

SALEM PUBLIC SCHOOLS



DISTRICT-WIDE STUDENT HANDBOOK 2015-16

Updated: January 8, 2016

School Committee Members

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Salem Public Schools
29 Highland Avenue
Salem, MA 01915

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About Salem Public Schools

SPS Mission

The mission of the Salem Public Schools is to provide each student who enrolls with a sound education, which will prepare that student well for: personal growth, continuing formal and informal learning, productive work, and active, well-informed participation in self-government upon graduation. As understood by the Salem Public Schools, a sound education consists of a mastery of traditional basic skills, a higher level learning of the ways to lead a healthy, active life, and of the required curriculum. It also includes: acquiring the fundamental traits of respect for others, self-control, and having opportunities throughout the educational process for self-expression by acquiring skill in the creative arts, athletics and other aspects of a well-rounded life.

District Administrative Offices Contact Information

The school district's administrative offices are located on the first and second floor of the Collins Middle School building at 29 Highland Avenue, Salem, MA 01970. Members of the district administrative leadership team include:

Superintendent's Office -- (978) 740-1212

Margarita Ruiz, Superintendent
Jill Conrad, Chief of Systems Strategy
Mindy Marino, Executive Assistant

Office of Teaching and Learning – (978) 740-1214

Kate Carbone, Assistant Superintendent, Curriculum & Instruction

Office of Pupil Personnel Services – (978) 740-1249

Margaret Marotta, Assistant Superintendent, Pupil Personnel Services
Rebecca Westlake, Director of English Language Learning

Business and Finance Office (978) 740-1222

Phillip Littlehale, Business Manager

Office of Human Resources—(978) 740-1115

Jill Conrad, Acting Director of Human Resources

Schools in Salem

Early Childhood Education

School	Start/End	Principal	Address	Telephone
Salem Early Childhood Center	8:30-2:30 (M-Th) 8:30-11:00 (F)	Nancy Charest	25 Memorial Drive	(978) 740-1181

Elementary and K-8 Schools

School	Start/End	Principal	Address	Telephone
Bates Elementary	7:45 – 1:50	Thomas Milaschewski	53 Liberty Hill Ave.	(978) 740 - 1250
Bentley Academy Charter School	7:30 – 3:30	Justin Vernon	25 Memorial Drive	(978) 740 - 1260
Carlton Innovation School	8:20 – 2:25	Jean-Marie Kahn	10 Skerry St.	(978) 740 - 1280
Horace Mann Laboratory School	7:50 – 1:50	Dr. Chad Leith (Interim)	33 Loring Ave.	(978) 542 - 6220
Nathaniel Bowditch K-8 School	7:45 – 3:16	Dr. Johanna Even	79 Willson St.	(978) 740 - 1290
Saltonstall K-8 School	8:00 – 3:00	Nicholas Geusaldi (Interim)	211 Lafayette St.	(978) 740 - 1297
Witchcraft Heights Elementary School	8:20 – 2:25	Mark Higgins	1 Frederick St.	(978) 740 - 1270

Middle and High Schools

School	Start/End	Principal	Address	Telephone
Collins Middle School	7:30-3:35	Glenn Burns	29 Highland Ave.	(978) 740-1193
Salem High School	7:24-2:02	David Angeramo	77 Willson Street	(978) 740-1110
New Liberty Charter School		Jessica Yurwitz	Museum Place Mall, 2 nd Floor	(978) 825-3470
Salem Prep High School		Carole Donnelly	114 Derby Street	(978) 740-1171

Policies and Procedures for All Students

Policy of Non-Discrimination

Salem Public Schools' policy of non-discrimination (See [SC Policy 1101.1](#)) ensures that the district does not discriminate on the basis of race, color or national origin, sex, disability, age, sexual orientation, homelessness, socio-economic status, or religion. To that end, the district commits to:

1. Promote the rights and responsibilities of all individuals as set forth in the state and federal constitutions, applicable legislation and judicial interpretations;
2. Encourage positive experiences in human values for all its students, staff, and other members of the community, affirming the diversity of familial backgrounds, socioeconomic statuses and ethnicities represented in the Salem schools community;
3. Work toward a more integrated, harmonious community and to enlist all individuals, groups and agencies—both private and governmental—to support this effort;
4. Use all appropriate communication and action techniques to hear and address the grievances of any individuals and/or groups;
5. Consider carefully the potential benefits or adverse consequences of any decision made within the Salem school system on human relationships within the schools and the larger Salem community;
6. Initiate procedures and practices that will actively promote the objectives of this policy in the Salem school system.

This policy of nondiscrimination extends to all students, staff, the general public, and individuals with whom the School District does business. No person shall be excluded from or discriminated against in admission to a Salem public school, or in obtaining the advantages, privileges, and/or courses of study of our public schools on account of sex, sexual orientation, gender identity, age, race, color, national origin or socioeconomic status, union seniority, disability or pregnancy.

Equal Access to Educational Opportunities

Consistent with its policy on nondiscrimination, Salem Public Schools ensures equal access and opportunity to the educational programs available in the district. According to Salem Public Schools' School Committee Policy on Equal Access & Opportunity (See [SC Policy](#)

[5212.01](#)), “Every child shall have a right to attend the public schools of the town where he/she actually resides, subject to the provisions of Chapter 76. All enrolled students shall have equal access to the general education program and the full range of any occupational/vocational education programs offered by the district. In compliance with state and federal laws, the Salem Public Schools maintains a nondiscrimination policy. No child shall be excluded from or discriminated against in admission to Salem Public Schools, or in obtaining the advantages, privileges and courses of study of our schools, regardless of race, color, sex, gender identity, religion, national origin, sexual orientation, disability, or homelessness. This policy provides equal access to courses and programs, counseling services, physical education and athletics, vocational education, instructional materials and extra-curricular activities.”

Procedures for Reporting or Filing a Discrimination Complaint

Any student or family seeking to report or file a complaint alleging discrimination on the basis of the above policy or to make an inquiry concerning the application of anti-discrimination laws and regulations in the Salem Public Schools, please contact:

Jill Conrad, Chief of Systems Strategy/Acting Director of Human Resources
Salem Public Schools
Office of Human Resources
29 Highland Avenue, Room 131
Salem, MA 01970
978-740-1115
humanresources@salemk12.org

Harassment Policy

Salem Public Schools is committed to maintaining an educational and work environment free from all forms of harassment and violence. Harassment based on race, religion, national origin, sex, disability or sexual orientation is unlawful and prohibited in the Salem Public Schools. According to the Salem School Committee’s policy on harassment (See [SC Policy 5410](#)), “It shall be a violation of this policy for any individual to inflict, threaten to inflict, or attempt to inflict violence or otherwise interfere with a student’s education or an employee’s work through conduct or any other form of communications.

This policy applies to all school employees, students, volunteers, contracted vendors, and other members of the school community. Each member of the school community has a responsibility to ensure that harassment and violence does not occur in the schools or at school sponsored activities.

Definitions

Harassment is unwanted or unwelcome physical or verbal behavior relating to an individual's race, religion, national origin, sex, disability, or sexual orientation, which negatively impacts the educational or work environment. This includes, but is not limited to, unsolicited remarks, gestures, physical contact, and the display or circulation of written or illustrated derogatory material.

Sexual harassment refers to sexually motivated behavior that is unwelcome and personally offensive, and interferes with a student's education or an employee's work environment. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct, or other verbal or physical conduct or communication of a sexual nature.

Examples of behavior that may be considered sexual harassment include without limitation:

- Whistling, catcalls or offensive noises;
- Stares or obscene gestures;
- Suggestive remarks, jokes about a person's appearance, or derogatory sexual terms;
- Displaying offensive photographs, illustrations, or sex-related objects;
- Blocking a person's movements;
- Touching, brushing, pinching or patting;
- Pulling or lifting of clothing;
- Pressure for dates, sex, or information about personal sexual experiences.

In certain circumstances, sexual harassment may constitute child abuse under Massachusetts General Laws Chapter 119, Section 51A. The Salem Public Schools will comply with Massachusetts law in reporting suspected cases of child abuse to the Massachusetts Department of Children and Family Services.

Certain circumstances may violate state or federal Civil Rights, Hate Crimes, or Harassment statutes. The Salem Public Schools will comply with its Memorandum of Understanding and report appropriate incidents to the Salem Police Department.

Reporting and Filing Complaints

Any individuals who believe that they have been the subject of any form of harassment or violence should report the conduct to a teacher or administrator. Staff will forward the complaint to a building administrator who will initiate an investigation.

Complaints may also be filed with Assistant Superintendent, at Salem Public Schools, Telephone - 978-740-1214.

Anyone filing a complaint may pursue her/his rights under the law and file a complaint with the appropriate state and federal agencies at anytime:

Commonwealth of Massachusetts: Massachusetts Commission Against Discrimination
1 Ashburton Place, Boston

Information and Complaints: 617-994-6000

Complaints must be filed within 6 months.

Federal Government: Education Department, Office for Civil Rights
J.W. McCormack Post Office & Courthouse, Boston

Information and Complaints: 617-223-9662

Complaints must be filed within 180 days.

Federal Government: Equal Employment Opportunity Commission
J.W. McCormack Post Office & Courthouse, Boston

Information and Complaints: 617-565-3200

Complaints must be filed within 300 days.

Staff who witness or have knowledge of actual or possible harassment or violence are required to report the incident to a building administrator, even if the victim does not express disapproval or wish to file a complaint.

All verbal and written complaints will be investigated promptly and in as impartial and confidential a manner as possible, to ensure prompt and appropriate action.

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

No individual will be subject to any form of coercion, intimidation, retaliation, interference, or discrimination for filing a complaint or cooperating in an investigation. Retaliation is unlawful and the Salem Public Schools will take the appropriate disciplinary action against any individuals involved. All staff members are required to participate in a school department investigation.

Violations of this policy will be cause for disciplinary action up to and including expulsion from school, termination of employment, or revocation of school department or city contracts.

Annually, each administrator will provide a written copy of this policy to all staff, and provide new employees with a copy at the time of their employment.

Anti-Bullying Policy

Definitions and Policies

Definitions

The Salem Public Schools is committed to providing a safe, positive and productive educational environment where students can achieve the highest academic standards. No student shall be subjected to harassment, intimidation, bullying, or cyberbullying.

Salem Public Schools policy on Bullying Prevention (See [SC Policy 5410.01](#)) defines bullying as “the repeated use by one or more students or school staff member of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, directed at a target that:

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

School staff members are defined to include but are not limited to an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional.

“Cyber-bullying” means bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a:

- wire
- radio
- electromagnetic
- photo-electronic or photo-optical system, including, but not limited to, electronic
- mail, internet communications, instant messages or facsimile communications.

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

Cyber-bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be

accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

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

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

Prohibition of Bullying

Bullying is prohibited:

- On school grounds;
- On property immediately adjacent to school grounds;
- At school-sponsored or school-related activities;
- At functions or programs whether on or off school grounds
- At school bus stops;
- On school buses or other vehicles owned, leased or used by the school district; or,
- Through the use of technology or an electronic device owned, leased or used by the Salem public schools;

Bullying and cyber-bullying are prohibited at a location, activity, function or program that is not school-related or through the use of technology or an electronic device that is not owned, leased or used by the Salem Public school district if the act or acts in question:

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

Administrative Policies and Procedures

Prevention and Intervention Plan

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

The Principal is responsible for the implementation and oversight of the bullying prevention and implementation plan within his or her school.

Reporting

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

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

Any student who knowingly makes a false accusation of bullying shall be subject to disciplinary action.

Parents or guardians, or members of the community, are encouraged to report an incident of bullying as soon as possible.

A member of a school staff shall immediately report any instance of bullying the staff member has witnessed or become aware of to the school principal or their designee.

Investigation Procedures

The Principal or their designee, upon receipt of a viable report, shall promptly contact the parents or guardians of a student who has been the alleged target or alleged perpetrator of bullying. The actions being taken to prevent further acts of bullying shall be discussed.

The school principal or a designee shall promptly investigate the report of bullying, using a Bullying/Cyber-bullying Report Form which may include interviewing the alleged target, alleged perpetrator, staff members, students and/or witnesses.

Support staff shall assess an alleged target's needs for protection and create and implement a safety plan that shall restore a sense of safety for that student.

Confidentiality shall be used to protect a person who reports bullying, provides information during an investigation of bullying, or is witness to or has reliable information about an act of bullying.

If the school principal or a designee determines that bullying has occurred he/she shall take appropriate disciplinary action and if it is believed that criminal charges may be pursued against the perpetrator, the principal shall consult with the school's resource officer and the Superintendent to determine if criminal charges are warranted. If it is determined that criminal charges are warranted, the local law enforcement agency shall be notified.

The investigation shall be completed within fourteen school days from the date of the report. The parents or guardians shall be contacted upon completion of the investigation and informed of the results, including whether the allegations were found to be factual,

whether a violation of this policy was found, and whether disciplinary action has or shall be taken. At a minimum the Principal or his/her designee shall contact the parents or guardians as to the status of the investigation on a weekly basis.

Disciplinary actions for students **or staff members** who have committed an act of bullying or retaliation shall be in accordance with district disciplinary policies.

Each school shall document any incident of bullying that is reported per this policy and a file shall be maintained by the Principal or designee. A monthly report shall be provided to the Superintendent.

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

Retaliation

Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying shall be prohibited.

Target Assistance

The Salem Public Schools shall provide counseling or referral to appropriate services, including guidance, academic intervention, and protection to students, both targets and perpetrators, affected by bullying, as necessary.

Training and Assessment

Annual training shall be provided for school employees and volunteers who have significant contact with students in preventing, identifying, responding to, and reporting incidents of bullying.

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

Publication and Notice

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

Annual written notice of the bullying prevention and intervention plan shall be provided to all school staff. The faculty and staff at each school shall be trained annually on the bullying prevention and intervention plan applicable to the school.

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

The bullying prevention and intervention plan shall be posted on the Salem Public Schools website.

Student Attendance Policy and Procedures

State and District Policy

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

Massachusetts state law requires compulsory attendance for all students. Chapter 119, Section 21 of the MA General Laws states that all children between the ages of six and 16 must attend school. The Salem School Committee attendance policy encourages families to ensure that students attend school every day (See [SC Policy 5101](#)).

Excused and Unexcused Absences—Definitions

Excused Absences

The Salem School Committee policy defines an excused absence as “An illness, treatment, hospitalization, or death in the family; observance of a religious holiday; documented court/legal/governmental appearances by the student; or administrator-approved absences and field trips (including college visits).”

Unexcused Absences

Unexcused absences are any that are not covered by the above definition. Examples of unexcused absences may include, but not be limited to:

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

Attendance Requirements and Interventions

The Salem School Committee Policy #5101 states that “A student out of school for four (4) or more days consecutively within a term or who exhibits a pattern of absenteeism, must have a doctor’s note when returning to school for that absence to be excused. In exceptional situations (flu epidemic, chicken pox, etc.) the school nurse will determine whether or not a doctor’s note shall be required to re-enter school. The Salem School District will be proactive in efforts to intervene when absenteeism is high and/or impacts student learning. For such irregular attendance of any kind, a student shall be referred to the school attendance officer. Students absent from school for eight (8) or more days or

fifteen half days in any six-month period may, upon the recommendation of the school nurse or school principal, be referred to more serious administrative intervention or action.”

Reporting Requirements for Students Absent from School

Whenever a student is absent from school, a parent or guardian must call the school’s main office as soon as possible on the morning of the day of the absence. A list of school main office phone numbers is below.

The parent or guardian reporting the absence must leave a message with the student’s full name, the reason for the absence, the anticipated date(s) of absence, and the class he/she is in. All absences are cross-checked daily to compare teachers’ absence lists and with parent calls. If your child has been marked absent without a parent-call, the school will make every effort to contact the parent/guardian or emergency contact number. The Salem Public Schools prefers that a telephone call is made ahead of the absence and that once the child returns to school, a note is also sent in with the student stating which days were excused by the parent and the reason for the absence. Please note that when a student has been absent for five (5) or more consecutive days, parents must obtain a doctor’s note and submit it to the school.

Family Vacations and Travel

Parents and students are reminded that the MA State Law requires compulsory attendance for all students. We strongly discourage family vacations and travel when school is in session. In addition to compromising the attendance law, family vacations interrupt the educational process in ways that make-up work cannot reverse. Teachers are not required to provide homework assignments prior to a family vacation or travel and students who are absent due to family trips will not be given schoolwork because such absences are considered unexcused. Allowing students to miss school sends a very strong message to your child that school is not that important. That is not a message we want to convey to Salem students.

Tardiness

The City of Salem is working to provide more school time to meet new state and learning requirements. In the meantime, teachers and administrators are working hard to encourage all students to come to school on time, ready to learn. Losing even five minutes a day adds up to 15 hours a year, which is the equivalent of three full days. Important learning goes on in the morning! Please note the start-times for your school and plan to arrive at the building at least five minutes before that time.

A student is tardy when he/she is not in the classroom at the instructional start time, ready to begin the school day. The only exception is when the school bus is late delivering the children to school. When a student is tardy, he or she should have a valid reason. All elementary-aged children who arrive late must have a parent or guardian sign them in at the office so that we are aware they have arrived. The child needs to then walk quickly and directly to class.

Consequences for Five (5) or More Unexcused Absences and Excessive Tardiness

Parents and guardians are encouraged to contact schools staff and work collaboratively with them to correct the reasons that the student is missing school. After five (5) unexcused absences have occurred, a letter will be sent home. Upon returning to school, your child must bring a note explaining the reason for his or her absence. This is required even though you have already called the school. If your child has gone to the doctor, please provide a doctor's note to the office.

After eight (8) unexcused absences have occurred, a second letter will be sent home stating that if absences continue, it may be necessary to have a meeting at the school and/or refer the family to the Attendance Officer for further action(s).

If a student is absent for eight (8) or more days in a quarter, and/or if the student has an excessive number of days of which he/she is tardy for school, school officials may file a CRA (Child Requiring Assistance) petition with the Juvenile Court, which could result in a hearing before a Juvenile Court Judge. Prior to the filing of a CRA, families and students will be required to work with school administrators to improve the student's attendance.

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

Early Dismissal

If a student needs to leave school anytime during the school day, parents/guardians are required to send in a note to the homeroom teacher. The student must be picked up at the school's main office where personnel will call the homeroom to notify the child and the teacher.

Changing Dismissal Routine

If a student's normal dismissal routine is to be altered on a particular day, parents/guardians should send a note to the classroom teacher describing the change and indicating who will meet the child at school, if someone is to do so. If a child does not have a note and the school cannot immediately locate the parent, the child will be dismissed following the normal routine.

No School/Delayed Opening Announcements

School cancellations or delays because of bad weather will be announced on several area TV. and radio stations such as WBZ/1030AM and WRKO/680AM. Please do not call the police, fire department, or school for this information. If the superintendent declares a delayed opening of one or two hours (meaning a start time of 9:20 or 10:20), students will still be released at the normal time. If students have already arrived at school and the weather worsens during the day, children will likewise be dismissed at the usual time to allow buses to make their regularly scheduled runs, except in the case of a crisis or emergency.

Please make sure to contact your school secretary to update any phone number changes.

Acceptable Use of Technology

The Salem School Committee recognizes the importance of technology and electronic media to contemporary education, and holds that their use is essential to the day-to-day administrative operations of schools. The Committee sees these media as tools to foster learning and as an integral part of the functioning of contemporary society. The Committee further recognizes, however, that the power of this technology brings with it certain responsibilities and risks for those who use it. The School Committee's policy (See [SC Policy 5501](#)) requires all users of technology in the district to read and sign an Acceptable Use of Technology Agreement.

The Salem Public School District provides technology to support teaching, enhance learning, and improve productivity. All Salem Public Schools students are required to comply with the provisions herein. The use of Salem Public School District technology is a privilege, not a right. Students are responsible for their conduct when using Salem Public Schools technology. Staff must supervise student use of technology at all times.

Definitions

As defined in this policy, the term technology includes, but is not limited to: all computers; printers, scanners, peripheral equipment; networks; Internet resources, including production of Web content, all forms of Web-based synchronous and asynchronous communication including electronic mail, and file transfer protocol; multimedia, video, laser, cable, TV, telephone, and fax equipment; language lab equipment; all software and files, including all user files generated from the use of the resources listed herein; as well as the supplies used to maintain technology.

Technology Use

Before students will be allowed to use any of the district's technology, parents and/or guardians of all students must sign and return the Acceptable Use section included in each school's Student Handbook at the start of each school year. Students in Grades 3 through 12 must also sign. Signature indicates understanding of this policy, and acceptance of liability for damages resulting from the intentional disregard of this policy. Students in grades 3 – 12 may not log in under a generic or shared password unless there is an extenuating circumstance.

Staff will enforce this policy. Students in their charge who have not returned the appropriately signed Acceptable Use section included in each school's Student Handbook will not use Salem Public Schools technology.

Internet Use

The Internet contains a rich collection of educational resources which can enrich and extend instruction. Because it is an unregulated worldwide medium that is always growing and changing, it is the responsibility of Salem Public School employees to ensure that students can make use of this resource safely and responsibly.

Salem Public Schools uses an Internet content filter that is compliant with the Child Internet Protection Act (CIPA), in that it blocks material that is obscene, pornographic, and in any way harmful to minors. All use of the Internet is monitored.

Each student must take responsibility for his or her actions online. Any attempt to:

- visit inappropriate web content
- download files with or to Salem Public Schools equipment
- upload files to a site not approved by the Salem Public Schools, or
- communicate with anyone in an inappropriate, harassing or threatening manner

will result in immediate revocation of computer privileges as well as possible disciplinary and/or legal action.

Technology Code of Ethics

1. Respect the school's property. All technology is the property of the Salem Public School District. No one is to intentionally move, damage or tamper with district technology.
2. Use technology for school-related, educational activities.
3. Be courteous and use appropriate language. Do not harass, threaten or attack others, or use expressions of bigotry, racism, and/or hate. Do not send, display, or use profanity or obscene, explicit or offensive material
4. Protect your privacy and safety by not disclosing personal information such as your telephone number, address, location or password. Use only the password assigned to you. You are not allowed to use anyone else's password to access Salem Public School's technology.
5. Recognize and respect the intellectual property of others, including work and materials found online.
6. Adhere to Federal copyright laws and publishers' licensing agreements.
7. Do not attempt to install software or download files for non-educational purposes using the Salem Public Schools technology.
8. Respect the integrity of the Salem Public School's networks. Do not attempt to circumvent or subvert system security. Do not tamper with, alter or cause disruption of networks.
9. Report user misconduct, suspected viruses and technical problems to your teacher immediately so that action can be taken to minimize possible damage to technology.
10. Use technology responsibly. Consider the needs of others when using shared or networked computers, printers, or other technological resources. Conserve paper and toner whenever possible.

Violations of the Technology Code of Ethics

Violations of the Technology Code of Ethics may result in loss of access to technology, disciplinary and/or legal action, including any resulting financial liability.

Student Code of Conduct

Students in the Salem Public Schools are expected to treat all members of their school and district-wide community with dignity and respect. A school community includes anyone who attends, works in, or interacts within the school. Students, teachers, administrators, school adjustment counselors, paraprofessionals, custodians, secretaries, cafeteria workers, parent volunteers, and school visitors are all considered members of a school community.

All members of the school community have the responsibility to conduct themselves in a way that demonstrates respect for all individuals, their rights and their property. All members of the school community must also understand and support the standards of conduct of the school and assist in the enforcement of rules and regulations. Students are expected to be safe, responsible, and respectful throughout the school day, at the bus stop, in the cafeteria, on the playground, and in the classroom. This behavior is also expected during all curricular, co-curricular, athletic and special events of the school both on and off campus, including school-sponsored trips and those times when school buses or other school-provided transportation is used.

A student's participation in co-curricular, athletic, or other school or district events is a privilege, not a right or entitlement. Such activities include but are not limited to dances, proms, athletic, theater, and musical events. Failure to meet the Salem Public Schools code of conduct, both while in school and in the community, may result in revocation of such privileges including the possibility of further penalties according to the Salem Public Schools Discipline Policy.

These rules and regulations may be supplemented by those developed by each individual school and/or classroom teacher. The academic success and safety of students are contingent upon students maintaining appropriate and responsible behavior.

The discipline procedures for students with disabilities shall follow applicable state and federal laws.

All members of the school community are subject to the laws of the Commonwealth and City ordinances. The school will report acts which may violate the law to the police, including but not limited to assault and battery, possession of a dangerous weapon resulting in a felony charge, destruction of property (graffiti, arson, tagging, and theft), domestic or dating/relationship violence, inappropriate sexual assault or sexual behavior, harassment and civil rights threats or violations, actual or constructive possession of a controlled substance, reasonable belief that a student has sold or offered to sell a controlled substance. Other acts may also be reported to the police as appropriate. Student information, including student records, will be shared with the resource officer assigned to each, when appropriate, to maintain a positive and safe educational environment.

Student Discipline

The Salem School Committee believes that all students deserve every opportunity to achieve academic success in a safe, secure learning environment. 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 (See [SC Policy 5408](#)).

Three Categories of Rule Infractions

The Salem School Committee has developed a code of conduct for all students, which divides rule infractions into three categories. A copy of the complete policy is available in each school's office.

Class One offenses include vulgarity or rudeness, disruptive behavior, chronic tardiness, causing a problem on the bus, forgery of a school-related note or pass, and horseplay.

Class Two offenses include profane or obscene language or gestures, open defiance of staff, vandalism of school or other's property, harassment, leaving or skipping class, use or possession of fireworks, use of tobacco, theft or possession of stolen property, fighting, provoking a fight, assault, skipping detention, and tampering with fire alarm or safety devices.

Class Three offenses include assault or the threatening of any Salem School employee; possession, use, distribution, or being under the influence of alcohol, drugs, or any other controlled substance, including look-alike drugs; fighting involving three or more people; possession or use of a dangerous substance (explosive); premeditated fight causing injury; possession, use, and/or concealment of a dangerous weapon or look-alike weapon.

The discipline procedures for students with disabilities shall follow applicable state and federal laws. Copies of these laws are available in the principal's office for parent or student review.

Due Process

No student shall be disciplined without being afforded appropriate due process. Prior to discipline which does not involve exclusion from school or school-related activities, the student should be informed of the charges against him/her and given an opportunity to present his/her side of the story. For discipline involving exclusion, the procedures set forth in the following sections will be followed.

Disciplinary Procedures

A student who engages in, or contributes to, any behavior that disrupts the safe and orderly environment of the school is subject to disciplinary action. Depending on the severity of the

rule infraction involved, the Salem School Community authorizes school principals to apply a series of disciplinary actions including:

- Revocation of Privileges
- Detention
- Suspension (Short- or Long-term; in or out of school)
- Expulsion

Students are also reminded that conduct at school may lead to consequences beyond school discipline. These consequences may include requirements for monetary restitution or fines for damages caused. In addition, when school staff has a reasonable basis for believing that a crime has been or is being committed by a student on school property or at school-related events, such matters shall be reported to the police. Reportable crimes include, but are not limited to possession of a controlled substance or dangerous weapon, assault, vandalism, stalking and hazing.

Revocation of Privileges

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

Detention

Schools and classroom teachers may determine that an after-school detention is warranted as part of progressive discipline.

Suspension

Suspensions may be short or long term. Short-term suspension means the removal of a student from the school premises and regular classroom activities for ten (10) consecutive school days or less. Long-term suspension means the removal of a student from the school premises and regular classroom activities for more than 10 (10) consecutive school days, or for more than ten (10) school days cumulatively for multiple disciplinary offenses in any school year.

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

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

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

Expulsion

Expulsion is defined as the removal of a student from school for more than ninety (90) school days, indefinitely, or permanently as allowed by law for possession of a dangerous weapon; possession of a controlled substance; assault on a member of the educational staff; or a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a Principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

Any student alleged to have committed one of these acts shall be afforded the same due process rights as for a long-term suspension. Any student expelled from school for such an offense shall be afforded an opportunity to receive educational services and make academic progress.

Procedures for Student Discipline

Long-Term Suspension and/or Expulsion Pursuant to M.G.L. CH. 71, §37H and 37H½

Students are subject to long-term suspension and/or expulsion (i.e, permanent exclusion) by the Principal for the conduct listed below. (See also, M.G.L. ch. 71, §§37H)

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

**This includes not only knives and guns, explosive devices and realistic replicas of such weapons/devices, but also other objects used to assault another person or to otherwise create a dangerous situation, such as a baseball bat, a pair of scissors, matches or a lighter. While such objects would not always constitute "dangerous weapons", administrators and educational professionals will review the circumstances of each case and make a reasonable determination about whether a particular object in a student's possession constitutes a dangerous weapon in the school setting. Any illegal weapon will be turned over to the Police Department. Any student who brings a firearm to school must be expelled for a minimum of one school year, with exceptions granted only by the superintendent. (The definition of a firearm includes but is not limited to guns (including a starter gun), bombs, grenades, rockets, missiles, mines and similar devices.)*

Students are also subject to long term suspension/expulsion by the Principal when charged/convicted of a felony based upon the standards and procedures set forth in M.G.L. c.71, §37H1/2.

Any student who is removed from school for a disciplinary offense under M.G.L. c. 71, §37H or §37H½ for more than ten (10) consecutive days will have an opportunity to receive educational services and make academic progress during the period of removal under a school-wide education service plan, and will be so informed at the time of the suspension/expulsion.

Procedures Applicable to Conduct Covered by M.G.L.C.71, §37H and 37H½

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

1. The informal hearing will be in the form of a conference between the student and the principal or designee. At this conference, the student (1) shall be informed of the reason for the conference, (2) shall be given the opportunity to present his or her side of the story, and (3) shall be given a decision on the suspension. If the administrator deems delay of the hearing necessary to avoid danger or substantial disruption, this process may occur immediately after, rather than before, the suspension.
2. Prior to putting a suspension into effect, the principal or designee shall make a reasonable effort to telephone and inform the student's parent or guardian of the impending suspension; this shall include attempts to contact the parents or guardian at home and at work. Parents may contact the school for additional information regarding the suspension.
3. A letter will be mailed to the parent/guardian of the suspended student stating:
 - a) The reason for the suspension
 - b) A statement of the effective date and duration of the suspension
 - c) A statement regarding whether or not the Principal will schedule a formal hearing to consider further discipline, up to and including expulsion from school in accordance with M.G.L. c. 71, §37H

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

Continuation of Educational Services under M.G. L. ch. 71, §37H and §37H½

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

education service plan, which is described below, and will be so informed at the time of the suspension/expulsion. If the student withdraws from the school and/or moves to another school district during the period of suspension or expulsion, the new school/district/district of residence shall either admit the student to its schools or provide educational services to the student under the new school or district's education service plan.

MGL CHAPTER 71: SECTION 37H

(a) Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or a knife; or a controlled substance as defined in chapter 94C, including, but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from the school or school district, by the principal.

(b) Any student who assaults a principal, Housemaster, teacher, teacher's aide or other educational staff on school premises or at school-sponsored or school-related events, including educational athletic games, may be subject to expulsion from the school or school district by the principal.

(c) Any student who is charged with a violation of either paragraph (a) or (b) shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the principal. After said hearing, a principal may, in his discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraph (a) or (b).

(d) Any student who has been expelled from a school or school district pursuant to these provisions shall have the right to appeal to the superintendent. The expelled student shall have ten days from the date of expulsion in which to notify the superintendent of his appeal. The student has the right to counsel at a hearing before the superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section.

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

MGL CHAPTER 71 SECTION 37H ½

1.) Upon the issuance of a criminal complaint charging a student with a felony or upon the issuance of a felony delinquency complaint against a student, the principal or Housemaster of a school in which the student is enrolled may suspend such student for a period of time determined appropriate by said principal or Housemaster if said principal or headmaster determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall

receive written notification of the charges and the reasons for such suspension prior to such suspension taking effect. The student shall also receive written notification of this right to appeal and the process for appealing such suspension; provided, however, that such suspension shall remain in effect prior to any appeal hearing conducted by the superintendent. The student shall have the right to appeal the suspension to the superintendent. The student shall notify the superintendent in writing of his request for an appeal no later than five calendar days following the effective date of suspension. The superintendent shall hold a hearing with the student and student's parent or guardian within three calendar days of the student's request for an appeal. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The superintendent shall have the authority to overturn or alter the decision of the principal or Housemaster, including recommending an alternate educational program for the student. The superintendent shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the city with regard to the suspension.

2.) Upon a student being convicted of a felony or upon an adjudication or admission in court of guilt with respect to such a felony or felony delinquency, the principal or Housemaster of a school in which the student is enrolled may expel said student if such principal or Housemaster determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and reasons for such expulsion prior to such expulsion taking effect. The student shall also receive written notification of his right to appeal and the process for appealing such expulsion; provided, however, that the expulsion shall remain in effect prior to any appeal hearing conducted by the superintendent. The student shall have the right to appeal the expulsion to the superintendent. The student shall notify the superintendent, in writing, of his request for an appeal no later than five calendar days following the effective date of the expulsion. The Superintendent shall hold a hearing with the student and the student's parent or guardian within three calendar days of the expulsion. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The superintendent shall have the authority to overturn or alter the decision of the principal or Housemaster, including recommending an alternative educational program for the student. The superintendent shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the city with regard to the expulsion. Any school district that suspends or expels a student under this section shall continue to provide educational services to the student during the period of suspension or expulsion under section 21 of chapter 76. If the student moves to another district during the period of suspension or expulsion, the new district of residence shall either admit the student to the school or provide educational services to the student in an education service plan, under section 21 of chapter 76.

Procedures Applicable to Conduct Covered by M.G.L.C.71, §37H¾

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

consecutive school days or less. Long term suspension means the removal of a student from the school premises and regular classroom activities for more than ten (10) consecutive school days, or for more than ten (10) school days cumulatively for multiple disciplinary offenses in any school year.

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

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

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

I. IN-SCHOOL SUSPENSION

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

The administrator will inform the student of the disciplinary offense charged, the basis for the charge, and provide the student an opportunity to respond. If the administrator determines that the student committed the disciplinary offense, the administrator will inform the student of the length of the student's in-school suspension, which may not exceed 10 days, cumulatively or consecutively, in a school year.

On the same day as the in-school suspension decision, the administrator will make reasonable efforts to notify the parent orally of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension. The administrator will also invite the parent to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. Such meeting will be scheduled on the day of the suspension if possible, and if not, as soon thereafter

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

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

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

II. SHORT TERM OUT-OF-SCHOOL SUSPENSION

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

1. Notice: The written notice to the student and the parent will be in English and in the primary language of the home if other than English, or other means of communication where appropriate and will include the following:

- a) the disciplinary offense;
- b) the basis for the charge;
- c) the potential consequences, including the potential length of the student's suspension;
- d) the opportunity for the student to have a hearing with the administrator concerning the proposed suspension, including the opportunity to dispute the charges and to present the student's explanation of the alleged incident, and for the parent to attend the hearing;
- e) the date, time, and location of the hearing;
- f) the right of the student and the student's parent to interpreter services at the hearing if needed to participate;

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

2. Efforts to Involve Parent: The administrator will make reasonable efforts to notify the parent of the opportunity to attend the hearing. To conduct a hearing without the parent present, the administrator must be able to document reasonable efforts to include the parent. The administrator is presumed to have made reasonable efforts if the

administrator has sent written notice and has documented at least two (2) attempts to contact the parent in the manner specified by the parent for emergency notification.

3. Format of Hearing: The administrator will discuss the disciplinary offense, the basis for the charge, and any other pertinent information. The student also will have an opportunity to present information, including mitigating facts, that the administrator should consider in determining whether other remedies and consequences may be appropriate. The administrator will provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the administrator should consider in determining consequences for the student.

4. Decision: The administrator will provide written notice to the student and parent of his/her determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal. The notice of determination may be in the form of an update to the original written notice of hearing.

III. LONG-TERM SUSPENSION

Except in the case of an Emergency Removal provided on page [], prior to imposing a long-term suspension (more than 10 days of suspension, whether in-school or out-of-school, whether consecutive or cumulative for multiple offenses during a school year), an administrator will follow the procedures for short-term suspension plus additional procedures as follows:

1. Notice: The notice will include all of the components for a short-term suspension in Section C above, plus the following:

- a) In advance of the hearing, the opportunity to review the student's record and the documents upon which the administrator may rely in making a determination to suspend the student or not;
- b) the right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense;
- c) the right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so;
- d) the right to cross-examine witnesses presented by the school district;
- e) the right to request that the hearing be recorded by the administrator, and a copy of the audio recording provided to the student or parent upon request; and
- f) the right to appeal administrator's decision to impose long-term suspension to the superintendent.

2. Format of Hearing: The Hearing will afford the rights set forth in the notice above. The administrator will also provide the parent, if present, an opportunity to discuss the

student's conduct and offer information, including mitigating circumstances, that the administrator should consider in determining consequences for the student.

3. Decision: Based on the evidence, the administrator will determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to long-term suspension, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension. The administrator will send the written determination to the student and parent by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or any other method of delivery agreed to by the school and the parent. If the administrator decides to suspend the student on a long-term basis, the written determination will:

1. Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing;
2. Set out the key facts and conclusions reached;
3. Identify the length and effective date of the suspension, as well as a date of return to school;
4. Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school (if more than 10 cumulative days);
5. Inform the student of the right to appeal the administrator's decision to the superintendent or designee. Notice of the right of appeal will be in English and the primary language of the home if other than English, or other means of communication where appropriate, and will include the following information stated in plain language:
 - a. the process for appealing the decision, including that the student or parent must file a written notice of appeal with the superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent may request and receive from the superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days; and that
 - b. the long-term suspension will remain in effect unless and until the superintendent decides to reverse the administrator's determination on appeal.
 - c. No long-term suspension will extend beyond the end of the school year in which such suspension is imposed.

Appeal to the Superintendent

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

The following apply:

The superintendent will make a good faith effort to include the parent in the hearing. The superintendent will be presumed to have made a good faith effort if he or she has made efforts to find a day and time for the hearing that would allow the parent and superintendent to participate. The superintendent will send written notice to the parent of the date, time, and location of the hearing. The superintendent will conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence will be. The superintendent will arrange for an audio recording of the hearing, a copy of which will be provided to the student or parent upon request. The superintendent will inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent upon request. The student will have all the rights afforded the student at the administrator's hearing for long-term suspension as described in Section D above. The superintendent will issue a written decision within five (5) calendar days of the hearing which meets the requirements for a long-term suspension as described in Section D above. If the superintendent determines that the student committed the disciplinary offense, the superintendent may impose the same or a lesser consequence than the administrator, but will not impose a suspension greater than that imposed by the administrator's decision.

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

Exception for Emergency Removal

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

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

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

- Make immediate and reasonable efforts to orally notify the student and the student's parent of the emergency removal, the reason for the need for emergency removal, and other applicable matters;
- Provide written notice to the student and parent as provided in Section C or D above, as applicable;
- Provide the student an opportunity for a hearing with the administrator, as applicable, and the parent an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the administrator, student, and parent.
- Render a decision orally on the same day as the hearing, and in writing no later than the following school day.

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

Continuation of Educational Services

Students serving an in-school suspension, short-term suspension, or long-term suspension have the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal from the classroom or school. Students who are suspended under §37H³/₄ for more than ten (10) consecutive days, whether in school or out of school, are entitled to receive educational services during the period of suspension under SPS's Education Service Plan, which is described below. If the student withdraws from the District and/or moves to another public school during the period of suspension, the new school/district/district of residence shall either admit the student to its schools or provide educational services to the student under the new school or district's education service plan.

Services during Removals and School-Wide Education Service Plan

Students who are suspended from school for 10 or fewer consecutive days, whether in or out of school, have the opportunity to make academic progress during the period of suspension; make up assignments; and earn credits missed including, but not limited to, homework, quizzes, exams, papers and projects missed.

SPS has developed a school-wide Education Service Plan for all students who are expelled or suspended from school for more than 10 consecutive school days, whether in or out of school. Principals shall ensure these students have an opportunity to make academic

progress during the period of suspension or expulsion, to make up assignments and earn credits missed, including, but not limited to, homework, quizzes, exams, papers and projects missed.

SPS's Education Service Plan is subject to change, and may include, but is not limited to, tutoring, alternative placement, Saturday school, and online or distance learning.

Discipline Procedures for Students with Disabilities

Federal and state laws govern the disciplining of students with disabilities eligible for Special Education and the regulations promulgated thereunder. These laws include the Individuals with Disabilities Act, 20 U.S.C. 1400, et seq., 34 C.F.R. 300.519-529 et seq., Section 504 of the Rehabilitation Act (Section 504), and Massachusetts General Laws, c. 71B. See also the Salem School Committee Policy ([SC Policy 5408.01](#))

In general, students may be excluded from their programs, just as any other student can be, for up to ten school days per year. However, when a student is excluded from his/her program for more than ten school days in the school year, school staff may be required to provide alternative educational services for the student. In addition, in many instances, the student's Team must convene to determine whether the student's behavior was a direct result of his/her disability (a "manifestation determination").

If the Team determines the behavior was not a direct result of the student's disability, the school may discipline the student according to the school's code of student conduct, except that the district must continue to provide the student with educational services during the period of suspension or expulsion. However, if the Team determines that the behavior is a manifestation of the disability, then the Team completes necessary assessments and behavioral intervention plan if it has not already done so. If a behavioral intervention plan is already in place, the Team reviews it and modifies it, as necessary, to address the behavior. The Team also reviews the IEP and modifies it, as necessary. Except when he or she has been placed in an interim alternative educational setting (see below), the student returns to the original placement unless the parents and school agree otherwise.

School personnel may order a change in the placement of a student with a disability to an interim alternative educational setting for not more than forty-five (45) days if a student:

- (1) Carries a weapon to or possesses a weapon at school, on school premises, or to or at a school function;
- (2) Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or
- (3) Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function.

Additionally, a Massachusetts Department of Education Hearing Officer, under certain circumstances, may order a change in the placement of a student with disabilities eligible

for Special Education to an interim alternative educational setting for not more than forty-five (45) days.

Similar procedures apply to students with plans under Section 504 of the Rehabilitation Act of 1973.

For additional information, you may contact the School Principal or the Salem Public Schools Department of Pupil Personnel Services.