

# Westerly Public Schools Grades Pre-K - 4



## Student Expectation Handbook 2023-2024



*The mission of Westerly Public Schools is “to create an inspiring, challenging, and supportive environment where students are encouraged and assisted in reaching their highest potential”.*

Dear Parent:

In accordance with ESSA, Section 1112(e)(1)(A) PARENTS RIGHT-TO-KNOW, this letter serves as notification from the Westerly Public School (WPS) District to every parent of a student attending a WPS school receiving federal Title funding that parents of students in said schools have the right and may request, and the agency will provide the parents upon request (and in a timely manner), information regarding the professional qualifications of the student's classroom teachers, including at a minimum, the following:

1. Whether the teacher has met state qualification and licensing criteria for the grade levels and subject areas in which the teacher provides instruction.
2. Whether the teacher is teaching under emergency or other provisional status through which state qualification or licensing criteria have been waived.
3. Whether the teacher is teaching in the field of discipline of the certification of the teacher.
4. Whether the child is provided services by paraprofessionals and, if so, their qualifications.

It is the LEA's duty to notify you if at any time your child has been taught for four (4) or more consecutive weeks by a teacher who does not meet applicable state certification or licensure requirements at the grade level and subject area in which the teacher has been assigned.

If you have any questions, please feel free to contact the Assistant Superintendent's office at 401.315.1503.

Sincerely,

Alicia J. Storey  
Assistant Superintendent  
Westerly Public Schools

Westerly Public Schools  
23 Highland Avenue  
Westerly, RI 02891



Telephone (401) 315-1500  
TT/VOICE (800) RI 55555  
Fax (401) 348-2707

www.westerly.k12.ri.us

**Parent/Guardian Statement of Receipt**

**Westerly Public Schools' Pre-K-4 Student Expectation Handbook**

**2023 – 2024**

I am the parent or guardian of the below named child and by my signature I acknowledge that I have received a copy of the Westerly Public Schools' Pre-K-4 Student Expectation Handbook found on the district's website ([www.westerly.k12.ri.us](http://www.westerly.k12.ri.us)).

By signing this Statement of Receipt, I do not waive or abdicate, but do reserve any rights protected by the Constitution or laws of the United States or the State of Rhode Island and Providence Plantations. I further understand that I have the right to express disagreement with the Westerly Public Schools' policies or decisions.

Name/Signature of Student: \_\_\_\_\_

Signature of Parent/Guardian: \_\_\_\_\_

Date: \_\_\_\_\_

**\*\*\*Please return to your child's school as soon as possible\*\*\***

**Westerly Public Schools  
Responsible Use and Internet Safety Policy Signature Page (Student)**

**Network User Acknowledgement and Consent Form**

I hereby acknowledge that I have received a copy of the Westerly Public School Responsible Use Policy and I have read and understood the Terms and Conditions set forth therein.

I understand that it is the responsibility of all users, staff and students to ensure that Westerly Public Schools technology resources are being used for educational purposes. Staff members and students that are issued a unique account are responsible for its use at all times. It is therefore important that all users log off the computer at the end of each session.

I further agree and understand that all computer systems and equipment, as well as all information transmitted, received, or stored on such systems are school district property.

I understand I have no expectation of privacy in connection with the use of any of the school district's equipment or the transmission, receipt or storage of information on this equipment or network.

I also acknowledge and consent to the school district's monitoring and use of this equipment at any time. Such monitoring may include, but is not limited to, e-mail, web browsing, and computer files to which I have access. Any computer or user is subject to these rules.

Printed Student Name: \_\_\_\_\_

Signature of Student: \_\_\_\_\_

Signature of Parent/Guardian: \_\_\_\_\_

Date \_\_\_\_\_

Adopted: September 21, 2012  
Revised: June 3, 2013

I have received the Westerly Public Schools' District policy on Internet use and understand that the Westerly Public School District has permission to use my child's picture and first name on any and all district communications, in local newspapers, video recordings for broadcast or on the district website unless I indicate otherwise on this form and return it to my child's school.

\_\_\_\_\_ No, my child's picture and/or name may NOT appear, in local newspapers, video recordings for broadcast or on the district website.\*

\*Please be sure that you have completed the previous side of this page with your child's name.

\*\*\*Please return this form to your child's school as soon as possible\*\*\*

**WESTERLY PUBLIC SCHOOLS**

Authorization for Medication to be Taken During School Hours

School \_\_\_\_\_ Grade/Teacher \_\_\_\_\_

Child's Name \_\_\_\_\_ DOB \_\_\_\_\_

Physician's Name/Address \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

**PARENT/Guardian:**

I hereby consent that the School Nurse Teacher give my child the medication ordered below by the prescribing physician in accordance with the Westerly Public Schools' Medication Policy 5020. By signing this consent, it is understood that the school nurse teacher, registered nurse or school department physician may verify this order by contacting the prescribing physician.

Date: \_\_\_\_\_ Parent/Guardian \_\_\_\_\_

Home Phone: \_\_\_\_\_ Emergency Phone \_\_\_\_\_

**PHYSICIAN:**

Diagnosis for which medication is given: \_\_\_\_\_

Name of Medicine \_\_\_\_\_ Dosage \_\_\_\_\_

Method of administration \_\_\_\_\_

If medicine is to be given daily, at what time? \_\_\_\_\_

Length of time this is ordered \_\_\_\_\_

Special instructions: \_\_\_\_\_

Is the child authorized to medicate him or herself in accordance with school protocol: **YES or NO**

Date \_\_\_\_\_ Physician's Signature \_\_\_\_\_

Date \_\_\_\_\_ Received by School Nurse Teacher \_\_\_\_\_

Date \_\_\_\_\_ Parent/Guardian Signature \_\_\_\_\_

**Field Trip ONLY: (for students who do not normally have self-carry privileges)**

\_\_\_\_\_ does/does not have permission to self carry/self administer the above ordered medication when on a school sponsored activity/field trip.

**Please note:**

- Field trip medications are to be stored and transported in the originally labeled prescription/OTC container.
- No more than a single dose or doses required for the duration of a trip are to be in the container.
- No school employee shall be liable for civil damages which may result from acts or omissions which may constitute ordinary negligence when a student self-carries and/or self-administers his/her own medication in accordance with these rules and regulations.
- Students are prohibited from sharing, transferring or in any way diverting his/her medication to any other person.

**WESTERLY PUBLIC SCHOOLS**

Authorization for Medication to be Taken During School Hours

In the event a School Nurse Teacher/ Registered Nurse is not present when your child may incur an identified acute allergic reaction, his/her Epi-pen/Epi-pen Jr / Avi-Q will be immediately administered by an adult present. The 911 EMS System will also be initiated at this time.

It is not possible to follow a medication administration order prescribing Benadryl prior to Epi-pen/Epi-pen Jr /Avi-Q by anyone other than a School Nurse Teacher or Registered Nurse.

**ALL MEDICATIONS**, including over the counter (OTC) medications and supplements, require a physician’s order for self-carry administration. (For example: Motrin, Tylenol, Excedrin Migraine, Benadryl, Melatonin)

Date \_\_\_\_\_

Parent/Guardian Signature \_\_\_\_\_

Amended 3/15/23

Westerly Public Schools does not discriminate on the basis of age, sex, race, religion, national origin, sexual orientation, color or disability  
If special accommodations are needed call 315-1500, 48 hours in advance.



Dear Parent or Guardian,

In an effort to continuously improve communications with families, we are asking you to complete the two question survey below and return it to your child's school. Your responses will help us target our communication efforts to best align with the needs and preferences of Westerly Public Schools families.

Thank you,

Mark Garceau, Ed.D.  
Superintendent of Schools

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## COMMUNICATIONS SURVEY

Please circle the response that best reflects your answer.

1. Are you able to regularly connect to the internet?
  - a. Yes
  - b. No
  
2. How do you prefer to be contacted with routine information about the school community (e.g. upcoming events, non-emergency announcements)? Please select only one of the following options:
  - a. Email
  - b. Telephone- Personal call
  - c. Telephone- Automated call
  - d. Text message
  - e. Paper notices sent home
  
3. I have students in the following grade levels (circle all that apply):
  - a. Elementary (PK-4)
  - b. Middle (5-8)
  - c. High (9-12)
  
4. I would like to receive e-mail updates regarding issues of importance from Westerly Public Schools, including my child's principal and the Westerly School Committee. My email address is: \_\_\_\_\_

(Your e-mail address will not be shared with any other group and will only be used for this purpose.)

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**Westerly Public Schools**

23 Highland Avenue  
Westerly, Rhode Island 02891  
401.315-1500  
[www.westerly.k12.ri.us](http://www.westerly.k12.ri.us)

**Westerly School Committee**

Robert Cillino, Chair  
Giuseppe Gencarelli, Vice-Chair  
Diane Chiaradio Bowdy, Clerk  
Christine Cooke  
Leslie Dunn  
Michael Ober  
Lori Wycall

**Superintendent of Schools**

Mark C. Garceau, Ed.D.  
401.315.1504

**Assistant Superintendent of Schools**

Alicia J. Storey, Ed.D.  
401.315.1503

***Central Office Administration***

Aramark Management Services  
Director of Buildings and Maintenance  
401.315.1528

Susan Guarino  
Director of Transportation  
401.348.9430

Michael Sujka  
Director of Technology  
401.315.1551

Cindy Kirchhoff  
Director of Finance  
401.315.1508

Christina Amanti Mathieu  
Director of Pupil Personnel  
401.315.1518

***Building Administration***

Dunn’s Corner Elementary School  
Steven Morrone  
401.348.2320

Springbrook Elementary School  
Jennifer Enck  
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Mary Caporelli  
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Westerly High School  
Kellie Moulin  
401.315.1501

## **Westerly Public Schools**

To create an inspiring, challenging, and supportive environment where students are encouraged and assisted in reaching their highest potential.

### **Vision 2020**

#### **Westerly Public Schools will be the premier school district in New England!**

Isaac Asimov said, "It is change, continuing change, inevitable change that is the dominant factor in society today. No sensible decision can be made any longer without taking into account not only the world as it is, but the world as it will be." What will the future bring? No one knows. What we do know is if we envision that which we are striving for in clear concise ways it will be easier to understand and accomplish. As Westerly Public Schools moves forward into an undiscovered future we must think of our youngest children and our deepest wishes for them. Our vision must portray the district as it will be. We will accomplish the vision by appealing to our better selves and rising above petty differences. The only way to move forward is together! As we nurture a hyper vigilance about the changing fortunes of the world, we must maintain an unyielding faith in our people, our community and most importantly in our children.

Westerly Public Schools will be the premier school district in New England! To make this vision come to life the district has to be driven by a Theory of Action that defines its decision making parameters. Our Theory of Action describes Big Ideas and Simple Rules: Half-steps and small victories matter; people can and should own their success; Everything can be complex and ambiguous, we will strive to simplify and clarify; Yes, is the first answer to innovation; even our best can be better, there will always be more to do; and, all are welcome at the table of learning and discovery.

We are already the most connected and informed society in history. But more information does not mean deeper understanding. Our vision of the future expects teachers and students to be selective, to be reflective, and to take a moment to recognize where they are and what the world is doing. Our vision of the future includes schools that are well funded, well organized around the defined needs of our students, resources that are efficiently and effectively dispersed, staff that are fully invested in student success and students that are well prepared for their future. We will maintain high expectations for all and respect the uniqueness of all. The rigor of our learning process will be supported by our understanding of the needs of our learners. We see the walls of our schools and classrooms fading away and access and opportunity for all increasing as the world enters our classrooms through technology. We see new modes of instruction being freely implemented. We see our schools as places of acceptance, patience, compassion, benevolence and understanding. We see our schools as the bedrock of the quality of life for our entire community. A place where the doors are wide open, where joy and acceptance are evident, and anyone can come to learn, exchange ideas, share insights, describe adventures and be themselves.

We will improve SAT scores. We will improve graduation rate. We will improve math scores. We will improve choices for students. These along with other student performance data will be our measures of success.

We must hold on to our vision tenaciously and extend our reach, be our better selves, the quality of our children's lives rely on it. Our core beliefs, our goals, and our action plans will move us into the adventurous and optimistic future.

### **Mission Statement**

To create an inspiring, challenging, and supportive environment where students are encouraged and assisted in reaching their highest potential.

### **Equity Statement**

We believe that striving for equity is paramount for this mission to be realized. At WPS, equity means that all students are ensured the support, resources, and assistance they need to excel at their full potential. WPS is intentional, purposeful, and strategic about honoring all people because of and regardless of their differences. Simply put, every student gets what every student needs

### **Core Beliefs**

The core belief of Westerly Public Schools is all children can learn. It is our responsibility to assist in fostering a community of life-long learners with our students at its center. As educators, we know all children can achieve at high levels when provided with opportunities, sustenance, high expectations, and proper supports both in school and at home. As a learning community culture we strive to promote critical thinking and problem solving skills, to inspire creativity, and encourage risk taking among students and staff. We recognize that all children are unique and it is our responsibility to provide multiple pathways to success for our students and their families. Our staff is our most important resource and to provide for the best education of our students we are committed to developing their skill and ability.

### **School Committee Goals:**

- 1. Support Excellence in Student Performance***
- 2. Recruit, Retain and Develop Quality Staff***
- 3. Fully Engage Parents and Community***
- 4. Improve and Maintain the Westerly School Facilities***
- 5. Develop and Implement Comprehensive Financial Strategy***

# SCHOOL / PARENT / GUARDIAN / STUDENT /COMMUNITY

## COMPACT

A compact is a written document which defines the shared responsibility of the school, parents/guardians and community for helping students reach high academic standards. The school/student/parent/community compact is not a legal document, nor is it a document that requires signing; rather, it is a bond of trust that results from a process which allows parents/guardians, school personnel, students and community to come together to define and agree upon implementation. It is the responsibility of all to create and maintain a school environment that is conducive to learning. Clearly defined roles are essential to carrying out these responsibilities.

### **I. Families/Parents/Guardians will:**

- Communicate daily about school and stress the importance of education to their child;
- Provide encouragement and support aimed at motivating the student toward responsible behavior and participation within the school setting;
- Ensure that children are well-rested, nourished and appropriately dressed for school;
- Assist the child to be in regular attendance and arrive at school on time;
- Assume responsibility for child's behavior and teach compliance with school guidelines and rules;
- Help with and check homework assignments;
- Communicate regularly with school staff and schedule at least one teacher conference each year;
- Provide and return emergency information to enable immediate contact with family/parent/guardian in case of emergency;
- Be an active participant in career and post-high school educational planning.

### **II. Students will:**

- Come to school regularly, on time and ready to learn with a positive attitude for learning each day;
- Be prepared each day having homework completed and bringing all necessary books and supplies;
- Know and comply with all school guidelines and policies;
- Accept responsibility for their learning and actions;
- Show respect for all people and property;
- Maintain respect for culture and individual self-worth;
- Talk with family/parents/guardians about school.

### **III. The School will:**

- Recognize that all children can learn and hold high expectations for all;

- Welcome the family as a partner in education and encourage volunteerism, attendance at conferences, meetings, committees, etc.;
- Provide a strong curriculum for all and articulate clear academic expectations;
- Provide a learning environment that is conducive to teaching and learning;
- Provide an environment where responsible behavior is an expectation of all;
- Communicate regularly with homes via newsletters, websites, e-mail, phone calls, etc.;
- Inform parents/guardians and students of school attendance issues and academic progress;
- Discuss graduation requirements with high school students and assist with college planning.

#### **IV. The Community will:**

- Support family values;
- Partner with places of worship and other organizations to build healthy families;
- Come into the schools to share information and hold discussions on helpful topics;
- Encourage students to explore after-school recreational, educational and career-oriented activities;
- Provide volunteers to the schools when appropriate;
- Build partnerships between businesses and the schools.

## **Communication**

Elementary school web pages may be accessed under the “Select a School” tab on the Westerly Public Schools district website ([westerly.k12.ri.us](http://westerly.k12.ri.us)). In addition to school web pages, the website also hosts teacher profile pages for all Westerly Public Schools educators.

## **Support Services**

Westerly Public Schools offers consultation, referral, evaluation and/or supportive services from the school psychologists and social workers. These professionals offer a variety of recommendations to meet each student’s and/or family’s individual needs. These concerns include social, emotional, cognitive and behavioral issues that may be occurring at home, in school, in the community or across multiple settings. These issues warrant attention, particularly when learning is impacted and/or impairment in daily functioning is observed. Call your school to schedule an appointment.

## **Rhode Island Testing**

*RI Comprehensive Assessment System (RICAS)* English language arts and mathematics will be administered to students in grades 3-8. The state assessment for Grade 10 students is PSAT and for grade 11 students is the SAT, both of which will be administered during the school day. The new NGSS aligned state science assessment will be administered to students in grades 5, 8, and 11. Students eligible for alternative assessment will be administered the Dynamic Learning Maps (DLM) English language arts and mathematics in grades 3-8 and 11; science in grades 5, 8, and 11.

## **Homework**

Homework is considered a vital and integral part of a student’s school experience and is considered an extension of the daily classroom activity. It may take either written or oral form and, on occasion, outside events or activities may be used as a topic or assignment. These may include the assignment of a television program, an event in town such as the attendance at a town council meeting, or some other worthwhile learning experience.

Along with other valid reasons, homework should reinforce school learning; provide opportunity for independent thinking and the development of good work habits. It should also encourage profitable out of school leisure hours and allow the home and school to understand better each other’s aims.

### **How to Be a Homework Helper Tips for Parents, Guardians, and Caregivers<sup>®</sup>**

Children who do homework regularly are more likely to succeed in school. The following describes ways for you to support and encourage your child to accept homework as a fact of life and get it done!

1. Communicate your belief that homework is an important part of learning. When you show that you’re serious about homework, your child will take it more seriously.



2. Guidelines for homework:
  - For children in the primary grades (K-3): average of 15-30 minutes;
  - For children in the upper elementary grades (grade 4): average of 45 minutes;
  - Also, an additional 20 minutes of reading or being read to.
3. Work with your child to establish a homework schedule and do your part to honor it.
4. Provide a place where your child can work. It should be comfortable, adequately lit and free from distractions. Give your child some choices. If she wants to listen to soft instrumental music, sit on the floor or work in low light, that's okay-as long as she works for the expected amount of time and keeps up with the teacher's expectations. If these conditions are not met, she should do her homework at a table or desk in a quiet place until her work improves. When favorable reports start coming home from the teacher, let your child make choices again about the homework environment.
5. Create a "homework kit". Include pencils, rulers, glue, tape, erasers, a dictionary, a thesaurus, etc.-any materials your child needs to do homework. Keep everything together in a plastic storage bin or tote. Put smaller items in a zippered case.
6. Remember that your child's homework is *his* responsibility, not yours! You are only responsible for providing a place where he can work and for making sure that he isn't interrupted. Monitor incoming phone calls and don't allow visitors.

What if your child "forgets" her homework? Or what if the teacher doesn't give any homework on a particular day? Your child should use her regularly scheduled homework time to work on some other type of learning activity. *Examples:* looking at a newspaper, reading a book or a magazine, watching a TV program with an educational focus, writing a story or learning about a topic that interests her.

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### **Attendance**

Westerly Public Schools faculty and staff expect every student to be present the entire school day for as many of the 180 days as possible. Attendance is the responsibility of the student and parents/guardians. Therefore, the District seeks to develop a partnership with parents/guardians to encourage this attendance. The experiences of the classroom are important to the student's education and any missed days can never be fully regained. As such, the scheduling of vacations while school is in session is discouraged. Parents/guardians, teachers, administrators and guidance counselors will work with the student in a positive manner to encourage the student's attendance and to address special needs.

A student who is absent from school without proper authorization is truant. **Rhode Island General Laws, Section 16-19-1**, states in part:

“Every child who has completed six (6) years of life and has not completed eighteen (18) years of life shall regularly attend some public day school during all the days and hours that the public schools are in session in the city or town wherein the child resides; and every person having under his or her control a child as above described in this section shall cause the child to attend school as required by the above stated provisions of this section, and for every neglect of this duty the person having control of the child shall be fined not exceeding fifty dollars (\$50.00) for each day or part of a day that the child fails to attend school, and if the total of these days is more than thirty (30) school days during any school year, then the person shall, upon conviction, be imprisoned not exceeding six (6) months or shall be fined not more than five hundred dollars (\$500) or both.”

- When students are absent from school, it is requested that a parent/guardian call the school before 9 a.m.
- When a parent or guardian does not call by 9 a.m., a phone call will be made to the parent/guardian at home or at work. In cases where telephone contact cannot be made, the Attendance Officer may be sent to the student’s home.
- When a student reaches 10 days absent/tardy, a meeting will be scheduled with the school to define the problem and explain the consequences to the student and parent/guardian. Appropriate referral will be made on/or before this time to the Support Services Team, RI Family Court Truancy Court and Westerly Juvenile Hearing Board. For the purposes of truancy, an absence is only excused by a note from a physician or school nurse.
- All make-up work must be completed within a reasonable period of time.
- A student absent from school on a regular school day may not attend or participate in any after school activity that day. Any exception to this rule must be made by the administration prior to the student attending the activity. The administration reserves the prerogative to exercise judgment in cases where extenuating circumstances exist.
- Absences for students will be recorded as a full day, a tardy or early dismissal.

## WPS BEHAVIOR DEFINITIONS

<b>Minor Behavior (Teacher Managed)</b>	<b>Major Behavior (Office Managed)</b>
<ul style="list-style-type: none"> <li>• <u>Minor</u> rule violations that are brief, non-serious and low intensity, yet inappropriate</li> <li>• <b>Managed by the teacher/classroom staff, responses may include:</b> <ul style="list-style-type: none"> <li>○ Increase home-school communication</li> <li>○ Refer to and/or reteach school/classroom expectations and SEL lessons</li> <li>○ Implement Tier 1 practices, including Restorative Interventions (circles)</li> <li>○ Student conference</li> <li>○ Redirection/Verbal Warning</li> <li>○ Consult/referral with support staff</li> <li>○ Loss of Privilege/ Teacher Detention</li> <li>○ Refer to MTSS</li> <li>○ <a href="#">Tier I Instructional Strategies Toolbox</a></li> </ul> </li> <li>• Documented by the teacher/classroom staff</li> </ul>	<ul style="list-style-type: none"> <li>• Behavioral infractions occurring at a <u>frequency</u> and <u>intensity</u> that significantly disrupts the learning environment for all students</li> <li>• Behaviors that are <u>serious</u> and <u>deliberate</u> in nature</li> <li>• Behaviors that violate the dignity, well-being and safety of another person</li> <li>• <b>Managed by the administrator/designee, responses may include:</b> <ul style="list-style-type: none"> <li>○ Restorative Interventions (circles/conferences)</li> <li>○ Consult/Referral to support staff</li> <li>○ Referral to Student Assistance Counselor (SAT)</li> <li>○ Office Detention</li> <li>○ Social Suspension</li> <li>○ Early Dismissal from school</li> <li>○ Refer to MTSS</li> <li>○ Partial/Full Day in-school suspension</li> <li>○ Out of school suspension</li> <li>○ Notification to the Police/ SRO</li> <li>○ Notification to the Superintendent</li> <li>○ Additional discipline intervention which may include expulsion or assignment to an alternate placement</li> </ul> </li> <li>• Documented in Skyward/SWIS</li> <li>• Student conference and parent/guardian notification required</li> </ul>
<p style="text-align: center;"><b>Disrespect (minor)</b></p> <ul style="list-style-type: none"> <li>• Arguing/Talking Back</li> <li>• Name-calling</li> <li>• Eye-rolling</li> <li>• Using disrespectful/inappropriate language</li> </ul>	<p style="text-align: center;"><b>Disrespect (major)</b></p> <ul style="list-style-type: none"> <li>• Behavioral infractions occurring at a <u>frequency</u> and <u>intensity</u> that significantly disrupts the learning environment for all students</li> <li>• Use of threatening language</li> <li>• Swearing/aggressive language (directed at peers or adults)</li> </ul>
<p style="text-align: center;"><b>Disruptive (minor)</b></p> <ul style="list-style-type: none"> <li>• Talking out of turn/calling out/ Side conversations</li> <li>• Out of seat behavior, movement intended to distract others</li> <li>• Repetitive intentional noises</li> <li>• Inappropriate noise level</li> <li>• Off-task behaviors – any behavior not required to complete the task at hand (i.e. playing with an object, humming, tapping, etc.)</li> <li>• Throwing objects – not directed at an individual</li> </ul>	<p style="text-align: center;"><b>Disruptive/Disorderly Conduct (major)</b></p> <ul style="list-style-type: none"> <li>• Behavioral infractions occurring at a <u>frequency</u> and <u>intensity</u> that significantly disrupts the learning environment for all students</li> <li>• Loud, ongoing verbalizations and/or behaviors that repeatedly disrupt the learning environment</li> <li>• False Fire Alarm</li> </ul>

<p style="text-align: center;"><b>Inappropriate Language</b></p> <ul style="list-style-type: none"> <li>• Poor choice words</li> <li>• Swearing (conversational)</li> <li>• Language use that is inappropriate for the educational setting</li> </ul>	<p style="text-align: center;"><b>Abusive Language</b></p> <ul style="list-style-type: none"> <li>• Behavioral infractions occurring at a <u>frequency</u> and <u>intensity</u> that significantly disrupts the learning environment for all students</li> <li>• Threats (verbal or written)</li> <li>• Any language used with the intent of causing fear, intimidation, harassment or bullying</li> <li>• Profanity/derogatory language directed at another individual (staff or student)</li> </ul>
<p style="text-align: center;"><b>Lying/Cheating</b></p> <ul style="list-style-type: none"> <li>• Making false or untrue statements</li> <li>• Dishonesty in completion of an academic assignment</li> </ul>	<p style="text-align: center;"><b>Forgery/Plagiarism/Theft</b></p> <ul style="list-style-type: none"> <li>• Unauthorized use of information, materials, devices, sources or practices in completing academic activities</li> <li>• Taking items of high value</li> <li>• Taking adults' property</li> <li>• Signing a person's name without their permission</li> </ul>
<p style="text-align: center;"><b>Non-Compliance</b></p> <ul style="list-style-type: none"> <li>• Failure to respond to individual or group prompts</li> <li>• Refusing to follow directions</li> <li>• Skipping class</li> <li>• Leaving class without permission</li> <li>• Loitering/Wandering</li> <li>• Sleeping in class</li> <li>• Minor dress code violations</li> <li>• Unauthorized use of an electronic device during class time; cell phones visible and/or on</li> <li>• Continued low level, disruptive behavior after being asked to stop</li> </ul>	<p style="text-align: center;"><b>Defiance/Insubordination</b></p> <ul style="list-style-type: none"> <li>• Behavioral infractions occurring at a <u>frequency</u> and <u>intensity</u> that significantly disrupts the learning environment for all students</li> <li>• Overt refusal to follow adult requests</li> <li>• Insubordination</li> <li>• Leaving school boundary/grounds without permission</li> </ul>
<p style="text-align: center;"><b>Physical Contact</b></p> <ul style="list-style-type: none"> <li>• Non-serious, unwanted physical contact (ex. Physical play, rough housing, poking, etc.)</li> <li>• Disrespect of others' personal space</li> <li>• Play fighting</li> <li>• Throwing an object at another individual not intending to cause harm (i.e. snowballs)</li> </ul>	<p style="text-align: center;"><b>Physical Aggression/Assault</b></p> <ul style="list-style-type: none"> <li>• Behavioral infractions occurring at a <u>frequency</u> and <u>intensity</u> that significantly disrupts the learning environment for all students</li> <li>• Instigating a fight</li> <li>• Aggressive behavior (hitting, kicking, punching, pinching, hair pulling, throwing objects with intention of hurting)</li> <li>• Fighting/Physical contact resulting in injury</li> </ul> <p><b>NOTE - this offense requires an immediate office referral</b></p>
<p style="text-align: center;"><b>Property Misuse</b></p> <ul style="list-style-type: none"> <li>• Touching or taking items belonging to another person</li> <li>• Not respecting others' property</li> <li>• Minor vandalism (writing on desks, etc.)</li> <li>• Using materials inappropriately or for reasons other than the intended use</li> </ul>	<p style="text-align: center;"><b>Property Destruction/Vandalism</b></p> <ul style="list-style-type: none"> <li>• Behavioral infractions occurring at a <u>frequency</u> and <u>intensity</u> that significantly disrupts the learning environment for all students</li> <li>• Destroying or defacing another's property (ex. permanent damage, carving into desks, breaking materials, etc.)</li> <li>• Arson</li> </ul>
<p style="text-align: center;"><b>Teasing/Taunting</b></p> <ul style="list-style-type: none"> <li>• Unkind words/teasing directed at another individual</li> <li>• Purposefully excluding others</li> </ul>	<p style="text-align: center;"><b>Harassment/Bullying</b></p> <ul style="list-style-type: none"> <li>• <u>Ongoing</u> and <u>deliberate</u> misuse of power that intends to cause fear, embarrassment, intimidation, ridicule or diminished sense of self-worth</li> </ul>

<ul style="list-style-type: none"> <li>• Low intensity threats - single occurrence, not actionable</li> </ul>	<ul style="list-style-type: none"> <li>• Includes references regarding race, gender, ethnicity, sexual orientation, intelligence, socio economic status, physical size, appearance and/or hygiene</li> <li>• Stalking</li> <li>• Cyber-bullying</li> <li>• Prejudice/ Hate Crimes</li> </ul> <p><b>NOTE - this offense requires an immediate office referral</b></p>
<p style="text-align: center;"><b>Technology Misuse</b></p> <ul style="list-style-type: none"> <li>• Engaging in use of technology in an inappropriate, yet minor, manner (ex. being on the wrong website)</li> <li>• Non-compliance with school’s cell phone/home device policy</li> <li>• Unauthorized use of an electronic device during class time</li> </ul>	<p style="text-align: center;"><b>Technology Violation</b></p> <ul style="list-style-type: none"> <li>• Engaging in use of technology in a severely inappropriate manner (ex. sexually explicit content, weapons, cyberbullying, etc.)</li> </ul>
<p style="text-align: center;"><b>Unsafe Objects/Drawings</b></p> <ul style="list-style-type: none"> <li>• Objects used to create a nuisance or harm others or self, i.e. pencils, push pins, elastics, paper clips, spiked jewelry, etc.</li> <li>• Drawings of weapons</li> <li>• Violent writings, drawings, and/or conversations</li> </ul> <p><b>NOTE - this offense warrants consult/referral to mental health provider</b></p>	<p style="text-align: center;"><b>Weapons</b></p> <ul style="list-style-type: none"> <li>• Possession or use of any object that can cause or is used to cause serious bodily harm, i.e. razor blades, lighters, guns, knives, etc.</li> <li>• Possession or use of any imitation weapon</li> <li>• Threats involving weapons</li> </ul> <p><b>NOTE - this offense requires an immediate office referral</b></p>
	<p style="text-align: center;"><b>Sexual Harassment/Sexual Offense</b></p> <ul style="list-style-type: none"> <li>• Unwelcome and inappropriate sexual remarks or physical advances including, but not limited to explicit language, drawings, or gestures, intimidation, inappropriate touching, requests for sexual favors</li> <li>• Communication of sexual nature which is offensive to the recipient, including by use of technology</li> <li>• Causing discomfort or humiliation</li> <li>• Sexual act committed on another person without their consent or ability to consent</li> </ul> <p><b>NOTE - this offense requires an immediate office referral</b></p>
	<p style="text-align: center;"><b>Drugs/Alcohol</b></p> <ul style="list-style-type: none"> <li>• Possession or use of tobacco, drugs and/or alcohol while on school grounds</li> <li>• Possession or use of imitation drugs while on school grounds</li> <li>• Refer to School/District Policy</li> </ul> <p><b>NOTE - this offense requires an immediate office referral</b></p>

**Means of Intervention**

In the event that a school staff member refers a student to an administrator for disciplinary action, a written report of the incident is provided by the teacher and is recorded. A student's failure to comply with school rules and regulations may result in the school taking one or more of the following actions:

- Warning - Warnings in the form of contracts, verbal or written understandings or agreements and probation may be appropriate for some students.
- Time-Out - A student may be removed from the assigned class or classes for a "time-out" for a specific period of time or until certain conditions have been satisfactorily met. The school shall assist the student by providing instructional assignments or by making other special arrangements. The parent/guardian should be notified if this corrective measure is ineffective. In some schools, "time-out" may be served in the front office area.
- Counseling - Counseling with a student by an administrator or other school staff member may be useful in bringing about a desired change of behavior.
- Conference - Parent/guardian conferences are held in an effort to clarify student behavior and to seek help and cooperation from the parent/guardian.
- Mediation - This procedure is available in many schools to provide intervention and peaceful settlement of problems. School-Community Service Projects - Projects in and out of school may be assigned in lieu of other disciplinary action.
- Detention - Detention is held for a specified amount of time either before a student's first scheduled class or following the last scheduled class. Parent/guardian(s) will be given 24 hours' notice and may be responsible for providing transportation.
- Non-participation in School-Sponsored Activities - Restriction will be set for a fixed period of time or until certain specified requirements have been met. This corrective measure applies to all school sponsored activities.
- Extended School Day - ESD is designed to maintain educational services and to provide an additional response to inappropriate behavior prior to out of school suspension. ESD schedule will vary from school to school.
- Out of School Suspension - OSS may be given to any student who engages in behavior which disrupts the normal operation of any activity occurring on property under the control and/or direction of the Westerly Public Schools.
- Westerly Municipal Juvenile Hearing Board - JHB will hear civil or criminal matters which occur in or on property under the control and/or direction of the Westerly Public Schools.
- Exclusion - Exclusion is used in extreme situations to be determined by the Superintendent of schools.

### **Guidelines for Out of School Suspension**

See Appendix – New RI Discipline Procedures and Requirements for All Students under IDEA 2004 and RI Legislation.

### **Student Dress**

The tone and the atmosphere of a school are affected by the overall appearance of the students. Since choice of clothing directly affects the school environment and students' attitudes, careful consideration of wardrobe is important. This policy is an effort to promote school unity and pride, to ensure the health, welfare and safety of the members of the student body and enhance a positive image of students and the schools.

Students are asked to consider cleanliness, good taste and appropriateness in the selection of clothing to be worn in school. However true it is that one's appearance is a personal choice, it is

nevertheless the responsibility of the teachers and the school administration to maintain a reasonable standard of conduct and appearance. A decorum of modesty and appropriateness necessary for the educational environment is required; this determination will be made by the school administration.

1. Students should practice good grooming at all times.
2. Appropriate & safe footwear must be worn at all times.
3. Outerwear (coats, hats, bandanas, headbands, sunglasses, etc.) is restricted to lockers/coat areas and is not to be worn during the school day.
4. Any items of apparel or decoration thereon that cause a distraction/disruption in the classroom or school building are prohibited.
5. Any clothing or items that imply an obscene, drug/alcohol-related message or a violent message are prohibited. Students wearing such apparel will not be allowed to attend classes until such time as the clothing in question is changed and/or a parent/guardian is notified.
6. Undergarments, pajamas, bathing suits, etc., are not acceptable school attire.

Violation procedure is defined as follows:

First Infraction – The student will be reminded of the dress code policy by a school administrator or his/her designee and the parent/guardian will be notified. Student may be directed to change or cover clothing or parent/guardian may be asked to bring clothing to school.

Second Infraction – The student will be reminded of the dress code policy by a school administrator or his/her designee and the parent/guardian will be notified in writing. A copy of the dress code policy will be given to the parent/guardian. Student may be directed to change or cover clothing or parent/guardian may be asked to bring clothes to school. A conference with the parent/guardian may be required. A student may be excluded from school related activities if he/she continues to violate the dress code policy. Disciplinary action for students with IEPs or 504 plans must follow the Federal regulations. Any questions should be forwarded to the Director of Pupil Personnel Services.

### **Student Privacy**

All students possess the constitutional right to be secure in their persons, papers and effects against unreasonable searches and seizures. School officials will take particular care to respect students' privacy. However, if reasonable suspicions exist to suspect that the search will yield evidence of a student's violation of the law or school rules governing student conduct lockers or student property will be subject to search in accordance with Westerly Public Schools' policy. Westerly Public Schools is committed to protecting the health and welfare of all students, maintaining the security of the schools and promoting the effective operation of the schools.

School officials have authority to maintain order and discipline in the schools, on the property, at events and to protect students from exposure to illegal drugs, weapons and contraband, etc.

The Superintendent, the principal and other employees designated by the Superintendent will have the authority to conduct reasonable searches on school property and at activities controlled by the school department.

## **Searches of Students and Personal Property**

All students will be free from unreasonable searches of their persons, clothing and other personal property. A student is subject to search by school officials, however, if reasonable suspicions exist to suspect that the search will yield evidence of a student's violation of the law or school rules governing student conduct. Vehicles parked on school property or school controlled areas are also subject to search.

Any search of a student conducted by a school district employee must be reasonably related to the discovery of contraband or other evidence of a student's violation of the law or school rules.

For the purpose of this policy, "contraband" means items, materials or substances the possession of which is prohibited by law or district policy, including but not limited to, controlled substances, alcoholic beverages, tobacco products or any device which could pose a disruption to the learning environment or could be reasonably considered a firearm or a dangerous weapon. All criminal infractions, not limited to the above, will be referred to the Westerly Police Department for potential prosecution.

Employees will conduct searches in a manner which is not excessively intrusive in light of the age and sex of the student and the nature of the suspected infraction.

No student will be subject to a strip search or body cavity search by school employees.

## **Locker Searches**

Students may be assigned lockers for storing and securing their books, school supplies and personal effects. Lockers, desks and storage areas are the property of the school district. No right or expectation of privacy exists for any student as to the use of any locker issued or assigned to a student by the school.

No student may use a locker, desk or storage area as a depository for any substance or object which is prohibited by law or school rules or which poses a threat to the health, safety or welfare of the occupants of the school building or the building itself.

Any student's locker, desk or other storage area, including electronic devices, will be subject to search if reasonable grounds exist to suspect that the search will yield evidence of the student's violation of the law or school rules. Any search of an individual student's locker will be conducted according to policy governing personal searches.

All lockers may be searched at any time without prior notice. If the school official conducting such a search develops a reasonable suspicion that any container inside the locker, including but not limited to a purse, handbag, backpack, gym bag or an article of clothing, contains evidence of a student's violation of the law or school rules, the container may be searched according to policy governing personal searches.



## **Bus Transportation & Safety**

School bus transportation is a privilege provided by the Westerly Public Schools. A request for transportation must be made by the parent/guardian via the 2023-2024: School Year Transportation by going to the [WPS website](#). Because conduct on buses is directly related to the driver's control of the vehicle and to the safety of all students, Westerly Public Schools considers bus misconduct to be a serious offense and subject to disciplinary action. Bus drivers have the authority to enforce all bus rules and regulations. Student department may be monitored electronically.

Students must assume responsibility for their actions and behavior. They also have the responsibility to learn and follow the rules and regulations of bus and bus stop behavior. Parents/Guardians must also assume responsibility for the behavior of their children riding the bus as well as knowing the bus and bus stop rules and regulations. Parents/Guardians are responsible for their child's behavior and safety to, from and at the bus stop. Parents/Guardians at the elementary and middle school levels must give written permission for their child to use a different mode of transportation when a bus student is not going home on a bus. When school administrators receive written notification of student misbehavior, parents/guardians will be contacted and appropriate action will be taken. If permission to ride the bus is revoked, the parent/guardian must provide transportation to and from school until such time as bus privileges are reinstated.

### **Bus and Bus Stop Rules and Regulations**

Students are expected to observe the following rules and regulations for safety and courtesy on the bus and at the bus stop. Due to the community nature of the bus stop, problems of a criminal nature will be referred to the Westerly Police Department for resolution.

At the Bus Stop:

- Arrive at your assigned stop five minutes before bus pickup (students are not allowed to ride any school bus other than the one assigned to their address);
- Stand on the sidewalk or the edge of the street by the curb;
- Stay off private property;
- Do not stand on the traveled part of the road;
- Be respectful and watchful of traffic;
- Wait in a quiet and orderly manner.

When the Bus Arrives:

- Allow the bus to come to a complete stop;
- Cross in front of the bus;
- Stay at least 10 feet away from the bus on all sides;
- Board bus in a quiet and orderly manner.

#### On the Bus:

- Remain seated at all times and the driver has the right to assign seats;
- Cooperate with the driver and practice orderly conduct;
- The driver has the responsibility of controlling windows;
- No profanity, excessive noise (use reasonable tone of voice) or obscene behavior;
- No use of or possession of tobacco, illegal drugs or alcohol;
- No eating, drinking or gum chewing;
- No vandalism (students are responsible for any damage to the bus that they cause);
- No body parts or personal belongings outside bus;
- No animals are permitted;
- No unsafe objects or weapons;
- No throwing items from the bus or on the bus including litter on the floor;
- All school rules pertaining to behavior apply on the bus;
- Large items that cannot be stored safely will not be allowed on the bus;
- Decorations hanging from backpacks that could be a safety hazard are prohibited.

#### Exiting the Bus:

- Remain seated until the bus comes to a complete stop;
- Leave in an orderly manner;
- Leave only at your assigned bus stop;
- Stay at least 10 feet away from the bus on all sides;
- Cross in front of the bus.

***Bus loops are for buses only. Please be aware of areas designated for buses.***

#### **School Cancellation / Early Dismissal**

When school is cancelled, delayed or dismissed early due to inclement weather or other emergencies, parents will receive an automated phone call announcing the decision.

In addition, an announcement is made over local radio and television stations or by accessing the district website ([westerly.k12.ri.us](http://westerly.k12.ri.us)).

Announcements may also be made via Twitter and Facebook (Westerly Public Schools).

Middle and high school students are bused home first. All students will be expected to follow their usual routines when an early dismissal occurs (bus students on buses, walkers walk, etc.). If early dismissal requires a change of the normal routine, parents/guardians must inform the school of the change in advance so the school can assist when an early dismissal arises; without such a plan, the normal dismissal routine will be followed by school personnel.

#### **Parent/Community Volunteers**

Information on volunteering in our schools can be found on the district website ([westerly.k12.ri.us](http://westerly.k12.ri.us)) under the “Community” tab or at the following link: <https://www.westerly.k12.ri.us/domain/77>

## Appendix

### **Violence Prevention Policy No. 2032**

It is the policy of the Westerly School District, in accordance with the Attorney General's Task Force Against Violence in Schools, to prevent violence and promulgate that violence will not be tolerated in its schools. This policy represents an agreement between the Westerly Police Department and Westerly Public Schools to engage in cooperative efforts aimed at the prevention, reduction, and eventual elimination of violence in schools. It is only through this cooperation that we will maintain safety in our schools and promote a secure learning environment. This effort has been supported and will be monitored by the Attorney General's Task Force Against Violence in Schools.

In order to ensure success, the parties to this policy include superintendents, principals, teachers, school personnel, school bus drivers, school bus aides, and local police. The parties agree that:

1. All school staff members are under obligation to report any and all incidents of the possession and use of weapons by any person on school grounds to the principal, or his/her designee and police immediately.
2. All school staff members are under obligation to report any and all incidents of aggravated assaults on other persons or school staff to the principal or his/her designee. The Principal, or his/her designee, will determine whether an assault is aggravated so as to constitute police involvement. Police will be notified by the principal or his/her designee.
3. The principal, or his/her designee, will coordinate all procedures in these matters with police and will report said incidents to the superintendent or designee.
4. Upon a report of said incidents, the police department will conduct an investigation with school officials to determine what course of action will be taken. The parents of persons subject to an investigation will be notified by the school officials immediately.
5. Where appropriate, and in accordance with the recommendations of the Attorney General's Law Enforcement subcommittee's policy, police will pursue criminal action against said persons.
6. School staff members will cooperate with prosecuting authorities as persons charged with such offenses. This may include revealing information to police and testifying at proceedings when necessary.
7. The Juvenile Department of the police will record all occurrences in a log entitled "Violence in Schools". Such record will include the nature of the incident, school official and law enforcement efforts and the disposition of the case, if any.
8. The school will keep a similar running log of all such incidents.
9. The police department may notify school officials of arrests of persons made if it appears that person arrested and victim attended the same school. Police may notify the school the first school day following the incident.

10. Any suspicions of weapons or assault incidents must be reported to the principal or his/her designee immediately. The principal, or his or her designee, shall share this information with the local police immediately when such suspicion presents a dangerous situation.
11. School Administration and Law Enforcement will share such important information in prevention of future violence.
12. The procedures contained in this policy should be consistent with a zero tolerance for violence in schools.

This represents an agreement between Law Enforcement and School Officials to effectuate an open line of communication to better deal with and prosecute those persons who pose a threat to the safety of students in schools.

Adopted: November 17, 1995

Amended: June 3, 2009

### **Physical Threat Policy No. 2033**

#### **Purpose:**

Westerly Public Schools are committed to maintaining a safe learning environment for all staff and students. Persons found to have made threats of violence or harm against district, students, staff, or property shall be subject to relevant district discipline policies and procedures and will be referred to the appropriate community agencies including law enforcement and mental health services if necessary.

#### **Definitions:**

**Individual-directed threats of violence or harm** are communications that create fear of physical harm to a specific individual or individuals, communicated directly or indirectly by any means.

**Building directed threats of violence or harm** are direct or indirect communications by any means of the intent to cause damage to a school building or school property and or harm multiple students, staff, volunteers, or visitors to said school facility.

A **risk assessment** is a set of tools and a procedure to use when a member or members of the school staff determine a student may pose a risk to the safety of him/herself or others. The term risk assessment refers to both the process of gathering information and the written documents that are produced as a result of an assessment.

#### **Reporting:**

All Westerly Public Schools staff, students, volunteers, and others involved in school activities have the responsibility to report any threats of violence or harm to the proper school officials immediately and/or without delay. Types of threats include, but are not limited to, verbal, written, or posted on social media and may be specific or broad in nature.

**Response to threats:**

ALL threats shall be recorded and investigated. Once a report of a threat made by a student has been received by school officials the crisis response team shall be notified and an immediate risk assessment shall be completed following the WPS risk assessment guidelines to determine the threat level. The team shall follow their protocols as outlined in the WPS risk assessment guidelines and take all necessary steps to evaluate the threat and the person(s) who made the threat. Based on the significance and level of the threat it shall be reported to law enforcement for any action they determine as appropriate. Any and all school discipline that may take place shall be consistent with district policy, state and federal law.

**Communication:**

Professional communications during any event is essential to properly manage the situation, reduce fear and anxiety, control false rumors, and keep staff, students, families, and others properly informed. To promote the safety of all concerned; staff and or students and their families who are the subject of threats of violence or harm shall be notified of the threat immediately and/or without delay following the completion of a risk assessment and in accordance with the WPS risk assessment guidelines. Relevant information that does not improperly identify a student shall be provided to the subject of a threat, and the subject shall be advised if law enforcement has been involved in the matter.

Building administrator will consult with the Superintendent of Schools and his/her designee to determine if further notifications will be made to staff, students, others involved in school activities, and families and the proper venue for these notifications to be made. Examples of such notifications would be conducting a staff meeting either before or after the school day, email or text messages to staff, automatic phone messaging systems, or any other appropriate delivery system. Specific details of any notification(s) will be as extensive as permitted by the Federal Family Educations Rights and Privacy Act (FERPA), other legal limitations and circumstances.

This policy shall be reviewed annually by all Westerly Public Schools staff.

**Legal Reference or Authorities:**

Family Educational Rights and Privacy Act (FERPA)  
Individuals with Disabilities Education Act (IDEA)  
Westerly Public Schools – Risk Assessment Guidelines

Adopted: March 4, 2015

**Bullying Policy No. 2034****INTRODUCTION**

This Statewide Bullying Policy is promulgated pursuant to the authority set forth in §16-21-34 of the General Laws of Rhode Island. Known as the Safe School Act, the statute recognizes that the bullying of a student creates a climate of fear and disrespect that can seriously impair the student's health and negatively affect learning. Bullying undermines the safe learning environment that students need to achieve their full potential. The purpose of the Policy is to ensure a consistent and unified statewide approach to the prohibition of bullying at school.

## 1. DEFINITIONS

**BULLYING** means the use by one or more students of a written, verbal or electronic expression or a physical act or gesture or any combination thereof directed at a student that:

- a. Causes physical or emotional harm to the student or damage to the student's property;
- b. Places the student in reasonable fear of harm to himself/herself or of damage to his/her property;
- c. Creates an intimidating, threatening, hostile, or abusive educational environment for the student;
- d. Infringes on the rights of the student to participate in school activities; or
- e. Materially and substantially disrupts the education process or the orderly operation of a school.
- f. The expression, physical act or gesture may include, but is not limited to, an incident or incidents that may be reasonably perceived as being motivated by characteristics such as:
- g. Race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression or mental, physical, or sensory disability, intellectual ability or by any other distinguishing characteristic.

Bullying most often occurs as repeated behavior and often is not a single incident between the bullying/cyber-bullying offender(s) and the bullying victim(s).

**CYBER-BULLYING** means bullying through the use of technology or any electronic communication, which shall include, but not be limited to, any transfer of signs, signals, writing, images, sounds, data, texting or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to, electronic mail, Internet communications, instant messages or facsimile communications.

Forms of cyber-bullying may include but are not limited to:

- a. The creation of a web page or blog in which the creator assumes the identity of another person;
- b. The knowing impersonation of another person as the author of posted content or messages; or
- c. The distribution by electronic means of a communication to more than one person or the posting of materials on an electronic medium that may be accessed by one or more persons, if the creation, impersonation, or distribution results in any of the conditions enumerated in clauses (a) to (e) of the definition of bullying.

**AT SCHOOL** means:

- a. on school premises,
- b. at any school-sponsored activity or event whether or not it is held on school premises,
- c. on a school-transportation vehicle,
- d. at an official school bus stop,
- e. using property or equipment provided by the school, or
- f. acts which create a material and substantial disruption of the education process or the orderly operation of the school.

## 2. SCHOOL CLIMATE

Bullying, cyber-bullying, and retaliation against any person associated with a report of bullying or the investigation thereof is prohibited in all schools that are approved for the purpose of the compulsory attendance statute (§§16-19-1 and 16-19-2). School staff shall take all reasonable measures to prevent bullying at school. Such measures may include professional development and prevention activities parental workshops, and student assemblies among other strategies. School faculty, administration and staff, at all times, will model courteous behavior to each other, to students, and to school visitors.

Abusive or humiliating language or demeanor will not be accepted. Additionally, students and their families are expected to exhibit courteous behavior to all members of the learning community in school and at school sponsored events.

## 3. POLICY OVERSIGHT and RESPONSIBILITY

The school principal, director, or head of school shall be responsible for the implementation and oversight of this bullying policy.

The school principal, director, or head of school shall provide the superintendent, school committee and/or school governing board with a summary report of incidents, responses, and any other bullying-related issues at least twice annually.

For public schools, the prevention of bullying shall be part of the school district strategic plan (§ 16-7.1-2(e)) and school safety plan (§16-21-24).

## 4. INFORMATION DISSEMINATION

The school principal, director or head of school shall ensure that students, staff, volunteers, and parents/legal guardians are provided information regarding this Policy. This information shall include methods of discouraging and preventing this type of behavior, the procedure to file a complaint, and the disciplinary action that may be taken against those who commit acts in violation of this policy.

This policy shall be:

- a. Distributed annually to students, staff, volunteers, and parents/legal guardians
- b. Included in student codes of conduct, disciplinary policies, and student handbooks
- c. A prominently posted link on the home page of the school /district website

## 5. REPORTING

The school principal, director or head of school shall establish, and prominently publicize to students, staff, volunteers, and parents/guardians, how a report of bullying may be filed and how this report will be acted upon (See attached sample Report Form).

The victim of bullying, anyone who witnesses an incidence of bullying, and anyone who has credible information that an act of bullying has taken place may file a report of bullying.

Any student or staff member who believes he/she is being bullied should immediately report such circumstances to an appropriate staff member, teacher or administrator.

Parents / Guardians of the victim of bullying and parents/ guardians of the alleged perpetrator of the bullying shall be notified within twenty-four (24) hours of the incident report. When there is a reasonable suspicion that a child is either a bully or a victim of bullying, the parents/ guardians of the child will be notified immediately by the principal, director or head of school.

**Responsibility of Staff:** School staff, including volunteers, who observe an act of bullying or who have reasonable grounds to believe that bullying is taking place must report the bullying to school authorities.

Failure to do so may result in disciplinary action.

**Responsibility of Students:** Students who believe they have been bullied are strongly encouraged to report the incident immediately. Any retaliation will be treated as a separate incident. Students who observe an act of bullying or who have reasonable grounds to believe that bullying is taking place must report the bullying to school authorities. Failure to do so may result in disciplinary action. The victim of bullying, however, shall not be subject to discipline for failing to report the bullying. Student reports of bullying or retaliation may be made anonymously, provided, however, that no disciplinary action shall be taken against a student solely on the basis of an anonymous report.

**Prohibition against Retaliation:** Retaliation or threats of retaliation in any form designed to intimidate the victim of bullying, those who are witnesses to bullying, or those investigating an incident of bullying shall not be tolerated. Retaliation or threat of retaliation will result in the imposition of discipline in accordance with the school behavior code.

**False Reporting/Accusations:** A school employee, school volunteer or student who knowingly makes a false accusation of bullying or retaliation shall be disciplined in accordance with the school behavior code.

**Reports in Good Faith:** A school employee, school volunteer, student, parent/ legal guardian, or caregiver who promptly reports, in good faith, an act of bullying to the appropriate school official designated in the school's policy shall be immune from a cause of action for damages arising from reporting bullying.

## 6. INVESTIGATION/RESPONSE

The school principal, director or head of school shall promptly investigate all allegations of bullying, harassment, or intimidation. If the allegation is found to be credible, appropriate disciplinary actions, subject to applicable due process requirements, will be imposed. The School Resource Officer or other qualified staff may be utilized to mediate bullying situations.

The investigation will include an assessment by the school psychologist and/or social worker of what effect the bullying, harassment or intimidation has had on the victim. A student who engages in continuous and/or serious acts of bullying will also be referred to the school psychologist and/or social worker.



Police Notification: Immediate notification of the local law enforcement agency will be made when circumstances warrant the pursuit of criminal charges against the perpetrator.

Protection: If a student is the victim of serious or persistent bullying:

- a. The school principal, director or head of school will intervene immediately to provide the student with a safe educational environment.
- b. The interventions will be developed, if possible, with input from the student, his or her parent/guardian, and staff. Once the intervention is in place, the expectation is for the resumption of the normal routine.
- c. The parents/ guardians of a victim shall also be notified of the action taken to prevent any further acts of bullying or retaliation.

## 7. DISCIPLINARY ACTION

The disciplinary actions for violations of the bullying policy shall be determined by the school/district appropriate authority. Disciplinary actions for violations of the bullying policy shall balance the need for accountability with the need to teach appropriate behavior. The severity of the disciplinary action shall be aligned to the severity of the bullying behavior.

The range of disciplinary actions that may be taken against a perpetrator for bullying, cyber bullying or retaliation shall include, but not be limited to:

- a. Admonitions and warnings
- b. Parental/ Guardian notification and meetings
- c. Detention
- d. In-school suspension
- e. Loss of school-provided transportation or loss of student parking pass
- f. Loss of the opportunity to participate in extracurricular activities
- g. Loss of the opportunity to participate in school social activities
- h. Loss of the opportunity to participate in graduation exercises or middle school promotional activities
- i. Police contact
- j. School suspension: No student shall be suspended from school unless it is deemed to be a necessary consequence of the violation of this Policy.

## 8. SOCIAL SERVICES/COUNSELING

Referral to appropriate counseling and/or social services currently being offered by schools or communities shall be provided for bullying victims, perpetrators and appropriate family members of said students.

## 9. SOCIAL NETWORKING

Students shall be prohibited from accessing social networking sites in school, except for educational or instructional purposes and with the prior approval from school administration.

## 10. OTHER REDRESS

This section does not prevent a victim of bullying, cyber-bullying or retaliation from seeking redress under any other available law, either civil or criminal. This section does not create or alter any tort liability.

## 11. ADOPTION OF POLICY

The governing bodies of all schools approved for the purpose of §§16-19-1 and 16-19-2 shall adopt this Policy by June 30, 2012.

Adopted: June 20, 2012

### **Responsible Use and Internet Safety Policy 2300**

(In accordance with Children's Internet Protection Act [CIPA] and Rhode Island General Law 16-21-33 and 16-21-34)

## RESPONSIBLE USE OF TECHNOLOGY

### Purpose

The Westerly Public Schools shall provide access for employees and students to technology resources, including access to external networks, for educational purposes. Educational purposes shall be defined as classroom activities, career and professional development, and high quality self-discovery activities of an educational nature. The purpose of our technology resources is to assist in preparing students for success in life and work by providing access to a wide range of information and the ability to communicate with others. The technology resources will be used to increase communication (staff, parent, and student), enhance productivity, and assist staff in upgrading existing skills and acquiring new skills through a broader exchange of information. The technology resources will also be utilized to provide information to the community, including parents, governmental agencies, and businesses.

### Availability

The Westerly Public Schools make no warranties of any kind, whether expressed or implied for the service it is providing. The district will not be responsible for any damages suffered. This includes loss of data resulting from delays, non-deliveries, mis-deliveries, or service interruptions caused by negligence, errors, or omissions. Use of any information obtained via the district Intranet or the Internet is at your own risk. The Westerly Public Schools specifically denies any responsibility for the accuracy or quality of information obtained through its services.

Access to technology resources, including external networks, shall be made available to employees and students for instructional and administrative purposes and in accordance with administrative regulations and procedures. Access to technology resources is a privilege, not a right. All users shall be required to acknowledge receipt and understanding of all administrative regulations and procedures governing use of technology resources and shall agree in writing to comply with such regulations and procedures. Noncompliance with the Responsible Use Policy may result in suspension or termination of user privileges, confiscation of device, and/or other disciplinary actions consistent with the policies and student handbooks of the Westerly Public

Schools. Violations of law may result in criminal prosecution as well as disciplinary action by the Westerly Public Schools.

## Responsible Use

The Director of Technology or designee shall develop and implement administrative regulations, procedures, and user agreements, consistent with the purposes and mission of the Westerly Public Schools as well as with law and policy governing copyright.

## Internet Responsible Use and Internet Safety Policy

Westerly Public Schools is pleased to offer all students and staff in our district access to network and wired and wireless Internet services. The increased use of Internet and “so-called” cloud based resources requires that administrators, teachers, library media specialists, students and parents take steps to ensure when used responsibly, these tools and the resources available are appropriate for use in K-12 instruction.

The use of the network is a privilege, not a right, which may be revoked at any time for abusive conduct, outlined, but not limited to, the terms within this policy.

1. Security: Referring to the Westerly Public Schools Safety Plan, the security on any computer system is a high priority, especially when the system involves many users. If you feel you can identify a security problem on the Internet, you must notify a building administrator.
2. Vandalism: Vandalism will result in cancellation of privileges. Vandalism is defined as malicious attempt to harm or destroy physical equipment or data of another user, Internet, or any of the above listed agencies or other networks that are connected to the district Internet backbone. This includes, but is not limited to, the uploading or creation of computer viruses.
3. Filtering: Internet accessibility will be filtered in accordance with Children’s Internet Protection Act, to limit the users to educationally appropriate sites, as determined by Westerly Public Schools. As the same time, we are aware that material on the Internet is uncensored and we can make no guarantee that information found on the Internet will be valuable, reliable or inoffensive.
4. Electronic Theft: Copying software, files or MP3s without the permission of the author is "copyright infringement," for which the law imposes penalties. This is true even in a K12 education environment. Copyrighted material or software must not be placed on any system without the permission of the author or publisher. This is detailed in an End User License Agreement or EULA Permission must be specified in the document, on the system, or must be obtained directly from the author, or publisher. It is not permissible to install single use copies of software onto multiple computers. Due to system security and standardization, only persons authorized by the Director of Technology may install software.
5. Acceptation of Terms and Conditions: All terms and conditions as stated in this document are applicable to the Westerly Public Schools. These terms and conditions reflect the entire agreement of the parties and supersede all prior oral or written agreements and

understandings of the parties. These terms and conditions shall be governed in accordance with the laws of the State of Rhode Island, and the United States of America.

## CIPA Compliance

Westerly Public Schools has taken measures to comply with The Children's Internet Protection Act (CIPA), requiring schools and libraries that receive discounted Internet service and equipment under the Federal "e-rate", ESEA Title III (TLCF) and LSTA programs to implement an Internet Safety Policy. The filtering solution put in place by Westerly Public Schools and delivered by OSHEAN meets the stated requirements specified below as a Technology Protection Measure. Furthermore, this Responsible Use Policy, along with classroom supervision, meets the requirements as outlined in an Internet Safety Policy below. Compliance with CIPA allows our district to apply for E-Rate discounts under guidelines of this program. See the following link for more information: <http://www2.ri.net/Page/View/Services/Filtering>

Adopted: March 16, 2005

Revised: January 3, 2007

Revised: May 29, 2007

Revised: June 20, 2007

Revised: June 3, 2009

Revised: June 5, 2013

## **Bring Your Own Device Policy 2302**

In accordance with Children's Internet Protection Act (CIPA) and Rhode Island Public Law and WPS Policy No.2300 Responsible Use and Internet Safety Policy

As new technologies continue to change the world in which we live, they also provide many new and positive educational benefits for classroom instruction. To encourage this growth, students at Westerly Public Schools may bring their own technology devices to campus in accordance with elementary, middle school and high student handbooks respectively.

### Definition of "Technology Device"

For purposes of BYOD, "Technology Device" means privately owned wireless and/or portable electronic hand held equipment that includes, but is not limited to, "smartphones", existing and emerging mobile communication systems and smart technologies, portable internet devices, Personal Digital Assistants (PDAs), hand held entertainment systems or portable information technology systems that can be used for word processing, wireless Internet access, image capture/recording, sound recording and information transmitting/receiving/storing, etc. It is expected that devices not yet invented or in production will fall under this protocol.

### Internet

Only the internet gateway provided by the school may be accessed while on campus. Personal internet connective devices such as but not limited to cell phones / so called "hot spots" are not permitted to be used to access outside internet sources at any time. Access to all school network services may not be possible from all devices. Student home directories allow downloading files but not always uploading files. Upload limits may apply. Internet accessibility will be filtered in

accordance with the Children's Internet Protection Act. Westerly Public Schools makes every attempt to comply with CIPA and to provide access to educationally appropriate sites. All stakeholders should recognize filtering does not and should not replace adult supervision.

## Security and Damages

Responsibility to keep the device secure and configured rests with the individual owner. Neither the Westerly Public Schools System, nor its staff or employees, is not liable for any device stolen or damaged on campus. If a device is stolen or damaged, it will be handled through the administrative office similar to other personal artifacts that are impacted in similar situations. The school district has the right to collect and examine any device that is suspected of causing problems or is suspected as the source of an attack or virus infection. The school's network filters may be applied to one's connection to the internet and attempts will not be made to bypass them. Bringing on premises or infecting the network with a Virus, Trojan, or program designed to damage, alter, destroy, or provide access to unauthorized data or information is a violation of the Responsible Use Policy. Processing or accessing information on school property related to "hacking," altering, or bypassing network security policies is in violation of the RUP.

Adopted: June 5, 2013

## **Residency Policy No. 2510**

### **Residency Requirements**

#### 1. Policy

- a. Only children who reside in Westerly, residency being defined by the Rhode Island General Laws 16-64-1, and who are legally under the control of the adults with whom they reside shall be allowed to attend the Westerly Public Schools.
- b. Parents/Guardians of non-resident children may request, in writing, from the Superintendent of Schools, permission for a child or children to attend Westerly Public Schools at a tuition rate established by the School Committee. Transportation for nonresident students will not be provided.
- c. Parents/Guardians who will be leaving Westerly prior to the end of the school year may request in writing, permission to allow their children to attend Westerly Public Schools in accordance with the provisions of Rhode Island General Law 16-64-8. When a student changes his/her residence during the course of a semester, the student shall be allowed to complete the semester in Westerly. If the student is a senior or about to enter his/her senior year, the student shall be allowed to complete his/her senior year in Westerly as long as the student has sufficient credits which will enable him/her to graduate upon completion of one additional year.
- d. Parents/Guardians who will be moving to Westerly soon after the school year begins may request in writing, permission to allow their children to attend Westerly Public Schools. Said request must include any Purchase and Sale Agreement or Lease Agreement for the intended place of residence and a projected date of occupancy for the residence. Parents/Guardians will be required to pay tuition beginning on the first day and must make, at a minimum, payment for the quarter. If the parents/guardians take up residency in the community within forty-five (45) school days from the start of school, the tuition

will be refunded in full. If residency takes place after the forty-fifth (45th) school day, tuition will then be charged on a per diem rate for all days attended as a non-resident.

## 2. Procedure

- a. Affidavit of Residence will be required to be completed by all enrolled students.
- b. Each principal shall submit to the Superintendent of Schools the name of any students in his/her school whom he/she suspects may not be residents of Westerly.
- c. The Superintendent shall investigate each referral to ensure residence requirements are enforced.

Adopted: October 31, 2001

Revised: January 3, 2007

### **Student Nutrition & Physical Activity Policy No. 5010**

#### Policy Intent/Rationale:

The Westerly Public Schools promotes healthy schools by supporting wellness, good nutrition, and regular physical activity as part of the total learning environment. The District supports a healthy environment where children learn and participate in positive dietary and lifestyle practices. Schools contribute to the basic health status of children by facilitating learning through the support and promotion of good nutrition and physical activity. Improved health optimizes student performance potential and ensures that no child is left behind.

- A. Provide a comprehensive learning environment for developing and practicing lifelong wellness behaviors.

The entire school environment, not just the classroom, shall be aligned with healthy school goals to positively influence a student's understanding, beliefs and habits as they relate to good nutrition and regular physical activity. A healthy school environment should not be sacrificed because of a dependence on revenue from high added fat, high added sugar, and low nutrient foods to support school programs.

- B. Support and promote proper dietary habits contributing to students' health status and academic performance.

All foods available on school grounds and at school-sponsored activities during the instructional day should meet or exceed the RI and USDA Nutrition Standards and guidelines. Emphasis should be placed on foods that are nutrient dense per calorie. To ensure high quality, nutritious meals, foods should be served with consideration toward variety, appeal, taste, safety, and packaging.

- C. Provide more opportunities for students to engage in physical activity.

A quality physical education program is an essential component for all students to learn about and participate in physical activity. Physical activity should be included in a school's daily education program from grades K through 12. Physical activity should include regular

instructional physical education, in accordance with The Rhode Island Physical Education Framework, as well as co-curricular activities and recess.

D. Improve academic performance in high-risk groups so that no child is left behind.

Educators, administrators, parents, health practitioners and communities must consider the critical role student health plays in academic stamina and performance and adapt the school environment to ensure students' basic nourishment and activity needs are met. To ensure widespread understanding of the benefits to school environments where nutritious foods are provided and where students have an opportunity for physical activity, a public awareness campaign that highlights research demonstrating the positive relationship between good nutrition, physical activity, and capacity of students to develop and learn should be conducted.

E. Establish and maintain a district-wide Health and Wellness Committee as a School Committee subcommittee and chaired by a School Committee member, as directed by RIGL 16-21-28, with the purpose of:

- developing guidance to explicate this policy
- monitoring the implementation of this policy
- evaluating policy progress
- serving as a resource to school sites, (e.g. providing lists of healthy incentives, snacks, etc.)
- revising policy as necessary
- development of policies, strategies, and implementation plans that promote purchasing and serving locally grown fruits, vegetables and dairy products and that meet the requirements of the child nutrition and WIC Reauthorization Act of 2004.
- making recommendations regarding the district's health education curriculum and instruction, physical education curriculum instructions and nutrition and physical activity polices to decrease obesity and enhance the health and well-being of students and employees.

The subcommittee will meet as often as is necessary, with the goal of meeting at least four times per year per best practice recommendations of Alliance for a Healthier Generation, Action for Healthy Kids, and Centers for Disease Control and Prevention. The subcommittee membership "shall consist of members of the general public, a majority of whom are not employed by the school district, including at least one parent" (RIGL 16-21-28). In addition, the membership will include, where possible, the following members as encouraged by RIGL 16-21-28:

- administrator;
- students;
- community and school-based health professionals;
- business community representatives;
- representatives of local and statewide nonprofit health organizations

Additionally, the membership may include:

- District Food Service Director/Manager
- Dietitian
- Local Health Practitioner (e.g., pediatrician, dentist, or other appropriate certified medical professional)
- School Nurse-Teacher
- A parent representative from each school
- A student representative from each school
- Staff member representative from each school
- A School Committee/Board member
- District Administrative Representative
- Health / Physical Education Teacher
- Family & Consumer Sciences Teacher
- Local Community Partners (e.g. Boys & Girls Club, YMCA)

Nutrition Education and Wellness Promotion:

General Wellness:

Westerly Public Schools will adhere to RI Rules and Regulations for School Health Programs (R16-21-SCHO) and the Centers for Disease Control and Prevention's Whole School, Whole Community, Whole Child (WSCC) model.

Schools promotion of lifelong habits of healthy eating and physical activity will establish linkages between health education and school meal programs and with related community services.

Nutrition and wellness will be supported by Westerly Public Schools administration and the Health and Wellness Committee, using the CDC's WSCC approach to comprehensive school wellness. The WSCC model includes ten (10) components:

- Physical Education and Physical Activity
- Nutrition Environment and Services
- Health Education
- Social and Emotional School Climate
- Physical Environment
- Health Services
- Counseling, Psychological and Social Services
- Employee Wellness
- Community Involvement
- Family Engagement

Each school will engage families, providing information to meet District Wellness goals via District website, school newsletters, email, events and other available resources.



### Student Nutrition and Wellness Education:

- Westerly Public Schools shall have a comprehensive, standards based, age appropriate health education program for grades K-12, in accordance with RI General Law (16-22-4), that includes nutrition themes and topics in accordance with the RI Department of Education Health Education Framework.
- Nutritional themes will also be integrated across the core curriculum into daily lessons as appropriate.
- Students will receive nutrition education that fosters the adoption and maintenance of health eating behaviors.
- Nutrition education and wellness promotion will be linked with the entire school food environment with consistent nutrition messages throughout cafeteria programs, health fairs, field trips, after school programing and assemblies.

The district nutrition policy reinforces nutrition education to help students practice these themes in a supportive school environment.

### Staff Nutrition and Wellness Education/Promotion

Westerly Public Schools highly values the health and well-being of every staff member and will plan and implement activities and policies that support personal efforts made by staff to maintain a healthy lifestyle. Staff will be encouraged to model healthy eating and physical activity as a valuable part of daily life.

The Health and Wellness Committee and Westerly Public Schools will develop a plan to encourage, promote, reward and support school and administrative staff health and wellness by encouraging all staff to improve their own personal health and wellness creating a positive role model for students, and by building the commitment of staff to include the school nutrition and physical activity environment.

### Parent Nutrition and Wellness Education:

- Nutrition education will be provided to parents beginning at the elementary level. The goal will be to continue to educate and engage parents throughout middle and high school levels.
- Nutrition education may be provided in the form of handouts, postings on the district website, articles and information provided in district or school newsletters, presentations and events that focus on healthy eating, physical activity and healthy lifestyles, and through any other appropriate means available for reaching parents.

### Nutrition Guidelines for All Foods at School:

The integrity of the school nutrition environment depends on the quality of ALL foods and beverages sold or served at school in Grades K- -12. Foods that provide little nutritional value

compete with healthy eating at school. The School District must also consider the need to protect students with special dietary concerns. The RI and USDA Nutrition Standards shall address ALL food beverages sold or served to students, including in the cafeteria, from vending machines, in school stores, as part of school-wide or classroom celebrations and anywhere on school premises.

#### Reimbursable Meal Program

The Westerly Public Schools will work closely with its District Food Service Director/Manager to offer affordable, nutritious, and appealing meals, including breakfast and lunch, snacks and beverages in compliance with the RI and USDA Nutrition Standards, in order to meet nutritional needs and optimize learning. All schools will participate in the full Breakfast (SBP) and Lunch (NSLP) programs and will meet both the USDA Nutrition Standards for School Meals as well as the Rhode Island Nutritional Requirements (RINR) (See Addendum #6 & #7).

- All meals will promote fresh fruits and vegetables, whole grains, low-fat and low sodium unprocessed items, in accordance with the current USDA Dietary Guidelines for Americans (See Addendum #8).
- As part of the District's responsibility to operate a high-quality food service program, qualified nutrition professionals will administer the meal program and professional training and development will be offered for all food service staff working in the schools, as appropriate for their levels of responsibility and in compliance with current USDA professional standards. Training sessions will be offered for staff working directly under the food service provider as well as for district/school staff assigned to meal supervision duty in order to best promote the importance of healthy eating, food safety and positive healthy lifestyle role modeling, in a clear and consistent way among all school personnel.
  - Schools will make every effort to eliminate any social stigma attached to students who are eligible for free/reduced price school meals and will prevent the overt identification of students who are eligible for free/reduced meals by using an electronic identification/payment system.
  - The District will ensure that all children eligible for free/reduced meals will have the opportunity to participate in the SBP and NSLP by engaging in frequent outreach to families and coordination with local agencies involved in food security issues.
  - The District will notify students, families/guardians of the availability of the Breakfast program and use methods to serve breakfasts that encourage participation, including but not limited to breakfast before school, grab-n-go style breakfast, etc.
  - Information on the nutritional content and ingredients of meals will be available to students and parents, as requested.
  - Food service will procure, serve and promote locally sourced RI products as much as possible.
  - Schools and School Food Service Providers will engage students and parents through various means to encourage participation in school meals and to assist in identifying new, healthy and appealing food choices within the program to promote healthier eating habits.
  - Due to food allergies, students are discouraged from sharing food amongst themselves. Share Tables will be utilized in the cafeteria as a way to reduce waste

of non-perishable foods and whole fruit (in accordance with RIDE-RIDOH guidance).

#### Cafeteria Environment:

- A cafeteria environment that provides students with a relaxed, enjoyable climate shall be developed. The cafeteria environment is a place where students have:
  - Adequate space to eat and clean, pleasant surroundings;
  - Adequate time to eat meals. (The American School Food Service Association recommends at least 20 minutes for lunch from the time students are seated with their food); and
  - Convenient access to hand washing or hand sanitizing facilities before meals.

Students and staff will have access to free, safe and fresh drinking water during meal service and at other times throughout the school day. School will have working water fountains, water filling stations and allow students to carry refillable water bottles.

### COMPETITIVE FOOD AND BEVERAGES SALES

Westerly Public Schools strongly encourages the sale or distribution of nutrient dense foods for all school functions and activities. Nutrient dense foods are those foods that provide students with calories rich in the nutrient content needed to be healthy. All foods/beverages sold outside of the SBP and NSLP before, during, and up to one hour after school, must comply with the USDA Smart Snacks in Schools regulations and RIGL 16-21-7 for the sale of only healthier snacks and beverages. This includes cafeteria a la carte, vending, school stores and school-based fundraisers.

#### Food:

- Packaged items will have no more than 200 calories and any entrée item for ala carte sale will have no more than 350 calories
- Items shall contain no more than 35% of its total calories derived from fat.
- Items shall contain no more than 10% of its total calories derived from saturated fat.
- Items shall contain no more than 35% sugar by weight

#### Beverages:

- Only milk (low fat white or fat free white or flavored), water and beverages containing 100% fruit or vegetable juices, may be sold on school grounds; serving size for elementary schools is 8 oz. and secondary schools 12 oz.
- Beverages with added sugar or those containing caffeine cannot be sold.

### Fundraising/Concessions

Westerly Public Schools promote non-food fundraising or fundraisers that promote physical activity. All food fundraisers or Concession sales taking place off school grounds or one hour after the school day are encouraged to follow the USDA and RI Nutrition Standards for the sale

of only healthier foods/beverages. Healthy options must be offered at any after-school event where food/beverage concessions are sold.

Any groups, organizations or individuals who wish to sell food outside of the school day (PTO events, sports events) shall be notified of the nutrition standards of this Wellness Policy. All groups will be encouraged to purchase items through the School Food Services Provider and to utilize the services and expertise of a certified food manager for events.

#### Classroom/School Celebrations

- Classroom and school celebrations will not be centered on food, except on a limited basis and related to a curriculum activity with principal approval.
- If food and/or beverages are served, it is recommended that they comply with USDA Smart Snacks in School Nutrition Standards RI General Law 16-21-7 for the sale of healthier snacks and beverages, be commercially purchased and/or prepared, or provided by the District Food Service Provider.
- Parents/guardians must be given advance notice of any classroom or school activity where food will be served. Due to food safety and allergy issues, ingredient lists for all food/beverages shall be available.

#### Other Food and Beverages Served

The use of food rewards or incentives in the schools and classrooms to encourage student achievement or desirable behavior is strongly discouraged unless part of an approved behavior improvement plan or individual education plan (IP). The rare occasions that may provide an exception to this policy directive should be reported on the Wellness Evaluation prepared by the Principal.

#### Food and Beverage Marketing/Advertising

Marketing or promotion of foods and beverages that do not meet federal USDA and RI nutrition standards is prohibited as per RIGL 16-21-7.1 (see Addendum #4). School-based marketing will be consistent with the District's nutrition education curriculum and the promotion of good health. As such, schools will limit marketing to the promotion of foods and beverages that meet or exceed nutrition standards for reimbursable meals and competitive foods and beverages. The promotion of healthy foods such as fruits, vegetables, whole grains, low-fat dairy products, and water is strongly encouraged. Visual aids in cafeterias will reinforce lessons learned in Health classes to educate students about good nutrition. The advertising of any food or beverage that may not be sold in schools during the school day is prohibited on any school property.

### PHYSICAL EDUCATION AND PHYSICAL ACTIVITY

Physical activity is critical to a child's healthy weight and lifestyle as well as to his/her ability to focus in the classroom. To ensure that all students are adequately active during the day, physical activity needs to be incorporated into the daily schedule of the school. While Physical Education classes provide a specific environment in which students learn, practice and are assessed on developmentally appropriate motor skills, social skills, and knowledge of personal fitness goals

and practices, all teachers should recognize the importance of including some physical activity within their classrooms.

Recognizing the role and interest of parents/families in helping to keep children healthy and active, the school district and individual schools will provide information to parents about the importance of daily physical activity as well as opportunities available in the community that may be of interest to families.

## Physical Education

Physical Education shall be provided as required for all students in Grades K-12 according to Rhode Island General Law and the Rules and Regulations for the School Health Programs. Students shall receive an average of 100 minutes per week of health/physical education. Recess, free play, and after-school activities shall not be counted as physical education. Physical Education curricula shall be aligned with the standards and performance indicators in The Rhode Island Physical Education Framework.

All students in Grades K-12, including students with disabilities, special health care needs, and in alternative educational settings, will receive Physical Education as prescribed by state regulation. Participation in other activities involving physical activity (e.g. interscholastic or intramural sports) will not be substituted for meeting the physical education requirement. Students will spend at least 50% of physical education time participating in moderate to vigorous physical activity.

Physical Education instruction shall be provided by certified, highly qualified teachers. Professional development will be provided as needed and appropriate to ensure the quality of instruction and the safety of students. The district will provide adequate, safe, and appropriate facilities for Physical Education instruction at each school with class size appropriate for instruction.

## Physical Activity

In order that students have the opportunity to achieve the recommended amount of daily physical activity (at least 60 minutes per day) and fully embrace regular physical activity as a personal behavior, students need opportunities for physical activity beyond the Physical Education class. Supporting these goals:

- A daily recess period, preferably outdoors, of at least 20 minutes shall be provided to all students in elementary schools in accordance with RIGL 16-22-4.2. The School District will provide appropriate outdoor space and equipment. Recess or other physical activity shall not be taken away from students as a form of punishment unless the safety of a student(s) is a concern. Principals/teachers have the discretion to exceed the minimum allotted time for recess and award additional recess time for good behavior or student performance. Inappropriate exercise or other physical activity shall not be used for the disciplinary purposes. Regularly scheduled physical activity and physical education time shall not be sacrificed in order to provide extra instructional time or to complete class

work, absent a compelling circumstance, which shall be approved and documented by the principal of the school.

- Schools will discourage extended periods (longer than 2hrs.) of inactivity.
- Classroom health education will complement physical education by reinforcing knowledge and self-management skills needed to maintain a physically active lifestyle and reduce time spent on sedentary activities.
- Opportunities for physical activity will be incorporated into other subject areas.
- Classroom teachers will provide short physical activity breaks between lessons whenever possible and appropriate.
- School spaces and facilities should be available to students, staff, and community members outside of the school day and should be available to community agencies and organizations offering physical activity programs with the proper approval of school officials. School policies concerning safety will apply at all times.
- The district will work with community partners and local police to support safe walking and biking to schools.
- All schools will offer before/after school activities (clubs, intramural, interscholastic) and extracurricular programs that promote and provide opportunities for physical activity.

## IMPLEMENTATION, MONITORING AND ASSESSMENT AND REPORTING

This Wellness Policy, along with any progress and compliance reports, will be posted on the District's website. The superintendent (or designee) will be responsible for leading the district's implementation plan and informing the public about the content and implementation. Implementation goals and strategies will be included in the District's Strategic Plan. Each school's School Improvement Team (SIT) will be responsible for addressing the policy through its School Improvement Plan and the building principal shall be responsible for providing the leadership necessary for their school's compliance with the policy. The full implementation of this policy will require the support of staff, students and families at the local school level.

Procedures to guide the implementation of the policy will be developed by the Health and Wellness Committee and provided to all those responsible for their implementation and/or impacted by this policy. Information for students and parents will be included in Student Handbooks and staff will be informed about its content at annual staff orientations.

The Health and Wellness Committee will distribute in the spring of each year the RI Healthy Schools Coalition Wellness checklist to each school. Principals will be responsible for its completion by June 30 so a comprehensive summary of implementation and progress made in attaining the policy goals can be reported to the school committee and to the public.

The Superintendent, together with the individual school principals, shall monitor and may make changes to the implementation procedures to assure their appropriateness and effectiveness to the extent that any changes do not diminish the requirements set forth in the policy required by state and federal regulations.

Any changes required by Federal or State Regulations governing district health and wellness policies shall automatically override the policy as stated here. The District Health and Wellness

Committee will be responsible for periodic review of the policy to ensure compliance with new Federal and State regulations or inclusion of new evidence-based strategies.

#### LEGAL REFERENCES:

Federal Law:

School Health – § RIGL 16-21-7

<http://webserver.rilin.state.ri.us/Statutes/title16/16-21/16-21-7.htm>

Health and Wellness Subcommittee – § RIGL 16-21-28

<http://webserver.rilin.state.ri.us/Statutes/title16/16-21/16-21-28.htm>

Instruction in health and physical education - § RIGL 16-22-4

<http://webserver.rilin.state.ri.us/Statutes/title16/16-22/16-22-4.HTM>

Rules and Regulations for School Health Programs (R16-21-SCH0)

[http://www.thriveri.org/documents/Rules\\_Regs\\_School\\_Health.pdf](http://www.thriveri.org/documents/Rules_Regs_School_Health.pdf)

USDA Nutrition Standards for School Meals

<http://www.fns.usda.gov/school-meals/nutrition-standards-school-meals>

RI Nutrition Requirements (RINR)

<http://www.thriveri.org/components/nutrition.html>

USDA Dietary Guidelines for Americans

<http://www.health.gov/dietaryguidelines/>

RI Physical Education Framework

[http://www.thriveri.org/documents/ri\\_pe\\_framework.pdf](http://www.thriveri.org/documents/ri_pe_framework.pdf)

Adopted: January 18, 2006

Revised: March 16, 2016

Revised: June 13, 2018

Revised: January 8, 2020

#### **Administering Medication To Children No. 5020 \*/\*\***

This policy is established to govern the administration of medicine to students by school department personnel during school hours. The medication must be in a pharmacy-labeled prescription container and will be kept in the school health room or office in a locked storage cabinet. Medication may be dispensed only by school nurse-teachers, except as noted below. Medications which may be purchased over the counter are not allowed without a physician's authorization.

Parents are requested, whenever possible, to schedule the administration of medication outside of the normal school day.

#### Epinephrine and Auto-Injection

17.7.1 Parents shall provide parent authorization, and filled prescription(s) (i.e., the epinephrine auto-injector(s)), and a physician's or other licensed prescriber's order, notifying the school of the student's allergy and the need to administer the epinephrine auto-injector in a case of anaphylaxis.

17.7.2 The School Nurse Teacher shall communicate the required medical information from the parent to the appropriate school personnel, including the school administrator, teachers and food service workers.

17.7.3 The school physician shall review these procedures on an annual basis, in accordance with the requirements of section 7.1, above.

17.7.4 The epinephrine auto-injector shall be used only upon the student for whom it was prescribed, in accordance with the provisions of Chapter 21-28.3, "Drug Abuse Control," of the RIGL.

17.7.5 The School Nurse Teacher shall develop an individualized emergency plan for a student at risk for anaphylaxis which includes, accessing the community's emergency medical system (i.e., "911").

17.8 Students who are treated for anaphylaxis at the school shall be transported by a licensed ambulance/rescue service promptly to an acute care hospital for medical evaluation and follow-up.

17.9 If appropriate, a child identified as being at risk for anaphylaxis should carry the epinephrine auto-injector with him at all times. If this is not appropriate, the epinephrine auto-injector shall, if necessary for the student's safety, as determined by the physician, or other licensed prescriber, be available in the classroom, cafeteria, physical education facility, health room and/or other areas where the epinephrine auto-injector is most likely to be used.

17.10 School personnel who have been trained in accordance with sections 17.2, 17.3, and/or 17.4, (above) are authorized to administer the epinephrine auto-injector to an identified student. If trained school personnel are not available, any willing person may administer the epinephrine auto-injector to a medically identified student. None of the requirements of this section shall preclude the self-administration of an epinephrine auto-injector by a medically identified student.

### Medication Administration

18.1 A certified school nurse-teacher shall administer medication(s) to student(s) within the public school setting except as provided in sections 18.9, 18.10, or 18.11 herein. Such a certified school nurse-teacher shall be licensed in Rhode Island in accordance with the requirements of Chapter 5-34 of the RIGL. He/she shall also be certified in accordance with the provisions of Chapter 16-21-8 of the RIGL.

18.2 A certified school nurse-teacher or other registered nurse shall administer medication to student(s) in a non-public school except as provided in sections 18.9, 18.10, or 18.11 herein. Such a registered nurse shall be licensed in Rhode Island in accordance with the requirements of Chapter 5-34 of the RIGL.

18.3 No lay person, other than a parent, shall administer medication to a student in the school setting. Exceptions: sections 17.5, 17.6, 17.10 herein (related to the administration of epinephrine).



## Provisions Related to Nurse Administration

18.4 Each dose of medication administered by a certified school nurse-teacher or other registered nurse shall be documented. Documentation shall include: date, time, dosage, route of administration and the signature of the certified school nurse-teacher or other registered nurse administering the medication or supervising the student in self-administration. In the event a dosage is not administered as ordered, the reason(s) therefore shall be noted.

18.5 All medications to be administered by the certified school nurse-teacher or other registered nurse, as provided herein, shall be kept in a secured cabinet.

18.6 A licensed provider's (with prescriptive privileges) order shall be obtained and verified by the certified school nurse-teacher or other registered nurse for all medications to be administered by the certified school nurse-teacher or registered nurse, including school physician standing orders. Verbal orders to the nurse and facsimile transmissions may be accepted. Verbal orders shall be followed up by a written order from the licensed prescriber within three (3) working days. Upon receipt, the orders shall be confirmed with the parent by the nurse.

18.7 In order to verify the order, the certified school nurse-teacher, other registered nurse, or school physician shall have the authority to contact the licensed provider before administering the medication. The parent shall not prevent the certified school-nurse teacher, other registered nurse or school physician from contacting the licensed provider.

18.8 For prescription medications, all parent authorizations and licensed provider's orders shall be renewed no less than annually by the certified school nurse-teacher or other registered nurse.

18.9 If the licensed provider's order includes and allows for parent discretion, the certified school nurse teacher or registered nurse shall not be required to administer the medication if the parent/legal guardian elects to exercise their discretion. In this circumstance, the parent/legal guardian will be required to administer the medication.

## Controlled Substances

18.8 No controlled substance shall be in the possession of or administered by anyone other than a certified school nurse-teacher, other registered nurse, licensed prescriber, or parent of the child for whom the medications have been prescribed. The medication shall be brought to the school by the parent/legal guardian in a pharmacy-labeled container.

## Prescription Medications

18.9 The Westerly Public Schools shall permit students to self-carry and/or self-administer prescription medication if the student, parent, certified school nurse-teacher or registered nurse, and licensed prescribing health care provider enter into a written agreement that specifies the conditions under which the prescription medication must be self-carried and/or self-administered. The school principal shall be informed of the existence of said agreement.

18.9.1 The Westerly Public Schools procedures related to student self-administration of prescription medications shall include the following:

18.9.1.1 All medications shall be stored in their original prescription-labeled containers.

18.9.1.2 A licensed health care prescriber's written order shall be provided.

18.9.1.3 A written parent authorization shall be obtained and verified by the certified nurse-teacher or other registered nurse.

18.9.2 A student shall be prohibited from sharing, transferring, or in any way diverting his/her own medication(s) to any other person.

18.9.3 No school teacher, school administrator, or school health personnel, or any other school personnel shall be liable for civil damages which may result from acts or omissions which may constitute ordinary negligence when a student self-carries and/or self-administers his/her own medication(s) in accordance with these rules and regulations. This immunity does not apply to acts or omissions constituting gross negligence or willful or wanton misconduct.

### Inhalers

18.10 The Westerly Public Schools shall allow children to carry and use prescription inhalers while in school or at a school sanctioned function or event, when prescribed by a licensed individual with prescriptive privileges. Children who need to carry said inhalers shall provide the school with medical documentation that the inhaler has been legitimately prescribed and that the child needs to carry it on his/her person due to a medical condition. But no child shall be disciplined solely for failure to provide such documentation in advance.

18.10.1 No school teacher, school administrator, or school health personnel, or any other school personnel shall be liable for civil damages which may result from acts or omissions in the use of prescription inhalers by children which may constitute ordinary negligence. This immunity does not apply to acts or omissions constituting gross negligence or willful or wanton misconduct.

### Medication Administration at Off-site School-sponsored Activities

18.11 The Westerly Public Schools shall allow students to self-carry and self-administer a day's supply of medication, including a controlled substance, during an off-site school-sponsored activity. Said medication shall be supplied by the parent and shall be stored and transported in a properly labeled container.

18.11.1 Said medication shall be supplied by the parent with a parent's written authorization for use of the medication during the off-site school-sponsored activity and shall be stored and transported in its original prescription-labeled container (in the case of a prescription medication) or its manufacturer-labeled container (in the case of a nonprescription medication).

18.11.2 In the case of a prescription medication, a licensed health care prescriber's written order shall be provided, if it is not already on file in the school.

18.11.3 A student shall be prohibited from sharing, transferring, or in any way diverting his/her own medication(s) to any other person.

18.11.4 No school teacher, school administrator, or school health personnel, or any other school personnel shall be liable for civil damages which may result from acts or omissions which may constitute ordinary negligence when a student self-carries and/or self-administers his/her own medication(s) in accordance with these rules and regulations. This immunity does not apply to acts or omissions constituting gross negligence or willful or wanton misconduct.

Adopted: May 19, 1982  
Amended: November 10, 1995  
Amended: March 20, 1996  
Amended: May 8, 1997  
Amended: March 10, 2000  
Amended: June 29, 2005  
Amended: February 15, 2006  
Revised: January 3, 2007  
Amended: June 3, 2009  
Amended: March 15, 2023

**\*RIGL § 16-21-28.4 Immunity for those using glucagon.** – No school teacher, school administrator, school health care personnel, person employed on behalf of the school, any other school personnel, nor any local educational authority shall be liable for civil damages which may result from acts or omissions in use of glucagon which may constitute ordinary negligence. This immunity does not apply to acts or omissions constituting gross negligence or willful or wanton conduct.

**\*\* RIGL 16-21-22. Allergic emergencies -- Anaphylaxis -- Use of epinephrine -- Immunity for those administering.** -- (a) The department of elementary and secondary education and the department of health shall incorporate into their policies, rules, and regulations pertaining to school health programs a procedure for addressing incidents of anaphylaxis (exaggerated allergic reaction) in order to provide for the health and safety of children who have been medically identified as being prone to anaphylaxis or who show evidence of anaphylaxis. The policies, rules, and regulations shall include a procedure whereby a parent or legal guardian of any child may expressly authorize the school department and school bus drivers and monitors to administer the epinephrine on his or her child in case of an emergency and ensures that the epinephrine is kept in a conspicuous place, readily available and that their proper use is made known to school personnel. School bus drivers and monitors shall receive training in the administration of epinephrine. To treat a case of anaphylaxis, trained school bus drivers and/or monitors shall administer the epinephrine auto-injector to an identified student.

(b) The policies, rules and regulations shall also include a procedure to allow children to carry and use prescription inhalers, and auto-injectable epinephrine, while in school, or at a school sanctioned function or event, or in transit to and from school or school sanctioned function or event by the school bus service provider; when prescribed by a licensed individual with prescriptive privileges. Children who need to carry prescription inhalers and/or auto-injectable epinephrine shall provide the school and the school bus service provider with medical documentation that the inhaler and/or auto-injectable epinephrine has been legitimately

prescribed and that the child needs to carry it on his or her person due to a medical condition but no child shall be disciplined solely for failure to provide this documentation in advance.

(c) Parents shall provide a doctor's letter or prescription notifying the school and the school bus service provider of their child's allergy and the need to administer epinephrine in an allergic emergency.

(d) No school teacher, school administrator, or school health care personnel, school bus driver, school bus monitor or any other school personnel shall be liable for civil damages which may result from acts or omissions in use of the epinephrine which may constitute ordinary negligence; nor shall the school personnel mentioned in this subsection be liable for civil damages which may result from acts or omissions in the use of prescription inhalers by children which may constitute ordinary negligence. This immunity does not apply to acts or omissions constituting gross negligence or willful or wanton conduct. For the purposes of determining immunity from liability under subsection (d) only, the term "other school personnel" shall include any private entity providing school bus services and individual school bus drivers and monitors employed or otherwise engaged by such school bus service entities. The provisions of this section shall not be construed to impose any obligation upon any private entity providing school bus services, or individual school bus drivers or monitors employed or otherwise engaged by such school bus service entities, to administer epinephrine.

(e) School physicians may execute standing orders and prescriptions for school nurses to use epinephrine when there are symptoms of anaphylaxis.

(f) The student's parent or guardian is responsible for supplying and replacing when necessary all prescription medication that is authorized pursuant to this section.

#### **Substance Abuse Policy No. 5040**

Participation in Westerly Public Schools Extra Curricular/Athletic programs is a privilege. Students perform best when they follow reasonable training rules which include prohibitions on the use of drugs, tobacco, alcohol, steroids, electronic nicotine transmission devices or any mood-modifying substance producing harmful effects on the mind and body and impeding athletic performance. Every effort will be made to educate all students to the dangers in the use of these substances.

In addition, a high school student must abide by all the rules and regulations established by the Rhode Island Interscholastic League and the rules and regulations of the Westerly High School. A uniform Substance Abuse Policy is necessary to insure that all are treated in a just and fair manner. Further, it is an indication of the serious manner that such matters will be dealt with by Westerly High School administration and/or athletic director.

#### **Substance Abuse Policy**

The Substance Abuse Policy for Westerly Public Schools is intended to protect students/athletes and help to make them responsible role models both on and off campus. Advisors/Coaches are required to implement this policy in the event that student non-compliance occurs.

## Drugs, Alcohol and Other Controlled Substances

The purchasing, consumption, possession, transportation or distribution of alcohol, other drugs, and/or any controlled substance(s) is unacceptable behavior for any student in Westerly Public Schools Extra Curricular/Athletic Program. The use of or possession of electronic nicotine transmission systems would be prohibited and considered possession of substances.

1st Non-compliance:

Non-compliance will result in referral to the Student Assistance Counselor (SAC) for a required four (4) session program. In addition, participation with the activity/team will be suspended for seven (7) calendar days, starting the day after the student returns to school. Activities include all events/team functions including but not limited to, practice, games, film reviews, or weight room work outs. Lastly, the initial session with the SAC must be scheduled and/or completed prior to the student's return to the activity/team. If the infraction takes place in a time period that overlaps another season, the student cannot try out for another team until the suspension is completed.

2nd Non-compliance:

If a 2nd non-compliance occurs, the student would be required to meet with the SAC to determine if meetings throughout the remainder of the school year or an outside referral is required. In addition, the student is suspended from participation in all extra-curricular activity/athletic activities for thirty (30) calendar days starting the day after the student returns to school. Activities include all events/team functions, including, but not limited to, practice, games, film reviews, or weight room workouts. If the infraction takes place in a time period that overlaps another season, the student cannot try out for another team until the thirty (30) days are completed.

3rd Non-compliance:

If a 3rd non-compliance were to take place, the SAC would work with the family to establish a safety plan moving forward. The student would not be able to participate in extra-curricular events/athletics for a calendar year. The student may also be referred to the Superintendent, School Committee and/or Juvenile Hearing Board.

4th Non-compliance:

If a 4th non-compliance were to occur, the SAC along with other school personnel would work directly with the family to establish a safety plan for the student. The student may also be referred to the Superintendent, School Committee and/or Juvenile Hearing Board.

Any student who was non-compliant in the previous school year will be required to attend a "check-in" meeting with the SAC during the first month of the new school year.

The Westerly Public Schools Substance Abuse Policy will be applied to all acts of non-compliance involving students.

Appropriate actions will be taken by the Administrator in conjunction with the advisor/coach. At times, immediate action may be called for in situations where consultation with other authorities is not possible. An advisor/coach may use his/her discretion in dealing with suspected acts of non-

compliance. Parents will be notified in writing in all cases of dismissal. A written report(s) of all pertinent information of events and actions will be filed.

Students and their parents have the right to appeal any dismissal for non-compliance with the Substance Abuse Policy to the Principal and the Superintendent of Schools. During the appeal process, students/athletes will not be allowed to participate in activities, practices or games. The appeal process will be conducted in a timely manner not to exceed three to five days.

Adopted: June 3, 2009  
Updated: August 25, 2021

### **Prevention of Harassment, Intimidation, Bullying, Teen Dating Violence and Sexual Violence No. 7300**

#### PURPOSE:

This policy is established by the Westerly Public Schools in keeping with State Regulation and is to serve the purpose of defining Westerly Public Schools expectations in regard to the matter of harassment, teen dating violence, sexual violence, intimidation or bullying of students at school.

#### PHILOSOPHY:

Westerly Public Schools fully endorses the intent and specifics of the Law requiring the establishment of this policy, and is committed to the concept that bullying, teen dating violence, sexual violence, teasing and harassment is a pervasive but unfortunately a growing issue in our society and that it should neither be tolerated nor condoned. Further, that it should not be addressed by merely removing or excluding students from school. To this end, Westerly Public Schools commits its staff to the implementation of a comprehensive and preventive approach that addresses the underlying reasons for this behavior and helps to create a better school community that supports learning and teaching for students and adults.

#### POLICY STATEMENT:

Harassment, teen dating violence, sexual violence, intimidation and bullying is prohibited in the public schools of Westerly, RI and the prevention of any such behavior shall be part of the Westerly Public Schools strategic plan and school safety plan. [R.I.G.L. 16-21-26]; [R.I.G.L. 16-7.1-2(e)]; [R.I.G.L. 16-21-24]; [R.I.G.L. 16-21-30].

#### DEFINITION:

##### Bullying, Teen Dating Violence, Sexual Violence

Bullying, teen dating violence, sexual violence occurs when a student intentionally assaults, batters, threatens, harasses, stalks, menaces, intimidates, extorts, humiliates or taunts another person. Bullying also occurs through “electronic” communications including any verbal, textual or graphic communication of any kind effected, created or transmitted by the use of any electronic device, including, but not limited to, a computer, telephone, cellular telephone, text-messaging device and/or personal data assistance device.

Bullying also occurs when a student or a group of students organize a campaign of shunning against another person or when a student or a group of students maliciously spread rumors about another person. In most circumstances bullying does not include a mutual fight between two students of roughly equal strength who are angry with each other. Such fights are subject to discipline as a violation of school rules prohibiting fighting.

At school shall include, but may not be necessarily restricted to the following places and situations:

- In a classroom
- Elsewhere in the school
- On school property
- Immediately adjacent to school property
- On a school bus or other school vehicle
- At any school-sponsored activity or event, whether or not held on school premises.

Dating Violence: A pattern of behavior where one person uses threats of, or actually uses, physical, sexual, verbal or emotional abuse to control his or her dating partner.

Sexual Violence includes behaviors that are attempted or perpetrated against a victim's will or when a victim cannot consent because of age, disability or the influence of alcohol or drugs. Sexual assault may involve actual or threatened physical force, use of weapons, coercion, intimidation or pressure and may include:

- intentional touching of someone in ways that are unwanted,
- voyeurism,
- exposure to exhibitionism,
- undesired exposure to pornography or
- public display of images that were taken in a private context or when the victim was unaware.

#### DEALING WITH ALLEGED BULLYING, TEEN DATING VIOLENCE AND SEXUAL VIOLENCE:

1. Reporting Responsibilities: The principal of each school in Westerly Public Schools shall establish and prominently publicize to students, staff, volunteers and parents, how a report of bullying, teen dating violence or sexual violence may be filed and how this report will be acted upon. The victim of bullying, teen dating violence or sexual violence, anyone who witnessed the bullying, teen dating violence or sexual violence and anyone who has credible information that an act of bullying, teen dating violence or sexual violence has taken place shall file a report of bullying, teen dating violence or sexual violence.

Investigation of Bullying, Teen Dating Violence or Sexual Violence: The principal, or his or her designee, shall investigate all allegations of bullying, teen dating violence or sexual violence. If the allegation is found to be credible, appropriate disciplinary sanctions, subject to any appropriate due process procedures, will be imposed. Whenever bullying, teen dating violence or sexual violence involved conduct that violates criminal law, the police shall be notified.

Disciplinary Sanctions for Bullying, Teen Dating Violence and Sexual Violence: Disciplinary sanctions for bullying, dating violence or sexual violence may include but are not limited to:

- Admonitions, warnings and counseling.
- Loss of the opportunity to participate in extracurricular activities.
- Loss of the opportunity to participate in school social activities.
- Loss of the opportunity to participate in graduation exercises.
- Loss of school bus transportation.
- Transfer to another school.
- Assignment of additional homework or community service.
- In house suspension.
- Short term school suspension (10 or fewer days of suspension) or long term school expulsion (suspension for more than 10 days).

Help for the Victim(s) of Bullying, Teen Dating Violence and Sexual Violence: The district is committed to creating a campus environment that promotes timely and fair adjudication of bullying, teen dating violence or sexual violence cases. Principals shall establish guidelines to protect the rights and privacy of the victim as well as the due process rights of the alleged perpetrator.

Responsibility of Staff: School staff shall take all reasonable measures to prevent bullying, teen dating violence and sexual violence and shall report all acts of bullying, teen dating violence or sexual violence that come to their attention. In this context the staff includes volunteers working in the school.

Responsibility of Students: Students who observe an act of bullying, teen dating violence or sexual violence or who have reasonable grounds to believe that bullying, teen dating violence or sexual violence is taking place are obligated to report the bullying, teen dating violence or sexual violence to school authorities. Failure to do so may result in disciplinary action. The victim of bullying, teen dating violence or sexual violence shall, however, not be subject to discipline for failing to report the bullying, teen dating violence or sexual violence.

#### PROTECTION AGAINST BULLYING, TEEN DATING VIOLENCE AND SEXUAL VIOLENCE:

Prohibition against False Reports of Bullying, Teen Dating Violence and Sexual Violence: False reports concerning bullying, teen dating violence or sexual violence will be subject to appropriate school discipline, including short or long term suspension from school.

Prohibition against Retaliation: Retaliation or threats of retaliation in any form designed to intimidate the victim of bullying, teen dating violence or sexual violence, those who are witnesses to bullying, teen dating violence or sexual violence or those investigating an incident of bullying, teen dating violence or sexual violence shall not be tolerated. In most cases



retaliation or a threat of retaliation will result in the imposition of a short or long term school suspension and, in appropriate cases, referral to the police. [R.I.G. 11-42-2. Extortion and blackmail] [R.I.G.L.-59-2. Stalking prohibited]

**Individualized School Safety Plan:** If a student is the victim of serious or persistent bullying, teen dating violence or sexual violence, the principal of the school, with input from the parents of the student and staff members, will prepare a written school safety plan outlining what steps will be taken to provide the student with a safe educational environment.

**School Atmosphere:** School staff, at all times, will model correct and courteous behavior to each other, to students and to visitors to the school. Abusive or humiliating language or demeanor will not be accepted. An effort will be made to ensure that each student is well known by at least one certified teacher so that the student will have someone to turn to, at school if a bullying, teen dating violence or sexual violence situation develops. To the extent possible, the influence of cliques and other exclusive student groupings will be diminished by the creation of a range of inclusive school activities in which students will be encouraged to participate [R.I.G.L. 16-38-4. Exclusive clubs].

#### PREVENTING BULLYING, TEEN DATING VIOLENCE AND SEXUAL VIOLENCE:

**Instruction in the Prevention of Bullying, Teen Dating Violence and Sexual Violence:** Students and staff shall be given instruction in this district's Policy and Regulations against bullying, teen dating violence or sexual violence. This instruction shall include methods of discouraging and preventing bullying, teen dating violence or sexual violence, along with instruction in how to file a complaint against bullying, teen dating violence or sexual violence, and the disciplinary action that may be taken against those who commit acts of bullying, teen dating violence or sexual violence.

**Social Skills Training:** The school health program and school counseling services will include appropriate social skills training to help students avoid isolation and to help them interact in a healthy manner.

#### REPORTING TO AUTHORITIES:

**Police Notification:** When the bullying, teen dating violence or sexual violence involves conduct that violates the criminal law the police shall be notified.

**Reports to the Superintendent and to the School Committee:** School principals will provide the Superintendent of Schools and the School Committee with a semi-annual report on incidents of bullying, teen dating violence and sexual violence which have taken place in the schools under their respective supervision. This report will include a statement describing what remedial action has been taken to address bullying, teen dating violence or sexual violence.

#### ASSISTANCE/SUPPORT IN DEALING WITH ISSUES OF BULLYING, TEEN DATING VIOLENCE AND SEXUAL VIOLENCE:

Student Mediators: The principal of any school in the district may establish a Student Mediators Group to resolve complaints of bullying, teen dating violence or sexual violence in circumstances where appropriate, include students.

Voluntary Participation in Mediation: No student who is the victim of bullying, teen dating violence or sexual violence shall be required to participate in mediation or to accept any apology tendered by the bullying student. The decision of a victim of bullying, teen dating violence or sexual violence not to participate in mediation program shall not diminish the obligation of the school to impose discipline against the student who has committed an act of bullying, teen dating violence or sexual violence.

Bullying, Teen Dating Violence and Sexual Violence Prevention Task Force: The principal of each school in this district may establish a Bullying, Teen Dating Violence and Sexual Violence Prevention Task Force. This Task Force may include members and, if age allows, students. The purpose of this Task Force will be to develop policies and programs to educate students and staff about the harm caused by bullying, teen dating violence or sexual violence. The Task Force may also create programs to prevent or diminish bullying, teen dating violence or sexual violence. The Program recommendations of the Task Force shall be subject to review by the School Committee before the programs are implemented. The duties of the Bullying, Teen Dating Violence and Sexual Violence Prevention Task Force may be assigned to the school's student intervention team [R.I.G.L. 16-7-21] or to the school's School Improvement Team [R.I.G.1.16-53. 1-21].

Note: Repeated infractions of unacceptable school behavior may result, in extreme cases, in a recommendation for expulsion. Recommendations for over 10 days of out-of-school suspension must go to the Superintendent of Schools. All recommendations of suspensions will follow appropriate state laws. A hearing may be requested.

Students will be given the equivalent number of days suspended out of school once they return to school to make-up any missed work or assignments. Any assignment given prior to the suspension that was due during the suspension must be turned in the day the student returns.

Adopted: December 2003  
Updated: November 19, 2008  
Amended: June 3, 2009

### **Electronic Communications Devices (ECDs) No. 7500**

Whereas electronic communication devices (ECDs) create classroom disruptions and can lead to inappropriate behavior including bullying and harassment in our schools, this policy is created to minimize the use of such devices thereby limiting distractions and inappropriate activity.

A student may possess an electronic communication device (including but not limited to cellular phones) in school provided that during school hours the device remains turned off. The only exception to this policy is when a teacher asks students to use ECDs for instructional purposes. Students may not use an electronic communication device (ECD) on school property or at a

school sponsored activity to access and/or view internet web sites that are otherwise blocked to students at school or take part in any activity prohibited by the District's Acceptable Use Policy (AUP) WPS Policy 2300.

Violations of this policy will result in confiscation of the cellular telephone or ECD and disciplinary action. If the cellular telephone or ECD is confiscated, it will be released/returned to the student's parent/guardian after the student complies with any disciplinary consequence that is imposed. The building principal may also refer the matter to law enforcement if the violation involves an illegal activity (e.g., child pornography).

The student who possesses a cellular telephone or ECD is responsible for its care. Westerly Public Schools are not responsible for preventing theft, loss, damage, or vandalism to it..

Parents/guardians are to contact the school office to communicate with their child during the school day.

Students may use designated school phones to contact parents/guardians during the school day.

#### Rules for Confiscating ECDs:

1. If a student is discovered to be using an ECD in violation of District policy, the student will be asked to turn it off and hand it to the staff member (if the student does not comply, s/he will be immediately sent to the office for disciplinary action\*).
2. The staff member will not turn on or view the contents of the phone or ECD.
3. The student will be sent to the Principal or designee, who will notify the student of the discipline for violation of school policy concerning ECDs.\*
4. The ECD will be taken to the office where it will be placed in an envelope and sealed.
5. On the envelope, the date and time will be recorded along with the signature of the staff member receiving the ECD.
6. The Principal or designee will determine if there is any suspicion that the ECD has been used in a way that possibly violates state or federal laws and may at his/her discretion turn the device over to local or state authorities for further investigation. If they feel that there is no probable cause, the ECD will be stored at the school until a parent or legal guardian of the student retrieves it.
7. To retrieve the ECD, a parent or legal guardian of the student will need to come to the main office of the school during school hours after the student complies with any disciplinary consequence that is imposed. The school may ask the person to provide written positive identification and make a copy of the ID for its records.
8. The parent or legal guardian will be given the envelope to open in front of a school official. The parent or legal guardian will then be required to sign and date a receipt for the ECD as evidence of a complete chain of custody. The school will retain the envelope.

\*Disciplinary action may include detention, out-of-school suspension or expulsion.

Adopted: May 19, 2010

### **Rhode Island State Health Education**

Rhode Island law permits a parent/guardian to exempt his/her student from certain aspects of Health Education instruction (R.I.G.L. 16-22-17, "AIDS education program" and R.I.G.L. 16-22-18, "Health and family life courses").

### **Education of Students with Disabilities**

#### **Section 504 of the Rehabilitation Act of 1973**

It is the intent of the district to ensure that students who are disabled under Section 504 of the Rehabilitation Act of 1973 are identified, evaluated and provided with appropriate educational services. It is also the intent of the district to provide students access to programs, to guarantee students and parents/guardians their due process rights and to comply with the administrative requirements of this act.

#### **Eligible Student:**

A student is a qualified individual with a disability under Section 504 when the student is between the ages of 3 and 21 years old and has a physical or mental impairment that substantially limits one or more major life activity. Physical impairment means any physiological disorder or condition, cosmetic disfigurement or anatomical loss affecting a body system. Mental impairment means any mental or psychological disorder, such as mental retardation, organic brain syndrome, emotional or mental illness and specific learning disabilities. Major life activities means functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.

The student may also be qualified if the student has a history or is regarded as having a disability as defined under this act.

Students who are currently engaging in the illegal use of drugs are excluded, but those students who are no longer using drugs, those who have completed or are in a rehabilitation program and those who are erroneously regarded as using drugs are also included.

Students may be disabled under this policy even though they are not eligible for services pursuant to the Individual with Disabilities Education Act.

**Identification:** Annually, the district will make efforts to identify and locate every qualified disabled student residing in the district's jurisdiction who is not receiving a public education and take appropriate steps to inform students with disabilities and their parents or guardians of the district's responsibilities under Section 504. Any student who, because of disability, needs or is believed to need Section 504 services must provide the appropriate documentation.

**Placement:** It must be demonstrated that the education of a student in the general education setting with the use of supplementary aids and services cannot be achieved satisfactorily before the student is moved from the general education setting. If a student is placed in a setting other than the neighborhood school, proximity to the student's home must be considered.

The district will provide placement in a public or private residential program if necessary to provide a student with an appropriate program. The facilities, services and activities of these out-of-district placements must be comparable to that of the district. If the district provides appropriate programming for a student but the parent/guardian chooses to place the child elsewhere, the district is not responsible to pay.

Access: The district is responsible to make its programs, services and activities accessible to students with disabilities. All facilities need not be accessible so long as the programs, services and activities provided to students, when viewed in their entirety, are also accessible to students with disabilities. The district can reassign classes or other services and activities to other classrooms, buildings, or sites.

Procedural Safeguards: Verbal or written consent of the parents or guardians shall be obtained before an initial evaluation of a student is conducted.

The parents or guardians will be notified of the evaluation results and any programming and placement recommendations. The parents or guardians will be notified before initially placing a student with disabilities, conducting a subsequent evaluation or implementing a significant change in a student's placement, transportation or service arrangements.

Notification shall include informing the parents or guardians of their rights to examine relevant records, request an impartial hearing and to be represented by counsel.

Administrative Requirements: A grievance procedure for students, parents or guardians shall be established to resolve concerns of discrimination under this act. Attempts to resolve differences through informal means are encouraged. The desire to resolve differences through informal means does not preempt anyone's right to request a due process hearing. For further information contact the Director of Pupil Personnel at 315-1518.

### **Every Student Succeeds Act (ESSA)**

The Every Student Succeeds Act is a federal education law (replacing No Child Left Behind) that provides states with flexibility in a number of key areas, including academic standards, accountability, support for school improvement, student and educator support, and use of federal education funds consistent with the Protection of Pupil Rights Amendment (PPRA) to require that the Department of Education (Department) notify annually each State educational agency (SEA) and each local educational agency (LEA) of their obligations under PPRA and under the Family Educational Rights and Privacy Act (FERPA). This section serves to provide notice of these rights. Each law is discussed below.

### **The Family Educational Rights and Privacy Act**

Statute: 20 U.S.C. § 1232g. Regulations: 34 CFR Part 99.

FERPA provides that an LEA that receives Department funds may not have a policy or practice if denying parents/guardians the right to:

- Inspect and review education records;
- Seek to amend education records;
- Consent to the disclosure of personally identifiable information from education records except as specified by law.

These rights transfer to the student when he or she turns 18 years of age or enters a postsecondary educational institution at any age.

**For Elementary and Secondary Schools:** The Family Educational Rights and Privacy Act (FERPA) affords parents/guardians and students over 18 years of age (“eligible students”) certain rights with respect to the student’s education records. These rights are:

- (1) The right to inspect and review the student’s education records within 45 days of the day the school receives a request for access. Parents/Guardians or eligible students should submit to the school principal (or appropriate school official) a written request that identifies the record(s) they wish to inspect. The school official will make arrangements for access and notify the parent/guardian or eligible student of the time and place where the records may be inspected.
- (2) The right to request the amendment of the student’s education records that the parent/guardian or eligible student believes are inaccurate. Parents/Guardians or eligible students may ask the school to amend a record that they believe is inaccurate. They should write the school principal (or appropriate school official), clearly identify the part of the record they want changed and specify why it is inaccurate. If the school decides not to amend the record as requested by the parent/guardian or eligible student, the school will notify the parent/guardian or eligible student of the decision and advise them of their right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the parent/guardian or eligible student when notified of the right to a hearing.
- (3) The right to consent to disclosures of personally identifiable information contained in the student’s education records, except to the extent that FERPA authorizes disclosure without consent. One exception, which permits disclosure without consent, is disclosure to school officials with legitimate educational interests. A school official is a person employed by the school as an administrator, supervisor, instructor or support staff member (including health or medical staff and law enforcement unit personnel); a person serving on an official committee, such as a disciplinary grievance committee or assisting another school official in performing his or her tasks.

A school official has a legitimate educational interest if the official needs to review an education record in order to fulfill his or her professional responsibility.

Upon request, the school discloses education records without consent to officials of another district in which a student seeks or intends to enroll.

- (4) The right to file a complaint with the U.S. Department of Education concerning alleged failures by the *School District* to comply with the requirements of FERPA. The name and address of the Office that administers FERPA are:

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-4605

## **Notification of Rights Under the Protection of Pupil Rights Amendment (PPRA)**

PPRA affords parents/guardians and students who are 18 or emancipated minors (“eligible students”) certain rights regarding our conduct of surveys, collection and use of information for marketing purposes, and certain physical exams. These include the right to:

- *Consent* before students are required to submit to a survey that concerns one or more of the following protected areas (“protected information survey”) if the survey is funded in whole or in part by a program of the U.S. Department of Education (ED)-
  1. Political affiliations or belief of the student or student’s parent/guardian;
  2. Mental or psychological problems of the student or student’s family;
  3. Sex behavior or attitudes;
  4. Illegal, anti-social, self-incriminating or demeaning behavior;
  5. Critical appraisals of others with whom respondents have close family relationships;
  6. Legally recognized privileged relationships, such as with lawyers, doctors or ministers;
  7. Religious practices, affiliations or beliefs of the student or parents/guardians; or
  8. Income, other than as required by law it determine program eligibility.
  
- *Receive notice and an opportunity to opt a student out of* –
  1. Any other protected information survey, regardless of funding;
  2. Any non-emergency, invasive physical exam or screening required as a condition of attendance, administered by the school or its agent, and not necessary to protect the immediate health and safety of a student, except for hearing, vision, scoliosis screenings or any physical exam or screening permitted or required under State law and;
  3. Activities involving collection, disclosure or use of personal information to others.
  
- *Inspect*, upon request and before administration or use –
  1. Protected information surveys of students;
  2. Instruments used to collect personal information from students for any of the above marketing, sales or other distribution purposes; and
  3. Instructional material used as part of the educational curriculum.

Westerly Public Schools has developed and adopted policies, in consultation with parents/guardians, regarding these rights, as well as arrangements to protect student privacy in the administration of protected surveys and the collection, disclosure or use of personal information for marketing, sales or other distribution purposes. Westerly Public Schools will directly notify parents/guardians and eligible students of these policies at least annually at the start of each school year and after any substantive changes. Westerly Public Schools will also directly notify parents/guardians and eligible students, such as through United States mail or e-mail, at least annually at the start of each school year of the specific or approximate dates or the following activities and provide an opportunity to opt a student out of participating in:

- Collection, disclosure or use of personal information for marketing, sales or other distribution.
- Administration of any protected information survey not funded in whole or in part by ED.
- Any non-emergency, invasive physical examination or screening as described above.

A grievance procedure for students, parents or guardians shall be established to resolve concerns of discrimination under this act. Attempts to resolve differences through informal means are encouraged. The desire to resolve differences through informal means does not preempt anyone's right to request a due process hearing. For further information contact the Assistant Superintendent at 315-1503.

*Parents/Guardians/Eligible students who believe their rights have been violated may file a complaint with:*

Family Policy Compliance Office  
U.S. Department of Education  
400 Maryland Avenue, SW  
Washington, D.C. 20202-4605

## **RI Discipline Procedures and Requirements for all students under IDEA 2004 and RI Legislation**

(Effective July 1, 2005)

### **Removals for Less Than 10 days**

#### **All Students**

#### **School Removals for less Than 10 School Days During a School Calendar Year for a Violation of a Code of Student Conduct**

#### **Options:**

1. Removal to appropriate interim alternative educational setting (continued educational services)
2. Removal to another school setting (continued educational services)
3. School removal/suspension (no educational services provided)

#### **Best Practice Considerations:**

1. Conduct a functional behavioral assessment
2. Provide behavioral intervention services and modifications that are designed to address the behavioral violation so that it does not recur
3. Develop a behavioral intervention plan for student

### **Removals exceeding 10 days**

#### **Students enrolled in General Education**

#### **School Removals that Exceed 10 School Days During a School Calendar Year for a Violation of a Code of Student Conduct**

Once a child has accumulated 10 school days of removal from school

1. RIGL § 16-21-27 Alternative education programs. Each school district shall adopt a plan to ensure continued education of students who are removed from the classroom because of a suspension of more than ten (10) days or who are chronically truant. The plan shall be adopted by the school committee and shall be submitted to the Rhode Island



Department of Elementary and Secondary Education as part of its annual strategic plan submission.

Options:

1. Removal to another school setting (continued educational services)
2. Removal to interim alternative educational setting (continued educational services)
3. School removal/suspension (with plan for continued educational services)

Best Practice Considerations:

1. Conduct a Functional Behavioral Assessment
2. Provide behavioral intervention services and modifications that are designed to address the behavioral violation so that it does not recur
3. Develop a behavioral intervention plan for student

**Removals exceeding 10 days**

**Students With Disabilities**

**School Removals for more than 10 School Days in a School Calendar Year for a Violation of a Code of Student Conduct**

Required:

1. Provide continued educational services so as to enable the child to participate in the general education curriculum, although in another setting, and to progress toward meeting the goals set out in the child's IEP (*interim setting determined by IEP team*).
2. Conduct a functional behavioral assessment
3. Provide behavioral intervention services and modifications that are designed to address the behavioral violation so that it does not recur
4. Develop a behavioral intervention plan
5. Conduct a manifestation determination (See Manifestation Determination)

**Manifestation Determination:** IN GENERAL – Within 10 school days of any decision to **change the placement of a child with a disability** (see Change of Placement) because of a violation of a code of student conduct, the local educational agency, the parent, and relevant members of the IEP Team (as determined by the parent and the local educational agency) shall review all relevant information in the student's file, including the child's IEP, any teacher observations, and any relevant information provided by the parents to determine

- (1) If the conduct in question was caused by, or had a direct and substantial relationship to, the child's disability; or
- (2) If the conduct in question was the direct result of the local educational agency's failure to implement the IEP.

**No Manifestation** - child treated same as general education students with provision of services continued.

**Manifestation:** If the local educational agency, the parent and relevant members of the IEP Team determine that either 1 or 2 above is applicable for the child, the conduct shall be determined to be a manifestation of the child's disability.

**Change of Placement:** Occurs once a child with a disability is further removed from school for a violation of a code of student conduct that extends beyond the 10<sup>th</sup> school day during a school

calendar year (beginning on the 11<sup>th</sup> day of school removal and commencing for each subsequent decision to further remove the child with a disability from school).

**Determination that behavior was a manifestation:** If the local educational agency, the parent, and relevant members of the IEP Team make the determination that the conduct was a manifestation of the child's disability, the IEP Team shall:

1. Conduct a functional behavioral assessment, and implement a behavioral intervention plan for such child's *provided that the local educational agency had not previously conducted such assessment.*
2. In the situation where a behavioral intervention plan has been developed, review the behavioral intervention plan if the child already has such a behavioral intervention plan, and modify it, as necessary, to address the behavior; and
3. Return the child to the placement from which the child was removed, unless the parent and the local educational agency agree to a change of placement as part of the modification of the behavioral intervention plan *unless special circumstances warrant removal to an interim alternate educational setting* (see Special Circumstances).

**Special Circumstances:** School personnel may remove a student to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the child's disability, in cases where a child

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

**Notification:** Not later than the date on which the decision to take disciplinary action is made, the local educational agency shall notify the parents of that decision, and of all procedural safeguards accorded under this section.

**Determination of Setting:** The interim alternative educational setting shall be determined by the IEP Team.

**Appeal:** IN GENERAL: The parent of a child with a disability who disagrees with any decision regarding placement, or the manifestation determination under this subsection, or a local educational agency that believes that maintaining the current placement of the child is substantially likely to result in injury to the child or to others, may request a hearing. Stay put rules apply (see Stay Put)

**Appeals: Authority of Hearing Officer:** IN GENERAL: A hearing officer shall hear, and make a determination regarding an appeal requested under this section.

**Change of Placement Order:** In making the determination under this section, the hearing officer may order a change in placement of a child with a disability. In such situations, the hearing officer may—

1. return a child with a disability to the placement from which the child was removed; or
2. order a change in placement of a child with a disability to an appropriate interim alternative educational setting for not more than 45 school days if the hearing officer determines that maintaining the current placement of such child is substantially likely to result in injury to the child or to others.

**Placement During Appeals:** When an appeal has been requested by either the parent or the local educational agency challenging a decision regarding placement, or the manifestation determination under this section, the following shall occur:

1. The child shall remain in the interim alternative educational setting pending the decision of the hearing officer or until the expiration of the time period for school removal, whichever occurs first, unless the parent and the State or local educational agency agree otherwise; and
2. The RIDE shall arrange for an expedited hearing, which shall occur within 20 school days of the date the hearing is requested and shall result in a determination within 10 school days after the hearing.

**Stay Put:** Becomes the alternative educational setting established when a child's educational placement is changed due to a violation of a student code of conduct *when an appeal is taken under this section*. The stay put can be an appropriate interim alternative educational setting, another educational setting that provides access to general education and special education services or a setting decided and agreed to by the parent and the LEA.

**Authority of School Personnel:** *Case by case determination:* School personnel may consider any unique circumstances on a case by case basis when determining whether to order a change in placement for a child with a disability who violates a code of student conduct.

**Students not yet eligible for special education and related services:** An LEA is deemed to have knowledge that a child with a disability if, before the behavior that precipitated the disciplinary action occurred, a

- a. Parent expressed concern in writing to an administrator or a teacher; or
- b. Parent of the child has requested an evaluation of the child; or
- c. Teacher or other school or LEA personnel expressed specific concerns about a pattern of behavior demonstrated to an administrator.

### **Additional Due Process Considerations for Discipline Removals**

#### **Removals for less than 10 Consecutive School Days**

School removals for less than ten (10) consecutive school days require the following minimum standards of due process to be applied:

1. School removals for disciplinary infractions of ten (10) school days or less, the student must be afforded oral or written notice of the charges against him/her;
2. If the charges are denied, the student must be afforded an explanation of the evidence the authorities have; and
3. The student must be afforded an opportunity to present their side of the story.

**NOTE:** (R.I. RULE) R.I. adds to the above that if the student has not attained the age of majority (18), the notice and reason for the discipline suspension must be provided to the student's parents in their spoken language. Generally, notice and the hearing should precede the student's removal from school, since the hearing can almost immediately follow the misconduct, but if prior notice and hearing are not feasible, they should occur as soon as practicable.

### **Removals for more than 10 Consecutive School Days**

The amount of due process afforded increases for removals exceeding 10 consecutive school days. In Rhode Island, under those circumstances, the student must be provided:

1. A clear written statement of the reason for suspension or long term removal;
2. An opportunity to a more formal public or private hearing;
3. If a hearing is requested, the student is afforded prompt notice of the time and place of the hearing, with a reasonable time to allow for preparation;
4. Opportunity to be represented by legal counsel;
5. If the student is not 18 years old, the parent(s) or guardian is afforded the procedures 1,2,3,4 above;
6. At hearing, the right to cross examine witnesses and to present witnesses on their behalf;
7. A complete and accurate stenographic or electronic record of the hearing including all exhibits;
8. A written decision rendered within a reasonable time, based exclusively on the record detailing the reasons and factual basis therefore;
9. A copy of the decision;
10. A copy of the decision, together with the record must be forwarded to the Commissioner of Education, if there is an appeal of the decision.

**NOTE:** Students with disabilities receiving special education instruction must be afforded additional rights (see section disciplining students with disabilities within).

**Westerly Public Schools  
2023-2024 School Calendar**

<p>End of Grading Period</p> <p>1<sup>st</sup> 11/7/23 2<sup>nd</sup> 1/25/24 3<sup>rd</sup> 4/8/24 4<sup>th</sup> 6/18/24</p> <p><span style="background-color: #d9ead3; border: 1px solid #000; display: inline-block; width: 15px; height: 10px; vertical-align: middle;"></span> No School for Students <span style="background-color: #fff2cc; border: 1px solid #000; display: inline-block; width: 15px; height: 10px; vertical-align: middle;"></span> Early Release Day*</p>	<p style="text-align: center;"><b>August</b>      0 days</p> <table border="1" style="margin: auto; border-collapse: collapse; text-align: center;"> <tr><td style="width: 15px;">M</td><td style="width: 15px;">T</td><td style="width: 15px;">W</td><td style="width: 15px;">Th</td><td style="width: 15px;">F</td></tr> <tr><td></td><td></td><td style="background-color: #d9ead3;">NTO</td><td style="background-color: #d9ead3;">DPD</td><td style="background-color: #d9ead3;">DPD</td></tr> </table> <p style="text-align: right; color: red;">Cumulative Days    0</p> <p>29 NTO-New Teacher Orientation 30-31 District PD Day-Staff</p>	M	T	W	Th	F			NTO	DPD	DPD	<p style="text-align: center;"><b>September</b>      19 days</p> <table border="1" style="margin: auto; border-collapse: collapse; text-align: center;"> <tr><td style="width: 15px;">M</td><td style="width: 15px;">T</td><td style="width: 15px;">W</td><td style="width: 15px;">Th</td><td style="width: 15px;">F</td></tr> <tr><td></td><td></td><td></td><td></td><td style="background-color: #d9ead3;">1</td></tr> <tr><td style="background-color: #d9ead3;">X</td><td>5</td><td>6</td><td>7</td><td>8</td></tr> <tr><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td></tr> <tr><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td></tr> <tr><td>25</td><td>26</td><td>27</td><td>28</td><td>29</td></tr> </table> <p style="text-align: right; color: red;">Cumulative Days    19</p> <p>4 Labor Day-No School 5 Students' First Day 11 Kindergarten Students' First Day</p>	M	T	W	Th	F					1	X	5	6	7	8	11	12	13	14	15	18	19	20	21	22	25	26	27	28	29																																																		
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<p style="text-align: center;"><b>January</b>      21 days</p> <table border="1" style="margin: auto; border-collapse: collapse; text-align: center;"> <tr><td style="width: 15px;">M</td><td style="width: 15px;">T</td><td style="width: 15px;">W</td><td style="width: 15px;">Th</td><td style="width: 15px;">F</td></tr> <tr><td style="background-color: #d9ead3;">X</td><td>2</td><td>3</td><td style="background-color: #fff2cc;">4</td><td>5</td></tr> <tr><td>8</td><td>9</td><td>10</td><td>11</td><td>12</td></tr> <tr><td style="background-color: #d9ead3;">X</td><td>16</td><td>17</td><td>18</td><td>19</td></tr> <tr><td>22</td><td>23</td><td>24</td><td>25</td><td>26</td></tr> <tr><td>29</td><td>30</td><td>31</td><td></td><td></td></tr> </table> <p style="text-align: right; color: red;">Cumulative Days    94</p> <p>1 New Year's Day 4 Early Release Day-No PM PreK/ AM PreK attends regular time 15 Martin Luther King Day</p>	M	T	W	Th	F	X	2	3	4	5	8	9	10	11	12	X	16	17	18	19	22	23	24	25	26	29	30	31			<p style="text-align: center;"><b>February</b>      16 days</p> <table border="1" style="margin: auto; border-collapse: collapse; text-align: center;"> <tr><td style="width: 15px;">M</td><td style="width: 15px;">T</td><td style="width: 15px;">W</td><td style="width: 15px;">Th</td><td style="width: 15px;">F</td></tr> <tr><td></td><td></td><td></td><td style="background-color: #fff2cc;">1</td><td>2</td></tr> <tr><td>5</td><td>6</td><td>7</td><td>8</td><td>9</td></tr> <tr><td>12</td><td>13</td><td>14</td><td>15</td><td>16</td></tr> <tr><td style="background-color: #d9ead3;">X</td><td style="background-color: #d9ead3;">X</td><td style="background-color: #d9ead3;">X</td><td style="background-color: #d9ead3;">X</td><td style="background-color: #d9ead3;">X</td></tr> <tr><td>26</td><td>27</td><td>28</td><td>29</td><td></td></tr> </table> <p style="text-align: right; color: red;">Cumulative Days    110</p> <p>1 Early Release Day-No AM PreK/ PM PreK attends regular time 19-23 Winter Recess</p>	M	T	W	Th	F				1	2	5	6	7	8	9	12	13	14	15	16	X	X	X	X	X	26	27	28	29		<p style="text-align: center;"><b>March</b>      20 days</p> <table border="1" style="margin: auto; border-collapse: collapse; text-align: center;"> <tr><td style="width: 15px;">M</td><td style="width: 15px;">T</td><td style="width: 15px;">W</td><td style="width: 15px;">Th</td><td style="width: 15px;">F</td></tr> <tr><td></td><td></td><td></td><td></td><td>1</td></tr> <tr><td>4</td><td>5</td><td>6</td><td style="background-color: #fff2cc;">7</td><td>8</td></tr> <tr><td>11</td><td>12</td><td>13</td><td>14</td><td>15</td></tr> <tr><td>18</td><td>19</td><td>20</td><td>21</td><td>22</td></tr> <tr><td>25</td><td>26</td><td>27</td><td>28</td><td style="background-color: #d9ead3;">X</td></tr> </table> <p style="text-align: right; color: red;">Cumulative Days    130</p> <p>7 Early Release Day-No PM PreK/ AM PreK attends regular time 29 Good Friday</p>	M	T	W	Th	F					1	4	5	6	7	8	11	12	13	14	15	18	19	20	21	22	25	26	27	28	X
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<p style="text-align: center;"><b>April</b>      16 days</p> <table border="1" style="margin: auto; border-collapse: collapse; text-align: center;"> <tr><td style="width: 15px;">M</td><td style="width: 15px;">T</td><td style="width: 15px;">W</td><td style="width: 15px;">Th</td><td style="width: 15px;">F</td></tr> <tr><td>1</td><td style="background-color: #d9ead3;">DPD</td><td>3</td><td style="background-color: #fff2cc;">4</td><td>5</td></tr> <tr><td>8</td><td>9</td><td>10</td><td>11</td><td>12</td></tr> <tr><td style="background-color: #d9ead3;">X</td><td style="background-color: #d9ead3;">X</td><td style="background-color: #d9ead3;">X</td><td style="background-color: #d9ead3;">X</td><td style="background-color: #d9ead3;">X</td></tr> <tr><td>22</td><td>23</td><td>24</td><td>25</td><td>26</td></tr> <tr><td>29</td><td>30</td><td></td><td></td><td></td></tr> </table> <p style="text-align: right; color: red;">Cumulative Days    146</p> <p>2 Presidential Primary District PD Day-Staff 4 Early Release Day-No AM PreK/ PM PreK attends regular time 15-19 Spring Recess</p>	M	T	W	Th	F	1	DPD	3	4	5	8	9	10	11	12	X	X	X	X	X	22	23	24	25	26	29	30				<p style="text-align: center;"><b>May</b>      22 days</p> <table border="1" style="margin: auto; border-collapse: collapse; text-align: center;"> <tr><td style="width: 15px;">M</td><td style="width: 15px;">T</td><td style="width: 15px;">W</td><td style="width: 15px;">Th</td><td style="width: 15px;">F</td></tr> <tr><td></td><td></td><td>1</td><td style="background-color: #fff2cc;">2</td><td>3</td></tr> <tr><td>6</td><td>7</td><td>8</td><td>9</td><td>10</td></tr> <tr><td>13</td><td>14</td><td>15</td><td>16</td><td>17</td></tr> <tr><td style="background-color: #fff2cc;">20</td><td>21</td><td>22</td><td>23</td><td>24</td></tr> <tr><td style="background-color: #d9ead3;">X</td><td>28</td><td>29</td><td>30</td><td>31</td></tr> </table> <p style="text-align: right; color: red;">Cumulative Days    168</p> <p>2 Early Release Day-No PM PreK/ AM PreK attends regular time 20 Senior Project Day Early Release Day 27 Memorial Day</p>	M	T	W	Th	F			1	2	3	6	7	8	9	10	13	14	15	16	17	20	21	22	23	24	X	28	29	30	31	<p style="text-align: center;"><b>June</b>      12 days</p> <table border="1" style="margin: auto; border-collapse: collapse; text-align: center;"> <tr><td style="width: 15px;">M</td><td style="width: 15px;">T</td><td style="width: 15px;">W</td><td style="width: 15px;">Th</td><td style="width: 15px;">F</td></tr> <tr><td>3</td><td>4</td><td>5</td><td>6</td><td>7</td></tr> <tr><td>10</td><td>11</td><td>12</td><td>13</td><td>14</td></tr> <tr><td>17</td><td>18</td><td style="background-color: #d9ead3;">X</td><td>(20)</td><td>(21)</td></tr> <tr><td>(24)</td><td>(25)</td><td>(26)</td><td>(27)</td><td>(28)</td></tr> </table> <p style="text-align: right; color: red;">Cumulative Days    180</p> <p>5 Last Instructional Day for Seniors 14 Graduation 18 or 180th day - Last Day 19 Juneteenth 20-28 Make-Up Days</p>	M	T	W	Th	F	3	4	5	6	7	10	11	12	13	14	17	18	X	(20)	(21)	(24)	(25)	(26)	(27)	(28)					
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17	18	X	(20)	(21)																																																																																								
(24)	(25)	(26)	(27)	(28)																																																																																								

\* Early Release Day-PreK see monthly schedule; High School at 12:35 PM; Middle School at 1:15 PM; Elementary at 2 PM

Approved by School Committee: 04/19/23; updated 7/19/23