

## **PREGNANT STUDENTS**

The Foxborough Public Schools wishes to preserve educational opportunities for those students who may become pregnant and/or take on parenting responsibilities.

Pregnant students are permitted to remain in regular classes and participate in extracurricular activities with non-pregnant students throughout their pregnancy, and after giving birth are permitted to return to the same academic and extracurricular program as before the leave.

Foxborough Public Schools does not require a pregnant student to obtain the certification of a physician that the student is physically and emotionally able to continue in school.

Every effort will be made to see that the educational program of the student is disrupted as little as possible; that health counseling services, as well as instruction, are offered; that return to school after leave is encouraged; and that every opportunity to complete high school is provided.

LEGAL REFS.:       M.G.L. 71:84  
                          Title IX: 20 U.S.C. § 1681  
                          34 CFR § 106.40(b)

Policy adopted: 3-24-08

## **SEARCHES AND INTERROGATIONS**

### Searches by Staff

The right of inspection of students' school lockers and/or personal property is inherent in the authority granted school committees and administrators. This authority may be exercised as needed in the interest of safeguarding students, their own and school property.

Nevertheless, exercise of that authority by school officials places unusual demands upon their judgment so as to protect each student's constitutional rights to personal privacy and protection from coercion and to act in the best interest of all students and the schools.

Searches by school officials of students' automobiles or the student will be conducted in a way that protects the students' rights consistent with the responsibility of the school system to provide an atmosphere conducive to the educational process.

### Interrogations by Police

The schools have legal custody of students during the school day and during hours of approved extracurricular activities. It is the responsibility of the school administration to make an effort to protect each student's rights with respect to interrogations by law enforcement officials. Therefore:

1. When law enforcement officials find it necessary to question students during the school day or periods of extracurricular activities, the school Principal or his/her designee will be present when possible. An effort will be made to contact the student's parent or guardian so that the responsible individual may be notified of the situation.
2. If custody and/or arrest are involved, the Principal will request that all procedural safeguards, as prescribed by law, be observed by the law enforcement officials.

Policy adopted: 3-24-08

## **STUDENT COMPLAINTS**

The Foxborough School Committee recognizes that there may be conditions in the school system that are in need of improvement and that students should have some means by which their concerns may be effectively expressed, considered, and dealt with fairly. Such means, if well conceived and understood in advance, can do much to maintain harmonious relationships among the schools and the students and community.

The traditional "open door" policy in the public school system will be continued. Students--and their parents and/or guardians--who believe that the students have received unfair treatment in the form of disciplinary action will have the right to appeal. Any applicable provisions of the Massachusetts General Laws or federal law will be followed by school officials in conducting hearings and reviews of student complaints. In general, appeals procedures will begin with the authority imposing the penalty (for example, Principal or teacher) and may ultimately be referred to the Superintendent and on to the Foxborough School Committee, which possesses the ultimate authority for discipline in the school system.

Every attempt will be made to seek a satisfactory solution to any legitimate grievance in a friendly and informal manner. In order to keep such discussions within a practical size, no more than six student representatives will be permitted to participate with the Principal, staff members, or Foxborough School Committee members who may be involved.

LEGAL REF.:           M.G.L. 76:17

Policy adopted: 3-24-08

## **CO-CURRICULAR AND EXTRACURRICULAR ACTIVITIES**

The Foxborough School Committee believes that student activities are a vital part of the total educational program and should be used as a means for developing wholesome attitudes and good human relations and knowledge and skills. Therefore, the schools will provide a broad and balanced program of activities geared to the various ages, interests, and needs of students.

The following will serve as guides in the organization of student activities:

1. The schools will observe a complementary relationship to the home and community, planning activities with due regard for the widespread and rich facilities already available to students.
2. The assistance of parents in planning activity programs will be encouraged.
3. The goal for each student will be a balanced program of appropriate academic studies and activities to be determined by the school, the parents, and the student. This should be a shared responsibility.
4. Guidance will be offered to encourage participation of all students in appropriate activities and to prevent over-emphasis on extracurricular activities at the cost of academic performance.
5. All activities will be supervised; all clubs and groups will have a faculty advisor.

LEGAL REF.:           M.G.L. 71:47  
                              603 CMR 26:06

Policy adopted: 3-24-08

## CO-CURRICULAR AND EXTRACURRICULAR ACTIVITIES

- (1) Advantages and privileges of public schools include all extracurricular activities made available, sponsored or supervised by any public school. No school shall sponsor or participate in the organization of outside extracurricular activities conducted at such schools which restrict students' participation on the basis of race, color, sex, religion, disability, sexual orientation or national origin. 603 CMR 26.06(1) does not prohibit School Committees from allowing use of school premises by independent groups with restrictive membership.
- (2) No student shall be denied the opportunity in any implied or explicit manner to participate in an extracurricular activity because of the race, color, sex, religion, disability, sexual orientation or national origin of the student except as provided in 603 CMR 26.06(7).
- (3) Each school system shall provide a fair distribution of athletic expenditures. Each school within such system shall provide equal opportunity for male and female students to participate in intramural and interscholastic sports. Factors considered in determining equal opportunity shall include budgetary allocations, the proportion of male and female students in the student body, the number and nature of activities offered, levels of competition, equipment (including rate of replacement), supplies, awards, uniforms, facilities, scheduling of games and practice times, travel opportunities and allowances, opportunities to receive equitable coaching and instruction at each level of competition and the availability of services such as medical and insurance coverage, publicity, clerical and administrative staff, scouting services and audio-visual aids.
- (4) In developing its athletic program, a school shall be required to demonstrate good faith by taking into account determined student interest.
- (5) In order to insure fair distribution of athletic expenditures as defined in 603 CMR 26.06(4), each school shall indicate in the budget that is reviewed by the School Committee the anticipated expenditure for each interscholastic and intramural athletic activity and the anticipated student participation in the activity by number and sex.
- (6) A school may establish separate teams for males and females for interscholastic and intramural competition in a particular sport, provided that the requirements of 603 CMR 26.06(8) are satisfied.
- (7) Teams comprised primarily or solely of persons of one sex shall be granted equal instruction, training, coaching, access to available facilities, equipment and opportunities to practice and compete as teams engaged in a similar activity comprised primarily or solely of persons of the opposite sex.
- (8) Participation in extracurricular activities shall be actively encouraged by each school for both boys and girls and for racial and ethnic minorities. When offering extracurricular programs, schools shall take into consideration the ethnic traditions of the student body. Criteria not related to skill levels which act to exclude members of one sex or any racial, religious, or ethnic group represented in the school from participation in specific athletic or other extracurricular activities cannot be permitted.

LEGAL REF.: M.G.L. 71:47  
603 CMR 26.06

Policy adopted: 3-24-08

## **STUDENT ORGANIZATIONS**

### Student Organizations

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

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

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

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

All forms of hazing in initiations shall be prohibited in a student organization. No initiation shall be held for a student organization which will bring criticism to the school system or be degrading to the student.

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

### Student Organizations - High Schools

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

LEGAL REF.: 603 CMR 26.06

Policy adopted: 3-24-08

## **PROHIBITION OF DOOR-TO-DOOR FUNDRAISING BY STUDENTS**

It is understood that up to this point principals and teachers have discouraged the involvement of students in door-to-door fund-raising. The purpose of this policy is to raise the level of awareness and to make clear the school department's official position on this important matter.

In consideration of the risks to which students engaged in door-to-door fund-raising may be exposed, administrators are directed to prohibit all such activities, insofar as school department personnel are involved. Administrators, teachers, and other school personnel are not to direct, support, or encourage student participation in door-to-door fund-raising.

In addition, administrators and advisors are directed to seek the necessary cooperation of parent teacher organizations and booster clubs, and to provide all parents with information as to the substance of this policy.

Policy Adopted: 10-20-97

Policy adopted as reviewed: 3-24-08

## STUDENT ACTIVITY ACCOUNTS

Student funds may be raised to finance the activities of authorized student organizations. Student activity funds are considered a part of the total fiscal operation of the Foxborough Public Schools and are subject to policies established by the Foxborough School Committee and the Office of the Superintendent. The funds shall be only for the benefit of students and managed in accordance with sound business practices, which include accepted budgetary, accounting, and internal control practices. The Superintendent shall ensure that, annually, all Principals and student organizations receive a copy of this policy as well as a copy of established procedures for control of receipts and expenditures that meet or exceed Department of Elementary and Secondary Education (DESE) guidelines.

In compliance with Massachusetts General Law Chapter 71, Section 47, the Foxborough School Committee:

1. Authorizes the Principals to accept money for recognized student activity organizations, which currently exist, or as from time to time may be revised. All funds received for student activities must be deposited into the Student Activity Agency Account and no funds shall be directly deposited to a Student Activity Checking Account except from the Student Activity Agency Account.
2. Authorizes the Town Treasurer to establish and maintain a Student Activity Agency Account(s) which is to be audited as part of the Town's annual audit. The interest that is earned on such accounts shall be maintained in the Agency Account and distributed established by Foxborough School Committee policy.
3. Authorizes Student Activity Checking Accounts for use by the Principals with specific maximum balances established for each school by Foxborough School Committee policy. Payments for expenditures shall be made, whenever possible, by check, debit, or EFT directly from the Student Activity Agency Account. Reimbursements to personal credit card holders shall require the prior authorization of the Superintendent. Signatory authorization for Student Activity Checking Accounts shall be restricted to the Principal and Assistant Principal. Student Activity Checking Accounts shall be audited annually in accordance with DESE guidelines.
4. Directs Principals to provide the Treasurer with a bond in an amount agreeable to the Treasurer.
5. Shall annually, prior to the start of each school year, vote to establish or change the maximum balance that may be on deposit in each Student Activity Checking Account.

For accounts with limits that exceed \$25,000.00, the DESE recommends that districts consider an audit conducted by an outside accounting firm every three years.

### **Graduating Class Funds**

Funds held on behalf of graduating classes are to be held within the Student Activity Checking Account for the High School. Such funds shall be designated by the class Year of Graduation, such as Class of 1998, etc.

Once a class has graduated from High School, their funds should be removed from the High School Student Activity Checking account no later than two years from the date of graduation. It is the responsibility of the class officers to arrange for these funds to be removed from the High School Activity Checking Account. When requested, and once all outstanding financial obligations of the graduating class have been met, the remaining balance should be removed from the fund by check transfer payable to the Class of XXXX. Checks payable to individual members of the graduating class are not permitted.

Should the class officers not request to have their funds removed from the Student Activity Checking  
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Account within two years of their graduating, the funds will be forfeited by the class and transferred into the General Sub-fund portion of the Student Activity Agency Account. These funds will then be allocated by a vote of the School Committee.

Class officers should be given a copy of this policy during the course of their senior year to ensure their knowledge of their obligations to perform under this policy.

SOURCE: MASC March 2016

LEGAL REF.: M.G.L. 71:47

Policy adopted: 3-24-08

Policy adopted as revised: 5-16-16

## **CONTESTS FOR STUDENTS**

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

Policy adopted: 3-24-08

## **OVERNIGHT STUDENT TRAVEL**

All student trips which include overnight travel must have the prior approval of the Foxborough School Committee. The Foxborough School Committee shall consider only trips that have been previously approved by the school Principal and the Superintendent. Fundraising activities for such trips will be subject to approval by the Foxborough School Committee. The Foxborough School Committee will also consider the educational value of the trip in relation to the cost prior to granting initial approval. Overnight trips should offer significant educational benefits to students that clearly justify the time and expense of the trip. Such trips should also be appropriate for the grade level.

Final approval will not be granted until all preparations for the trip have been completed including, but not limited to, all logistical details involving transportation, accommodation arrangements, adult chaperones, and fundraising efforts. Final approval shall be sought no less than 30 days prior to the scheduled trip dates and properly supervised.

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

Policy adopted: 12/22/04

Policy amended: 1-10-05

LEGAL REFS.: Chapter 346 of the Acts of 2002 (et al) approved on 10/9/02  
M.G.L. 69:1B; 71:37N

CROSS REFS.: IJOA, Field Trips

Policy adopted: 3-24-08

Policy amended: 6-15-15

## **LATE NIGHT AND OVERNIGHT STUDENT TRAVEL**

### **TRANSPORTATION**

- A. The use of vans or private automobiles for trips planned to include late night or overnight student travel is prohibited. Late night or overnight trips must use commercial motor coaches.
- B. Trips planned to include late night or overnight student travel will include a pre-trip check of companies, drivers, and vehicles. CORI checks will be conducted in accordance with Massachusetts General Laws Chapter 71, Section 38R.
- C. The Superintendent or designee will ensure that the selected carrier is licensed for passenger transportation by the Federal Motor Carrier Safety Administration (FMCSA). The Foxborough School District will not contract with any carrier that has a safety rating of "conditional" or "unsatisfactory."
- D. The contract with the carrier will prohibit the use of subcontractors unless sufficient notice is given to the Foxborough Public Schools that allows verification of the subcontractor's qualifications.

### **TRIP SCHEDULING**

- A. Overnight accommodations should be made in advance with student safety and security in mind. Whenever possible, trip schedulers should avoid planning student travel between the hours of midnight and 6:00 a.m., due to the increased risk of vehicular accidents during this time period.
- B. Whenever possible, overnight trips should be scheduled on weekends or during school vacations to minimize lost classroom time. Non-academic field trips are considered "optional school programs" and do not count toward meeting structured learning time requirements.
- C. Trip itineraries must leave enough time for drivers to rest in conformity with federal hour-of-service requirements and common sense.
- D. Trip scheduling should take into account the likelihood of delays due to weather, traffic, stragglers, and other unanticipated factors.
- E. If substantially all members of a class are participating in a trip, the school should provide appropriate substitute activities for any students not participating.

### **FUNDRAISING**

- A. The amount of time devoted to fundraising should be reasonable and commensurate with students' obligations for homework, after-school activities, and jobs.
- B. Group fundraising activities are preferred. Students should not be assigned individual fundraising targets.
- C. If students are charged individual fees for participation, every effort should be made to provide scholarships where needed.

Policy adopted: 12-22-04

Policy amended: 1-10-05

Policy adopted as reviewed: 3-24-08

## **INTERSCHOLASTIC ATHLETICS**

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

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

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

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

LEGAL REFS.: M.G.L. 71:47; 71:54A  
603 CMR 26.06

CROSS REFS.: AC, Nondiscrimination (and subcodes)

Policy adopted: 3-24-08

## **THE PREVENTION AND MANAGEMENT OF HEAD INJURIES AND CONCUSSIONS IN EXTRACURRICULAR ATHLETIC ACTIVITIES**

The Foxborough Public Schools is committed to providing a healthy and safe environment for all students. The prevention and management of sports related head injuries are part of this commitment to the health and well-being of students.

The purpose of this policy is to provide standardized guidelines, expectations, and instructions for persons involved in the prevention, training, management and return to activity decisions regarding students who incur head injuries while involved in all athletic extracurricular activities including marching band in order to protect their health and safety. Policies and procedures established regarding sports related head injuries shall be developed, reviewed, and revised every two (2) years by a team consisting of: school administrator, school nurse, school physician, athletic director, certified athletic trainer, guidance counselor, teacher, and/or marching band director. The athletic director shall be responsible for overseeing the development, implementation and revision of all policies, procedures and protocols regarding the school system's management of head injuries and concussions in all extracurricular athletic activities. The athletic director, coaches, certified athletic trainers and school nurses, whether employed directly by the school or through contracted means, shall be responsible for all duties and responsibilities outlined in this policy.

A concussion is a head injury to the brain and concussions are serious. A concussion may be defined as the immediate and transient impairment of neurological function. It may be a consequence of an athlete's head striking an object (such as a floor or another head), an object striking the head (such as a ball, bat, stick, or another head), or as a result of a sudden change in the direction of the head and neck (such as in a whiplash type of injury). Concussions generally cause specific signs that can be observed by others and symptoms that are reported by the student. Recognition and proper management of concussions can prevent further injury and even death. Recognition and appropriate management of concussions require coordinated effort of a number of people as outlined in M.G.L.c.111, section 222 and 105 CMR 201.00.

### **Communications and Training**

#### **I. Informing parents, students and staff on *The Prevention and Management of Head Injuries and Concussions in Extra Curricular Athletic Activities* policy annually.**

- Information regarding sports related head injury will be included in all student handbooks that students and parents receive, and appropriate training will be provided.
- This policy and all appropriate forms shall be posted on appropriate school websites.
- This policy and all appropriate forms shall be translated and explained to parents with limited English proficiency by a member of the school.

#### **II. Notification of Parents of Suspected Head Injury or Concussion**

- A player's coach or athletic trainer shall notify the student's parent in person, or by telephone, immediately following the practice or competition in which a player has been removed from play due to a suspected head injury, concussion, signs and symptoms of a concussion or loss of consciousness.

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- By the end of the next business day the parents shall receive in writing, on paper or in electronic format, information regarding the injury.

### **III. Notification of Athletic Director and School Nurse of Suspected Head Injury or Concussion**

- A coach, or designee, shall notify the athletic director, athletic trainer and school nurse that a player has been removed from play due to a suspected head injury, concussion, signs and symptoms of a concussion or loss of consciousness by the end of the next business day.

### **IV. Annual Training Required**

- Annual training is required per 105 CMR 201.007 regarding the prevention and recognition of sports-related head injury, and associated health risks including second impact syndrome. Annual training must be completed by all coaches, certified athletic trainers, volunteers, district physician, school nurses, athletic directors, marching band directors, parents of students and students who participate in athletic and marching band extracurricular activities. Annual training requirements can be met by completing the Concussion in Sports Course on NFHSLearn at the National Federation of State High School Associations website at [www.nfhslearn.com](http://www.nfhslearn.com).
- Annual training for parents and students can also be completed by: (1) attending the annual athletic night program, which includes concussion training; or (2) reading the appropriate, for parents or athletes, Heads Up Concussion in High School Sports facts sheet provided by the Center for Disease Control and Prevention at [www.cdc.gov/headsup](http://www.cdc.gov/headsup). Parents and students who attend the athletic night program and/or who read the fact sheets will be asked to sign an acknowledgement via the online platform that they have read, and understood the information.
- Training will be held for all coaches, certified athletic trainers, and volunteers to teach form, techniques, and skills; to promote protective equipment used to minimize sports-related head injury; and to prohibit athletes from engaging in any dangerous athletic technique that endangers the health or safety of an athlete, such as using a helmet or any other sports equipment as a weapon.
- Handbooks distributed to staff, students and their parents will contain information on prevention and recognition of sports-related head injury, and associated health risks including second impact syndrome, and will utilize information from the National Federation of State High School Associations located at [www.nfhslearn.com](http://www.nfhslearn.com).
- Students shall not be allowed to participate in extracurricular activities unless both the student AND parent/guardian have completed concussion training.
- Documentation of successful completion of annual training will be managed by the athletic director.

### **Documentation, Physical Examination, Reporting and Clearance/Return to Play**

- I.** Documentation of a physical examination prior to a student's participation in any extracurricular athletic or marching band activity must be completed annually, consistent with 105 CMR 200.100 (B)(3), Physical Examination of School Children, and will be placed in the student's health record file as kept by the school nurse.

- Before the start of every sports season, the student and the parent shall complete and submit a current Pre-participation Form, or school-based equivalent, signed by both, which provides a comprehensive history with up-to-date information relative to concussion history; and head, face or cervical spine injury history and any history of co-existent concussive injuries.

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- Information on pre-participation forms and documentation will be maintained by the school and reviewed by the athletes' coach, school nurse, athletic trainer and team physician as appropriate. Clearance to participate in extra-curricular activities will be made by the physician who has completed the students' pre-participation physical. Based upon this review, and after consultation with the student's physician, appropriate school athletic staff and the parent, the

school may use a student's history of head injury or concussion as a factor to determine whether to allow the student to participate in an extracurricular athletic activity or marching band activity, and whether to allow such participation under specific conditions or modifications.

- Students will complete neuro-psychological testing at appropriate intervals during their interscholastic athletics career. This testing will serve as a baseline to assist in any return to play decisions.
- Any student who, in the judgment of the coach, athletic trainer or other appropriately trained individual, during a practice or competition, sustains a head injury or suspected concussion, or exhibits signs and symptoms of a concussion, or loses consciousness, even briefly, shall be removed from the practice or competition immediately and may not return to the practice or competition that day.
- A *Report of Head Injury Form* shall be completed by the athletic trainer if present during the practice or competition. If an athletic trainer is not present the *Report of Head Injury Form* shall be completed by the coach. The coach shall notify the athletic trainer, athletic director, school nurse and parent as specified in 105 CMR 201.010(c) and 105 CMR 201.010(d). This form shall be reviewed and placed in the students' health record as per 105 CMR 201.015.
- Based upon discussion with the student, parent and athletic trainer, the student's physician or the school team physician shall be notified as appropriate by the coach, athletic trainer or parent for appropriate medical evaluation and follow-up.
- All records concerning sports related head injury/concussions will be maintained for a minimum of three years after the student graduates or leaves school.

## II. Medical Clearance and Return to Play

- The student will not return to practice or competition unless and until the student provides medical clearance and authorization by a physician to return to play.
- Each student who is removed from practice or competition and subsequently diagnosed with a concussion shall have a written graduated reentry plan for return to full academic and extracurricular athletic or marching band activities. The plan will be developed by the student's teachers, the student's guidance counselor, school nurse, certified athletic trainer, neuropsychologist if available or involved parent, members of the building based support and assistance team or individualized education program team as appropriate and in consultation with the physician who is managing the student's recovery and will be responsible for clearing the student to return to academic and extracurricular athletic activities.
- The written plan will include instructions for students, parents and school personnel, addressing but not be limited to: physical and cognitive rest as appropriate; graduated return to extracurricular athletic activities and classroom studies as appropriate, including accommodations or modifications as needed; estimated time intervals for resumption of activities; frequency of assessments, as appropriate, by the school nurse, school physician, certified athletic trainer, or neuropsychologist if available until full return to classroom and extracurricular athletic activities are authorized. The plan will be developed in coordination

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- between and among school personnel and between the school, parent, and student's primary care provider, the school physician, or the physician who made the diagnosis and who is managing the student's recovery.
- The student must be completely symptom free and medically cleared in order to begin graduated re-entry to extracurricular athletic or marching band activities.
- Each student who is removed from practice or competition for a head injury or suspected concussion, or loses consciousness, even briefly, or exhibits signs and symptoms for a concussion will obtain and present to the athletic or marching band director a *Post Sports-*



Related Head Injury Medical Clearance and Authorization Form, prior to resuming any extracurricular athletic or marching band activity. This form or school-based equivalent form must be completed by a physician or one of the individuals as authorized by 105 CMR 201.011(A). The ultimate return to play decision is a medical decision that may involve a multidisciplinary approach, including consultation with parents, the school nurse and teachers as appropriate.

- Only the following individuals may authorize a student to return to play: a licensed physician, a licensed certified athletic trainer in consultation with a licensed physician, a licensed nurse practitioner in consultation with a licensed physician or a licensed neuropsychologist in coordination with the physician managing the student's return.
- If necessary, the district physician will serve as final authority regarding the ability of a student to return to extracurricular athletics or marching band activities after suffering from a head or concussive injury.

LEGAL REFS: M.G.L. 111

CROSS REFS: ADF Wellness, IHAM, Health & Wellness Education

Policy Adopted: 1-30-12

Policy Adopted as Revised: 3-2-20

## **STUDENT DISCIPLINE**

The Massachusetts General Laws require the Foxborough School Committee to adopt written policies, rules and regulations not inconsistent with law, which may relate to study, discipline, conduct, safety and welfare of all students, or any classification thereof, enrolled in the Foxborough Public Schools.

The implementation of the general rules of conduct is the responsibility of the Principal and the professional staff of the building. In order to do this, each school staff in the Foxborough Public Schools shall develop specific rules not inconsistent with the law or in conflict with Foxborough School Committee policy. These building rules shall be an extension of the Foxborough Public Schools policies by being more specific as they relate to the individual schools.

The purpose of disciplinary action is to restore acceptable behavior. When disciplinary action is necessary, it shall be administered with fairness and shall relate to the individual needs and the individual circumstances.

Students violating any of the policies on student conduct and control will be subject to disciplinary action. The degree, frequency, and circumstances surrounding each incident shall determine the method used in enforcing these policies. Most of the situations which require disciplinary action can be resolved within the confines of the classroom or as they occur by reasonable but firm reprimand, and/or by teacher and/or administrator conferences with the student and/or parents or guardians.

If a situation should arise in which there is no applicable written policy, the staff member shall be expected to exercise reasonable and professional judgment.

LEGAL REFS.:       M.G.L. 71:37H and 37L; 76:16 and 17  
                          Chapter 380 of the Acts of 1993  
                          Chapter 766 Regulations, S. 338.0  
                          Mass. Dept. Of Education, Advisory Opinion on Student Discipline, January 27,  
                          1994

Policy adopted: 3-24-08

## **CORPORAL PUNISHMENT**

State law provides that:

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

Established by law

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

Policy adopted: 3-24-08

## **RESTRAINT PREVENTION**

Maintaining an orderly, safe environment conducive to learning is an expectation of all staff members of the Foxborough School District. Further, students of the Foxborough Public Schools are protected by law from the unreasonable use of physical restraint.

Physical restraint shall be used only in emergency situations, as a last resort, after other less intrusive alternatives have failed or been deemed inappropriate, and with extreme caution. The use of physical restraint in a manner inconsistent with 603 CMR 46.00 is prohibited. School personnel shall use physical restraint with two goals in mind:

1. To administer a physical restraint only when needed to protect a student and/or a member of the school community from assault or imminent, serious, physical harm; and
2. To prevent or minimize any harm to the student as a result of the use of physical restraint.

The following definitions appear in full at 603 CMR 46.02, and are hereby incorporated into this policy:

1. Mechanical restraint: the use of any device or equipment to restrict a student's freedom of movement. This does not include a device that has been prescribed by an appropriate medical or related services professional, that is being used for its specific and approved positioning or protective purpose.
2. Medication restraint: the administration of medication for the purpose of temporarily controlling behavior.
3. Physical escort: a temporary touching or holding, without the use of force, of the hand, wrist, arm, shoulder, or back, for the purpose of inducing a student who is agitated to walk to a safe location.
4. Physical restraint: direct physical contact that prevents or significantly restricts a student's freedom of movement. Physical restraint does not include: brief physical contact to promote student safety; providing physical guidance or prompting when teaching a skill, redirecting attention, providing comfort, or a physical escort.
5. Prone restraint: a physical restraint in which a student is placed face down on the floor or another surface, and physical pressure is applied to the student's body to keep the student in the face-down position.
6. Seclusion: involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. The use of " exclusionary time-out" procedures during which a staff member continuously observes and remains accessible to the student shall not be considered seclusion.

The use of mechanical restraint, medication restraint, and seclusion is prohibited in public education programs.

Physical restraint, including prone restraint where permitted under 603 CMR 46.03, shall be considered an emergency measure of last resort and shall be prohibited except when a student's behavior poses a threat of assault, or imminent, serious, physical harm to themselves and/or others, and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions, or such interventions are deemed inappropriate under the circumstances.

Physical restraint is prohibited as a means of punishment, or as a response to destruction of property, disruption of school order, refusal to comply with a school rule or staff directive, or verbal threats when those actions do not constitute a threat of assault or imminent, serious physical harm to the student or others. Physical restraint is prohibited as a standard response for any student, including in any individual behavior plan or individualized education plan (IEP). Physical restraint is prohibited when medically contraindicated for reasons including but not limited to: asthma, seizures; a cardiac condition; obesity; bronchitis; communication-related disorders, or risk of vomiting.

The Superintendent will develop written procedures identifying:

- Appropriate responses to student behavior that may require immediate intervention;
- Methods of preventing student violence, self-injurious behavior, and suicide, including individual crisis planning and de-escalation of potentially dangerous behavior occurring among groups of students or with an individual student;
- Descriptions and explanations of the school's alternatives to physical restraint and method of physical restraint in emergency situations;
- Description of training requirements;
- Procedures to comply with all reporting requirements of 603 CMR 46.06, including but not limited to a procedure to make reasonable efforts to orally notify a parent of the use of restraint within 24 hours, and also by mail or e-mail address provided by the parent for the purpose of communicating about the student within three (3) school days;
- Description of restraint follow-up procedures;
- Procedure for receiving and investigating complaints;
- Methods for engaging parents in discussions about restraint prevention and the use of restraint solely as an emergency procedure;
- Procedure for conducting periodic review of data and documentation on the use of physical restraints, in accordance with 603 CMR 46.06(5) and (6); and
- Procedures for obtaining principal approval for use of time-out for more than thirty (30) minutes and for the extension of a physical restraint beyond twenty (20) minutes.

Each building Principal will identify staff members to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. These staff members will participate in an in-depth training program in the use of physical restraint, which the Department of Elementary and Secondary Education recommends be at least 16 hours in length. In addition, each staff member will be trained regarding the school's physical restraint policy and accompanying procedures in accordance with 603 CMR 46.04(2). The Principal will arrange training to occur in the first month of each school year, or for staff hired after the beginning of the school year, within a month of their start of employment.

Only school personnel who have received training pursuant to 603 CMR 46.04 shall administer physical restraint on students. Whenever possible, the administration of physical restraint shall be administered in the presence of at least one adult who does not participate in the restraint. A person administering physical restraint shall use only the amount of force necessary to protect the student or others from physical injury or harm.

Any teacher, employee, or agent of the Foxborough Public Schools shall not be precluded from using such reasonable force as is necessary to protect students, other persons or themselves from an assault or imminent, serious physical harm.

This policy and its accompanying procedures shall be reviewed and shared with staff annually and made available to parents of enrolled students. The Superintendent shall also provide a copy of the physical restraint regulations to each Principal.

LEGAL REF.:           603 CMR 46.00  
                              M.G.L. 71:37G

Policy adopted: 3-24-08

Policy revised: 2-22-16

Proposed revisions: 5-26-21

Adopted with revisions: 6-15-21

## **STUDENT WELFARE**

### Supervision of Students

School personnel assigned supervision are expected to act as reasonably prudent adults in providing for the safety of the students in their charge.

In keeping with this expected prudence, no teacher or other staff member will leave his/her assigned group unsupervised except when an arrangement has been made to take care of an emergency.

During school hours or while engaging in school-sponsored activities, students will be released only into the custody of parents or other persons authorized in writing by a parent or guardian.

### Reporting to Authorities - Suspected Child Abuse or Neglect

Any school official or employee shall report any suspected child abuse or neglect as required by M.G.L. Ch. 119, S 51A.

In accordance with the law, the Foxborough Public Schools shall establish the necessary regulations and procedures to comply with the intent of the Act consistent with the District's responsibility to the students, parents, District personnel, and the community.

### Student Safety

Instruction in courses in industrial arts, science, homemaking, art, physical education, health, and safety will include and emphasize accident prevention.

Safety instruction will precede the use of materials and equipment by students in applicable units of work, and instructors will teach and enforce all safety rules set up for the particular courses. These include the wearing of protective eye devices in appropriate activities.

### Safety on the Playground and Playing Field

The Foxborough Public Schools shall provide safe play areas. Precautionary measures, which the Foxborough Public Schools requires, shall include:

- A periodic inspection of the school's playground and playing fields by the Principal of the school and others as may be deemed appropriate;
- Instruction of students in the proper use of equipment;
- Supervision of both organized and unorganized activity.

### Fire Drills/Emergency Evacuations and Reporting

The Foxborough Public Schools shall cooperate with the Foxborough Fire and Police Departments in conducting fire drills. The Principal shall immediately report any incident of unauthorized ignition of any fire within the school building or on school grounds, to the local fire department. Within 24 hours, the Principal shall submit a written report of the incident to the head of the fire department on a form furnished by the Department of Fire Services. The Principal must file this report whether or not the fire department responded.

LEGAL REFS: MGL 71:37L; 148:2A

CROSS REF: EBC, Emergency Plans

Policy adopted: 9-8-08

## **STUDENT INSURANCE PROGRAM**

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

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

Policy adopted: 3-24-08

## STUDENT HEALTH SERVICES AND REQUIREMENTS

Activities may include identification of student health needs, health screening tests (including eye and hearing screening tests), communicable disease prevention and control, promotion of the correction of remediable health defects, emergency care of the ill and injured, health counseling, health and safety education, and the maintenance of a healthful school environment.

The Foxborough Public Schools recognizes that parents have the primary responsibility for the health of their students. The school will cooperate with appropriate professional organizations associated with maintaining individual and community health and safety.

The Foxborough Public Schools shall provide the services of a medical consultant who shall render medical and administrative consultative services for personnel responsible for school health and athletics.

### Procedures for Emergency at School

School personnel shall give only emergency care to students who become ill or injured on school property, buses, or while under school supervision.

Each year parents shall supply information indicating where the student is to be taken in case of an emergency; the name, address, and phone number of a neighbor to be contacted in case the parent/guardian is not available; and any allergies or diseases the student might have.

The Foxborough Public Schools shall maintain a District-wide Emergency Response Book, as required by law, which shall be utilized by Foxborough Public Schools personnel for handling emergency situations. In addition, principals will maintain and follow the Medical Emergency Response Plan developed for handling emergencies in their building. Additional emergency procedures shall include the following:

Provision for care beyond First Aid, which would enable care by the family or its physician or the local Emergency Medical Services agencies. In instances when the EMS is required, every effort shall be made to provide the unit with the student's Emergency Card which lists any allergies or diseases the student might have;

Information relative to not permitting the administration of any form of medicine or drugs to students without written approval of parents. Requests made by parents for such administration of medication shall be reviewed and approved by the Principal or designee;

Provisions for reporting all accidents, cases of injury, or illness to the Principal. Provisions shall be made (in all cases of injury or illness involving possible legal or public relations implications) for reporting such to the appropriate executive director of education immediately;

Prompt reporting by teachers to the Principal or designee any accident or serious illness and such reports will be filed with the Business Office.



Student Illness or Injury

In case of illness or injury, the parent or guardian will be contacted to pick up the student and/or provide transportation to a medical provider.

Transportation of an ill or injured student is not normally to be provided by the school. If the parent cannot provide transportation and the student is ill or injured, an ambulance may be called. Expense incurred as a result of emergency ambulance use will not be borne by the Foxborough Public Schools.

Transportation of a student by school personnel will be done only in an emergency and by the individual so designated by the school administrator.

LEGAL REF.: M.G.L. 71:53;54;54A;54B;55;55A;55B;56;57;69;8A

CROSS REF.: EBB, First Aid  
EBC Emergency Plans  
JLCD, Administration of Medications to Students

Policy adopted: 3-24-08

Policy Revised: 4-25-11

Policy adopted as revised: 2-25-13

## **PHYSICAL EXAMINATIONS OF STUDENTS**

Every student will be examined once in each school year for screening in hearing and for other physical problems as provided in the laws. A record of the results will be kept by the school nurse.

Every student will be required to submit documentation of a current general physical examination four times: upon entering school and upon admittance to the fourth, seventh, and tenth grades. The results of examinations will be a basis for determining what corrective measures or modifications of school activities, if any, should be recommended. A record of all examinations and recommendations will be kept.

Every candidate for a school athletic team will present the signed consent of parent or guardian in order to participate on a squad and will, with the signed consent of parent or guardian, be thoroughly examined to determine physical fitness. A written report stating the fitness of the student to participate signed by the physician will be sent to the school Principal.

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

Whenever the school nurse finds a student suffering from any disease or medical problem, the situation will be reported to the parent or guardian.

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

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

CROSS REF.: JF, School Admissions

Policy adopted: 3-24-08

## INOCULATIONS OF STUDENTS

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

Established by law

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

CROSS REF.: JF, School Admissions

Policy adopted: 3-24-08

## COMMUNICABLE DISEASES

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

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

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

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

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

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

In all proceedings related to this policy, the Foxborough Public Schools shall respect the student's right to privacy. Only those persons with a direct need to know shall be informed of the specific nature of the student's condition. The determination of those who need to know shall be made by the Superintendent.

LEGAL REF.: M.G.L. 71:55

Policy adopted: 3-24-08

## ADMINISTERING MEDICINES TO STUDENTS

Medication may not be administered to students while at school unless such medicine is given to them by the school nurse acting under specific written request of the parent or guardian and under the written directive of the student's personal physician. Medicine that needs to be given during a field trip will only be dispensed by the nurse, and administered by the principal or their designee. No one but the school nurse, and those others listed in the medical administration plan acting within the above restriction, may give any medication to any student.

The school district shall, through the Foxborough Public Schools nurse leader, register with the Dept. of Public Health and train personnel in the use of Epi-Pens.

Following consultation with the school nurse, students who fall into the following exceptions may self-administer medications:

1. Students with asthma or other respiratory diseases may possess and administer prescription inhalers.
2. Students with cystic fibrosis may possess and administer prescription enzyme supplements.
3. Students with diabetes may possess and administer glucoses monitoring tests and insulin delivery systems.
4. Students with life threatening allergies may possess and administer an Epi-Pen in the event of an emergency.

LEGAL REF.: M.G.L. 71:54B  
Dept. of Public Health Regulations: 105 CMR 210.00

CROSS REFS.: Life Threatening Allergy

Policy adopted: 3-24-08  
Policy Revised: 4-25-11

## **LIFE THREATENING ALLERGY**

The purpose of this policy is to establish a safe environment for students with life threatening allergies (LTAs) and to provide all students, through necessary accommodations where required, the opportunity to participate fully in all school programs and activities.

It is the policy of the Foxborough School Committee to set age-appropriate protocols and guidelines for students and schools within the Foxborough School system that minimize the risk for children with LTAs to be exposed to offending allergens that may trigger a life threatening reaction. Such protocols and guidelines shall include: building based general medical emergency plans, Individualized Student Allergic Reaction Plan for all students diagnosed with a LTA, appropriate training of staff, availability of onsite medical equipment for quick response to life threatening allergic reactions, and such other protocols and guidelines that will ensure that students with LTAs can participate fully in school activities without undue fear of harm from exposure to life threatening allergens.

The Foxborough Public Schools, with guidance from the Massachusetts Department of Education, the School Nurse Leader and the individual school nurses will develop and implement school wide procedures to minimize the risk of exposure to allergens for students with LTAs in classrooms, common use areas, the cafeteria, and during transportation to and from school and on field trips. (Please refer to the Foxborough Public Schools' General Protocols and Guidelines for the Management of Students with Life Threatening Allergies.) The student's IHCP supersedes the school district's general protocols and guidelines for managing LTAs.

It is the Foxborough School Committee's expectation that specific building based protocols and guidelines/actions will take into account the health needs and well being of all children without discrimination or isolation of any child. It is the School Committee's belief that education and open and informative communication are vital for the creation of an environment with reduced risks for all students and their families.

CROSS REFS: Massachusetts Department of Education "Management of Students with Life Threatening Allergies in Schools"  
JLCD Administering Medicines to Students

Policy adopted: 12-8-08

Policy revised: 4-4-11

## GUIDANCE PROGRAM

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

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

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

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

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

LEGAL REFS.: M.G.L. 71:38A through 71:38F; 71:46G  
603 CMR 26.04

Policy adopted: 3-24-08

## SCHOLARSHIPS

An individual, business, or organization desiring to award one or more scholarships to a graduating student of Foxborough High School or a student attending Foxborough Public Schools must secure approval of the Superintendent of Schools or his/her designee before such a scholarship may be presented. Approval will be based upon the following criteria:

1. The donor will submit a statement containing:
  - a. Name of the donor
  - b. Purpose of the scholarship
  - c. Recommended application procedure
  - d. Criteria and process for selection
  - e. Amount(s) of the scholarship
  - f. Manner in which money will be paid
2. The scholarship must be given as an appropriate memorial and/or for worthwhile purposes.
3. The application and selection procedures must be clearly stated and fair to all members of the eligible group of students.
4. The application and selection procedures must not result in unreasonable demands being made on the school staff.
5. The application and selection procedures must not result in any hidden costs to the school district.
6. The awarding of the scholarship must not conflict with the law or Foxborough School Committee policy, nor should it imply an endorsement of any organization, business, product, or service by the school or by the recipient.

Policy adopted: 6.20.77

Policy reviewed, first reading: 10.17.88

Policy Accepted as Reviewed: 11.07.88

SOURCE: Foxborough

Policy adopted: 3-24-08



## **STUDENT GIFTS AND SOLICITATIONS**

Because of the embarrassment that might result among students, students will be discouraged from giving gifts to classroom teachers and other school personnel. For the same reason, there will be no formal exchange of gifts between students in the classroom.

Solicitation of funds for charitable purposes from students of the school system will be made only as approved by the Foxborough School Committee.

Any organization desiring to distribute flyers or other materials to students in connection with fund drives may do so only with the approval of the Superintendent.

SOURCE: MASC

CROSS REFS.:       GBEBC, Staff Gifts and Solicitations  
                      JJE, Student Fund-Raising Activities  
                      KHA, Public Solicitations in the Schools  
                      KHB, Advertising in the Schools

Policy adopted: 12-1-08

## **STUDENT FEES, FINES, AND CHARGES**

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

A school may exact a fee or charge only upon School Committee approval. The schools, however, may:

Charge students enrolled in certain courses for the cost of materials used in projects that will become the property of the student.

Charge for lost and damaged books, materials, supplies, and equipment.

Students who are indigent are exempt from paying fees. However, indigent students are not exempt from charges for lost and damaged books, locks, materials, supplies, and equipment.

All student fees and charges, both optional and required, will be listed and described annually in each school's student handbook or in some other written form and distributed to each student. The notice will advise students that fees are to be paid and of the penalties for their failure to pay them. Permissible penalties include the withholding of report cards until payment is made or denial of participation in extra class activities while the student is enrolled in this District.

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

SOURCE: MASC

Policy adopted: 9-8-08

## **STUDENT RECORDS**

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

The Superintendent will provide for the proper administration of student records in keeping with state and federal requirements, and shall obtain a copy of the state student records regulations (603 CMR 23.00). The temporary record of each student enrolled on or after June 2002 will be destroyed no later than seven years after the student transfers, graduates or withdraws from the School District. Written notice to the eligible student and his/her parent of the approximate date of destruction of the temporary record and their right to receive the information in whole or in part, shall be made at the time of such transfer, graduation, or withdrawal. The student's transcript may only be destroyed 60 years following his/her graduation, transfer, or withdrawal from the school system.

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

LEGAL REFS:           Family Educational Rights and Privacy Act of 1974,  
                          P.L. 93-380, Amended  
                          P.L. 103-382, 1994  
                          M.G.L. 66:10 71:34A, B, D, E, H  
                          Board of Education Student Record Regulations adopted 2/10/77, June 1995 as  
                          amended June 2002.  
                          603 CMR: Dept. Of Education 23.00 through 23:12 also  
                          Mass Dept. Of Education publication Student Records; Questions, Answers and  
                          Guidelines, Sept. 1995

CROSS REF:           KDB, Public's Right to Know

Policy adopted: 3-24-08

## STUDENT RECORDS

603 CMR 23.00 is promulgated by the Board of Education pursuant to its powers under M.G.L.c.71, s.34D which directs that “the board of education shall adopt regulations relative to the maintenance of student records by the public elementary and secondary schools of the Commonwealth,” and under M.G.L.c.71, s.34F which directs that “the board of education shall adopt regulations relative to the retention, duplication and storage of records under the control of school committees, and except as otherwise required by law may authorize the periodic destruction of any such records at reasonable times.” 603 CMR 23.00 was originally promulgated on February 10, 1975, and was reviewed and amended in June 1995. 603 CMR is in conformity with federal and state statutes regarding maintenance of and access to student records, and is to be construed harmoniously with such statutes.

### Application of Rights

603 CMR 23.00 is promulgated to insure parents’ and students’ rights of confidentiality, inspection, amendment, and destruction of students’ records and to assist local school systems in adhering to the law. 603 CMR 23.00 should be liberally construed for these purposes.

- (1) These rights shall be the rights of the student upon reaching 14 years of age or upon entering the ninth grade, whichever comes first. If a student is under the age of 14 and has not yet entered the ninth grade, these rights shall belong to the student’s parent.
- (2) If a student is from 14 through 17 years or has entered the ninth grade, both the student and his/her parent, or either one acting alone, shall exercise these rights.
- (3) If a student is 18 years of age or older, he/she alone shall exercise these rights, subject to the following. The parent may continue to exercise the rights until expressly limited by such student. Such student may limit the rights and provisions of 603 CMR 23.00 which extend to his/her parent, except the right to inspect the student record, by making such request in writing to the school Principal or Superintendent of Schools who shall honor such request and retain a copy of it in the student record. Pursuant to M.G.L. c.71, s.34E, the parent of a student may inspect the student record regardless of the student’s age.
- (4) Notwithstanding 603 CMR 23.01(1) and 23.01(2), nothing shall be construed to mean that a school committee cannot extend the provisions of 603 CMR 23.00 to students under the age of 14 or to students who have not yet entered the ninth grade.

### Definition of Terms

The various terms as used in 603 CMR 23.00 are defined below:

Access: shall mean inspection or copying of a student record, in whole or in part.

Authorized school personnel: shall consist of three groups:

- (1) School administrators, teachers, counselors and other professionals who are employed by the Foxborough School Committee or who are providing services to the student under an agreement between the Foxborough School Committee and a service provider, and who are working directly with the student in an administrative, teaching, counseling and/or diagnostic capacity. Any such personnel who are not employed directly by the Foxborough School Committee shall have access only to the student record information that is required for them to perform their duties.
- (2) Administrative office staff and clerical personnel, including operators of data processing equipment or equipment that produces microfilm/microfiche, who are either employed by the Foxborough School Committee or are employed under a Foxborough School Committee service contract, and whose duties require them to have access to student records for purposes of processing information for the student record. Such personnel shall have access only to the student record information that is required for them to perform their duties.
- (3) The evaluation team that evaluates a student.

Eligible student: shall mean any student who is 14 years of age or older or who has entered 9<sup>th</sup> grade, unless the Foxborough School Committee acting pursuant to 603 CMR 23.01(4) extends the rights and provisions of 603 CMR 23.00 to students under the age of 14 or to students who have not yet entered 9<sup>th</sup> grade.

Evaluation Team: shall mean the team, which evaluates school-age students pursuant to M.G.L.c.71B (St. 1972, c.766) and 603 CMR 28.00.

Parent: shall mean a student's father or mother, or guardian, or person or agency legally authorized to act on behalf of the student in place of or in conjunction with the father, mother, or guardian. Any parent who by court order does not have physical custody of the student, is considered a non custodial parent for purposes of M.G.L. c. 71, s.34H and 603 CMR 23.00. This includes parents who by court order do not reside with or supervise the student, even for short periods of time.

Release: shall mean the oral or written disclosure, in whole or in part, of information in a student record.

School-age child with special needs: shall have the same definition as that given in M.G.L. c. 71B (St. 1972, c.766) and 603 CMR 28.00.

School committee: shall include a school committee, a board of trustees of a charter school, a board of trustees of a vocational-technical school, a board of directors of an educational collaborative and the governing body of an M.G.L. c.71B (Chapter 766) approved private school.

Student: shall mean any person enrolled or formerly enrolled in a public elementary or secondary school or any person age three or older about whom a school committee maintains information. The term as used in 603 CMR 23.00 shall not include a person about whom a school committee maintains information relative only to the person's employment by the School Committee.

The student record: shall consist of the transcript and the temporary record, including all information, recording and computer tapes, microfilm, microfiche, or any other materials, regardless of physical form or characteristics concerning a student that is organized on the basis of the student's name or in a way that such student may be individually identified, and that is kept by the public schools of the Commonwealth. The terms as used in 603 CMR 23.00 shall mean all such information and materials regardless of where they are located, except for the information and materials specifically exempted by 603 CMR 23.04.

The temporary record: shall consist of all the information in the student record which is not contained in the transcript. This information clearly shall be of importance to the educational process. Such information may include standardized test results, class rank (when applicable), extracurricular activities, and evaluations by teachers, counselors, and other school staff.

Third party: shall mean any person or private or public agency, authority, or organization other than the eligible student, his/her parent, or authorized school personnel.

Log of Access: A log shall be kept as part of each student's record. If parts of the student record are separately located, a separate log shall be kept with each part. The log shall indicate all persons who have obtained access to the student record, stating: the name, position and signature of the person releasing the information; the name, position and, if a third party, the affiliation if any, of the person who is to receive the information; the date of access; the parts of the record to which access was obtained; and the purpose of such access. Unless student record information is to be deleted or released, this log requirement shall not apply to:

- (a) Authorized school personnel under 603 CMR 23.02(9)(a) who inspect the student record;
- (b) Administrative office staff and clerical personnel under 603 CMR 23.02(9)(b), who add information to or obtain access to the student record; and
- (c) School nurses who inspect the student health record.

Access of Third Parties. Except for the provisions of 603 CMR 23.07(4)(a) through 23.07(4)(h), no third party shall have access to information in or from a student record without the specific, informed written consent of the eligible student or the parent. When granting consent, the eligible student or parent shall have the right to designate which parts of the student record shall be released to the third party. A copy of such consent shall be retained by the eligible student or parent and a duplicate placed in the temporary record. Except for the information described in 603 CMR 23.07(4)(a), personally identifiable information from a student record shall only be released to a third party on the condition that he/she will not permit any other third party to have access to such information without the written consent of the eligible student or parent.

- (a) A school may release the following directory information: a student's name, address, telephone listing, date and place of birth, major field of study, dates of attendance, weight and height of members of athletic teams, class, participation in officially recognized activities and sports, degrees, honors and awards, and post-high school plans without the consent of the eligible student or parent; provided that the school gives public notice of the types of information it may release under 603 CMR 23.07 and allows eligible students and parents a reasonable time after such notice to request that this information not be released without the prior consent of the eligible student or parent. Such notice may be included in the routine information letter required under 603 CMR 23.10.

Access Procedures for Non-Custodial Parents. As required by M.G.L. c.71, s.34H, a non-custodial parent may have access to the student record in accordance with the following provisions.

- (a) A non-custodial parent is eligible to obtain access to the student record unless:
  1. The parent has been denied legal custody based on a threat to the safety of the student or to the custodial parent, or
  2. The parent has been denied visitation or has been ordered to supervised visitation, or
  3. The parent's access to the student or to the custodial parent has been restricted by a temporary or permanent protective order, unless the protective order (or any subsequent order modifying the protective order) specifically allows access to the information contained in the student record.
- (b) In order to obtain access, the non-custodial parent must submit a written request for the student record to the high school principal annually. The initial request must include the following:
  1. A certified copy of the court order or judgment relative to the custody of the student that either indicates that the requesting parent is eligible to receive access as set forth in 603 CMR 23.07(5)(a), or a certified copy of a court order specifically ordering that the student records be made available to the non-custodial parent, and
  2. An affidavit from the non-custodial parent that said court order or judgment remain in effect and that there is no temporary or permanent order restricting access to the custodial parent or any student in the custodial parent's custody.
- (c) The non-custodial parent must submit a written request for a access each year stating that said parent continues to be entitled to unsupervised visitation with the student and is eligible to obtain access as set forth in 603 CMR 23.07(5)(a).
- (d) Upon receipt of the request (initial and annual) the school must immediately notify the custodial parent by certified and first class mail, in English and the primary language of the custodial parent, that it will provide the non-custodial parent with access after 21 days, unless the custodial parent provides the principal with documentation that the non-custodial parent is not eligible to obtain access as set forth in 603 CMR 23.07(5)(a).
- (e) The school must delete the address and telephone number of the student and custodial parent from student records provided to non-custodial parents. In addition, such records must be marked to indicate that they shall not be used to enroll the student in another school.
- (f) Upon receipt of a court order which prohibits the distribution of information pursuant to M.G.L. c.71, s.34H, the school shall notify the non-custodial parent that it shall cease to provide access to the student record to the non-custodial parent.

At least once during every school year, the school shall publish and distribute to students and their parents in their primary language a routine information letter informing them of the following:

- (a) The standardized testing programs and research studies to be conducted during the year and other routine information to be collected or solicited from the student during the year.
- (b) The general provisions of 603 CMR 23.00 regarding parent and student rights, and that copies of 603 CMR 23.00 are available to them from the school.

LEGAL REFS: Family Educational Rights and Privacy Act of 1974,  
P.L. 93-380, Amended  
P.L. 103-382, 1994  
M.G.L. 66:10 71:34 A, B, D, E, H  
Board of Education Student Record Regulations adopted 2/10/75, as amended  
June 2002  
603 CMR: Dept. Of Education 23.00 through 23:12  
Mass Dept. Of Education publication Student Records; Questions, Answers and  
Guidelines, Sept. 1995

CROSS REF: KDB, Public's Right to Know

Policy adopted: 3-24-08



## **STUDENT PHOTOGRAPHS**

Individual schools may arrange, in cooperation with the school's parent organization, student council, designated student committee, or a staff committee, to take individual student and/or class group pictures.

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

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

The purpose of the policy is to:

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

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

Provide a service to parents and students.

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

SOURCE: MASC

Policy Adopted: 4-27-09