

knows, this criminal charge is still pending, and the Complaint does not claim otherwise. See Complaint, ¶¶ 8-9.

7. Plaintiff did not report her arrest to the Defendant. Once the Defendant learned of the Plaintiff's arrest, she was asked to meet (on October 1, 2013) with the high school's assistant principal (Chet Jackson) and athletic director (Jon Longley) - who are designated by the high school's principal to conduct such informal hearings for violations of the Chemical Health rule. The Plaintiff was given an opportunity to be heard.^{2/} At this meeting, the Plaintiff confirmed that she had been arrested by the Boxboro Police for being a minor in possession of alcoholic beverages and was at a party with underage drinking. See Complaint, ¶ 13.

8. Accordingly, North Andover High School Principal Carla Scuzzarella imposed a five-game suspension on the Plaintiff and took away her volleyball team captain position. The five-game length of this suspension was predicated on the Plaintiff agreeing to meet with a teacher on chemical health issues; otherwise, the penalty would be for eight games. See Complaint, ¶¶ 13-14.

^{2/} In the Complaint, at ¶ 13, the Plaintiff admits that at her October 1 hearing before she was given any punishment she explained to the school officials "that she went to the party to help her friend, and that the Boxboro police arrived while she was there." Thus, there is no basis for her to assert that she was denied an opportunity to be heard.