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Students - Goals

The Belmont Public Schools shall make every effort to provide a safe, positive school environment and student services that promote student welfare and academic achievement. Belmont Public School students are expected to make good use of learning opportunities through regular attendance, appropriate conduct and respect for others.

Belmont Public Schools are fully committed to providing equal educational opportunities and keeping the schools free from discriminatory practices. The Superintendent shall ensure that students and parents/guardians are well informed about school and district rules and regulations related to attendance, records, grades and student conduct.

Legal References:

MGL 76:5

603 CMR 26

Section 703 of Title VII of the Civil Rights Act of 1964; 42 USC 2000e

Title IX of the Education Amendments of 1972; 20 USC 1681

Section 504 of the Rehabilitation Act of 1973;

Enrollment

All children of school age who reside in the town of Belmont are entitled to attend the public schools. Non-resident children may be admitted in accordance with School Committee policies or by specific action of the School Committee pursuant to state law.

The Superintendent shall develop procedures that provide for the verification of all enrollment requirements.

Legal reference:

MGL 76:1, 5

Admission and Transfer

Students entering the Belmont Public Schools kindergarten shall be five years old on or before September 1 of the year entering school. Students entering Grade 1 shall be six years old on or before September 1 of the year entering school. A birth certificate or other satisfactory evidence of date of birth shall be required before a child is enrolled in kindergarten or first grade.

The Belmont Public Schools may admit foreign students who are residing temporarily in Belmont with their parents/guardians on the same basis as all other Belmont residents. Other foreign students may be admitted according to procedures developed by the Superintendent. Foreign exchange students participating in a recognized Belmont Public Schools exchange program may attend classes as visitors.

Placement of students transferring from other schools or from a period of homeschooling shall be determined on a case-by-case basis. Placement shall be based on an objective assessment appropriate to all students of the same grade or age level.

Students who are homeschooled through high school do not receive a Belmont High School diploma.

The Superintendent shall develop procedures to implement this policy.

LEGAL REFERENCES:

M.G.L. 15:1G

69:1B

603 CMR 8.02

Attendance

Parents/guardians of children aged six to sixteen are obligated to send their children to school unless otherwise provided by law. Absence from school shall be excused only for health reasons, family emergencies and justifiable personal reasons, as permitted by law, School Committee policy and procedures developed by the Superintendent.

The Belmont Public Schools shall comply with all state attendance laws and may use appropriate legal means to correct a problem of excessive absence or truancy. Students' grades may be affected by unexcused absences.

Legal Reference:
MGL 76:1, 20

STUDENT HEALTH AND WELLNESS

The Belmont Public Schools are committed to providing school environments that promote student health, well being, and ability to learn. The district shall comply with all federal, state, and local laws and regulations concerning student health, safety and nutrition. Students shall meet established health requirements in order to attend school.

The Superintendent shall ensure the development of procedures to implement this policy.

Legal References:

MGL 71:53, 54, 54B, 55, 56, 57

76:15

111:6, 70F

112:12F

119:51A

129A

135A

214:1B

105 CMR 210.00

Massachusetts Department of Public Health, Comprehensive School Health Manual, 2007

Section 204 of PL 108-265, the Child Nutrition and WIC Reauthorization

Act of 2004, (42 U.S.C. 1751 et seq.) (42 U.S.C. 1771 et seq)

7 CFR 210.10

Belmont School Nursing Protocols and Procedures, July 2010, available from school nurses and the Superintendent's office

Student Progress

The Belmont Public Schools shall regularly monitor student progress using a variety of evaluation measures designed to identify individual student academic achievement, progress and areas needing improvement.

The Superintendent shall ensure that evaluation methods are reliable and objective, utilize specific standards and correspond to material being taught. Students and parents/guardians shall be informed of methods used to evaluate student achievement.

Written progress reports will be provided to parents/guardians on a regular basis and opportunities will be provided for individual parent/guardian/teacher conferences in accordance with procedures established by the Superintendent.

Evaluation methods, progress reports and procedures established shall be in accordance with all applicable Federal and state laws and regulations.

Legal References:

MGL 69:1E, 1I

Massachusetts Curriculum Frameworks; available from the Department of Elementary and Secondary Education www.doe.mass.edu/frameworks/current.html
Belmont Public Schools Benchmarks

Promotion and Retention Of Students

Professional staff is expected to place pupils at the grade level best suited to them academically, socially and emotionally. Students will normally progress annually from grade to grade. Students who are at risk of retention should be identified as early as possible in a school year and/or a student's school career and be provided with services designed to help them acquire the necessary skills to be promoted.

Exceptions may be made when, in the judgment of the professional staff, such exceptions are in the best educational interest of the student. Exceptions will always be made after prior notification and explanation to each student's parents/guardians, but the final decision will rest with the Superintendent.

The Superintendent shall develop procedures to implement this policy.

Graduation Requirements

The requirements for graduation from the Belmont Public Schools shall be established by the School Committee upon the recommendation of the Superintendent. All established Belmont Public Schools requirements shall meet or exceed those of the Massachusetts Department of Elementary and Secondary Education.

The Superintendent shall develop procedures to implement this policy.

Legal References:

MGL 69:1D

Student Fees, Fines and Charges

The Belmont Public Schools may require student user fees for certain sports, activities and services. The Belmont Public Schools may also charge for materials and supplies used for activities that supplement the educational program.

Students may be charged for lost or damaged books, materials, supplies and equipment provided by the Belmont Public Schools.

The Superintendent shall develop procedures to implement this policy including listing of the categories of fees for which reduction or waiver is available and the process required to apply for a reduction or waiver.

Student Records

The Belmont Public Schools shall maintain such personal information about students as is necessary to provide students with appropriate instruction and educational services, or is required by Federal and State laws and regulations.

The Superintendent shall establish procedures governing the identification, description, accuracy and security of student records, as well as timely access for appropriate school personnel. These procedures shall also delineate the rights of parents/guardians, including non-custodial parents, and students over 14 years of age or who have entered ninth grade, to review, inspect, amend, and copy student records.

The Superintendent is responsible for ensuring the privacy, confidentiality and security of all student records in accordance with all applicable federal and state laws and regulations. The principal at each school shall act as custodian of records for students enrolled at that school. The Superintendent shall be the custodian of records for student records at the district level.

Legal References:

MGL 71:34A, B, D, E, H

MGL 66:10

Family Educational Rights and Privacy Act (FERPA), (20 U.S.C. § 1232g; 34 CFR Part 99)

Health Insurance Portability and Accountability Act of 1996 (HIPAA)
(PL 104-191, 42 U.S.C. 1301 et seq.)

Freedom of Expression

Belmont Public Schools students have the right to exercise freedom of expression at school, including freedom of speech and of the press, and the right to assemble. Such rights are limited only as allowed by law in order to maintain an orderly school environment and to protect the rights, health and safety of all members of the school community. Freedom of expression does not include the use of obscene, libelous or slanderous expression, the use of abusive or insulting speech, or any expression that may cause disruption or disorder within the school.

Student expression while not at school, including off-campus internet use, shall be subject to discipline when such expression poses a direct threat to the safety of students or school personnel.

Legal References:

U.S. Constitution, Amendment I

Massachusetts Constitution, Article XIV

MGL 71:82

Chapter 92 of the Acts of 2010

MGL 71:370

Cross reference: Students 5012 - Harassment

Students 5013 - Bullying and Hazing

Conduct and Discipline

Students on school grounds and at school sponsored activities are expected to conduct themselves in a manner which promotes a safe, orderly environment and does not infringe upon the rights of others. Students may be subject to disciplinary action for behavior inconsistent with this policy.

The Superintendent shall ensure that each school principal, in conjunction with the school council, prepares a student handbook setting forth the school's rules and possible consequences of violation of those rules. In addition to addressing matters specific to the individual school, such rules shall address student's possession of controlled substances (including drugs and alcohol) or dangerous weapons, use of force, theft, vandalism, knowingly making a false accusation, and violations of other students' civil rights. Students shall be provided with a copy of the handbook.

School staff is expected to provide appropriate supervision to enforce standards of conduct and to intervene or seek assistance in the event of a violation. School officials are required to contact parents/guardians of students under age 18 for violations of this policy which may result in students' suspension or expulsion.

No student shall be disciplined without being afforded appropriate due process. The Superintendent shall ensure that all procedures established by student handbooks provide appropriate due process protections as required by state and federal law and regulations.

The discipline of a student who has been identified as having special needs is subject to the requirements of state and federal laws and regulations and the student's Individualized Education Plan. The Superintendent shall ensure that each school observes the legal requirements and procedural safeguards for discipline of students with special needs.

Legal References:

MGL 71:37H

76: 16 & 17

20 USC 1415(k)

35 CFR 300.530-536

Cross Reference: Administration, 2008 – Student Handbooks

Harassment

The Belmont Public Schools is committed to maintaining a school and work environment free of harassment based on race, color, religion, national origin, age, gender, sexual orientation, disability or veteran status. The Belmont Public Schools expects all employees and members of the school community to conduct themselves in an appropriate and professional manner with concern for their fellow employees and the students.

Harassment on the basis of race, color, religion, national origin, age, gender, sexual orientation, disability or veteran status in any form will not be tolerated. Such harassment includes unsolicited remarks, gestures or physical contact, display or circulation of written materials or pictures derogatory to either gender or to any individual or group based on race, color, religion, age, gender, sexual orientation, disability or veteran status.

In addition, sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when:

1. Submission to such conduct or communication is made a term or condition either explicitly or implicitly to obtain or maintain employment or educational development and opportunity, or
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or education decisions affecting such individual, or
3. Such conduct or communication has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile or offensive work or educational environment.

Any violation of this policy should be brought to the attention of the Superintendent or his/her designee, as soon as possible, who will conduct an investigation and take appropriate action.

Any student found to have engaged in sexual harassment shall be subject to disciplinary action up to and including expulsion. Any employee or member of the school community found to have engaged in sexual harassment shall be subject to sanctions, including, but not limited to, warning, suspension, or termination subject to applicable procedural requirements. If the determines that a complainant knowingly filed false accusations, then he/she may be subject to disciplinary action.

Under certain circumstances, sexual harassment may constitute child abuse under Massachusetts law, G.L.c. 119, sec. 51A. The Belmont Public Schools shall comply with Massachusetts laws in reporting suspected cases of child abuse.

Legal References:

MGL 76:5

603 CMR 26

Section 703 of Title VII of the Civil Rights Act of 1964; 42 USC 2000e

Title IX of the Education Amendments of 1972; 20 USC 1681

Section 504 of the Rehabilitation Act of 1973;

Mass. Gen. Laws C 151 B, sec.3A-7 (Employer policy against sexual harassment)

Procedure: 4002P – Belmont Reporting and Complaint Procedure – available from
Human Resources Manager and Principals in each school

Bullying And Hazing

The Belmont Public Schools is committed to maintaining a school environment free of behavior that infringes on the physical and emotional safety and well-being of any student. The Superintendent shall ensure the development of a program to address bullying prevention and intervention as required by Massachusetts law and regulations.

No student, employee or school organization under the control of the Belmont Public Schools shall engage in the activity of hazing a student while on or off school property, or at a school sponsored event, regardless of the location. No student organization that uses the facilities or grounds under the control of the Belmont Public Schools shall engage in the activity of hazing any person while on school property. The Superintendent shall ensure that all requirements of Massachusetts General Laws prohibiting hazing are acknowledged and enforced.

The Belmont Public Schools shall utilize the statutory definitions of bullying and hazing contained in Massachusetts law.

Legal References:

Chapter 92 of the Acts of 2010

MGL 71:370

Title VII, Section 703, Civil Right Act of 1964, as amended, (78 Stat. 255; 42 U.S.C. 2000e

Title IX, of the Education Amendments of 1972, 20 U.S.C. §1681

603 CMR 26.00

MGL 269: 17,18 &19

603 CMR 33.00

Cross References: Students 5010 – Freedom and Expression
Belmont Schools' Student Handbooks available at each school and
at/or The Belmont Schools Website, www.belmont.k12.ma.us

Searches

Belmont Public Schools students are guaranteed protection from unreasonable searches and seizures by the U.S. and Massachusetts constitutions. School officials who conduct reasonable searches do not need search warrants. Students may be searched when school officials have reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school.

School lockers and desks assigned to individual students remain the property of the school and the administration reserves the right to open and inspect any locker or desk and its contents at any time. Personal property may be searched by authorized school officials when there is a reasonable suspicion that a student's property contains stolen articles, illegal items, or other contraband as defined by law or school policy.

Searches by law enforcement officers must conform to all applicable state and federal law.

Legal References:

U.S. Constitution, Amendment IV
Massachusetts Constitution, Article XIV
New Jersey v T.L.O. 469 US 325 (1985)
Commonwealth v Snyder 413 Mass 521 (1992)
Commonwealth v Damian D. 434 Mass 725 (2001)

Memorandum of Understanding between the Belmont Public Schools and the Belmont Police Department, October 8, 2009

Interrogation By Law Enforcement

School administrators will make every effort to protect each student's rights with respect to interrogations by law enforcement officers.

If a law enforcement officer without a court order or warrant requests to question a Belmont Public Schools student at school or while the student is participating in a school sponsored activity the principal shall ensure that the interrogation takes place privately, in the presence of the students' parents/guardians or an administrator when the parents/guardians have authorized a school administrator to act in their place. When police are present, students must be given the same rights as other citizens and they must be informed of these rights before any questions are asked.

A student who is in attendance at school or a school sponsored activity may not be removed for questioning by a law enforcement officer without permission of the student's parents/guardians.

A case worker from the Massachusetts Department of Children and Families (DCF), or a law enforcement officer investigating suspected abuse or neglect may be permitted to question and examine a student at school without notice by the school administration to the student's parents/guardians.

Legal References:

U.S. Constitution, Amendment XIV
Massachusetts, Constitution Article XIV
MGL 119:51A & B