

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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U.S. DISTRICT COURT
DISTRICT OF MASS.

DOCKETED

WESTFIELD HIGH SCHOOL L.I.F.E. CLUB, by)
and through its individual members, Stephen)
Grabowski, Timothy Souza, Daniel Souza, Sharon)
Sitler, Paul Sitler and Dustin Cooper; STEPHEN)
GRABOWSKI, by and through his parents,)
Edmund and Mary Etta Grabowski; TIMOTHY)
SOUZA and DANIEL SOUZA by and through)
their parents, Ralph and Diane Souza; SHARON)
SITLER and PAUL SITLER, by and through their)
parents, William and Denise Sitler; and DUSTIN)
COOPER, by and through his parents, Brian and)
Amy Turner-Cooper,)

Plaintiffs,)

vs.)

Case No.03-30008 FHF

CITY OF WESTFIELD; DR. THOMAS)
Y. McDOWELL, Individually and in his official)
capacity as Superintendent of Westfield Public)
Schools; and THOMAS W. DALEY, Individually)
and in his official capacity as Principal of Westfield)
High School,)

Defendants.)

**SECOND AMENDED VERIFIED COMPLAINT FOR PRELIMINARY AND
PERMANENT INJUNCTIVE RELIEF, DECLARATORY RELIEF AND DAMAGES**

COMES NOW the Plaintiffs, WESTFIELD HIGH SCHOOL L.I.F.E. CLUB by and through its individual members Stephen Grabowski, Timothy Souza, Daniel Souza, Sharon Sitler, Paul Sitler and Dustin Cooper; STEPHEN GRABOWSKI, by and through his parents, Edmund and Mary Etta Grabowsk; TIMOTHY SOUZA and DANIEL SOUZA, by and through their parents, Ralph and Diane Souza; SHARON SITLER and PAUL SITLER, by and through their parents, William and

43

Denise Sitler; and DUSTIN COOPER, by and through his parents Brain and Amy Cooper, by and through their undersigned counsel, and respectfully request this Court to issue Declaratory Judgment, Preliminary and Permanent Injunctive Relief and Damages. In support thereof, Plaintiffs show unto the Court as follows:

1. This is a civil action whereby Plaintiffs seeks Declaratory Judgment, Preliminary and Permanent Injunctive Relief enjoining Defendants, the CITY OF WESTFIELD, DR. THOMAS Y. McDOWELL, Individually and in his official capacity as Superintendent of the Westfield Public Schools, and THOMAS W. DALEY, Individually and in his official capacity as Principal of Westfield High School, (hereafter collectively referred to as "Defendants"), their agents, servants and employees and those acting in active concert and with actual notice thereof, from prohibiting Plaintiffs from distributing religious literature to fellow students during non-instructional time during the school day, from enforcing any discriminatory policy against Plaintiffs prohibiting them from distributing religious literature during the school day to fellow students, from disciplining Plaintiffs for distributing religious literature to fellow students during the school day, and from acting in such a manner as to violate the Plaintiffs' rights to Freedom of Speech, Freedom of Assembly, Free Exercise of Religion and Equal Protection, guaranteed under the First and Fourteenth Amendments to the United States Constitution and from violating the Establishment Clause of the First Amendment to the United States Constitution.

Plaintiffs also pray for Declaratory Judgment to determine the constitutionality of Defendants' Literature Distribution Policy (hereafter "Policy") and of the Defendants' actions in denying Plaintiffs the opportunity to exercise their rights and for disciplining Plaintiffs for exercising their constitutional rights, and to declare Defendants' Policy, both on its face and as applied,

unconstitutional as a direct violation of Plaintiffs' rights and a violation of the freedoms protected by the First and Fourteenth Amendments to the United States Constitution, and for an award of such damages as are directly and proximately caused by the Defendants' violations of the Plaintiffs' rights.

An actual controversy exists between the parties involving substantial constitutional issues, in that the Defendants' Policy is unconstitutional on its face and as applied, violates Plaintiffs' rights to freedom of speech, freedom of assembly, equal protection and free exercise of religion of Plaintiffs guaranteed under the First and Fourteenth Amendments to the United States Constitution and also violates the Establishment Clause of the First Amendment to the United States Constitution. Plaintiffs have also been disciplined pursuant to the Policy.

JURISDICTION AND VENUE

2. This action arises under the First and Fourteenth Amendments to the United Constitution, 42 U.S.C. §1983.

3. This Court has jurisdiction of this claim under, and by virtue of, 28 U.S.C. §§1331, 2201-02.

4. Venue is proper under 28 U.S.C. §1391(b). Each and all of the acts alleged herein were done by Defendants, and each of them, not as individuals, but under the color and pretense of the statutes, ordinances, regulations, practices, customs, and uses of the City of Westfield.

5. This Court is authorized to grant Declaratory Judgment under the Declaratory Judgment Act, 28 U.S.C. §§ 2201-02 implemented through Rule 57 of the Federal Rules of Civil Procedure, and to issue the Preliminary and Permanent Injunctive Relief requested by Plaintiffs under Rule 65 of the Federal Rules of Procedure.

6. This Court is authorized to grant Plaintiffs' prayer for relief regarding costs, including a reasonable attorney's fee, under 42 U.S.C. §1988.

7. This Court has supplemental jurisdiction over any and all claims arising under state law by virtue of 28 U.S.C. §1367.

PARTIES

8. Plaintiff, WESTFIELD HIGH SCHOOL L.I.F.E. CLUB, represented herein by and through its individual members Stephen Grabowski, Timothy Souza, Daniel Souza, Sharon Sitler, Paul Sitler and Dustin Cooper, is and was at all times relevant herein, a non-curriculum related, student initiated, student led religious club existing within Westfield High School pursuant to the authority of the City of Westfield.

9. Plaintiff STEPHEN GRABOWSKI, a minor, is and was at all times relevant herein, a resident of Westfield, Massachusetts, and is currently a Junior at Westfield High School, under the jurisdiction of the Westfield Public Schools.

10. EDMUND and MARY ETTA GRABOWSKI, are and were at all times relevant herein, the parents of Stephen Grabowski.

11. Plaintiff TIMOTHY SOUZA, a minor, is and was at all times relevant herein, a resident of Westfield, Massachusetts, and is currently a Freshman at Westfield High School, under the jurisdiction of the Westfield Public Schools.

12. Plaintiff DANIEL SOUZA, a minor, is and was at all times relevant herein, a resident of Westfield, Massachusetts, and is currently a Junior at Westfield High School, under the jurisdiction of the Westfield Public Schools.

13. RALPH and DIANE SOUZA, are and were at all times relevant herein, the parents

of Timothy and Daniel Souza.

14. Plaintiff SHARON SITLER, a minor, is and was at all times relevant herein, a resident of Westfield, Massachusetts, and is currently a Senior at Westfield High School, under the jurisdiction of the Westfield Public Schools.

15. Plaintiff PAUL SITLER, a minor, is and was at all times relevant herein, a resident of Westfield, Massachusetts, and is currently a Freshman at Westfield High School, under the jurisdiction of the Westfield Public Schools.

16. WILLIAM and DENISE SITLER, are and were at all times relevant herein, the parents of Sharon and Paul Sitler.

17. Plaintiff DUSTIN COOPER, a minor, is and was at all times relevant herein, a resident of Westfield, Massachusetts, and is currently a Junior at Westfield High School, under the jurisdiction of the Westfield Public Schools.

18. BRIAN and AMY COOPER, are and were at all times relevant herein, the parents of Dustin Cooper.

19. Defendant, CITY OF WESTFIELD, is a public body corporate and politic established, organized, and authorized under and pursuant to the laws of Massachusetts, with the authority to sue and be sued, and was at all times relevant herein, operating within the course and scope of its authority and under color of state law.

20. Defendant, DR. THOMAS Y. McDOWELL, is and was at all times relevant herein, the Superintendent of the Westfield Public Schools and acted within the course and scope of his authority as Superintendent.

21. Defendant, THOMAS W. DALEY, is and was at all times relevant herein, the

Principal of Westfield High School, and acted within the course and scope of his authority as Principal.

STATEMENT OF FACTS

22. The L.I.F.E. Club (hereafter "Club" or "Bible Club"), is a non-curriculum related student-initiated and student led Christian club at Westfield High School.

23. Plaintiffs Stephen Grabowski, Sharon and Paul Sitler, Timothy and Daniel Souza and Dustin Cooper are all members of the L.I.F.E. Club.

24. The Club meets every first and third Monday of every month.

25. The acronym L.I.F.E. stands for Love and Insight For Eternity.

26. The Club's activities include meeting together for Bible study discussion, prayer and participating or planning service projects such as assisting in local soup kitchens, clothing drives and food drives.

27. In December, 2002, the members of the Club decided to pass out Candy Canes with an attachment as a way of celebrating Christmas and of spreading the Gospel.

28. The distribution of the Candy Canes with the attachment was a function of the Bible Club.

29. The Club referred to the distribution of the Candy Canes and the attachment as "Operation Candy Cane" or "OCC".

30. The attachment to the Candy Canes was a folded card that contained the story of the Candy Cane as well as Bible verses. *See* Attachment to Candy Cane attached hereto as Exhibit "A".

31. The outside of the attachment said "Merry Christmas".

32. The back side of the attachment stated as follows:

LIFE Bible Club

Every first and third Monday of every month

2:00 - 3:00 in Room 330

L ove and

I nsight

F or

E ternity

"And this is my prayer: that your love may abound more and more in knowledge and depth of insight, so that you may be able to discern what is best and may be pure and blameless until the day of Christ, filled with the fruit of righteousness that comes through Jesus Christ - to the glory and praise of God."

Philippians 1:9-11

See Exhibit "A".

33. The inside of the attachment contained the story of the Candy Cane as well as a Salvation prayer, which was as follows:

According to legend there was a candy maker who wanted to invent a candy that was a witness to Christ. The result was the candy cane. First of all, he used a hard candy because Christ is the Rock of Ages. This hard candy was shaped so that it would resemble a "J" for Jesus or a shepherd's staff. He made it white to represent the purity of Christ. Finally, a red stripe was added to represent the blood of Christ that was shed for the sins of the world and three thinner red stripes for the stripes he received on our behalf when the Roman soldiers whipped him. The flavor of the candy is peppermint, which is similar to hyssop. Hyssop is in the mint family and was used in the Old Testament for purification and sacrifice. Jesus is the pure Lamb of God, who came to be a sacrifice for the sins of the world. Too often the true meaning of Christmas is lost in commercialism and the stress of the holiday season. One thing that we can be thankful for is the salvation that God has given us through Jesus Christ, instead of worrying about what presents we are going to get. The gift of salvation is the greatest gift anyone could ever give us. It is better than getting a new car, and it is better than a gift certificate to the mall. And it's free!

Remember: It is not a prayer that saves you. It is trusting Jesus Christ that saves you. Prayer is simply how you tell God what you are doing. If you want to receive this awesome gift just be real with God and ask Him for it!

Dear God,

I know I am a sinner, and I know I should be punished. I believe that Christ died for me and took the punishment for my sins, and then rose from the dead three days after he died. I trust Jesus Christ alone as my savior. Thank you for your forgiveness and everlasting life that I know I now have.

In Jesus' name, Amen.

Now your whole life is new!

See Exhibit "A".

34. The distribution of the Candy Canes with the attachment was to take place during non-instructional time on or about Thursday, December 19, 2002, which was one day prior to the last day of school before the Winter Break.

35. The Westfield Public Schools Policy regarding literature distribution is contained within the Parent-Student Handbook. See Parent-Student Handbook attached hereto as Exhibit "B".

36. The Handbook contains a Policy entitled, "Freedom of Speech, Assembly or Congregation" (hereafter "Free Speech Policy") which states, in relevant part:

The freedoms of speech and the right to assemble are two principles upon which this country is based. These freedoms are subject to the limits of obscenity, defamation, fighting words, incitement or disruption as defined by the Massachusetts Department of Education. Responsible speech will be allowed in the proper location at the proper time, so as not to stop other people from entering classrooms, distributing literature during classes, or hold a demonstration, so that it interferes with classes or homerooms in session. The use of symbolic expressions of publishing/distributing of material is subject to the same limitations as listed for freedom of speech.

See Exhibit "B" at pg. 23.

37. The phrase "Responsible speech" is nowhere defined in the Policies of the Westfield Pubic Schools.

38. The Handbook also contains a Policy entitled, "Posting of Information and Distribution of Materials" (hereafter "Distribution Policy") which states, in relevant part:

Handbills or any other printed matter may not be distributed or circulated in school or on the school grounds without proper authority. Arrangements should be made with an administrator or his designee.

See Exhibit "B" at pg. 27.

39. Neither the Free Speech Policy nor the Distribution Policy (hereafter collectively referred to as "Policies") contain standards to govern the exercise of discretion by the administrator or his designee.

40. The Policies contain no time limits during which a decision must be made concerning allowing distribution of literature.

41. The Policies contain no right of appeal should a student be aggrieved by the administrator's decision regarding distribution of literature.

42. The Policies allow for the exercise of unfettered discretion by the administrator or his designee concerning a request to distribute literature.

43. Two academic years ago, during the 2000-2001 school year, the members of the Bible Club asked for permission to distribute candy canes with an attachment that contained the candy cane story, Bible verses and a salvation prayer.

44. Both the Free Speech Policy and the Distribution Policy were in effect during the 2000-2001 school year.

45. Defendant Timothy McDowell was not the Superintendent of Westfield Public Schools during the time in the 2000-2001 school year when the members of the Bible Club requested

permission to distribute candy canes with an attachment.

46. The members of the Bible Club were granted permission to distribute the candy canes with the attachment that contained the candy cane story, Bible verses and a salvation prayer.

47. One academic year ago, during the 2001-2002 school year, the members of the Bible Club requested permission to again distribute candy canes with an attachment.

48. Both the Free Speech Policy and the Distribution Policy were in effect during the 2001-2002 school year.

49. Defendant Timothy McDowell was Superintendent during the time period in the 2001-2002 school year when the members of the Bible Club requested permission to distribute candy canes with an attachment.

50. Principal Daley reviewed the content of the attachment to the candy canes the Bible Club wished to distribute.

51. Principal Daley told the members of the Bible Club that the content of the attachment to the candy cane was "offensive" and that they would not be able to distribute it to fellow students.

52. Principal Daley told the members of the Bible Club that they could have a non-offensive message on the attachment to the candy cane that said something like "Seasons Greetings" or "Happy Holidays and that advertised the meeting times of the Club.

53. The members of the Bible Club agreed to change the message of the attachment to the candy cane so that it said "Happy Holidays from the Bible Club."

54. The members of the Bible Club distributed the candy canes with the attachment that stated, "Happy Holidays from the Bible Club."

55. This academic year, on or about December 12, 2002, Plaintiff Stephen Grabowski,

on behalf of the Bible Club, approached Thomas Daley, Principal of Westfield High School, to request permission to distribute Candy Canes with the attachment that contained the story of the candy cane, a salvation prayer, Scripture verses and the meeting times of the Bible Club as described above.

56. Both the Free Speech Policy and the Distribution Policy were in effect during the 2002-2003 school year.

57. Plaintiff Grabowski gave Principal Daley a copy of the attachment to the Candy Canes to review.

58. After reviewing the attachment to the Candy Cane, Principal Daley told Plaintiff Grabowski that the attachment to the Candy Canes was "offensive" and that he would have Superintendent McDowell review the attachment to the candy cane and would get back with them.

59. On or about Monday, December 16, 2002, Plaintiff Stephen Grabowski, on behalf of the Bible Club, contacted Principal Daley to ascertain whether they would be allowed to distribute the attachment to the candy cane.

60. Principal Daley communicated to Plaintiff Grabowski that Superintendent McDowell had denied the request to distribute the attachment because the attachment was offensive and that other students had a right not to be exposed to an offensive piece of literature.

61. That same day Plaintiff Grabowski telephoned Superintendent McDowell to request permission to distribute the Candy Canes.

62. Superintendent McDowell communicated to Plaintiff Grabowski his decision that the Bible Club could not distribute the candy canes with the attachment because the attachment was offensive.

63. Superintendent McDowell also stated that allowing the distribution of the Candy Cane with the attachment would violate the rights of other students in the school not to be exposed to material they may find offensive.

64. The members of the Bible Club were unwilling to censor the message of the attachment to the candy canes as Principal Daley requested the previous year.

65. Superintendent McDowell told Plaintiff Grabowski that he would get back to him regarding whether the Bible Club could distribute the attachment along with the candy canes.

66. On or about Tuesday, December 17, 2002, Plaintiff Grabowski contacted Principal Daley to ascertain whether they would be allowed to distribute the attachment to the candy canes.

67. Principal Daley communicated to Plaintiff Grabowski that Superintendent McDowell would not allow them to distribute the attachment to the candy canes.

68. On or about Tuesday, December 17, 2002, Plaintiff Grabowski contacted Liberty Counsel to request assistance regarding the distribution of the Candy Canes with the attachment.

69. On or about Wednesday, December 18, 2002, Liberty Counsel faxed a letter to Superintendent McDowell requesting that he allow the students to distribute the Candy Canes with the attachments and requesting a response the same day, as the distribution was scheduled for Thursday, December 19, 2002. *See* Letter attached hereto as Exhibit "C".

70. The letter was copied to Principal Daley and to Mayor Richard K. Sullivan who is Chairman of the Westfield Public School Committee. *See* Exhibit "C".

71. On or about Wednesday, December 18, 2002, Superintendent McDowell faxed a letter to Liberty Counsel denying the request to allow the students to distribute the Candy Canes with the attachment. *See* Letter attached hereto as Exhibit "D".

72. Dr. McDowell's letter stated:

We do not allow students to distribute non-school curriculum or activity related literature of any kind directly to other students on school grounds. We do not single out students based upon the content of their message, in this or any other instance. Should a student or group of students simply wish to distribute candy canes with no message, it would be treated in the same manner, as would a handout advertising a sale at a local store.

See Exhibit "D".

73. On or about the morning of Thursday, December 19, 2002, Dr. McDowell and Principal Daley met with the members of the Bible Club.

74. During the meeting, Superintendent McDowell showed the members of the Bible Club the letter he had received from Liberty Counsel as well as the responsive letter he transmitted to Liberty Counsel.

75. During the meeting, Superintendent McDowell repeated his earlier denial to the students of their request to distribute Candy Canes with the attachment.

76. The members of the Bible Club felt so strongly that they had a constitutional right to pass out their message with the candy canes that they made the decision to pass them out despite Dr. McDowell's denial of their request.

77. The decision to distribute the candy canes and the attachment was made based upon the student's sincere religious belief that they were obeying God's command to them to share the Gospel with their fellow students.

78. The members of the Bible Club made the decision to distribute the candy canes with the attachments knowing that there might be disciplinary proceedings instituted against them. However, each of the members of the Bible Club felt they were being obedient to God as their higher

authority.

79. The members of the Bible Club felt that they had no choice but to be obedient to God's command to them, even if that command conflicted with the school district's decision to deny their request.

80. On or about Thursday, December 19, 2002, the members of the Bible Club distributed approximately 450 candy canes with the attachment to fellow students.

81. The distribution occurred during the school day.

82. The distribution occurred only during the non-instructional times of between classes and during lunch.

83. The distribution of the candy canes with the attachment did not stop other people from entering classes.

84. The distribution of the candy canes with the attachment did not interfere with classes or homerooms in session.

85. The content of the attachment to the candy canes was not obscene or defaming and did not constitute fighting words

86. The content of the attachment to the candy canes did not incite violence or disruption.

87. The distribution of the candy canes with the attachment did not materially or substantially disrupt the educational environment of Westfield High School.

88. The content of the candy cane attachment would not have led a school official to fear disruption of the educational environment by its distribution to students.

89. On or about January 2, 2003, the Winter Break ended and the members of the Bible Club returned to school.

90. During the first period of classes on January 2, 2003, the Plaintiff members of the Bible Club were summoned to the Principal's office.

91. Principal Daley told the members of the Bible Club they would each have to serve a one-day in-school suspension for distributing the candy canes with the attachment. *See* Notice of Suspension attached hereto as Exhibit "E".

92. On or about the afternoon of January 2, 2003, Mary Etta Grabowski, Stephen Grabowski's mother, and Denise Sitler, Sharon and Paul Sitler's mother, delivered a letter to Superintendent McDowell asking that the suspensions be stayed until the School Board could have a hearing on the matter.

93. That same afternoon, Mrs. Sitler and Mrs. Grabowski received a telephone call from the Superintendent's office stating that the internal suspensions would be stayed pending an appeal to the School Committee.

94. Superintendent McDowell's office sent a Revised Notice of Suspension to the parents of the Bible Club members. *See* Revised Notice of Suspension attached hereto as Exhibit "F".

95. The Revised Notice of Suspension stated that the parents may appeal the decision to the Superintendent's office within 10 days. *See* Exhibit "F".

96. The parents of the students have appealed to the Superintendent's office.

97. As of the time of filing this Complaint, no decision had been rendered regarding the appeal.

98. Several students face serious consequences from the school's decision to punish them for distributing the candy canes with the attachments.

99. Plaintiff Sharon Sitler is a member of the National Honor Society.

100. If Plaintiff Sharon Sitler were to receive a suspension on her record, she would be removed from the National Honor Society.

101. Plaintiff Sharon Sitler is a Senior and is in the process of applying to several colleges and universities for admission and scholarships.

102. Should Sharon Sitler be removed from the National Honor Society because of the school's discipline of her, she would face a severe disadvantage in competing for admission and scholarships to college.

103. Plaintiff Paul Sitler is currently a Freshman at Westfield High school and has aspirations to attend the United States Air Force Academy upon graduation from high school.

104. Should Plaintiff Paul Sitler receive a suspension or other discipline on his academic record, it would severely disadvantage him in his chances of competing for enrollment to the Air Force Academy.

105. All the Plaintiffs face serious and severe consequences of the school's discipline of them regarding their distribution of the candy canes with the attachment.

106. Both the Free Speech Policy and the Distribution Policy grant unfettered discretion to the Principal and the Superintendent to deny speech.

107. The Policies are an unconstitutional prior restraint on speech.

108. Both Principal Daley and Superintendent McDowell exercised their designated authority under the Policies to ban the Plaintiffs' speech.

109. In implementing their written Policies, their practice and custom of banning speech during non-instructional times, the Defendants have caused irreparable harm to the Plaintiffs' Constitutional rights.

110. The Plaintiffs desire in the future to exercise their constitutional rights by distributing literature to their fellow students during non-instructional time.

111. The Bible Club desires in the future, as an activity of the Bible Club, to distribute literature and to distribute candy canes with attachments.

**COUNT I - VIOLATION OF FREEDOM OF SPEECH UNDER THE FIRST
AMENDMENT TO THE UNITED STATES CONSTITUTION**

112. Plaintiff hereby reincorporates and adopts each and every allegation in the preceding paragraphs numbered 1 through 111.

113. Defendants violated Plaintiff's First Amendment right to freedom of speech by preventing Plaintiffs from distributing religious literature and by disciplining Plaintiffs for distributing religious literature to fellow students during non-instructional time.

114. Defendants' Policies and actions are a prior restraint on Plaintiff's speech.

115. Defendants' Policies and actions leave unfettered discretion to deny literature distribution in the hands of the Defendants.

116. Defendants' Policies and actions are vague.

117. Defendants' Policies and actions are content-based restrictions on Plaintiffs' speech.

118. Defendants have denied Plaintiff the right to freedom of speech by discriminating against Plaintiffs on the basis of the content of their message.

119. Defendants' Policies and actions are viewpoint-based restrictions on Plaintiffs' speech.

120. Defendants have denied Plaintiff the right to freedom of speech by discriminating against Plaintiffs on the basis of the religious viewpoint of their speech.

121. Defendants' Policies and actions are not the least restrictive means to accomplish any permissible government purpose sought to be served by the actions.

122. Defendants' Policies and actions do not leave open ample alternative channels of communication for Plaintiffs.

123. Defendants' Policies and actions are irrational and unreasonable, and impose unjustifiable restrictions on constitutionally-protected speech.

124. Defendants' Policies and actions unconstitutionally chill and abridge the right of Plaintiffs to freely speak and meet with other people.

125. Defendants' violation of Plaintiffs' right of free speech has caused, and will continue to cause, the Plaintiffs to suffer undue and actual hardship and irreparable injury.

126. Plaintiffs have no adequate remedy at law to correct the continuing deprivations of their most cherished constitutional liberties.

127. As a direct and proximate result of the Defendants' continuing violations of the Plaintiffs' rights, the Plaintiffs have in the past and will continue to suffer in the future direct and consequential damages, including but not limited to, the loss of their ability to exercise their constitutional rights, the loss of reputation, embarrassment, and humiliation.

WHEREFORE, Plaintiffs respectfully pray that the Court grant the declaratory and injunctive relief set forth herein and award such damages to the Plaintiffs as are reasonable, just and necessary.

COUNT II - VIOLATION OF MASS. GEN. L. CH. 71, §82 - RIGHTS AND RESPONSIBILITIES OF PUBLIC SECONDARY SCHOOL STUDENTS

128. Plaintiffs hereby reiterate and adopt each and every allegation in the preceding paragraphs numbered 1 – 111.

129. Plaintiffs' right to freedom of expression is protected by Mass. Gen. L. Ch. 71, §82

(West 2002), which states, in relevant part, as follows:

The right of students to freedom of expression in the public schools of the commonwealth shall not be abridged, provided that such right shall not cause any disruption or disorder within the school. Freedom of expression shall include without limitation, the rights and responsibilities of students, collectively and individually, (a) to express their views through speech and symbols, (b) to write, publish and disseminate their views, (c) to assemble peaceably on school property for the purpose of expressing their opinions.

130. Plaintiffs' actions are in distributing literature are a protected form of expression under state law.

131. Defendants' Policies and actions are a violation of Plaintiffs' right to freedom of expression protected under state law.

132. Defendants' Policies and actions curtail and infringe Plaintiffs' rights to freedom of expression even when Plaintiffs' expression does not cause any disruption or disorder in the school.

WHEREFORE, Plaintiffs respectfully pray that the Court grant the declaratory and injunctive relief set forth herein and award such damages to Plaintiffs as are reasonable, just and necessary.

COUNT III – VIOLATION OF THE EQUAL ACCESS ACT

133. Plaintiff hereby incorporates and adopts each and every allegation in the proceeding paragraphs numbered 1 through 111.

134. Defendant has created a "limited open forum" within the meaning of the Equal Access Act, 20 U.S.C. § 4071, *et seq.*, in Westfield High School by permitting one or more non-curriculum-related student groups to meet on school premises.

135. Plaintiff's right to equal access on the same terms and conditions to all of the privileges of other non-curriculum clubs is protected by the Equal Access Act, 20 U.S.C. § 4071, *et*

seq.

136. Membership in the Bible Club is voluntary and open to all students within Westfield High School.

137. The Bible Club is a student-initiated and student-led club.

138. The Bible Club does not materially and/or substantially interfere with the orderly conduct of educational activity with Westfield High School or any other secondary school within Defendant's jurisdiction.

139. Defendants have denied Plaintiff the right to equal access and a fair opportunity to exercise their rights and privileges at Westfield High school and are discriminating against Plaintiffs on the basis of the religious content of the Bible Club.

140. Defendants' Policies and actions of denying Plaintiffs equal access violate Plaintiffs' rights under the Equal Access Act.

141. Defendants' Policies and actions are unconstitutional abridgements of Plaintiffs' affirmative right to equal access protected under the Equal Access Act because they operate as a content-based restriction in a public school forum.

142. As a direct result of Defendants' prohibition of Plaintiffs' rights, Defendants continue to abridge and violate Plaintiffs' rights in violation of the Equal Access Act 20 U.S.C. §§ 4071-4074.

143. As a direct and proximate result of the Defendants' continuing violations of the Plaintiffs' rights, the Plaintiffs have in the past and will continue to suffer in the future direct and consequential damages, including but not limited to, the loss of the ability to exercise their constitutional and statutory rights, loss of reputation, embarrassment, and humiliation.

WHEREFORE, Plaintiffs respectfully pray that the Court grant the declaratory and injunctive

relief set forth herein and award such damages to the Plaintiffs as are reasonable, just and necessary under the circumstances.

**COUNT IV - VIOLATION OF THE ESTABLISHMENT CLAUSE
OF THE UNITED STATES CONSTITUTION**

144. Plaintiffs hereby incorporate and adopt each and every allegation in the preceding paragraphs numbered 1 through 111.

145. The First Amendment's Establishment Clause, incorporated and made applicable to the states by the Fourteenth Amendment to the United States Constitution, prohibits the establishment of any religion and/or excessive government entanglement with religion.

146. The Defendants' Policies and actions constitute a violation of the Establishment Clause because they are devoid of a secular purpose.

147. The Defendants' Policies and actions constitute a violation of the Establishment Clause because they are not neutral, but are invidious and hostile, toward religion.

148. The Defendants' Policies and actions discriminate against Plaintiffs and treat Plaintiffs less favorably than secular literature that is permitted to be distributed.

149. The Defendants' Policies and actions constitute a violation of the Establishment Clause because they create an excessive entanglement with religion.

WHEREFORE, Plaintiffs respectfully pray that the Court grant the declaratory and injunctive relief set forth herein and award such damages to the Plaintiffs as are reasonable, just and necessary under the circumstances.

COUNT V – VIOLATION OF THE RIGHT TO EQUAL PROTECTION

150. Plaintiffs hereby reiterate and adopt each and every allegation in the preceding

paragraphs numbered 1 – 111.

94. Plaintiffs' right to equal protection under the laws is protected by the Equal Protection Clause of the Fourteenth Amendment to the United States Constitution.

95. Defendants' Policies and actions are unconstitutional abridgements of Plaintiffs' affirmative right to equal protection of the laws, are not facially neutral, and specifically target Plaintiffs' religious viewpoints and speech.

96. Defendants' Policies and actions are unconstitutional because they treat religious literature differently than they treat secular literature.

97. Defendants' Policies and actions are unconstitutional abridgements of Plaintiffs' right to equal protection of the law because Defendants treats Plaintiffs differently from other similarly situated individuals and groups on the basis of Plaintiffs' religious content, viewpoint and expression.

98. Defendants' Policies and actions are not supported by a compelling governmental interest sufficient to justify its enactment or enforcement against Plaintiffs.

99. Defendants' Policies and actions are not the least restrictive means to accomplish any permissible government purpose sought to be served by the actions.

100. Defendants' Policies and actions do not serve a significant government interest.

101. Defendants' Policies and actions do not leave open ample alternative channels of communication.

102. Defendants' Policies and actions are irrational and unreasonable, and impose irrational and unjustifiable restrictions on constitutionally protected speech.

103. Defendants, in violation of the Equal Protection Clause, have caused, and will

continue to cause, Plaintiffs to suffer undue and actual hardship and irreparable injury. Plaintiffs have no adequate remedy at law to correct the continuing deprivations of Plaintiffs' most cherished constitutional liberties.

104. As a direct and proximate result of Defendants continuing violations of Plaintiffs' rights, Plaintiffs have in the past and will continue to suffer in the future direct and consequential damages, including but not limited to, the loss of the ability to exercise their constitutional rights.

WHEREFORE, Plaintiffs respectfully pray that the Court grant the declaratory and injunctive relief set forth herein and award such damages to Plaintiffs as are reasonable, just and necessary.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for judgment as follows:

A. That this Court immediately issue a Preliminary Injunction enjoining Defendants' Policy entitled "Freedom of Speech, Assembly or Congregation" and Defendants' Policy entitled "Posting of Information and Distribution of Materials" and enjoining Defendants, Defendants' agents, employees, and all persons in active concert or participation with them, from violating Plaintiffs' constitutional and statutory rights so that:

- (1) Defendants shall not prohibit Plaintiffs from distributing literature to fellow students during non-instructional time based on the content or viewpoint of the literature;
- (2) Defendants shall not impose a prior restraint upon Plaintiffs' right to distribute literature to fellow students during non-instructional time;
- (3) Defendants shall not punish Plaintiffs in any way for

distributing literature to fellow students during non-instructional time;

- (4) Defendants' Policies shall not be used in any other manner to infringe upon Plaintiffs' statutory and Constitutional rights;

B. That this Court issue a Permanent Injunction to enjoin Defendants' Policy entitled "Freedom of Speech, Assembly or Congregation" and Defendants' Policy entitled "Posting of Information and Distribution of Materials" and enjoining Defendants, Defendants' agents, employees, and all persons in active concert or participation with them, from violating Plaintiffs' constitutional and statutory rights so that:

- (1) Defendants shall not prohibit Plaintiffs from distributing literature to fellow students during non-instructional time based on the content or viewpoint of the literature;
- (2) Defendants shall not impose a prior restraint upon Plaintiffs' right to distribute literature to fellow students during non-instructional time;
- (3) Defendants shall not punish Plaintiffs in any way for distributing literature to fellow students during non-instructional time;
- (4) Defendants' Policies shall not be used in any other manner to infringe upon Plaintiffs' statutory and Constitutional rights;

C. That this Court render a Declaratory Judgment:

- (1) Declaring Defendants' Policy entitled "Freedom of Speech, Assembly or Congregation" and Defendants' Policy entitled "Posting of Information and Distribution of Materials" and Defendants' actions in denying Plaintiffs' request to distribute religious literature to be invalid under the First and Fourteenth Amendment to the United States Constitution and under state law;
- (2) Declaring that Defendants, Defendants' officers, agents, employees and other persons acting in active concert with

them, unlawfully obstructed Plaintiffs from exercising Plaintiffs' constitutionally protected rights by:

- (a) Subjecting Plaintiffs to an unconstitutional prior restraint on literature distribution;
- (b) Preventing Plaintiffs from distributing religious literature to fellow students during non-instructional time based on the content or viewpoint of the literature;
- (c) Treating Plaintiffs' literature unequally with secular or nonreligious literature;
- (d) Prohibiting Plaintiffs from distributing literature to fellow students at any time or place during the school day.

D. That this Court award to Plaintiffs such damages as are reasonable and just under the circumstances as a direct and proximate result of the Defendants' violations of Plaintiffs' constitutional and statutory rights.

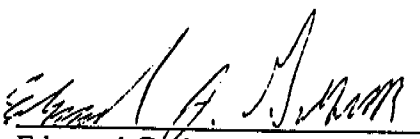
E. That this Court adjudge, decree, and declare the rights and other legal relations with the subject matter here in controversy, in order that such declaration shall have the force and effect of final judgment;

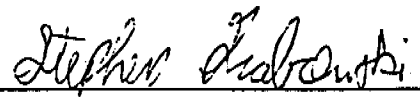
F. That this Court retain jurisdiction of this matter for the purpose of enforcing this Court's order;

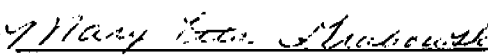
G. That this Court award Plaintiffs the reasonable costs and expenses of this action, including attorney's fees, in accordance with 42 U.S.C. §1988.

H. That this Court grant such other and further relief as this Court deems equitable and just under the circumstances.

All the above statements are true to the best of my knowledge. I understand that a false statement in this Verified Complaint may subject me to penalties of perjury.


Edmund Grabowski, Parent of
Stephen Grabowski

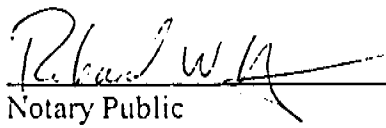

Stephen Grabowski, Plaintiff


Mary Etta Grabowski, parent of
Stephen Grabowski

STATE OF MASSACHUSETTS

COUNTY OF HAMPDEN

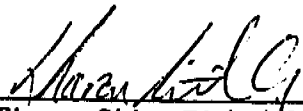
The foregoing instrument was acknowledged before me this 12 day of January, 2003, by Stephen, Edmund and Mary Etta Grabowski, who are personally known to me or who have produced identification and who took an oath/affirmed.

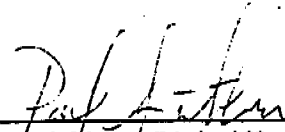

Notary Public
My Commission expires:

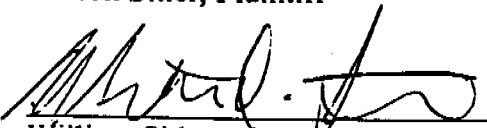
Subscribed to and sworn before me
this _____ day of _____, _____.

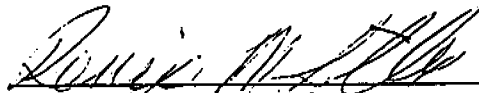
Richard W. Utzinger, Notary Public
My commission expires Aug. 8, 2008

All the above statements are true to the best of my knowledge. I understand that a false statement in this Verified Complaint may subject me to penalties of perjury.


Sharon Sitler, Plaintiff


Paul Sitler, Plaintiff

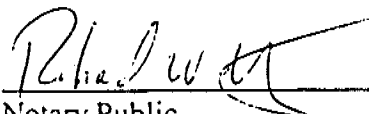

William Sitler, Parent of
Sharon and Paul Sitler


Denise Sitler, parent of
Sharon and Paul Sitler

STATE OF MASSACHUSETTS

COUNTY OF HAMPDEN

The foregoing instrument was acknowledged before me this 12 day of January, 2003, by Sharon, Paul, William and Denise Sitler, who are personally known to me or who have produced identification and who took an oath/affirmed.


Notary Public
My Commission expires:

Subscribed to and sworn before me
this _____ day of _____, _____.

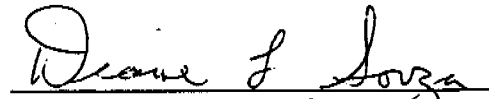
Richard W. Utzinger, Notary Public
My commission expires Aug. 8, 2008

All the above statements are true to the best of my knowledge. I understand that a false statement in this Verified Complaint may subject me to penalties of perjury.


Timothy Souza, Plaintiff


Daniel Souza, Plaintiff

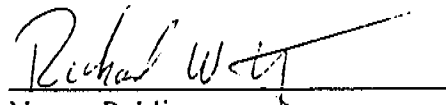

Ralph Souza, Parent of
Timothy and Daniel Souza


Diane Souza, parent of
Timothy and Daniel Souza

STATE OF MASSACHUSETTS

COUNTY OF HAMPDEN

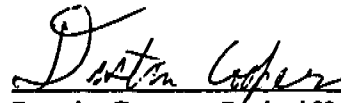
The foregoing instrument was acknowledged before me this 12 day of January, 2003, by Timothy, Daniel, Ralph and Diane Souza, who are personally known to me or who have produced identification and who took an oath/affirmed.

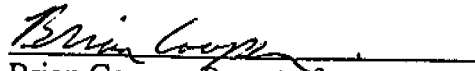

Notary Public
My Commission expires:

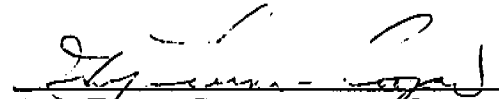
Subscribed to and sworn before me
this _____ day of _____, _____.

Richard W. Utzinger, Notary Public
My commission expires Aug. 8, 2008

All the above statements are true to the best of my knowledge. I understand that a false statement in this Verified Complaint may subject me to penalties of perjury.


Dustin Cooper, Plaintiff

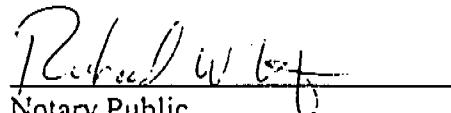

Brian Cooper, Parent of
Dustin Cooper


Amy Turner-Cooper, parent of
Dustin Cooper

STATE OF MASSACHUSETTS

COUNTY OF HAMPDEN

The foregoing instrument was acknowledged before me this 12 day of January, 2003, by Dustin, Brian and Amy Turner-Cooper, who are personally known to me or who have produced identification and who took an oath/affirmed.

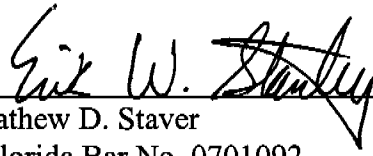

Notary Public
My Commission expires:

Subscribed to and sworn before me
this _____ day of _____.

Richard W. Utzinger, Notary Public
My commission expires Aug. 8, 2008

Respectfully Submitted,

Bertin C. Emmons, BBO 154200
P.O. Box 890218
Weymouth, MA 02189
(781) 682-2336
Local Counsel for Plaintiffs



Mathew D. Staver
Florida Bar No. 0701092
Erik W. Stanley
Florida Bar No. 0183504
Joel L. Oster
Kansas Bar No. 18547
Anita L. Staver
Florida Bar No. 0611131
LIBERTY COUNSEL
210 East Palmetto Avenue
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Telephone: (407) 875-2100
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Attorneys for Plaintiffs

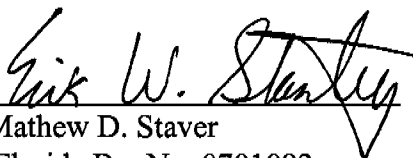
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by U.S. Mail delivery this 15th day of April, 2003, to the following:

Claire L. Thompson, Esq.
Doherty, Wallace, Pillsbury & Murphy, P.C.
One Monarch Place
1414 Main Street, 19th Floor
Springfield MA 01144
Attorney for Defendants

Mr. Edward P. Mulvaney, Esq.
Counselors At Law
Fallon, Sullivan, Dunphy & Mulvaney
115 State St
Springfield MA 01103
Attorney for Defendant Daley

Mr. Bertin C. Emmons, Esq.
Massachusetts Bar No. 154200
(Local Counsel)
38 Humphrey St
Weymouth MA 02189
Telephone: (781) 682-2336
Telefacsimile: (781) 6821-2338
Attorney for Plaintiffs


Mathew D. Staver
Florida Bar No. 0701092
(Lead Trial Counsel)
Erik W. Stanley
Florida Bar No. 0183504
Joel L. Oster
Kansas Bar No. 18547
Anita L. Staver
Florida Bar No. 0611131
LIBERTY COUNSEL
210 East Palmetto Avenue
Longwood, FL 32750
Telephone: (407) 875-2100
Telefacsimile: (407) 875-0770
Attorneys for Plaintiffs

On the outside it said "Merry Christmas" on one side, and on the other side was:

LIFE Bible Club

Every first and third Monday of every month

2:00 — 3:00 in Room 330

L ove and

I nsight

F or

E ternity

"And this is my prayer: that your love may abound more and more in knowledge and depth of insight, so that you may be able to discern what is best and may be pure and blameless until the day of Christ, filled with the fruit of righteousness that comes through Jesus Christ - to the glory and praise of God."

Philippians 1:9-11

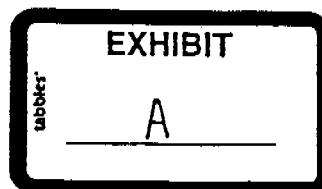
And on the inside it said:

According to legend there was a candy maker who wanted to invent a candy that was a witness to Christ. The result was the candy cane. First of all, he used a hard candy because Christ is the Rock of Ages. This hard candy was shaped so that it would resemble a "J" for Jesus or a shepherd's staff. He made it white to represent the purity of Christ. Finally, a red stripe was added to represent the blood of Christ that was shed for the sins of the world and three thinner red stripes for the stripes he received on our behalf when the Roman soldiers whipped him. The flavor of the candy is peppermint, which is similar to hyssop. Hyssop is in the mint family and was used in the Old Testament for purification and sacrifice. Jesus is the pure Lamb of God, who came to be a sacrifice for the sins of the world. Too often the true meaning of Christmas is lost in commercialism and the stress of the holiday season. One thing that we can be thankful for is the salvation that God has given us through Jesus Christ, instead of worrying about what presents we are going to get. The gift of salvation is the greatest gift anyone could ever give us. It is better than getting a new car, and it is better than a gift certificate to the mall. And it's free!

Remember: It is not a prayer that saves you. It is trusting Jesus Christ that saves you. Prayer is simply how you tell God what you are doing. If you want to receive this awesome gift just be real with God and ask Him for it!

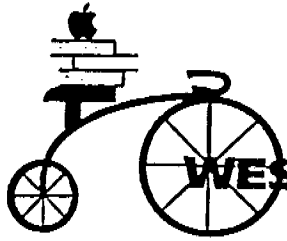
Dear God,

I know I am a sinner, and I know I should be punished. I believe that Christ died for me and took the punishment for my sins, and then rose from the dead three days after he died. I trust Jesus Christ alone as my savior. Thank you for your forgiveness and everlasting life that I know I now have.



In Jesus'' name, Amen.

Now your whole life is new!



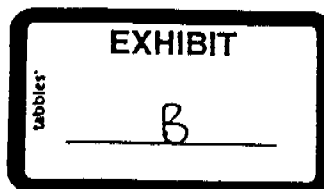
WESTFIELD PUBLIC SCHOOLS

Parent - Student Handbook



Westfield High School

2002-2003



Academics.....	7
Attendance Policy.....	16-18
Beeper, Cellphones.....	18
Absences.....	16-17
Breath Analyzers.....	27
Bullying.....	30
Bus Conduct.....	18
Bus Transportation.....	18
Cancellation of School.....	19
Care of School Property.....	19
Change of Address/Tel.No.....	19
Class Cut Policy.....	18
Class Dues.....	19
Clubs/Organizations/Activities.....	33-35
Code White.....	23
Complaints/Grievances & Appeals.....	21
Computer /Acceptable Use Policy.....	19-20
Conduct.....	20-21
Course of Study.....	7
Credit/promotion Implication.....	17
Crisis Hot Lines.....	37
Daily Bell Schedule.....	7
Daily Schedule of Classes.....	7
Delayed Opening.....	19
Destruction of Student Records.....	7
Detention/Saturday Detention.....	31-32
Directory Information Notice.....	7
Directed Study Periods.....	31
Discipline.....	22
Discipline Chart.....	32-33
Discipline Policy for Special Needs Students.....	31
Diseases.....	24
Dismissal From School.....	17
Distribution of Student Info To Parents.....	4
Dress and Grooming.....	22
Drug & Alcohol Use By Students.....	11-12
Drug & Alcohol Offenses.....	11
Dual Enrollment.....	8
Due Process Rights.....	23
Emergency Cards.....	24
Equal Education Opportunities.....	4
Equal Opportunity Title IX.....	3
Examinations.....	10
Expulsion of Students.....	13-14
External Suspension.....	21
Facilities for the Handicapped.....	23
Faculty Mailboxes.....	23
Fire Drills Emergency Evacuation.....	23
Food Services/Food Beverages.....	23
Forgery, Misrepresentation/Altering Documents.....	23
Freedom of Speech/Assembly or Congregation.....	23
Grooming.....	23
Grade Point Average.....	9
Grading and Grading Periods.....	9
Graduation Requirements.....	8
Guidance Department.....	23
Harassment/Hazing/Intimidation.....	24
Health Office.....	24
Home B.C.....	9
IXES.....	13
Identification Card.....	25
Illness or Injury.....	24
Illegal and/or Disruptive Devices.....	26
Immunizations.....	24
Incendiary Devices, Bomb Threats/Fires.....	25
Interrogations Searches/Arrests.....	14

Insubordination.....	25
Interscholastic Athletics.....	25-26
Internal Suspension.....	31
Letter from Mr. Daley.....	2
Library.....	26
Library Passes.....	26
Lockers.....	27
Lost and Found.....	27
Loyalty Song.....	36
Lunch Period.....	27
Lunch Schedule.....	7
Make-up of Class Work.....	9-10
Medications.....	24-25
Miscellaneous.....	35-36
Non-Discrimination.....	3
Obligations and Responsibilities.....	27
Parental Notification Law.....	7
Parking Rules and Regulations.....	32
Passes.....	27
Personal Conduct.....	27
Physical Education.....	8
Physical Examinations.....	25
Plagiarism/Cheating/Willful Deceit or Misrepresentations.....	27
Posting of Information/Distribution of Material.....	27
Profanity Obscene Language.....	27
Programs/Functions/Social Activities (School Sponsored).....	27
Propelling of/or Throwing Objects.....	27
Rank In Class.....	9
Recreational Radios/Tape Recorders/ Musical Instruments/Personal Possessions.....	28
Renaissance Program.....	10-11
Report Cards.....	10
Resources.....	37
School Accreditation.....	2
School Calendar.....	6
Section 504.....	5
Sexual Harassment Policy.....	28-30
Smoking and Tobacco Products.....	12
Special Education.....	31
Special Help Class.....	1
Statement of Purpose.....	7
Statement of Objectives.....	7
Student Assistance Team.....	24
Student Record Regulations.....	3
Student Surveys.....	14-15
Summary of WPS Safety Policies.....	1
Summer School.....	12-13
Suspension of Students.....	31
Suspension Homework Policy.....	17-18
Tardiness.....	21
Tests Survey/Questionnaires.....	21
Telephone Messages.....	21
Tobacco Use By Students.....	12
Transcripts.....	7
Transferring Student Records.....	7
Truancy.....	21
Tutors.....	21
Vandalism/Theft Destruction of Property.....	21
Visitors.....	21
Warning Notices.....	21
Warnings.....	21
Weapons.....	21
Withdrawal or Transfer.....	21
Withdrawing From a Course.....	21
WHS Core Values.....	21
WHS Faculty.....	21

Dear Parent/Guardian/Student:

This handbook has been prepared to tell you about our school. You will find in it the rules, regulations and other important information about our school that make it possible for all of us to live, learn and work together. It will tell you exactly what it is we expect from our school. Read this thoroughly and carefully now. Don't wait. Be sure you and your children understand everything in it. If you have any questions about the information in the handbook please contact the building principal.

Dr. Thomas Y. McDowell

Superintendent of Schools

Thank you for reading this handbook. Please sign below. This page must be returned to your homeroom teacher within 10 days of receipt.

Parent/Guardian Signature

Date

Parent/Guardian Signature

Date

Student Signature

Date

WESTFIELD SCHOOL COMMITTEE

Mayor Richard K. Sullivan, Jr., Chairman
Mr. Timothy O'Connor, Vice Chairman
Mrs. Maryann Cleland, Secretary
Dr. David Doe
Mrs. Sharon Merlo-Gosselin
Mr. Robert Kapinos
Mrs. Heather Sullivan

SUPERINTENDENT OF SCHOOLS

Dr. Thomas Y. McDowell, Superintendent

WESTFIELD HIGH SCHOOL ADMINISTRATION

Thomas W. Daley - Principal
Mitchell J. Bannish - Assistant Principal
John K. Dougherty, Assistant Principal
Kathleen Hogan-Friguglietti, Assistant Principal

COORDINATORS/SUPERVISORS

Family - Consumer Science/Health - Donna Gosselin
Language Arts - Chris Tolpa
Foreign Language - Susan Fournier
Guidance - Kathryn Milligan
Mathematics - Patricia Turner
Science - Catherine Levesque
Social Studies - Thomas Rabinski
Special Education - Dmitra Cook
Supervisor of Art Music - Phyllis Vincent
Director of Physical Education & Intramurals - Alan Nummy
Librarian - Madeline Warner
Senior Custodian - Albert Roselli
Manager, School Lunch Program - Mary Jane Carey
Educational Technology - Laurene Belisle

WESTFIELD HIGH SCHOOL COUNCIL

Thomas W. Daley, Principal, Co-chair
Norma Ann O'Connell, Co-chairman
Cynthia Falardeau - Parent Representative
Dorothy Falardeau - Parent Representative
Marlene Nadeau - Parent Representative
Conna Patten - Parent Representative
Mary Madras - Parent Representative
Nora Stiles - Parent Representative
Michael Zuber - Business Representative
Branna Houltham - Student Representative
Christina Salter - Student Representative

Westfield High School
177 Montgomery Road
Westfield, MA 01095
(413) 562-5928

Monday, February 17, 2003 3:30 PM

Registration Number

Westfield High School - 562-5967

Westfield High School - 413/562-5928

Westfield High School

To the Students, Parents and Friends of Westfield High School:

On behalf of the school committee, administration, faculty, and staff, I extend a warm and sincere welcome to Westfield High School.

This handbook has been prepared to provide information about our school. The sections about general information, academics, attendance, student conduct, discipline codes and school activities should be read and understood. This information is important for all students and parents.

Our school offers many activities, programs, cultural and artistic events, as well as a variety of social functions for the school population. Parents are also invited to attend advisory council meetings, conferences and school programs. Please call 572-6463 for any information on programs or activities.

School can be a pleasant place to be even though it involves hard work. I encourage you to be actively involved in all your academic and extra-curricular activities as well as our athletic and social functions. Keep in mind that Westfield High School will be the kind of school you would like it to be in proportion to the contribution that you and every other student are willing to make.

Educational experiences are not limited to the classroom. Some of the most satisfying and useful experiences may be found in the activities of the co-curricular programs described in the handbook. Hopefully, you will participate in one of these school activities.

Good luck and best wishes for a happy and productive year at Westfield High School.

Sincerely,

Thomas W. Daley, Principal
Westfield High School

SCHOOL ACCREDITATION

Westfield High School is accredited by the New England Association of Schools and Colleges, Inc., a non-governmental, nationally recognized organization whose affiliated institutions include elementary schools through collegiate institutions offering post-graduate instruction.

Accreditation of an institution by the NEASC indicates that it meets or exceeds criteria for the assessment of institutional quality periodically applied through a peer group process. An accredited school or college is one which has appropriate educational programs, is substantially doing so, and gives reasonable evidence that it will continue to do so in the foreseeable future. Institutional integrity is also addressed through accreditation.

Accreditation by the NEASC is not partial but applies to the institution as a whole. As such, it is not a guarantee of the quality of every course or program offered, or the competence of individual graduates. Rather, it provides reasonable assurance about the quality of opportunities available to students who attend the institution. Inquiries regarding the status of Westfield High School's accreditation should be directed to the administrative staff of the school.

WESTFIELD HIGH SCHOOL CORE VALUES

1. Acquisition of knowledge and skills
2. Respect for person and property
3. Parent and school partnerships
4. Self-esteem

MISSION STATEMENT

The mission statement of Westfield High School is to provide students with experiences that contribute to a solid foundation of knowledge, skills, and attitudes on which students can build responsible, fulfilling, self-directed lives.

STATEMENT OF PURPOSE

Accordingly, the school will recognize individual differences and provide comprehensive programs that address and encourage independent and creative responses to our changing world. In conjunction with the home, the school will seek to instill that fundamental sense of confidence on which powerful learning and lifetime relationships are based.

School acts as a model community. Respect for others' opinions and beliefs is essential. Westfield High School must operate with the understanding that social skills, as well as academic skills, are important to students as responsible family members and members of the local and the world community. Additionally, to be effective members of the work once, students must learn to work cooperatively. Knowledge is power; therefore, Westfield High School encourages students to approach the world with wonder and curiosity. All students will be given every opportunity to learn at high levels. Acquisition of knowledge is important, but students should also be prepared to apply this knowledge in real-life situations. Education should stimulate intellectual curiosity and provide each learner access to his or her cultural heritage. Students will be provided with academic challenges, exposed to varying philosophies, and instructed in the skills for life-long learning. Student achievement and academic progress will be measured regularly. (Revised 1997)

STATEMENT OF OBJECTIVES

- Foster the development of positive self-esteem through a realistic perception of personal capabilities and potentials, to encourage individualism and personal growth.
- Promote career education, including career awareness activities and provide career counseling and information services.
- Provide the opportunity for counseling to all students for assistance in school and/or personal problems.
- Stimulate a positive attitude toward lifelong learning.
- Provide the means for students to develop positive interpersonal and family relationships in a changing society.
- Assist students to become involved and responsible citizens and recognize their responsibilities to a democratic society, as well as the privileges it grants.
- Aid students to identify personal, leisure and recreational needs and determine positive alternatives to fulfill them.
- Foster an atmosphere that values the dignity and respect of each human being.
- Encourage the development of leadership qualities.

- Emphasize high ethical standards
- Provide the opportunity for successful participation in a variety of activities
- Facilitate course selection and scheduling procedures, so that students' programs fit their interests and abilities.
- Increase students' awareness of the environment and the impact of technology.
- Promote health, safety and physical fitness, contributing to physical and emotional well-being.
- Encourage cooperation among faculty, school, and community for better school spirit.
- Ensure a continuing assessment of Westfield High School's role in our changing, technological society.

NON-DISCRIMINATION

The Westfield Public Schools is committed to ensuring equal educational opportunities for all students, and does not discriminate based on students' disability, race, color, sex, religion, national origin, genetic testing and information, or sexual orientation.

EQUAL OPPORTUNITY GRIEVANCE PROCEDURE

TITLE IX- CHAPTER 662

Westfield High School conforms to the provisions of Chapter 622 of the Acts of 1971 and Title IX which provides that all activities and courses of study shall be open and available to all students without regard to race, color, sex, religion, national origin, genetic testing and information or sexual orientation. Any suspected failure to abide by the provisions is to be reported to the principal. Any student or employee of the Westfield School Department who believes he/she has been discriminated against, denied a benefit or excluded from participation in any district education program or activity on the basis of sex, race, color, religion, national origin, genetic testing and information or sexual orientation in violation of this policy, may file a written complaint. A local complaint procedure has been established and any such complaint should be addressed to: Chapter 622 Title IX District Coordinator, 22 Ashley Street, Westfield, MA 01085, Telephone 413-572-6403.

The compliance administrator shall cause a review of the written complaint within ten working days after receipt of the written complaint. If the complainant is not satisfied with such response, he/she may submit a written appeal to the School Committee indicating with specifics the nature of the disagreement, stating his/her reasons for such disagreement. A copy of the written complaint shall then be provided to each member of the School Committee.

The School Committee shall consider the appeal, which will be listed for action by the School Committee on the next regularly scheduled School Committee agenda. The School Committee shall permit the complainant to address the School Committee in public or in closed session, as appropriate and lawful. Any individual has the right at any time to address inquiries regarding their civil rights to the Office of Civil Rights, Boston, MA

STUDENT RECORD REGULATIONS

The Massachusetts Board of Education has adopted Student Records Regulations under the authority of Chapters 71, 71B, and 76 of the General Laws. 603 CMR 23.00 is promulgated by the Board of Education to insure parents' and students' rights of confidentiality, inspection, amendment and destruction of student records and to assist local school systems in adhering to the law. Under these regulations, custodial parents/legal guardians and students 14 years of age or older may view the student's records. Access to student records by non-custodial parents is governed by Massachusetts General Laws Chapter 71, §34H. See discussion under Distribution of Student Information to Parents on page 7.

A student and/or parent guardian may not require a school to remove reports of disciplinary incidents involving suspension or violation of the school's Code of Conduct, including criminal acts with which the student was charged or conduct for which the student was suspended, pursuant to the Massachusetts General Laws Chapter 71, §37H and 37H. Pursuant to Massachusetts General Laws Chapter 37L, any student transferring into the Westfield Public Schools must provide the district with a complete school record including, but not limited to, any incidents involving suspension, expulsion or violation of the Code of Conduct, or criminal acts or any incident reports in which such student was charged with any such offense. The responsibility under Massachusetts General Laws Chapter 37L rests with the student who is transferring; the student may either request the records from the former school and present them to Westfield, or may request that the former school send the records directly to Westfield. Pursuant to 37H, if within a student has been expelled or possessed of a dangerous weapon or a controlled substance or assaultive conduct, the student applies for admission to another school, Westfield will notify the Superintendent of the receiving school of the reasons for the student's expulsion.

Pursuant to 603 CMR 23.00, notice is hereby given to parents and eligible students that the Westfield Public Schools forwards the complete school records of a transferring student to schools in which the student seeks or intends to enroll. Such transfer of records takes place with the consent of the parent or eligible student. The student's record is also available to school personnel who are involved directly in teaching, supervising or otherwise providing services to the student. These individuals do not need written permission by the student and/or parent guardian to see the student's records.

Pursuant to the Family Educational Rights and Privacy Act (FERPA), students and/or parents guardians have the following rights: (1) the right to inspect and review the education records maintained by the school that the student is presently attending or has attended; (2) the right to request amendment of the education records that are inaccurate, misleading or otherwise in violation of the student's privacy right; (3) the right to the school to obtain written consent prior to the disclosure of personally identifiable information, except in those instances specifically permitted by FERPA. More complete guidelines and copies of the regulations are available at the individual schools if more information is desired.

DIRECTORY INFORMATION NOTICE

The Westfield Public Schools has designated certain information contained in the education records of its students as Directory Information. This information is defined by the Family Educational Rights and Privacy Act (FERPA) and the student records regulations at 603 CMR 23.00 et seq. The information regarding students is considered Directory Information if it includes: (1) name, (2) address, (3) telephone number, (4) date and place of birth, (5) date of study, (6) participation in officially recognized activities and sports, (7) weight and height of members of athletic teams, (8) degrees, honors and awards received, and (9) past high school plans of the student.

Directory Information may be disclosed for any purpose in the discretion of the school system, without the consent of the parent of a student or eligible student. Parents of students and eligible students have the right, however, to refuse to permit the designation of any and all of the information as Directory Information. In that case, this information will not be disclosed except with the consent of the parent or student as allowed by FERPA and 603 CMR 23.00 et seq.

Effective January 8, 2012, Chapter 300C of the Massachusetts General Laws (G.L. c. 300C) is amended to provide access to secondary school students' names, address, and telephone listings (published only) upon request by military recruiters or institutions of higher education. The Act further requires that Westfield notify parents of their right to oppose release of this information to military recruiters. Any parent or student opposing release of this information to military recruiters and/or refusing to have any and all of the designated directory information disclosed, must file written notification to this effect with the principal on or before the 15th day of each September. Unless Westfield receives documentation of a parent's refusal by September 15th, Westfield will release the requested information to military recruiters.

ACCESS TO STUDENT WORK

During the course of the school year, personally identifiable student work may be seen and reviewed by third parties. For example, personally identifiable student work may be displayed on bulletin boards, at fairs, shows, during open house and parent teacher conferences, via videotape and audio tape and, thus, may be seen and or heard by many different people. In addition, students may be asked to edit, grade, review and or comment on another student's work as an instructional technique. All of this activity is part of a regular education process and we believe serves to benefit students. Any parent or student refusing to have personally identifiable student work displayed or seen by third parties as described above must give written notification to this effect with the principal on or before the 15th day of each September.

DESTRUCTION OF STUDENT RECORDS

The following notice is directed to graduating students and students who leave the system at other times. Eligible students or parents may obtain copies of their records by notifying the appropriate school prior to leaving the system. Temporary records will be destroyed within five years after the student leaves the school system. Temporary records may include standardized test results; class rank; school-sponsored extracurricular activities; and evaluations and comments by teachers, counselors, and other persons as well as other similar information. The transcript is not a temporary record and includes only the minimum information necessary to reflect the student's educational progress. This information includes name, address, course titles, grades, credits, and grade level completed. The transcript is kept by the school system for at least sixty years after the student leaves the system. Situations where the school will maintain records of a student's temporary record for more than five years after the student has left the school system are any records that are the subject of an audit investigation which are kept until the investigation is complete. Reporting and Documentation Requirements Regulations requires that each local school district maintain school registers, pupil census, IEPs, and other documentation to support data report to the Department of Education on the annual End-of-Year Pupil and Financial Report for seven years after its submission. In addition, where school health personnel administer immunizations to students, the health records of such students should be maintained in accordance with applicable medical record requirements. The records of students enrolled before February 1975 are not subject to the regulations. In keeping with the intent of 603CMR 23.06, however, the time limit for destruction of the record should probably be not less than sixty years for a transcript and not more than five years for the temporary record.

DISTRIBUTION OF STUDENT INFORMATION TO PARENTS

Parents shall be eligible for the receipt of the following information in a timely and appropriate manner if the parent is otherwise deemed eligible for receipt of student information: report cards and progress reports; results of intelligence and achievement tests; notification of enrollment in a transitional bilingual program; notification of absences; notification of illnesses; notification of detention, suspension or expulsion; and notification of permanent withdrawal from school.

Any parent who does not have physical custody of a child shall be eligible for the above information provided the following procedures are followed unless the parent has been denied legal custody based on a threat to the safety of the child or the custodial parent, or who has been denied visitation, or who has been ordered supervised visitation, or whose access to the child or custodial parent, has been restricted by a temporary or permanent protective order unless such order specifically allows access to the information.

A non-custodial parent eligible for such information shall submit a written request to the school principal annually. The initial request shall include a certified copy of the probate court's order of judgment relative to custody of the child indicated that the requesting parent has not sought or been denied shared legal custody based upon a threat and is entitled to unsupervised visitation with his or her child, or a certified copy of an order by a probate judge specifically ordering that this information be made available to the requesting parent, which certifies that the provision of the requested information has not been determined to pose a safety risk for the custodial parent or any child in the custodial parent's custody. The parent must also submit an affidavit certifying that the judgment or order remains in effect. Upon receipt of the request the custodial parent will be notified in writing. The information will be provided twenty one days after the notice unless the custodial parent produces a contrary order. All address and telephone number information will be deleted prior to turning over the records.

TRANSFERRING STUDENT RECORDS

When a student transfers to another school district or to a private or parochial school, authorized school personnel of the school to which a student transfers shall have access to the student transfer card mandated by M.G.L. c. 76, s. 13, without the consent of the eligible student or parent. Such authorized school personnel shall also have access to the transferring student's transcript, health record, and, if the student has been evaluated under Chapter 766, the educational plan and assessments pertinent to it. A release of information form for these records will be sent to the eligible student or parent. These records will be transferred unless the eligible student or parent, within 10 week days, responds requesting that some or all of these records not be transferred. Other parts of the student records may be released to the school to which a student transfers only with the consent of the eligible student or parent in accordance with 603 CMR. 23.07(4).

EQUAL EDUCATIONAL OPPORTUNITIES

In recognition of the diversified characteristics and needs of our students and with the keen desire to be responsive to them, the school committee will make every effort to protect the dignity of the students as individuals. It also will offer careful consideration and sympathetic understanding of their personal feelings, particularly with reference to their race, creed, sex, religion, nationality, and physical and intellectual differences.

To accomplish this, the committee and its staff will make every effort to comply with the letter and the spirit of the Massachusetts equal educational opportunities law (known as Chapter 622 of the Acts of 1971), which prohibits discrimination in public school admissions and programs. The law reads as follows: No child shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantage, privileges and course of study of such public school on account of race, color, sex, religion, national origin or sexual orientation. This will mean that every student will be given equal opportunity in school admission, admissions to courses, course content, guidance, and extracurricular and athletic activities.

Section 504 of the Rehabilitation Act of 1973, a civil rights law that protects the handicapped or disabled individuals in programs that receive federal funds. Under this Act, a qualified individual is one who has a physical or mental disability that substantially limits a major life activity or, has a record of such or is regarded as disabled by others." Major life activities include the ability to care for one self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working. The student's disability must substantially impair or limit a major life activity for an individual to be eligible. These disabilities might include students with Attention Deficit Disorder (AD/HD), students with AIDS, heart conditions, and other physical disabilities such as severe asthma, juvenile diabetes, severe arthritis, cerebral palsy, etc. Services given to students under section 504 are considered the responsibility of all of a section 504 eligible student's teachers regardless of the subject.

Many of the specific regulations found in Chapter 766 or IDEA do not apply to Section 504. However, the due process rights of students and parents or guardians are protected and a specific grievance procedure must be in place including the right to mediation or an impartial hearing and the right to be represented by an attorney. If students are thought to have a disability under Section 504, they have a right to an evaluation. It is the responsibility of the student/parent to document the existence of a disability under Section 504 with a report from a qualified expert. If a student is eligible, the district will develop a written Accommodation Plan documenting the presence of a disability which substantially limits a major life function and a statement of the accommodations that will be made to the student's program.

POLICIES AND PROCEDURE SECTION 504 OF THE REHABILITATION ACT OF 1973

A. Statement of Intent

It is the policy of Westfield Public Schools to comply with all the relevant and applicable provisions of Section 504. Westfield Public Schools will not discriminate against its personnel or students because of a person's physical or mental disability. Any student, parent or guardian who believes that he or she has been discriminated against on the basis of disability should immediately bring the problem to the attention of the school district officials in writing. A written complaint should be directed to the attention of the District 504 Coordinator, where the complaint will be investigated expeditiously.

No student, parent or guardian will be subject to coercion, intimidation, interference or retaliation for registering a complaint or for registering a complaint or for assisting in an investigation of any alleged violation of laws prohibiting discrimination on the basis of disability. Westfield Public Schools also will make reasonable adjustments wherever necessary for all employees or applicants with disabilities and students provided that any adjustments made do not require significant difficulty or expense. The Westfield Public Schools policy of nondiscrimination applies to all personnel and employment practices (See ADA policies and practices) and all public preschool, elementary and secondary programs and activities.

B. Access to Programs and Services

The Westfield Public Schools will review all procedures used to identify and evaluate a student's eligibility under Section 504, and access to appropriate educational services. The 504 Coordinator is responsible for Section 504 for the Westfield Public Schools and has the complete support of management in the implementation of this program. Any person having inquiries concerning the Westfield Public Schools compliance with Section 504 is directed to contact, Director of Curriculum and Instruction or Special Director, Westfield Public Schools, 22 Ashley Street, Westfield, MA 01085, (413) 562-2298. Westfield Public Schools will make every effort to ensure that all interested parties are informed about and assist in the implementation of Section 504.

WESTFIELD HIGH SCHOOL FACULTY

ART

Diane Allen
Karen Bauer
Donna Drawnowski

Family Consumer Science

Bernara Brando
Geraldine Manner
Margaret Toomey
Karen Whittaker

BILINGUAL

Al Dashewsky
Paula Parsky
Diana Miller
Linda Whitaker

BUSINESS

Patricia Barnes
Dianne DeMarco
Irene Flannery
Joanne Ryan

FOREIGN LANGUAGE

Aaron Benoit
Carole Green
Susan Fournier
Kathleen Gallogly
Connie LaBrecque
Diana Miller
Khalil Rivera

Cheryl Popovich
Joanne Santos
Mary Shea
Raymond Talbot

GUIDANCE

Tina Baur
Sharon Ensign
Aileen Kelly
Phyllis Levenson
Kathryn Milligan
Megan Sanford

HEALTH

Kim Baitler
Janet Gagnon

LANGUAGE ARTS

Eileen Doherty
Gina Fasoli
Christine Hagan
Betsy Kapetanis
Jim Keenan
Patricia LeClair
Aimee Monette
Lisa Ramage
Lynn Roberts
Kathryn Swope
Julie Schlobohm
Martina Sienkiewicz

Judy Smith
Chris Tolpa

MATHEMATICS

Lisa Goodwin
Patricia Eidinger
Sandra Gogal
Joanne Hynds
Ann Mundy
Aldo Orlandi
Joanne Osowski
Mary Osowski
Gail Picchi
Craig Spooner
Patricia Turner
Brian Williams

MUSIC

Korey Bruno
Patrick Kennedy

PHYSICAL EDUCATION

Stefanie Biza
Lance Byron
Richard Discenza
Karen Gomez
Maureen Parker
Michael Popovich
Chris Rogers
Gregory Strycharz

SCIENCE
 Deborah Aldrich
 Renne Coombs
 Antonio Farina
 Deborah Fiore
 Catherine Levesque
 Helen Gage
 Sandra Gil
 Robert Kelly
 Lydia LaPennas
 Donna Parent
 David Roberts
 Joseph Stella
 Orlando Valle

SOCIAL STUDIES
 James Angell
 Tom Babinski
 William Daley
 Peter Dargon
 Paul Domaingue
 Andrea Guilbault
 Alice Hagopian
 Joseph Hynds
 James Jachym
 Robert Piper
 Richard Shepardson
 Jill Wroblewski

SPECIAL EDUCATION
 Karen Bousquet
 Matthew Collins
 Dimitra Cook
 Sherry Elander
 Paula Figella
 Maureen Flaherty
 Robert Komorowski
 Donna Kotowski
 Robert Slack
 Eleanor Trautweiler
 Ted Tudryn
 Corey Wilson

TECH ED
 Diane Gauthier
 Leo Stasky
 Susanne Willey

LIBRARIAN
 Madeline Warner

ADJUSTMENT COUNSELORS
 Carrie Hildreth-Fiordalice
 Robert Coe

SCHOOL NURSE
 Sharon Gustafson
 Karyn Chaoush

504 TUTOR
 Teresa Gihon

PSYCHOLOGIST
 Andrew Butler

DRUG/ALCOHOL COUNSELOR
 Gaetana Aliotta

SCHOOL RESOURCE OFFICER
 Terry Manos

SCHOOL CALENDAR FOR 2002-2003

Aug. 26	In-service for New Teachers Only.
Aug. 27	In-service Day for All Teachers
Aug. 28	In-service Day for All Teachers
Aug. 29	Schools Open, Grades K-12
Sept. 2	Labor Day
Oct. 9	No school for students (In-service & Evening P/T conferences)
Oct. 14	Columbus Day (no school)
Nov. 11	Veteran's Day (no school)
Nov. 27, 28, 29	Thanksgiving recess (no school)
Dec. 23 - Jan. 1	Christmas Recess (no school)
	schools close end of day Dec. 20 and reopen Jan. 2, 2003
Jan. 20	Martin Luther King Day (no school)
Jan. 27	Kindergarten Changeover
Feb. 17 - 21	Midwinter Recess
March 11	1/2 day for students, evening parent conferences
March 19	In-service Day for all Teachers, No school for students
April 18	Good Friday
April 21-25	Spring Recess
May 26	Memorial Day
June 6	Graduation
June 23	Last Day of school (June 17 if no days used)
	1/2 day for students; full day for teachers

*Includes 4 days for emergency closing. For every day not used, a day will be deducted from the calendar. For each day used over the 4, a day will be added.

Dismissal Schedule for Parent/Teacher Conference/Curriculum Development Days on:
 March 11 (High School - 10:53) Breakfast and Lunch will be served at all schools

DAILY SCHEDULE OF CLASSES

Period 1	A	B	CDA/D
Period 2	B	C	DAA/D
Period 3	C	D	ABA/D
Period 4	D	A	BCA/D
Period 5	E	E	EEA/D
Period 6	F	F	FFA/D
Period 7	G	G	GGA/D

DAILY BELL SCHEDULE

7:20	Warning Bell	10: 58 - 11:22	E Period-1st Lunch
7:23 - 7:27	Homeroom	11:24 - 11:46	E Period-2nd Lunch
7:30 - 8:18	A Period	11:48 - 12:12	E Period-3rd Lunch
8:22 - 9:10	B Period	12:16 - 1:04	F Period
9:14 - 10:02	C Period	1:08 - 1:56	G period
10:06 - 10:54	D Period	2:10 - 3:00	Detention (Mon. Tues.Wed.Thurs)

There is a four minute passing period between classes. Students not in their room when classes are scheduled to begin, are tardy to class. Students not in their homeroom by 7:23 a.m. are tardy to school.

LUNCH SCHEDULE

FIRST LUNCH - 10:58-11:22 SECOND LUNCH - 11:24 - 11:46 THIRD LUNCH - 11:48 - 12:12

FIRST LUNCH

Rooms assigned will be on a quarterly basis by the administration

SECOND LUNCH

All study halls will report to second lunch, regardless of what floor they are on for your 5th (E) period class. Other rooms assigned will be announced on a quarterly basis by the administration. Students going to Second Lunch will have a "split" period. This means that students will report to their 5th (E) period at 10:58, to lunch at 11:24, return to class at 11:46 for the remainder of the period at 12:12.

THIRD LUNCH

All physical education classes and students using the library during (E) period will report to lunch. Other rooms assigned will be announced on a quarterly basis by the administration

ACADEMICS

The administration and staff of Westfield High School have as their prime responsibility the provision of a quality education for all students. To accomplish this, academic and attendance standards have been established. All parents and students should read the following information carefully. Questions concerning any of the material in this section should be addressed to the Guidance Office, Health Office, or an administrator.

COURSE OF STUDY

Each year the High School publishes a Course of Studies booklet, specifically describing each program and class that a student may wish to take. Parents should contact the appropriate school guidance counselor to be sure a schedule is built to meet the student's personal goals and interests. This booklet is usually available during the month of March.

PARENTAL NOTIFICATION LAW

The Westfield Public Schools will ensure that parents and/or guardians are afforded the flexibility to exempt their children from any portion of the human sexual education or human sexuality issues curriculum that is taught within the K-12 grade levels. Parents and/or guardians who wish to avail themselves of this flexibility shall do so through written notification to their child's school principal. No child so exempted shall be penalized by reason of such exemption.

To the extent practicable, program instruction materials for this curriculum shall be made reasonably accessible to parents, guardians, school administrators, and others for inspection and review. This policy will be distributed to all building principals, prior to September 1, 2001. Upon receipt of said policy building principals are responsible for notification to parents of their rights. Parents will be notified on an annual basis.

LEGAL REF: M.G.L. 71B2A

The Westfield School District continues to teach Comprehensive Health Education to all students in our schools from grades K-12. This curriculum is continually reviewed and revised and has been approved by the Westfield School Committee and the Administration. Information regarding Environmental and Community Health, Disease Prevention, Family Life, Emotional and Social Health, Nutrition, Personal Health, Personal Safety, and Drug Awareness is given to the students. Portions of this curriculum may deal with human sexual education and human sexuality, if this information is age and grade appropriate. We strongly recommend that all students participate in the lessons. The curriculum is reviewed at each school. If for some reason you do not want your child to participate in these classes, you do have the right to remove your child from the class. This request must be submitted in writing to the School Principal. Thank you for your continuing interest in this important educational program.

GRADUATION REQUIREMENTS

- It is the responsibility of each student to see that he/she fulfills all of the requirements for graduation. The Westfield School Committee has approved the following requirements for graduation for grades 10-12. The class of 2003 has a graduation requirement of 22 credits, one of which must be in the fine arts.

<u>SUBJECT</u>	<u>CREDITS</u>	<u>NOTES</u>
SOCIAL STUDIES	3.0	NOTE 1
ENGLISH	4.0	NOTE 1
SCIENCE (2), MATH (2), BUSINESS	4.0	NOTE 2
HEALTH & PHYSICAL EDUCATION	2.5	NOTE 1
PERSONAL FINANCE	0.5	NOTE 3
ELECTIVES	6.5	NOTES 4 & 5
TOTAL NEEDED TO GRADUATE:	20.5	

NOTES:

Must include the internal requirements of the department.

Two (2) credits must be taken in Science.

Two (2) credits must be taken in Math or Business. (Business Math, Record Keeping, and Accounting) May be satisfied by Contemporary Family Life as long as such course is not used to meet other distribution requirements.

Unless a student is in the High School Scholars Program, a total of one full credit per year may be applied to diploma requirements from specified "off campus" courses, which have been arranged by a department and will be under their supervision. This option may be taken only in junior and/or senior year.

No more than 0.5 credit of independent study may be applied to total requirements

PHYSICAL EDUCATION

Physical education is required of all students. Each student must have a change of clothes. Sweats, wind pants, athletic shorts, T-shirts, sweatshirts, and sneakers are the only acceptable attire. No offensive print or design will be allowed. Failure to be prepared will result in a loss of credit for that day. To be excused from participation requires written certification of a physician. Provisions can be made for an adaptive program for the handicapped student, within limits, prescribed by a physician as defined in an Individual Educational Plan.

DUAL ENROLLMENT PROGRAMWESTFIELD STATE COLLEGE/WESTFIELD PUBLIC SCHOOLSPURPOSE:

To provide qualified Junior and Senior year students in the Westfield Public Schools an opportunity to participate in an accelerated program at Westfield State college which will allow students to earn dual credit at both the secondary and college level.

The aim of the partnership between the College and the High School is to provide unique educational opportunities and an accelerated program for students exhibiting the highest scholastic aptitude and exceptional academic performance. This program will also provide talented students with a college level transcript, which may be used toward a baccalaureate program at other colleges and universities. Students may participate in the Dual Enrollment Program (High School Honors Program) at a State College or Community College for Westfield High School graduation credit or transfer credit at the college level. Students may take course for Westfield High School credit at a private college. A three credit college course will be the equivalent of one (1) credit at Westfield High School. There is no limit to the number of credits earned under Dual Enrollment. No enrichment grades will be calculated into class rank. Permission of principal designee is required.

ELIGIBILITY:

To be eligible a student must

Be a Junior or Senior in good standing in the Westfield Public Schools

Have demonstrated the ability to do college level work

Have a 3.75 GPA and/or the recommendation of the High School Principal or his designee

Meet the course prerequisites at WSC

Have an interview with WHS and/or WSC personnel

Have written parental approval

Earn a "B" or better to continue in the program

"C" would require recommendation of WSC instructor

"D" or "F" would exclude student from participation during the following semester.

PROGRAM:

Eligible students may seek enrollment in a course(s) in the "Common Core of Studies" or "Division of Continuing Education" pending available seating. Pending adequate student interest at WHS, courses may be offered at the high school and taught by WSC faculty. Students may take up to eighteen (18) credits over a two (2) year period. Special approval by the High School Principal would be needed to exceed this number. All library and student support services at WSC will be available to enrolled WHS students. WHS students may receive credit toward WHS graduation. College transcripts will be generated for each student.

COST:

The cost of tuition and fees will be borne by The Commonwealth of Massachusetts. Transportation costs and expenses incurred for textbooks, lab fees, and other instructional materials shall be borne by the student.

PROCEDURE:

Interested students should begin the application process by consulting with a guidance counselor at WHS during the semester prior to enrollment.

All teachers will distribute a course description at the beginning of each course with an explanation of how grades are determined. The Westfield

High School grading system is based on a numeric system:

90 - 100 Excellent	80 - 89 Skilled Mastery	70 - 79 Average
60 - 69 Poor	0 - 59 Failing	1 - Incomplete

CONDUCT AND EFFORT

Conduct and effort assessments by teachers are noted on the report card. These comments are: Excellent, Good, Fair, Poor, Needs Improvement, and Parent Conference Requested. In addition, Excessive Absences, Inconsistent Effort and Missing Assignments will also be considered in effort.

GRADING PERIODS (May be Subject to Change)

FIRST TERMAUG 29 - Nov. 4 45 days
 SECOND TERMNOV. 5- JAN. 23 45 days
 THIRD TERMJAN. 24- APR. 7 45 days
 THIRD TERMJAN 24 - APRIL 1 (SENIORS)
 FOURTH TERMAPRIL 8 - JUNE 17
 FOURTH TERMAPRIL 2- MAY 23 (SENIORS)

HALF TERM WARNING NOTICES

Half term notices are for the purpose of notifying parents of a failing student or one seriously in danger of failing. Students bring home to his/her parent or guardian for a signature. The notice is to be returned to the teacher within 2 days of issuance.

FIRST TERM.....SEPTEMBER 27
 SECOND TERM.....DECEMBER 6
 THIRD TERM.....FEBRUARY 28
 THIRD TERM.....FEBRUARY 25(SENIORS)
 FOURTH TERM.....MAY 15
 FOURTH TERM.....MAY 2 (SENIORS)

WESTFIELD HIGH SCHOOL HONOR ROLL

Westfield High School will publish an academic honor roll for students receiving a quality point average equal to 4.3 G.P.A. as a first honors student. Westfield High School will publish an academic honor roll for students receiving a quality point average equal to 3.3 G.P.A. as a second honors student. This recognition will be given at the completion of each term and published as soon as possible.

CALCULATION OF GRADE POINT AVERAGE (GPA)

Westfield High School's grade point average is based on a five (5) point scale.

The level weight of a course is determined in the following manner:

<u>level weight 1</u> (advanced placement)	<u>level weight 2</u> (other courses)	<u>level weight 3</u> (remedial courses)
90 - 100 = 6	90 - 100 = 5	90 - 100 = 4
80 - 89 = 5	80 - 89 = 4	80 - 89 = 3
70 - 79 = 4	70 - 79 = 3	70 - 79 = 2
60 - 69 = 3	60 - 69 = 2	60 - 69 = 1
50 - 59 = 2	50 - 59 = 1	50 - 59 = 0

Formula:

GPA = Sum of (grade - 100 level weight x credits) / sum of credits

Example: Grades - Calculation:

95 in a level weight 1 course, 1.0 credits	$95 - 100 = 0.95 \times 6 \times 1.0 = 5.70$
90 in a level weight 2 course, 0.5 credits	$90 - 100 = 0.95 \times 5 \times 0.5 = 2.25$
80 in a level weight 2 course, 0.5 credits	$80 - 100 = 0.80 \times 4 \times 0.5 = 1.60$
85 in a level weight 3 course, 1.0 credits	$85 - 100 = 0.85 \times 3 \times 1.0 = 2.55$
75 in a level weight 2 course, 1.0 credits	$75 - 100 = 0.75 \times 3 \times 1.0 = 2.25$

$\frac{14.35}{4} = 3.59$

GPA = 14.35 / 4 = 3.59

RANK-IN-CLASS

Rank-in-class is determined by calculating a quality point average. Each grade and level is assigned a numerical weight depending on the course level. Level 1 courses are rated highest.

A student must maintain a minimum grade point average of Westfield High School for his junior and senior year in order to be accurately ranked. Determination of rank-in-class is based on final grade averages from previous schools attended as well as Westfield grades. If a student attends Westfield High School for less than a full year, any class rank issued will be only approximate and consequently the student is not eligible for the honor roll.

Extra grades given in all courses designated as Honor courses will have points added to their weight, for grade-point average and rank-in-class. The value of 2.0 points because of the greater expectations for student performance and the increased depth and volume of material. This added weight will not be reflected in term grades issued by the teacher for report card purposes.

MAKE-UP OF CLASS WORK

Students are responsible for promptly arranging to make up work missed due to absence from class. Teachers are not obliged to take make-up work. Teachers are authorized to give failing grades for failure to make up work satisfactorily within a reasonable period. The safest plan for the student is to make up work as soon as possible.

1. Students who are truant or who intentionally miss an assigned period will forfeit all privileges to make up work.
 2. Students on External Suspension are entitled to receive homework* assignments.
 3. Students on Internal Suspension are entitled to receive homework* assignments.
 4. Students absent for illness, or other approved reasons, such as a school-sponsored activity, may make up class work.
- * Failure to do homework may result in no academic credit.

WESTFIELD SUMMER SCHOOL/MAKING UP LOST CREDIT

The Westfield School Committee provides the opportunity for students who fail a course in the regular school year, for any reason, to make up that course during the summer school session. Students who will need summer school will be contacted by the Guidance Office. Students who fail a course, but are not notified, should contact the Guidance Office as soon as possible to be enrolled in the summer school session. Students with a failing grade of 50-59 are eligible for summer school. Students with an average of 49 or below must have written approval of the teacher or department head for that subject. Students who pass a course may retake it in summer school for a grade, but not for credit. Students may also make up credits by taking an equivalent course in another accredited secondary school summer or evening school program. The credit received will be equal to the credit failed. A maximum of four (4) summer/evening school credits will be accepted. This may include two (2) credits taken off campus in the junior and senior years. Grades will not be included in class rank. Permission of the Principal/designee is required.

EXAMINATIONS

SEMESTER (MID-TERM) AND FINAL EXAMINATIONS

Students without Renaissance exemptions are expected to take both mid term and final exams. Failure to take a mid term or final will result in the grade of zero for the exam grade and will be calculated using the following formula:

Full Year Courses

Semester examinations constitute 10% of the final grade; Final examinations constitute 10% of the final grade

One Semester Courses

Semester examinations constitute 20% of the final grade. It is the final examination in a half-year course.

Students who are absent from an exam must turn in an excusable absence note.

Examination Schedules Schedules for semester and final examinations will be announced.

REPORT CARDS

Report cards will be distributed shortly after each grading period ends at a date to be announced.

SPECIAL HELP CLASS

Any student receiving a failure notice, or whose achievement is poor (grade of 60-69) is expected to report to after school help class/classes. All teachers are available at least one afternoon each week, and or by appointment for extra help in their subject area.

WITHDRAWING FROM A COURSE

To withdraw from a course, the student must obtain a recommendation from their guidance counselor, subject teacher, the consent of the principal or his/her designee, as well as parental approval. Permission to drop a subject is granted to a student for the following reasons:

1. To meet an ability level change. (Usually not later than the close of first term for full year course, and within four weeks for semester courses.)
2. To reduce an academic load requirement, upon a physician's certification of illness or disability.
3. To meet college admission requirements.
4. To participate in a work-study program which is part of the school curriculum.
5. Special education changes resulting from an I.E.P. or a recommendation of the Supervisor of Special Education for the secondary level.
6. Changes that are made, as a result of a pre-referral conference, as required by law.
7. Recommendation of the principal or assistant principal based on the disciplinary code or attendance policy. Parent input, or hearings, should be vital in this type of course change.
8. Recommendations of the school psychologist or school adjustment counselor will be considered for course changes. The principal or vice-principal will grant approval, if appropriate.
9. When changing an ability level course the previously earned grades will be transferred to the new course and used at the discretion of the receiving teacher. These grades will be calculated into class rank.
10. If a student receives special permission to withdraw, he or she will receive a W on his/her transcript and the numerical average earned up to the point of withdrawing will be entered as the grade for class rank.
11. A student may "audit" a course with permission of the teacher. No record will be kept.

TRANSCRIPTS

All requests for transcripts should be addressed to the Guidance Office. Under the Privacy of Information Act all requests for information must be accompanied by written permission from the student to release the information also specifying the person, school, or organization which the transcript is being sent.

RENAISSANCE: A PROGRAM TO PROMOTE EXCELLENCE

The purpose of Renaissance Program at WHS is to motivate all students to strive for academic excellence and good attendance at school. The Renaissance program has been established to recognize these students with positive, tangible incentives to encourage them to work harder to achieve this goal.

GENERAL RENAISSANCE CARD POLICY

STANDARD FOR RENAISSANCE GOLD AND SILVER CARD HOLDERS

No external or internal suspension, or Saturday detention

No more than SIX detention hours when Renaissance list is reviewed.

TEN tardies for the school year will result in loss of card.

RENAISSANCE CARD HOLDER PRIVILEGES

A certificate of Case 03-cv-30008-FHF Document 43 Filed 04/16/03 Page 47 of 81

A free ice cream from the cafeteria, which can be received by presenting the card to a cafeteria staff member, who will in turn punch your card.
Free admission to any athletic event held at home. The student must surrender the card, which can be picked up the following day in the Athletic Office.
Discounts from all participating businesses.

RENAISSANCE CARD HOLDER GUIDELINES

Card and Student I.D. must be presented to obtain benefits
Any suspensions may result in an immediate loss of card.
Misuse of card or any disciplinary problems may result in loss of card.
Only ONE card is issued per term. Lost cards WILL NOT be replaced.

SPECIFIC RENAISSANCE CARD STANDARDS AND PRIVILEGES

GOLD CARD

A grade point average of 4.0 for a minimum course load of 5 1/2 credits per year with no withdraw/failures

PRIVILEGES:

1st term gold card holder will be exempt from TWO (2) MID-YEAR exams, provided that the student maintains a 90 average in those courses.
3rd term gold card holder will be exempt from TWO END OF THE YEAR exams which cannot be the same course where an exemption has been taken at mid-term. The student must also maintain a 90 average in those courses.

SILVER CARD

A grade point average of 3.0 for a minimum course load of 5 1/2 credits per year with no withdraw/failures.

PRIVILEGES:

1st term silver card holder will be exempt from ONE (1) MID-YEAR exam, provided that the student maintains a 90 average in those courses.
3rd term silver card holder will be exempt from ONE (1) END OF THE YEAR exam which cannot be the same course where an exemption has been taken at mid-term. The student must also maintain a 90 average in those courses.

NOTE: Only the student receiving a gold or silver card will be eligible for the exemption from the mid-year and final exams. Seniors with A averages are not exempt from exams unless they hold a gold or silver card.

RED STRIVE CARD

This is a recognition of and a reward for academic improvement for students whose GPA is less than 3.0. To earn this card a student must show a computer generated .5 overall improvement in his/her grades for the usual course load of 5 1/2 credits and no withdraw/failures. This will be tabulated term by term.

WHITE ATTENDANCE CARD

This is recognition for perfect attendance for an entire marking term. Students with perfect attendance will not receive recognition if they have any tardies.

I. DRUG AND ALCOHOL USE BY STUDENTS

The Westfield Public School System believes controlled substance use is a community issue, necessitating the commitment of a broad range of individuals, organizations, departments and the business sector to a collaborative effort at education, assistance and interdiction. Our district is committed to playing a significant role in meaningful endeavors to address substance use issues. The School System also believes that a student's involvement with drugs or alcohol constitutes a family, individual and school problem. Given that position, we commit our support and resources to students and families whenever possible. We expect parents/guardians to cooperate with our efforts and, should a problem arise, act in a supportive role. Our goal is to ensure a resolution that will ensure the well-being of the student.

The Westfield Public School System is dedicated to providing a tobacco, alcohol and drug free educational environment. To that end:

1. The district will not tolerate any tobacco, alcohol, or other drug related offense in school buildings, on school grounds, on school transportation or at school related events. All legal means will be utilized, as appropriate, to identify and discipline offenders.
2. The district believes that prevention is a key to ensuring substance free attitudes and behaviors. Education therefore plays a critical role in establishing life long health habits for its students. Major goals of the district include a comprehensive K-12 curriculum, sizing the effects and dangers of drug and alcohol use, annual parent awareness seminars, and periodic in-service training for staff identifying symptoms and implementing district policies and procedures.
3. The district will attempt to assist students in accessing appropriate treatment as needed. The district will also encourage and support efforts within the community to provide healthy and legal alternatives to substance use.

II. ALCOHOL AND OTHER DRUG RELATED OFFENSES

Certain behaviors are considered violations of district policy when they involve alcohol, chemical or substance, licit or illicit, when they impair a student's physical, emotional or mental state, or any substance-related contraband or paraphernalia. Such behaviors include, but are not limited to:

- Consuming alcohol or other drugs
- Possession
- Having alcohol on person
- Transfer
- Sale
- Intent to sell
- Distribution
- Growing or manufacturing
- Misuse of prescription drugs or violation of the district's medication policy
- Possessing paraphernalia
- Any violation of state or federal law relating to alcohol or other drugs

1. The secondary school principals will hold assemblies for students during the fall of each school year. These assemblies will include comprehensive overviews of the Alcohol, Tobacco, and Drug and Student Discipline policies.
2. All school principals will provide students and families with information regarding educational and assistance efforts available through their school. Each building will maintain, or have access to, a substance related resource guide inclusive of early warning signs and community resources.
3. Staff are required to report any suspected violations of the Alcohol and Drug policy to the principal or designee. The principal or designee will investigate the suspicions/allegations.

To do so, he/she may interview any potential witnesses, conduct searches and utilize any other investigative measures allowable by law. If the principal or designee determines that there is reasonable cause to believe that a violation has occurred:

- a. The student will be informed.
 - b. The parent/guardian will be contacted, if possible.
 - c. The police will be notified.
 - d. Counseling, medical or support staff may be informed as needed.
 - e. The student will be subject to disciplinary action and/or referral to alcohol, tobacco and other drug use education program.
 - f. The principal or designee will notify the superintendent who will inform the school committee.
4. The superintendent will establish an internal alcohol and drug team of staff to document and report on substance related activity within the system, act as consultants to other school staff on substance use issues, meet quarterly with the Westfield Police Department for purposes of joint planning, work with the Westfield District Court regarding commission of substance related felonies, develop or secure a resource director, and provide the superintendent with information and recommendations regarding on-going issues related to substance use.

IV. ALCOHOL OR OTHER DRUG SALE, INTENT TO SELL, OR DISTRIBUTION OF DRUGS AND OR NARCOTIC DEVICES

The possession, use, sale, intent to sell, dispensing, having domain over, growing, or distributing of alcohol, drugs and/or narcotic devices or other controlled substances is prohibited in school buildings, on school grounds, at any school sponsored activity, at school bus stops, on school buses, and at other locations within 1000 feet of a school. Massachusetts General Laws, Chapter 227 says in summary that "a conviction of selling drugs within 1000 feet of school property in Massachusetts will result in a minimum mandatory two-year jail sentence plus a fine of up to \$10,000.

V. CONSEQUENCES FOR ALCOHOL AND OTHER DRUG OFFENSES

Possession or use of alcohol or other drugs, narcotic device or any other controlled substance will result in the following:

First offense in school year: Suspension of up to ten days but no less than five days. Police notified. Parent/guardian contacted. Referral to alcohol and other drug use education program. Consideration for exclusion.

Second and subsequent offenses in school year: Suspension up to 45 days, but no less than ten days. Police notified. Parent/guardian contacted, informed of right to a hearing. Referral to alcohol and other drug use education program. Recommendation for exclusion.

Drug sale, intent to sell, or distribution of drugs and/or narcotic devices will result in the following:

First offense: Suspension of up to ten days but no less than five days. Letter to parent/guardian. Police notified. Referral to alcohol and drug use education program. Recommendation for exclusion.

Second and subsequent offenses: Suspension up to 45 days, but no less than ten days. Letter to parent/guardian. Police notified. Referral to alcohol and drug use education program. Recommendation for expulsion.

VI. SMOKING TOBACCO PRODUCTS

Smoking at school, on buses, on school grounds or during activities under school supervision is prohibited. School grounds are defined as the area between the street, including the sidewalk and tree belt, and the area enclosed by the chain link fence, including the parking lot and the school's field. Effective in September of 1989, all students are prohibited from smoking in schools as determined by state law. Possession or use of tobacco products is prohibited. Tobacco products will be considered contraband and will be confiscated and destroyed. On January 1, 1991, Westfield Schools became smoke-free schools.

The use of tobacco is prohibited within school buildings or school facilities or on school grounds or on school buses by any individual, including pupils and school personnel. This policy is also further limited by City Ordinance, Chapter 9, Section 20. Lighted cigarettes made in whole or part of tobacco are prohibited to persons under the age of sixteen and lighters are prohibited to any person under the age of eighteen. Possession or use of tobacco products is prohibited. Tobacco products will be considered contraband and will be confiscated and destroyed.

VII. CONSEQUENCES FOR SMOKING TOBACCO PRODUCTS:

First Offense: 1 day suspension. Parent/guardian notified.

Second Offense: 3 days suspension. Parent/guardian notified.

Third Offense: 5 days suspension. Parent/guardian notified.

VIII. SUSPENSION OF STUDENTS

Suspension is the removal of a student from his/her educational program for a specified period of time. Building principals or their designees may opt to suspend students when behaviors of an acute or chronic nature cause disruption, destruction or pose a threat to the health or safety of others. Suspension may also be utilized when other methods of progressive discipline have proven unsuccessful in resolving behaviors detrimental to the student or the general welfare of the school.

A. SHORT TERM SUSPENSION

A principal or designee may suspend a student from school (external suspension) and require the student to remain off school grounds or he/she may suspend the student from attending classes (internal suspension) and require the student to report and remain at an assigned location in a particular school building.

Students under internal or external suspension are responsible for completion of all school work and will be given credit accordingly. All suspended students shall have the opportunity to receive a grade for tests and examinations given during the period of suspension. It is the students' responsibility to take the tests and examinations within five school days after return from suspension unless an extended period is approved by the school principal. Students who are suspended from school for disciplinary reasons who miss labs may be given readings as a substitute for the learning related to the labs. Work that is unique to the classroom experience and cannot be replicated in another form cannot be made up. While students are on suspension teachers are under no obligation to provide extra help other than listing assignments to be completed and stating the date(s) when assignments are due. Students in need of further assistance may attend help classes upon their return to school.

At the determination of the principal or designee a parent conference may be convened. The student, parent and a representative of the administration will be in attendance. In some cases of suspension, the student may not be allowed to return to school until the conference has been held. The conference will be held at the mutual convenience of the parent/guardian and the school. In situations involving suspension, the principal or designee shall be responsible for determining whether a referral under Chapter 766 should be initiated.

Individual schools may establish programs, such as after-school service, in which students have the opportunity to voluntarily participate in activities as an alternative to short term suspension except in situations involving offenses of an illegal or injurious nature.

C. LONG TERM SUSPENSION

Long term suspension is the removal of a student from his/her educational program for more than ten (10) consecutive school days. School principals are authorized to effect long-term suspensions in situations, which include, but are not be limited to the following:

- possession, use or distribution of illegal or controlled substances;
- possession, use or distribution of alcohol;
- use, possession of, or domain over, a dangerous weapon;
- assault of a staff member;
- when continued presence in school represents a danger to the physical safety of others, or
- when conduct constitutes a continual, material and substantial disruption of the educational process and all other appropriate disciplinary alternatives have been tried and deemed unworkable.

Students under long term suspension continue to be responsible for completion of school work as stated in situations involving short term suspension. Depending upon the individual circumstances, a principal may opt to suspend with services, in which case a tutor or other approved program alternative would be implemented. Return of a student from long term suspension must be preceded by a parent conference. The student, parent/guardian, representative of the administration and other relevant staff will be present. Every effort will be made to schedule the conference at the mutual convenience of the parent/guardian and the school. Reasonable conditions for a student's return from long term suspension may be imposed by the building principal. Failure of a student to meet such conditions may be grounds for a decision to effect expulsion proceedings. In situations involving long term suspension, the principal shall be responsible for determining whether a referral under Chapter 766 should be initiated.

D. PROCEDURES FOR LONG TERM SUSPENSION AND/OR EXPULSION

The building principal is responsible for providing the student/parent:

- 1 written notice, in the dominant language of the home, of the charges and the right to a formal hearing before the principal effecting suspension or expulsion and the right to be represented by counsel or other advocate of choice (at the student's expense)
- 2 adequate time to prepare for the hearing;
- 3 access to documented evidence before the hearing;
- 4 the right to present evidence and or witnesses;
- 5 the right to question the district's witnesses except when there is information indicating that doing so may put said witnesses at risk; and
- 6 a prompt decision, written in the dominant language of home, including specific grounds for the decision and any reasonable conditions which must be met to ensure the student's return. The letter will include the student's right to appeal to the Superintendent within 10 days from the date of receipt of the notification of the suspension or expulsion.

The principal will notify the superintendent in writing. The superintendent will in turn inform the school committee without identifying any of the facts and circumstances surrounding the suspension or expulsion.

E. INTERIM ALTERNATIVE EDUCATIONAL SETTING (IAES)

On or after a student may be assigned to the Internal Alternative Educational Setting (IAES) for disciplinary reasons. This would be an external suspension.

F. APPEAL TO SUPERINTENDENT

Upon receiving written notice of a request for an appeal within ten (10) days of the notification of suspension, the Superintendent shall conduct a hearing at which time the student may be represented by counsel (at the student's expense) and present oral and written testimony on his/her behalf. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provision of school policy. The superintendent may modify the suspension of a student on a case-by-case basis. The superintendent shall render a written decision in the dominant language of the home. Such ruling will be the final decision of the school district.

IX. EXPULSION OF STUDENTS

Expulsion is the exclusion of a student from school either permanently or for the remainder of the school year. School principals are authorized to effect expulsions in accordance with the jurisdiction of the school. These situations include, but may not be limited to:

- possession, use or distribution of illegal or controlled substances;
- possession, use or distribution of alcohol;
- use, possession of, or domain over, a dangerous weapon;
- assault of a staff member;
- when continued presence in school represents a danger to the physical safety of others;
- when conduct constitutes a continual, material and substantial disruption of the educational process and all other appropriate disciplinary alternatives have been tried and deemed unworkable.

G. APPEAL TO SUPERINTENDENT

Upon receiving written notice of a request for an appeal within ten (10) days of the notification of the expulsion, the Superintendent shall conduct a hearing.

Case 3:03-cv-30088-FHE Document 48 Filed 04/16/03 Page 50 of 81
a hearing at which time the student may be represented by counsel (in the student's expense) and present written testimony on his/her behalf. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section. The superintendent may modify the expulsion of a student on a case-by-case basis. The superintendent shall render a written decision in the dominant language of the home. Such ruling will be the final decision of the school district.

G. OTHER EXPULSION SITUATIONS

Upon the recommendation of the building principal and the superintendent, the school committee may also act to expel students for other behaviors. Prior to making a recommendation for expulsion, the principal shall assess whether a referral for Chapter 766 should be initiated.

H. ADMISSION OF EXPELLED STUDENTS

When a student is expelled under the provisions of these sections, no school or school district within the commonwealth shall be required to admit such student or to provide educational services to said student. If said student does apply for admission to another school or school district, the superintendent of school district to which the application is made may request and shall receive from the superintendent of the school expelling said student a written statement of the reasons for said expulsion.

X. SUSPENSION OR EXPULSION RELATED TO FELONY OR FELONY DELINQUENCY PROCEEDING

Upon the issuance of a criminal complaint charging a student with a felony or the issuance of a felony delinquency complaint, a principal may suspend the student for a period of time determined by the principal, based upon the principal's judgment that the continued presence of the student would have a substantial detrimental effect on the general welfare of the school. Prior to such action by the principal, the student shall receive written notification of the charges and the reasons for such contemplated suspension. The student shall also receive written notification of right to appeal before the superintendent of schools; however, such appeal does not stay the suspension from going into effect.

Upon a student being convicted of a felony or upon an adjudication or admission in court of guilt with respect to such felony or felony delinquency, the principal may expel the student if the principal determines that the student's continued presence in school would have substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and reasons for such expulsion prior to such expulsion taking effect. The student shall also receive written notification of right to appeal before the superintendent of schools; however, such appeal does not stay the expulsion from going into effect.

The student shall have the right to appeal any suspension or expulsion under this section to the superintendent of schools. The student shall notify the superintendent in writing of his request for hearing no later than ten (10) calendar days following the effective date of the action. At the hearing the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The superintendent shall have the right to overturn or alter the decision of the principal, including recommending an alternate education program for the student. Upon expulsion of such student, the school district shall not be required to provide educational services to the student.

XI. STUDENT INTERROGATIONS, SEARCHES AND ARRESTS

A. SEARCHES

The storage, on one's person, in one's belongings or in school property, of contraband such as, but not limited to, illegal substances or articles or any items prohibited by district policy or building rules, is strictly forbidden. Violations will result in confiscation of such materials. The student in violation will be subject to disciplinary action.

School Property

Lockers, desks, computers, books and other items issued to students by the district for the temporary use, remain the property of the school. As such, students should have no expectation of privacy as it relates to their use. School property may be randomly inspected without notice by school administrators or designees to insure cleanliness, safety and adherence to federal, state and local laws and regulations. School property may also be searched when an administrator or designee has reason to believe contraband, as described above, may be stored within. Trained dogs, accompanied by experienced handlers may be used in conducting periodic searches of the campus, including parking areas and lockers.

Person Personal Possessions

When an administrator or designee has reason to believe that contraband as described above is being stored on one's person or in one's possessions, he/she may conduct a personal search appropriate to the nature of the potential violation. Book bags MUST be opened for inspection by any administrator, teacher, or other educational employee on request.

B. INTERROGATIONS, INVESTIGATIONS AND ARRESTS

It is the policy of the Westfield Public Schools to cooperate with law enforcement and social service agencies in the best interest of the larger welfare of all citizens. At the same time, schools have responsibility to parents/guardians for the welfare of the students while they are in the care of the school. To carry out this responsibility school officials shall observe the following:

1. A student in school may not be interrogated by authorities without permission of the superintendent or his/her designee.
2. Any interrogation by authorities must be one in private and a official school representative present.
3. A student may not be released to the custody of persons other than the parent/legal guardian or legal authority. The district is obligated by law to release students to the custody of law enforcement officials when placed under arrest and to the custody of DSS when presented with a court order or when informed that the agency is acting upon its powers of presumptive custody.
4. When a student is removed from the school by legal authority, school officials should make every reasonable attempt to notify parents as soon as possible.

SUMMARY OF WESTFIELD PUBLIC SCHOOLS SAFETY POLICIES

Student Discipline and Expulsion: The purpose of the public schools is to enable students to become educated to their potential and to prepare them to become contributing and responsible members of their community. Rules that govern the behavioral limits of a student body and authorize teachers and administrators to enforce these rules are a necessary component of a system intent on accomplishing these goals. Policy File Code JIC, JICDA, JK, JKE

Identification of Students and Staff: An effective picture identification system enhances the control and management of the school system. Internal Procedures.

Access to Building: Continuing efforts should be made to minimize the number of school entrance and exit points used daily. Internal Procedures.

Criminal offender Registration: The Office of Human Resources processes all required information in this area. The CORI will be utilized only for employment purposes and not disseminated to any other party. Contact Director of Human Resources. Internal Procedures.

Sex Offender Registration: The Sex Offender Registry Law (M.G.L.c.6-178C through O) requires that all convicted sex offenders in the Commonwealth of Massachusetts register with the Police Department in the cities or towns where they live and work. Policy File Code: JM

Locker and Student Search: Lockers issued to students by the school system for their temporary use remains the property of the school. The storage, on one's person, in one's belongings or in school property, or contraband such as, but not limited to, illegal substances or articles or any item prohibited by district policy or building rules, is strictly forbidden. Police File Code: JIH

Visitors to Buildings: The school committee encourages visits to schools by members of the community and other interested persons to view the educational program and facilities. For security purposes it is requested that all visitors report to the principal's office upon entering and leaving the building. Policy File Code:KKA

Drug Education: The Westfield Public School system will not tolerate any substance related offense in school buildings, on school grounds, on school transportation or at school related events. All legal means will be utilized, as appropriate, to identify and discipline offenders. Policy File Code: GBCC, JICH

Student Interrogation: It is the policy of the Westfield Public Schools to cooperate with law enforcement and social service agencies in the interest of the larger welfare of all citizens. At the same time, schools have responsibility to parents for the welfare of the students while they are in the care of the school. Policy File Code: JIH

Reporting Requirements to Law Enforcement: Cooperation with law enforcement agencies is essential for the protection of students, for maintaining a safe environment in the schools, and for safeguarding all school property. The Westfield Public Schools will comply with all Federal, State and Local mandates with respect to reporting requirements. Policy File Code: JICH-R, JIH

Reporting Requirements to DSS: Section 51A of the General Laws of the Commonwealth of Massachusetts, Chapter 119, Child Welfare Status, requires that certain identified professionals, among them school personnel, report suspected instances of child abuse/neglect, including sexual abuse and domestic violence, to the appropriate staff of the Massachusetts Department of Social Services. Policy File Code: JHG-E-2, JLE, JLF-R

Weapons Policy: The carrying, possession, having domain over or use of a gun, knife or any other object or facsimile which may be considered a weapon is prohibited on school grounds, school buses and at school related events. Policy File Code: JIC1

Sexual Harassment: It is the policy of the Westfield School Committee to maintain and promote a working environment and an educational environment free from all forms of sexual harassment. Policy File Code: ACAC

Emergency Procedures: Advance planning for emergencies and disasters is essential to provide for the safety of students and staff. The school system must be prepared to respond immediately and responsibly to any combination of events, which threaten to result in an emergency or disaster. Policy File Code: EBC, EBC-R, EBCB-R

Fire Safety: Building principals will meet all requirements for conducting fire drills to give students practice in moving with orderly discipline to designated areas under emergency conditions. Policy File Code: EBC, EBC-R, EBCB-R

Bomb Threats: The threat of potential danger from a "bomb" (bomb scare) is prohibited. Internal Procedures

Weapons Violations: Students in violation of the Weapons Policy will be subject to disciplinary action. School Handbooks: Westfield High School, Westfield Vocational/Technical High School, Westfield Middle School, Elementary, Early Childhood

Assault: Any student who assaults a principal, assistant principal, teacher, teacher's aide, or other educational staff, or any student must be removed from the school or school district by the principal. Policy File Code: JIC, JED, JFI

Trespass Procedures: Trespass notices are issued in accordance with the Statute of the Commonwealth of Massachusetts General Laws, Chapter 26B, Section 120. Internal Procedures

Chemical Safety Program: In accordance with state guidelines the Superintendent shall provide for the regular removal and disposal of potentially hazardous chemicals whose shelf life has expired. Internal Procedures

Injury Reports: All injuries must be reported to the classroom teacher/school nurse as soon as possible. The injury report is filled out on the appropriate form. School Handbooks: Westfield High School, Westfield Vocational/Technical High School, Westfield Middle School, Elementary, Early Childhood

Inspections (Playgrounds, Buildings, Buses, Etc.): Regular inspection of buildings, grounds, facilities, equipment and buses to uncover unsafe and/or dangerous conditions in an ongoing effort to address any safety concerns. Internal Procedures

Safety Training: Accidents are undesirable, unplanned occurrences that can result in bodily harm, loss of school time, property damage, injury, and even fatality. The school committee will guard against such occurrences by taking every possible precaution to protect the students, employees, visitors and others present on school property at school-sponsored events. Policy File Code: EB

Athletics Safety: Contact Supervisor of Athletics. Internal Procedures

Memorandum of Understanding between Law Enforcement and School Officials: The Westfield Police Department and the Westfield School Committee maintain safe schools. The parties agree to cooperate and collaborate on the implementation of the Memorandum of Understanding. Internal Procedures

Environmental Programs: Regulations of the Environmental Business Manager. Internal Procedures

Mediation and Alternate Dispute Resolution: Contact Life Curriculum's contact Director of Instruction & Curriculum. Internal Procedures

Additional information regarding any of the information outlined in this book may be obtained by contacting the office of the Superintendent of Schools, 22 Ashley Street, Westfield and/or any building principal at their respective school.

The Westfield Public School System is committed to providing a quality educational experience for all of its students. We believe there is a direct correlation between school achievement and regular school attendance. With this in mind, the Westfield Public School System encourages daily attendance of all students. We encourage parent groups, business groups, teacher associations, parent-teacher groups, churches and other community and civic organizations to promote the importance of good attendance in school through their association with parents/guardians and students. It should also be recognized that:

- Not all the learning that goes on in a classroom is reflected in makeup work. Many of the experiences, working situations and group activities cannot be made up outside the classroom.
- As one of the purposes of education is to prepare students for future employment, it is important that good attendance habits be instilled early. Emphasis on regular attendance serves to teach a valuable life skill as it reinforces values critical to the work place.
- Responsibility for regular attendance and adherence to district expectations rests with students and their parents. The law requires that parent guardians of mandatory school age children (ages six through fifteen inclusive) ensure attendance of their children in accordance with district policy.
- Parents/guardians are advised to contact schools at least ten (10) days in advance of any planned absences for proper guidelines.

ABSENCE FROM SCHOOL

The Westfield Public School System recognizes that excessive absenteeism from school is potentially detrimental to students' ability to perform successfully in school. It is expected that students should be absent from school only when conditions or circumstances render them otherwise unable to attend. In the event a student is absent in excess of 10% of the membership days official written verification, documenting the need for absence, must be submitted. Students who have undocumented absences in excess of 10% may be subject to denial of course credit or promotion. The following are legitimate reasons for absence:

1. Illness: Medical excuse, a signed doctor's note is required. Appointment cards will not be accepted. Doctor's appointments should be made outside of the school day.
2. Bereavement
3. Family or catastrophic emergency
4. Observation of major religious holidays or participation in required religious instruction
5. Necessary court appearance: a signed court document is required
6. DYS confinement
7. DOSS commitment
8. Suspension
9. Weather related conditions so serious as to pose a threat to health or safety
10. Approval of the Superintendent of Schools

Students in attendance at school sponsored activities (field trips) or in attendance in approved alternative educational programs (tutoring) are considered present at their school of enrollment. Students who are absent from school may not participate in any school related activity without securing permission from an administrator. The Westfield schools encourage open channels of communication between the home and school as the key to understanding and resolving problems that may occur regarding attendance. NOTE: Family Trips/Vacations are NOT excused absences.

PROCEDURES FOR ABSENCE FROM SCHOOL

1. When a student returns from an absence, the parent/guardian must provide the school with a signed, written excuse citing the date(s) and reason(s) for absence. This written excuse must be submitted even if prior notification of intended absence was provided. Parents are requested to notify the school in advance of planned absence and to make phone contact on the morning of an illness or other reason for absence.
2. Following an absence of three consecutive days without notification from home, or anytime a questionable situation or pattern of absenteeism occurs the principal or designee may contact the parent / guardian informing him/her of the student's absence. Parents/guardians are required by law to provide the school with a phone number at which they can be contacted or accessed during school hours.
3. Written professional and/or verifiable documentation will be required whenever a student's absenteeism exceeds 10% of the membership days. For example, in case of illness, a physician's statement will be mandated, noting that absence was medically necessary for the dates the student was out; diagnostic information need not be provided at the discretion of the parent/student. For all other absences, written verification such as a court summons, letter from DOSS or official documentation of catastrophic event will be required. When a student reaches 10% absenteeism, no reasons for absence beyond those previously listed as legitimate will be considered acceptable.
4. Parents and/or guardians of students whose absenteeism exceeds 10% will be notified in writing of the need to supply appropriate documentation. Such documentation will continue to be mandated for all absences until the rate of absenteeism falls below 10%.
5. Should the parent/guardian fail to provide the necessary verifications or should the student subsequently be absent for a reason not listed as legitimate, the principal or designee will contact the parent/guardian to address the situation. When deemed necessary by school personnel, the parent/guardian will be notified of the need for a conference to discuss, and mutually plan for, the resolution of an attendance problem. Upon notification, it is expected that a parent/guardian will appear for the appointed conference or contact the school to reschedule. It must be understood that participation in such conferences is viewed as a parent/guardian's responsibility. While the district will make every reasonable effort to accommodate the needs of parents who are working or facing other difficulties, we will expect parents to play an active role in problem solving both to benefit the student and to comply with the law regarding parental responsibility for regular school attendance.
6. If the problem remains unresolved, a referral will be made to the supervisor of attendance who will assess the situation and decide on the need for formal intervention and on-going attendance related services.
7. In situations in which non-compliance continues, the attendance supervisor will make a determination regarding agency or court action.
8. Court action may include truancy proceedings against a willfully absent student or the filing of charges against a parent/guardian for failure to provide for the educational needs of his/her child.
9. Referrals to the supervisor of attendance will also be made when any acute or chronic absenteeism involving students of mandatory school age cannot be resolved at the building level. The supervisor of attendance will assess each referral and implement appropriate intervention efforts which could include court or DOSS action in situations involving lack of cooperation or compliance.

The school may act to deny credit or promotion.

- When a decision to deny credit or promotion is made, the school will notify the parents of the intended action.
- The parent/guardian and/or student have the right to appeal loss of credit/promotion decisions. The appeal must be in writing and submitted to the school within the timeframe noted on the loss of credit notification.
- A hearing by the school's review committee will be scheduled, at which point the parent and/or student will have the opportunity to provide documentation for the absences under discussion or to explain extraordinary circumstances.
- A letter stating the decision of the review committee will be sent to the parent/guardian within 5 school days of the review committee meeting.
- The parent/guardian and/or student may appeal the decision to the superintendent. The appeal must be in writing and sent within 5 school days of receipt of the review committee letter. A hearing will be conducted by the superintendent or his/her designee and a written decision provided. The decision of the superintendent will be the final decision of the district.

SUPERVISOR OF ATTENDANCE

The supervisor of attendance will be responsible for enforcing compulsory attendance laws, developing and employing practices and programs to address truancy and parent supported absences, developing and implementing procedures to ensure effective systemic tracking, monitoring and intervention in serious absentee situations and seeking the assistance of the court and community agencies in dealing with chronic non-compliance on the part of students or parents/guardians.

WESTFIELD HIGH SCHOOL CLASSROOM ATTENDANCE POLICY (9-12)

What happens in the classroom is essential to the educational process. Time lost from the class can never be really regained. This is especially true as it relates to teacher explanations and the interaction among students and between teacher and student. Surely, those subjects calling for laboratory experiences, subjects such as science, business, industrial arts, and home economics demand student presence. Consequently, classroom attendance is considered to be an integral part of the student's achievement. Since the classroom is the primary area of learning, it is apparent that attendance is a valid, reasonable requirement. It is the purpose of this policy to promote more positive student and community attitude toward the educational opportunities offered to our students.

Absences from class in excess of 5 days per term must be followed by written professional documentation citing the need for the absence from class. If no documentation is provided then a student who is not failing a course will receive a grade of 59. If the student exceeds the attendance limits each term of the course, then credit will be denied for that course. Health officials estimate that a normal absentee rate should not be over 7 to 9 days for any student in a school year. In addition to the district's list of acceptable absence excuses (listed on p. 23), Westfield High School adds the following to its class absence policy:

- School related function or field trip: students are allowed three (3) per semester. This includes college visitations, with verification.
- School related meetings/conferences, i.e.: Guidance meetings, Adjustment counselor meetings, Special Education evaluations.

COLLEGE VISITATIONS

Arrangements for college visitations will be made in advance with the student's guidance counselor. A signed confirmation of the visit by the college admissions office is required upon return.

RELEASE TIME FOR RELIGIOUS EDUCATION

Absences may be permitted for religious education at such times as the school committee may establish, provided that such time shall be no more than one hour per week and provided that no public funds be utilized for such education or related transportation.

EXCUSES FOR THE 15 YEAR OLD

It is the policy of the school to expect a written excuse for absence from the parent or guardian of a student regardless of age. This is considered the school considers an obligation to parents relative to their son/daughter's attendance. The student who has reached the age of majority has the right, provided by statute, to assume this responsibility. If a student so desire should sign a form obtained from the principal's office and signed by his designee with only the parent of the student's name. If a student is not living with parent or guardian, the written excuse must be signed by the student stating name, address, date of absence, reason for absence will be routed by the homeroom teacher to the appropriate principal.

RIGHT OF APPEAL

The parent/guardian of the student, or the student him/herself, has the right to appeal all cases to the school's Attendance Committee. The appeal must be in written form and submitted no later than the date indicated on the letter the parent/guardian/student has received. A request for appeal must be sent to the:

Attendance Committee
Westfield High School
177 Montgomery Road
Westfield, MA 01085

An appointment will be scheduled by the committee. If a hearing is not requested in writing by the specified date, the matter will be closed.

DISMISSAL FROM SCHOOL

When a dismissal is necessary and is known in advance:

- Request for dismissal must be brought to the main office before 7:23 am.
- The request must state student's name, grade, reason for dismissal, and time to be dismissed.
- Dismissal of student or director's appointments must be confirmed by an appointment card.

When a dismissal is the appointment card and letter must be brought to the office the following day. (Failure to do this will be considered an excused absence.) If the student is aware of a scheduled appointment before the date and may arrive late to school, notification should be given to the office immediately.

TARDINESS TO SCHOOL

All students should be in their homeroom class by 7:23. Missing the bus, or oversleeping are not considered acceptable excuses. Since all students are either within walking distance or on a bus route, "car trouble" is not accepted as an excuse. Students are to report to the tardy station immediately upon arrival to school to sign in. Anyone not signing in will receive Saturday detention.

Homeroom begins at 7:23. All students are to be in homeroom on time. Students who report to school later than 7:23 must sign in at the tardy station before attending classes. Students arriving late to school will be given an attendance correction. It is the student's responsibility to have each teacher sign to indicate the student's presence in class. The time of the student's arrival in school will be stamped on the attendance correction sheet. The last period teacher will collect the form when presented for signature, sign it, and turn it into the office at the end of the day.

TARDINESS TO CLASS

Students must be in their classroom when the bell marking the end of the passing period stops ringing, so that the teacher may start work immediately. Otherwise, they will be marked as tardy. They are also expected to be on time for all classes, assemblies and programs during the regular school day, and detention class after school. Three tardies to class per quarter will equal one absence to class.

CLASS CUT POLICY

A student's most important responsibility is to attend all scheduled classes during the school day. Cutting a class is an absence. Teachers will be notified of any unexcused absence due to a class cut and will be instructed to give a grade of ZERO (0) for that day. Students will not be allowed to makeup any work due to a class cut. Periods E and G will be considered a double cut and will receive four hours of detention. However, students may clear a cut slip with an acceptable pass from a teacher, counselor or principal. Parents of any student identified as having cut a scheduled class may be notified and asked to meet with the appropriate assistant principal and guidance counselor.

TRUANCY

Unnecessary absence, due either to a student's willful decision or a parent's inability or unwillingness to ensure attendance, is a violation of law and district policy. Students truant from school may be denied credit and will be subject to disciplinary measures. Parents who support or enable a chronic pattern of unnecessary absence may be subject to agency or court action.

Cutting classes and/or leaving school grounds without permission is considered by this district to be truant behavior and subject to disciplinary measures as relate to truancy from school. Students age 16 and above who demonstrate persistent patterns of truancy may be referred by the building principal to the school committee for possible expulsion.

Unexcused absences are subject to detentions, suspensions or other discipline measures. Students absent from school or class without a parental excuse will be denied credit for all class work missed and teachers will be notified of the truancy.

BEEPERS, CELLPHONES

The possession, carrying or use of headphones, beepers, cellular phones or any other electronic communication devices in school, on school grounds or at school related activities is prohibited. Students violating this section will be subject to disciplinary measures. Exceptions for unusual circumstances such as medical considerations must be approved at the superintendent level.

BUS TRANSPORTATION

The Westfield School Committee provides free bus transportation for all high school students in grades 9-12 who live more than two miles from their assigned school. The authority of the school begins and ends at the bus stops, both in the morning and in the afternoon. As such all school rules apply to student activity during these times. Students who violate school rules may have their privilege to ride the school bus revoked in addition to any standard disciplinary action. If a student is suspended from riding the bus, it becomes the responsibility of the student and his/her parents to provide transportation to and from school.

Additional rules which apply specifically to riding the school bus are:

1. Abusive language is prohibited on school buses.
2. No smoking will be permitted on a school bus.
3. No use or transport of alcohol or drugs will be permitted on a school bus.
4. Harassment of any kind will not be allowed on the bus regardless of whether the bus is standing or moving. This means that all students:
 - will not kneel on bus seats and talk to persons on seats behind them;
 - will not tamper with the bus and its equipment, especially the windows;
 - under no circumstances will students be allowed to put arms, legs, head or any part of their body out of the window;
 - shall not move around or change seats in the bus once it is in motion.
5. No throwing of objects, regardless of whether the bus is standing still or moving.
6. No rough or disorderly physical misbehavior will be permitted on the bus.
7. Chewing gum, eating food or drinking beverages is not allowed on the bus.
8. No items may be carried on the bus except materials that will be held by the student or placed directly on the floor under the seat directly in front of the student.
9. The emergency doors of school buses are for emergency use only.
10. Students, when getting on and off the bus, shall cross in front of the bus and only upon the receiving of a signal to cross from the bus driver.

Students being transported are under the authority of the bus driver. The bus driver is required to report rule violations. Continued disorderly conduct or refusal to submit to the authority of the bus driver is sufficient cause for a student to be refused transportation on school buses. A pupil may be suspended from bus transportation upon the principal's receipt of the pupil's third Bus Conduct Report and the receipt of any subsequent Bus Conduct Report could result in a subsequent suspension. BUS CONDUCT REPORTS and recommendations made with respect to students for the last day of the school year will be implemented in the following school year. Unfulfilled disciplinary assignments will be carried forward and continued in September of the following school year.

Alternate Buses:

1. No bus will be rerouted to provide transportation for any individual or group without directions from the transportation office.
2. Buses will only stop to discharge students at regularly scheduled stops. No additional stops will be scheduled without directions from the Transportation Office.
3. The principal should receive a written request from the parent for any alternative transportation. If, in the principal's judgment, the request is valid and there is adequate room on the bus, and items 1 and 2 above are observed, the principal has the authority to grant this request.

Schools may be closed because of inclement weather and/or hazardous traveling conditions. Announcements regarding such closing will be made on radio stations WINS, WAS, WHY, and television stations WHELF TV (CHANNEL 22) and WGGB (Channel 40), as well as Cable Channel 5. During periods of potential and actual storms, the school administration is in regular contact with the Westfield Highway Dept., the Westfield Police Dept. and government airfield weather stations. A decision to close or not to close school is made about 6:00 a.m. to cancel all school transportation and lunch programs and to notify the media, tuition-sending districts, traffic, and school personnel.

DELAYED OPENING

On occasion, it may be wiser to have two hour delayed opening of school instead of closing for the entire day. When this happens, the effective starting time for Westfield High School will be 9:23 a.m., bus students will board buses two hours later than the normal schedule. Dismissal will be at the normal time. However, if schools are not closed, parents must make the final decision about school attendance because they know the degree of hazard in their own local neighborhood. Under extenuating circumstances, delayed openings may be longer than one hour.

CARE OF SCHOOL PROPERTY BY STUDENTS

It is the responsibility of students to ensure that books and materials belonging to the Westfield Public Schools are returned in acceptable condition. Lost, damaged or defaced property must be paid for by the responsible student. Non-payment may result in the withholding of official school documents. Any student deemed responsible for the willful destruction of school property will be subject to the financial cost of repair or replacement and may also be subject to suspension or expulsion from the school system and potential criminal action.

CHANGE OF ADDRESS OR TELEPHONE NUMBER

To contact parents in the case of an emergency, up-to-date records must be kept in the office. Please notify the office of any change in your address of record, or telephone number changes, both home and place of employment. Also, if you change doctors or hospitals, or anything that would change medical records, please notify the medical office and the main office.

CLASS DUES

Class dues will be collected during the school year. Class dues defray the cost of class activities, flowers in cases of bereavement, etc. Participation in the senior class banquet and after-banquet party requires that the student's dues be paid in full for all four years.

COMPUTERS' ACCEPTABLE USE POLICY

Students are responsible for good behavior on school computer networks just as they are in a classroom or a school hallway. Communications on the network are often public in nature. General school rules for behavior and communications apply. The network is provided for students to conduct research and communicate with others. Access to network services will be provided to students who agree to act in a considerate and responsible manner. The use of the City of Westfield's Wide Area Network is a privilege, not a right. Student use of telecommunications and electronic information resources will be permitted upon submission of permission forms and agreement forms by students and by parents/guardians of minor students (under 18 years of age).

Students may have access to the Internet and the City of Westfield's Wide Area Network (WAN) while working on staff assigned or approved projects in a supervised setting. This includes computers in media centers, classrooms and computer lab facilities. The student and parent must read the policy and complete the User Agreement Form to the Internet. Students must follow all rules contained within this policy at all times when using the WAN or the Internet. The use of the City of Westfield's Wide Area Network is a privilege, not a right. Inappropriate use will result in limitation or cancellation of user privileges and possibly disciplinary actions. Students must also follow the directions of faculty and staff in all areas concerning any area where networked resources can be accessed.

SECURITY AND SAFETY

Students will demonstrate personal responsibility by agreeing not to meet with someone they contact on-line without first checking with parents and teachers.

- Students will accept the responsibility for keeping from entering the school via the Internet all pornographic material, gambling material, illegal material dangerous to the health and safety of students and staff, or files dangerous to the integrity of the wide area network.
- Students will demonstrate responsibility by not transmitting any material in violation of United States, Massachusetts, or Westfield Public Schools regulations. This includes, but is not limited to, copyrighted material, threatening, harassing, or obscene material, pornographic material, or material protected by trade secret.
- If a student identifies a security problem on the Internet or the City of Westfield's Wide Area Network, he/she is responsible to notify the person in charge or administrator. Students should not demonstrate the problem to other students. Students should not use another student's account as security on any computer system especially when the system involves many students.
- Students have the responsibility to use computer resources for academic purposes only. Playing games or using networked resources for non-academic purposes is not permitted. Students may not conduct commercial activities or promote advertised products, or conduct political activities on the network.
- Students generated files can only be put on the network by a network administrator after approval by the teacher and building principal. Files placed on the network will be owned by the student, but will be deleted without parental permission.

PROPERTY

- Students must respect others' privacy and intellectual property. Any traffic from this network that traverses another network is also subject to that network's acceptable use policy (AUP).
- Students are responsible for citing sources and giving credit to authors during the research process. All communication and information received via the network should be assumed to be private property.
- Students will honor the legal rights of software producers, network providers, copyright and license agreements.

- Classroom projects may involve the sending and receiving of e-mail to a class account. Responsibility for content lies with the student who either sends or receives e-mail.
- Students may come across web sites which ask for comments or a reply. Certain communications and e-mail behaviors have gained acceptance on the network, some because they save misunderstanding and maintain privacy, others because they help students avoid wasting time or help conserve system resources. Since many students have e-mail accounts at home, this set of guidelines will be helpful for home use also. As students join the on-line community, they should practice these accepted behaviors:
- Include your first name, last initial and school at the bottom of e-mail messages, but never give your home address or phone number.
- Do not post photos, addresses or phone numbers of yourself or other students.
- Be careful when you use sarcasm and humor; without face-to-face communications, your joke may be misinterpreted or viewed as criticism.
- Do not be vulgar, offensive, or swear.
- Do not publicly criticize or anger others.
- When quoting in a message, attribute the quotation to its author or source.
- Use all capitals only to highlight a word; if you use them for an entire message, people will think you are shouting.

BEHAVIORS AND CONSEQUENCES

Appropriate Codes of Conduct and Disciplinary Measures are outlined in school handbooks and the Westfield School District Policy Manual.

- Any violation of the policy may result in a cancellation of network privileges and/or disciplinary action. The network administrators may deny access at any time as required. The administration, faculty and staff of the Westfield Public Schools may request the network administrators to deny, revoke, or suspend specific student privileges. Any student identified as a security risk or having a history of problems with other computer systems may be denied access to the Westfield Wide Area Network/Internet.
- Tampering with computer security systems and/or applications and/or documents will be considered vandalism, destruction, and defacement of school property (see school handbooks). Financial and legal consequences of such actions are the responsibility of the student and parent/guardian.
- Vandalism will result in cancellation of privileges and disciplinary action. Vandalism is defined as any malicious attempt to harm or destroy data of another user, the Internet, or other networks. This includes, but is not limited to, the uploading or creation of computer viruses, or deliberately making changes which prevent subsequent users from being able to access programs or the network.
- Each student has an account on the servers for purposes of saving documents. Student accounts are designated only for the use of the student to whom it is assigned. Passwords are to be kept confidential. Students are not to permit other students to access or share their accounts for any reason, and no student is to attempt to gain access to the account of another.
- The Westfield Public Schools makes no warranties of any kind, whether expressed or implied, for the services it is providing. The Westfield Public Schools 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 the individual school's own negligence or the user's errors or omissions. Use of any information obtained via the Westfield Public Schools is at the user's own risk. The Westfield Public Schools specifically denies any responsibility for the accuracy or quality of information through its services.

The rules for use of the computer facilities apply to all computers located throughout the building, whether in the Labs, the Library, or individual classrooms. Penalties for breaking the rules range from 1-day suspensions to complete loss of privileges for repeat offenders.

CONDUCT

Each student will be responsible for providing a positive and healthy environment for others by maintaining order, self-discipline, and having consideration for the rights and property of others. Each student will bear the responsibility for his or her own conduct. Expectations relating to student conduct and potential disciplinary measures apply whenever students are:

- on school buildings
- on school property
- at school sponsored events, including athletic games
- on school buses or other school sponsored transportation
- charged or convicted of a felony for conduct which would present a danger or health hazard within the school setting.

Restrictions on student behavior shall be concerned with speech or action which disrupts the work of the school or interferes with the rights or safety of others. Students and parents/guardians have a responsibility to know and respect the rules and regulations of the district and individual schools within the district. Accordingly, students shall have the right to receive annually at the opening of school, a publication listing the rules and regulations to which they are subject.

Teachers are responsible for establishing and communicating standards of conduct within the classroom. Teachers have the authority to enforce rules in order to promote a productive learning environment, to maintain order and to ensure safety. Issues warranting attention beyond the options open to individual teachers shall be referred promptly to the building administration. Expectations for student behavior in the Westfield Public Schools are based on a belief in self-discipline and the need for respect and consideration for the rights and safety of oneself and others. To that end, each student will:

- Respect students, teachers, administrators, and other school personnel and visitors as human beings and fellow citizens of the school community. Individual differences, perceived by a student in others, will be treated with respect and not made the subject of teasing, horseplay or harassment.
- Be responsible for appropriateness and cleanliness of personal attire and hygiene.
- Respect the personal property of others and refrain from causing damage or unnecessary wear and tear to books, facilities, school materials, school buildings and furnishings, and the personal property of others.
- Be responsible for using the learning environment appropriately and refrain from cheating, plagiarism, habitual tardiness, cutting classes, or unexcused absences.
- Refrain from excessive noisiness, rudeness, using profanity or foul language, creating disturbances, denying others the use of school facilities or materials, engaging in gambling, extortion, theft, or any other activity which is disruptive, unsafe, in violation of district policy, or illegal under state or federal law.

- Case 3:03-cv-30008-FHF Document 42 Filed 04/16/08 Page 57 of 81
- Refrain from fighting, or using force, intimidation or harassment against any other person. A student will not coerce another student or other individual into any disruptive or illegal activity. A student will not use or be in possession of any weapon.
 - Respect the health and safety of oneself and others and will refrain from using tobacco; or using, possessing, transmitting, selling or being under the influence of any alcoholic beverage, narcotic substance, illegal or prohibited drug or substance.
 - Respect the educational process and learning environment by refraining from intentional or habitual activities which diminish the rights of, and the opportunity for, students to receive an education and obtain the maximum benefit from a public education.

COMPLAINTS, GRIEVANCES & APPEALS PROCEDURES

A student who wishes to appeal a decision of a school staff member should proceed through the chain of command, i.e.: teacher, department head, assistant principal and principal.

PROCEDURES

A. Applicability

The procedures herein apply only to those situations not otherwise specifically provided by other district policy or procedure.

B. Rights of a Student

Nothing in these procedures shall be construed as limiting the rights of any student having a complaint to discuss the matter with an appropriate school administrator. No reprisals of any kind shall be taken by anyone against any student as a result of a complaint or appeal.

C. Staff

Contractual and collective bargaining provisions and procedures will not be superseded by these procedures or any process to effect them.

D. Local School Level

In implementing the policy statement at the local school level, the principal is responsible for:

1. Ensuring that procedures for considering student problems and processing complaints and appeals are cooperatively developed by students, faculty, school council and building administrators.
2. Determining that the procedures are precise and clearly stated, afford due process and include provisions for appeal.
3. Forwarding an informational copy of the procedures to the superintendent.
4. Making such procedures available to each student.
5. Performing an annual review and revision, if appropriate, of the procedures at the local school level.

E. Appeal of the Decision of the Principal

If a student is dissatisfied with the decision rendered at the local school level, he/she may appeal the decision to the superintendent.

1. Submitting an Appeal

If the student is requesting an appeal, he/she must do so in writing within ten (10) school days to the superintendent. The statement should include all pertinent factual information, the remedy requested, and a request for either (a) an informal review of the principal's decision by the superintendent or (b) a hearing before the superintendent.

2. Informal Review of an Appeal

Upon receipt of a request for a review, the superintendent acknowledges receipt of the request and makes a decision based on the information submitted by the student, school administration and other relevant sources. Within ten (10) school days of the date the appeal is received, the superintendent notifies the student and principal, in writing, of the decision concerning the appeal.

3. Hearing Before the Superintendent

Upon receipt of a request for a hearing, the superintendent (1) schedules a hearing date which must be within ten (10) school days from the date the request was received, (2) informs all individuals concerned, in writing, of the time, date, and place of the hearing, and (3) notifies the student of his right to present information, evidence, and to have witnesses. The superintendent or designee is responsible for conducting the hearing. Both parties to the hearing are provided an opportunity for the student to question parties to the hearing (note: a student's opportunity to have witnesses may be required in situations in which a potential threat to health or safety is deemed to exist).

Within ten (10) school days after the hearing, the superintendent, as directed and information presented at the hearing, renders a decision. The superintendent, student and principal, in writing, of the finding. This is a final decision of the school district.

DETENTION/TEACHER DETENTION

Violations of district policy or school practice, students may be required to remain in, or be at, school outside of normal school hours. When given detention, students must appear at the designated time and place, unless specifically excused by the building principal or staff person assigned the detention. Employment or other scheduled activities do not constitute legitimate reasons for missing detention.

TEACHER DETENTION

Teacher detention is assigned by an individual teacher. The time spent after school will be with that teacher. Teacher detention has priority over other school activities, including chess detention. Any teacher or administrator has the authority to assign detention.

OFFICE DETENTION

For a prescribed period of time after school, the student is required to be academically occupied under the supervision of a staff member.

RULES OF DETENTION:

1. Detention begins at 2:00 p.m.

2. Detention ends at 2:30 p.m.

3. Students are given 10 minutes to get to the detention area. Students must meet all of the following requirements:

ALL STUDENTS ASSIGNED DETENTION MUST

- a. Be seated and remain in their seat.
- b. Be quiet.
- c. Do school work while in detention.

SPECIAL HELP:

If a student is to receive special help after school, he/she must report to the office detention teacher first, with a pass from the teacher in the classroom. Class, and return the pass to the office detention administrator before the end of the detention period.

Individual schools may establish programs, such as after-school service, in which students may have the opportunity to voluntarily participate in activities as an alternative to detention.

SATURDAY DETENTION:

1. Saturday detention begins at 9:00 a.m.
2. Saturday detention ends at 12:00 p.m.
3. Regular detention rules are in effect (see above)
4. If Saturday detention is cut, the student will be suspended.

EMPLOYMENT IS NOT AN ACCEPTABLE EXCUSE FOR MISSING DETENTION.

DISCIPLINE

Disciplinary action will be taken for violation of student's civil rights, including but not limited to violence, harassment or abuse directed at students based upon their race, color, sex, religion, national origin, disability or sexual orientation. The purpose of the public schools is to enable students to become educated to their potential and to prepare them to become contributing and responsible members of their community. Rules that govern the behavioral limits of a student body and authorize teachers and administrators to enforce these rules are a necessary component of a system intent on accomplishing these goals. The Westfield Public Schools is committed to a system of discipline that is fair and demonstrates respect for the individual needs of students. The district expects students to demonstrate age appropriate self control and regards effective discipline as a function that results from a cooperative partnership between the individual student, the student's parent/guardian and the school.

While it is the goal of the Westfield Public Schools to employ methods of progressive and positive discipline, the district supports the need to suspend and/or expel students when behaviors of an acute or chronic nature cause disruption, destruction or pose a threat to the safety of others. Principals, in consultation with their staff and school councils, will establish specific practices relative to the needs of their buildings. These practices will be reviewed annually by the school committee to ensure compliance with overall district policy.

DISCIPLINARY MEASURES

The following is a list of possible disciplinary measures that the school may apply to those individuals who disobey the school's Code of Conduct. The student should be reminded that not all cases will merit the use of these measures. Students whose violation becomes subject to penalties of the Code of Conduct may receive:

- 1) Verbal reprimands
- 2) Written reprimands
- 3) detentions
- 4) parental conference or letter
- 5) loss of privileges
- 6) Saturday detention
- 7) internal suspension
- 8) external suspension
- 9) school exclusion
- 10) contact and assistance from police and/or other community social agency
- 11) legal action through courts
- 12) referral to school attendance office
- 13) referral to superintendent
- 14) enforcement of Massachusetts Interscholastic Athletic Association Code
- 15) loss of team or club membership or activity revocation
- 16) restitution
- 17) work details
- 18) referrals to counseling or assistance programs
- 19) referral to peer mediation
- 20) sent home for conference or change of clothes in compliance with school rules
- 21) loss of automobile privileges and/or towing

DRESS AND GROOMING

Students are encouraged to view school in a businesslike manner, supporting that which contributes to a positive educational atmosphere. "The school has the right to ban any and all offensive, obscene, etc. clothing including any clothing that indicates any criminal act or affiliation, or breaks school policy." It is largely the responsibility of the student, with the guidance of parents, to determine what is appropriate dress for school or school related activities, however, the Westfield Public School System reserves the right to prohibit clothing or manner of dress which constitutes a health or safety concern or is so unusual as to be disruptive or distracting to the educational process. This includes, but is not limited to, clothing that:

- Has wording, pictures or designs of a graphic sexual nature.
- Is vulgar or plainly offensive.
- Displays, advertises, or promotes the use of tobacco products, alcoholic beverages or illegal substances.
- Displays, promotes or encourages overt violence or other illegal activity.
- See-through clothing, bare backs or midriffs, short shorts or skirts, exceptionally soiled or torn clothing, bandanas.

If such clothing is worn to school, students will be required to change or cover the clothing before returning to class or school activity. Hats, visors, bandanas, headbands or similar head covering may not be worn or visibly displayed in school upon entering the building, throughout the school day, and until the students exit the building.

In situations involving discipline or other non-disciplinary action, the Westfield Public School district acknowledges its responsibility to afford students due process and timely resolution to proceedings, as mandated by state and federal statute and the regulations of the Commonwealth of Massachusetts. For all actions, students have the right to be informed of the charges or issues, to be given an opportunity to respond and to be apprised of the outcome and any applicable appeal procedures. The specific responsibility of the district regarding due process is dependent upon the action under consideration by the district in any given situation. Procedures to address specific mandates are outlined accordingly throughout Section J. In addition to procedures specifically stated, the district supports the efforts of students and parents/guardians in directing student specific, programmatic or procedural concerns to appropriate staff throughout the system.

FACILITIES FOR THE HANDICAPPED/ELEVATOR

Use of the elevator is only for students with a disability. Such students will be issued an elevator key by the secretary. The key will be turned in to the secretary each Friday, whether or not the student will still need it. It may be signed out again the next school day, if still needed. Unauthorized use of the elevator may result in disciplinary measures being taken. A lost key will result in a charge of \$5.00. Handicapped access lavatories are located on each floor of the building and are so labeled. Handicapped parking spaces are available in the rear of the building. Handicapped students will be informed of the emergency procedures applicable to them on the first day they are in the building or sooner.

DO NOT USE THE ELEVATOR IN CASE OF FIRE, FIRE DRILL OR EMERGENCY EVACUATION.

FACULTY MAILBOXES

Faculty mailboxes are private and under no circumstances is any student to remove anything or put anything in a faculty mailbox without the expressed authorization of a teacher or member of the office staff.

FIRE DRILLS AND EMERGENCY EVACUATIONS

Detailed instructions for fire drills will be explained by teachers. Directions for leaving the building are posted in every classroom. If in doubt, ask individual teachers to show you where the directions are and to explain the evacuation route from that room. Students on the second floor should exit on the inside (left) of the stairwells. Students on the third floor should exit on the outside (right) of the stairwells. All students and personnel should exit as quickly and as quietly as possible. Students are not allowed to use the elevator during fire drills or emergency evacuations. Provisions have been made for physically handicapped students. All students needing special consideration during fire drills should notify the school nurse or the administration. Handicapped students should follow the procedures set forth in their IEP.

CODE WHITE

Detailed instructions for a possible intruder on school grounds will be explained by teacher.

FOOD SERVICES/FOOD AND BEVERAGES

Westfield High School provides breakfast and lunch programs for all students. Breakfast is served: 7:00 - 7:18. Lunch is served: 10:53 - 11:07. Students may be eligible for reduced or free meals. Applications for free or reduced meals may be obtained from the student's homeroom teacher. Milk will be available for those who prefer to bring lunch.

All study halls will report to second lunch, regardless of which floor they are on. Students in the Library during E period will report to that lunch. Lunch periods for each floor or specified rooms will be administratively assigned each semester. Food and beverages will be consumed in the cafeteria only, and shall not be taken out of the cafeteria. The sale or dispensing of food or beverages for the purposes of fund raising may be allowed under certain conditions but these may not be sold or consumed in competition with the school lunch program as required by state law.

FORGERY, MISREPRESENTATION AND ALTERING DOCUMENTS

Altering school records or documents, or using a false signature and name to forge a parent's or staff's signature on passes or notes.

FREEDOM OF SPEECH, ASSEMBLY OR CONGREGATION

The freedoms of speech and the right to assemble are two principles upon which this country is based. These freedoms are subject to the reasonable time, place and manner restrictions. The right to assembly, including words, movement or congregation is defined by the Massachusetts Department of Education. Responsible assembly will be allowed in the proper location at the proper times so as not to stop other people from entering classes, distributing literature during class, or holding a demonstration, so that it interferes with classes or homerooms in session. The use of symbolic expressions of publishing/distributing material is subject to the same limitations as listed for freedom of speech.

Permission to assemble cannot be allowed so as to violate state and local laws. Permission to assemble must be requested in writing from the principal or his designee. The request must be made at least 24 hours prior to the desired time and should include the following: time, place, purpose and safety provisions which will be implemented in cooperation with the principal and responsible.

GAMBLING

All forms of gambling, such as playing cards for money, tipping or matching coins, or any other form of gambling will not be permitted.

Offenses will be considered and punished in accordance with the rules of the school. Students involved in the principal for disciplinary action. Recreational cards are permitted.

GUIDANCE DEPARTMENT

Students and parents are encouraged to contact the high school Guidance Department located in the first floor next to the main entrance. Each student is assigned a guidance counselor who will serve as his/her guidance counselor throughout the four years of high school. The assignment list which is posted in the main entrance of the school is also listed in the introduction to this handbook directly under the staff list. Students who are not assigned a guidance counselor should contact the Guidance Office before school and make an appointment through the guidance secretary. The high school guidance counselor who is directly responsible for academic advisement as well as college and career planning coordinates a variety of other services which are available to students such as school adjustment counseling, tutoring and testing programs. In addition the guidance counselor serves as a liaison between the student, teacher, parent, administration and community. Every effort is made to maximize each student's learning from the experience and to become increasingly responsible for their academic and social well being. Visit the guidance website.

Westfield High School has established a Student Assistance Team made up of guidance counselors, adjustment counselors, administrators, nurses, attendance officer, substance abuse counselor and support personnel that review students who may be in a personal or academic crisis. Any parent, student, or staff member should refer individuals to the guidance office if they have a concern regarding a student.

HARASSMENT/HAZING/INTIMIDATION

Any organized or individual acts of intimidation or hazing by students are prohibited. Extortion, coercion, or intimidation will not be tolerated, and will result in immediate referral to the office for disciplinary action. Chapter 536 of the Massachusetts General Laws now reads in part: "The term 'hazing' shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person."

HEALTH OFFICE

The Westfield High School Health Department staff is on duty every day. The Health Office is located near the Guidance Office and is open during school hours to students who need medical aid or information.

A registered nurse is available to students with passes or for medical emergencies. Students having health problems should make the particulars of their health condition known to the nurse.

DISEASES

Any student who may have an illness or disease, such as bacterial conjunctivitis, strep throat, impetigo, pediculosis, ringworm, unknown rashes, etc. may be excluded from school until diagnosed and treated accordingly.

EMERGENCY CARDS

At the beginning of the school year, "Emergency Cards" are distributed to each student. It is extremely important that the information requested on this card be filled out accurately and kept up to date. There must be a way of reaching parents, guardians, or alternates promptly should illness or accident occur.

ILLNESS OR INJURY

Students must report all accidents or emergencies to the nurse's office. Students must not leave the building because of illness without authorization. If the nurse is not available, the student will report to the main office. Any injury should be reported to the teacher on duty, although it does not appear to call for the attention of the school nurse. Any injury calling for medical attention must be reported to the nurse or to the school office. School insurance requires such notification.

IMMUNIZATIONS

To protect the health of all students, Massachusetts law requires immunizations against diphtheria-tetanus-pertussis (D.P.T.), measles, mumps, rubella, and polio, unless exempted for medical or religious reasons. Lacking proof of such immunizations from the family physician or public health clinic will prohibit the student from enrolling in school or will result in exclusion from school.

MEDICATIONS AND FIRST AID IN SCHOOL

MEDICINES:

It is the policy of the Westfield Public Schools that all children's medication be administered by a parent at home. Under exceptional circumstances, medication may be administered by school personnel under appropriate administrative regulations.

Oral Medication in Schools

If under exceptional circumstances a child is required to take oral medication during school hours, and the parent cannot be at the school to administer the medication, only the school nurse will administer the medication in compliance with the regulations that follow:

1. Written instructions signed by the parent and licensed prescriber will be required and will include:
 - a. child's name
 - b. name of medication
 - c. purpose of medication
 - d. time to be administered
 - e. dosage
 - f. possible side effects
 - g. termination date for administering the medication
 - h. emergency phone number for the parent and the licensed prescriber
2. Medication must be kept in a locked cabinet.
3. The parents of the child must assume responsibility for informing the school of any change in the child's health or change in medication.
4. A copy of this regulation will be provided to parents upon their request for administration of medication in the schools.

ANY SUBSTANCE IN PILL, CAPSULE, OR POWDER FORM WILL BE SUBJECT TO THE SAME REGULATIONS AS ORAL MEDICATION.

Injectable Insect Sting Kits

It shall be the responsibility of either parent or the child, or persons who have legal custody of such child, to supply the Westfield Public Schools with a EpiPen insect sting kit at the school, and it shall be the responsibility of the school department to safely keep said EpiPen and administer the same according to the provisions mentioned herewith:

1. The licensed prescriber must submit a written statement to the effect that, in their opinion, no other alternative medication would be effective at this time.
2. The licensed prescriber must submit written authorization and specific instructions for the administration of such medication within the school setting.
3. The parent must submit written permission for its use, releasing the school from all responsibility involved in its administration.

4. The school doctor will review the request with the licensed prescriber.
5. Following the completion of the request, the school doctor will countersign the prescription and the school doctor will review the case with the school nurse for proper administration of the medication.

ONLY THE SCHOOL NURSE WILL ADMINISTER THIS MEDICATION.

THE SCHOOL SYSTEM RETAINS THE DISCRETION TO REJECT REQUESTS FOR ADMINISTRATION OF MEDICATION.

In accordance with standard nursing practice, the school may refuse to administer or allow to be administered any prescription medication which, based on her individual assessment and professional judgement, has the potential to be harmful, dangerous or inappropriate. In these cases, the parent/guardian and licensed prescriber shall be notified immediately by the school nurse. Parents/Guardians may appeal this decision in writing to the Principal of the school. A meeting will be held with the Appeals Team and the Parent/Guardian to review this decision.

THE SCHOOL SHALL ADMINISTER THROUGH THE SCHOOL NURSE ONLY THOSE SUBSTANCES APPROVED BY THE FDA.

Adopted: November 17, 1997

FIRST AID:

First Aid is defined as the immediate, temporary care given in case of accident or sudden illness. Any care beyond first aid will not be given by the school and will be the responsibility of the parents.

STUDENTS MUST REPORT ALL ACCIDENTS OR EMERGENCIES TO THE PRINCIPALS OFFICE.

PHYSICAL EXAMINATIONS

The school nurses are responsible for scheduling mandated physical examinations, height and weight, and vision, and hearing screening during sophomore year. This is also mandated for transfer students. All sophomores are required to have a physical exam by either the family physician or school physician. Forms for the student's family physician to complete may be obtained from the school nurse. The forms must be returned to the nurse. We encourage students to have their own family physician do the required physical examination. It is advisable to have all private physicals done by the end of October. School physicals will be scheduled once a month by homeroom. An athletic physical is required each school year for each athlete. The athletic department schedules physical exams before each season of competition. No student will be able to participate without a physical. The sophomore physical can be used in place of the athletic physical as long as this dual purpose is stated by the doctor.

IDENTIFICATION CARD

All students of Westfield High School must have a photo-identification (ID) card. Photographs for these cards will be taken at dates and times to be announced. Students are required to show their ID for admission to all school dances and functions. This card is also required to charge out library books. On request, it will establish the fact that you are a member of Westfield High School. ID's may also be required to be shown before boarding school buses. There will be a charge of \$2.00 for a replacement card.

INCENDIARY DEVICES, BOMB THREATS, FIRES

The possession and/or use of explosive materials and objects, including firecrackers and smoke "bombs" are prohibited. The threat of potential harm from a "bomb" (bomb scare) is also prohibited. The setting of any fire is a most serious offense and is prohibited, and will be prosecuted by the state.

INSUBORDINATION

Students are expected to follow the reasonable directions and authority of school officials. Insubordination is the direct refusal to follow the normal, customary and reasonable request of a school authority.

INTERSCHOLASTIC ATHLETICS

MASSACHUSETTS INTERSCHOLASTIC ATHLETIC ASSOCIATION

INTERSCHOLASTIC ATHLETIC ELIGIBILITY RULES

REFERENCE: BLUE BOOK RULES OF ELIGIBILITY (BBRE)

REFERENCE: BLUE BOOK GENERAL RULES (BBGR)

The violation of any eligibility rule may result in forfeiture of a game won or the elimination of a player from participation for one year. A player could spoil a season. If there is any doubt concerning eligibility, consult your principal or athletic director. The rules apply to all teams (varsity, junior varsity, and freshman) in all grades, and to both girls' and boys' sports.

A STUDENT IS NOT ELIGIBLE WHO:

1. Was not a member of some secondary school for a minimum of two (2) months, exclusive of summer vacation months, who has not received a report card preceding the contest. (REF. RULE #61)
2. Transferred from any school to a MIAA member school. (REF. RULE #61)
3. Has not secured during the last marking period preceding the contest (e.g. second quarter marks and not semester grades determined at quarter eligibility) passing grades in the equivalent of four major subjects. To satisfy this requirement, a student must have passed the equivalent of four (4) marking periods, including the equivalent of FOUR (4) YEAR MAJOR ENGLISH COURSES. A student taking courses which would provide credit equivalent to FOUR (4) YEAR MAJOR ENGLISH COURSES during the marking period, students are required to have earned credits for the previous year. (REF. RULE #62) The academic eligibility of all students shall be considered as of the first day of the marking period. The marking period have been issued to the parents of all students. Income tax (REF. RULE #62) grades may not be used for eligibility.
4. Attended any grade 11 or 12 course during the marking period and passed, regardless of participation. (REF. RULE #63)
5. becomes 19 years of age before September 1. (BBRE #64)
6. Has graduated from any secondary school. (REF. RULE #65)
7. Was "persuaded" or influenced to transfer to present high school by a coach, athletic director, principal or other person connected to the school. (REF. RULE #62)
8. Practices or plays more than once in any day with a school team and a non-school team. (REF. RULE #56)

- Case 5:03-cv-30088-FHE Document 48 Filed 04/16/03 Page 62 of 81
9. Is put out of a game for fighting, but is not limited to, the use of threatening, abusive or obscene language. If it is the second time during the season, then you are disqualified from any further participation in that sport season for one full year. (REF.RULE #76-7S)
 10. Physically assaults an official, is ineligible in all sports for one full year. (REF.RULE #59)
 11. In the judgment of the game official, willfully, flagrantly or maliciously attempts to injure an opponent. in any sport, will be immediately excluded from participation in that sport season for one year. (REF.RULE #59)
 12. During the season of practice or play uses, consumes, possesses, buys/sells or gives away any beverage containing alcohol, any tobacco product, steroids, marijuana or any controlled substances. (REF.RULE #66)
 13. Only awards of no intrinsic value and approved by The MIAA may be accepted by a high school student-athlete as a result of participation in school or non-school competition in a sport recognized by that state association. (REF.RULE #53)
 14. A student is not eligible for tournament participation unless he/she is regularly present at and actively participates in all high school team practices and competitions. (REF.RULE #92)

The M.I.A.A. has established a procedure which provides a full and multifaceted review of all requests to set aside an eligibility requirement for an individual high school student. (BBGR #87). The M.I.A.A. waiver process is published in the M.I.A.A. Blue Book. (Ref: Blue Book Student Eligibility Waiver - The Process #87) There are many other important rules and regulations that must be adhered to. Those listed above are most common and must be understood. Consult your principal or athletic director if there is any doubt. There are some exceptions or variations to this rule. Consult your principal or athletic director if there is any possible doubt.

Chemical Health Rule (MIAA)

During the season of practice or play, a student shall not, regardless of the quantity, use or consume, possess, buy/sell or give away any beverage containing alcohol, any tobacco product, marijuana, steroids or any controlled substance. It is not a violation for a student to be in possession of a legally defined drug specifically prescribed for the student's own use by his/her doctor.

The MIAA Chemical Health Rules minimum penalties are:

First violation:

When the principal confirms, following an opportunity for the student to be heard, that a violation occurred, the student shall lose eligibility for the next two (2) consecutive interscholastic events, or two (2) weeks of a season in which the student is a participant, whichever is greater. No exception is permitted for a student who becomes a participant in a treatment program, although such participation is recommended. It is expected that the student be allowed to remain at practice, for the purpose of rehabilitation.

Second violation:

When the principal confirms, following an opportunity for the student to be heard, that a second or subsequent violation occurred, the student shall lose eligibility for the next twelve (12) consecutive interscholastic events or twelve (12) consecutive weeks, whichever is greater, in which the student is a participant. If, after the second or subsequent violation the student of his/her own volition becomes a participant in an approved chemical dependency program or treatment program, the student may be certified for reinstatement in the MIAA activities after a minimum period of six (6) weeks. Such certification must be issued by the doctor or a counselor of a chemical treatment center.

Penalties shall be cumulative each academic year, but a penalty period will extend into the next academic year.

LIBRARY

The H. W. Fritledge Memorial Library is open from 7:15 a.m. until 2:00 p.m. on Monday's, Wednesday, and Friday's. On Tuesday's and Thursday's, the library remains open until 4:00 p.m. It is closed during the third lunch period. Students may borrow library materials, using the library cards which are assigned as the student enters Westfield High School. Books are borrowed for two weeks, while all other items are due in one week. A fine of five cents a day per item is charged for overdue items, and no further materials may be borrowed if the accrued fines total more than one dollar. The library has networked computers providing access to electronic sources. Students may come to the library using passes issued by the assistant teacher and countersigned by the study hall teacher. Honor Society students may use the library by signing in at the front desk. Library materials are protected by a security system which requires that the students enter and leave by the appropriate door. All materials should be charged out and desensitized before leaving the library to avoid setting off the alarm.

LIBRARY PASSES

Students may obtain passes to the library from their study hall teachers at the beginning of the period and will remain in the library for the entire period. No more than four of these passes will be issued from each study hall. Students having assignments which call for the use of library resources may request a subject pass from the teacher who gave the assignment. This pass is then presented to the study hall teacher at the beginning of the period for a countersignature. Students making use of these subject passes will be asked to work individually, in separate carrels, so that they may most efficiently complete their assignments. To assure library access to the most students, only one pass per day should be given to any one student. Students will leave their passes at the front desk when they enter to be stamped with the time of arrival, and the passes will be returned to the study hall teacher's mail box by the end of the day. Certain sections of the library are reserved for silent study, while conversation, kept to a level at which it is not audible beyond the table where it takes place, is permitted in other areas. Disruptive noise or behavior will result in a denial of library privileges.

LIBRARY SECURITY SYSTEM

A detection system has been installed to better serve you by discouraging thefts and book losses. Observing the following procedures will eliminate any inconveniences or delay:

1. Students should enter or depart only through the designated entrance and exit gate.
2. Always remember to charge out your library materials before leaving.
3. Do not wait until the end of the period to charge out materials.
4. You may bring charged out materials back into and out of the library without stopping at the desk.
5. If the chime sounds and the gate locks, please return to the circulation desk. The person on duty will resolve the situation.

ILLEGAL AND/OR DISRUPTIVE DEVICES

Lasers, Lighters, Matches, Cigarettes, Cell Phones, Beepers, Walkmans & other devices illegal or disruptive to school procedure are prohibited in Westfield High School. They may be considered contraband and may be confiscated.

"When there is a reason to suspect that a student has been consuming alcohol, a breathalyzer test may be ordered. The student's failure to comply is insubordination and may be treated as such. The refusal also raises the inference that the student is hiding something and further action may be taken.

LOCKERS

Physical Education lockers are to be used only during a student's physical education class. Each student is responsible for providing a lock and securing all clothing and other valuables.

LOST AND FOUND

The lost and found is in the main office. Students should write their name, homeroom number and the date issued on the book label to help the return of the book.

LUNCH PERIOD

Students will eat their lunches in the cafeteria. All food must be consumed in the cafeteria. None will be carried into the corridors or classrooms. When finished, students are expected to clean up after themselves and then to stay within bounds until the end of the lunch period.

Area limits during lunch periods:

1. WITHIN THE BUILDING: a) Students will confine themselves to the rear first floor corridor following lunch. b) Students are not allowed on the 2nd and 3rd floors during lunch. They should pick up their books for their 5th period class before going to lunch, or during the passing period after their lunch. c) "Roughhousing" in the corridor, or making unnecessary noise is prohibited.
2. OUTSIDE THE BUILDING: Students are restricted up to the sidewalk area immediately in the rear of the building by the Student Council room. ENTERING THE PARKING LOT OR ANY OTHER AREA IS PROHIBITED.

OBLIGATIONS AND RESPONSIBILITIES

Part of the maturation and growth of a student is to be responsible for all school materials available for their use. Damage or loss of these materials may require compensation by the student. Students who do not fulfill all school obligations (financial and disciplinary) by graduation will receive an obligation notice in their diploma case instead of a diploma. As of graduation no transcripts or recommendations or diploma will be released until the obligations are met.

PASSES

Students must have a signed pass when leaving the classroom. This means every time a student is outside the classroom except during passing time, they should have a pass. Only one student at a time will be allowed to leave the room to go to the lavatories. Students may not loiter while out on a pass and should go directly to their destinations. Students leaving classrooms with a pass must use the sign out sheet. Students are not to be at their lockers during their class period, therefore, they should not be given locker passes.

PERSONAL CONDUCT

Students are expected to conduct themselves in a socially acceptable manner. Displays of affection between friends should be appropriate on school grounds and at school programs and activities. Please demonstrate respect for yourself and others by conducting yourself in a manner appropriate for a public place. Please limit displays of affection to hand holding and avoid the practice of having arms around one another, sitting on one another's laps, or various other degrees of affection. School authorities may request students to refrain from inappropriate affectionate behavior.

PLAGIARISM, CHEATING, WILLFUL DECEIT OR MISREPRESENTATION

The students of Westland High School should exemplify truth, honesty and decency. Intentionally plagiarizing material, cheating on school tests or tests, or giving false information for the purposes of passing or evading dishonesty are subject to school discipline.

POSTING OF INFORMATION AND DISTRIBUTION OF MATERIALS

The daily bulletin is posted each day on the bulletin board outside the main office. Driver Education lists are also posted there when classes are formed. The Guidance Office has bulletin boards that post information that may be pertinent to all students. These bulletin boards should be cleared from time to time for items of interest. Poster displays and others are subject to approval by the Student Council and administration. Unauthorized use of bulletin boards, displays or posting of leaflets may cause the material to be removed and the person or persons who displayed or posted the materials to be subjected to disciplinary measures. Posters should not be hung on smooth painted areas, nor in windows of classrooms, doors obscuring view up or down the corridor. All offending posters will be removed and destroyed. All posters must come down the next day after the event. Handbills or any other printed matter may not be distributed or circulated in school or on the school grounds without prior approval. Arrangements should be made with an administrator or his designee.

PROFANITY, OBSCENE LANGUAGE, DEFAMATION, FIGHTING WORDS, INCITEFUL OR DISRUPTIVE STATEMENTS FIGHTING OR USE OF PHYSICAL FORCE

To conduct a safe, orderly and sound educational system the high school does not accept or allow the use of obscene, profane, defamatory, libelous, or intentionally disruptive statements or expressions. Students are expected to uphold high levels of self-esteem, decorum and moral behavior. Fighting words or threats is not acceptable at Westland High School. Students are expected to be mature, respectful and in responsible of their actions.

PROGRAMS, FUNCTIONS OR SOCIAL ACTIVITIES (SCHOOL SPONSORED)

Specific school functions or events may have certain requirements. Failure to follow these requirements may restrict a person to future participation. Examples are:

1. Not having a proper uniform for athletic events.
2. Failure to present a school ID when entering a dance.
3. Failure to attend school on day of the function.

PROPELLING OF OR THROWING OBJECTS

The propelling or throwing of objects has proven to be very dangerous. Students are expected to use good judgment and not participate in the act of throwing or propelling objects.

Radios, tape recorders (including walkman type, or other musical instruments, or other personal possessions) may not be used at anytime during the school day. Students are not allowed to have beepers or cellular telephones in school. They will be taken away until the close of school in June. Possession of personal video or audio recorders by students is prohibited unless expressly permitted by school administration for an educational purpose. Video or audio taping of individuals without their knowledge or express consent is prohibited. Such conduct, in addition to a violation of school rules, may constitute a violation of privacy and or violation of federal and state wire tapping laws, resulting in referral to law enforcement officials.

SEXUAL HARASSMENT POLICY

STUDENTS

It is the policy of the Westfield Public School Committee to maintain and promote a working environment and an educational environment free from all forms of sexual harassment. This policy is effective immediately and shall apply to all persons associated with this school system including, but not necessarily limited to the School Committee, the administration, the staff, and the students. All employees of the Westfield Public Schools have the right to work in an environment free from sexual harassment. All students of the Westfield Public Schools have the right to participate in an educational environment free from sexual harassment. Any person who engages in sexual harassment while acting as a member of the school community will be in violation of this policy.

In addition, the Westfield Public School Committee affirms its commitment to maintain a work free environment free from all forms of harassment and discrimination based on race, color, religion, sexual orientation, national origin, age, sex or disability. All members of the school community are expected to conduct themselves in an appropriate manner with courtesy and respect for others. Any harassment on the basis of a person's race, color, religion, sexual orientation, national origin, age, sex or disability will not be tolerated.

WHAT IS SEXUAL HARASSMENT?

- A. Sexual harassment is a form of sex discrimination. Sexual harassment in the workplace or education environment and retaliation for reporting or cooperating with a sexual harassment investigation are unlawful under both state and federal law and will not be tolerated.
- B. In Massachusetts, the legal definition for sexual harassment is this: "sexual harassment" means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:
 1. Submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or education or a basis for employment or educational decisions; or
 2. Such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work or educational performance by creating an intimidating, hostile, humiliating or sexually offensive environment. Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment constitute sexual harassment. Likewise, direct or implied requests by an employee of the Westfield Public Schools for sexual favors in exchange for actual or promised educational benefits such as favorable grades, recommendation letters for college, and the like constitute sexual harassment.
 3. Sexual harassment is not limited to conduct by a male towards a female. The victim of sexual harassment may be either male or female. Likewise, a harasser may be male or female.

Sexual harassment is not, by definition, limited to prohibited conduct by a supervisor or administrator towards an employee. It can also involve conduct by one employee towards a co-worker or, in some circumstances, it may even involve a non-employee as the harasser or the victim of harassment. Sexual harassment can take place in the educational setting as well as the workplace. All such harassment is hereby prohibited.

EXAMPLES OF TYPES OF CONDUCT WHICH MAY CONSTITUTE SEXUAL HARASSMENT

The legal definition of sexual harassment is broad and in addition to these examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating an environment that is hostile, offensive, intimidating, or humiliating to male or female workers, students or other members of the school community may also constitute sexual harassment.

Beyond the law, our policy prohibits conduct or behavior of an offensive or sexual nature that may go beyond what is prohibited by law. While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct which violate our policy and may also constitute sexual harassment under the law, depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness.

- Supervisor indicates to a subordinate that the subordinate's performance review will be affected by whether or not the subordinate is willing to date the supervisor.
- Supervisor tells an employee that he/she could be promoted if he/she grants certain sexual favors to the supervisor.
- Administrator demotes an employee because the employee refuses to share a bed with the administrator during an out of town conference.
- An employee is subjected to sexual remarks and or whistles upon each visit to a particular work department. Over a period of time, the employee becomes reluctant to enter that department making it difficult for the employee to properly perform his/her duties.
- Teacher indicates to a student that the student's grades will be affected by whether or not the student is willing to date the teacher.
- Exchanging sexual advances - whether they involve physical touch or not.
- Sexual slurs, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexual suggestive objects or materials, including photographs, drawings, cartoons, post cards, calendars, tapes, etc.
- Excessive and/or persistent brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences;
- Discussing one's sexual activities;
- Making sexual gestures or body motions;
- Transferring or accessing sexually explicit materials by computerized or other means;
- Making sexual comments or telling sexual jokes or stories;
- Touching, pinching, groping, kissing or patting the body of another person;
- Repeatedly asking a person for a date or to socialize outside of work after being informed such conduct is unwelcome;
- Exerting pressure on another person for sex or a romantic relationship, or
- Following, "shadowing" or stalking a person.

RESPONSIBILITIES OF ALL EMPLOYEES AND PARTICIPANTS IN THE EDUCATIONAL COMMUNITY

Each employee and each participant in the educational community is personally responsible for ensuring that his/her conduct does not in any way sexually harass any other person he/she has contact with in the performance of his/her duties or studies while acting as a member of the school community. Each student, employee, supervisor, administrator and member of the school community is required to fully cooperate in any investigation of alleged sexual harassment. Further, supervisors and administrators are obligated to intervene and stop any sexual harassment they witness and to immediately report to their supervisor, in writing, any sexual harassment that is reported to them or they otherwise learn of. Each employee is obligated to immediately report, in writing, to his/her supervisor any sexual harassment of a student which the employee witnesses or learns about. Any employee who receives a report of, or otherwise has knowledge of conduct prohibited by this policy is required to report the conduct or incident immediately.

PROCEDURE FOR REPORTING SEXUAL COMPLAINTS

The following sexual harassment complaint procedure has been established to ensure prompt and effective investigation into allegations of sexual harassment.

A. If an individual believes that he or she is being sexually harassed or subjected to inappropriate conduct of a sexual nature, the individual should immediately:

1. Firmly confront the harasser(s);
2. State the conduct which he/she objects to;
3. Indicate that he/she finds such conduct offensive, intimidating and/or embarrassing;
4. Insist that the person(s) engaging in the conduct stop the conduct immediately; and
5. Report the harassment immediately in writing to one or more of the persons listed below:

Director of Human Resources
22 Ashley Street
Westfield, MA 01085

Leslie Clark
Franklin Avenue School
Westfield, MA 01085

Your Building Principal

If the individual is not comfortable with confronting the alleged harasser(s), the individual should immediately report the situation to one or more of the persons identified below:

Director of Human Resources
Leslie Clark
Your Building Principal

B. After reporting the situation to one or more of the persons identified, the individual should immediately submit a written statement detailing:

1. the specific conduct objected to;
2. the date(s) and the time(s) such conduct took place;
3. the name(s) of the alleged harasser(s);
4. the location(s) where the conduct occurred;
5. the name(s) of any witness(es); and
6. any other details or information requested by the investigator.

The individual should provide the investigator with any documentation (cards, notes, pictures, etc.) or other corroboration of the harassment if the individual may have.

*EMPLOYEES OR STUDENTS WHO HAVE A COMPLAINT OF SEXUAL HARASSMENT OR WHO WISH TO LEARN MORE ABOUT THE SUBJECT MAY CONTACT ANY ONE OF THE FOLLOWING PERSONS:

Director of Human Resources
22 Ashley Street
Westfield, MA 01085
572-6550

Leslie Clark
Franklin Avenue School
Westfield, MA 01085
572-6424

INVESTIGATION OF COMPLAINTS

An individual who encounters sexual harassment as defined in the policy statement of the Westfield Public Schools should file a complaint in accordance with the Procedure for Reporting Sexual Complaints. Complaints of sexual harassment will be investigated promptly and acted upon in a timely manner. The investigator will inform the alleged harasser(s) of the complaint, will interview the alleged harasser too and require the alleged harasser to submit a detailed written response to each and every allegation of harassment. The investigator will also endeavor to obtain detailed written statements from potential witnesses. If the investigator concludes that sexual harassment has occurred, the matter shall be immediately referred to the Superintendent of Schools or, when appropriate under the Education Reform Act, to the School Committee for appropriate disciplinary action and action will be taken promptly to eliminate the offending conduct.

PROCEDURE FOR REPORTING SEXUAL COMPLAINTS

LEVEL ONE:

Any employee and/or student who believes that he/she has been the subject of sexual harassment should report the alleged charge immediately to the principal. If the principal is the subject of the alleged charge, the complaint will be filed at Level Three. All complaints will be reduced to writing following an informal discussion of the allegations with the principal or superintendent. The principal (or superintendent) will investigate and render a decision regarding the complaint and any action or recommended action to be taken within ten (10) calendar days.

LEVEL TWO:

If the employee and/or student wishes to carry the complaint beyond the decision reached at Level One, he/she may within five (5) days file the complaint with the superintendent. (If the superintendent has been addressed at Level One, the employee and/or student may carry the complaint to Level Three.) The superintendent will evaluate the evidence and render his/her decision within (10) days after receiving the appeal.

The employee and/or student may carry the complaint beyond Level Two by filing his/her complaint with the school committee within five (5) days after the Level Two decision has been reached. Upon receiving the complaint, the matter will be placed under executive session of the agenda for the next regular school committee meeting and the final determination will be made within ten (10) days of said meeting. Employees and/or students will be given the opportunity to be present and heard at each of the three (3) levels. Decisions at each level will be in writing and will include supporting reasons. Copies of all decisions and recommendations will be furnished promptly to all parties. A complaint may be withdrawn by the employee and/or student at any level.

CONFIDENTIALITY

Investigations of sexual harassment complaints shall be conducted in such a manner as to disclose information only to those with a need to know or those who may have information pertinent to the investigation. The Westfield Public Schools shall endeavor to keep such information as confidential as it can without compromising the thoroughness of the investigation.

NO RETALIATION FOR FILING A COMPLAINT OR COOPERATING WITH AN INVESTIGATION

No employee or student shall be retaliated or discriminated against in any way for making a complaint of sexual harassment or for cooperating in the investigation of such a complaint.

CONSEQUENCES OF VIOLATING POLICY - DISCIPLINE & DISCHARGE

*Any employee who violates this policy will be subject to disciplinary action which may range from reprimand, suspension without pay, demotion, up to and including immediate discharge. In appropriate circumstances, the Administration may also refer the matter to law enforcement officials for possible prosecution. Any student who violates this policy will be subject to disciplinary action, which may range from detention, suspension from schools, up to and including expulsion from the Westfield Public Schools. In appropriate circumstances, the Administration may also refer the matter to law enforcement officials for possible prosecution.

IDENTITY OF STATE AND FEDERAL AUTHORITIES

The Massachusetts Commission Against Discrimination (MCAD) enforces the state law prohibiting sexual harassment. The MCAD can be reached as follows, if you wish to file a formal complaint with them:

Massachusetts Commission
Against Discrimination
436 Dwight Street, Suite 220
Springfield, MA 01103
Telephone (413) 739-2145

Massachusetts Commission
Against Discrimination
One Ashburton Place, Room 601
Boston, MA 02108-1532
Telephone (617) 727-3990

The Equal Opportunity Commission (EEOC) enforces the federal law prohibiting sexual harassment. The EEOC can be reached as follows, if you wish to file a formal complaint with them:

Equal Employment Opportunity
Commission
One Congress Street
Boston, MA 02114
Telephone (617) 565-3200

Equal Employment Opportunity
Commission
1801 L St. N.W. Room 1001
Washington, DC 20507
Telephone (202) 663-4900

Adopted February 3, 1997

BULLYING

Bullying and harassment are major distractions from learning. The grades of the victims can suffer. Fear can lead to chronic absenteeism, truancy or even dropping out of school. Bystanders feel both guilty and helpless for not standing up to the bully. As a rule, bullying behavior starts in elementary school and peaks in the middle school years. However, it attracts more attention from adults when it appears in high school. There the students are older and physically larger and the behavior is recognized as being less tolerable and more inappropriate. Also, sexual harassment is, in fact, often a form of bullying. Most bullying of any type has no place in the school setting. The Westfield Public Schools will endeavor to maintain a learning and working environment free of bullying.

Bullying is defined as the act of one or more individuals intimidating one or more persons through verbal, physical, mental or written interactions. Bullying can take many forms and can occur in virtually any setting. It can create unnecessary and unwarranted anxiety that will affect attending school, walking in corridors, eating in cafeterias, playing in the school yard or recreation areas, participating in or attending special and extra-curricular activities, or riding on the bus to and from school each day. Examples of bullying include but are not exclusive to:

1. Intimidation, either physical or psychological
2. Threats of any kind, stated or implied
3. Assaults on students, including those that are verbal, physical, psychological and emotional.
4. Attacks on student property

The school committee expects administrators and supervisors to make clear to students and staff that bullying in the school building, on school grounds, on the bus or school sanctioned transportation, or at school-sponsored functions will not be tolerated and will be grounds for disciplinary action up to and including suspension and expulsion for students, and termination for employees. The district will promptly and reasonably investigate allegations of harassment, including bullying. The principal of each building will be responsible for handling all complaints by students alleging harassment, including bullying. The superintendent will develop administrative guidelines and procedures for the implementation of this policy.

Legal Ref: Title VII, Section 703, Civil Rights Act of 1964 as amended
Federal Regulation 74676 issued by EEO Commission
Title IX of the Education Amendments of 1972
Board of Education 603 CMR 26:00

Cross Ref: AC Nondiscrimination
ACAC Sexual Harassment

The Westfield Public Schools recognize a responsibility to educate all special education eligible students from the ages of 3 through 21. Any parent or student who believes he/she has a special need should contact a counselor, principal, or administrator of special education for an evaluation. All students are expected to meet the requirements for behavior as set forth in this handbook and to abide by Westfield's Code of Conduct. Chapter 71B of the Massachusetts General Laws and 20 U.S.C. § 1415 et. seq. require that certain due process discipline procedures be implemented for students who have been identified as having special needs. Westfield will adhere to and implement the various provisions of state and federal law regarding the disciplining of students who have been identified as having special needs. Under certain circumstances, disciplinary actions for special needs students may include suspension, expulsion, placement in an alternative interim setting, and notification to law enforcement officials. The student's special education team may be reconvened, a Behavioral Intervention Plan may be developed or revised, a Functional Behavioral Analysis may be conducted, and a Manifestation Determination hearing may be scheduled.

Additional provisions are made for students who are in a special education program as defined by of M.G.L., known as Chapter 766. Students who have special needs and have a program described in an Individual Educational Plan (I.E.P.) may have additional requirements or modifications to regular code of discipline.

1. All modifications will be described in the I.E.P.
2. The principal or a designee will notify the Special Education Office of any offense that requires a suspension and keep a record of such notices.
3. When the suspensions of a special education student accumulate to 10 days in a full year or 5 days in a half year, a review of the I.E.P. as provided in section 333 of Chapter 766 Regulations, will be held to determine the appropriate placement or program. The I.E.P. Team will make a finding regarding the relationship of the misconduct and the handicapping condition and either:
 - a. design a modified program for the student or
 - b. write an amendment to provide for the delivery of special education services during the suspension, and any needed modification of the I.E.P. relative to discipline code expectation.

The Department of Education will be notified as required by law and the procedures promulgated by the Department of Education for requesting approval of the alternative plan will be followed.

STUDENT SURVEYS

On occasion, students may be asked to complete a risk behavior survey. These anonymous surveys provide the Westfield Public Schools with the information necessary to adjust our health curriculum to meet the needs of the students. Any survey will have the approval of the superintendent of schools prior to its administration. Parents should contact the building principal if they wish to exempt their student from such surveys.

DIRECTED STUDY PERIODS

Under the Massachusetts Education Reform Act of 1993, all students must be present and remain in directed study halls. Students reporting to their assigned study periods will come prepared with homework, or other academically worthwhile material to keep them occupied for the full period. Passes to other areas of the building must be presented to the teacher supervising the study at the beginning of the period. Only authorized passes will be honored.

INTERNAL SUSPENSION:

1. Internal suspension is to be served in the room set aside for that purpose.
2. Mid-term and final examinations will be administered.
3. The student assigned to internal suspension will not participate in any extra-curricular school activities.
4. A parent contact will take place.
5. All class work will be assigned and completed by the student while in the internal suspension class.
6. Credit will be given for all work completed. Failure to complete assigned work may cause problems with the attendance policy of the school.
7. NOTE: Absence from school does not reduce the period of suspension.

EXTERNAL SUSPENSION:

1. The student will be notified of the reason for suspension and the offense and the duration of suspension to the administration.
2. The student may not be on school property.
3. Mid-term and final examinations may be taken upon return.
4. The student may not participate in any extra-curricular activities.

SUSPENSION AND HOMEWORK POLICY

Students suspended from school for disciplinary reasons will be given the opportunity to make-up all announced academic work, such as papers, tests, quizzes, readings. Students who are suspended from school for disciplinary reasons who miss labs may be given readings as a substitute for the learning related to the labs. Work that is unique, creative, experiential, and cannot be replicated in another form cannot be made up. The student has an obligation to prepare extra assignments, using assignments to be completed and stating the date(s) when assignments are due.

The principal or the school or his designee shall be responsible for determining whether a referral under Chapter 706 should be made, prior to suspending such a student. Upon the issuance of a criminal complaint charging a student with a felony or the issuance of a felony delinquency petition, the principal may suspend the student for a period of time determined by the principal, based upon the principal's judgment that the presence of the student in the school is a safety hazard to the student, the staff, or the community. Prior to such action by the principal, the principal shall advise the student of the reasons for the suspension and the student's right to appeal the suspension. The student shall also receive a written notice of the suspension and the reasons for the suspension. Such appeal will not stay the suspension from going into effect. The student shall be given the opportunity to meet with the guidance department and request that assignments to be made up be sent to the guidance office. A 24-hour notice to the student's parents is necessary. Parents/Students must make arrangements to be followed up at the guidance office.

TESTS, SURVEYS AND QUESTIONNAIRES

On occasion, class or school-wide approved tests, surveys or questionnaires may be requested of all students. Parents will be informed as much as possible and information will be given before each activity. Parents wishing to have students withhold information should notify the principal or designee of the specific information to be withheld.

- Telephone messages usually cannot be delivered to a student without interrupting a teacher and the class. Except in emergencies such as illness at home, telephone messages cannot be accepted. If a student works after school, his/her employer should be informed of this rule, so that other arrangements can be made to notify the student of changes in work assignments.

TOBACCO USE BY STUDENTS

The use of any tobacco product is prohibited on school property, school buses or at school sponsored events. Violations by students will be subject to disciplinary measures inclusive of, but not limited to, suspension. Tobacco products found in the possession of students on school property, school buses or at school sponsored events will be confiscated.

TUTORS

If a parent or a student is considering engaging a tutor, he/she should contact the student's guidance counselor, so that the subject teacher may work co-operatively with the tutor. The National Honor Society provides a tutoring system. More information is available from the advisor to the National Honor Society, or any member of that organization. There is no charge for this service.

VANDALISM, THEFT AND/OR DESTRUCTION OF PROPERTY

Each student is expected to respect the person and property of another person. This respect should be practiced and help make Westfield High School a showcase of a safe, healthy environment, and an excellent example of school pride.

PARKING RULES AND REGULATIONS

Parking on school property is a privilege and not a right. Therefore, the following rules and regulations are intended to help monitor student traffic and enforce campus policy.

The school reserves the right to suspend driving privileges for infractions of rules and to remove, at the owner's expense, any vehicle violating the traffic or parking regulations of Westfield High School.

1. Each student who wishes to park on campus must register the car in the career center and obtain a parking pass.
2. The parking pass must be displayed clearly on the rearview mirror.
3. Students can park **ONLY** in the student parking lot. Spaces are available on a first come first served basis.
4. **DRIVER MUST:**
 - Adhere to the speed limit of 15 mph anywhere on school grounds
 - Drive within the designated lines, not through the parking lot.
 - **NOT** drive in front of the buses during loading, unloading, and exiting the parking area.
5. All automobiles on school grounds are subject to search by school personnel, with or without the student present, if deemed necessary.
6. Administration may remove parking privileges for violating school policies.

VISITORS

The school policy is to accept those visitors who have legitimate business at the school. Visitors and guests must register in the school office immediately upon entering the building. All visitors and guests must display, at all times, an appropriate identification badge assigned by the school office. Upon completion of their business all visitors and guests must sign out in the school office, return their badge and promptly leave the building. Students wishing to bring a guest to school must obtain approval from the office prior to the day they wish to bring the guest. Students are requested not to ask to bring visitors during the first two, or the last two weeks of school, nor during the weeks of midterm or final examinations. All visitors are expected to leave promptly when their business is completed. Administration will make the final determination regarding visitors. Students wishing to take a visitor to a school function such as a dance, must register the guest by name in order to get permission for a particular guest to attend.

WARNINGS

Warnings may be verbal and/or written. It should be primarily a matter between staff and students only. In cases of continued inappropriate behavior, where patterns seem to be developing, or in the case of a serious incident, warnings will also be documented and notification sent to the main office or home.

WEAPONS

The carrying, possession, having domain over or use of a gun, knife or any other object or facsimile which may be considered a weapon is prohibited on school grounds, school buses and at school related events. Students in violation of this section will be subject to disciplinary action up to and including permanent expulsion.

WITHDRAWAL OR TRANSFER

Any student who plans to withdraw from school or transfer to another school must follow the following procedure:

1. Inform their counselor
2. Have a discharge slip (guidance office) signed by:
 - a. all teachers
 - b. the librarian
 - c. the school nurse
 - d. Assistant Principal and Principal
3. Return all books, and other materials issued for their use
4. Turn in completed form to guidance office.
5. If transferring to another school, obtain a transfer card from the guidance office and provide authorization for forwarding transcript.

DISCIPLINE CHART

The principal or his/her designee reserve the right to modify the disciplinary measure as he or she deems appropriate, on a case by case basis, given the factual circumstances of each particular incident.

OFFENSE
 Profanity, obscene language
 defamation, fighting words
 inciteful or disruptive statements

DISCIPLINE
 Parent/Guardian contact,
 detention, Saturday detention,
 suspension

Cutting Saturday detention

Parent/Guardian contact
 Suspension

Fighting or use of physical force

Meeting with parents/guardians and student
 Police contact if deemed necessary
 Dismissal from school on the day of the event
 Five days suspension
 Expulsion

Possession of or use of any weapons

Same as above

Foul language directed at staff,
 insubordination, rudeness,
 disrespectfulness

Parent/Guardian contact
 Detention
 Saturday detention
 Suspension

Alcohol: Possession or consumption

5 days minimum suspension - plus other administrative action

Drugs Possession or Consumption

5 days minimum suspension - plus other Administrative action

Class Cuts

2 hours detention plus zero for each class.

Cutting E - G periods

double the penalty

Leaving School Grounds
 during the school day (AWOL)

2 days minimum suspension

Out-of-bounds within the building/grounds

1 day minimum suspension

Smoking

1st offense - 1 day suspension
 2nd offense - 3 days suspension
 3rd offense - 5 days suspension.

Tardy to Class

Teacher detention, Chronically - office detention

Tardy to Homeroom,

1st three times homeroom detention
 4th time plus - office detention
 excessive tardies - suspension

Tardy to School

1 hour detention for signing in tardy during 1st period
 2 hours detention for each class missed
 Anyone not signing in will receive Saturday detention

Excessive accumulation of detention
 more than 12)

1st offense - 1 day external, suspensions (erases hours)
 2nd offense plus - 2 days, suspensions (erases hours)

Truancy

1st offense - 3 days suspension
 2nd offense - 5 days suspension
 3rd offense - 5 days suspension
 possible recommendation for further administrative action

Violation of Civil Rights
 and Sexual Harassment

detention, Saturday detention
 suspension

Disruptive, insubordinate while
 in internal suspension

1 day extra suspension, possible dismissal from school

CLUBS, ORGANIZATIONS AND ACTIVITIES

Students at Westfield High are offered many opportunities to participate in extra-curricular activities. Students are encouraged to enhance their participation in one of the clubs, organizations, or activities that are listed here.

Announcements will be made over the public address system and on posters concerning the following extra-curricular offerings. Further announcements may be secured from the adviser, your homeroom teacher or guidance counselor. Clubs or organizations must be sanctioned or organized at school and open to general membership.

AS SCHOOLS MATCH WITS

Participation in this group gives students the opportunity to represent Westfield High School on WWLP'S "As Schools Match Wits." If you are a quick thinker on your feet, enjoy trivial pursuit and want to acquire an encyclopedia knowledge of some specialized areas, such as music and art, science and history, weather or science, you will find this an enjoyable challenge. Additional academic team contest may be involved also.

- The athletic program includes baseball, basketball, cross country, field hockey, football, golf, gymnastics, lacrosse, skiing, soccer, softball, swimming, tennis, track, and wrestling. By action of the school committee, a fee for participation will be charged of \$50.00 per sport, per student. The fee is not refundable after the first game. Eligibility regulations will be posted in each homeroom. The rules and regulations of the MIAA and policies of the Westfield School Committee shall govern interscholastic athletics.

INTERSCHOLASTIC ATHLETICS

Athletic Director: Alan R. Nummy

Athletic Trainer: James Daino

Team Physicians: Family Medicine Associates

Baseball	Basketball	Cheerleaders	Cross Country	Field Hockey	Football
Golf	Gymnastics	Ice Hockey	Lacrosse	Skiing	Soccer
Softball	Swimming	Tennis	Track	Volleyball	Wrestling

BAND

Membership in the band is open to all who play an instrument. It includes the Marching Band, which appears at all football games and parades; the Concert Band, which performs in the Winter Concert, Pops Concert, Spring Concert and at graduation ceremonies.

BAND MAJORS AND MAJORETTES

The members of these organizations are selected through competitive auditions including marching, a twirling routine and general appearance. They appear with the band at all football games, parades, and the Pops Concert. Tryouts are held at the end of the school year. Judges include the adviser, graduates, and the outgoing captain.

CLASS ORGANIZATION

Each class elects a president, vice-president, secretary, treasurer and historian annually. These officers are in charge of the various class meetings and activities. The selection of a class color, motto, and mascot is supervised by the class officers and faculty sponsor.

BAKE CLUB

The Cooking, Bake club is open to any student interested in preparing meals and desserts. The cooking club meets once a week after school.

COUNCIL ON PEER EDUCATION (COPE)

The Council on Peer Education is a voluntary group of students, primarily juniors and seniors who have become involved in an alcohol abuse prevention program in co-operation with LIFEWAYS, a Health Promotion Resource Center for Western Massachusetts.

DEBATE CLUB

If you enjoy researching and debating pertinent issues of the day, debating is for you. Participation in debates with neighboring schools for several weeks during the school year highlight this club's activity.

DRAMA SOCIETY

The Drama Society is for those students who are interested in any aspect of theater productions. We need actors, make-up artists, stage managers, and general enthusiasm. If you have an interest, we have a spot for you, so join us.

DRILL TEAM

The Drill Team is a part of the marching band and participates in all football half time performances and parades. They perform precision flag routines. The team includes a color guard and a rifle squad. It is open to all students. Tryouts are held in early fall and spring.

FOREIGN LANGUAGE CLUB

The Foreign Language Club is open to all foreign language students. Students will develop an appreciation for other cultures through presentations by guest speakers. Club members will have the opportunity to teach languages to elementary school students.

GAMMADION

The Gammadion, the school's yearbook, gives photo-journalism students an opportunity to use their creative skills. Students are actively involved in layout, design, writing copy and captions, taking photos, and many other areas involved in publishing an annual account of life at our school. The staff is recruited from all classes interested students may sign up in the Main Office.

HERALD

The Herald, the school newspaper, offers the student journalist the opportunity to interview people, write and edit stories, take pictures, learn layout skills and meet deadlines.

HOMEROOM ORGANIZATION

A captain and co-captain are elected each year for the year. The captain presides over all homeroom meetings and elections. They read and post notices applying to the homeroom, attend all class meetings where their presence is called for. Co-captains help the captain, and substitute when the captain is absent to collect class dues, distribute materials for their homeroom, etc.

KEY CLUB

The Key Club is a student organization that strives to better the community through volunteer services. The key club is based on caring. The work in the home, school, and community is related by no other. With this concept as the foundation of the organization, Key Club will continue to be an effective and contributing organization in our school and community.

LIBRARY CLUB

Students who are interested in working in the library are encouraged to done one study period a day or homeroom period to do so. Aides will perform the many library duties necessary to the operation of the Herbert W. Kirtledge Memorial Library. Such duties include stamping passes, shelving books, magazines and other materials, and helping other students with research. Library aides find working here a rewarding and enjoyable experience.

Math League participates as a member of the Western Massachusetts League of Mathematics, which has thirteen member schools. Five meets per year are held at area schools. Students compete in the areas of Arithmetic and Number Theory, Algebra I, Geometry, Algebra II, Trig and Complex Numbers, and Analytic Geometry. Students accumulate points both individually and as a team.

MOCK TRIAL TEAM

Each year Westfield High School participates in the State wide Mock Trial Tournament sponsored by the Massachusetts Bar Association (MBA). This program allows students to gain hands on experience in dealing with the American judicial system by acting as attorneys and witnesses in a case that is chosen by MBA.

MODEL CONGRESS

Each year students research and prepare legislation to be presented to the representatives at American International College's Model Congress.

NATIONAL HONOR SOCIETY

The Westfield Chapter of this national organization confers honor upon its members while they are in school and at their graduation. Members are selected by a Faculty Council on the basis of four qualifications: scholarship, character, leadership, and service. Membership is not automatically conveyed simply because a student has achieved a specified level of academic performance.

Selection of Members:

1. The selection of members will be done by a vote of the NHS Faculty Council, consisting of five members chosen by the principal, and NHS Faculty Advisor. The selection of members will take place in November and March. (Seniors are not eligible for selection in March)
2. To be eligible for membership the candidate must be a member in good standing of the junior or senior class and must have a cumulative point average of at least 4.0. Candidates must have been in attendance at the school the equivalent of two full marking periods.
3. Students who have met the NHS requirements will be contacted and required to fill out an activity information form concerning service, co-curricular, and leadership activities. This survey is not an application and a review of this document does not guarantee selection.
4. Deadlines for submitting this survey will be established by the faculty council and must be met by all candidates.
5. National Honor Society council members will review the academic profile and activity information forms. Members will be selected based on outstanding scholarship, character, leadership, and service.
6. The selection of members to the chapter shall be a majority vote of the faculty council.

Non-selection

1. Schools are not obliged to share with parents and students information concerning non-selection of specific students. According to NASSP legal counsel, no constitutional due process requirements apply in non-selection cases.
2. Once selected, the student will be notified in writing and asked to attend an informational meeting.
3. Students not selected will be considered at the next selection (Nov. or March), provided they continue to meet academic and other requirements. However, seniors will not be eligible in March.

ONE ACT PLAY COMPETITION

SPONSOR: Student Council

Every year students in each class put on a one act play in competition with one another.

REGIONAL ADVISORY COMMITTEE (RAC)

The Student Body elects a delegate and an alternate to the Springfield Regional Advisory Council of the State Department of Education. They serve on the Student Council.

SCIENCE LEAGUE

The Science League is a national organization of students in Western Massachusetts in affiliated science events. The events range from physics experiments to biology and chemistry projects to environmental structures. The events are both educational and fun. They are a great way for students to learn outside the classroom environment.

STAGE CRAFT CLUB

The Stage Craft Club serves as the training ground for technical side of play production. Members will be involved in set design and construction, lighting design and operation, audio, costume design and production, and makeup, using their skills as technicians for school productions as well as needed. In addition, a pool of qualified students will be available for a fee to outside groups who use the school facilities.

STUDENT ADVISORY COMMITTEE (SAC)

Students are elected from the student body at large to serve as student advisors to the School Committee. Along with representatives from Westfield Technical High School, they meet periodically with the School Committee. SAC members: To be elected in September.

STUDENT COUNCIL

The Student Council is the link between the student body, faculty, and administration and the Westfield School Committee. Specific responsibilities include: development of student responsibility, leadership, initiative, promotion of citizenship training, provision for expression and development of procedure in government. The Student Council consists of 37 members with equal representation from each of the twelve classes. Two representatives from the Student Body are elected to the Westfield School Committee and 2 to serve as representatives to the Regional Advisory Committee of the State Department of Education. Class Presidents are also included in all Council activities. Any student who is suspended or expelled from school is considered for removal from membership on Student Council.

MISCELLANEOUS

This section contains steps and may not necessarily take place in the order listed, nor is the list all inclusive. It serves to indicate the procedures that an administrator/teacher may follow in dealing with a student or groups of students who have committed any of the offenses listed. Although not specifically enumerated in the procedures as outlined above, the services of the Special Services Department may be called upon at any time to assist in problem resolution.

Teachers and staff members may use verbal reprimands, contact with the parents, counselors and social agencies, including requesting assistance from the appropriate administrator. It may be necessary to submit a report to the Department assistance in cases of extreme disruption, uncontrolled situations, or other behavior which violate the laws of Massachusetts including such situations as trespassing, threatening,

1. A change in schedule.
2. Referrals to:
 - a. counselor, advocate or social worker.
 - b. Adjustment counselor and psychologist.
 - c. Special services.
 - d. Attendance officer.
 - e. Alternative schools.
 - f. Summer school.
 - g. Social agency, or work or skill program.
 - h. Take General Education Development (GED) examination.

"Due Process" procedures must be afforded to all students subject to discipline, and may include the following procedures:

1. Notification of charges.
2. Opportunity to respond to charges.
3. Right to know determination.
4. Right to appeal.

In cases of serious offenses, or punishments of more than ten (10) days, other due process procedures may apply. They include:

1. Right to present witnesses, if necessary.
2. Right to counsel or advocate.
3. Right to cross examination.
4. Notification of all evidence.

LOYALTY SONG

To the Westfield High teams,

Loyal are we.

Our team is fighting.

We must back their play.

RAH! RAH! RAH! RAH!

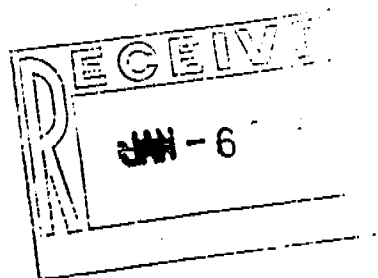
To the black and red teams,

True we must be.

Cheer, Cheer for Westfield High

And victory.

RAH! RAH! RAH! RAH!



IN SCHOOL HELP: Contact the Student Assistance Team through your guidance counselor.

WESTFIELD CRISIS TEAM: 568-6386 (24 hour service)

Crisis service in cases of psychological stress such as suicidal behavior.

ALCOHOLISM: 24 Hour Helpline 1-800-252-6465 Locally 562-3652

Al-Anon Family & Ala teen of Greater Springfield 734-5570

WATCH NEWSPAPERS FOR MEETING SITES AND EXACT TIMES

CHILD ABUSE/BATTERING

ARCH WEST: 562-5739 (Weekdays) 562-1920 (24 hours)

Shelter and counseling for battered women and their children

HEGIRA, INC.: 568-0966 Shelter, transportation, information advocacy for battered women, boys under 12 and all girls, Spanish spoken (no alcohol, drugs or violent behavior).

HOTLINES

1-800- COCAINE

1-800- ALCOHOL

AIDS 1-800- 235-2331

PLANNED PARENTHOOD: 1-800-492-0777

MISSING CHILDREN: 1-800-843-5678

RUNAWAY: 1-800-231-6946

CHILD AT RISK HOT LINE: 1-800-792-5200

CHILD ABUSE/NEGLECT: (9 AM - 5 PM weekdays) 536-4762

Call to report (anonymously) incidents of child abuse or neglect.

DRUG ABUSE TREATMENT

COUNSELING CENTERS OF W. MASS: 568-3368 (formerly Youth and Family Services)

COMMUNITY SERVICES WEST: Crisis 413-568-6386

GREATER WESTFIELD AREA COUNCIL FOR CHILDREN: 562-5014

Drug Counseling: 732-2533 Family Planning: 733-6639 or 733-6630

HELP FOR CHILDREN: 568-3341 Advocacy, information and referral for any children's service.

OTHER AGENCIES

MASS. SOCIETY FOR THE PREVENTION OF CRUELTY TO CHILDREN: 734-4978 or 734-3169

PARENTAL STRESS LINE: 1-800-632-8188

PARENTS ANONYMOUS: 1-800-882-1250 (Nationally) 1-800-632-8188 (Massachusetts)

RAPL CRISIS HOT LINE: 733-7100 or 733-2561

RUNAWAY ADOLESCENT PROGRAM: 731-9737

SEXUAL ABUSE: Split Child Guidance Clinic 732-7419

Individual & family treatment - will counsel incest offender and house an adolescent incest group

PARENTS UNITED: 734-4978 Suspected sexual misuse clinic 787-5075 or 5067 (Wesson Hospital)

VD CLINIC: 787-2599 or 787-3794

SMOKING AND TOBACCO USE

American Cancer Society: 734-6000

Massachusetts Smoker's Quitline: 800-879-8675

American Lung Association: 737-3506

RESOURCES

Alcohol and other drug abuse information hotlines:

National Clearinghouse for Alcohol Drug Information (NCADI): 1-800-729-6686

National Institute of Drug Abuse (NIDA): 1-800-843-4971

National Aids Information Clearinghouse (NAIC): 1-800-458-5231

Prevention One: 413-584-3880, 533-3580

Regional Alcohol and Drug Awareness Resource (RADAR) - MA: 1-800-327-5050

Resource directories for human services may be obtained on a limited basis from:

First Call For Help

184 Main Street

Springfield, MA 01103

733-2712

1-800-458-5231 (Free)

Drug & Alcohol Abuse

Where to find help in the Greater Westfield Area

Westfield Counseling Center

141 Church St.

Westfield, MA 01085 (Free)

Hilltown Health Services

Resource Director

Human Services Department

Risa Silverman (413) 667-2757

or Gateway School District

Gail Briere (413) 667-8711 (Free)

Programs that help people in Western Massachusetts

Northeast Utilities

Community Relations Dept.

781-4300

Liberty Counsel

Post Office Box 540774
Orlando, Florida 32854
(407) 875-2100 Telephone

<http://www.lc.org>
liberty@lc.org
(407) 875-0770 Fax

December 18, 2002

Via Facsimile Only (413) 572-6346

Dr. Thomas Y. McDowell
Superintendent
Westfield Public Schools
22 Ashley St
Westfield, MA 01085

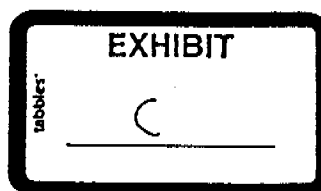
Re: Religious Literature Distribution

Dear Dr. McDowell:

Liberty Counsel is a civil liberties legal defense and education organization. Our office was recently contacted by Steven Grabowski, a student at Westfield High School. Steven and the members of the Bible Club at Westfield High want to pass out candy canes with an attachment that contains the story of the candy cane and some Bible verses to fellow students. When they requested permission to pass out the candy canes with the attachment, they were told that they could not do so because the information was offensive to those around them and would violate their right not to be exposed to offensive materials. Steven contacted our office for assistance in resolving this issue.

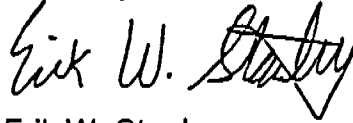
As I am sure you are aware, the Supreme Court has held that students retain their rights to freedom of speech and expression in the public schools. *See Tinker v. Des Moines Indep. Sch. Dist.*, 393 U.S. 503 (1969). The First Amendment does not allow for restrictions on free speech that are based on the content or viewpoint of the speech. To tell Steven and the Bible Club that they cannot pass out the candy canes with the religious attachment singles out their speech for disfavored treatment based on the content or the viewpoint they are attempting to express. Such an action is unconstitutional.

This matter is most urgent as the students are quickly approaching winter break and desire to pass out the candy canes tomorrow before Christmas. Therefore, I am requesting that you respond to me today with a decision whether the school will allow the distribution of the candy canes with attachments. I can be reached by phone at (800) 671-1776, or by email at: erik@lc.org. I can also be reached by fax at (407) 875-0770.



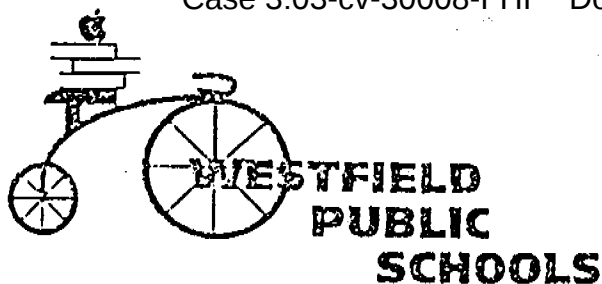
I am awaiting a response before the close of business today so that we can resolve this issue and allow the students to peacefully exercise their right to free speech. I look forward to hearing from you as soon as possible today.

Sincerely,

A handwritten signature in black ink, appearing to read "Erik W. Stanley". The signature is stylized with a large, looped "E" and a prominent "S" at the end.

Erik W. Stanley

cc: Mayor Richard K. Sullivan (Chairman, School Committee) - Via Fax Only
Principal Thomas W. Daley (Principal, Westfield High School) - Via Fax Only



Superintendent of Schools
22 Ashley Street
Westfield, MA 01085
Telephone (413)-572-6403
Fax (413)-572-6518

e-mail: suptsofc@mail.ci.westfield.ma.us

Dr. Thomas Y. McDowell
Superintendent of Schools

December 18, 2002

Erik W. Stanley
Liberty Counsel
P. O. Box 540774
Orlando, Florida 32854

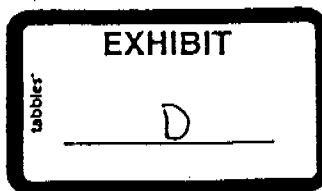
Dear Mr. Stanley,

Thank you for your letter dated December 18, 2002, regarding Stephen Grabowski, a student at Westfield High School, who has proposed to distribute candy canes, with an attachment of Bible verses, tomorrow at Westfield High School.

As Superintendent of Schools, I understand the rights of students with respect to speech and assembly on school premises. As you would acknowledge, we have allowed the Bible study group to meet on our premises after school hours with the same caveats as any other group who requests to use our facilities, thus allowing equal access to school grounds.

We do not allow students to distribute non-school curriculum or activity related literature of any kind directly to other students on school grounds. We do not single out students based upon the content of their message, in this or any other instance. Should a student or group of students simply wish to distribute candy canes with no message, it would be treated in the same manner, as would a handout advertising a sale at a local store.

Be assured we are committed to affording students the rights and responsibilities granted them by the Constitution of the United States in a



non-discriminatory manner. However, we have chosen to apply a reasonable restriction, as is our right as school officials, to the distribution of non-school related literature on school premises.

I hope this clarifies the position of the school district.

Sincerely,

A handwritten signature in cursive script, reading "Thomas Y. McDowell". The signature is written in dark ink and is positioned above the printed name.

Thomas Y. McDowell, Ed. D.

cc: Richard K. Sullivan, Chairman, Westfield School Committee
Thomas Daley, Principal, Westfield High School
Stephen Grabowski, Student



WESTFIELD HIGH SCHOOL



THOMAS W. DALEY
PRINCIPAL

177 MONTGOMERY ROAD
WESTFIELD, MA 01085
TEL. 418-572-6463
FAX 418-572-6346

ASSISTANT PRINCIPALS
MITCHELL BANNISH
JOHN K. DOUGHERTY
KATHLEEN HOGAN-FRIGUGLIETTI

January 3, 2003

Date

To the parent(s)/guardian(s) of: Sharon Sitter Grade: 12

This is confirmation of the Internal suspension of: Sharon

for One school day(s), effective January 3, 2003. This misconduct is in

violation of the school rule(s) pertaining to Insubordination

described on page(s) 61 of the Student Handbook Code of Discipline.

Students on suspension are required to complete assigned schoolwork during this time, in compliance with school committee attendance policy. Please call to confirm receipt of this letter, and if you have any questions or concerns, I will be happy to discuss them with you.

Thank you for your attention to this matter.

Sincerely,

Kathleen Hogan-Friguglietti

Assistant Principal

Thomas W. Daley

Principal

cc

File
Guidance
Special Education/D. Cook

Superintendent
Attendance Committee
Add'l Teacher: _____

EXHIBIT

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Accredited by The New England

colleges



WESTFIELD HIGH SCHOOL



THOMAS W. DALEY
PRINCIPAL

177 MONTGOMERY ROAD
WESTFIELD, MA 01085
TEL. 413-572-6463
FAX 413-572-6346

ASSISTANT PRINCIPALS
MITCHELL BANNISH
JOHN K. DOUGHERTY
KATHLEEN HOGAN-FRIGUGLIETTI

January 2, 2003
Date

revised

To the parent(s)/guardian(s) of: Paul Sittler Grade: 9

This is confirmation of the internal suspension of: Paul

for 1 school day(s), effective January 3, 2003. This misconduct is in

violation of the school rule(s) pertaining to insubordination

described on page(s) 60-61 of the Student Handbook Code of Discipline.

You may appeal this decision to the Superintendent's Office within 10 days.

Students on suspension are required to complete assigned schoolwork during this time, in compliance with school committee attendance policy. Please call to confirm receipt of this letter, and if you have any questions or concerns, I will be happy to discuss them with you.

Thank you for your attention to this matter.

Sincerely,

Assistant Principal

Principal

File
Guidance
Special Education/D. Cook

Superintendent
Attendance Committee
Add'l Teacher. _____



WESTFIELD HIGH SCHOOL



THOMAS W. DALEY
PRINCIPAL

177 MONTGOMERY ROAD
WESTFIELD, MA 01085
TEL. 413-572-6463
FAX 413-572-6346

ASSISTANT PRINCIPALS
MITCHELL BANNISH
JOHN K. DOUGHERTY
KATHLEEN HOGAN-FRIGUGLIETTI

January 2, 2003

Date

revised

To the parent(s)/guardian(s) of: Sharon Sittler

Grade: 12

This is confirmation of the Internal suspension of: Sharon

for 1 school day(s), effective January 3, 2003. This misconduct is in

violation of the school rule(s) pertaining to insubordination

described on page(s) 60-61 of the Student Handbook Code of Discipline.

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Thank you for your attention to this matter.

Sincerely,

Assistant Principal

Principal

cc

File
Guidance
Special Education/D. Cook

Superintendent
Attendance Committee
Add'l Teacher: _____

EXHIBIT

F

Accredited by The New Engl

d Colleges



WESTFIELD HIGH SCHOOL



THOMAS W. DALEY
PRINCIPAL

177 MONTGOMERY ROAD
WESTFIELD, MA 01085
TEL. 413-572-6463
FAX 413-572-6346

ASSISTANT PRINCIPALS
MITCHELL BANNISH
JOHN K. DOUGHERTY
KATHLEEN HOGAN-FRIGUGLIETTI

January 3, 2003
Date

To the parent(s)/guardian(s) of: Paul Sittler Grade: 9

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Sincerely,

Assistant Principal

Principal

cc: File
Guidance
Special Education/D. Cook

Superintendent
Attendance Committee
Add'l Teacher: _____