

# **Lexington Elementary Schools Attendance Policy**

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

Massachusetts law requires compulsory attendance for all students. Chapter 76, section 1 of the Mass General Laws states that all children between the ages of six and sixteen must attend school.

## **Absence and Tardy Information**

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

## **Student Absence Notification Program**

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

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

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

An **Excused Absence/Tardy** includes:

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

An **Unexcused Absence/Tardy** is not covered by the aforementioned definition. Examples of an unexcused absence may include, but may not be limited to:

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

## **Tardy Consequences**

Work and/or instruction missed may be made up at recess.

- After 8th tardy - Letter home
- After 10th tardy – Conference with the parent and student Subsequent tardies may result in the child being referred to the Student Resource Officer.

## **Family Vacations**

We strongly discourage family vacations when school is in session. In addition to compromising the attendance law, family vacations interrupt the educational process in each subject area in ways that make-up work cannot reverse. Teachers are not required to provide work in advance of a family vacation.

## **Attendance Policy**

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

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

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

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

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

## **Early Dismissal**

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

## **Family Vacations**

Parents and students are reminded that Massachusetts Law requires compulsory attendance for students. We strongly discourage family vacations when school is in session. In addition to compromising the attendance law, family vacations interrupt the educational process of each course in ways that make-up work cannot reverse.

Teachers are not required to give out homework assignments prior to a family vacation.

# Policy on Student Conduct and Discipline

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

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

## I. School Rules

Each school principal, in conjunction with the school council, will prepare a student handbook setting forth the school rules and possible consequences of violation of such rules. In addition to addressing matters specific to the individual school, such rules should address students' possession of controlled substances (including drugs and alcohol) or dangerous weapons, use of force, theft, vandalism, knowingly making a false accusation, and violation of other students' civil rights. The school council shall review the student handbook each spring to consider changes to take effect the following September, but may also consider changes at other times.

## II. Procedural Due Process

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

### SUSPENSIONS

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

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

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

### I. In-School Suspension.

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

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

2. On the same day as the in-school suspension decision, the administrator will make reasonable efforts to notify the parent orally of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension. The administrator will also invite the parent to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. Such meeting will be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the administrator is 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.
3. The administrator will send written notice to the student and parent about the in-school suspension, including the reason and the length of the in-school suspension, and inviting the parent to a meeting with the principal for the purpose set forth above, if such meeting has not already occurred. The administrator will deliver such notice on the day of the suspension by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or by other method of delivery agreed to by the administrator and the parent.

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

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

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

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

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

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

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

2. Efforts to Involve Parent: The administrator will make reasonable efforts to notify the parent of the opportunity to attend the hearing. To conduct a hearing without the parent present, the administrator must be able to document reasonable efforts to include the parent. The administrator is presumed to have made reasonable efforts if the administrator has sent written notice and has documented at least two (2) attempts to contact the parent in the manner specified by the parent for emergency notification.

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

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

### III. Long Term Suspension

Except in the case of an Emergency Removal 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.

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

#### **IV. Expulsion**

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

- 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 G.L. c. 71, §37H or §37H1/2 for more than ten consecutive days will have an opportunity to receive educational services and make academic progress during the period of removal under a school-wide education service plan, and will be so informed at the time of the suspension/expulsion.