

# **NESSACUS REGIONAL MIDDLE SCHOOL**



## **HANDBOOK 2021 – 2022**

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Nessacus Web Site: <http://www.cbrsd.org>

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### **NESSACUS MIDDLE SCHOOL MISSION STATEMENT**

At Nessacus we will **make a** greater individual commitment (MAGIC) to build a school community that values academics, positive social relationships, and foster an attitude that is kind, caring, and inclusive.

### **PRINCIPAL'S MESSAGE**

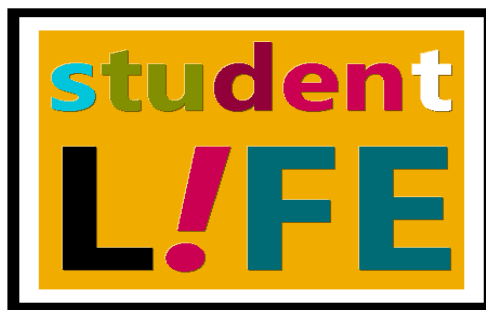
Welcome to Nessacus Regional Middle School! Our team of administrators, faculty, and staff look forward to partnering with families and caregivers to ensure the highest quality educational experience for each and every student. We look forward to helping students navigate the often difficult but rewarding years of middle school, both academically and socially. It is our hope that families and caregivers will maintain open lines of communication with both teachers and administrators to work in unison on behalf of our students. If at any time you have questions or concerns, please do not hesitate to contact the school. We look forward to working with you in this upcoming school year.

Dr. John Vosburgh  
Principal

# STAFF DIRECTORY

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## ABSENCES & ATTENDANCE

### NOTIFYING THE SCHOOL

Parents or guardians must call Nessacus before 9:00 A.M. (684-0780) to inform the school of the absence of their pupil and the reason thereof. Current law requires parents or guardians to furnish the school with a home, work or other emergency telephone where they can be contacted during the school day. Please keep your numbers updated. If a pupil is absent and the school has not been notified by the designated time, the school will call the telephone number or numbers furnished to inquire about the absence.

### ATTENDANCE

Regular attendance enhances learning through uninterrupted access to academic content, more continuous direct instructions and more consistent development of skills and application of knowledge. More excessive absences, whether excused or unexcused; tardiness; and leaving school before scheduled dismissal times have a negative effect on student performance.

### Did you know...?

- Massachusetts General Law, Chapter 76, Section 2 and Session Laws of 2012, Chapter 222 defines school attendance regulations
- Each school district is required to have a policy of notifying parents if their child has 5 or more unexcused absences a year.
- School principals are required to request a meeting with parents/guardians of a child who has 5 or more unexcused absences for the purposes of developing an action plan to improve student attendance.
- CBRSD adheres to and is in full compliance with these regulations
- Parents/Guardians have legal responsibility to ensure that their children attend school during the school year.

At Nessacus, after 5 unexcused absences a meeting will be scheduled with the Principal and Assistant Principal. The solution could be as simple as meeting with the parent or guardian and working together to improve that student's attendance. ***However, in extreme cases or if this pattern continues, the next step may be for the school to solicit assistance from the Court (by filing a Failure to Send) or the Department of Children and Family Services.***

- **Excused absences** include absences due to illness/medical reasons (documented by doctor notes), bereavement, religious holidays, time spend with a family member home on military leave and court appearances (documented)



- If your child is dismissed by the school nurse for medical reasons and she requests that you keep him or her home for an additional period of time, this will also be considered an excused absence.
- **Unexcused absences** include vacation, truancy and absences due to illness without medical documentation.
- If you feel your child is missing school due to anxiety, or emotional causes, please contact us so that we may be of help to you and your child. Your child's safety and success in school are our priorities.

**School starts each day at 8:00.** Students entering the classroom after 8:05 will be considered tardy and will need a late e-hall pass from the main office. Students who enter class tardy have a harder time settling into the classroom routine, and may disrupt classroom instruction. Please make every attempt to schedule medical and other appointments after school hours whenever possible. We appreciate your efforts with this.

If your child is absent:

- Each day that your child is going to be absent or tardy, please call the school (684-0780) before 9:00 AM. If you have not called by this time, our office staff will be calling you as a precautionary measure.
- To leave a message before 8:00 AM call the school (684-0780).
- If your child visits the doctor or is triaged over the phone, please ask for a note for the school to excuse your child's absence. These notes can be faxed by the doctor's office to 684-4214 or sent to school when your child returns.
- The classroom teacher will provide make up work as appropriate.

Early Dismissals:

- If you need to have your child dismissed before the end of the school day you MUST send a note with your child including the date and time of the dismissal and the name of the person who will be picking them up.
- Adults MUST report to the office in order to sign out the child.
- There will be NO office dismissals after 2:15 due to the afternoon bus dismissal procedure.
- Office staff will call down and have the child sent to the office. Please do not go to the child's classroom to pick them up.
- Individuals unknown to the office staff will be requested to produce a proper form of identification prior to releasing the child(ren).
- For the safety of our school community, all visitors must use the front entrance and ring the bell to be let in the building.
- **These safety policies are in place for the safety of the entire school community. We thank you for your understanding.**

## **A.M. PROCEDURES**

Before the school doors open at 7:55 A.M., students will be directed to the cafeteria or to the courtyard and basketball/tennis courts. They may not leave the school grounds.

## **BELL SCHEDULES**

Full Day	8:00 - 2:35
Half-Day	8:00 - 11:10
2 hour Delay	10:00 - 2:35

## **BUS CONDUCT & TRANSPORTATION**

The school system will furnish bus transportation to all students that require transportation. Students are responsible to act as guests on the bus. We do not have to provide transportation to any student who cannot behave on a bus. A student may be suspended from riding the school buses for a period of time. It then becomes the responsibility of the parents to see that the student gets to and from the school.

Pupils transported in a school bus shall be under the authority of the School District and under control of the bus driver, a legal representative of the school. The safety of pupils riding school buses cannot be left to chance, and it is imperative that good order and discipline be maintained on each bus. Continued disorderly conduct or persistent refusal to submit to the authority of the driver shall be sufficient reason for a pupil to be denied the privilege of transportation in accordance with the general rules and regulations of the School Committee.

Students are encouraged to use the same bus stop for both AM and PM stops. If, because of day care requirements, a different PM stop or different PM route is needed, said service may be provided both on a space available and a regular basis only. A student needing a different PM stop or different PM route for one day may be provided with said service in the event of a legitimate family emergency. Any request for deviation from this policy must be made through the office of the Assistant Superintendent of Schools 48 hours in advance of the requested change. Only those students staying after

school with a supervising adult will be allowed on the late bus. Students will obtain a Late Bus Pass from his/her supervising adult. Walking to Wahconah Regional High School to take the late bus is prohibited. Any student doing so will receive a Bus Conduct Report or Referral and be subject to progressive consequences.

- **Walking students** are asked to use the public sidewalks and not to use shortcuts through anyone's property. During the winter months when many sidewalks are snowed in, walking students are asked to walk on the left side of the road facing traffic and to walk in a single line. Walkers may request transportation during the winter months by filling out a "Request for Special Winter Bus Stop" application. These forms are available in the main office in mid-October.

### **CAFETERIA**

mySchoolBucks is your online portal to see information and pay your student's school related fees such as meals. Adding funds to your students account is easy:

- First, register for a free account mySchoolBucks on the school's website and add your students. If you have multiple children, you can make multiple deposits for each child during your transaction. Next, make a payment. The deposit amount can be placed against a credit card, debit card or your checking account. All payments are securely processed using our highly secure website and encryption. All payments are quickly credited to your students account. You may also place money on your account by sending cash or writing a check made out to CBRSD and sending in with your child who will bring it into the cafeteria.
- Showing a student ID will expedite a quick and efficient lunch. Balances on your account will be forwarded to the next school if your child is moving to another school within the district.

### **CARE OF SCHOOL PROPERTY**

Every student is expected to treat the school property, including building, books and lockers, with respect. Books and lockers are on loan, and it is the responsibility of each student to return them when required in good shape.

- **LOCKERS:** Each student will be issued a locker equipped with a combination lock. Students are to use only the lockers they have been issued. Lockers belong to the school and may be examined at any time by the administration of this school.
- **TEXTBOOKS/CHROMEBOOKS:** Once the student has been furnished with a textbook/chromebook by the school, it becomes his/her responsibility. Students must remember that the school has only loaned you these books/laptops and that they must be returned at the end of the school year. Students with damaged or lost books/laptops may be charged a replacement cost as determined by the administration.

### **DANCES AND OTHER SCHOOL SPONSORED ACTIVITIES**

Students are expected to be on their best behavior at all school-sponsored activities. When attending a dance all school rules are in effect.

- You are not to loiter outside the building at any time.
- Once arriving at the dance, you **MUST** stay inside. No one can leave until the end of the dance unless a parent is picking you up.
- Prior approval must be made for students who do not attend Nessacus ;(ie) St. Agnes or students who are homeschooled.
- Students who are suspended, absent or dismissed due to illness on the day of a dance or school activity will not be allowed to participate in that dance or school activity.
- Any student receiving an office disciplinary referral with consequences may not be allowed to attend the next dance; this may include students who chronically fail to complete schoolwork.
- All Nessacus dances end at 9:00 PM.

### **ELECTRONIC DEVICES**

See CBRSD Policies and Laws of the Commonwealth of Massachusetts (Policy 6505.1) on page 34.

### **EMERGENCY CLOSING OF SCHOOL**

At times, it becomes necessary to close school, have a delayed start, or an early dismissal. If this occurs before the start of the school day, area radio/TV stations and the CBRSD website will carry the message. "School Messenger" an automated phone service will also be utilized. You may sign up for this optional service at the beginning of the year. (Please do not call teachers or administrators; they receive information at the same time and manner as you.)

### **EMERGENCY DRILLS**

During the school year we will hold several fire, lockdown and evacuation drills. Each room in the building has its own instructions. Staff will familiarize the students with the procedures to be used.

## FIELD TRIPS

Field trips are an integral component of the middle school experience. However, eligibility for participation in any field trip or off-campus activity is contingent on good standing.

## GUIDANCE

Our goal of providing a personalized experience for all the students in our school includes the opportunity for each student to develop a caring and trusting relationship with an adult member of our staff. Very often, the face of that staff person belongs to a member of our guidance department. Broadly speaking guidance relationships refer to orienting students to grade levels or school in general, problem solving, academic counseling, personal and group counseling, career and secondary school guidance, and a myriad of referral services available to students. Nessacus employs 1.5 guidance counselors and one school adjustment counselor to support this effort.

Guidance also serves as a liaison role between students, families and the school. If your parents/guardians wish to meet with one or more of your teachers, they should contact the Guidance Department to set up an appointment.

## GUM CHEWING

Gum chewing is discouraged on school property.

## HEALTH CENTER

**Screenings:** All students entering 7<sup>th</sup> grade are required by State Law to have a physical exam on file with the school nurse. The exam should be within 12 months of starting 7<sup>th</sup> grade and mailed or brought in to the school nurse. The Massachusetts Department of Public Health requires the schools to conduct the following screenings: Postural screening is done for all students in middle school. Vision and hearing screenings are done on all 7<sup>th</sup> graders. Parents are notified of the results only when the screening requires physician follow up. 7<sup>th</sup> graders also have their Height and weight measured and BMI calculated. An information packet from DPH with the student's ht/wt/BMI, is mailed home to the parent/guardian of all 7<sup>th</sup> graders.

An **emergency card** is kept by the nurse for each student. Please notify the nurse of any changes in your child's health, medication, immunizations or emergency contacts during the school year. In the case of injury or illness, first aid and nursing assessment and care will be provided by the nurse. If the EMERGENCY MEDICAL SERVICE is summoned, every effort will be made to contact the parent/guardian. It is therefore imperative that students return their emergency cards the first week of school. The card has a place for parents to give permission for the nurse to administer a few medications, if the nurse assesses that it is warranted. The administration of any other medication during the school day requires a written physician order (for long term medication) and parent/guardian written permission. All medication must be delivered to the school nurse in a pharmacy labeled container. The student is responsible for reporting to the nurse for scheduled medication.

Massachusetts State Law requires all students show proof of having received the required **immunizations** for their age, before attending school. The only accepted exceptions are for medical or religious reasons.

Students should be feeling well before coming to school. Students should stay home if they have had fever of over 100 degrees, vomiting or diarrhea in the last 24 hrs. Parents are asked to notify the school nurse if their child develops a contagious illness such as mononucleosis, or sustains a significant injury. Students with chronic health conditions and their parent/guardian are asked to meet with the school nurse at the beginning of the year to develop or update their health care plan.

A student is welcome to discuss any problem or concern with the school nurse. A parent or teacher may also refer a student to the nurse if a concern becomes evident. Students are required to get a pass from their teacher before reporting to the nurse during the school day unless it is an emergency situation.

## LEAVING SCHOOL GROUNDS

At no time during the school day may any student leave school grounds without special permission from the Principal or Assistant Principal. Bus students are to come on and remain on school property as soon as their bus arrives in the morning. They are not to leave school at the end of the day and return for a bus

## LIBRARY MEDIA CENTER

The Nessacus Library Media Center is open during regular school hours. Circulation policies, Library Media Center rules, and other helpful information can be found by visiting the website: <http://nessacuslibrary.weebly.com> or stopping into the library.

## **MCAS**

Building a New Assessment for the Next Generation and Reviewing the Massachusetts Curriculum Frameworks:

The Department of Elementary and Secondary Education (ESE) is in the process of upgrading MCAS to better measure the critical thinking skills students need for success in the 21st century.

The new test, informally called "MCAS 2.0," will build upon the best aspects of the MCAS assessments that have served the Commonwealth well for the past two decades. The test will include innovative items developed by PARCC, along with new items specifically created to assess the Massachusetts learning standards.

MCAS 2.0 will be designed to be taken on a computer. The plan is to phase in computer-based testing so that computer-based tests are fully administered statewide in 2019, with many students participating as well in 2017 and 2018. Massachusetts will have complete control of test administration, test content, testing windows, and the reporting of results. Traditionally, MCAS testing has been separated into two administration periods: an early window for English Language Arts, and a later window for Mathematics, Science, and Technology/Engineering (STE). Beginning in 2017, grades 3-8 tests in ELA, Mathematics, and STE will be administered during one extended window for all subject area tests. In fall 2017, the Department will provide additional guidance on administering grades 3-8 tests, such as the number and length of test sessions, whether sessions will be generously timed, and whether there will be a prescribed order for testing.

More specific information will be provided as soon as it becomes available.

The Massachusetts Department of Secondary and Elementary Education offer these suggestions for parents and guardians to prepare their children for MCAS:

- Have regular discussions with your child's teacher(s) to see what you can do at home to support your child's work in school.
- Make sure your child gets enough rest, eats properly, and arrives at school on time every day.
- Send your child to school prepared to learn.
- Discuss with your child subjects that need improvement. Talk about whether he or she thinks there has been improvement. If the answer is no, find out why.
- Ask your child about homework that is due tomorrow and next week, and make sure this homework is completed.
- Ask your child to explain what he or she is studying.
- If your child has a disability, ask his or her teacher(s) how MCAS fits into your child's IEP or 504 plan.
- Help your child practice MCAS test questions, and review the tests together so you will all become familiar with the expectations.
- In addition, we encourage you to engage your children in each of these conversation points. We encourage you to encourage them to work hard and take all of their studies, which would include PARCC/MCAS, seriously.

## **PLANNER**

Each student will be provided a Planner on the first day of school. Students should have their planners with them at all times. If a planner is lost or damaged, additional planners may be purchased through the guidance office. The planner is to be used throughout the year for the following:

- Keeping track of school assignments and important school activities
- Communication between home and school
- Signing out to use the restrooms
- As a pass to the library, nurse, administration, and guidance offices
- As a pass to and from teachers classrooms

## **STUDENT DRESS & GROOMING**

At Nessacus, we are committed to reconcile an appropriate balance between our students' freedom of expression and a safe and respectful school environment. With this general principle in mind, a dress code should serve to enhance our educational interests by:

- Focusing attention on learning
- Increasing school unity and pride
- Ensuring safety
- Reducing discipline problems
- Improving self-respect
- Promoting our mission

Personal appearance should not disrupt the educational process, violate federal, state, or local health/obscenity laws, or affect the welfare and safety of the students or staff. Students must recognize that clothing should be functional for school and not disrupt the learning environment. Therefore, the expectation is that students shall not wear the following:

- Clothing items that contain messages that are vulgar, offensive, obscene, or libelous.

- Clothing that denigrates others on the basis of race, color, religion, creed, national origin, gender, sexual orientation, or disability.
- Clothing that promotes alcohol/drug use or violence.
- Clothing that is not functional and disrupts the learning environment.

Additionally:

- Hoods, hats, or any headgear that covers the head including, but not limited to, visors, bandanas, sweatbands, and ski bands.
- Chains and studded jewelry (that could be construed by administration to be used as a weapon) are not allowed. Additionally, studded jewelry (including but not limited to bracelets and necklaces) is illegal in Massachusetts.
- Sunglasses are not to be worn in school.
- Backpacks/duffel bags, or other similar “tote” bags will not be allowed in classrooms. They must be left in the lockers between 8:00 and 2:35.
- Coats/jackets may not be worn to class unless extenuating circumstances occur. Students should expect to keep outdoor apparel in their lockers.
- Pajama bottoms and other sleepwear are unacceptable for school.

Any student who is deemed to be in violation of the dress code will be required to change. Administration will provide, to the best of their ability, temporary clothing a student may be able to change into. If that is not possible, or the student refuses, parents will be notified so that they may bring in clothing for the student to change into. If a student refuses to change, they may face further disciplinary action.

In summary, the administration shall determine compliance with the guidelines listed above. Furthermore, the administration reserves the right to practice discretion when determining a student’s compliance (or lack thereof) with the dress code.

#### **TELEPHONE**

The office and classroom telephones are business telephones and are to be used by the students only with permission from an adult.

#### **VISITORS**

All visitors, including volunteers, are required to identify themselves at the main office where they will be required to sign in and wear I D badges until they return to the office to sign out.

#### **SCHOOL SERVICES**

##### **CHAPTER 766**

In accordance with the Massachusetts Law any student found to have needs which are not being adequately met by the regular school program, should be referred for an evaluation. Any parent, faculty member, or administrator can request that a student be evaluated. If a parent has reason to believe a student has special needs, please contact the student's Guidance Counselor and the necessary procedures will be implemented.

#### **SST**

If there is a concern about academic or social and emotional learning that is ongoing, you will be called by the guidance teacher to schedule a Student Support Team Meeting. This meeting will be chaired by the district psychologist. The primary focus is to plan for resources and strategies that will lead to a successful learning environment for your child. During this time, a plan will be developed that will include resources and intervention strategies that specifically address the areas of concern. These interventions and strategies will be documented on a DCAP form to ensure that the information is disseminated to all appropriate school personnel in a confidential manner. Additionally, a follow-up meeting will be scheduled to evaluate the success of the plan. If, at any point, you have an ongoing concern regarding, you are welcome to call and suggest such a meeting for the purpose described above.

#### **DCAP**

A District Curriculum Accommodation Plan (DCAP) exists to ensure that all possible efforts have been made to meet a student’s needs in the general education classrooms and to support teachers in analyzing and accommodating the diverse learning styles of all students in those classrooms. For more information on DCAP, please contact the guidance office.

#### **PARENT TEACHER ORGANIZATION (PTO)**

The PTO at Nessacus enjoys a well-earned reputation for serving to greatly enhance our programs. In order to maintain this reputation we are always looking for volunteers to join our ranks. Please consider becoming an officer or member by contacting the principal at the school.

## **SCHOOL COUNCIL**

The Nessacus School Council meets monthly to make recommendations to the principal for the development, implementation, and assessment of the curriculum accommodation plan, assists in the review of the school budget and in the formulation of the school improvement plan. Elections for school council are held in the fall by the PTO. If you are interested in running for a seat on the council, contact a PTO officer or the principal.

## **TITLE I**

The Nessacus Title I Program offers help in reading and mathematics. Please contact Leslie Blake Davis, Director of Teaching and Learning for more information.

## **ACADEMICS AND SCHEDULING**

The schedule is designed to match with the high school to allow for a more aligned programming approach. With the exception of the explorer and the enrichment block, subjects do not rotate days and as they did last year-consequently we will not refer to an "A" day or a "B" day as we did last year.

### **CURRICULUM PROGRAMMING-Grade 6**

- ELA: Columbia Teachers College Reading and Writing Program
- Mathematics: Eureka Math
- iScience
- Social Studies
- Explorers
  - Band
  - Winn
  - Academic support
  - Math Lab
- Explores
  - Music
  - Health
  - Engineering (Advanced)
  - Art

### **CURRICULUM PROGRAMMING-Grades 7 and 8**

- ELA: Columbia Teachers College Reading and Writing Program
- Mathematics: Eureka Math
- iScience
- Social Studies/Civics
- World Language - French/Spanish
- Explores - Music/Health/Engineering/Art/Advanced Engineering
- PE/Winn

Major subjects (with some exceptions) meet daily while minor subjects meet on a separate schedule, depending on the subject. Other specialized programs such as Literacy are offered as appropriate and necessary.

\* For a more detailed description of any course, please contact your child's teacher directly.

PowerSchool for Parents

## **GRADING**

The national and statewide effort to develop performance-based standards is reaching fruition with the advent of the Massachusetts Frameworks. These are consistent with the Common core Standards with some minor changes that increase the rigor and lift the expectations. In an effort to thoughtfully match this design with day-to-day practice, grades K-6 have adopted a reporting system that measures student proficiency on well-defined standards. Grades 7-12 reflect a more traditional approach to grading in preparation for college and career readiness and span a range from A to F.

There are four (4) reporting (REPORT CARDS) times during the school year:

November

April

If the student is not producing in a subject as well as the teacher would like, that student may be issued a PROGRESS REPORT at any time. REPORT CARDS should be taken home, signed by a parent/guardian and returned the following school day to the teacher who issued it. Progress Reports and grades are available through PowerSchool.

## **HOMEWORK**

Nessacus believes that homework is a necessary and integral component of a student's academic program; it is both meaningful and purposeful. Homework is designed so that students can perform it independently and in a reasonable length of time. We consider homework to be the shared responsibility of the teacher, parent(s), and child.

Homework when assigned will be for any one or more of four reasons:

- The assignment will help students to think more deeply about questions that matter.
- The assignment will help students to practice a skill or concept previously taught.
- The assignment promotes good study habits.
- The assignment introduces new content.

Homework is meant to be an essential aspect of the learning experience and will be reflected in the student's overall grade. The cumulative grade for the class will be an accurate indicator of student achievement and understanding of the stated learning standards as a whole.

## **PROMOTION AND RETENTION**

The philosophy of Nessacus is that all students can learn. We believe that each student is an individual who grows and matures within his/her own unique pattern of development. Varying rates of time are, therefore, needed to accommodate differing developmental growth patterns. As a result, this may necessitate the retention of certain students. Decisions for placement will support the opportunity for maximum growth and development of all students.

These decisions will be based on a careful study of individual student needs and reached by a committee consisting of the students' teachers, guidance personnel, the Assistant Principal and Principal. Other teachers and support staff may become a part of this team as needed. A parent communication plan will be established to inform them of their child's progress throughout the year and the strategies that have been implemented to support learning.

The areas of student growth which must be considered before recommending retention are academic progress (to include a review of course work performance, local interim assessments, and MCAS), emotional and social development, and attendance.

### **Questions that must be considered:**

#### Academic Progress

- Has the child mastered the grade level expectations?
- What does the summary of test score data indicate?
- What is the teacher's observation of the child's classroom performance?
- What does achievement on daily work in basic skills areas indicate?
- Has a disability been ruled out?

#### Emotional/Social Development

- What is the child's attitude toward school?
- Describe peer and adult relationships.
- Describe child's behavior in a school setting.
- Describe attention span and task commitment.
- Does the child appear to be confident in school?

#### Attendance

- Are there gaps in learning due to illness/excessive absences?
- Was there a change of school or other factors that created learning problems?

## **CODE of CONDUCT**

All students are expected to adhere to standards which place their honesty, self-respect, respect for others and qualities of good character above all else.

The following questions are guidelines to help members of the Nessacus community make the right choices:

- Does this action mislead or deceive?
- Does this action give me or others an unfair advantage?
- Does this action deprive another person of his/her rightful property?
- Does this action hurt or disrespect another person?

- Does this action bring discredit to Nessacus and its reputation?

**Violations of the Code of Conduct shall be handled as follows:**

- Minor and infrequent offenses will be handled by the individual classroom teacher and/or instructional team and will involve a written intermediate DISCIPLINE REFERRAL.
- More frequent and/or more serious offenses will result in a formal DISCIPLINE REFERRAL, which will result in one of a series of progressive penalties.
- Special needs students are expected to adhere to the code of conduct and the rules and regulations for student conduct in the student handbook including all disciplinary measures. Any exceptions to regular school discipline will be spelled out in the student's Individual Educational Plan (IEP).
- Progressive consequences are intended to provide a more detailed description of how the School Committee's policies on discipline will be implemented at Nessacus.  
6500-Regulations for Conduct of Students  
6510-Jurisdiction of the School  
6630-Suspension and Expulsion  
6770-Vandalism

**USING TECHNOLOGY IN SCHOOL**

Central Berkshire Regional School District (CBRSD) provides a wide range of technology resources for student use. These technology resources are to be used only for educational purposes. This agreement outlines appropriate use and prohibited activities when using all technology resources and electronic devices as defined by school administrators. Every student is expected to follow all of the rules and conditions listed, as well as those given verbally by CBRSD teachers and administrators, and to demonstrate good citizenship and ethical behavior at all times.

Use of the CBRSD network and email is a privilege, not a right. School network and email accounts are owned by CBRSD and are not private. CBRSD has the right to access that information at any time. CBRSD administrators will deem what conduct is inappropriate use if such conduct is not specified in this agreement.

CBRSD uses a filtering system to track and monitor all computer and Internet use on the network. Certain online conduct (including, but not limited to criminal acts, libel, and copyright infringement) may constitute a violation of federal and/or state criminal laws relating to cyber crimes. All CBRSD users will use technology in a manner that complies with laws of the United States and the State of Massachusetts.

**Responsible Use Policy (RUP) RULES**

**1. I AM RESPONSIBLE FOR MY COMPUTER ACCOUNT AND EMAIL ACCOUNT.**

I understand that passwords are private and that I should not share my password with anyone. I understand that I am responsible for all activities done through my account. I will not allow others to use my account name and password, or try to use that of others. I understand that I will be in violation of the law if I attempt to electronically capture another person's password. I understand that it is important to log off the computer at the end of every session so another user cannot use my password.

**2. I AM RESPONSIBLE FOR BEING KIND, RESPECTFUL AND HONEST AT ALL TIMES.**

I will use appropriate language (as determined by a school administrator) in all my online writing and posting. I will be respectful in all my digital communications (including email, blogs, chats, discussions boards, social media, etc.), not posting or sending hateful or harassing messages, discriminatory or derogatory remarks, or engaging in any other antisocial behaviors while in or out of school. I understand that impersonating, spoofing, or pretending to be someone else is forbidden. This includes, but is not limited to, sending out email, creating accounts, or posting messages or other online content (e.g. text, images, audio or video) in someone else's name.

**3. I AM RESPONSIBLE FOR USING THE CBRSD NETWORK AND TECHNOLOGY RESOURCES APPROPRIATELY.**

I will not search, retrieve, save, circulate or display inappropriate or offensive material. I will not search, retrieve, save or circulate images or information about weapons unless authorized by a school administrator/teacher as part of a school assignment. I understand the use of the CBRSD network for illegal or commercial activities is prohibited. I understand that what I do on social networking websites should not negatively impact the school learning environment and/or my fellow students, teachers and administrators.

**4. I AM RESPONSIBLE FOR PROTECTING THE SECURITY OF THE CBRSD NETWORK.**

I will not attempt to bypass security settings or Internet filters, or interfere with the operation of the network by installing illegal software including file sharing, shareware, or freeware on school computers. I understand that I need authorization



from a school administrator/teacher to use personal electronic devices that I bring to school, including, but not limited to, memory storage devices (i.e. USB drives).

#### **5. I AM RESPONSIBLE FOR PROTECTING SCHOOL PROPERTY.**

I understand that vandalism is prohibited. This includes but is not limited to accessing, modifying, or destroying equipment, programs, files, or settings on any technology equipment or resources. I will also use and care for the Chromebook I am assigned in a responsible and safe manner.

#### **6. I AM RESPONSIBLE FOR RESPECTING OTHER PEOPLE'S PROPERTY ONLINE.**

I will obey copyright laws. I will not plagiarize or use anyone else's work without proper citation and permission. I will not illegally download materials protected by copyright including, but not limited to, music and movies.

#### **7. I AM RESPONSIBLE FOR FOLLOWING SCHOOL RULES WHENEVER I PUBLISH ANYTHING ONLINE.**

I will follow all guidelines set forth by CBRSD and/or my teachers when publishing schoolwork anywhere online. I understand that it is unsafe to post any personal information about myself, including but not limited to my name, address, phone number or school. I will not post photos of students with their first and last names on any online site, including but not limited to blogs, wikis, and discussion forums.

### **DISCIPLINE**

#### **ALCOHOL & CONTROLLED SUBSTANCES**

Possession and/or distribution of controlled substances (drugs) carries with it heavy penalties. See the section on District Policy #6730 and 6630. Smoking or the possession of tobacco or e-cigarettes or variations thereof in any form is prohibited.

#### **ASSAULTIVE BEHAVIOR AND FIGHTING**

Any type of intentional physical contact between students is not permitted at Nessacus. Students who engage in assaultive behavior or fighting will be subject to consequences as outlined in the Discipline Rubric. Students who engage in assaultive behavior or fighting may be expelled from school.

#### **BULLYING & HARASSMENT**

For more information regarding Bullying please refer to the BULLYING-POLICIES & PROCEDURES FOR REPORTING & RESPONDING TO BULLYING & RETALIATION section.

#### **BUS MISCONDUCT & PROGRESSIVE CONSEQUENCES**

Suspension of bus riding privileges does not relieve the responsibility of the student to attend school. It is the responsibility of the parent to arrange transportation for their child to and from school during periods of suspension from bus riding privileges.

- **FIRST OFFENSE** - may result in a warning, which will be sent via letter to parents. If, however, the first offense is serious enough, it may result in suspension of bus privileges, as deemed necessary by the Administrator in charge.
- **SECOND OFFENSE** - may result in suspension of bus privileges as deemed necessary by the Administrator in charge. This suspension will normally be for seven (7) days. However, based on the Administrator's judgment of the severity of the offense, this suspension may be for up to ten (10) days.
- **THIRD AND SUBSEQUENT OFFENSES** - may result in suspension of bus privileges as deemed necessary by the Administrator in charge. This suspension may not exceed ten (10) days. However, based on the Administrator's judgment of the severity of the offense, the Administration may bring a student's name to the School Committee for long-term suspension on any given offense.

#### **DETENTION**

School detention may be assigned as a disciplinary consequence. The rules for detention are as follows:

- Detentions can be from 30 minutes to one (1) hour in length depending on the nature of the offense. This decision will be made by administration in conjunction with staff.
- Parents must provide transportation for a student who receives a one (1) hour detention.
- Students must bring work and be prepared to work for the entire period.

#### **PROGRESSIVE CONSEQUENCES & VIOLATIONS OF THE HONOR CODE**

In determining any penalty, at least two considerations other than the progressive system found in Staff/Administration Discipline Rubrics may have a bearing on the outcome. First, if an offense were serious enough, for example a very violent or disruptive act, the recommendation would not be treated as just another first or second offense but would very likely go to one of the final consequences. Second, in the course of due process, sometimes facts are learned which may have a

bearing on the outcome. Students may have the option of working with the Assistant Principal to reduce the future levels at which they are placed on the progressive consequence system. This will be done through a student discipline contract. However, in general, the progressive consequences are outlined in the following rubrics.

## **WEAPONS**

Weapons and “look alike” weapons are not permitted at Nessacus. A weapon is defined as any item (device, instrument, material, or substance, animate or inanimate) that may be used to cause harm. Students found to be in possession of a weapon will be subject to consequences as outlined in the laws of the Commonwealth of Massachusetts on page 20..

## **DISCIPLINE OF STUDENTS WITH DISABILITIES (IEP/504)**

Procedures for suspensions of students with disabilities when suspensions exceed 10 consecutive school days or a pattern has developed for suspensions exceeding 10 cumulative days; responsibilities of the Team; responsibilities of the district:

1. A suspension of longer than 10 consecutive days or a series of suspensions that are shorter than 10 consecutive days but constitute a pattern are considered to represent a change in placement.
2. When a suspension constitutes a change of placement of a student with disabilities, district personnel, the parent, and other relevant members of the Team, as determined by the parent and the district, convene within 10 days of the decision to suspend to review all relevant information in the student’s file, including the IEP, any teacher observations, and any relevant information from the parents, to determine whether the behavior was caused by or had a direct and substantial relationship to the disability or was the direct result of the district’s failure to implement the IEP – “a manifestation determination.”
3. If district personnel, the parent, and other relevant members of the Team determine that the behavior is NOT a manifestation of the disability, then the suspension or expulsion may go forward consistent with policies applied to any student without disabilities, except that the district must still offer:
  - a. services to enable the student, although in another setting, to continue to participate in the general education curriculum and to progress toward IEP goals; and
  - b. as appropriate, a functional behavioral assessment and behavioral intervention services and modifications, to address the behavior so that it does not recur.
4. Interim alternative educational setting. Regardless of the manifestation determination, the district may place the student in an interim alternative educational setting (as determined by the Team) for up to 45 school days
  - a. on its own authority if the behavior involves weapons or illegal drugs or another controlled substance or the infliction of serious bodily injury on another person while at school or a school function or, considered case by case, unique circumstances; or
  - b. on the authority of a hearing officer if the officer orders the alternative placement after the district provides evidence that the student is “substantially likely” to injure him/herself or others. Characteristics. In either case, the interim alternative education setting enables the student to continue in the general curriculum and to continue receiving services identified on the IEP, and provides services to address the problem behavior.
5. If district personnel, the parent, and other relevant members of the Team determine that the behavior IS a manifestation of the disability, then the team completes a functional behavioral assessment and behavioral intervention plan if it has not already done so. If a behavioral intervention plan is already in place, the Team reviews and modifies it, as necessary, to address the behavior. Except when he or she has been placed in an interim alternative educational setting in accordance with part 4, the student returns to the original placement unless the parents and district agree otherwise or the Hearing Officer orders a new placement.
6. Not later than the date of the decision to take disciplinary action, the school district notifies the parents of that decision and provides them with the written notice of procedural safeguards. If the parent chooses to appeal or the school district requests a hearing because it believes that maintaining the student’s current placement is substantially likely to result in injury to the student or others, the student remains in the disciplinary placement, if any, until the decision of the hearing officer or the end of the time period for the disciplinary action, whichever comes first, unless the parent and the

school district agrees otherwise. Procedural requirements applied to students not yet determined to be eligible for special education.

1. If, prior to the disciplinary action, a district had knowledge that the student may be a student with a disability, then the district makes all protections available to the student until and unless the student is subsequently determined not to be eligible. The district may be considered to have prior knowledge if:
  - a. The parent had expressed concern in writing; or
  - b. The parent had requested an evaluation; or
  - c. District staff had expressed directly to the special education director or other supervisory personnel specific concerns about a pattern of behavior demonstrated by the student. The district may not be considered to have had prior knowledge if the parent has not consented to evaluation of the student or has refused special education services, or if an evaluation of the student has resulted in a determination of ineligibility.
2. If the district had no reason to consider the student disabled, and the parent requests an evaluation subsequent to the disciplinary action, the district must have procedures consistent with federal requirements to conduct an expedited evaluation to determine eligibility.
3. If the student is found eligible, then he/she receives all procedural protections subsequent to the finding of eligibility.

<b>TIERED BEHAVIOR GUIDELINES</b> These behaviors and interventions are only <i>suggested</i> , and should not be taken literally.	
<b>LEVEL 1 BEHAVIORS</b> <b>(In-house incident form if there is concern that the behavior may repeat itself-to be completed by the educator that observed the behavior)</b>	<b>POSSIBLE LEVEL 1 INTERVENTIONS</b>
<ul style="list-style-type: none"> <li>● Refusal to do work</li> <li>● Unprepared for class incl. materials and/or assignments</li> <li>● Calling names</li> <li>● Taking items from others</li> <li>● Starting or spreading rumors</li> <li>● Out of designated space</li> <li>● Distracting noises or behaviors</li> <li>● Pushing (in another student's space)</li> <li>● Inappropriate language</li> <li>● Cheating</li> </ul>	<ul style="list-style-type: none"> <li>● Making amends</li> <li>● Teacher detention</li> <li>● Loss of privilege</li> <li>● Parent notification by classroom teacher</li> <li>● Private meeting with student</li> <li>● Letter of apology</li> <li>● Self-reflection statement</li> <li>● Buddy teacher</li> </ul> <p><i>*These should be accompanied by an opportunity to process the behavior with the adult educator that was directly involved.</i></p>
<b>LEVEL 2 BEHAVIORS (Incident Report Form)</b>	<b>POSSIBLE LEVEL 2 INTERVENTIONS</b>
<ul style="list-style-type: none"> <li>● Impulsive hitting, kicking, punching, spitting</li> <li>● Damaging personal property</li> <li>● Threat</li> <li>● Direct harassment toward a particular person</li> </ul>	<ul style="list-style-type: none"> <li>● Vice Principal/Principal visit</li> <li>● Student and/or vice principal will call parent</li> <li>● Reflection or conversation regarding choices</li> </ul>

<ul style="list-style-type: none"> <li>• Repeated Level 1 offenses</li> <li>• Speaking with a bias against race, color, religion, or ability</li> <li>• Leaving the educational setting (class, cafeteria, etc.) without permission</li> </ul>	<ul style="list-style-type: none"> <li>• Brief separation from group (lunch) <b><i>No more than 30 minutes from academic settings.</i></b></li> <li>• Restitution (apology or community service)</li> <li>• Student referred to School Adjustment Counselor</li> <li>• Meeting with the Nessacus police liaison</li> <li>• “Stay-Away” agreement</li> <li>• Safe plan</li> <li>• After school detention</li> </ul>
<b>LEVEL 3 BEHAVIORS (Incident Report Form)</b>	<b>POSSIBLE LEVEL 3 INTERVENTIONS</b>
<ul style="list-style-type: none"> <li>• Physical violence/inflicting harm (with intent)</li> <li>• Threats of violence</li> <li>• Written, verbal or cyber threat</li> <li>• Leaving school property without permission</li> </ul>	<ul style="list-style-type: none"> <li>• Principal and vice principal referral</li> <li>• Parent conference with the principal and other appropriate adults</li> <li>• Principal phone call</li> <li>• In-house suspension</li> <li>• Student behavior plan</li> <li>• Bus suspension</li> <li>• Out of school suspension</li> <li>• Meeting with the Nessacus police liaison</li> <li>• “Stay-Away” agreement</li> <li>• Safe plan</li> <li>• After school detention</li> <li>• Separation from group in less structured blocks such as lunch and morning arrival</li> </ul>

in-house suspension can be used as an alternative to short term suspension

## **CENTRAL BERKSHIRE REGIONAL SCHOOL DISTRICT POLICIES & LAWS OF THE COMMONWEALTH OF MASSACHUSETTS**

### **GUIDELINES CONCERNING STUDENT RIGHTS AND RESPONSIBILITIES**

#### **INTRODUCTION**

In order to prepare our students for life in a democratic society, it is necessary that students fully understand their basic rights. Equally important is the need for students to fulfill their basic responsibilities. The statement that follows is an effort to clearly and concisely describe the rights and responsibilities of students in the Central Berkshire Regional School District.

#### **AIDS**

The State has provided all school systems with a policy on AIDS. The Central Berkshire Regional School District has developed additional guidelines and procedures. Copies of these guidelines are available from the Principal upon request.

#### **ALTERNATIVE EDUCATIONAL PROGRAMS**

1. **Special Needs Programs** for students in need of special education are available. Information about such programs may be obtained from the Director of Special Needs, a principal or the student's guidance counselor.

#### **DUE PROCESS**

Students have the right to fair and consistent disciplinary actions by teachers and administrators.

Students have the right to due process in disciplinary proceedings; that is, students shall be informed of the specific policy or regulation which has been violated; and shall be given an opportunity to present his or her side of the issue before being proceeded against. In cases where serious penalties are recommended, the principal or superintendent of schools may invoke more formalized hearing procedures. (See Appendix 1 for procedure to be followed in suspension and expulsion cases). Students shall not be held accountable by school officials for any behavior outside school time or off school property, except during school sponsored activities or as indicated in the Athletic Training Code or when under the jurisdiction of the school as noted in 6510 in this booklet. Students have the right to make up work missed during

absences for disciplinary reasons in the same manner as provided students who are absent for other reasons. Students have the responsibility to make up missed work within a reasonable period of time, as determined by the principal. Nothing contained in this statement on Student Rights and Responsibilities shall be construed to abrogate the authority vested by law in the school committee or to be construed to delegate that authority to others.

### **FREE EXPRESSION**

Students have the right to express themselves and to disseminate their views through speech, writing, publications, pictures, posters, buttons, insignia, armbands, and all other media of communications, subject to reasonable regulations as to the use of school materials and equipment and the time and manner of distribution of materials. Students have the responsibility to declare authorship of materials, to refrain from libel and slander, to refrain from incitements to crime or violations of law or lawful regulation, and to refrain from the use of obscenities or obscene material (circulation of petitions, circulars, newspapers, and other printed matter). Students shall be allowed to distribute petitions, circulars, leaflets, newspapers, and other printed matter subject to the following specific limitations:

- a. Time:** The time of distribution shall be agreed to by the principal so as to prevent interference with individual class programs.
- b. Manner:** The manner of distribution shall be such that:
  - coercion is not used to induce students to accept printed matter or to sign petitions;
  - funds or donations are not collected for the materials distributed;
  - leaflets and printed material to be distributed shall be submitted to the principal prior to such distribution (approval or disapproval of such distribution shall be within a reasonable time and the principal may limit the number of students or group of students who may distribute materials in any one day--as in similar circumstances an appeal of the principal's negative decision may be made to the superintendent); materials are not left undistributed or stacked for pickup while unattended at any place in the school or school grounds;
  - the distributor must be a student of the school involved (a non-student must have the principal's written permission);
  - student distributors have the responsibility of cleaning up any litter that may result; and,
  - the distribution of materials shall not hinder the normal flow of traffic within the school.

### **LIMITATIONS ON RIGHT TO EXERCISE FREE EXPRESSION**

In the exercise of the student rights described above, no person shall speak or distribute materials, wear buttons, or make other displays or post notices or other materials which are obscene according to current legal definitions; are libelous or slanderous according to current legal definitions; express or advocate racial, ethnic or religious prejudice; incite students so as to create a clear and present danger of the imminent commission of unlawful acts on school premises or of the violation of lawful school regulations or of the disruption of the orderly operation of the school. In January 1988 the Supreme Court decision in the case of Hazelwood School District vs. Kuhlmeier the court concluded that the school authorities do not violate the first amendment rights of students in expressing control with the style and content of student speech in school sponsored expressive activities, as long as their actions are reasonably related to legitimate educational concerns.

### **RIGHT TO AN EDUCATION**

Students have the right to an education and to equal educational opportunities through high school graduation. Students have the responsibility to attend school and classes regularly and to refrain from any disruption of the educational program. Pregnant and married students have the same rights and responsibilities as other students, subject however, to the policies pertaining to pregnant and married students as contained in the official Policy Manual of the Central Berkshire Regional School District.

### **RULES AND REGULATIONS**

Students have the right to know the rules and regulations to which they are expected to conform. Students have the responsibility to abide by all published school and school committee policies and regulations. Students have the right to seek changes in policies and regulations by all appropriate means.

### **SCHOOL RECORDS**

Students have the right to inspect their school records in accordance with the provisions of the "Students Records Regulation" approved by the Massachusetts Board of Education on January 28, 1975, and as amended in Ch.71, 34D and E in the 1981 statutes, Ch. 460, 1 and 2, a copy of which can be obtained from the building principal. Students have the responsibility to abide by said regulations.

### **SEARCH AND SEIZURE**

Students shall be free from searches and seizures of their persons, papers, and personal effects with two exceptions:

- (1) articles in the possession of students in violation of school regulations may be seized if in plain view or as provided in the 1985 Supreme Court decision: "New Jersey vs. TLO" (This decision gives flexibility to school officials and teachers to conduct reasonable warrant less searches of students.)
- (2) The student's lockers, belonging to the school and supplied for student convenience, may be searched by a school official provided that the official has a reasonable basis to believe that articles are kept therein in violation of law or of school regulations.

## **STUDENT GOVERNMENT**

Within each secondary school, and at the discretion of the building principal in each elementary school, students have the right to establish and select any government that they may adopt for themselves, as long as it is elective with offices, elections open to all students, and a constitution is made available to all students. Within any such democratic government, students have the responsibility to participate in the development of programs and regulations beneficial to student life within the school.

## **STUDENT ORGANIZATIONS**

Students have the right to form and participate in student organizations of their choice, and these organizations have the right to peacefully assemble and to conduct programs that do not endanger the health or safety, damage property, or disrupt the activities of others. Participants in student organizations have the responsibility to give timely notice to the principal of plans to assemble and to conduct such programs and in so doing, to respect the health, safety, property, rights and activities of others.

## **BULLYING-POLICIES & PROCEDURES FOR REPORTING & RESPONDING TO BULLYING & RETALIATION**

The CBRSD Bullying Prevention Policy (5770) can be found on the district website

<http://www.cbrsd.org/CentralOffice/PolicyManual.pdf>. The language regarding reporting is copied below:

- CBRSD Policy states, "Students, who believe that they are a target of bullying, observe an act of bullying, or who have reasonable grounds to believe that these behaviors are taking place, are obligated to report incidents to a member of the school staff. The target shall, however, not be subject to discipline for failing to report bullying."
- Each school shall have a means for anonymous reporting by students of incidents of bullying. No formal disciplinary action shall be taken solely on the basis of an anonymous report.
- Any student who knowingly makes a false accusation of bullying shall be subject to disciplinary action.
- Parents or guardians, or members of the community, are encouraged to report an incident of bullying as soon as possible.
- A member of a school staff shall immediately report any instance of bullying the staff member has witnessed or become aware of to the school principal or their designee.

### **Reporting bullying or retaliation.**

Reports of bullying or retaliation may be made by staff, students, parents or guardians, or others, and may be oral or written. Oral reports made by or to a staff member shall be recorded in writing. A school or district staff member is required to report immediately to the principal or designee any instance of bullying or retaliation the staff member becomes aware of or witnesses. Reports made by students, parents or guardians, or other individuals who are not school or district staff members, may be made anonymously. The school or district has made a variety of reporting resources available to the school community including, but not limited to, the CBRSD Incident Reporting Form available on the district website and a point of person contact in each building.

Use of an Incident Reporting Form is not required as a condition of making a report. CBRSD schools will: 1) provide a copy of the Incident Reporting Form on the school website; 2) make it available in the school's main office. The Incident Reporting Form will be made available in the language(s) of origin of students and parents or guardians upon request.

#### **a. Reporting by Staff**

A staff member will report immediately to the principal or designee when he/she witnesses or becomes aware of conduct that may be bullying or retaliation. The requirement to report to the principal or designee does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with school or district policies and procedures for behavior management and discipline.

#### **b. Reporting by Students, Parents or Guardians, and Others**

The school or district expects students, parents or guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the principal or designee. Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor

solely on the basis of an anonymous report. Students, parents or guardians, and others may request assistance from a staff member to complete a written report. Students will be provided practical, safe, private and age-appropriate ways to report and discuss an incident of bullying with a staff member, or with the principal or designee.

c. Reporting to DESE

The district keeps records of all reports of bullying incidents. The data is reported to DESE annually based on requirements.

**Responding to a report of bullying or retaliation.**

a. Safety

Before fully investigating the allegations of bullying or retaliation, the principal or designee will take steps to assess the need to restore a sense of safety to the alleged target and/or to protect the alleged target from possible further incidents. Responses to promote safety may include, but not be limited to, creating a personal safety plan; pre-determining seating arrangements for the target and/or the aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a “safe person” for the target; and altering the aggressor’s schedule and access to the target. The principal or designee will take additional steps to promote safety during the course of and after the investigation, as necessary.

The principal or designee will implement appropriate strategies for protecting from bullying or retaliation a student who has reported bullying or retaliation, a student who has witnessed bullying or retaliation, a student who provides information during an investigation, or a student who has reliable information about a reported act of bullying or retaliation.

b. Obligations to Notify Others

- i. Notice to parents or guardians. Upon an allegation of bullying or retaliation has occurred, the principal or designee will promptly notify the parents or guardians of the target and the aggressor of this, and of the procedures for responding to it. There may be circumstances in which the principal or designee contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.
- ii. Notice to Another School or District. If the reported incident involves students from more than one school district, charter school, non-public school, approved private special education day or residential school, or collaborative school, the principal or designee first informed of the incident will promptly notify by telephone the principal or designee of the other school(s) of the incident so that each school may take appropriate action. All communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR 49.00.
- iii. Notice to Law Enforcement. At any point after receiving a report of bullying or retaliation, including after an investigation, if the principal or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the principal will notify the local law enforcement agency. Notice will be consistent with the requirements of 603 CMR 49.00 and locally established agreements with the local law enforcement agency. Also, if an incident occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in school, the principal or designee shall contact the local law enforcement agency if he or she has a reasonable basis to believe that criminal charges may be pursued against the aggressor.

In making this determination, the principal will, consistent with the Plan and with applicable school or district policies and procedures, consult with the school resource officer, if any, and other individuals the principal or designee deems appropriate.

c. Investigation.

The principal or designee will promptly investigate all reports of bullying or retaliation and, in doing so, will consider all available information known, including the nature of the allegation(s) and the ages of the students involved.

During the investigation the principal or designee will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The principal or designee (or whoever is conducting the investigation) will remind the alleged aggressor, target, and witnesses that retaliation is strictly prohibited and will result in disciplinary action.

Interviews may be conducted by the principal or designee, other staff members as determined by the principal or designee, and in consultation with the school counselor, as appropriate. To the extent practicable, and given his/her obligation to investigate and address the matter, the principal or designee will maintain confidentiality during the investigative process. The principal or designee will maintain a written record of the investigation.

Procedures for investigating reports of bullying and retaliation will be consistent with school or district policies and procedures for investigations. If necessary, the principal or designee will consult with legal counsel about the investigation.

d. Determinations.

The principal or designee will make a determination based upon all of the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the principal or designee will take steps reasonably calculated to prevent recurrence and to ensure that the target is not restricted in participating in school or in benefiting from school activities. The principal or designee will: 1) determine what remedial action is required, if any, and 2) determine what responsive actions and/or disciplinary action is necessary.

Depending upon the circumstances, the principal or designee may choose to consult with the students' teacher(s) and/or school counselor, and the target's or aggressor's parents or guardians, to identify any underlying social or emotional issue(s) that may have contributed to the bullying behavior and to assess the level of need for additional social skills development.

The principal or designee will promptly notify the parents or guardians of the target and the aggressor about the results of the investigation and, if bullying or retaliation is found, what action is being taken to prevent further acts of bullying or retaliation. All notice to parents must comply with applicable state and federal privacy laws and regulations. Because of the legal requirements regarding the confidentiality of student records, the principal or designee cannot report specific information to the target's parent or guardian about the disciplinary action taken unless it involves a "stay away" order or other directive that the target must be aware of in order to report violations.

e. Responses to Bullying.

A flow-chart outlining the Central Berkshire Regional School District follow-up for both the aggressor and the target is presented in Appendix C. The specific steps for responses to bullying are described in the paragraphs below. An example of conduct plan for the aggressor is presented in Appendix D.

i. Teaching Appropriate Behavior Through Skills-building

Upon the principal or designee determining that bullying or retaliation has occurred, the school shall use a range of responses that balance the need for accountability with the need to teach appropriate behavior. M.G.L. c. 71, § 37O(d)(v). Skill-building approaches that the principal or designee may consider include:

- offering individualized skill-building sessions based on the school's/district's anti-bullying curricula;
- providing relevant educational activities for individual students or groups of students, in consultation with guidance counselors and other appropriate school personnel;
- implementing a range of academic and nonacademic positive behavioral supports to help students understand pro-social ways to achieve their goals;
- meeting with parents and guardians to engage parental support and to reinforce the anti-bullying curricula and social skills building activities at home;
- adopting behavioral plans to include a focus on developing specific social skills; and
- making a referral for evaluation.

ii. Taking Disciplinary Action

If the principal or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the principal or designee, including the nature of the conduct, the age of the student(s) involved, and the need to balance accountability with the teaching of appropriate behavior. Discipline will be consistent with the Plan and with the school's or district's code of conduct.



Discipline procedures for students with disabilities are governed by the federal Individuals with Disabilities Education Improvement Act (IDEA), which should be read in cooperation with state laws regarding student discipline.

If the principal or designee determines that a student knowingly made a false allegation of bullying or retaliation, that student may be subject to disciplinary action.

iii. Promoting Safety for the Target and Others

The principal or designee will consider what adjustments, if any, are needed in the school environment to enhance the target's sense of safety and that of others as well. An example of a support plan for the target is presented in Appendix E. The plan includes various options and strategies including but not limited to increasing adult supervision at transition times and in locations where bullying is known to have occurred or is likely to occur.

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the principal or designee will contact the target to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are needed. If so, the principal or designee will work with appropriate school staff to implement them immediately.

## **COLLABORATION WITH FAMILIES**

- A. Parent education and resources. CBRSD schools will offer education programs for parents and guardians that are focused on the parental components of the anti-bullying curricula and any social competency curricula used by the school. The programs will be offered in collaboration with the PTO, School Councils, Special Education Parent Advisory Council, and other appropriate school/community organizations.
- B. Notification requirements. Each year CBRSD schools will inform parents or guardians of enrolled students about the anti-bullying curricula that are being used. This notice will include information about the dynamics of bullying, including cyberbullying and online safety. All notices and information made available to parents or guardians will be in hard copy and electronic formats, and will be available in the language(s) of parents or guardians, upon request. The schools will post the Plan and related information on its website and those plans will be mirrored on the district website.

## **PROHIBITION AGAINST BULLYING AND RETALIATION**

Acts of bullying, which include cyberbullying, are prohibited:

- (i) on school grounds and property immediately adjacent to school grounds, at a school-sponsored or school-related activity, function, or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased, or used by a school district or school; or through the use of technology or an electronic device owned, leased, or used by a school district or school, and
- (ii) at a location, activity, function, or program that is not school-related through the use of technology or an electronic device that is not owned, leased, or used by a school district or school, if the acts create a hostile environment at school for the target or witnesses, infringe on their rights at school, or materially and substantially disrupt the education process or the orderly operation of a school.

Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying is also prohibited.

As stated in M.G.L. c. 71, § 37O, nothing in this Plan requires the district or school to staff any non-school related activities, functions, or programs.

## **DEFINITIONS**

Aggressor is a student or a member of a school staff including, but not limited to an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, coach, advisor to an extracurricular activity or paraprofessional who engages in bullying, cyberbullying, or retaliation.

Bullying, as defined in M.G.L. c. 71, § 37O, is the repeated use by one or more students or by a member of a school staff including, but not limited to an educator, administrator school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:

- i. causes physical or emotional harm to the target or damage to the target's property;

- ii. places the target in reasonable fear of harm to himself or herself or of damage to his or her property;
- iii. creates a hostile environment at school for the target;
- iv. infringes on the rights of the target at school; or
- v. materially and substantially disrupts the education process or the orderly operation of a school.

Cyberbullying is bullying through the use of technology or electronic devices such as telephones, cell phones, computers, and the Internet. It includes, but is not limited to, email, instant messages, text messages, and Internet postings. See M.G.L. c. 71, § 37O for the legal definition of cyberbullying.

Hostile environment, as defined in M.G.L. c. 71, § 37O, is a situation in which bullying causes the school environment to be permeated with intimidation, ridicule, or insult that is sufficiently severe or pervasive to alter the conditions of a student's education.

Retaliation is any form of intimidation, reprisal, or harassment directed against a student who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying.

Staff includes, but is not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, support staff, or paraprofessionals.

Target is a student against whom bullying, cyberbullying, or retaliation has been perpetrated.

#### **RELATIONSHIP TO OTHER LAWS**

Consistent with state and federal laws, and the policies of the school or district, no person shall be discriminated against in admission to a public school of any town or in obtaining the advantages, privilege and courses of study of such public school on account of race, color, sex, religion, national origin, or sexual orientation. Nothing in the Plan prevents the school or district from taking action to remediate discrimination or harassment based on a person's membership in a legally protected category under local, state, or federal law, or school or district policies.

In addition, nothing in the Plan is designed or intended to limit the authority of the school or district to take disciplinary action or other action under M.G.L. c. 71, §§ 37H or 37H½, other applicable laws, or local school or district policies in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.

### **SCHOOL COMMITTEE POLICIES & STATE LAW RELATIVE TO DISCIPLINE**

#### **RESPONSIBILITIES OF STUDENTS**

1. Students must treat teachers and other students with respect, regardless of sex, race, color, creed, ethnic background, socio-economic status, or minority group membership.
2. Students must refrain from impairing the educational process or depriving students or teachers of their right.
3. Students must respect the personal property of other students and teachers.
4. Students must refrain from acts endangering students or teachers, or impairing the condition or maintenance of school buildings or grounds.
5. Students must recognize the authority of the teacher and of duly commissioned non-teaching personnel anywhere in the school buildings or grounds.
6. Students must refrain from rude language or conduct.
7. Students must adhere to school rules and attempt to institute change through legally acceptable channels.
8. Students must apply their best efforts in studying and learning in each subject and class.
9. Students must keep their parents and or/guardians informed of all important school matters and events.
10. Students must respect the rights of all other students, teachers, administrators, counselors, nurses, paraprofessionals, custodians, secretaries, cafeteria employees, bus drivers, and guests.
11. Students must respect the individual right of each human being to differ and be different from them.

#### **REGULATIONS FOR THE CONDUCT OF STUDENTS**

(As required by General Laws, Chapter 71, Section 37H)

1. The school committee employs a superintendent to have "the care and supervision of the public schools". The superintendent, in the day-to-day operation of the school, delegates "the care and supervision" of the schools to the principals, teachers, and other staff. It is the responsibility of the principals, teachers, and other staff to publicize and enforce these regulations as well as to take the appropriate steps to formulate more detailed rules as necessary to support these regulations.

2. School committee regulations (and supporting rules) for the conduct of students are applicable when the students are under the jurisdiction of the school as defined in Policy 6510.
3. The following specific regulations are established by the school committee with reference to student conduct. Each student shall:
  - a. Attend school regularly in accordance with guidelines set out by the Massachusetts Board of Education and the school committee.
  - b. Account for absence (and tardiness) in the manner prescribed by each school.
  - c. Behave in a non-disruptive manner with due regard to the rights and privileges of others.
  - d. Be subject to applicable provisions of state law and local ordinances.
  - e. Know and follow the specific safety rules and procedures of the school.
  - f. Know and follow the specific rules and procedures related to fire and other emergency drills.
  - g. Refrain from smoking and possessing, using, buying or selling alcohol or illegal drugs.
  - h. A student may not be barred from participating in any school program, including athletic teams, musical groups or other clubs sponsored by the school because of hair or clothing style as long as the style does not endanger his/her health or safety or the health and safety of other students, or create a disruption of the educational process.
  - i. All students shall refrain from hazing as defined in Chapter 536 of the Acts of 1985. Students violating Chapter 536 may be disciplined pursuant to school Committee Regulations (and supporting rules) for the Conduct of Students. A copy of Chapter 536 of the Acts of 1985 shall be reproduced in the Student Handbook. A copy shall be given to each secondary school student and employee involved with supervision of such students. Written acknowledgement of the receipt of the student handbook shall be obtained from each person receiving the same.
4. The principal of each school will make copies of this policy available in the school's regular student, teacher, and parent notices and handbooks. Copies of these regulations will be made available from the principal of each building to any person on request and without cost.
5. Written acknowledgement of the receipt of the student handbook shall be obtained from each person receiving the same.
6. These regulations, along with certification indicating their availability as provided in paragraph 4, have been filed with the commissioner of education.

#### **CHAPTER 227: AN ACT PROVIDING FOR DRUG FREE SCHOOL ZONES**

Effective July 11, 1989, anyone convicted of dealing drugs within one thousand feet of an elementary, vocational or secondary school will face a two year mandatory prison sentence. It will not matter whether the dealer knew he was near a school, whether it is a public or private school, or in session. The law will pertain to drug distributors, manufacturers or persons possessing a controlled substance with intent to distribute it. A fine of up to ten thousand dollars may also be imposed but not in lieu of the two-year term of imprisonment.

#### **CHAPTER 241: AN ACT PROVIDING FOR SUSPENSION OF A LICENSE TO OPERATE A MOTOR VEHICLE UPON CONVICTION OF VIOLATION OF THE CONTROLLED SUBSTANCE ACT**

A license to drive is one-privilege drug offenders will now lose for certain. This new law provides that a conviction of any drug offense shall result in the loss of the right to drive for a period of time up to five years. In the case of minors who may not yet have a driver's license at the time of their conviction, they may lose the right to obtain a license until reaching age twenty-one.

#### **CHAPTER 269: HAZING**

All persons must refrain from "hazing" as defined in Chapter 536, Acts of 1985, also known as **Massachusetts General Law Chapter 269**. The Central Berkshire Regional School District considers "hazing" will be subject to the school discipline codes, including suspension or exclusion.

**Section 17** Whoever is a principle organizer or participant in the crime of "hazing" as defined herein shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or both such fine and imprisonment. The term "hazing" as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. (Central Berkshire Regional School District students come under the jurisdiction of the schools as outlined in policy #6510. Provisions of the state law would be in effect on private property.) Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

**Section 18** - Whoever knows that another person is the victim of "hazing" as defined in section seventeen and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such a crime shall be punished by a fine or not more than one thousand dollars (per state law).

#### **CHAPTER 322: AN ACT FURTHER REGULATING THE MISUSE OF DRIVER LICENSES AND IDENTIFICATION CARDS**

Teenagers and college students in particular should be aware that the mere possession of a false identification or license is an offense that now can send them to jail. A new law came into effect on July 11, 1989 that makes a broad spectrum of activities related to false I.D.'s or licenses punishable by a fine or imprisonment. These activities include, but are not limited to: making, using or carrying a false I.D. or license; using the cards or license of another; and furnishing false information in obtaining an I.D. or license. In addition, a conviction on any of these charges will result in an automatic one-year suspension of the license to drive.

#### **CHAPTER 622: TITLE IX GRIEVANCE PROCEDURES**

##### **Provisions Related to the Initiation of Grievances**

- A. Any parent, guardian, student or other person or group who believes that Title IX, Chapter 622 regulations have been violated may grieve that violation.
- B. All grievances or questions should be made known to the Chapter 622 Coordinator c/o Central Office, 254 Hinsdale Road, Dalton MA or by telephone (413) 684-0320.
- C. The coordinator will follow all necessary steps to accomplish an amicable resolution and to reduce confrontation. All grievances at this level will be kept confidential and every effort will be made to reduce the sometimes-sensitive issues discreetly and without further embarrassment and/or harassment.
- D. If the coordinator is unable to resolve the grievance to the satisfaction of those concerned, then the grievance will be brought to the Personnel Sub-committee for review who in turn will make a recommendation to the full School Committee. A copy of the grievance will also be sent to the Bureau of Equal Educational Opportunity.
- E. The School Committee will have thirty (30) days in which to respond in writing to the complaining party. A copy of this response will be sent to the Bureau of Equal Educational Opportunity

##### **Provisions Related to the Processing of Grievance**

- A. The Bureau of Equal Opportunity shall act as the representative of the Board of Education for the purpose of receiving complaints pursuant to these regulations.
- B. The Bureau of Equal Educational Opportunity shall, pursuant to a complaint received, conduct reviews to insure compliance. The School Committee and the specific school(s) involved shall cooperate to the fullest extent with such review.
- C. In the event of non-compliance, the Board of Education may take such action as it sees fit including, but not limited to, withholding of funds or referral to the office of the Attorney General for appropriate legal action.

#### **STATE LAW AND REGULATIONS REGARDING THE DISCIPLINE OF STUDENTS WITH SPECIAL NEEDS**

With respect to removal of students with special needs from public school, Massachusetts General Laws, Chapter 71B, section 3 states: "No school committee shall refuse a school age child with special needs admission to or continued attendance in public school without the prior written approval of the Department (of Education). No child who is so refused shall be denied an alternative form of education approved by the Department..." For purposes of this statute, the Department of Education has developed procedures that protect students with special needs from suspensions of more than ten (10) cumulative days in a school year. However, nothing in these procedures is intended to limit the provisions of Section 331 of the Chapter 766 Regulations for emergency evaluation and placement in "...instances of dangerously assaultive or self-abusive behavior..."

#### **COMPLAINT PROCEDURE FOR ALLEGED DISCRIMINATORY OR HARASSING CONDITION (5760)**

The Central Berkshire Regional School District is committed to equal employment and educational opportunity for all employees and applicants, students, and members of the school community without regard to race, color, sex, religion, national origin, age, sexual orientation, disability or homeless/unaccompanied status in all aspects of employment and education. The members of the school community include the School Committee, administration, staff, students, and volunteers working in the schools, while they work and study subject to school authorities.

The Central Berkshire Regional School District is committed to maintaining a school and work environment free from harassment based on race, color, sex, religion, national origin, age, sexual orientation, disability or homeless/unaccompanied status. The Central Berkshire Regional School District expects all employees, students and other members of the school community to conduct themselves in an appropriate and professional manner.

Harassment on the basis of race, color, sex, religion, national origin, age, sexual orientation, disability or homeless/unaccompanied status in any form will not be tolerated. Such harassment includes unwelcome remarks, gestures or physical contact, display or circulation of written materials or pictures derogatory to either gender or to racial, ethnic, religious, age, sexual orientation or handicap individuals or groups.

#### **COMPLAINT PROCEDURE:**

1. Any member of the school community who believes that he/she has been subjected to harassment will report the incident (s) to the grievance officer. All complaints shall be investigated promptly and resolved as soon as possible.
2. The grievance officer will attempt to resolve the problem in an informal manner through the following process:
  - a. The grievance officer will confer with the charging party in order to obtain a clear understanding of that party's statement of the facts, and may interview any witnesses.
  - b. The grievance officer will then attempt to meet with the charged party in order to obtain his/her response to the complaint.
  - c. The grievance officer will hold as many meetings with the parties as is necessary to establish the facts.
  - d. On the basis of the grievance officer's perception of the situation he/she may:
    - Attempt to resolve the matter informally through reconciliation.
    - Report the incident and transfer the record to the Superintendent or his/her designee, and so notify the parties by certified mail.
3. After reviewing the record made by the grievance officer, the Superintendent or designee may attempt to gather any more evidence necessary to decide the case, and thereafter impose any sanctions deemed appropriate, including a recommendation to the committee for termination or expulsion. At this stage of the proceedings the parties may present witnesses and other evidence, and may also be represented. The parties, to the extent permissible by law, shall be informed of the disposition of the complaint. All matters involving sexual harassment complaints will remain confidential to the extent possible. If it is determined that inappropriate conduct has occurred, district will act promptly to eliminate the offending conduct.
4. The grievance officer, upon request, will provide the charging party with government agencies that handle sexual harassment matters.

Adopted:	April 29, 1976
Revised:	September 22, 1977
Revised:	December 14, 1978
Revised:	April 5, 1979
Revised:	March 29, 1982
Revised:	April 9, 1987
Revised:	April 10, 2008 (Completely rewritten)

Note: The name and contact information for the grievance officer is as follows:

Debbie White  
35 Fox Rd  
Dalton, MA 01226  
Tel: (413) 684-0780  
Email: [dwhite@cbrsd.org](mailto:dwhite@cbrsd.org)

#### **DRUG/ALCOHOL ASSISTANCE, PREVENTION AND DISCIPLINARY PROCEDURES (6730)**

6730: Drug/Alcohol Assistance, Prevention, & Disciplinary Procedures

6730.1 The Central Berkshire Regional School District is committed to provide an environment for students to reach their maximum potential. To this end, it is necessary for each school and each student to remain alcohol and drug free.

6730.2 The use or possession of drugs, alcohol or look-alike-drugs by any student on school property, in schools, or at school functions is prohibited. Students shall be barred from any school sponsored event if they have been using alcohol, drugs, or look-alike-drugs prior to their attendance at or participation in said school sponsored activity.

6730.3 Along with the above strong prohibition, the school committee recognizes that use of alcohol and drugs is a concern affecting the mental, emotional, and physical health of students. Therefore, it is the committee's belief that

educational programs should be planned, designed and evaluated in order to afford students opportunities in making positive choices regarding their health.

6730.4 The school committee also recognizes that alcohol and drug abuse are part of a broader scope of problems involving the individual and society. These problems include a breakdown in confidence and communication between young people and adults. The committee has a responsibility to strengthen, promote and protect trust between people.

6730.5 Along with the educational programming for students, staff will be informed of district policies, procedures and protocols for prevention, intervention and follow-up in preventing and responding to substance use and abuse. Specific training will be provided to staff members responsible for screenings for substance use.

6730.6 Parents and Guardians will be notified of the policy through provision of school handbooks and posting of the policy on the district website.

6730.7 Should there be breaches of conduct concerning alcohol and drugs, the school committee supports the administration, principals and superintendent, in effecting the following procedures for disciplinary action to insure a positive and productive learning environment in its schools.

**Procedures for Screening for Risk for Substance Use Related Problems:**

- a. The district will use a verbal screening tool to screen students annually at two different grade levels for substance use related problems.
- b. Qualified staff will be identified and trained to do the screening.
- c. Any statement, response or disclosure made by a pupil during a verbal substance use disorder screening shall be considered confidential information and shall not be disclosed by a person receiving the statement, response or disclosure to any other person without the prior written consent of the pupil, parent or guardian, except in cases of immediate medical emergency or where a disclosure is otherwise required by state law.
- d. The District will maintain a resource list for the network of services available through agencies in the area.
- e. Parents will be notified in advance of the screenings and of the right to opt out.
- f. Students in treatment or absent as part of their recovery will be supported in reintegrating to school.

**PROCEDURES FOR DISCIPLINARY ACTION**

Definition of Terms:

Alcoholic Beverage. Alcohol spirits, liquor, wine, beer, and every liquid or solid containing alcohol spirits, wine, or beer in which contains half of 1% or more of alcohol by volume which is fit for beverage purposes either alone or when diluted, mixed, or combined with other substances.

Controlled Substance. A controlled substance includes any substance defined in this section or identified as such under the law.

Drug. As defined in Chapter 94, Section C of the Massachusetts General Laws, stimulants, amphetamines, depressants, tranquilizers, narcotics, relaxants, and hallucinogens or any other controlled substance regulated by the FDA and not administered as a properly prescribed medication.

Electronic Cigarettes. Handheld electronic device that creates an aerosol by heating a liquid. Use of E-Cigarettes is sometimes called vaping. Please refer to Policy 6760, which further defines smoking products not permitted on school grounds.

Look-Alike-Drug. A substance or combination of substances, liquid or solid, which simulate, appear like, or are intended to be drugs. (Examples are dry spices in cigarette wrappers and over the counter prescription drugs passed off as controlled substances.)

Use. The ingestion, inhalation, or injection of an alcoholic beverage, drug, or look-alike-drug.

Possession. Having an alcoholic beverage, drug, or look-alike-drug or drug paraphernalia (a) on one's person, or (b) among one's personal possessions such as a locker, motor vehicle, book bag or purse, or (c) within the, reasonable immediate vicinity of one's person.

Parent. Father, mother, or guardian.

As principals and the superintendent choose courses of disciplinary action, they will distinguish between and among alcohol, look-alike-drugs, and drugs which are controlled substances.

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**Controlled Substances**

A. Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a controlled substance is subject to expulsion suspension or exclusion from the school.

B. Any student who is charged with a violation of section 6730.6 above, shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the principal.

C. The principal may remove a student who has committed a disciplinary offense under M.G.L c. 71 Section 37H or 37H ½ for more than 90 days in a school year. The school district will maintain a School Wide Education Service plan that includes a list of services available to any student suspended or excluded from school for more than 10 days.

D. Any student who has been issued a long-term suspension from a school district pursuant to these provisions shall have the right to appeal to the superintendent. The student shall have ten days from the date of being issued the suspension in which to notify the superintendent of his appeal. The student has the right to counsel at a hearing before the superintendent. The hearing will be conducted in accordance with M.G.L c.71 Section 37 H ¾. The decision of the Superintendent shall be the final decision of the school district with regard to the suspension.

E.If a student is suspended from school, the student will be referred to a community-based substance abuse prevention or treatment agency or a school-based program.

#### Alcohol, Drugs and Look-Alike-Drugs A.

A. If a student is suspected of being under the influence of an alcoholic beverage or in possession of or under the influence of a look-alike-drug:

1. The principal and superintendent shall be immediately notified.
2. The student shall be immediately examined by a school nurse if available. In addition, if deemed appropriate by the administrator, any one or more of the following may be undertaken.
  - a. The student will be sent to a physician for examination.
  - b. The school will notify the student's parents.
  - c. The administration will assist the student in arranging for a community-based substance abuse educator or counseling service.
  - d. The administration will notify the local police.

B. If a student is found to be using or in possession of an alcoholic beverage, drug or a look-alike drug:

1. First Offense -- The student will be suspended from school, generally for a period of up to three days. In addition:

- a. The parent will be notified of the offense.
- b. The local police department will be notified of the offense. Any contraband will be turned over to the police.
- c. The principal will refer the student to a community-based substance abuse educator or treatment agency and/or the school guidance department.
- d.A follow up plan will be recommended for the individual student by the substance abuse educator and/or the school based mental health provider.

2. Second Offense -- The student will be suspended from school, generally for a period of not less than three days. In addition:

- a. The parent will be notified that the student has committed a second offense.
- b. The local police department will be notified of the offense. Any contraband will be turned over to the police department.
- c. The principal will refer the student to a community-based substance abuse educator or treatment and the school guidance department. A plan will be revisited for the student.

3. Third and subsequent offenses -- The student will be suspended from school and expelled long-term suspension may be considered. In addition, the course of action outlined for a second offense may be invoked.

C. A student who is found *distributing or selling* alcohol or a look-alike-drug or in *possession of a quantity of* alcohol or a look-alike-drug:

1. First and subsequent offenses -- The student shall be suspended from school for a period of up to ten days. In addition:
  - a. The parent will be notified

- b. The local police department will be notified of the offense. Any contraband will be turned over to the police department.
- c. The principal will refer the student to a community-based substance abuse educator of treatment agency the school guidance department.

Adopted: June 27, 1985

(Replaced previous policy #6730 -- "Drug Education and Drug Abuse.")

Revised: June 26, 1986

Revised: August 18, 1994

(Written to conform with the Education Reform Act, Chapter 7, Section 37H of the Massachusetts General Laws. Also replaced policies numbered #6730 and #6710.)

Revised: July 27, 2017 (Written to conform with Chapter 52 of the Acts of 2016.)

## **JURISDICTION OF THE SCHOOL**

**6510.1** Students of the Central Berkshire Regional School District are considered under the jurisdiction of the school.

**6510.11** While on school grounds or within the school.

**6510.12** While traveling to and from school for a reasonable amount of time as determined by the administration.

**6510.13** While at any school-sponsored activity

## **SMOKING POLICY**

There will be no smoking by anyone at any time in any building or on school grounds of the Central Berkshire Regional School District. Student violators will be subject to suspension.

## **DUE PROCESS FOR SUSPENSIONS: NOTICE OF PROPOSED SUSPENSION**

Except in the case of an emergency removal or disciplinary offense defined under M.G.L. c. 71, §§37H or 37H½ or an in-school suspension as defined by 603 CMR 53.02(6), the school shall provide the student and parent/guardian with written and oral notice of the proposed out-of-school suspension, an opportunity to be heard at hearing, and the opportunity to participate at the hearing. Notice shall set forth in plain language:

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

The principal shall make reasonable efforts to notify the parent/guardian orally of the opportunity to attend the hearing. In order to conduct a hearing without the parent/guardian present, the principal must be able to document reasonable efforts to include the parent/guardian. Reasonable effort is presumed if the principal sent written notice and documented at least two attempts to contact the parent/guardian in the manner specified by the parent/guardian for emergency situations.

All written communications regarding notice of proposed suspension shall be either by hand delivery or delivered by first-class mail, certified mail, or email to address provided by the parent/guardian for school communications (or other method agreed to by the principal and parent/guardian) in English, and in the primary language in the home if other than English, or other means of communication where appropriate.

## **DUE PROCESS FOR SHORT-TERM SUSPENSIONS: HEARING AND PRINCIPAL DETERMINATION**

A short-term suspension is the removal of the student from the school premises and regular classroom activities for ten (10) consecutive days or less. Short-term suspensions which do not cumulatively over the course of the school year exceed ten (10) days of suspension shall be conducted in accordance with this section. In-house suspension can be used as an alternative to short term suspension as deemed appropriate.

Principal Hearing: The purpose of the hearing with the principal is to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student has committed the disciplinary offense, the



basis for the charge, and any other pertinent information. The student shall have an opportunity to present information, including mitigating facts. A parent/guardian present at the hearing shall have the opportunity to discuss the student's conduct and offer information, including mitigating circumstances.

Based on the available information, including mitigating circumstances, the principal will make a determination whether the student committed the disciplinary offense, and if so, the consequence. The principal will provide notification in writing of his/her determination in the form of an update to the student and parent/guardian, and provide reasons for the determination. If the student is suspended, the principal shall inform the parent/guardian of the type and duration of the suspension, and shall provide an opportunity for the student to make up assignments and other school work as needed to make academic progress during the period of removal.

If the student is in grades pre-k through 3, the principal shall send his/her determination to the superintendent and explain the reasons prior to imposing an out-of-school suspension, before the short-term suspension takes effect.

All written communications regarding the hearing and principal determination shall be either hand delivery or delivered by first-class mail, certified mail, or email to the address provided by the parent/guardian for school communications (or other method agreed to by the principal and parent/guardian) in English, and in the primary language in the home if other than English, or other means of communication where appropriate.

#### **DUE PROCESS FOR LONG-TERM SUSPENSIONS: HEARING AND PRINCIPAL DETERMINATION**

A long-term suspension is the removal of a student from the school premises and regular classroom activities for more than ten (10) consecutive school days, or for more than ten (10) school days cumulatively for multiple disciplinary offenses in any school year. The purpose of the hearing with the principal is to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student has committed the disciplinary offense, the basis for the charge, and any other pertinent information. The student shall have an opportunity to present information, including mitigating facts, that the principal will consider in determining whether alternatives to suspension such as loss of privileges, detention, an apology, a student contract, restitution, and/or probation are appropriate.

Additionally, the student shall have the following additional rights:

- i. In advance of the hearing, the opportunity to review the student's record and the documents upon which the principal may rely in making a determination to suspend the student or not;
- ii. the right to be represented by counsel or a lay person of the student's choice, at the student's and or parent's/guardian's expense;
- iii. the right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so; and
- iv. the right to cross-examine witnesses presented by the school district;
- v. the right to request that the hearing be recorded by the principal. All participants shall be informed that the hearing is being recorded by audio. A copy of the audio recording will be provided to the student or parent/guardian upon request.

Based on the evidence submitted at the hearing the principal shall make a determination as to whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension (the use of evidence-based strategies and programs, such as mediation, conflict resolution, restorative justice, and positive interventions and supports) what remedy or consequence will be imposed.

If the principal decides to impose a long-term suspension, the written determination shall:

- i. Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing;
- ii. Set out key facts and conclusions reached by the principal;
- iii. Identify the length and effective date of the suspension, as well as a date of return to school;
- iv. Include notice of the student's opportunity to receive a specific list of education services to make academic progress during removal, and the contact information of a school member who can provide more detailed information.
- v. Inform the student of the right to appeal the principal's decision to the superintendent or his/her designee (only if a long-term suspension has been imposed) within five (5) calendar days, which may be extended by parent/guardian request in writing an additional seven (7) calendar days.

The long-term suspension will remain in effect unless and until the superintendent decides to reverse the principal's determination on appeal.

If the student is in grades pre-k through grade 3, the principal shall send his/her determination to the superintendent and explain the reasons prior to imposing an out-of-school suspension, whether short-term or long-term, before the suspension takes effect.

All written communications regarding the hearing and principal determination shall be either hand delivery or delivered by first-class mail, certified mail, or email to the provided by the parent/guardian for school communications (or other method agreed to by the principal and parent/guardian) in English, and in the primary language in the home if other than English, or by other means of communication where appropriate.

#### **DUE PROCESS FOR SUSPENSIONS: APPEAL OF LONG-TERM SUSPENSION**

A student who is placed on a long-term suspension shall have the right to appeal the principal's decision to the superintendent if properly and timely filed. A good faith effort shall be made to include the parent/guardian at the hearing. The appeal shall be held within three (3) school days of the appeal, unless the student or parent/guardian requests an extension of up to seven (7) additional calendar days, which the superintendent shall grant.

The student and parent/guardian shall have the same rights afforded at the long-term suspension principal hearing. Within five (5) calendar days of the hearing the superintendent shall issue his/her written decision which meets the criteria required of the principal's determination. If the superintendent determines the student committed the disciplinary offense, the superintendent may impose the same or a lesser consequence than that of the principal. The superintendent's decision shall be final.

#### **EMERGENCY REMOVAL**

A student may be temporarily removed prior to notice and hearing when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school and, in the principal's judgment, there is no alternative available to alleviate the danger or disruption. The temporary removal shall not exceed two (2) school days, following the day of the emergency removal.

During the emergency, removal the principal shall make immediate and reasonable efforts to orally notify the student and student's parent/guardian of the emergency removal and the reason for the emergency removal. The principal shall also provide the due process requirements of written notice for suspensions and provide for a hearing which meets the due process requirements of a long-term suspension within the two (2) school day time period, unless an extension of time for the hearing is otherwise agreed to by the principal, student, and parent/guardian.

A decision shall be rendered orally on the same day as the hearing, and in writing no later than the following school day. The decision shall meet all of the due process requirements of a principal's determination in a long-term suspension. Emergency removal will not occur until adequate provisions are made.

#### **IN-SCHOOL SUSPENSION UNDER 603 CMR 53:02(6) & CMR 53.10**

In-school suspension is defined as the removal of a student from regular classroom activities, but not the school premises, for not more than ten (10) consecutive school days, or no more than ten (10) school days cumulatively for multiple infractions over the course of the school year.

A Principal may impose an in-school suspension as defined above according to the following procedures:

The principal shall inform the student of the disciplinary offense charged and the basis for the charge, and provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident. If the principal determines that the student committed the disciplinary offense, the principal shall inform the student of the length of the student's in-school suspension, which shall not exceed ten (10) days, cumulatively or consecutively, in a school year.

On the same day as the in-school suspension decision, the principal shall make reasonable efforts to notify the parent orally of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension. The principal shall also invite the parent to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. Such meeting shall be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the principal is unable to reach the parent after making and documenting at least two (2) attempts to do so, such attempts shall constitute reasonable efforts for purposes of orally informing the parent of the in-school suspension.

The principal shall send written notice to the student and parent about the in-school suspension, including the reason and the length of the in-school suspension, and inviting the parent to a meeting with the principal for the purpose set forth

above, if such meeting has not already occurred. The principal shall deliver such notice on the day of the suspension by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or by other method of delivery agreed to by the principal and the parent.

#### **SUSPENSION OR EXPULSION FOR DISCIPLINARY OFFENSES UNDER M.G.L. 71 §§37H and 37H½**

The due process notification and hearing requirements in the preceding sections do not apply to the following disciplinary offenses:

Possession of a dangerous weapon, possession of a controlled substance, or assault of staff

A student may be subject to expulsion if found in possession of a dangerous weapon, possession of a controlled substance, or the student assaults a member of educational staff, and the principal determines the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

The Principal shall notify the student and parent(s)/guardian(s) in writing of the opportunity for a hearing, and the right to have representation at the hearing, along with the opportunity to present evidence and witnesses. After said hearing, a principal may, in his/her discretion, decide to levy a suspension rather than expulsion. A student expelled for such an infraction shall have the right to appeal the decision to the Superintendent. The expelled student shall have ten (10) days from the date of the expulsion in which to notify the Superintendent of his/her appeal. The student has the right to counsel at the hearing before the Superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student was guilty of the alleged offense.

Felony complaint or issuance of felony delinquency complaint

Upon the issuance of a criminal complaint charging a student with a felony, or the issuance of a felony delinquency complaint against a student, the Principal may suspend a student for a period of time determined appropriate by the Principal if the Principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

The Principal shall notify the student in writing of the charges, the reasons for the suspension (prior to such suspension taking effect), and the right to appeal. The Principal will also provide the student and parent(s)/guardian(s) the process for appealing the suspension to the Superintendent. The request for appeal must be made in writing within five (5) calendar days. The hearing shall be held within three (3) days of the request. The suspension shall remain in effect prior to any appeal hearing before the Superintendent. At the hearing, the student shall have the right to present oral and written testimony, and the right to counsel. The Superintendent has the authority to overturn or alter the decision of the Principal. The Superintendent shall render a decision on the appeal within five (5) calendar days of the hearing.

Felony conviction or adjudication/admission in court of guilt for a felony or felony delinquency

The Principal may expel a student convicted of a felony, or has an adjudication or admission of guilt regarding a felony, if the Principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

The student shall receive written notification of the charges and reasons for the proposed expulsion. The student shall also receive written notification of his right to appeal the decision to the Superintendent, as well as the appeal process. The expulsion shall remain in effect prior to any appeal hearing conducted by the Superintendent.

The student shall notify the Superintendent in writing of his/her request for an appeal the decision no later than five (5) calendar days following the date of the expulsion. The Superintendent hearing shall be held with the student and parent(s)/guardian(s) within three (3) calendar days of the expulsion. At the hearing, the student shall have the right to present oral and written testimony, and shall have the right to counsel. The Superintendent has the authority to overturn or alter the decision of the Principal. The Superintendent shall render a decision on the appeal within five (5) calendar days of the hearing.

Any student expelled from school for such an offense shall be afforded an opportunity to receive educational services and make academic progress.

#### **POLICY AND LAW**

Prior to the beginning of each school year, each school committee shall schedule a minimum of 180 school days for the year for all public schools under its supervision and control. As a matter of policy, the Board of Education recommends that each school committee schedule a 185 -day school year to provide for contingency of snow days and other schedule disruptions. In all cases, school committees are encouraged to exceed the minimum where possible for the purpose of extension of student learning time.

**Definition of a School Year:** Under Education Reform, the law describes the school year as being 900 hours of supervised instructional time. In order to accumulate 900 hours, a student must be in class for five hours per day for 180 days. The Nessacus schedule will make it easy for a student to accomplish this easily.

**Definition of School Day:** A school day for an elementary grade shall consist of a minimum of 5 instructional hours. A school day for secondary grade shall consist of a minimum of 5 ½ instruction hours. A school committee may schedule a school day or school days of less than 5 or 5 ½ hours of instructional time with early release of pupils on the day before Thanksgiving, and to permit in-service education, parent conferences, and other professional activities provided that the average annual length of the school day is 5 instructional hours for elementary or 5 ½ instructional hours for secondary grades. The Commonwealth of Massachusetts, recognizing the rights of all individuals for a proper education has compulsory school attendance laws in effect (Chapter 76, Section 2 of the State Education Law):

"Every person in control of a child shall cause him to attend school as therein required, and if he fails to do so for seven day sessions or fourteen half-day sessions within any period of six months, he shall on complaint by a supervisor of attendance, be punished by a fine of not more than twenty dollars. No physical or mental condition capable of correction or rendering the child fit subject for special instruction shall avail as a defense unless it appears that the defendant has employed all reasonable measures for the correction of the condition and the suitable instruction of the child."

#### **DIRECTORY AND YEARBOOK INFORMATION**

The following public notice shall be published in the legal section of the school paper, school handbook, and local newspaper displayed on each school's bulletin board by September 1 of each year:

#### **NOTICE IS HEREBY GIVEN (6430.11):**

That Central Berkshire Regional School District, pursuant to the U.S. General Education Provisions Act declares the following directory information" as provided in said act, and that information relating to students may be made public if said information is any of the following categories:

- A. Student's name, address, telephone listing.
- B. Date and place of birth
- C. Major field of study.
- D. Participation in officially recognized activities and sports.
- E. Weight and height of members of athletic teams.
- F. Dates of attendance.
- G. Degrees and awards received.
- H. The most recent previous educational agency or institution attended by the student, and
- I. School-related photographs for use in yearbooks.

Law requires this public notice before such information can be placed in yearbooks or student directories. Any parent of any student in the district may notify the district by notifying the principal of the school in which said student attends, of the parent's desire that none of the above information may be released without the parent's consent, provided that such notification is given the district within thirty (30) days of this publication notice.

#### **EQUAL EDUCATIONAL OPPORTUNITIES (6110)**

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 all federally protected groups, including but not limited to, race, color, sex, religion, national origin, sexual orientation, disability, or homelessness.

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 advantages, privileges and course of study of such public school on account of race, color, sex, religion, national origin, sexual orientation, disability, or homelessness.

This will include all federally protected groups not specifically named.

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.

All implementing provisions issued by the Board of Education in compliance with this law will be followed.

LEGAL REFS.: Title VI, Civil Rights Act of 1964

Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972

Executive Order 11246, as amended by E.O. 11375

Title IX, Education Amendments of 1972

M.G.L. [76:5](#); [76:16](#); (Chapter 622 of the Acts of 1971)

Board of Education Chapter 622 Regulations Pertaining to Access to Equal Educational Opportunity, adopted 6/24/75, amended 10/24/78

Board of Education, Chapter 766 Regulations 10/74 - amended through 3/28/78

603 CMR [26:00](#)

*Adopted: January 24, 2008*

### **ELECTRONIC DEVICES (6505.1)**

Students shall, upon entering school, secure and not operate a CD player, electronic game, or pager. Students may possess and inconspicuously carry cell phones and portable communications devices (PCD's including PDA's with communication capabilities); however, these units must be turned off during the academic day to ensure that disruptions and interference of the instructional and academic climate of the school do not occur. Students may not use or operate cell phones or PCD's during the school day unless at the direction of teacher or administrator as part of a learning experience. The school day is defined as the time the student must report to class until dismissal. Students may use their cell phones and PCD's before and/or after school.

Students who violate the policy may face disciplinary actions by the administration. Additionally, cell phones or PCD's that are used during the day will be confiscated. The school administration may, in its sole discretion, grant exceptions to the use of electronic devices based upon critical need and appropriate documentation.

The policies contained within this handbook are subject to revision at any time. A copy of any revision will be made available upon request at the principal's office and on the district website.

### **ENGLISH LANGUAGE LEARNERS (5240)**

The District shall provide suitable research-based language instructional programs for all identified English language learners in grades Kindergarten through 12 in accordance with the requirements of state and federal statutes and Massachusetts Department of Education regulations and guidance.

The District shall identify students whose dominant language may not be English through home language surveys that identify a primary home language is other than English (PHLOTE), observations, intake assessments, and recommendations of parents, teachers and other persons. Identified students shall be assessed annually to determine their level of proficiency in the English language.

The District shall certify to the Massachusetts Department of Education each year those students whose dominant language is not English, including specification of the number of non-English languages identified as dominant languages and the number and percent of students who speak each non-English language as their dominant language.

The District shall provide additional information as required by the Massachusetts Department of Education to comply with the No Child Left Behind Act.

LEGAL REFS.:

20 U.S.C. 3001 et seq. (language instruction for limited English proficient and immigrant students contained in No Child Left Behind Act of 2001)

42 U.S.C. 2000d (Title VI of the Civil Rights Act of 1964)

603 CMR 14.00

Email: [mgeryk@cbrsd.org](mailto:mgeryk@cbrsd.org)

### **6140: HOMELESS STUDENTS: ENROLLMENT RIGHTS AND SERVICES**

To the extent practical and as required by law, the district will work with homeless students and their families to provide stability in school attendance and other services. Special attention will be given to ensuring the enrollment and attendance of homeless students not currently attending school. Homeless students will be provided district services for which they are eligible, including Head Start and comparable pre-school programs, Title I, similar state programs, special education, bilingual education, vocational and technical education programs, gifted and talented programs and school nutrition programs.

Homeless students are defined as lacking a fixed, regular and

1. Sharing the housing of other persons due to loss of housing or economic hardship;
2. Living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations;
3. Living in emergency or transitional shelters;
4. Being abandoned in hospitals;
5. Awaiting foster care placement;
6. Living in public or private places not designed for or ordinarily used as regular sleeping accommodations for human beings;
7. Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations or similar settings;
8. Migratory children living in conditions described in the previous examples;

The superintendent shall designate an appropriate staff person to be the district's liaison for homeless students and their families. To the extent feasible, homeless students will continue to be enrolled in their school of origin while they remain homeless or until the end of the academic year in which they obtain permanent housing. Instead of remaining in the school of origin, parents or guardians of homeless students may request enrollment in the school in the attendance area in which the student is actually living, or other schools. Attendance rights by living in attendance areas, other student assignment policies, or intra and inter-district choice options are available to homeless families on the same terms as families resident in the District.

If there is an enrollment dispute, the student shall be immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute. The parent or guardian shall be informed of the district's decision and their appeal rights in writing. The district's liaison will carry out dispute resolution as provided by state rule. Unaccompanied youth will also be enrolled pending resolution of the dispute.

Once the enrollment decision is made, the school shall immediately enroll the student, pursuant to district policies. If the student does not have immediate access to immunization records, the student shall be admitted under a personal exception. Students and families should be encouraged to obtain current immunization records or immunizations as soon as possible, and the district liaison is directed to assist. Records from the student's previous school shall be requested from the previous school pursuant to district policies. Emergency contact information is required at the time of enrollment consistent with district policies, including compliance with the state's address confidentiality program when necessary.

Homeless students are entitled to transportation to their school of origin or the school where they are to be enrolled. If the school of origin is in a different district, or a homeless student is living in another district but will attend his or her school of origin in this district, the districts will coordinate the transportation services necessary for the student, or will divide the costs equally.

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The district's liaison for homeless students and their families shall coordinate with local social service agencies that provide services to homeless children and youths and their families; other school districts on issues of transportation and records transfers; and state and local housing agencies responsible for comprehensive housing affordability strategies. This coordination includes providing public notice of the educational rights of homeless students in schools, family shelters and soup kitchens. The district's liaison will also review and recommend amendments to district policies that may act as barriers to the enrollment of homeless students.

LEGAL REFS.: Title I, Part C

No Child Left Behind Act, 2002

*Adopted: January 24, 2008*

Note: The name and contact information for the Homeless/Unaccompanied Youth Education Liaison is:

Student Services Director

80 Maple Street

Hinsdale, MA 01235

Tel: (413) 655-0167

Email: [mgeryk@cbrsd.org](mailto:mgeryk@cbrsd.org)

#### **RIGHTS OF NON-CUSTODIAL PARENTS**

If notified of a pending or actual divorce or separation between parents of a school-age child, the following policy and procedure shall apply:

A natural parent who is separated or divorced from the parent with legal custody of their child shall have the same rights as custodial parents in the following areas, unless these rights have been limited by court action:

- Access to their child's records.
- Visitation to observe their child, in accordance with the school's visiting policy.
- Conference with teacher to discuss their child's educational progress.

Custodial parents who wish to limit the above rights must provide the school with a copy of the relevant court document. To save children, parents, and the school from embarrassment and anguish, the following matters -if not already classified by a legal document - should be spelled out in writing by the custodial parent:

- Opportunity for the non-custodial parent to meet privately with a child in school;
- Opportunity for the non-custodial parent to take a child away from the school.

Lacking specific instructions in writing from the custodial parent or a court document on the matters in the above, school principals will assume non-custodial parents do not have these opportunities.

#### **SCHOOL COMMITTEE POLICY RELATIVE TO TECHNOLOGY**

All students are required to sign a Technology Acceptable Use Policy form prior to using any of the District's technology resources. (See Appendix C-1 of the CBRSD Policy Manual)

## APPENDIX A: INCIDENT REPORTING FORM

### I. REPORT

**1. Name of Reporter/Person Filing the Report:** \_\_\_\_\_

(Note: Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report. Please leave above blank if you want to report anonymously)

**2. Check whether you are the:** Target of the behavior ☐ Reporter (not the target) ☐

**3. Check whether you are a:** ☐ Student ☐ Staff member (specify role) \_\_\_\_\_  
☐ Parent ☐ Administrator ☐ Other (specify) \_\_\_\_\_

Your contact information/telephone number: \_\_\_\_\_

**4. If student, state your school:** \_\_\_\_\_ **Grade:** \_\_\_\_\_

**5. If staff member, state your school or work site:** \_\_\_\_\_

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**6. If you are a staff member, please indicate how you came to know about this incident. (Please attaché all relevant documents- copies of emails, notes, letters, etc.)**

**7. Information about the Incident:**

**Name of Target (of behavior):** \_\_\_\_\_

**Name of Aggressor** (Person who engaged in the behavior): \_\_\_\_\_

**Date(s) of Incident(s):** \_\_\_\_\_

**Time When Incident(s) Occurred:** \_\_\_\_\_

**Location of Incident(s)** (Be as specific as possible): \_\_\_\_\_

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**8. Witnesses** (List people who saw the incident or have information about it):

**Name:** \_\_\_\_\_ ☐ Student ☐ Staff ☐ Other \_\_\_\_\_

**Name:** \_\_\_\_\_ ☐ Student ☐ Staff ☐ Other \_\_\_\_\_

**Name:** \_\_\_\_\_ ☐ Student ☐ Staff ☐ Other \_\_\_\_\_

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**9. Describe the details of the incident (including names of people involved, what occurred, and what each person did and said, including specific words used). Please use additional space on back if necessary.**

**10. Signature of Person Filing this Report:** \_\_\_\_\_ **Date:** \_\_\_\_\_

(Note: Reports may be filed anonymously.)

**Please remember to attach all relevant prior documentation.**

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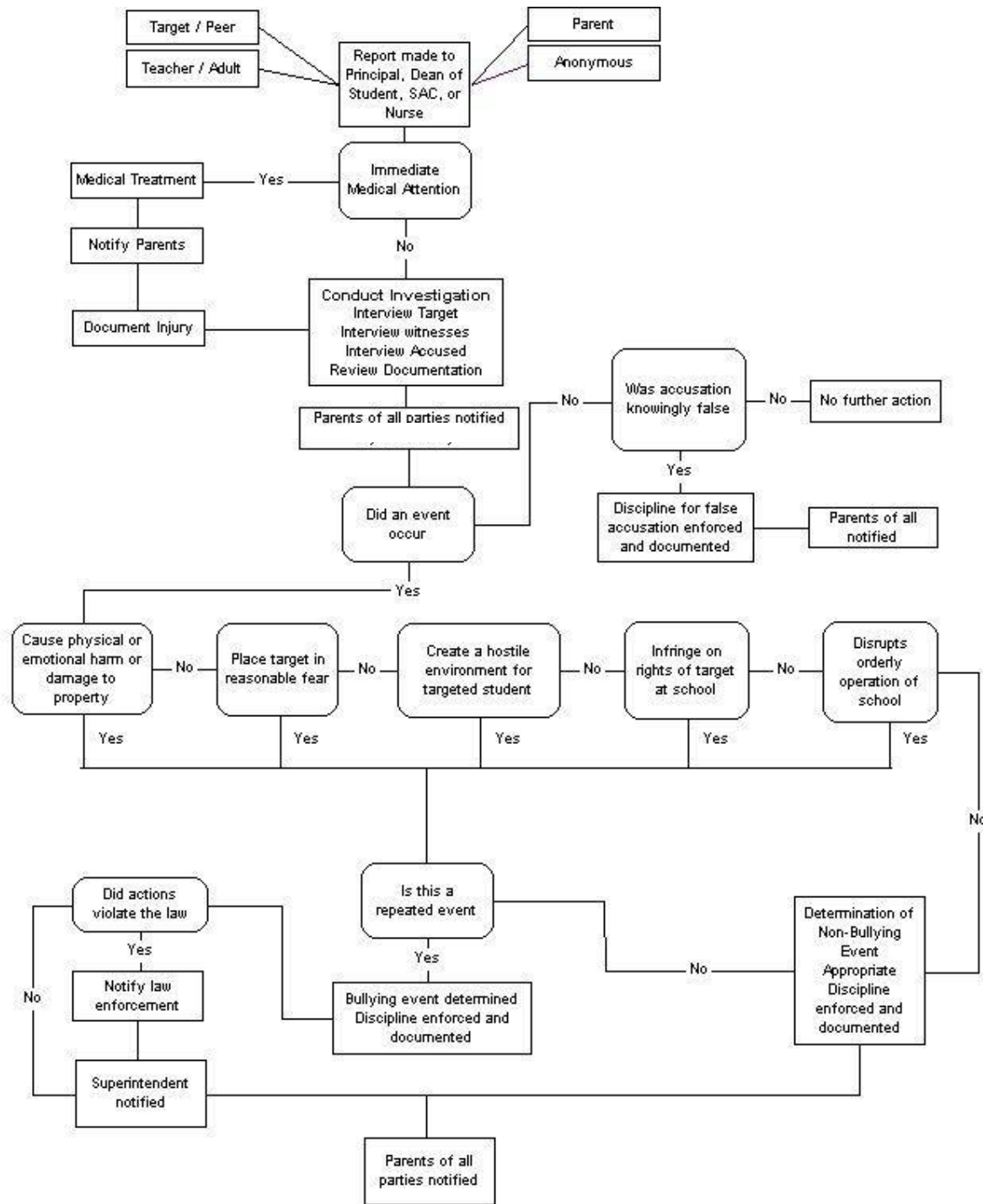
FOR ADMINISTRATIVE USE ONLY

**11: Form Given to:** \_\_\_\_\_ **Position:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date Received:** \_\_\_\_\_



APPENDIX B: INVESTIGATION AND RESPONSE FLOWCHART



**APPENDIX C: FOLLOW-UP FLOWCHART**

