their district schools upon entry into the system. If the district school is not the

first choice of the parent and student, Lynn Public School high school level' students may have various, limited choices as defined by the student assignment policy in accordance with the Voluntary Plan for School Improvement and the Elimination of Minority Isolation. In order to determine the choices available to parents, the PIC must consider the following information:

1. the current address of the child
2. the race of the child
3. racial balance at the sending and the receiving schools

Within-System Transfers: Transfers which have a positive effect on the racial balance of the sending and receiving schools are encouraged. All other requests for transfer at the high school level must be approved first, by the sending principal, next, by the receiving principal. Only if both principals approve will PIC process the transfer. Parents have the right to an appeal (Sec. I).

LVTI: Students interested in attending LVTI must do so by initiating the application process in the eighth grade. This process is coordinated by tile middle school and LYTI guidance personnel. Students are notified of their acceptance into the program in spring (March) of the eighth grade. Students who are not accepted into LVTI may choose to attend Lynn English or Lynn Classical according to the guidelines of the student assignment plan in accordance with the Voluntary Plan for School Improvement and the Elimination of Minority Isolation (Sec. I).

LEEP: LEEP is an evening high school level program located at English High school. It is available to all Lynn high school students. Students may attend both days at their assigned high school and evenings at LEEP or just evenings at LEEP to acquire sufficient high school credits to graduate. Students attending English, Classical, or LVTI who wish to attend the LEEP Program for extra credit must be referred by the guidance counselors at their day school to the director of the LEEEP Program. Lynn students not attending school who wish to attend LEEP must apply directly with the director of the program. The LEEP director has the right to accept or deny students access to the program. The PIC completes the registration forms after students have been accepted by the director of the program.

D. SPECIAL PROGRAMS

SPED: The majority of special needs students are able to attend their district schools. In some instances, students may be assigned to an out of district placement if the required program is not available at the district school. This assignment may supersede the guidelines of the student assignment policy (sec. 1). Such student assignments are determined by the Special Needs office and communicated to PIC through an authorization letter,. A copy of this letter is sent to the school attached to the admission or transfer form.

- Elementary level SPED students transferring into the Lynn Public Schools who arrive at PIC without their IEP must be registered as "R," regular education. When their IEP's arrive, the schools will make the necessary modifications to the students programs.
- Secondary level SPED students will not be assigned to a specific class until the student's IEP is reviewed by a chairperson, and a background check is done by PIC staff and the attendance officer. An intermediate assignment may be arranged by the SPED office.

TBE: All students who declare that a language other than English is spoken at home are screened by the Language Support staff before being assigned to a school. The student is assigned to a school where an appropriate bilingual program exists if the initial screening indicates that the student needs academic instruction in a language other than English. This assignment may supersede the guidelines of the student assignment policy (Sec. I). These student assignments are determined by the Language Support office and communicated to PIC through an authorization letter. A copy of this letter is sent to the school attached to the admission or transfer form.

SCHOOL ADMISSIONS

Purpose and Construction of 6-3 CMR 26.00

- (1) 603 CMR 26.00 is promulgated to insure the right of access to the public schools of the Commonwealth and the equal enjoyment of the opportunities, advantages, privileges and courses of study at such schools without regard to race, color, sex, religion or national origin. 603 CMR 26.00 shall be liberally construed for these purposes.
- (2) The obligation to comply with 603 CMR 26.00 is not obviated or alleviated by any local law or rule or regulation of any organization, club, athletic or other league or association which would limit the eligibility or participation of any student on the basis of race, color, sex, religion or national origin.

School Admissions

- (1) All public schools in the Commonwealth shall admit students without regard to race, color sex, religion or national origin. This includes, but is not limited to regional vocational-technical schools, elementary, secondary, trade, and selective academic high schools.
- (2) No school shall discourage in any express or implied manner, applicants for admission because of race, color, sex, religion or national origin. Written materials used by a school to recruit students shall not contain references suggesting the predominant sex of the students presently enrolled or the anticipated sex of the students to be recruited. Pictorial representation, in the agreed, in such material shall depict students of both sexes and of minority groups. Reference to only one sex in the name of schools, pro-grams or activities shall not be retained.
- (3) The national citizenship of any applicant shall not be a criterion for admission to any public school nor shall national citizenship be a factor in the assignment or availability of courses of study or extra-curricular activities.
- (4) Any standards used as part of the admissions process, including but not limited to testing, the use of recommendations and interviewing, to any public school (as referred to in 603 CMR 26.02 (1)) shall not discriminate on the basis of race, color, sex, religion, or national origin. Limited English-speaking ability (as defined by M.G.L.c.71A) shall not be used as a deterrent to or limitation on admissions.
- (5) If admission to any school, including but not limited to selective academic high schools, regional vocational-technical schools and trade schools, is dependent upon the participation or completion of courses or programs which were previously limited to students of one sex or if close scrutiny reveals that access mechanisms or other administrative arrangements have limited the opportunities of any racial, ethnic or religious group of students to participate in such programs, then such criteria must be abolished.

- (6) Nothing in 603 CMR 26.00 shall be construed as to control the interpretation of or interfere with the implementation of St. 1965, c. 641, as amended by St, 1974, c. 636, providing for the elimination of racial imbalance in public schools, all rules and regulations promulgated in respect thereto and all court and administrative decisions construing or relating thereto.

LEGAL REFS.: M.G.L. 15:1G; 76:1; 76:5; 76:15; 76:15A
603 CMR 26:01; 26:02; 26:03

SCHOOL ADMISSIONS

Admission to Course of Study

- (1) Each and every course of study offered by a public school shall be open and available to students regardless of race, color, sex, religion or national origin. Nothing herein shall be construed to prohibit the use of prerequisite requirements that have been demonstrated to be essential to success in a given program. However, if participation in a course or program is dependent upon completion of a prerequisite which was previously limited to students of one sex, or if close scrutiny reveals that access mechanisms or other administrative arrangements have limited the opportunities of any class of students to participate in such prerequisites, then all members of the previously excluded group shall be given the opportunity to acquire the prerequisites or be allowed to enter the program without such prerequisites. If it cannot be shown that a prerequisite is essential for success in a given program, the prerequisite shall be abolished.
- (2) The determination of what courses or units of study are to be required of any student shall also be made without regard to the race, color, sex, national origin or religion of that student.
- (3) The scheduling of students into courses or units of study shall not be done on the basis of sex, color, race, religion or national origin.
- (4) Each student, regardless of race, color, sex, national origin, religion, or limited English-speaking ability, shall have equal rights of access to courses of study and other opportunities available through the school system of the city or town in which he/she resides, along with appropriate bilingual instruction and programs or other curriculum offerings of a supportive nature such as appropriate remedial programs.
- (5) Nothing in 603 CMR 26.03 shall be construed to prevent particular segments of a program of instruction from being offered separately to each sex when necessary in order to respect personal privacy.

LEGAL REFS.: M.G.L. 15:1G; 76:1; 76:5; 76:15; 76:15A
603 CMR 26:01; 26:02; 26:03

REGISTRATION PROCEDURES

A. New Admissions The following policy regarding student registration was adopted by the Lynn School Committee on September 26, 1996.

The Parent Information Center is hereby directed to not admit a child into the Lynn Public School System unless the parent/guardian presents the following information:

1. Student's name on the birth certificate.
2. Student's residence.
3. Parent's/Guardian's name.
4. Parent's/Guardian's residence
5. Certified copy of probate court guardianship order.

In determining residence and parentage/guardianship has the Center shall receive the following information:

1. Picture ID/Driver's License.
2. A utility bill, either gas or electric, showing parent/guardian's name and address.

The Associate Superintendent of Schools will review any cases where the parent/guardian has difficulty producing the above listed documents.

Student records are kept on file at the Dr. James L. McGuinness Administration building for five years. Immunization records less than two years old are considered current. Students returning to the Lynn Public Schools may not have to present birth certificates or immunization records depending upon the number of years that they attended school elsewhere.

The PIC makes every effort to obtain, in addition to the above documents, information about the student's discipline record and past academic performance when registering new students of This process may include an investigation by the attendance officers, conversations with vice principals, guidance counselors and teachers of the former school, and review of available school records. The student may be denied admission to the Lynn Public Schools and/or be referred to the LEEP Program based on the information obtained and the student's age.

The PIC sends the records release forms to the sending school of all students new to the Lynn Public Schools.

The school department shall request discipline history as well as academic transfer all out of system student transfers to the Lynn Public Schools.

PIC contacts the school before completing registration in cases where high school students have been given inactive status and are attempting to return to school. The student may be denied admission to the Lynn Public Schools and/or be referred to the LEEP Program based on the recommendation of the school, the student's age, and previous discipline record and academic performance.



Lynn Public Schools

Policy for Homeless Children and Unaccompanied Youth

File: JFABD

Posted January 23, 2018

- I. Designation of a Homeless Education Liaison
- II. Definition of Homelessness
- III. School Selection
- IV. Enrollment
- V. Transportation
- VI. School Nutrition Program
- VII. Support Services
- VIII. Dispute Resolution

DR. CATHERINE C. LATHAM
Superintendent of Schools

TRACEY SCHERRER, M.S.
Homeless Education Liaison for the Parent Information Center

Lynn Public Schools

Policy for

Homeless Children and Unaccompanied Youth

The goal of McKinney-Vento Homeless Education Assistance Act is to ensure that each homeless child or youth has equal access to the same free, appropriate public education, including preschool education, as provided to other children and youth.

The Lynn Public Schools ensures the implementation of the McKinney-Vento Homeless Education Act regarding identification, enrollment, attendance and success in school of homeless children and unaccompanied youth in grades Pre-Kindergarten – 12. The responsibility to ensure the implementation has been assigned to Parent Information Center's Director and staff.

I. Designation of a Homeless Education Liaison

The Lynn Public Schools' Parent Information Center is the central registration office for all admissions and within system transfers of students. The Lynn Public Schools' Homeless Education Liaison interviews parents/guardians of homeless children and unaccompanied youth at the time of registration. After identification of a homeless student or unaccompanied youth, the Homeless Education Liaison provides the following:

- Assists with immediate school enrollment
- Contacts last school placement to secure school records and immunization records
- Arranges transportation
- Arranges for free breakfast and lunch
- Contacts social workers or agencies involved with the family
- Ensures the correct educational placement by coordinating services through the Language Support and Special Education Office
- Ensures student integration in the regular education setting
- Facilitates resolution in disputes and assists with appeals process when requested
- Works directly with school staff to identify students who become homeless during the school year and assists in students' academic success
- Coordinates with shelters, motels, and state agencies to ensure access to all available benefits
- Provides information to parents regarding after school and night school programs.
- Collaborates with local service providers and refers homeless families to these agencies for the purpose of providing assistance and support
- Provides information, education and training around issues homelessness for school personnel
- Coordinates crisis intervention, advocacy and clinical services for homeless students and families

Lynn Public Schools

Policy for

Homeless Children and Unaccompanied Youth

II. Definition of Homelessness

Lynn Public Schools recognizes that homeless students are those lacking a fixed, regular and adequate nighttime residence. This definition shall include children and youth who are:

- Sharing the housing of other persons due to loss of housing, economic hardship, or similar reasons
- Living in motels, hotels, trailer parks or camping grounds due to lack of alternative adequate accommodations
- Living in emergency or transitional shelters
- Are abandoned in hospitals
- Living in public or private places not designed for or ordinarily used as regular sleeping accommodations for human beings
- Living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings
- Unaccompanied youth- a youth not in the physical custody of a parent or guardian
- Migratory youth living in conditions described in the previous examples

III. School Selection

Parents, guardians or unaccompanied youth may choose to stay at their school of origin or transfer to the school where they are temporarily residing according to that district's placement policy. To the extent feasible, homeless students will continue to be enrolled in their school of origin while they remain homeless or until the end of the academic year in which they obtain permanent housing.

IV. Enrollment

Once the enrollment decision is made, Lynn Public Schools will remove barriers and shall immediately enroll the student to the extent feasible, even if they do not have the documents usually required for enrollment. Homeless students' placement in grades and classes should be handled according to district policy. The Homeless Education Liaison will assist homeless students who arrive without records by contacting the previously attended school system to obtain the required records. Lynn Public Schools reserves the right to do random address checks on those unable to provide proof of residency.

Lynn Public Schools

Policy for

Homeless Children and Unaccompanied Youth

V. Transportation

Homeless students are entitled to transportation to and from their school of origin at the request of the parent, guardian or unaccompanied youth. Transportation will be provided if:

- The school of origin is in Lynn but the homeless student is temporarily living in a different district, and the distance does not exceed one hour for those in Grades 1-12 or 45 minutes for students in Pre-Kindergarten or Kindergarten
- The school of origin is in a different district but the homeless student is temporarily living in Lynn, and the distance does not exceed one hour for Grades 1-12 or 45 minutes for students in Pre-Kindergarten or Kindergarten
- The homeless student is temporarily residing within the district and per the Lynn Public Schools' eligibility guidelines for transportation

The cost for transportation will be shared for students temporarily residing in one district and attending the school of origin in another district.

VI. School Nutrition Program

Homeless students will be immediately enrolled in the free breakfast and lunch program.

VII. Support Services

To the extent practical and as required by law, the Lynn Public Schools will work with homeless students and their families to provide stability in school attendance and other services. Special attention will be given to ensuring the enrollment and attendance of homeless students not currently attending school. Homeless students will be provided district services for which they are eligible, including Head Start and comparable preschool programs, Title I, similar state programs, special education, bilingual education, vocational/technical education programs, and gifted and talented programs.

VIII. Dispute Resolution

If there is an enrollment dispute, the homeless student shall be immediately enrolled in the school in which the enrollment is sought, pending resolution of the dispute. Parents, guardians or unaccompanied youth shall be informed of the district's decision and their right to appeal in writing. The Homeless Education Liaison will facilitate the dispute resolution and appeal process. The final decision in such a situation resides with the Massachusetts Commissioner of Education.

Policy for Students in Foster Care

- I. Designation of a Foster Care Point of Contact
- II. Definition of Foster Care
- III. Immediate Enrollment
- IV. Best Interest Determination
- V. Transportation
- VI. Dispute Resolution

DR. PATRICK TUTWILER
Superintendent of Schools

TRACEY SCHERRER, M.S.
Foster Care Point of Contact

Lynn Public Schools (LPS) ensures the implementation, educational access and stability for children in foster care as required by the federal Every Student Succeeds Act (ESSA).

Children in foster care frequently change schools due to placement changes. When compared to their peers, these students generally experience higher risk factors such as: lower standardized test scores, higher drop-out rates, higher rates of suspensions/expulsions, and lower college graduation rates. Because of this, ESSA contains new provisions to promote educational stability and success for students in foster care, which are in effect as of SY 2017-2018.

In brief, ESSA requires that foster care students continue to attend their school of origin, unless after a collaborative decision-making process it is determined to be in the student's best interest to enroll in and attend school in the district in which a foster care provider or facility is located (if different). ESSA requires The Department of Children & Families (DCF), The Department of Elementary and Secondary Education (DESE), and school districts to designate points of contact; and also that districts collaborate with DCF to ensure that students will receive transportation to the school of origin if needed.

I. Designation of a Foster Care Point of Contact

The Lynn Public Schools' Parent Information Center is the central registration office for all admissions and within system transfers of students. The Lynn Public Schools' Foster Care Point of Contact provides the following:

- Coordinate with DCF on the implementation of the ESSA provisions;
- Facilitate immediate enrollment and the transfer of records;
- Follow local transportation procedures;

- Facilitate best interest determinations and transportation costs disputes; and
- Provide professional development and training to school staff on the ESSA provisions and educational needs of children in foster care.

II. Definition of Foster Care

The U.S. Department of Education has defined "foster care" as 24 hour substitute care for which the state's child welfare agency (DCF in Massachusetts) is responsible, including children and youth that DCF has placed in:

- Foster family homes, kinship placements, pre-adoptive homes; or
- Residential facilities, child care institutions, or group homes.

Per DESE, students who are living with their parent/guardian in the home, even if they are in DCF custody, do not qualify under the new ESSA regulations as students in "foster care."

When a student enters/exists foster care or changes placements, a DCF representative will present a Notice to Local Educational Agency (LEA) form that indicates that the student is in foster care, along with their state-agency identification badge, to the local school district when enrolling students.

III. Immediate Enrollment

The Department of Education has defined 'school of origin' as: the school the student was attending when placed in foster care, or at the time of a subsequent change in foster care placement.

If it is determined to be in the best interest of a student in foster care to leave the school of origin, the student must be enrolled in school in the local school district immediately. To minimize disruption of the student's education, ESSA requires the district to enroll the student in a new school right away, without waiting to receive the typical student enrollment documentation (other than emergency contact information). The enrolling school must immediately contact the child's school and district of origin to obtain the relevant records and documentation, and the school and district of origin should immediately transfer those records.

To facilitate enrollment, DCF representatives will present a Notice to LEA form that indicates that the student is in foster care, along with their state-agency identification badge, to the local school district when enrolling students.

IV. Best Interest Determination

Decisions about whether a student in foster care should continue to attend the school of origin should be made collaboratively by: DCF, the student (as appropriate), the student's family and/or foster family (and if different, the person authorized to make educational decisions on behalf of the student), the school and district of origin, and (when different) the local district where the student is placed. These parties should have the opportunity to participate meaningfully in the decision-making process. Best interest determinations should focus on the needs of each individual student and take into account a variety of factors. Every effort should be made to reach agreement regarding the appropriate school placement of a student in foster care. However, if there is a disagreement in this process,

DCF will finalize the best interest determination. The school district does have a right to dispute this with DESE.

V. *Transportation*

Lynn Public Schools will work collaboratively with DCF to ensure that students in foster care who need transportation to remain in their school of origin will receive such transportation while they are in foster care per the LPS transportation guidelines.

The Department of Education has encouraged school districts and DCF to consider a variety of options for providing the necessary transportation in each case. The options may include establishing regional collaborations among districts, coordinating with existing routes for transportation, seeking help from foster parent(s), etc.

VI. *Dispute Resolution*

When DCF and the involved district(s) cannot agree about whether it is in the student's best interest to remain in the school of origin or to enroll and attend locally, and DCF makes a final decision that the district cannot accept, the district can seek review of DCF's decision by utilizing a Foster Care School Selection Dispute Resolution Process established by DESE and DCF. Decisions made through this process are not subject to review. Under ESSA, to promote educational stability, students should continue to attend their schools of origin while best interest determinations are being made.

Adopted by School Committee: March 28, 2019

Source & Legal Reference: Massachusetts Department of Elementary and Secondary
Education (DESE)
Every Student Succeeds Act (ESSA) of 2015

STUDENT WITHDRAWAL FROM SCHOOL

TRANSFER

All questions having to do with transfers of pupils from one building to another because of residence and district qualifications should be referred to the Superintendent who will compile a monthly report for the School Committee, and to the census and attendance department. No pupil shall be received from one school district into another without a certificate of transfer issued in duplicate from the principal whose school he leaves, stating name, class, standing and reasons for transfer. One transfer card shall be given to the pupil by the principal and the other sent to the office of the census and attendance department. In case of transfer of pupils to a system outside of Lynn, the transfer card shall be made out in triplicate.

The principal shall give one to the pupil, mail one to the Superintendent of schools of the city or town to which the pupil is moving, and send one to the office of the census and attendance department. A pupil regularly discharged from one school in Lynn or elsewhere shall be admitted to the same grade of any other school which he may properly attend upon presentation of the certificate of transfer and shall be placed in the grade indicated by his credentials. If, after reasonable trial, it is apparent that the pupil is not properly placed, the principal, with the Superintendent's approval, may make the necessary adjustment.

No pupil who is under discipline in any school, or who has been suspended from any school, shall be admitted to any other school until he has secured regular standing in the school where he has been disciplined, except as otherwise directed by the Superintendent who will send a special report to the School Committee.

When students transfer to other school systems, the Lynn Public Schools will ask consent from the parents concerning the forwarding of the students discipline records.

STUDENT WITHDRAWAL FROM SCHOOL

TRANSFER TO ANOTHER DISTRICT

When any child leaves the school or institution where he is being educated because of change of residence to another city in the commonwealth, the Superintendent of schools, in the case of public school, or otherwise the person in charge, shall furnish such child a transfer card in a form prescribed by the department of education which shall contain, in addition to any other information relative to him, his name, age, grade in school, and in every case possible, his new street and number, and shall forthwith send a duplicate thereof to the Superintendent of schools of the city where the child is to reside.

Established by law

LEGAL REF.: M.G.L. 76:13

CROSS REF.: JED, Student Absences and Excuses

ASSIGNMENT OF STUDENTS TO CLASSES

The classification and placement of students for instructional purposes is the prerogative and responsibility of the school. The sole purpose of careful classification and placement procedures is to place each student in classroom and group settings in which optimal learning will take place.

It is the responsibility of the school to provide classrooms at every grade level which accommodate students with considerable diversity of interests and abilities. Each student should be encouraged to progress academically as he grows and develops socially and emotionally.

Most students will require the normal allotted years of time to progress through elementary and secondary school. It is recognized, however, that it is sometimes necessary to make changes of placement with respect to "grade level."

- A. Among the factors to be considered when contemplating retention or acceleration are: achievement in relation to age, achievement in relation to individual potential, social relationship to present group and possible social relationship to new group.
- B. Research results on achievement during a second year in the same grade under punitive retention policies has yielded rather dismal results.
- C. The decision to retain a student should be made early in the primary grades. Because of the irregularity of some pupils' patterns of growth and development, the progress of students who have been retained should be reviewed at the end of each school year.
- D. A decision to accelerate or retain should be arrived at on the basis of a common decision on the part of teachers, appropriate specialists, principal and hopefully, parents and student.

The placement of students in ability groups is the prerogative and responsibility of the school. However, as a student matures, he or she should become more and more involved in decisions related to his or her placement in educational programs.

A student may be moved from one to another for reasons such as social adjustment, change of grade placement and the availability of a more suitable educational program.

ATTENDANCE POLICY

- A. Daily attendance of all who are enrolled in the Lynn Public Schools is required in accordance with the laws of the Commonwealth and the School Committee rules.
- B. It is the responsibility of the administrator and teachers to know which students are either absent from school or missing from assigned classes.
- C. Chapter M.G.L c. 71(b) regulations shall be considered and applied in all instances involving students with special educational needs.
- D. Attendance of school is mandated by State law, subject to the following:

Student Absence Notification Program

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

Parent(s) or Guardians will also be notified when a student who has at least three days in which the student has missed two or more classes/periods (unexcused) or who has three or more unexcused absences in the school year and a meeting will be scheduled with the building Principal (or his/her designee), the Social Worker and/or Guidance Counselor, the Parent(s)/Guardian and the student to develop an action plan to improve the student's attendance.

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

1. All school absences require a note explaining the absence. School absences are defined as follows:
 - Documented Absence (JUSTIFIED):
Illness covered by a doctor's note, a note regarding illness from the parent or guardian (no more than two per trimester/quarter), death in the family, religious holiday, school sponsored activities as approved by administration, college or military recruiter visits with approval from the administration, absence occurring when a student is in custody of Court or law enforcement authorities, and absence resulting from participation in a work-study program under the supervision of the public school. The administration reserves the right to request a doctor's note. In case of an emergency a waiver may be granted by a school administrator.

- Documented Absence (NON-JUSTIFIED) and Undocumented Absence (NON-JUSTIFIED): Four (4) documented absences (non-justified) or four (4) undocumented absences (non-justified) will result in maximum grade of "D-" for the course in a given quarter. All other absences not covered above, including truancy, class cuts, and family vacations are not considered legitimate reasons for class absences in a given quarter.

Grade Recovery Opportunity

If a student receives a D- as a result of 4 or more unexcused absences in a grading quarter, he/she will have one opportunity to recover the original grade. To recover the original grade, a student must not exceed 3 unexcused absences in the subsequent quarter.

There is no opportunity to recover an original grade for the fourth quarter in full year courses or the second quarter in half year courses.

2. Upon returning to school after an absence, a student is required to present a signed note of explanation from the parent or guardian stating the reason and date of the absence. This note must be presented to all classroom teachers. A physician's note will be required for absences of five (5) days or more in any one school quarter, or in the case of prolonged illness which may result in an absence of five (5) or more consecutive days. School officials reserve the right to investigate the authenticity of parental notes.
 3. Pupils may not attend or participate in school events if they are absent on the same day or the activity, unless permission has been granted by the school principal or designee prior to the specific event or function.
 4. To ensure fairness, a Review Board of administrators will meet to evaluate extenuating circumstances pertaining to absences prior to final marks being recorded. The appeal should be initiated within five (5) days of the receipt of report card.
 5. The School Department does not condone family or students scheduling vacations while school is in session. Student absence because of family vacation is not considered "Documented" absence and therefore the school is not required to provide assignments or make-up work for students who go on vacation while school is in session.
- E. Religious holidays will not count against a student's perfect attendance record.
- F. All students who participate in school-sponsored activities or field trips will be responsible for all missed assignments.
- G. The previous policy relative to grade point reduction for undocumented absences is void.

Adopted by School Committee on December 11, 2014

Revised and Adopted by School Committee on May 30, 2019

STUDENT ABSENCES AND EXCUSES

UNEXCUSED ABSENCES, TARDINESS, AND TRUANCY

Students must attend school daily unless excused by parents for medical or family reasons. It is disruptive to the educational process for a child to arrive late. Medical or other appointments should be confined to times which will not keep the child out of school or arriving late. All absences and tardiness must be explained by a note to the teacher giving times, dates and reason.

Principals and school staffs will use two "avenues" of action in dealing with unexcused absences and truancy:

1. Unexcused absences and truancy are violations of state law. Thus, disciplinary measures must be taken to enforce the law. These include such actions parental hearing, detention, suspension and referral.
2. Frequently, unexcused absences and truancy are symptoms of more serious problems with which a student has to contend. Counseling services and referral to outside agencies for assistance should be used as appropriate. When a student is sixteen years of age or older, the required notice and hearing steps detailed in JED-R must be followed.

LEGAL REF.: M.G.L.36:18

STUDENT ABSENCES AND EXCUSES

SCHOOL LEAVING PROCEDURES

No student sixteen years of age or older shall be considered to have permanently left public school unless notification by parent id made to an appropriate administration or an administrator of the school which such student last attended has sent notice within a period of ten days from the student's fifteenth consecutive absence to the parent or guardian of such student in both the primary language of such parent or guardian and English, stating that such student and his parent or guardian may meet with the School Committee or its designated representatives prior to the student permanently leaving school, within ten days after the sending of the notice.

1. The time for meeting may be extended at the request of the parent or guardian and with consent of the School Committee or its designated representatives, provided no extension shall be for longer than fourteen days.
2. Such meeting shall be for the purpose of discussing the reasons for the student permanently leaving school and alternative educational or other placements.

The Superintendent of every city, town or regional school district shall annually report to the department of education the number of students sixteen years of age or older who have permanently left school, the reasons for such leaving and any alternative educational or other placement which each such student has taken.

The provisions of this section shall not apply to a student who has completed the regular course of education, or apply to a student whose absences have been excused, nor shall this section be construed to permanently exclude a student who wishes to resume his education.

TRUANCY

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

The chief Supervisor of attendance 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 refer truant students to juvenile authorities for child in need or service applications.

LEGAL REFS.: M.G.L. 76:1; 76:2; 76:4; 76:20 Student Handbooks

STUDENT RIGHTS AND RESPONSIBILITIES

The right of students to freedom of expression in the public schools of the Commonwealth shall not be abridged, provided that such right shall not cause any disruption or disorder within the school. Freedom of expression shall include without limitation, the rights and responsibilities of students, collectively and individually, (a) to express their views through speech and symbols, (b) to write, publish and disseminate their views, (c) to assemble peaceably on school property for the purpose of expressing their opinions. Any assembly planned by students during regularly scheduled school hours shall be held only at a time and place approved in advance by the school principal or his *designee*.

1. No expression made by students in the exercise of such rights shall be deemed to be an expression of school policy and no school officials shall be held responsible in any civil or criminal action for any expression made or published by the students.
2. For the purposes of this section and sections eighty-three to eighty-five, inclusive, the word student shall mean any person attending a public secondary school in the Commonwealth. The word school official shall mean any member or employee of the local School Committee.

School officials shall not abridge the rights of students as to personal dress and appearance except if such officials determine that such personal dress and appearance violate reasonable standards of health, safety and cleanliness.

No student shall be suspended, expelled or otherwise disciplined on account of marriage, pregnancy, parenthood or for conduct which is not connected with any school-sponsored activities; provided, however, that in the case of pregnant student, the School Committee may require that the student be under the supervision of a physician.

The board of education may adopt guidelines to implement the provisions of sections eighty-two to eighty-four, inclusive. School Committees shall adopt rules and regulations consistent with guidelines of the board of education and the provisions of sections eighty-two to eighty-four, inclusive. The rules and regulations to be made by school officials shall be established only after notice to public school students and after a public hearing at which students' views, shall be presented and shall be taken into consideration by such officials. Said rules and regulations shall provide that, notwithstanding the existence of the rights and responsibilities described in the three preceding sections, School Committees or school officials may take necessary action in cases of emergency. Students may petition for a hearing, to be held as soon as practicable after such emergency, as to whether such rules and regulations shall be revoked or modified.

The provisions of sections eighty-two to eighty-five, inclusive, shall apply only to cities and towns which accept the same.

LEGAL REFS.: M.G.L. 71:82-86

STUDENT DUE PROCESS RIGHTS

DUE PROCESS FOR HEARINGS AND SEARCHES (Less than 10 days suspension)

Prior to any disciplinary action, the student must receive oral or written notice of the charge. When necessary, this will be done in the primary language of the home.

This due process shall be accomplished expediently within 48 hours or the next regularly scheduled full day of school.

The student has the right to request a disclosure of all evidence being used by the school authorities to bring charges. The student has the right to request that witnesses be present. Additionally, the student has the right to request that his/her parents or other such representative be present at the hearing.

The individual conducting the hearing shall have the authority to determine the qualifications of witnesses and when and whether or not such individuals should be present.

The student has the right to present his/her version of the incident prior to the imposition of a penalty.

The student or his/her guardian has the right to appeal a decision to the next administrative level.

Nothing in this due process shall be construed as limiting the right of the student or guardian to pursue a hearing in state or federal court. Each successive appeal will go to the next administrative level as follows:

- a. Instructional staff
- b. Vice principal or principal
- c. Superintendent
- d. School Committee
- e. Students, parents, and guardians also reserve the right to appeal to state and federal authorities.

This due process applies to all levels. No penalty may be increased as a result of an appeal.

Expulsion may only be imposed by the School Committee.

When the behaviors of a special needs student will result in more than 10 cumulative days of internal and/or external suspension:

The principal (or the administrator in charge) shall notify the director of special education and the Superintendent.

The principal (or administrator in charge) shall propose the director of special education a location at which the student can continue to receive his/her special education services.

The director of special education will arrange for the temporary provision of special education services for the students which respects the safety and working conditions of both the staff and the student.

The director of special education will convene a review of the student's individualized educational program to determine the appropriateness of the current educational program.

LEGAL REFS.: Student Handbooks

STUDENT DUE PROCESS

Conditional/Full Suspension

1. An oral or written notice of the charges presented to the student.
2. An explanation of the basis of the accusation.
3. An opportunity for the student to present his/her view of the situation.

Expulsion

1. Written notice of the charges.
2. The right to be represented by a lawyer or another person serving as an advocate for the student.
3. Adequate time to prepare for the hearing.
4. A reasonably prompt written decision, including the specific grounds for that decision.
5. Examination of the student's record and review of public documents. (Refer to full expulsion policy.)

Resolutions to Affirm Lynn Public Schools as Safe and Welcoming Sanctuaries for All Students

WHEREAS, the mission of Lynn Public Schools (“LPS”) is to maintain a multicultural school community dedicated to the realization of the full intellectual, physical, social, and emotional potential of its students;

WHEREAS, LPS is committed to providing a safe and welcoming learning environment in order to increase achievement and access for all students irrespective of their immigration status, national origin, ethnicity, race, religion, sexual orientation, sex and gender identity, socio-economic status, disability status, or beliefs;

WHEREAS, the City is enriched and strengthened by its diverse cultural heritage, multinational population, and welcoming attitude toward newcomers;

WHEREAS, education plays a critical role in furthering tolerance and inclusivity within our society;

WHEREAS, the United States Constitution prohibits states from denying students a public elementary or secondary education on account of their immigration status;

WHEREAS, the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin, among other factors, by public elementary and secondary schools (Title IV) and by recipients of federal financial assistance (Title VI);

WHEREAS, the Family Educational Rights and Privacy Act of 1974 (“FERPA”) and Massachusetts law generally prohibit school districts and their employees from disclosing information from a student’s education record to a third party without the prior written consent of a parent, a legal guardian, or the student;

WHEREAS, the U.S. Department of Homeland Security (“DHS”) and its predecessor have repeatedly affirmed as a general policy that federal immigration law enforcement officers must obtain prior approval from high-level DHS officials before conducting any enforcement actions — including arrests, interviews, searches, or surveillance — at or focused on schools, which DHS has designated as “sensitive locations”;

WHEREAS, LPS has custody of students during the school day and during hours of approved extracurricular activities, and it is the responsibility of LPS to protect each student’s rights regarding interactions with law enforcement officials;

WHEREAS, LPS does not ask for immigration status when families register children for schools; and

WHEREAS, the presence of federal immigration law enforcement officers on school premises or during school activities will disrupt the educational setting and will exert a chilling effect on student enrollment and attendance;

NOW, THEREFORE, be it:

RESOLVED: That all LPS students have the same right to a free public education and associated school services, and that all LPS students will be treated equally regardless of their immigration status;

RESOLVED: That LPS personnel shall not inquire about, record, or request information intended to reveal the immigration status of a student, or a family member of a student or prospective student. Pursuant to the family

education rights and privacy ("FERPA"), LPS personnel shall not disclose, without parental consent, the immigration status or other personally identifiable information of any student, prospective student, or family member of a student or prospective student. LPS personnel shall refuse all voluntary information sharing with immigration agents across all aspects of the District to the fullest extent permissible by the law.

RESOLVED: All federal immigration law enforcement officers, or other personnel acting to assist federal immigration law enforcement officers who request entrance to any Lynn Public School building or premises shall be brought to the main office of that building while notification is made to the superintendent. The superintendent will then notify the Attorney for the Lynn Public Schools and then immediately proceed to the subject school to meet with and ask for the immigration agent's credentials, the reason for the agents visit, and a copy of a warrant signed by a federal or state Judge or Judicial Magistrate. Access shall not be granted in the absence of a valid warrant signed by a federal or state Judge or Judicial Magistrate.

RESOLVED: That all subpoenas or other requests received by LPS for any information from a student's education record shall be forwarded immediately to the Attorney of the LPS who, in determining the response to such subpoenas or requests, shall consult with the Superintendent and shall exercise the full extent of the lawful authority of LPS to protect the constitutional and legal rights of LPS students;

RESOLVED: That within the next 90 days the Superintendent shall develop a plan for training teachers, administrators, and other staff on this policy and on best practices for ensuring the well-being of students who may be impacted by immigration by immigration enforcement actions. Such plan shall be implemented within the next five months, and shall be repeated annually;

RESOLVED: That LPS shall distribute a letter summarizing the contents of these resolutions to staff and parents in the most commonly-spoken languages of the City. This letter shall be posted at LPS Parent Information Center and provided in appropriate languages to parents or guardians of prospective students;

RESOLVED: That LPS will make available in each school for any family to access, and distribute to each student, a list of resources including community based organizations, legal service organizations, and other related information. When and where possible, translations of said materials, or access to translated materials will also be provided; and

RESOLVED: That a copy of these resolutions be delivered to the Massachusetts Attorney General and to Lynn's federal, state and local legislative representatives.

Adopted by School Committee: May 11, 2017

STUDENT INVOLVEMENT IN DECISIONMAKING

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

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

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

Student Advisory Committee

The School Committee, in the interest of being better informed, and to maintain a means of regular communication with those the educational system serves, recognizes and desires to work cooperatively with a student advisory committee composed of secondary students.

Regulations defining this relationship shall be developed by the administration in consultation with student government groups.

LEGAL REF.: M.G.L. 71:38M

STUDENT CONDUCT

Good citizenship in schools is based on respect and consideration for the rights of others.

Students will be expected to conduct themselves in a way that the rights and privileges of others are not violated. They will be required to respect constituted authority, to conform to school rules and to those provisions of law that apply to their conduct.

Any of the following actions may subject a student to expulsion by the principal under the terms of M.G.L. 71:37H:

1. 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.
2. Who assaults a principal, assistant principal, teacher, teacher's aide or other educational staff member on school premises or at school-sponsored or school-related event including athletic games.

Any of the following actions will subject a student to suspension, expulsion, subject to School Committee action, or other disciplinary measures:

1. Intentionally causing or attempting to cause damage to school property; or stealing or attempting to steal school property.
2. Intentionally causing or attempting to cause damage to private property; stealing or attempting to steal private property.
3. Intentionally causing or attempting to cause physical injury to another person except in self-defense.
4. Using or copying the academic work of another and presenting it as his own without proper attribution.
5. Repeatedly and intentionally defying the valid authority of supervisors, teachers, or administrators.

The above prohibited actions will be printed in a handbook or other publication and made available to students and parents.

School building administrators will not suspend a student, or recommend a student for suspension or expulsion, unless the student has engaged in one of the prohibited actions mentioned above while on school property or taking part in a school activity off school grounds.

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

STUDENT DRESS CODE

Students will be expected to keep themselves well groomed and neatly dressed at all times. Any form of dress or hairstyle which is considered contrary to good hygiene, or which is distracting or disruptive in appearance, and detrimental to the purpose or conduct of the school will not be permitted. Disruptive clothing is considered, but not limited to, clothing with obscenities, fighting words, incitement, or defamation written on them.

A. The following guidelines shall determine dress and grooming:

1. Decency
2. Neatness
3. Cleanliness, and
4. Suitability for school

B. The following are not suitable, or in good taste, for school and should not be part of a student's attire or grooming:

1. Hats, bandannas, headbands, scarves, gloves, wristbands, doo-rags, skullcaps, hoods and wavecaps are not to be worn in school. Such items must be kept out of sight.
2.
 - a. Tank tops, halters, mini-skirts, shoulder-less tops, halter-top dresses, tube tops or tops that bare the midriff, spandex or skin-tight clothes (regardless of length) **and shorts or other pants of any kind rising above the knee** may not be worn.
 - b. Regardless of style, all shirts must be tucked in, and beltline visible
 - c. Pants must be worn at or above the waistline
3. Shirts advertising tobacco, alcoholic beverages, or advocating drug use, or those with obscene printing, violence of any kind, or printing considered by the principal to be inappropriate, will not be permitted
4. See-through articles of clothing will not be allowed
5. Shoes that post a safety problem, or contain metal cleats, taps, or wheels are not permissible

6. Use of all electronic devices, including cell phones, are not allowed on school property, between 7:00 A.M. and 4:00 P.M. Violation of this policy will result in immediate confiscation of the item, parental notification as well as possible conditional suspension. If these items are brought to school they must remain out of sight and off
 7. Non-prescribed dark glasses are not to be used in school. If prescribed, a doctor's statement must be on file in the nurse's office, or with the principal, and recorded in the office
 8. Metal studs or chains placed on gloves, coats or any part of the pupil's clothing, including shoes, which may cause danger to other students and school personnel, or may cause damage to school or personal property, are not allowed
 9. Clothing which is considered by the principal to be gang-related or in gang-related "colors" will not be permitted
- C. Any student violating this policy will have their parent notified to bring in the appropriate clothing
1. Any student sent home because of inappropriate clothing will be expected back in school, without delay, properly dressed for class. Any time missed will be considered an unexcused class absence
- D. Violation of these regulations shall be addressed immediately and the cooperation of the student and his/her parents sought from the principal or his/her designee. Repeated offenses may result in progressive discipline up to and including conditional suspension.

CARE OF SCHOOL PROPERTY BY STUDENTS

Students are responsible for all books and/or material assigned to them, and a reasonable charge will be assessed for the loss, damage or excessive deterioration of all books issued. Department chairmen will make available the original price of all books.

This regulation also pertains to athletic equipment, band equipment, etc.

LEGAL REFS.: Student Handbooks

STUDENT CONDUCT ON SCHOOL BUSES

The Lynn School Committee and its staff share with students and parents 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 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.

STUDENT CONDUCT ON SCHOOL BUSES

A. Bus Rules for Pupils

1. Students are expected to conduct themselves while waiting for and riding on the vehicle in exactly the same way they are expected to act in school. The vehicle driver and/or monitor has the obligation to judge conduct, to maintain discipline and to report pupils to the principal when necessary.

B. Waiting for the Bus

Parents should:

1. Be on time for the vehicle but not arrive at the stop earlier than 10 minutes before the time at which the vehicle usually arrives. Special needs students should be waiting at the door or outside with a responsible adult.
2. Younger children who are not yet attending school shall not accompany them to the vehicle stop.
3. Observe all safety precautions while waiting for the vehicle:
 - a. Do not play in the street
 - b. Do not play ball
 - c. If possible, avoid crossing streets
 - d. Whenever you must cross the street, do so only if you are sure that no moving vehicles are approaching from either direction
 - e. Do not push, pull, or chase any other pupil(s)
 - f. Avoid trespassing on private property and being noisy
4. As the vehicle approaches, line up at least six feet off the roadway, and do not approach the vehicle or van until it has stopped and the driver has opened the door. Again, they should avoid pushing others in the line.

C. Loading the Bus or Van

1. Get on your vehicle as soon as the vehicle or van is stopped, wait until the doors open and be seated at once (unless seats are not available.) All special education buses should have seat belts. Be sure to buckle up.

2. In the event that seats are not available, on a regular vehicle, proceed toward the rear of the vehicle, remain standing in the middle aisle, and grasp a seat handle firmly before the vehicle begins to move. Vans and other special needs vehicles will always have seats available.
3. Listen carefully and obey any directions issued by the driver/monitor.
4. The assignment of seats is left to the discretion of the vehicle driver or monitor. A student may be assigned a seat.
5. Again, be sure to observe all safety precautions as you travel from your vehicle stop to your home.
6. Violation of vehicle rules may result in loss of vehicle privileges.

D. Student Bus Rules in Brief

1. Remain seated
2. Obey the driver and monitor
3. Walk - do not run
4. Keep arms and head inside the vehicle
5. No eating, drinking or smoking
6. Do not disturb others
7. Speak quietly
8. Respect public property
(This list will be given to each driver)

E. Student Behavior

All pupils must behave appropriately as passengers on a school vehicle. Clearly understood and well enforced rules are necessary for the successful management of pupils who ride school vehicles.

1. Pupils transported in a school vehicle are under the authority of and directly responsible to the driver of the vehicle and the monitor, if present.
2. Continued disorderly conduct or persistent refusal to obey rules is sufficient reason for a pupil to be denied transportation on a school vehicle by a principal. Parents will be given prior notice before exclusion, if possible.

3. No vehicle driver can require any pupil to leave the vehicle before such pupil has reached his destination except when such child is moved to another authorized vehicle.
4. No school vehicle can stop to load or discharge pupils except at stops regularly designated by the school department except in an emergency (road closed, accident, etc.)
5. No pupil can engage in unnecessary conversation with the driver while the vehicle is in motion.
6. Smoking in a school vehicle is prohibited.
7. No intoxicating liquor or drugs can be transported at any time in a school vehicle.
8. No weapons of any sort, except sidearms carried by authorized policy officers, can be transported on a school vehicle.
9. No person is allowed to occupy a position in a school vehicle that interferes with the vision of the driver to the front, to either side of him, or through the mirror to the rear, or with the operation of the vehicle.
10. Nothing can be thrown within the vehicle or out the windows. Windows may be opened or closed by the driver/ monitor.
11. Any action by a student is prohibited, which in the judgment of the driver or monitor may compromise the safety of others.
12. No student should touch the rear (emergency) door for any reason except in an emergency.
13. Eating is not permitted on the vehicle.
14. Students should not extend arms or any other parts of their body out of the windows.
15. Changing seats may be allowed with the driver's permission and at his discretion, but only when the vehicle is stopped.

16. No shouting and other excessive noise is allowed that may distract the driver and lead to a serious accident.
17. Pupils are expected to be courteous to and respectful of others.
18. Help keep the vehicle clean and sanitary.
19. Listen carefully and obey any directions issued by the driver or monitor.
20. Pupils may not leave the vehicle except at school (a.m.).
21. Students who disembark from the vehicle in the afternoon at a stop other than a regular stop must have a note to do so from a parent or guardian endorsed by the principal and with permission of the transportation department.

F. Unloading the Bus

1. Do not leave your seat until the vehicle has come to a complete stop and the driver has opened the door.
2. Again, obey any directions issued by the driver.
3. Leave the vehicle quickly, but in a courteous manner without pushing other pupils.
4. If you must cross the street as you leave the school vehicle, be sure to walk in front of the vehicle (never in back) at a distance of at least 12 feet away from the vehicle. If you get too close to the front of the vehicle, the driver may not be able to see you, and a serious accident could occur.
5. Unloading a Special Needs Vehicle

The monitor will get off the vehicle first and assist the student, if necessary, delivering custody to the parent or other authorized adult.

G. Discipline Procedures

1. Any violation of behavior standards on the vehicle is expected to be resolved the day of the occurrence. Bus drivers or monitors must report any serious infraction to the principal or company's office no later than the following day in writing on a form provided by the transportation office. Sanctions may be imposed for violations of these rules of behavior. Special needs students will be given extra attention and help in this regard. Cooperation and communication among the parties: drivers, monitors, teachers and parents are especially important for special needs children.

2. Depending on the severity of the infraction, the student may receive a warning slip. On the third infraction, the parent may be required to ride the vehicle with the child. There may be instances in which warnings are relinquished in favor of suspension from the vehicle if the seriousness of the infraction warrants such action. If a student is suspended from the vehicle, he or she is not necessarily suspended from school. The parent must arrange for other transportation. The principal will advise the parent in such case. Suspension will be one (1) to five (5) days where warranted.
3. When it is necessary that a student remain in school beyond the time that he usually leaves, whether it be because of discipline or because he needs extra help, the parents must be notified beforehand so that they can pick him/her up at the time indicated by the principal.
4. We urge the parents to cooperate in the transportation of their children by explaining the importance of good behavior while they travel between home and school. For more information, please call the transportation office at (781) 599-2314.

STUDENT PUBLICATIONS

School Publications

School newspapers, yearbooks, literary magazines and other publications make a significant contribution to the educational program of the school.

Freedom to Publish

- A. All members of the Lynn Public Schools are entitled to express in writing their personal opinions. The distribution of such material, which will be limited to designated areas, may not interfere with or disrupt the educational process. Such written expression must be signed by the authors.
- B. Those who edit, publish or distribute handwritten, printed or duplicated material, including non-school sponsored newspapers among persons within the school must assume responsibility for the content of such publications.
- C. Libel, obscenity, vulgarity and personal attacks are prohibited in all publications.
- D. Unauthorized commercial solicitations will not be allowed on the school property at any time.
- *E. Official school publications will, in each case, require the supervision of a faculty advisor who serves under the authority of the school principal*.

LEGAL REFS.: M.G.L. 71:82; 71:86

GANG ACTIVITY/SECRET SOCIETIES

The goal of the Lynn 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 confrontations between members of different gangs.

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 Superintendent shall provide in-service training to help staff members identify gangs and gang symbols, recognize early manifestations of disruptive activities, and respond appropriately. Staff members shall be informed about conflict management techniques and alerted to intervention measures and community resources which may help students.

Symbols

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 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 the elementary, middle, and high schools as appropriate.

SECRET SOCIETIES

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

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

HAZING

Any organized or individual *acts* of intimidation or hazing by students is prohibited. Extortion, coercion, or intimidation will not be tolerated. According to M.G.L. 269:17, "hazing shall mean any conduct or method of induction into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person.

Such conduct shall include whipping, beating, branding, forcing calisthenics, exposure to the weather, forced consumption of food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such students or other person, to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

Section 18. Whoever knows that another person is the victim of hazing as defined in section 17 and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than five hundred dollars."

HAZING

CH. 269, S.17 CRIME OF HAZING; DEFINITION; PENALTY

Whoever is a principal organizer or participant in the crime of hazing as defined herein shall be punished by a fine of not more than one thousand dollars or by imprisonment in a house of correction for not more than one hundred days, or by both such fine and imprisonment.

The term "hazing" as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

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

Whoever knows that another person is the victim of hazing as defined in section seventeen and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than five hundred dollars.

CH. 269, S.19. HAZTNC; STATUTES TO BE PROVIDED; STATEMENT OR COMPLIANCE AND DISCIPLINE POLICY REQUIRED

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

Each secondary school and each public or private school or college shall file, at least annually, a report with the regents of higher education and in the case of secondary schools, the board of education, certifying that such institution has complied with the provisions of this section and also certifying that said school has adopted a disciplinary policy with regards to the organizers and participants of hazing. The board of regents and in the case of secondary schools, the board of education shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general any such institution which fails to make such a report.

HAZING

1.0 Authority

These regulations are promulgated by the board of education pursuant to G.L. c.269, s.19.

2.0 Scope and Purpose

These regulations govern the content and frequency of reports secondary schools must file with the board of education regarding the distribution of copies of the law against hazing and the adoption of a disciplinary policy concerning the organizers of and participants in hazing activities.

3.0 Definitions

- (1) "Hazing" shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person, to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.
- (2) "Non-school affiliated organization" shall mean any group or organization that operates on the campus of a secondary school but is not under the authority of such school.
- (3) "Secondary school" shall mean any school, be it public or private, that has been designated or approved as a secondary school by the School Committee.

4.0 Filing of Reports

- (1) On or before the first day of October of each year, the principal or headmaster of every secondary school shall file a report as required by G.L. c.269, s.19 with the bureau of student, community and adult services.

(2) Such reports as required by this section shall include the following certifications:

- (a) that the school has issued a copy of G.L. c.269, ss. 17, 18 and 19 to every group or organization under its authority and to every member, plebe, pledgee or applicant for membership in such group or organization;
- (b) that the school has issued a copy of G.L. c.269, ss. 17 thru 19, inclusive, to every non-school affiliated organization;
- (c) that the school has obtained an acknowledgment of receipt from an officer of every group or organization under its authority, and every individual which has received a copy of G.L. c.269, ss. 17 thru 19, inclusive;
- (d) that the school has obtained an acknowledgement from a contact person for each non-school affiliated organization that such organization has distributed a copy of G.L. c.269, ss. 17 thru 19, inclusive, to every member, plebe, pledgee or applicant for membership in such group or organization;
- (e) that the school has adopted a disciplinary policy with regard to the organizers of and participants in hazing which has been approved by the School Committee, is available to anyone upon request and has been filed with the bureau of student, community and adult services as required by G.L. c.74, s.37H.

5.0 Notifying the Attorney General

- (1) On the first day of November of each year, the commissioner of education shall notify the attorney general of any failure by a secondary school to file a report as required by G.L. c.269, s.19.

SMOKING BY STUDENTS

In accordance with Chapter 641 of the Acts of 1987 it is unlawful for any student to use tobacco products of any type on public school grounds both inside and outside of the building. This law applies during normal or after school hours.

Students in violation of this law are subject to conditional suspension and a parental conference will be required to discuss this violation. Students will be required to review literature provided by the American Cancer society and the American Lung Association emphasizing the hazards of smoking.

DRUGS AND ALCOHOL/SUBSTANCE ABUSE

A. Administrator's Responsibilities

The school principals shall designate a school staff person in each building as the designee responsible for the handling of all violations of the substance abuse policy. The designee must have knowledge of the laws involving drugs and alcohol, and have specific training on substance abuse prevention. Having one person responsible for the decision making on individual cases of possible drug and alcohol abuse, the teachers and other school personnel will seem more comfortable identifying potential problems with students in their classrooms. This reporting mechanism is vital to ensure students understand the rules and consequences for violating the substance abuse policy.

The principal or school designee if notified of a student suspected of violating the substance abuse policy, must give every effort to allow the student to explain his or her behavior, searching a student only if reasonable grounds exist (with third party present) and all other methods of student cooperation have been exhausted. If drugs or alcohol are not found but the designee reasonably believes the student is under the influence of a substance, the designee must report the incident to the police juvenile department, notify the parents and follow the substance abuse policy procedure. Any and all illegal substances discovered must be turned over to the juvenile officer by the school designee immediately. The confiscated substance must be tagged and logged at the school immediately and signed for by the receiving officer, before he or she leaves the school. At no time does a principal or school designee keep in a draw, or carry to the police station, any confiscated substance. If a student is found in possession of an illegal substance the student must be referred to the police and the parents notified immediately.

All school personnel should respect the right of any individual for confidentiality, if they are participating in a treatment program for substance abuse.

B. Teacher's Responsibilities

The school teacher should have a staff member (designee, appointed by the principal) to report all violations of the substance abuse policy.

If a teacher observes a student selling, or otherwise in possession of illegal substances, or has received reports that a student is in possession of same, the teacher should escort the student to the responsible designee and present the charge or reasonable information for suspecting a violation of the substance abuse policy.

All teachers should be alert for any significant behavioral changes of a student. The teacher should record and report their findings to the principal or the school designee.

If a student needs immediate help and/or a teacher reasonably suspects a student is under the influence of a substance, the teacher must refer the student to the school designee who, following the substance abuse policy, handles the situation. If a teacher wishes to refer a student to a treatment professional, the information may be obtained from the school designee. All school personnel should respect the individual rights of confidentiality of any person participating in a treatment program for substance abuse.

A teacher must understand that if in the unlikely event that they were called to testify in court, they are required to reveal any information they have relative to drugs and alcohol as it relates to the student or students involved in the case.

POLICY ON DRUGS AND ALCOHOL

This policy is designed to assist school administrators and teachers in their efforts to take action for helping students suspected of abusing drugs or alcohol within the school, on school grounds and at school sponsored functions.

RESPONSIBILITIES OF SCHOOL PERSONNEL:

- A Principal (school designee):
 - 1. Determine what steps if any, must be taken.
 - 2. Administer procedures as outlined in Section II.

- B. Classroom Teacher:
 - 1. Notify principal (school designee) if confronted with any category other than voluntary disclosure.

At no time should a principal or teacher state that a student is an overdose case or is "high" on drugs or alcohol unless the condition of the student is confirmed by medical authorities.

In contacting parents the principal should state the student's behavior seems erratic and that the principal would like to have a conference involving the parents and the student. It is possible the student's behavior is affected by prescribed drugs or physical problems.

Other participants include guidance counselor, adjustment counselor, designated staff member, vice principal, nurse, Lynn police designee, or any other professional person working with the student involved.

A designated school staff member is someone who has shown an interest in the problem and is willing and able to counsel those students involved. The principal will select the designated staff members for his/her building and send the names to the Superintendent. These designees may be teachers, guidance counselors, adjustment counselors, coaches, nurses, etc.

SUBSTANCE ABUSE POLICY

1. CATEGORIES:

- A. Voluntary disclosure
- B. Suspected violation of drugs or alcohol ("high" or intoxication)
- C. Use of drugs and alcohol ("high" or intoxication)
- D. Possession, sale and/or distribution of a controlled substance.
- E. Overdose

2. PROCEDURES FOR CATEGORY A:

Voluntary Disclosure

- 1. Student discloses use of drugs and/or alcohol to teacher
- 2. Teacher encourages student to see substance designee, guidance counselor, or principal for referral process.
- 3. Teacher involves guidance counselor or principal in referral process.
- 4. Teacher encourages parental conference.
- 5. Teacher designee or guidance counselor will provide lists for treatment referral.

PROCEDURES FOR CATEGORIES B-E

The principal will do the following on notification of violation of the Drug and Alcohol (Substance Abuse) Policy

- 1. Immediately call for transportation of the student to the hospital if medical emergency exists
- 2. Call school designee
- 3. Question, following principals policy and/or search student, school property three (3) parties must be involved
- 4. Notify parents
- 5. Notify Lynn Police Designee, (juvenile officer) of all violations of policy (except voluntary)
- 6. Notify Superintendent of school, if necessary
- 7. Arrange for parental conference/hearing
- 8. Administer appropriate discipline at hearings as defined in this policy
- 9. All contraband shall be turned confiscated and shall be turned over to Lynn Police Designee (a log being kept at school) without exception
- 10. Decisions on prosecution and/or treatment will be made on the recommendation of the school designee or police designee and third parties

3. DISCIPLINE TO BE ADMINISTERED CATEGORY A:

Voluntary Disclosure

1. No disciplinary action
2. If student commits any infraction of the substance abuse policy after voluntary disclosure, the procedure for involuntary disclosure will be followed and counseling will apply.

CATEGORIES B - E:

1. First Offense:
 - a. Three day at home suspension
 - b. Counseling by school designee and referral to a treatment program
 - c. Possible expulsion Per M.G.L. Ch.71, S.37H)
2. Second Offense:
 - a. Five day at home suspension; Readmittance to school only with doctor's note stating that student was tested and free of all drugs and alcohol (except prescription drugs)
 - b. Possible referral to Dept. of Social Services and initiate a C.H.I.N.S. and/or a 51-SIA care and protection from court by principal if parent does not cooperate with school officials.
 - c. Possible expulsion per M.G.L. Ch.71, S.37H.
3. Third offense:
 - a. Full Suspension
 - b. Hearing with Superintendent of Schools, or designee, (parents, police, designee)
 - c. Expulsion hearing before principal per M.G.L. Ch.71, S.37H.

TREATMENT AND REFERRAL SERVICES

Atlanticare Medical Center (781) 595-5463
212 Boston St.
Lynn, MA

Center for Addictive Behaviors (508) 745-8890
27 Congress St.
Shetland Buildings
Salem, MA

Project COPE/Recovery Resources (781) 581-9270
117 N. Common St.
Lynn, MA

Lynn Community Health Center (781) 581-3900
86 Lafayette St.
Lynn, MA

Health Quarters (781) 593-1115
181 Union St.
Lynn, MA

Project RAP (508) 922-0000
19 Broadway
Beverly, MA

Riverside Family Institute (617) 964-6933
259 Walnut St.
Newtonville, MA

Hot Lines:
1-800-ALCOHOL (800) 252-6465
1-800-COCAINE (800) 262-2463
Alcoholics Anonymous (671) 426-9444
Narcotics Anonymous 569-0021
Aids Hotline (800) 235-2331

SUBSTANCE ABUSE POLICY
ADMINISTRATION GUIDELINES

1. PURPOSES

- A Counseling and Treatment for Offenders
- B. Discipline for Repeat Offenders

2. DEFINITIONS

- A Drugs/Alcohol are interchangeable substances or precursor in any scheduled class referred to in Mass. General Laws, Ch. 94C as amended.
- B. Principal consists of:
 - 1. School Principal
 - 2. School Vice-Principal
 - 3. Administrator (designee)
 - 4. Alternate (designee)

3. PROCEDURE - SUSPECTED USE

Notify the Principal immediately. He/She will:

- A. Summons the student to the office or private setting.
- B. Inform the student as to the intent of questioning.
- C. Question the student as to:
 - 1. kind/amount of drug or alcohol
 - 2. Where/when consumed.
 - 3. Where remaining substance is.
- D. Notify Parents
- E. Search
 - 1. Student's person, locker, books, desk, jacket, etc.
 - 2. Seize whatever is found, tag and identify.
 - 3. Record in log.
- F. Notify police designee.
- G. If student is uncooperative, police should take into custody.
- H. Possible expulsion hearing before principal

4. PROCEDURE - SUSPECTED DISTRIBUTION

Notify the Principal immediately. He/She will:

- A. Summons the student to the office or private setting.
- B. Inform the student as to the intent of questioning.
- C. Question the student as to:
 - 1. kind/amount of drug or alcohol
 - 2. Where/when consumed.
 - 3. Where remaining substance is.
 - 4. Location of remaining substance.
 - 5. Circumstances of distribution
 - a. when
 - b. where
 - c. to whom
- D. Notify Parents
- E. Search
 - 1. Student's person, locker, books, desk, jacket, etc.
 - 2. Seize whatever is found, tag and identify.
 - 3. Record in log.
- F. Notify police designee.
- G. If student is uncooperative, police should take into custody.
- H. Possible expulsion hearing before principal

5. PROCEDURE - UNDER THE INFLUENCE

- A. Same as Ill. - suspected use
- B. If incapable of understanding:
 - 1. Notify medical personnel if needed.
 - 2. Notify parents and explain circumstances.
 - 3. Notify police designee.
 - 4. Hold conference next day with principal, police designee.
- C. Conference procedure - first offense
 - 1. Ask student to explain.
 - 2. If explanation is satisfactory to principal and police, student will be readmitted immediately with no penalty.
 - 3. If explanation is unsatisfactory to principal and police, student will be suspended for a period of 3 days (first offense).

4. Student may have his/her attorney present at their own expense.
5. Possible expulsion hearing before principal

D. Conference procedure - second offense

1. Ask student to explain.
2. If explanation is satisfactory to principal and police, student will be readmitted immediately with no penalty.
3. If explanation is unsatisfactory to principal and police, student will be suspended for a period of 5 days (second offense).
4. Student may have his/her attorney present at their own expense.
5. Re-admittance only with a doctor's certificate.
6. If parents seem to have little control over student, "C.H.I.N.S." should be filed by School Department.
7. Possible expulsion hearing before principal parents, student and

E Conference procedure – third offense.

1. Ask students to explain
2. If explanation is satisfactory to principal and police, student will be readmitted immediately with no penalty.
3. If explanation is unsatisfactory to principal and police, student will receive a full suspension (third offense).
4. Student may have his/her attorney present at their own expense.
5. Hearing conducted by Superintendent of schools or designee with parents, police designee, and school designee to determine proper action to be taken.
6. Possible expulsion hearing before principal.

6. CONFISCATION OF ILLEGAL SUBSTANCES

- A All confiscated illegal substances should be properly labeled and secured.
- B. All confiscated substances must be turned over to the police immediately.

7. PROSECUTION - WHO SHOULD PROSECUTE?

Decisions on prosecution and/or treatment will be made upon the recommendation of the school designee, police designee and third parties.

8. QUESTIONING

Questioning whenever possible, should be done on the school property by the police designee in the presence of the school designee, parents/guardian, and students attorney if requested.

9. STUDENT SEARCHES
 - A. Principal may search a student or school property if student is suspected of any violation of the substance abuse policy.
 - B. Search must be made by person of the same sex as the student and in the presence of a third party.
 - C. Principal may search the physical plant of the building i.e. lockers etc.

10. STUDENT SEEKING ASSISTANCE VOLUNTARILY
 - A. School designee or guidance counselor shall provide a list of appropriate counseling services.
 - B. Right of privacy shall take precedence and student will be encouraged to speak to guidance counselor, parents etc.
 - C. There shall be no penalty for volunteering information or voluntarily

DRUG ABUSE/ALCOHOL USE BY STUDENTS
STUDENT ASSISTANCE PLAN
(Substance Abuse Intervention Program)

It is the philosophy of the Lynn Public School Department that any student identified as a substance user or abuser is in need of an evaluation by a trained professional in order to assess the severity of a problem which may be creating difficulties for the student at school. The following mechanism has been established in order to address these ongoing issues at the Lynn Public Schools.

1. Upon the identification by public school personnel of a student suspected of substance abuse, the student will be notified that in order to fulfill certain school related negotiations, he/she must contact the Outpatient Center of Project COPE for a four week substance abuse evaluation, the extent of the problem will be assessed and a recommendation for services will be made if necessary.
2. The appropriate school contact requesting the evaluation will notify Wendy P. Kent at 581-9270 that a referral has been made. If the student has not called for an appointment within 5 days, the contact person will be notified.
3. The intake procedure is as follows: The student needs to come to the agency to fill out a brief information form. If he/she has BC/BS insurance or Medicaid, he/she should bring the insurance card. If there is no insurance the student will be asked to prepay the \$10.00 intake fee. At that time an intake appointment will be scheduled. A parent or guardian should accompany the student to the first appointment at which time insurance information will be obtained (if applicable), confidentiality explained, consent forms signed, and session fees negotiated.
4. Once an appointment has been made with the student, the referring school contact will receive a confirmation letter from Project COPE indicating that the student has requested an intake.
5. Upon completion of the four week evaluation, a recommendation concerning services will be made. The student will be informed that this recommendation will be passed to the appropriate person in the Lynn Public Schools.
6. If counseling services are recommended, these services will take place at Project COPE unless otherwise requested. Students will be seen individually, with their family or in a group, depending on the specific needs of the student. Once the student has initiated treatment, contact will again be made with the school. If a student fails to come for appointments or is uncooperative, the school contact person will be notified. An evaluation of the situation will be made by the school at that time.

7. Upon successful completion of the four week assessment program, the school will be notified. Any further recommendations will be made at that time.

8. In the event of an in-school crisis, emergency care can be requested from the day crisis team at:

Tri City Mental Health
95 Pleasant Street
Lynn, MA 01905
(781) 596-9222

Non emergency questions or problems can be referred to Wendy P. Kent.

Project COPE contact: Wendy P. Kent
Assistant Director
Outpatient Counseling Center
117 North Common Street
Lynn, MA 01902
581-9270

DANGEROUS WEAPONS IN THE SCHOOLS

THE GUN LAW

Whoever, not being a law enforcement officer, and notwithstanding any license obtained by him under the provisions of chapter one hundred and forty, carries on his person a firearm as hereinafter defined, loaded or unloaded or other dangerous weapon in any building or on the grounds of any elementary or secondary school, college or university without the written authorization of the board or officer in charge of such elementary or secondary school, college or university shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both. For the purpose of this paragraph, "firearm" shall mean any pistol, revolver, rifle or smoothbore arm from which a shot, bullet or pellet can be discharged by whatever means.

Any officer in charge of an elementary or secondary school, college or university or any faculty member or administrative officer of an elementary or secondary school, college or university failing to report violations of this paragraph shall be guilty of a misdemeanor and punished by a fine of not more than five hundred dollars.

1. Students responsible for violating this law will be subject to suspension, expulsion and prosecution (due process will apply).

DUE PROCESS

Temporary Suspension

1. An oral or written notice of the charges against you.
2. An explanation for the basis of the accusation.
3. An opportunity to present your side of the story.

Expulsion

1. Written notice of the charges.
2. The right to be represented by a lawyer or another person acting on your behalf.
3. Adequate time to prepare for the hearing.
4. A reasonably prompt written decision, including specific grounds for that decision.

LEGAL REFS.: M.G.L. 269:10(b); 269:12

PREGNANT STUDENTS

The School Committee's educational responsibility for all students residing in the school district includes pregnant teenagers, married or unmarried. A pregnant girl shall be allowed to remain in school and to receive any services which are a part of the regular educational program of the school system as long as her physical and emotional condition permit. Any variation from continuing in regular school classes and extra curricular activities shall be based upon her assessed needs. The girl's husband (or parent if she is unmarried) and physician should be consulted in developing the educational plan to fit her needs.

School administration, when necessary, will make special arrangements for attendance, promotion, graduation, etc. for pregnant students who wish to continue and complete their education.

The School Committee further advocates that a pregnant student shall report her condition to the school nurse, guidance counselor or principal. In all cases involving pregnancy, the student should be under the continual supervision of a physician who will provide the school with a written determination that no danger to the student's physical or mental health should result from her attending school.

All cases are to be handled confidentially and on an individual basis.

LEGAL REFS.: M.G.L. 71:84

INTERROGATIONS AND SEARCHES

SEARCH AND SEIZURE

In order to maintain the educational process and ensure the safety and welfare of all members of the Lynn School System, the following rules shall apply to the search of school property or individuals.

- A. At the discretion of the principal, general and individual searches may be conducted by the principal or his designee when reasonable suspicion exists.
- B. When there are reasonable grounds to believe that a student is in possession of weapons, illegal drugs, alcoholic beverages, stolen property, explosives or other illegal paraphernalia, a student may be searched, by any school authority, in a manner reasonably related to its objectives.
- C. Search of an area assigned to a member of the Lynn Public Schools should be made in the presence of a witness and when reasonably possible, in the presence of the person involved.
- D. A copy of master keys and/or copies of combinations for locks for student lockers are retained by the school. Weapons, illegal drugs, alcoholic beverages, stolen property, explosives or other paraphernalia forbidden to be possessed by law may not be stored in a student's locker or desk. The school retains the right to inspect lockers and desks periodically for compliance with this rule.
- E. Items or possessions reasonably determined to be a threat to the health and safety or security of others may be seized by the school authorities.
- F. Items which are used to disrupt or interfere with the educational process may be temporarily removed from student possession.
- G. The above may be done by any authorized personnel without prejudice.

LEGAL REFS.: Student Handbooks

STUDENT COMPLAINTS AND GRIEVANCES

Secondary schools within the school system shall establish procedures for the consideration of student problems and for the processing of student complaints and appeals. These procedures should be developed through the cooperative efforts of students, faculty, and administrators. The Superintendent shall establish and maintain procedures for appeals beyond the decision of the principal. Details of these procedures should be made known to student and staff, and students who wish to use them should be assured of access to the appropriate personnel within a reasonable period of time.

LEGAL REF.: M.G.L. 76:17

STUDENT COMPLAINTS AND GRIEVANCES

HEARING PROCEDURE

A. Rights of a Student

Nothing in these procedures shall be construed as limiting the rights of any student having a complaint to discuss the matter with an appropriate school administrator. No reprisals of any kind shall be taken by anyone against any student as a result of a complaint or appeal.

B. Local School Level

In implementing the policy statement at the local school level, the principal is responsible for:

1. Ensuring that procedures for considering student problems and processing complaints and appeals are cooperatively developed by students, faculty, and school administrators.
2. Determining that the procedures are precise and clearly stated and make provision for (a) guaranteeing each student due process; (b) submitting, in writing, an appeal and the explanation of issues involved to the appropriate individual or office; and (c) requiring that all parties involved be notified, in writing, of the decision within ten (10) school days of the date the appeal is received.
3. Forwarding an information copy of the procedures to the Superintendent.
4. Making such procedures available to each student.
5. Planning with the faculty, school administrators, and student council representatives to assure that each student has been informed of the appeal procedures.
6. An annual review and revision, if appropriate, of the procedure at the local school level.

C. Appeal of the Decision of the Principal

If a student has attempted, without success, to have a problem resolved at the local school level and is not satisfied with the decision rendered, he may appeal the decision to the Superintendent and the following steps are carried out:

1. Submitting an Appeal

Within ten (10) school days of the decision of the principal, the student requests, in writing, a review of the complaint and appeals the decision to the Superintendent. The statement should include (a) all pertinent factual information; (b) the remedy requested; and (c) a request for a review of the complaint and the decision of the principal or an informal hearing before the Superintendent.

2. Review of an Appeal

Upon receipt of a request for a review of a decision rendered by the principal, the Superintendent acknowledges receipt of the request. The Superintendent makes a decision based on the information submitted by the student, school administration and any additional information he has obtained.

Within ten (10) school days of the date the appeal is received, the Superintendent notifies the student and principal, in writing, of the decision concerning the appeal.

3. Informal Hearing Before the Superintendent

Upon receipt of a request for a hearing, the Superintendent (a) acknowledges receipt of the request; (b) sets the date for an informal hearing which must be held within ten (10) school days from the date the request is received; (c) informs all individuals concerned, in writing, of the time, date, and place of the hearing; and (d) notifies the student of his right to present information, evidence, and witnesses.

The Superintendent is responsible for conducting the hearing, questioning parties to the informal hearing, and providing an opportunity for the student to question parties to the hearing.

Within five (5) school days after the informal hearing, the Superintendent reviews all data and information presented at the hearing, renders a decision, and notifies the student and principal, in writing, of the decision and the student's right of appealing the decision.

STUDENT COMPLAINTS AND GRIEVANCES
TITLE IX - CHAPTER 622

Any student or employee of the Lynn School Department who believes he or she has been discriminated against, denied a benefit, or excluded from participation, in any system education program or activity, on the basis of sex, race, color, religion or national origin in violation of this policy, may file a written complaint with the appointed compliance administrator for the Lynn School Department. The compliance administrator shall cause a review of the written complaint within ten (10) working days after receipt of the written complaint. If the complainant is not satisfied with such response, he or she may submit a written appeal to the School Committee indicating with particularity the nature of disagreement with the response and his or her reasons for such disagreement. A copy of the written complaint shall then be provided each member of the School Committee.

The School Committee shall consider the appeal which will be listed for action by the School Committee on the next regularly scheduled School Committee agenda.

The School Committee shall permit the complainant to address the School Committee in public or closed session, as appropriate and lawful, concerning his or her complaint and shall provide the complainant with a written decision in the matter as expeditiously as possible following completion of the hearing.

Any individual has the right at any time to address inquiries regarding their civil rights to the Office of Civil Rights in Boston, Massachusetts.