

# Berlin Memorial School

## Student Handbook

2021 - 2022



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# Berlin-Boylston Public Schools

## Handbook 2021 - 2022

### Part I – General Information

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**Superintendent of Schools**

Mr. Jeffrey Zanghi  
215 Main Street, Boylston, MA  
01505  
(508) 869-2837 Ext. 1107

**Director of PPS/Berlin/Boylston  
Title IX Officer**

Ms. Karen Molnar  
215 Main Street  
Boylston, MA 01505  
(508) 869-2837 Ext. 1106

**Principal of Berlin Memorial  
School**

Mr. John F. Campbell, Jr.  
34 South Street, Berlin, MA  
01503  
(978) 838-2417

**Secretary**

Mrs. Judy Rapa  
(978) 838-2417

**School Nurse**

Ms. Ana Amaral  
(978) 838-2214

**Members of the Berlin-Boylston Regional School Committee**

Dr. Susan Henry, Chair  
Ms. Lori Hart

Ms. Julie Lee  
Mr. Michael Tottman

### Mission Statement

The mission of Berlin Memorial School is to empower each student to achieve personal excellence by fostering respect, responsibility, and resourcefulness with the support of the entire community.

### Vision Statement

We, the members of the Berlin Memorial School community, are committed to providing an excellent education that promotes respectful citizenship and rigorous academic pursuit. Each child will reach his or her potential. This will be accomplished by:

- ❖ Empowering staff to utilize current best practices to promote high academic achievement
- ❖ Aspiring to have all children reach proficiency to curriculum standards
- ❖ Differentiating instruction for various learning styles
- ❖ Encouraging social, physical, emotional academic and creative growth
- ❖ Demonstrating respect for ourselves, others, and the environment
- ❖ Fostering moral and ethical values
- ❖ Developing personal responsibility
- ❖ Appreciating the gift of diversity that is unique to all individuals

### SOAR Values

Safe, Organized, Achieve and Respect

## Berlin Memorial School's History

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During the Town of Berlin's first 150 years, students learned in various one-room schoolhouses. In March of 1951, the students moved into the first Berlin Memorial School located on Linden Street. This educational facility was named in memory of the local men and women who served their country during World Wars I and II. On the school premises, two large plaques honored the Berlin veterans. The building housed grades one through eight until the seventh and eighth graders moved into the Tahanto Regional Middle High School at its opening in 1962.

To support the growing Berlin population, a modern facility was built on South Street. In December of 1998, the new Berlin Memorial School was completed. The veterans' memorial was moved to this building and expanded to honor military personnel who served in Korea, Vietnam, the Persian Gulf, and other conflicts. The facility now houses students in pre-school through grade five, with a student population of approximately 200.

## STAFF DIRECTORY

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### **Classroom Teachers**

Angela Miller, Pre-School  
Elizabeth Bennett, Kindergarten  
Jill Walton, Kindergarten  
Julia (Brodmerkle) Flanagan, Grade 1  
Sarah Whitehouse, Grade 1  
Stephanie Woodward, Grade 2  
Amy Donahoe, Grade 2  
Melissa Tucker, Grade 3  
Debora Uliasz, Grade 3  
Kristen Collins, Grade 4  
Brittany Sheikh, Grade 4  
Pattie Romer, Grade 5  
Ms. Tia Trapasso, Grade 5

### **Special Needs Department**

Elizabeth Borstel, Special Needs Educator  
MaryJo Flatley, Physical Therapist (Consultant)  
Mary Fortier, Special Needs Educator  
Maureen Hurley, BCBA  
Mollee Langelier, Speech Language Pathologist  
Sherry Tranique, Special Education Coordinator  
Betsy Trudeau, Occupational Therapist

### **Cafeteria Staff**

Michele Baird, Cafeteria Manager  
Nicole Savoie, Cafeteria Staff  
Jen McCafferty, Cafeteria Staff

### **Special Subject Areas**

Michael Blain, ELL Teacher  
Jackie Bruss, Instrumental/Band  
Linda Checola, School Psychologist  
Sandra Eckelman, Library  
Debra Draper, Physical Education  
Amanda Fallon, Reading Specialist  
Joseph Flournoy, Math Specialist  
Lauren Kuppens, Art  
Megan Tamalavitch, Technology  
Audrey Thompson, General Music/Chorus

### **Paraprofessionals**

Karen Bjorn  
Helena Burton  
Lori Campbell  
Swetha Kapoor  
Caitlyn Lucht  
Maegan Rose  
Deb Wheeler

### **Custodial Staff**

Tom Kilcoyne



# 2021-22 School Calendar

## Berlin-Boylston Regional School District School Calendar 2021-2022

Approved 8-9-2021



July 2021						
Su	Mo	Tu	We	Th	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

August 2021 (2 Student/4 Staff)						
Su	Mo	Tu	We	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	O	PD	28
29	F	31				

O=Opening Day for Staff PD=Full Day PD for Staff  
F=First Day for Students

September 2021 (21 Student/21 Staff)						
Su	Mo	Tu	We	Th	F	S
			1	2	3	4
5	H	7	8	9	10	11
12	13	14	ER PD	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

H=Labor Day ER=Early Release PD Day

October 2021 (19 Student/20 Staff)						
Su	Mo	Tu	We	Th	F	S
					1	2
3	4	5	6	C-I	PD	9
10	H	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

C-I=Conferences at School/Early Release School Only PD=No School for Students H=Halloween Day

November 2021 (18 Student/19 Staff)						
Su	Mo	Tu	We	Th	F	S
	1	2	3	C-E	PD	6
7	8	9	10	H	12	13
14	15	16	17	18	19	20
21	22	23	ER	H	H	27
28	29	30				

H=Veteran's Day Thanksgiving C-E (Conferences at Elementary School/Early Release-Elementary School Only) ER (Early Release for Thanksgiving)

December 2021 (17 Student/17 Staff)						
Su	Mo	Tu	We	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	ER	H	25
26	V	V	V	V	V	

ER=Early Release H=Christmas V=Winter Vacation

January 2022 (19 Student/19 Staff)						
Su	Mo	Tu	We	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	ER PD	13	14	15
16	H	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

H=New Year's Day MLK Day PD=No School for Students

February 2022 (15 Student/15 Staff)						
Su	Mo	Tu	We	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	H	V	V	V	V	26
27	28					

H=Presidents Day V=Vacation

March 2022 (22 Student/23 Staff)						
Su	Mo	Tu	We	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	PD	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

PD=No School for Students

April 2022 (16 Student/16 Staff)						
Su	Mo	Tu	We	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	H	V	V	V	V	23
24	25	26	27	28	29	30

H=Patrick's Day V=Spring Vacation

May 2022 (21 Student/21 Staff)						
Su	Mo	Tu	We	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	H	31				

H=Memorial Day

June 2022 (10 Student/10 Staff)						
Su	Mo	Tu	We	Th	F	S
			1	2	3	4
GR	6	7	8	9	10	11
12	13	L	15	16	17	18
19	H	21	SD	23	24	25
26	27	28	29	30		

GR=HS Graduation L=Last Day of School H=Memorial Day

### Key:

No School for Students	Early Release Days	First / Last Day for Students	High School Graduation
CE - Elementary Conferences (early release) CT - Tahanto Conferences (early release) ER - Early Release F - First Day of School	GR - High School Graduation H - Holiday (Central Office closed) I - Interim Reports - High/Middle Schools L - Last Day of School (early release)	O - Opening Day (all faculty and staff) PD - Professional Day (full day, no students) SD - Last Day for Students if all 5 Increment Weather Days are Used V - Vacation	



## Attendance

It is the intent of the Berlin Memorial School Attendance Policy to support the school's performance objectives in the areas of academics and personal responsibility. In supporting student achievement, punctuality and attendance at school are recognized as the primary responsibility of the student and the parent/guardian. However, the school, through its attendance policy, intends to monitor and ensure regular attendance. The Education Reform Act of 1993 develops the relationship between student performance and attendance; and it also reiterates the inherent responsibility for school attendance by all three parties: the student, the parent/guardian and the school. The Reform Act describes the student as a productive contributor and an active participant in order to fulfill the purpose of the school in providing for student achievement. In the end, if students are present and on time, they will be prepared to enter into a future workforce as both competent and effective contributors to society.

Therefore, the purpose of the guidelines provided in this attendance policy is to support the view of the responsibility of the student, the parent/guardian, and the school.

### School Dismissal Manager

Berlin Memorial School uses School Dismissal Manager (SDM) to facilitate communication between home and school about attendance and dismissal. Parents are able to quickly and easily update their child's attendance, late arrivals, dismissals, and early dismissals, and this information is instantly relayed to the school. Families will receive an email in August or shortly after registering with instructions on how to set up or update their account.

### Absenteeism Procedures

For the safety and protection of the children, parents must update School Dismissal Manager before 8:30 AM to report their child absent for the day. The school will contact the home for any unreported absence. If no one can be reached at home or work, we will then try to contact those individuals listed on the emergency list. If we are unable to establish contact with any of the aforementioned, we will inform the unreported absence to the police department for investigation.

A reasonable absence is defined as an illness, a death in the family, medical procedure, a family emergency, or religious holiday. A physician's note may be required at the discretion of the principal or the school nurse.

#### I. Class Attendance

- A. Absenteeism -The principal shall meet with any student, and that student's parent/guardian, who has missed five (5) or more unexcused school days (a school day shall be equal to two (2) or more class periods in the same day) in a school year. The meeting shall be to develop action steps to improve student attendance and shall be developed jointly by the Principal or designee, the student, and the student's parent/guardian. The parties may seek input from other relevant school staff and/or officials from relevant public safety, health and human service, housing, and nonprofit agencies.

A student who is enrolled in school is expected to be present each time school is in session. The maximum absence limit in each building is five days per trimester. Absences will be treated as follows:

1. After three absences in the trimester, a form letter will be sent to the parent/guardian as a warning.
  2. After five absences in the trimester, the parent will be required to meet with the principal.
- B. Although all absences will be kept on file, tabulation of absences will begin each trimester.
  - C. Vacations taken during school time will be counted as unexcused absences and are strongly discouraged.
  - D. All notes will be given to the Main Office on the day the pupil returns to school following an absence. Notes from parents do not excuse absences, tardiness or dismissals, they just verify them. The only exception: two

parent excuses for illness as described in II E. The notes are important documentation should the request for a waiver be necessary.

E. Any student who is not in attendance for more than one-half of the school day will be considered absent.

## II. Exceptions - Absences Not Counted Toward Maximum Absence Limit

A. Death in the family (parent, sister, brother, grandparent, aunt, uncle, niece, nephew, cousin).

B. Doctor/dentist appointment – card/letter/note from physician /dentist.

C. School sponsored activities such as field trips.

D. The observance of religious holidays.

E. Parent excusal (two per trimester for illness.)

## III. Tardiness

A. Four tardies to school will be considered an absence. After four tardies a parent will be required to meet with the principal.

School is compulsory for students under the age of sixteen (16). A student may be considered truant and court proceedings initiated when the student accumulates seven (7) unexcused absences in a six-month period. (See M.G.L. c. 76, § 2).

## Dismissal

Dismissal on a regular school day will begin at **3:00 p.m.** with the dismissal of After School Program Students and Parent-Pick-up students followed by dismissal of bus students. **Early release day** dismissal will begin at **11:45 a.m.** using the same procedure. Students must return home according to their normal routine unless School Dismissal Manager is updated. Families have until 2:00 p.m. (11:00 a.m. on early dismissal days) to update their child's dismissal on SDM. Please do not email dismissal changes to either the child's teacher or the office.

In emergency situations, telephone calls to the office are accepted only for special dismissal instructions and *must* be received prior to 2:45 p.m. When students are dismissed early, an adult must enter the school and sign the student out before leaving the building.

To ensure a safe and orderly dismissal for all students, no student will be dismissed from school between 2:45 and 3:00. Parents wishing to pick up their child during this time will need to use the parent pickup line. Exceptions to this policy can be made on a case-by-case basis by the building principal.

## Accessing the Building After Hours

Access to the building after 3:00 p.m. is limited to scheduled appointments or activities. Students are responsible for bringing home materials and assignments for homework. If a student forgets an assignment or belonging that is considered essential, the student or parent may have access to the classroom between 3:00 p.m. and 4:00 p.m. Visits to the classroom after hours are made in the presence of a school staff member.

# Behavior

## Social Curriculum/PBIS

As a result of the 2010 Massachusetts Senate Bill No. 2313: “An Act Relative To Bullying In Schools,” our school system was required to adopt a comprehensive school-wide social curriculum and to begin its implementation in the fall of 2012.

Upon a rigorous curriculum review, Berlin Memorial School and Boylston Elementary School adopted the Caring School Community (CSC) program. Working in conjunction with PBIS, this supports our students in developing the requisite skills to be successful in life. General information about CSC can be found at [www.collaborativeclassroom.org](http://www.collaborativeclassroom.org).

PBIS (Positive Behavioral Interventions & Supports) is a tool to support student learning. General information about PBIS can be found at [www.pbis.org](http://www.pbis.org).

One of the basic pillars of the PBIS’s foundation is the belief that all expected behaviors must be taught and reinforced. Our BMS “SOAR” expectations are “Respect Ourselves, Respect Others, and Respect the Environment”. Everything we do at BMS will come from these three expectations.

### BMS Matrix for Positive Behavior

	Respect Ourselves	Respect Others	Respect the Environment
Hallway	<ul style="list-style-type: none"><li>▪ Walk to stay safe</li></ul>	<ul style="list-style-type: none"><li>▪ Stay to right</li><li>▪ Stay in line</li><li>▪ Show courtesy to other classrooms</li><li>▪ Keep hands and feet to self</li><li>▪ Use appropriate language</li></ul>	<ul style="list-style-type: none"><li>▪ Keep hands off walls and work</li><li>▪ Keep hallways clean</li></ul>
Playground	<ul style="list-style-type: none"><li>▪ Follow playground safety rules</li><li>▪ Play safely</li><li>▪ Dress for weather</li><li>▪ Stay within playground boundaries</li></ul>	<ul style="list-style-type: none"><li>▪ Invite others to play</li><li>▪ Take turns</li><li>▪ Tell an adult if injured</li><li>▪ Play cooperatively with others</li><li>▪ Problem-solve with an adult</li><li>▪ Use appropriate language</li></ul>	<ul style="list-style-type: none"><li>▪ Use playground equipment properly</li><li>▪ Don’t litter</li><li>▪ Pick up clothing</li><li>▪ Protect <u>all</u> living things</li></ul>
Bathroom	<ul style="list-style-type: none"><li>▪ Sign out in log</li><li>▪ Use and flush the toilet responsibly</li><li>▪ Wash your hands with soap</li></ul>	<ul style="list-style-type: none"><li>▪ Respect privacy of others</li><li>▪ Use soft voices</li><li>▪ Wait your turn</li><li>▪ Use appropriate language</li></ul>	<ul style="list-style-type: none"><li>▪ Keep room clean</li><li>▪ Throw paper towels in the trash</li><li>▪ Report problems to teacher</li></ul>
Bus	<ul style="list-style-type: none"><li>▪ Walk to and from bus</li><li>▪ Sit in assigned area</li><li>▪ Remain seated</li><li>▪ Hands &amp; feet to self</li></ul>	<ul style="list-style-type: none"><li>▪ Use quiet voices</li><li>▪ Hands &amp; feet to self</li><li>▪ Obey bus driver</li><li>▪ Follow bus rules</li><li>▪ Use appropriate language</li></ul>	<ul style="list-style-type: none"><li>▪ Keep bus clean</li></ul>
Assemblies	<ul style="list-style-type: none"><li>▪ Stay in your space</li></ul>	<ul style="list-style-type: none"><li>▪ Keep hands to self</li><li>▪ Use bathroom before assembly</li><li>▪ Listen quietly and attentively</li><li>▪ Show appreciation with good manners and applause</li><li>▪ Use appropriate language</li></ul>	<ul style="list-style-type: none"><li>▪ Stay seated on chair or floor</li></ul>

Cafeteria	<ul style="list-style-type: none"> <li>▪ Stay in your seat</li> <li>▪ Focus first on your food</li> <li>▪ Use only your money</li> </ul>	<ul style="list-style-type: none"> <li>▪ Use table manners</li> <li>▪ Use your inside voice at your table</li> <li>▪ Raise hand to be excused</li> <li>▪ Follow directions</li> <li>▪ Line up quietly</li> <li>▪ Use appropriate language</li> <li>▪ Touch and eat only your own food</li> </ul>	<ul style="list-style-type: none"> <li>▪ Clean up your space</li> <li>▪ Throw away trash properly</li> <li>▪ Keep food where it belongs</li> </ul>
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## Dress Code

- Students are expected to attend school well-groomed and wear clothing conducive to a safe, healthy and positive learning environment.
- Shirts with messages or pictures that are deemed offensive or that advertise alcohol, tobacco, sex or drugs are not permitted in school.
- Clothing must not expose bare backs, midriffs or underwear.
- Footwear should provide a firm walking surface and good balance. Loose or untied laces, flip-flop style sandals that are open-toed or have strapless backs, "wheelie sneakers", or bare feet present a danger to student safety and are therefore prohibited.
- Hats may be worn outside school only and should be removed upon entering the building.
- Form-fitting pants (such as yoga pants and leggings) must be accompanied by a shirt which extends below a student's fingertips. Skirts or shorts must extend below a student's fingertips.
- Excessively ripped or torn garments are not permitted.

## Electronic Devices

Students in grades four and five may be given permission to utilize electronic devices in the school at specified times according to the rules of the classroom teacher and through the permission of their family in accordance with the BERLIN – BOYLSTON TECHNOLOGY ACCEPTABLE USE POLICY.

The following rules must be adhered to if a student in these grades is to possess an electronic device in the school:

1. Parents are responsible for granting permission for their child to bring in the device, to use it responsibly, and to transport it safely. The school will not be held responsible for any device that is lost, stolen, or broken.
2. Electronic devices may be used for educational purposes by the owner of the device. These devices may not be used on the playground, during recess, in the cafeteria, or on the bus. They can, however, be used during independent reading time, for presentations, and any other times made available by teachers and the after-school program facilitators.
3. School staff members, including classroom teachers, will not be responsible for repairing or trouble-shooting problems on the electronic devices. Students should know how to turn devices on/off, operate them in silent mode, and access information as needed.
4. Cell phone use is not permitted by students in the school. All cell phones in the possession of students must be turned off prior to entering the school building and remain off for the school day.

5. An Electronic Device Parent/Guardian Permission Form must be signed by both the parent and student and returned to the classroom teacher before a student is permitted to use the device.

## Field Trips

Field trips are opportunities for students to participate in learning experiences outside the classroom. They are intended to provide meaningful first-hand observations and interactions involving a particular unit of study. Permission to attend is required from parents, and permission slips are sent home a week prior to the trip.

## Lost and Found

Parents are encouraged to label their children's outer clothes, footwear, lunchboxes and lunch bags. Lost articles found on school property are brought to the school office. Unclaimed clothing is donated to a local charity at the start of each school break throughout the course of the school year.

## Recess

All students in kindergarten – fifth grade will have one recess immediately before lunch for a period of thirty minutes including approximately five minutes provided for hand washing in preparation of lunch. School personnel supervise both indoor and outdoor recess. During fair weather, students participate in outdoor recess. As a general rule, outdoor recess will be held if the air temperature **with** windchill is above 20 degrees and there is no precipitation. Parents are asked to provide appropriate outdoor attire according to the weather forecast.

## School Parties

School parties may be held up to four times each year during fall, winter, and spring. Classroom teachers maintain responsibility for organizing classroom parties through class parents. The class parent and/or classroom teacher is responsible for providing a food menu to the school nurse at least one week prior to the party for approval.

## Sign-in Policy

All school visitors must check in at the secretary's desk and sign the visitor's logbook at which time they are issued a visitor or volunteer badge. Visits to classrooms are permitted during pre-arranged appointments and/or scheduled volunteer times only. Student safety and security are of primary importance. All visitors should return to the secretary's desk upon completion of their visit, sign out of the logbook, and return the badge they were issued.

## Volunteer Opportunities

All schools are required by law to conduct criminal background checks on current and prospective employees, volunteers, school transportation providers, and others who may have direct and unmonitored contact with children. In order to be in compliance with this law entitled, *An Act Further Protecting Children*, the Berlin Boylston Regional School District asks that all volunteers complete a CORI Request Form so that a criminal background check can be made. All information obtained is strictly confidential and secure systems are in place to prohibit any unauthorized dissemination of information. Parents are invited to support and learn more about the school through a variety of volunteer opportunities.

## Classroom Helpers

Classroom teachers may elect to utilize classroom helpers. This is discussed at the September Open House by the individual classroom teachers.

## Parent/Teacher LINK, Inc.

LINK, Inc. is a non-profit agency comprised of parents, teachers and community members that meet with the Principal and serve as a LINK between the community, home and school. Meetings are held the first Thursday of every month, and new members are welcome. Fundraising activities sponsored by LINK benefit the school in many areas. All officers are elected by LINK, Inc. in the fall. These individuals solicit the help of parents in a variety of areas throughout the school year. Areas requiring assistance include library helpers, clerical support, classroom coordinators, story readers, fundraising events etc.

## School Council

School Council is a committee composed of the Principal, parents, teachers and community members. They serve in an advisory role to the Principal in school related matters and develop the school's annual improvement plan. Parents are elected to the School Council through an election held by LINK, Inc.

## SEPAC

SEPAC is the Special Education Parent Advisory Council. This advisory group (required for every school district) supports parents and guardians of children who have an IEP, 504 accommodation or Out-of-District placement. This group also advises the administration on matters that pertain to Special Education. SEPAC meets monthly to discuss issues related to school success, legislative and socialization issues for children and to provide support to parents. Membership is free and open to all parents and guardians of children with special needs as well as other interested parties. Meeting dates and topics are posted at each school monthly as well as at: [www.sepac-berlin-boylston.org](http://www.sepac-berlin-boylston.org).

## SOAR (Senior Outreach Assisted Reading)

The SOAR program is comprised of senior community members who donate their time to listen and read with young children. From October through the end of the school year, students in grades K-3 are paired with a senior volunteer. Students spend a half-hour, per week, reading with senior volunteers. This special one-on-one attention benefits both student and senior citizen.

## Transportation

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### Bikers and Walkers

Students with written parental permission may walk or ride their bicycles to school. All students must follow safety rules, and bicyclists are required to wear approved safety helmets.

### Pick-up Procedures

- **Students must have a note** on file or a note for the day of pick-up
- **Drivers line-up along the side entrance sidewalk.** The first car should park at the farthest point possible toward the town fields.
- **Drivers should remain in their vehicles except in extenuating circumstances.** We encourage children to independently walk to their vehicle, get in and buckle-up. This expedites the dismissal process and builds independent living skills.
- Children should enter the vehicle from the passenger side whenever possible.
- Once the first car in line has been loaded, cars will begin to move and drive away. Passing in the PPU line is not permitted unless the school attendant directs drivers to do so.
- When the first group of cars has moved, a new group of cars will take their position along the sidewalk proceeding all the way to the far end. The "stop" sign will be displayed.

- Students will not be allowed to move to their vehicles until all cars have come to a stop. This can take several moments. Drivers should remain in their vehicles.
- If a student does not see his/her vehicle, or if a student is not waiting in the PPU area, the driver can beep or wave to the attendant. He or she will radio to the bus or appropriate person and find the student.
- In some instances, the driver may be asked to pull forward to allow for other cars to pass while a child is located. The child will be safely escorted to the vehicle once he/she is found.
- If a driver arrives after the pick-up time, his/her child/children will be watching and waiting from the bench near the secretary's desk. Drivers may enter into the bus turn-around to pick up children as long as the busses are gone. Children are asked to notify the secretary when their ride arrives.

## School Bus

Students privileged to ride the school bus are expected to conduct themselves respectfully. The bus driver has the right to assign students seats on the bus and maintain a standard of discipline that ensures safe travel. Violations of bus conduct are reported in writing to the Principal. Violations of bus conduct including disrespectful, inappropriate language and behavior toward other students and/or the bus driver, and behavior that jeopardizes the safety of bus passengers and/or the bus driver may result in suspension from the school bus for a period of time determined under the discretion of the school principal.

## Communication

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### General Communication

Notices are sent home regularly to keep parents informed of school activities. School-wide communication is done weekly by the principal, through email. In addition, a good deal of information can be found on the school website ([www.bbrsd.org](http://www.bbrsd.org)). Further, a newsletter will be sent home at least once a month by the classroom teacher. Questions concerning school are answered any time during the school day (978-838-2417).

### Parent/Teacher Communication

When school and home cooperate, the student benefits. Parents are urged to discuss any concerns initially with the teacher. If the matter is not satisfactorily resolved, the parent then contacts the Principal, followed by the Superintendent of Schools, and if needed, the School Committee, until a satisfactory outcome is reached.

## Academic Assessments

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### Homework

Homework is given to supplement classroom lessons. It is at the discretion of the teacher in accordance with the needs of students. Assignments reinforce and extend projects and concepts introduced in class. Additionally, homework teaches students to organize their time, work independently, use good study skills and develop self-discipline. It is strongly recommended that students do not miss school due to family vacations during non-school vacation weeks. It is not always possible for teachers to provide students with make-up assignments or missed schoolwork and instructional time.

Homework expectations progress from kindergarten to grade 5. Homework is rarely given to kindergarten students. Occasionally, the kindergarten student may be asked to bring in a picture or an object that



relates to a topic of study. Assignments increase in frequency and estimated time spent as grade levels progress. General guide lines follow:

- Grade 1 - two to three times a week
- Grade 2 - two to three times a week
- Grade 3 - three to four times a week - 30 to 45 minutes
- Grade 4 - four times a week - 45 to 60 minutes
- Grade 5 - four times a week - 45 to 60 minutes

At times, special projects may involve weekend work as well. At the half year, homework is increased to provide for a gradual transition to the next grade level's expectations. Parents should emphasize the importance of homework while acknowledging the student's responsibility. Homework marks are calculated into the subject grade. Failure to do homework can result in lower grades.

## MCAS Testing Schedule

The following is a list of tests to be administered during the school year for the respective grade levels:

- Grade 3 – MCAS End of Year Assessments - English Language Arts/Mathematics
- Grade 4 – MCAS End of Year Assessments - English Language Arts/Mathematics
- Grade 5 – MCAS End of Year Assessments - English Language Arts/Mathematics  
MCAS Science, Technology and Engineering

## Benchmark Assessments

Benchmark assessments are tests that monitor student's progress within specific subject areas over the course of the school year. Students in Kindergarten through Grade Five are assessed in Reading and Math through the use of Aimsweb testing. More specific information regarding these assessments is presented each year during Open House in September.

The results of all tests are communicated to the parents. The Principal is available to discuss the significance of the results.

## Report Cards

Report cards are issued three times per year in December, March and June for students in grades PreK-5. Parent-Teacher conferences are scheduled in early November. During the conference, teachers discuss social and emotional development as well as the student's academic achievements. Parents provide additional insight as to the student's home behaviors. Additional Parent-Teacher conferences may be scheduled to supplement the reporting system and can be requested by either a parent or teacher.

## Promotion and Retention

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Students are distinct individuals with widely varying abilities, rates of growth and achievement, social and emotional development, and need for instruction and type of instruction. To determine each student's needs, the teacher evaluates achievement level, maturity level, personal strengths and deficiencies, emotional and school adjustment, and special interests. A variety of instructional approaches are incorporated into the student's learning environment to meet the needs of each individual.

As the year progresses, the teacher continually evaluates the student's progress. For most students, promotion each year is the desirable practice. Certain considerations for retention include, but are not limited to:

- Immaturity and lack of readiness for the next grade
- High absenteeism affecting student performance
- Poor academic performance

If retention is considered, the teacher discusses the matter with the Principal and informs the parents of this possibility. Progress will continue to be monitored closely. Additional parent conferences are scheduled from January through April. If promotion is still in question at the end of the third marking period (April), the Principal and teacher meet to discuss the student's progress and develop a tentative plan for the following year. This plan may include promotion with support help, promotion with a program provided in a special education classroom or retention with an individually designed program. The parents are then invited to a conference to discuss this plan.

In May/June, the Principal, teacher and parents meet again to discuss the final plan for placement. A written summary of the meeting is placed in the student's folder and a copy is sent to the parents. The placement decision is included in this communication. Parents are required to indicate agreement or disagreement with the plan. In the case of disagreement, the school considers parental input and attitudes, but, by law, the final determination rests with the school.

## Student Records

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### Annual Notification

Parents are notified of the Family Educational Rights and Privacy Act (FERPA) rights annually.

### Directory Information

The district designates the following items as "directory information": student name, town or residence, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, most recent previous school attended, and photograph. The district may disclose any of those items without prior written consent, unless notified in writing to the contrary.

All persons collecting or using personally identifiable information on educationally handicapped students must receive instruction regarding the state and federal policies and procedures regarding the confidentiality of personally identifiable information.

### Procedures to Inspect a Student's Educational Record

Parents of students may inspect and review student educational records upon written request. The Principal (or other designated school official) arranges access as promptly as possible and notifies the parent or eligible student of the time and place for record inspection. Access must be given in 45 days or less from the receipt of the request. When a record contains information about students other than the eligible student, the portion pertaining to other students may not be inspected or reviewed.

### Correction of Education Records

Parents or eligible students have the right to ask to have records corrected that they believe are inaccurate, misleading, or in violation of their privacy rights. Following are the procedures for the correction of records:

1. Parents or the eligible student must request in writing that the district amend the record. In so doing, they should identify the part of the record they want changed and specify why they believe it is inaccurate, misleading or in violation of the student's privacy or other rights.

2. The district may comply with the request or it may decide not to comply. If it decides not to comply, the district will notify the parents or eligible student of the decision and advise them of their right to a hearing to challenge the information believed to be inaccurate, misleading, or in violation of the student's rights.
3. Upon written request, the district will arrange for a hearing and notify the parents or eligible student, reasonably in advance, of the date, place, and time of hearing.
4. A hearing officer who is a disinterested party will conduct the hearing; however, the hearing officer may be an official of the district or superintendency union. The parents or eligible student will be afforded a full and fair opportunity to present evidence relevant to the issues raised in the original request to amend the student's education records. One or more individuals may assist the parents or student, including an attorney.
5. The district will prepare a written decision based solely on the evidence presented at the hearing. The decision will include a summary of the evidence presented and the reason for the decision.
6. If the district decides that the challenged information is not inaccurate, misleading, or in violation of the student's right of privacy, it will notify the parents or eligible student that they have a right to place in the record a statement commenting on the challenged information and/or a statement setting forth reasons for disagreeing with the decision.
7. The statement will be maintained as part of the student's education records as long as the contested portion is maintained. If the school district discloses the contested portion of the record, it will also disclose the statement.
8. If the district decides that the information is inaccurate, misleading, or in violation of the student's right of privacy, it will amend the record and notify the parent or eligible student, in writing, that the record has been amended.

## Fees for Copies of Student Records and Public Records

### Student Records

The Berlin-Boylston Public Schools reserves the right to charge a fee of \$0.05 per page for student records in excess of 10 pages. There is no fee to parents who wish to inspect or review material, or for searching and retrieving information.

### Public Records

The Berlin-Boylston Public Schools reserves the right to charge \$0.05 per page for black and white paper copies or printouts for public records in excess of ten pages if they are not able to be transmitted electronically. A good faith estimate for the cost of complying with a public record request will be provided when the cost is expected to exceed \$10.00

### Refusal to Provide Copies

The district understands it cannot deny parents access to their children's records, except those records excluded under FERPA, and the district is required to describe the circumstances in which it may deny parents a copy of the student's education record. Example: if the record involves answers to a standardized test, the district will not provide a parent a copy of the standardized test questions.

### Transfers

When a family leaves the community for another place of residence, student records will be issued to the new school based upon a request from the parents or the new school. If the student is going to a

public school in Massachusetts, a records release is not required. Student records may be sent via email, fax or the U.S. Postal Service to the new attending school. Copies of pertinent information from the student records will be made available to parents for hand delivering to the new attending school upon parental request.

## Programs/Services

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### Before & After School Programs

School lessons and activities are offered throughout the year. Information about some of these activities is available in the school office. Other programs sponsored by private organizations also make information available to parents and students.

### Cafeteria Services

The cafeteria staff's goal is to prepare and serve nutritious meals to the students and staff at Berlin Memorial School. School lunches meet the nutritional standards and follow the Dietary Guidelines set forth by the National School Lunch Program. Each meal consists of all five required meal components needed to provide a balanced and healthful diet to the children.

The cost of school lunch is \$3.00. Families are *strongly* encouraged to utilize the on-line payment system through [myschoolbucks.com](http://myschoolbucks.com). Lunch and milk money can also be collected from students in the cafeteria at the point of sale. Free and reduced lunch rates are available. Notification will be sent home for anyone owing money. Payment should be directed to the cafeteria manager. Checks should be made out to Berlin Memorial School. Special Note: Nut-free tables and lunch lines are available in the cafeteria during each lunch. Students with nut allergies use these services. Any student with nut-free lunches may also sit at these designated tables. Questions regarding cafeteria services can be directed to the Cafeteria Manager, Michelle Baird, at [mbaird@bbrsd.org](mailto:mbaird@bbrsd.org).

### Chorus/Band

Chorus and band are offered as music electives in grades 4 and 5. These classes meet once per week during a scheduled activity period. Students in grades 4 and 5 can elect to participate in either or both groups. Students who participate in band and/or chorus are expected to commit for the full year. All performances are mandatory.

Group instruction with the band director is mandatory for all instrumental music students. This instruction takes place once per week during the regular school day. Students must accept the responsibility of missed class work due to instrumental music and/or chorus instruction.

### Library

The school library is open for student use. Each grade level has a designated time for a weekly visit. Classes also use the library for research projects. Students borrow books and their timely return is expected. Reminders about overdue books are sent to students. If a library book is lost, parents are notified and assume the cost of the lost book.

### Special Education Programs

Special education programs, as mandated by the State, are designed to assist students who are unable to progress effectively in a regular education program because of a diagnosed disability. Children as young as three years of age may be evaluated and/or receive services provided by this program. The

program is constructed to offer assistance in the areas of academic instruction and support, speech and language therapy, occupational therapy, physical therapy, counseling etc.

A team comprised of parents, teachers, administrators and special education specialists create an individualized education program to best meet the needs of students diagnosed with disabilities.

## Health

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### Accident reports

Accident reports are completed regarding any accident that may require medical intervention. Accidents involving the head, no matter how slight the injury may appear, are reported to the parent.

### Emergencies or Illnesses at School

In the event of a student emergency or illness at school, every effort is made to contact the parent/guardian. One of the two emergency contacts (relatives or friends) is called if the parent/guardian is unavailable. It is important that emergency/cell telephone numbers are current.

### Illness and School Attendance

The school follows the recommendations of the MA. Dept. of Public Health School Health Unit regarding school attendance during a student's illness. The School Health Unit amends these recommendations as illness trends change in the state. Current guidelines will be sent home to each family at the start of the school year as part of the Health Office Packet. Updates will be sent home during the school year as needed.

### Exams and Screenings

- ✓ Vision screening: Pre-school – 5<sup>th</sup> grade
- ✓ Hearing screening: Pre-school – 3<sup>rd</sup> grade
- ✓ Height/weight/BMI: 1<sup>st</sup> and 4<sup>th</sup> grade
- ✓ Postural screening: 5<sup>th</sup> grade

**NOTE:** These screenings are done if not performed during the current school year by the student's physician. If you do not want your child to participate in the above screenings, please notify the School Nurse in writing at the beginning of the school year.

### School Nurse Hours: 8:15 a.m. – 3:15 p.m.

The school nurse maintains health office hours daily between 8:10AM and 3:15PM. Call (978) 838-2214 with questions or concerns or leave a voice message. Each September students receive an Emergency and Health Update form to be completed and returned immediately.

### Health Records

Health records for students are maintained in the Nurse's Office. Each year the school nurse provides teachers with all student specific medical requirements. Changes in student health must be reported to the school nurse to maintain accurate health portraits.

### Health Requirements and Immunizations Needed for School Admission

All students entering Kindergarten and 4<sup>th</sup> grade are required to provide a current physical, performed within the 12 months prior to admission.

All students entering Kindergarten and all students transferring into the school must meet the current immunization requirements of the Commonwealth of Massachusetts. **BEFORE ATTENDING THE FIRST DAY OF SCHOOL, THE FOLLOWING IMMUNIZATIONS ARE REQUIRED:**

- ✓ 5 doses of DTaP/DPT
- ✓ 3 doses of Hepatitis B
- ✓ 4 doses of polio
- ✓ 2 doses of MMR
- ✓ 2 doses of varicella

In addition, each incoming Kindergarten student must supply a physical exam done within the 12 months prior to starting school AND results of a lead screening test. Medical exemptions to immunizations require written documentation by the health care provider. Religious exemptions to immunizations require a signed parental letter stating the immunizations are contrary to their religious beliefs.

## Health and Wellness

BMS is committed to the safety and well-being of all students and staff. It has adopted a Health and Wellness Policy that promotes a healthy and safe environment. Anaphylaxis Procedures are in place to accommodate children with life threatening allergies. In order to ensure the safety and well-being of our students with Peanut/Tree Nut allergies, the following procedures are in place:

- Peanut/Tree Nut free table is available in the lunchroom.
- No peanut or nut products during snack time in classrooms with allergic students.
- Treats for holidays must be peanut and tree nut free.
- Hand-wipes for students at recess after snack and lunch to prevent cross contamination on playground equipment.
- **Food will no longer be included as part of birthday acknowledgements.**

## Medication

According to Massachusetts General Law (M.G.L.) Chapter 112, Section 80 B, "a licensed nurse must have a written medication order from a physician, dentist, nurse practitioner or physician's assistant in order to administer **prescription or over-the-counter medication.**

All medications given at school need a doctor's order and written parent permission. Forms are available in the Nurse's Office. **No child may transport medications to and from school. An adult must bring medications to the Nurse's Office. Parents should pick up unused medication at the end of the school year.**

## Health Education

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Good health depends upon continuous life-long attention to scientific advances and the acquisition of new knowledge.

The School Committee believes that the greatest opportunity for effective health education lies within the public schools because of their potential to reach children at the age when positive, lifelong health habits are best engendered and because the schools are equipped to provide qualified personnel to conduct health education programs.

The School Committee is committed to a sound, comprehensive health education program as an integral part of each student's general education.

The health education program will emphasize a contemporary approach to the presentation of health information, skills, and the knowledge necessary for students to understand and appreciate the functioning and proper care of the human body. Students also will be presented with information regarding complex social, physical and mental health problems, which they might encounter in society. In an effort to help students make intelligent choices on alternative behavior of serious personal consequence, health education will examine the potential health hazards of social, physical and mental problems existing in the larger school-community environment.

In order to promote a relevant, dynamic approach to the instruction of health education, the School Committee will continue to stress the need for curricular, personnel, and financial commitments that are necessary to assure the high quality of the system's health education program.

LEGAL REF.: M.G.L. 71:1

## School Emergency and Safety Procedures

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### No School Signal

In case of inclement weather or emergency dismissal, television coverage will be broadcast on channels 4, 5 and 7. The Superintendent of schools will send an automated phone message through Phone Messenger to all families and staff in the BMS community announcing either close of school or a delay. Delayed openings may be 1 or 2 hours. When there is a delay, start time is 9:25 or 10:25. If there is a two-hour delay, preschool sessions are cancelled.

### Emergency Plans and Dismissal

In accordance with State and Federal Regulations, Berlin Memorial School has put in place safety procedures to be implemented if a potential danger to the school community is suspected. Each of these procedures is tailored to the situation at hand and disclosing the procedural steps/information to the community may compromise the safety of the school community. These include FIRE, STAY PUT, EVACUATION and LOCK DOWN procedures. Practicing these procedures is of utmost importance. We begin in September and will continue throughout the school year. In addition, by law, we are required to have a practice fire drill on a quarterly basis. Prior to the actual practices, staff members review these procedures with their classes so that the students understand what each practice is. The School Safety Committee is continuously updating emergency plans to ensure that all students are kept safe at all times. If any of the plans need to be put in place, parents will receive a phone school messenger via the Superintendent, Principal or Principal designee informing them of the procedure to be followed. Parent cooperation in following the stated procedure is imperative. Having accurate and complete emergency information at school for each student is important. Any changes in work or cell phone numbers should be sent to the office.

### The Crisis Management Procedure Manual

The Crisis Management Procedure Manual can be found in every classroom. The abbreviated version is with the Manual in the form of a flip chart. The Manual is a combined effort of all members of the Safety Committee. This Committee includes the School Principal, the School Nurse, the School Psychologist, the Head Custodian, members of the Police Department and Fire Department, the Safety Officer, and members of the Rescue Squad. Enclosed in the Manual are the procedures for several emergency situations, should they occur here at Berlin Memorial School.

Every staff member of Berlin Memorial School has reviewed these procedures thoroughly. We will have periodic drills on these procedures throughout the year. All of our substitute teachers have also



reviewed the Manual and signed a confidentiality statement regarding the procedures and code phrases, etc. These practices are in place to ensure the safety of all of our staff and students. Please notify a member of the Safety Committee with any concerns or questions.

## Code of Conduct/Discipline

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Good citizenship in schools is based on respect and consideration for the rights of others.

Students will be expected to conduct themselves in a way that the rights and privileges of others are not violated. They will be required to respect constituted authority, to conform to school rules and to those provisions of law that apply to their conduct. The purpose of a clear and firm discipline code is to assure that all students are exposed to a safe and secure school environment conducive to learning. The following rules are set up for the safety, welfare and positive learning environment of all Berlin Memorial School.

### School Rules

At all times, students will:

- Show respect for themselves, others, property and the community.
- Keep hands and feet to themselves - no physical contact is allowed.
- Be tolerant and accepting of individual differences. The Berlin-Boylston Regional Public Schools do not discriminate on the basis of age, race, color, national origin, ancestry, sex, sexual orientation, gender identity, religion, creed, disability, veteran status, genetic information, homelessness or any other class protected by state or federal law. Bullying is not allowed (see Appendix B).
- Not possess distracting or potentially harmful objects. These include but are not limited to weapons and/or toy weapons, or any object that poses a concern for the safety and well-being of any individual in the school building.
- Remain on the premises at all times.

### Bus

Students will:

- Dress properly for the weather conditions. Make sure all drawstrings, ties, straps etc. on all clothing, backpacks and other items, are shortened or removed to lessen the likelihood of them getting caught in the bus doors, railings or aisles.
- Arrive on time at the bus stop and stay away from the street while waiting for the bus.
- Stay away from the bus until it stops completely and the driver signals you to board. Enter in single file without pushing. Always use the handrail.
- Take a seat right away and remain seated facing forward. Keep their hands, arms and head inside the bus.
- Help keep the bus neat and clean. Keep belongings out of the aisle and away from emergency exits. Eating and drinking are not allowed on the bus.
- Listen to the driver's instructions. Be courteous to the driver and other students. Sit with their hands to themselves and avoid making noises that would distract the driver or bother other passengers. Remain seated, keeping their hands, arms and head inside the bus at all times.
- Wait until the bus pulls to a complete stop before standing up. Use the handrail when exiting the bus.

- Stay out of the danger zone next to the bus where the driver may have difficulty seeing them. Take five giant steps away from the bus and out of the danger zone, until they can see the driver and the driver sees them. Never crawl under a bus.
- Cross the street after they get off the bus, wait for the driver's signal and then cross in front of the bus. Cross the street only after checking both ways for traffic.
- Never run back to the bus, even if they have dropped or forgotten something.

## Classroom Rules

Classroom rules reflect Berlin Memorial School's CORE Values. These rules are presented to parents at Open House in September. It is important that all students comply with these rules.

## Smoking on School Premises

Use of any tobacco products, or tobacco related products such as e-cigarettes or vaping devices, within the school buildings, school facilities, or on school grounds or school buses by any individual, including school personnel and students, is prohibited at all times. A staff member determined to be in violation of this policy shall be subject to disciplinary action.

A student determined to be in violation of this policy shall be subject to disciplinary action pursuant to the student discipline code.

## Disciplinary Action

The purpose of a clear and firm discipline code is to ensure a safe and secure learning environment and to support BMS' Core Values. A variety of disciplinary actions are employed based on the nature and frequency of misbehavior or violation. Appropriate procedures shall be taken in the discipline of students with disabilities.

### Loss of Privileges

A student may be excluded from activities, special school programs or field trips based on repeatedly being uncooperative in school or improper behavior. If a student is to be excluded from attending a field trip or special activity, the principal makes this determination and notifies the parents. Students are expected to be in attendance at school regardless of the exclusion from the activity.

### Detention

Assignment to detention may be made for offenses designated as "Level 3" in the BMS PBIS handbook, excessive repetition of offenses or for insubordination.

- A teacher or the principal assigns a detention.
- Parents will be notified.
- It is monitored by the principal.
- Detentions are served Monday through Friday from 3:05 p.m. - 3:45 p.m.

### Suspension/Expulsion

Any of the following actions may subject a student to expulsion by the Principal under the terms of M.G.L. 71:37H, such as, but not limited to the following:

1. Found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon or a controlled substance.
2. Who assaults a Principal, Assistant Principal, teacher, teacher's aide or other educational staff member on school premises or at school-sponsored or school-related event including athletic games.

Any of the following actions will subject a student to disciplinary action, which may include suspension or expulsion:

1. Intentionally causing or attempting to cause damage to school property; or stealing or attempting to steal school property.
2. Intentionally causing or attempting to cause damage to private property; stealing or attempting to steal private property.
3. Intentionally causing or attempting to cause physical injury to another person except in self-defense.
4. Using or copying the academic work of another and presenting it as his/her own without proper attribution.
5. Repeatedly and intentionally defying the valid authority of supervisors, teachers, or administrators.

The School Committee believes that all students deserve every opportunity to achieve academic success in a safe, secure learning environment. Good citizenship in schools is based on respect and consideration for the rights of others. Students will be expected to conduct themselves in a way that the rights and privileges of others are not violated. They will be required to respect constituted authority, to conform to school rules and to those provisions of law that apply to their conduct.

Each Principal shall include prohibited actions in the student handbook or other publication and made available to students and parents.

Principals and staff shall not use academic punishment of any form as a consequence to inappropriate behaviors/actions by students.

The Principal may, as a disciplinary measure, remove a student from privileges, such as extracurricular activities and attendance at school-sponsored events, based on the student's misconduct. Such a removal is not subject to the remainder of this policy, law, or regulation.

## Community Use of School Property

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The Superintendent is authorized to make the facilities of school buildings available to community groups under certain conditions. Any group wishing to use the school facilities should contact the Principal to discuss its proposal and make an official written request to use the facility.

The School Committee Policy KF (BE) "Community Use of School Facilities" further explains the use of school buildings and the fees involved. The group using the school will be required to pay for a custodian and also a cafeteria worker if the kitchen or kitchen appliances are to be used. The rate of pay for these people would depend on their individual rate of pay. Each community group using the school facilities will be held responsible for any damages to school property or equipment. Community use of school facilities shall be secondary to and shall in no way interfere with or hinder the normal functioning of the school program. School facilities shall not be used for private gain, and if any group has a question concerning school rentals, they should contact the principal for clarification. As reviewed and approved and revised by the Berlin School Committee (2/10/2015).

## Part II – Selected Policies

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### MA General Law C. 71, S. 37H, H ½, H ¾

#### APPROVAL OF HANDBOOKS AND DIRECTIVES

##### Section 37H

Notwithstanding any general or special law to the contrary all student handbooks shall contain the following provisions:

- a. Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or a knife; or a controlled substance as defined in chapter ninety-four C, including, but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from the school or school district by the principal.
- b. Any student who assaults a principal, assistant principal, teacher, teacher's aide or other educational staff on school premises or at school-sponsored or school-related events, including athletic games, may be subject to expulsion from the school or school district by the principal.
- c. Any student who is charged with a violation of either paragraph (a) or (b) 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.  
After said hearing, a principal may, in his discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraph (a) or (b).
- d. Any student who has been expelled from a school district pursuant to these provisions shall have the right to appeal to the superintendent. The expelled student shall have ten days from the date of the expulsion in which to notify the superintendent of his appeal. The student has the right to counsel at a hearing before the superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section.
- e. Any school district that suspends or expels a student under this section shall continue to provide educational services to the student during the period of suspension or expulsion, under section 21 of chapter 76. If the student moves to another district during the period of suspension or expulsion, the new district of residence shall either admit the student to its schools or provide educational services to the student in an education service plan, under section 21 of chapter 76.
- f. Districts shall report to the department of elementary and secondary education the specific reasons for all suspensions and expulsions, regardless of duration or type, in a manner and form established by the commissioner. The department of elementary and secondary education shall use its existing data collection tools to obtain this information from districts and shall modify those tools, as necessary, to obtain the information. On an annual basis, the department of elementary and secondary education shall make district level de-identified data and analysis, including the total number of days each student is excluded during the school year, available to the public online in a machine readable format. This report shall include district level data disaggregated by student status and categories established by the commissioner.
- g. Under the regulations promulgated by the department, for each school that suspends or expels a significant number of students for more than 10 cumulative days in a school year, the commissioner shall investigate and, as appropriate, shall recommend models that incorporate intermediary steps prior to the use of suspension or expulsion. The results of the analysis shall be publicly reported at the school district level.

##### Section 37H1/2.

Notwithstanding the provisions of section eighty-four and sections sixteen and seventeen of chapter seventy-six:

1. Upon the issuance of a criminal complaint charging a student with a felony or upon the issuance of a felony delinquency complaint against a student, the principal or headmaster of a school in which the student is enrolled may suspend such student for a period of time determined appropriate by said principal or

headmaster if said principal or headmaster 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 the reasons for such suspension prior to such suspension taking effect. The student shall also receive written notification of his right to appeal and the process for appealing such suspension; provided, however, that such suspension shall remain in effect prior to any appeal hearing conducted by the superintendent.

The student shall have the right to appeal the suspension to the superintendent. The student shall notify the superintendent in writing of his request for an appeal no later than five calendar days following the effective date of the suspension. The superintendent shall hold a hearing with the student and the student's parent or guardian within three calendar days of the student's request for an appeal. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The superintendent shall have the authority to overturn or alter the decision of the principal or headmaster, including recommending an alternate educational program for the student. The superintendent shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the city, town or regional school district with regard to the suspension.

2. Upon a student being convicted of a felony or upon an adjudication or admission in court of guilt with respect to such a felony or felony delinquency, the principal or headmaster of a school in which the student is enrolled may expel said student if such principal or headmaster 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 such expulsion prior to such expulsion taking effect. The student shall also receive written notification of his right to appeal and the process for appealing such expulsion; provided, however, that the expulsion shall remain in effect prior to any appeal hearing conducted by the superintendent.

The student shall have the right to appeal the expulsion to the superintendent. The student shall notify the superintendent, in writing, of his request for an appeal no later than five calendar days following the effective date of the expulsion. The superintendent shall hold a hearing with the student and the student's parent or guardian within three calendar days of the expulsion. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The superintendent shall have the authority to overturn or alter the decision of the principal or headmaster, including recommending an alternate educational program for the student. The superintendent shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the city, town or regional school district with regard to the expulsion.

Any school district that suspends or expels a student under this section shall continue to provide educational services to the student during the period of suspension or expulsion, under section 21 of chapter 76. If the student moves to another district during the period of suspension or expulsion, the new district of residence shall either admit the student to its schools or provide educational services to the student under an education service plan, under section 21 of chapter 76.

#### Section 37H3/4.

This section shall govern the suspension and expulsion of students enrolled in a public school in the commonwealth who are not charged with a violation of subsections (a) or (b) of section 37H or with a felony under section 37H1/2.

- a. Any principal, headmaster, superintendent or other person acting as a decision-maker at a student meeting or hearing, when deciding the consequences for the student, shall exercise discretion; consider ways to re-engage the student in the learning process; and avoid using expulsion as a consequence until other remedies and consequences have been employed.
- b. For any suspension or expulsion under this section, the principal or headmaster of a school in which the student is enrolled, or a designee, shall provide, to the student and to the parent or guardian of the student,

notice of the charges and the reason for the suspension or expulsion in English and in the primary language spoken in the home of the student. The student shall receive the written notification and shall have the opportunity to meet with the principal or headmaster, or a designee, to discuss the charges and reasons for the suspension or expulsion prior to the suspension or expulsion taking effect. The principal or headmaster, or a designee, shall ensure that the parent or guardian of the student is included in the meeting, provided that such meeting may take place without the parent or guardian only if the principal or headmaster, or a designee, can document reasonable efforts to include the parent or guardian in that meeting. The department shall promulgate rules and regulations that address a principal's duties under this subsection and procedures for including parents in student exclusion meetings, hearings or interviews under this subsection.

- c. If a decision is made to suspend or expel the student after the meeting, the principal or headmaster, or a designee, shall update the notification for the suspension or expulsion to reflect the meeting with the student. If a student has been suspended or expelled for more than 10 school days for a single infraction or for more than 10 school days cumulatively for multiple infractions in any school year, the student and the parent or guardian of the student shall also receive, at the time of the suspension or expulsion decision, written notification of a right to appeal and the process for appealing the suspension or expulsion in English and in the primary language spoken in the home of the student; provided, however, that the suspension or expulsion shall remain in effect prior to any appeal hearing. The principal or headmaster or a designee shall notify the superintendent in writing, including, but not limited to, by electronic means, of any out-of-school suspension imposed on a student enrolled in kindergarten through grade 3 prior to such suspension taking effect. That notification shall describe the student's alleged misconduct and the reasons for suspending the student out-of-school. For the purposes of this section, the term "out-of-school suspension" shall mean a disciplinary action imposed by school officials to remove a student from participation in school activities for 1 day or more.
- d. A student who has been suspended or expelled from school for more than 10 school days for a single infraction or for more than 10 school days cumulatively for multiple infractions in any school year shall have the right to appeal the suspension or expulsion to the superintendent. The student or a parent or guardian of the student shall notify the superintendent in writing of a request for an appeal not later than 5 calendar days following the effective date of the suspension or expulsion; provided, that a student and a parent or guardian of the student may request, and if so requested, shall be granted an extension of up to 7 calendar days. The superintendent or a designee shall hold a hearing with the student and the parent or guardian of the student within 3 school days of the student's request for an appeal; provided that a student or a parent or guardian of the student may request and, if so requested, shall be granted an extension of up to 7 calendar days; provided further, that the superintendent, or a designee, may proceed with a hearing without a parent or guardian of the student if the superintendent, or a designee, makes a good faith effort to include the parent or guardian. At the hearing, the student shall have the right to present oral and written testimony, cross-examine witnesses and shall have the right to counsel. The superintendent shall render a decision on the appeal in writing within 5 calendar days of the hearing. That decision shall be the final decision of the school district with regard to the suspension or expulsion.
- e. No student shall be suspended or expelled from a school or school district for a time period that exceeds 90 school days, beginning the first day the student is removed from an assigned school building.

## MA General Law C. 71B

### Suspending Students with Disabilities

All students are expected to meet the requirements or behavior as set forth in this handbook. Chapter 71B of the Massachusetts General Laws, requires the following for students who have been found to have special needs by a TEAM evaluation, and whose program is described in an Individual Education Plan (IEP).

1. Suspension shall be defined as any action which results in the removal of a student from the program presented in his/her Educational Plan, i.e. Both in-school and out of school suspensions are included.
2. The Director of Pupil Personnel Services will receive a copy of the discipline notice when a special needs student is suspended.

#### Procedures for suspension of students with disabilities up to and after 10 days: General Requirements

1. All students, including eligible students with disabilities, receive prior written notice regarding the school's Code of Conduct.
2. The school's Code of Conduct includes required procedural safeguards such as opportunity for a hearing.
3. Any eligible student may be suspended up to 10 days in any school year without implementation of procedures described below.
4. After a student with special needs has been suspended for 10 days in any school year, during any subsequent removal the public school provides sufficient services for the student to continue to receive a free and appropriate public education.
5. The school provides additional procedural safeguards for students with disabilities prior to any suspension beyond 10 consecutive days or more than 10 cumulative days (if there is a pattern of suspension) in any school year.

Procedures for suspension 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. Prior to a suspension that constitutes a change in 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 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 the district personnel, the parent, and other relevant members of the Team determine that the behavior is NOT a manifestation of the disability, then the district may suspend or expel the student 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 it 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.
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 agree 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. If the student is found eligible, then he/she receives all procedural protections subsequent to the finding of eligibility.

## NONDISCRIMINATION – POLICY AC

Public schools have the responsibility to overcome, insofar as possible, any barriers that prevent children from achieving their potential. The public school system will do its part. This commitment to the community is affirmed by the following statements that the School Committee intends to:

1. Promote the rights and responsibilities of all individuals as set forth in the State and Federal Constitutions, pertinent legislation, and applicable judicial interpretations.
2. Encourage positive experiences in human values for children, youth and adults, all of whom have differing personal and family characteristics and who come from various socioeconomic, racial and ethnic groups.
3. Work toward a more integrated society and to enlist the support of individuals as well as groups and agencies, both private and governmental, in such an effort.
4. Use all appropriate communication and action techniques to air and reduce the grievances of individuals and groups.
5. Carefully consider, in all the decisions made within the school system, the potential benefits or adverse consequences that those decisions might have on the human relations aspects of all segments of society.
6. Initiate a process of reviewing policies and practices of the school system in order to achieve to the greatest extent possible the objectives of this statement.

The Committee's policy of nondiscrimination will extend to students, staff, the general public, and individuals with whom it does business; No person shall be excluded from or discriminated against in admission to a public school of any town or in obtaining the advantages, privileges, and courses of study of such public school on account of race, color, sex, gender identity, religion, national origin, sexual orientation, genetic information, homelessness or disability. If someone has a complaint or feels that they have been discriminated against because of their race, color, sex, gender identity, religion, national origin, sexual orientation, genetic information, homelessness or disability, pregnancy or pregnancy related conditions, their complaint should be registered with the Title IX compliance officer.

LEGAL REFS.: Title VI, Civil Rights Act of 1964  
 Title VII, Civil Rights Act of 1964 as amended by the Equal Opportunity Act of 1972  
 Executive Order 11246, as amended by E.O. 11375  
 Equal Pay Act, as amended by the Education Amendments of 1972  
 Title IX, Education Amendments of 1972  
 Rehabilitation Act of 1973  
 Education for All Handicapped Children Act of 1975  
 M.G.L. 71B:1 et seq. (Chapter 766 of the Acts of 1972)  
 M.G.L. 76:5; Amended 2011  
 M.G.L. 76:16  
 BESE Regulation 603 CMR 26.00 Amended 2012  
 BESE Regulation 603 CMR 28.00  
 CROSS REFS.: ACA, Nondiscrimination on the Basis of Sex  
 ACE, Nondiscrimination on the Basis of Handicap  
 GBA, Equal Employment Opportunity  
 GBAA, Policy Against Harassment and Discrimination for Employees and Adult Volunteers  
 JB, Equal Educational Opportunities  
 JBA, Policy Against Harassment and Discrimination for Students  
 Approved: Berlin-Boylston Regional / Union #60 School Committee - June 19, 2018  
 Boylston School Committee - June 19, 2018  
 Berlin School Committee - June 19, 2018

## STUDENT DISCIPLINE – Policy JIC

Good citizenship in schools is based on respect and consideration for the rights of others.

Students will be expected to conduct themselves in a way that the rights and privileges of others are not violated. They will be required to respect constituted authority, to conform to school rules and to those provisions of law that apply to their conduct.

Any of the following actions may subject a student to expulsion by the Principal under the terms of M.G.L. 71:37H, such as, but not limited to the following:

1. Found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon or a controlled substance.
2. Who assaults a Principal, Assistant Principal, teacher, teacher's aide or other educational staff member on school premises or at school-sponsored or school-related event including athletic games.

Any of the following actions will subject a student to suspension, expulsion, subject to School Committee action, or other disciplinary measures, such as, but not limited to the following:

1. Intentionally causing or attempting to cause damage to school property; or stealing or attempting to steal school property.
2. Intentionally causing or attempting to cause damage to private property; stealing or attempting to steal private property.
3. Intentionally causing or attempting to cause physical injury to another person except in self-defense.
4. Using or copying the academic work of another and presenting it as his/her own without proper attribution.
5. Repeatedly and intentionally defying the valid authority of supervisors, teachers, or administrators.

The School Committee believes that all students deserve every opportunity to achieve academic success in a safe, secure learning environment. Good citizenship in schools is based on respect and consideration for the rights of others. Students will be expected to conduct themselves in a way that the rights and privileges of others are not violated. They will be required to respect constituted authority, to conform to school rules and to those provisions of law that apply to their conduct.

Each Principal shall include prohibited actions in the student handbook or other publication and made available to students and parents.

Principals and staff shall not use academic punishment of any form as a consequence to inappropriate behaviors/actions by students.

The Principal may, as a disciplinary measure, remove a student from privileges, such as extracurricular activities and attendance at school-sponsored events, based on the student's misconduct. Such a removal is not subject to the remainder of this policy, law, or regulation.

### Suspension

In every case of student misconduct for which suspension may be imposed 1, a Principal shall consider ways to re-engage the student in learning; and avoid using long-term suspension from school as a consequence until alternatives have been tried. Alternatives may include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and positive behavioral interventions and supports.

### Notice of Suspension

Except for emergency removal or an in-school suspension of less than 10 days, a Principal must provide the student and the parent oral and written notice, and provide the student an opportunity for a hearing and the parent an opportunity to participate in such hearing before imposing suspension as a consequence for misconduct. The Principal shall provide both oral and written notice to the student and parent(s) in English and in the primary language of the home if other than English. The notice shall include the rights enumerated in law and regulation. To conduct a hearing without a parent present, the Principal must be able to document reasonable efforts to include the parent.

### Emergency Removal

A Principal may remove a student from school temporarily 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 Principal shall immediately notify the Superintendent in writing of the removal including a description of the danger presented by the student.

The temporary removal shall not exceed two (2) school days following the day of the emergency removal, during which time the Principal shall: Make immediate and reasonable efforts to orally notify the student and the student's parent of the emergency removal, the reason for the need for emergency removal, and the other matters required in the notice; Provide written notice to the student and parent as required above; Provide the student an opportunity for a hearing with the Principal that complies with applicable regulations, and the parent an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the Principal, student, and parent; Render a decision orally on the same day as the hearing, and in writing no later than the following school day, which meets the requirements of applicable law and regulation.

A Principal shall also ensure adequate provisions have been made for the student's safety and transportation prior to removal.

### In School Suspension - Not More Than 10 Days Consecutively or Cumulatively

The Principal may use in-school suspension as an alternative to short-term suspension for disciplinary offenses.

The Principal may impose an in-school suspension for a disciplinary offense under this provision, provided that the Principal follows the process set forth in regulation and the student has the opportunity to make academic progress as required by law and regulation.

#### Principal's Hearing - Short Term Suspension of up to 10 Days

The hearing with the Principal shall be 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 committed the disciplinary offense, and if so, the consequences for the infraction.

At a minimum, the Principal shall discuss the disciplinary offense, the basis for the charge, and any other pertinent information.

The student also shall have an opportunity to present information, including mitigating facts, that the Principal should consider in determining whether other remedies and consequences may be appropriate as set forth in law and regulation.

The Principal shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the Principal should consider in determining consequences for the student.

The Principal shall, based on the available information, including mitigating circumstances, determine whether the student committed the disciplinary offense, and, if so, what remedy or consequence will be imposed.

The Principal shall notify the student and parent of the determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal, as required by law and regulation. The determination shall be in writing and may be in the form of an update to the original written notice.

If the student is in a public preschool program or in grades K through 3, the Principal shall send a copy of the written determination to the Superintendent and explain the reasons for imposing an out-of-school suspension, before the short-term suspension takes effect.

Principal's Hearing - Long Term Suspension of more than 10 days but less than 90 days (consecutive or cumulative)

The hearing with the Principal shall be 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 committed the disciplinary offense, and if so, the consequences for the infraction.

At a minimum, in addition to the rights afforded a student in a short-term suspension hearing, the student shall have the following rights: 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; The right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense; 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; The right to cross-examine witnesses presented by the school district; The right to request that the hearing be recorded by the Principal, and to receive a copy of the audio recording upon request. If the student or parent requests an audio recording, the Principal shall inform all participants before the hearing that an audio record will be made and a copy will be provided to the student and parent upon request.

The Principal shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the Principal should consider in determining consequences for the student.

The Principal shall, based on the evidence, determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension as required by law and regulation, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension. The Principal shall send the written determination to the student and parent by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or any other method of delivery agreed to by the Principal and the parent.

If the Principal decides to suspend the student, the written determination shall: Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing; Set out the key facts and conclusions reached by the Principal; Identify the length and effective date of the suspension, as well as a date of return to school; Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school as required by law and regulation; Inform the student of the right to appeal the Principal's decision to the Superintendent or designee, but only if the Principal has imposed a long-term suspension. Notice of the right of appeal shall be in English and the primary language of the home if other than English, and shall include the following information: The process for appealing the decision, including that the student or parent must file a written notice of appeal with the Superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent may request and receive from the Superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days; and that 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 a public preschool program or in grades K through 3, the Principal shall send a copy of the written determination to the Superintendent and explain the reasons for imposing an out-of-school suspension before the suspension takes effect.

### Superintendent's Hearing

A student who is placed on long-term suspension following a hearing with the Principal shall have the right to appeal the Principal's decision to the Superintendent.

The student or parent shall file a notice of appeal with the Superintendent within the time period noted above (see Principal's hearing - Suspension of more than 10 days). If the appeal is not timely filed, the Superintendent may deny the appeal, or may allow the appeal in his or her discretion, for good cause.

The Superintendent shall hold the hearing within three (3) school days of the student's request, unless the student or parent requests an extension of up to seven (7) additional calendar days, in which case the Superintendent shall grant the extension.

The Superintendent shall make a good faith effort to include the parent in the hearing. The Superintendent shall be presumed to have made a good faith effort if he or she has made efforts to find a day and time for the hearing that would allow the parent and Superintendent to participate. The Superintendent shall send written notice to the parent of the date, time, and location of the hearing.

The Superintendent shall conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence shall be. The Superintendent shall arrange for an audio recording of the hearing, a copy of which shall be provided to the student or parent upon request. The Superintendent shall inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent upon request. The student shall have all the rights afforded the student at the Principal's hearing for long-term suspension.

The Superintendent shall issue a written decision within five (5) calendar days of the hearing which meets the requirements of law and regulation. If the Superintendent determines that the student committed the disciplinary offense, the Superintendent may impose the same or a lesser consequence than the Principal, but shall not impose a suspension greater than that imposed by the Principal's decision. The decision of the Superintendent shall be the final decision of the school district with regard to the suspension.

### Expulsion

Expulsion is defined as the removal of a student from school for more than ninety (90) school days, indefinitely, or permanently as allowed by law for possession of a dangerous weapon; possession of a controlled substance; assault on a member of the educational staff; or a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a Principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

Any student alleged to have committed one of these acts shall be afforded the same due process rights as for a long term suspension. Any student expelled from school for such an offense shall be afforded an opportunity to receive educational services and make academic progress.

### Academic Progress

Any student who is suspended or expelled shall have the opportunity to earn credits, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal from the classroom or school. The Principal shall inform the student and parent of this opportunity in writing, in English and in the primary language of the home, when such suspension or expulsion is imposed.

Any student who is expelled or suspended from school for more than ten (10) consecutive days, whether in school or out of school, shall have an opportunity to receive education services and make academic progress toward meeting state and local requirements, through the school-wide education service plan.

The Principal shall develop a school-wide education service plan describing the education services that the school district will make available to students who are expelled or suspended from school for more than ten (10) consecutive days. The plan shall include the process for notifying such students and their parents of the services and arranging such services. Education services shall be based on, and be provided in a manner consistent with, the academic standards and curriculum frameworks established for all students under the law.

The Principal shall notify the parent and student of the opportunity to receive education services at the time the student is expelled or placed on long-term suspension. Notice shall be provided in English and in the primary language spoken in the student's home if other than English, or other means of communication where appropriate. The notice shall include a list of the specific education services that are available to the student and contact information for a school district staff member who can provide more detailed information.

For each student expelled or suspended from school for more than ten (10) consecutive days, whether in-school or out-of-school, the school district shall document the student's enrollment in education services. For data reporting purposes, the school shall track and report attendance, academic progress, and such other data as directed by the Department of Elementary and Secondary Education.

### Reporting

The school district shall collect and annually report data to the DESE regarding in-school suspensions, short- and long-term suspensions, expulsions, emergency removals, access to education services, and such other information as may be required by the DESE.

The Principal of each school shall periodically review discipline data by selected student populations, including but not limited to race, color, age, ethnicity, gender, gender identity, religion, national origin, sexual orientation, genetic information, homelessness, socioeconomic status, English language learner status, and student with a disability status in accordance with law and regulation.

SOURCE: MASC

LEGAL REF: M.G.L. 71:37H; 71:37H ½; 71:37H3/4; 76:17; 603 CMR 53.00

NOTE: The DESE regulations on student discipline and this policy, consistent with law, set forth the minimum procedural requirements applicable to the suspension of a student for a disciplinary offense other than: possession of a dangerous weapon; possession of a controlled substance; assault on a member of the educational staff; or a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a principal determines that the student's continued presence in the school would have a substantial detrimental effect on the general welfare of the school, as provided in M.G.L. c. 71, S. 37H or 37H1/2. The principal, pursuant to the previously referenced statute may remove a student who has committed any of the disciplinary offenses above referenced from school for more than 90 days in a school year. Except that the removal from school for such offenses is subject to the provision of continuing educational services needed to make academic progress and, the requirement that all school districts regardless of the type of offense shall report school discipline data and analysis to DESE. Also, the prohibited actions above referenced are subject to the provision that allows the Commissioner to investigate each school that has a significant number of students suspended and expelled for more than 10 cumulative days in a school year and to make recommendations thereon.

Approved: Berlin-Boylston Regional / Union #60 School Committee - November 28, 2017  
Boylston School Committee - December 19, 2017  
Berlin School Committee - November 28, 2017

## NONDISCRIMINATION ON THE BASIS OF SEX – Policy ACA

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The School Committee, in accordance with Title IX of the Education Amendments of 1972, declares that the school system does not and will not discriminate on the basis of sex in the educational programs and activities of the public schools. This policy will extend not only to students with regard to educational opportunities, but also to employees with regard to employment opportunities.



The School Committee will continue to ensure fair and equitable educational and employment opportunities, without regard to sex, to all of its students and employees.

The Committee will designate an individual to act as the school system's Title IX compliance officer. All students and employees will be notified of the name and office address and telephone number of the compliance officer.

LEGAL REFS.: Title IX of the Education Amendments of 1972  
45 CFR, Part 86, (Federal Register 6/4/75)  
M.G.L. 76:5; 76:16 (Chapter 622 of the Acts of 1971)  
BESE Regulation 603 CMR 26.00

CROSS REF.: AC, Nondiscrimination

Approved: *Berlin-Boylston Regional / Union #60 School Committee – December 18, 2012*  
*Boylston School Committee – December 18, 2012*  
*Berlin School Committee – December 18, 2012*

## NONDISCRIMINATION ON THE BASIS OF HANDICAP – Policy ACE

Title II of the Americans With Disabilities Act of 1992 requires that no qualified individual with a disability shall, because the District's facilities are inaccessible to or unusable by individuals with disabilities, be excluded from participation in, or be denied the benefits of the services, programs, and activities of the District or be subject to discrimination. Nor shall the District exclude or otherwise deny services, programs, or activities to an individual because of the known disability of a person with whom the individual is known to have a relationship or association.

**Definition:** A "qualified individual with a disability" is an individual with a disability who, with or without reasonable modification to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the District.

**Reasonable Modification:** The District shall make reasonable modification in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the District can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.

**Communications:** The District shall take the appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others. To this end, the District shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in, and enjoy benefits of, a service, program, or activity conducted by the District. In determining what type of auxiliary aid or service is necessary, the District shall give primary consideration to the requests of the individuals with disabilities.

**Auxiliary Aids and Services:** "Auxiliary aids and services" includes (1) qualified interpreters, note takers, transcription services, written materials, assisted listening systems, and other effective methods for making aurally delivered materials available to individuals with hearing impairments; (2) qualified readers, taped texts, audio recordings, Braille materials, large print materials, or other effective methods for making visually delivered materials available to individuals with visual impairments; (3) acquisition or modification of equipment or devices and (4) other similar services and actions.

**Limits of Required Modification:** The District is not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. Any decision that, in compliance with its responsibility to provide effective communication for individuals

with disabilities, would fundamentally alter the service, program, or activity or unduly burden the District shall be made by the School Committee after considering all resources available for use in funding and operating the program, service, or activity. A written statement of the reasons for reaching that conclusion shall accompany the decision.

Notice: The District shall make available to applicants, participants, beneficiaries, and other interested persons information regarding the provisions of Title II of the American With Disabilities Act (ADA) and its applicability to the services, programs, or activities of the District. The information shall be made available in such a manner as the School Committee and Superintendent find necessary to apprise such persons of the protections against discrimination assured them by the ADA.

Compliance Coordinator: The District shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title II of ADA, including any investigation of any complaint communicated to it alleging its noncompliance or alleging any actions that would be prohibited under ADA. The District shall make available to all interested individuals the name, office address, and telephone number of the employee(s) so designated and shall adopt and publish procedures for the prompt and equitable resolution of complaints alleging any action that would be prohibited under the ADA. The school system receives federal financial assistance and must comply with the above requirements. Additionally, the School Committee is of the general view that:

1. Discrimination against a qualified disabled person solely on the basis of disability is unfair; and
2. To the extent possible, qualified disabled persons should be in the mainstream of life in the school community. Accordingly, employees of the school system will comply with the above requirements of the law and policy statements of this Committee to ensure nondiscrimination on the basis of disability.

LEGAL REFS.: Rehabilitation Act of 1973, Section 504

Education for All Disabled Children Act of 1975

M.G.L. [71B:1](#) et seq. (Chapter 766 of the Acts of 1972)

Title II, Americans with Disabilities Act of 1992

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

CROSS REFS.: [IGB](#), Support Services Programs

*Approved: Berlin-Boylston Regional/Union #60 School Committee - October 3, 2017*

*Boylston School Committee - October 3, 2017*

*Berlin School Committee - October 3, 2017*

*EQUAL EDUCATIONAL OPPORTUNITY, CHAPTER 622 (Acts of 1971 – Massachusetts)*

No person shall be excluded from, or discriminated against on admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex religion, disability, national origin, sexual orientation, or homelessness.

*TITLE IX (EDUCATIONAL AMENDMENTS of 1972)*

No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits or be subjected to discrimination – under any education program or activity receiving federal financial assistance.

## EQUAL EDUCATIONAL OPPORTUNITIES – Policy JB

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In recognition of the diversified characteristics and needs of our students and with the keen desire to be responsive to them, the School Committee will make every effort to protect the dignity of the students as individuals. It also will offer careful consideration and sympathetic understanding of their personal feelings, particularly with reference to their race, color, sex, gender identity, religion, national origin, sexual orientation, homelessness, physical and intellectual differences, pregnancy or pregnancy related conditions.

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, 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, gender identity, religion, national origin, sexual orientation, genetic information, homelessness, physical and intellectual differences, pregnancy or pregnancy related conditions.

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)

BESE Regulation 603 CMR 26.00

BESE Regulation 603 CMR 28.00

CROSS REF.: AC, Nondiscrimination

*Approved: Berlin-Boylston Regional / Union #60 School Committee - June 19, 2018*

*Boylston School Committee - June 19, 2018*

*Berlin School Committee - June 19, 2018*

## NONDISCRIMINATION – Policy AC

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Public schools have the responsibility to overcome, insofar as possible, any barriers that prevent children from achieving their potential. The public school system will do its part. This commitment to the community is affirmed by the following statements that the School Committee intends to:

1. Promote the rights and responsibilities of all individuals as set forth in the State and Federal Constitutions, pertinent legislation, and applicable judicial interpretations.
2. Encourage positive experiences in human values for children, youth and adults, all of whom have differing personal and family characteristics and who come from various socioeconomic, racial and ethnic groups.
3. Work toward a more integrated society and to enlist the support of individuals as well as groups and agencies, both private and governmental, in such an effort.
4. Use all appropriate communication and action techniques to air and reduce the grievances of individuals and groups.

5. Carefully consider, in all the decisions made within the school system, the potential benefits or adverse consequences that those decisions might have on the human relations aspects of all segments of society.
6. Initiate a process of reviewing policies and practices of the school system in order to achieve to the greatest extent possible the objectives of this statement.

The Committee's policy of nondiscrimination will extend to students, staff, the general public, and individuals with whom it does business; No person shall be excluded from or discriminated against in admission to a public school of any town or in obtaining the advantages, privileges, and courses of study of such public school on account of race, color, sex, gender identity, religion, national origin, sexual orientation or disability. If someone has a complaint or feels that they have been discriminated against because of their race, color, sex, gender identity, religion, national origin, sexual orientation or disability, their complaint should be registered with the Title IX compliance officer.

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

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

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

Equal Pay Act, as amended by the Education Amendments of 1972

Title IX, Education Amendments of 1972

Rehabilitation Act of 1973

Education for All Handicapped Children Act of 1975

M.G.L. 71B:1 et seq. (Chapter 766 of the Acts of 1972)

M.G.L. 76:5; Amended 2011

M.G.L. 76:16

BESE Regulation 603 CMR 26.00 Amended 2012

BESE Regulation 603 CMR 28.00

CROSS REFS.: ACA, Nondiscrimination on the Basis of Sex

ACE, Nondiscrimination on the Basis of Handicap

GBA, Equal Employment Opportunity

GBAA, Policy Against Harassment and Discrimination for Employees and Adult Volunteers

JB, Equal Educational Opportunities

JBA, Policy Against Harassment and Discrimination for Students

Approved: Berlin-Boylston Regional / Union #60 School Committee - December 18, 2012

Boylston School Committee – December 18, 2012

Berlin School Committee – December 18, 2012

## POLICY AGAINST HARASSMENT AND DISCRIMINATION FOR STUDENTS – Policy JBA

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### Anti-Discrimination and Harassment

The Berlin-Boylston Public Schools are committed to maintaining a school environment free of harassment and/or discrimination based age, race, color, national origin, ancestry, sex, sexual orientation, gender identity, religion, creed, disability, veteran status, genetic information, homelessness or any other class protected by state or federal law.

Harassment by administrators, certified and support personnel, students, vendors and other individuals at school or at

school sponsored events is unlawful and is strictly prohibited. The Berlin-Boylston Public Schools require all employees and students to conduct themselves in an appropriate manner with respect to their fellow employees, students and all members of the school community.

It shall be a violation of this policy to harass, discriminate, bully, intimidate, threaten, insult, retaliate or otherwise engage in any conduct, whether verbal or physical, against any individual based upon their race, color, religious creed, national origin, sex, sexual orientation, age, ancestry, disability, gender identity, veteran status, genetic information, homelessness or any other class protected by state or federal law.

The Berlin-Boylston Public Schools take allegations of discrimination, harassment, and sexual harassment seriously, and will respond promptly to any complaints of potential violations of this policy. Further, any retaliation against an individual who has complained of, or has cooperated in an investigation of a complaint, about discrimination, harassment or sexual harassment shall not be tolerated. If the Berlin-Boylston Public Schools find that an individual has violated this policy, we will act promptly to eliminate the conduct, impose corrective action as necessary, including disciplinary action where appropriate. Nothing in this policy shall limit our authority to discipline or take remedial action for conduct that is deemed to be a violation of this policy.

#### Definitions of Harassment and Discrimination

Discrimination and harassment consists of any unwelcome conduct that is based on race, color, religious creed, national origin, sex, sexual orientation, age, ancestry, disability, gender identity, veteran status, genetic information, homelessness or any other class protected by state or federal law. Such conduct may include, but is not limited to, offensive jokes, slurs, epithets, name calling, physical assaults, threats, intimidation, mockery, insults, ridicule, offensive pictures or objects, or any other offensive conduct that interferes with the educational process. It shall be a violation of this policy to engage in any the aforementioned conduct, or to create an educational environment that is intimidating, hostile or abusive.

By law, what constitutes harassment is determined from the perspective of a reasonable person with the characteristic on which the harassment is based. What one person may consider acceptable behavior, may reasonably be viewed as harassment by another person. Therefore, individuals should consider how their words and actions might reasonably be viewed by other individuals. It is also important for individuals to make it clear to others when a particular behavior or communication is unwelcome, intimidating, hostile or offensive.

It is also a violation of this policy to engage in conduct that that is construed as sexual harassment. Sexual harassment includes, but is not limited to, sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

- (a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment, academic standing, school-related opportunities or as a basis for employment decisions; or,
- (b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's school and/or work performance by creating an intimidating, hostile, humiliating or sexually offensive educational or work environment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct which if unwelcome, may constitute sexual harassment depending on the totality of the circumstances including the severity of the conduct and its pervasiveness, and which constitute a violation of this policy:

- Unwelcome sexual advances, whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life, comments on an individual's body, comments about an individual's sexual activity, deficiencies or prowess;

- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Displaying sexually suggestive objects, pictures and cartoons;
- Inquiring into one's sexual experiences; and
- Discussion of one's sexual activities.

It is also a violation of this policy to engage in any form of retaliation against an individual that has complained about discrimination or harassment, including sexual harassment, or against any individual that is cooperating in an investigation of a discrimination, harassment or sexual harassment complaint.

Harassment and discrimination in any form or for any reason is absolutely forbidden. This includes harassment by administrators, certified and support personnel, students, volunteers, vendors and other individuals in school or at school related events. Persons who engage in harassment, discrimination or retaliation may be subject to disciplinary action, including, but not limited to reprimand, suspension, termination/expulsion; or other sanctions as determined by the school administration and/or school committee, subject to applicable procedural requirements.

## Investigation

Any individual who believes he/she has been harassed, or discriminated against, or who has witnessed or learned about the harassment or discrimination of another person in the school environment, should inform the Principal as soon as possible. If any individual believes that he/she has been subjected to harassment or discrimination, then the individual's complaint may be made orally or in writing. If the individual does not wish to discuss the issue with the Principal, or if the Principal does not address the problem in an effective manner, the individual should inform:

Karen Molnar

Director of Pupil Personnel Services

Berlin-Boylston Public Schools

215 Main Street

Boylston, MA 01505

(508) 869-2837 x1106

The Berlin-Boylston Public Schools will promptly investigate every complaint of harassment. The Berlin-Boylston Public Schools take allegations of discrimination, harassment, and sexual harassment seriously, and will investigate and respond promptly to any complaints of potential violations of this policy. The investigation will include interviewing the individual filing the complaint, as well as any witnesses. To the extent practicable under the circumstances, the investigation will be kept confidential. If it determines that harassment or discrimination has occurred, it will take appropriate action to end the conduct that is in violation of this policy, and to ensure that it is not repeated. Confidentiality will be maintained to the extent consistent with the school's obligations under law and under applicable collective bargaining agreements.

In certain cases, the harassment of a student may constitute child abuse under Massachusetts Law. The Berlin-Boylston Public Schools will comply with all legal requirements governing the reporting of suspected cases of child abuse and will report suspected criminal activity to the appropriate authorities.

Any staff member or student who is dissatisfied with the results or progress of the investigation by the Berlin-Boylston Public Schools may discuss his/her dissatisfaction directly with the Superintendent of Schools:

Nadine Ekstrom, CAGS

Office of the Superintendent

Berlin-Boylston Public Schools

215 Main Street

Boylston, MA 01505

(508) 869-2837 x1107

In addition to the above, if an individual believes that they have been subjected to discrimination or harassment may file a formal complaint with either or both of these government agencies:

Massachusetts Commission Against Discrimination (MCAD)

One Ashburton Place

Boston, MA 02108

(617)727-3990

Office for Civil Rights

US Department of Education

8th Floor

5 Post Office Square

Boston, MA 02109-3921

Telephone: 617-289-0111

### Closure of a Complaint

When an investigation has been completed, school personnel will inform the complainant of the results and file a report with the Coordinator for Title IX/Section 504 of the Rehabilitation Act/Chapter 622.

The Berlin-Boylston Public Schools urge all individuals in the school community to bring any concerns or complaints of harassment or discrimination to the attention of school personnel so that they can resolve the issue.

### Notice of Non-discrimination

The Berlin-Boylston Public Schools do not discriminate on the basis of race, color, religion, national origin, age, gender, sexual orientation, disability race, color, religious creed, national origin, sex, sexual orientation, age, ancestry, disability, gender identity, veteran status, genetic information, homelessness or any other class protected by state or federal law in admission to, access to, employment in, or treatment in its programs and activities.

The Coordinator for Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and Chapter 622 of the Acts of 1971 for the Berlin-Boylston Public Schools is:

Karen Molnar

Director of Pupil Personnel Services

Berlin-Boylston Public Schools

215 Main Street

Boylston, MA 01505

(508) 869-2837 x1106

Inquiries regarding the application of the Berlin-Boylston Public Schools' nondiscrimination policy may be referred to Title IX Coordinator as named above, or the Assistant Secretary for Civil Rights, U.S Department of Education,



Washington, D.C. 20202 (or the Regional Director, U.S. Department of Education, Office for Civil Rights, 8th Floor, 5 Post Office Square

Boston, MA 02109-3921, 617-289-0111).

Approved: Berlin-Boylston Regional/Union #60 School Committee – March 4, 2014

Berlin School Committee – March 4, 2014

Boylston School Committee – March 4, 2014

## PROHIBITION OF HAZING – Policy JICFA

In accordance with Massachusetts General Laws, Chapter 536 of the Acts of 1985, the School Committee hereby deems that no student, employee or school organization under the control of the School Committee shall engage in the activity of hazing a student while on or off school property, or at a school sponsored event regardless of the location. No organization that uses the facilities or grounds under the control of the School Committee shall engage in the activity of hazing any person while on school property.

Any student who observes what appears to them to be the activity of hazing another student or person should report such information to the Principal including the time, date, location, names of identifiable participants and the types of behavior exhibited. Students and employees of the District are obligated by law to report incidents of hazing to the police department.

Any student who is present at a hazing has the obligation to report such an incident. Failure to do so may result in disciplinary action by the school against that student and could involve suspension from school for up to three days.

Any student who participates in the hazing of another student or other person may, upon the approval of the Superintendent of Schools, be suspended from school for up to ten (10) school days.

Any student determined by the Principal to be the organizer of a hazing activity may be recommended for expulsion from school but will receive no less disciplinary action than that of a participant.

In all cases relating to hazing, students will receive procedural due process.

LEGAL REFS.: M.G.L. 269:17, 18, 19

## BULLYING/CYBER BULLYING POLICY – STUDENTS – Policy JICFB

### GUIDING PRINCIPLES

The Berlin-Boylston Public Schools (hereinafter referred to as "District") expect that all members of the school community will treat each other in a civil manner and with respect for differences.

The District is committed to providing all students with a safe learning environment that is free from bullying and cyberbullying. This commitment is an integral part of our comprehensive efforts to promote learning, and to prevent and eliminate all forms of bullying and other harmful and disruptive behavior that can impede the learning process.

The District will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyberbullying, or retaliation, in our school buildings, on school grounds, or in school-related activities. We will investigate promptly all reports and complaints of bullying, cyberbullying, and retaliation, and take prompt action to end that behavior and restore the target's sense of safety. We will support this commitment in all aspects of our school community, including curricula, instructional programs, staff development, extracurricular activities, and parent or guardian involvement.

## GENERAL STATEMENT OF POLICY

The civil rights of all school community members are guaranteed by law, and the protection of those rights is of utmost importance and priority to the Berlin-Boylston Public Schools. The District also prohibits bullying, cyberbullying, and harassment of school community members for reasons related and unrelated to their race, color, religion, national origin, ethnicity, sex, sexual orientation, gender identity, age, genetic information, homelessness, disability, pregnancy or pregnancy related conditions. The District will also not tolerate retaliation against persons who take action consistent with this Policy.

Acts of bullying, which include cyberbullying, are prohibited:

1. 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
2. at a location, activity, function, or program that is not school-related or 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.

## PREVENTION AND INTERVENTION PLAN

The Superintendent and/or his/her designee shall oversee the development of a prevention and intervention plan, in consultation with all district stakeholders, which may include teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents and guardians, consistent with the requirements of this policy as well as state and federal laws. The bullying prevention and intervention plan shall be reviewed and updated at least biennially.

The Principal is responsible for the implementation and oversight of the bullying prevention and implementation plan within his or her school except when a reported bullying incident involves the principal or the assistant principal as the alleged aggressor. In such cases, the Superintendent or designee shall be responsible for investigating the report, and other steps necessary to implement the Plan, including addressing the safety of the alleged victim. If the Superintendent is the alleged aggressor, the School Committee, or its designee shall be responsible for investigating the report, and other steps necessary to implement the Plan, including addressing the safety of the alleged victim.

## DEFINITIONS

Aggressor is a student or member of the school staff who engages in bullying, cyberbullying, or retaliation.

Bullying, as defined in M.G.L. c. [71, § 37O](#) (a), 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 victim that: (i) causes physical or emotional harm to the victim or damage to the victim's property; (ii) places the victim in reasonable fear of harm to himself or of damage to his property; (iii) creates a hostile environment at school for the victim; (iv) infringes on the rights of the victim at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school.

Perpetrator, is defined as a student or 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.

Bullying is a repeated pattern of behavior that involves a power imbalance.

Cyberbullying, is defined as bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications. Cyber bullying shall also include (i) the creation of a web page or blog in which the creator assumes the identity of another person or (ii) the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying. Cyber bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying.

Hostile environment, as defined in M.G.L. c. [71, § 370](#), 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.

For the purpose of this policy, whenever the term bullying is used it is to denote either bullying or cyberbullying.

#### SCOPE OF PROHIBITION OF BULLYING

Bullying shall be prohibited: (i) on school grounds, 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, or through the use of technology or an electronic device that is not owned, leased or used by a school district or school, if the bullying creates a hostile environment at school for the victim, infringes on the rights of the victim at school or materially and substantially disrupts the education process or the orderly operation of a school.

#### REPORTING AND RESPONDING TO BULLYING AND RETALIATION

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 to a staff member shall be recorded in writing. A school or district staff member is required to report to the principal or designee, or to the superintendent or designee when the principal or assistant principal is the alleged aggressor or to the school committee or designee when the superintendent is the alleged aggressor, 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 will make a variety of reporting resources available to the school community including, but not limited to, an Incident Reporting Form, a dedicated mailing address, and an e-mail address.

Use of an Incident Reporting Form is not required as a condition of making a report. The school or district will: 1) include a copy of the Incident Reporting Form in the beginning of the year packets for students and parents or guardians; 2) make it available in the school's main office, the counseling office, the school nurse's office, and other

locations determined by the principal or designee; and 3) post the Incident Reporting Form on the school's web site. The Incident Reporting Form will be made available in the most prevalent language(s) of origin of students and parents or guardians.

At the beginning of each school year, the school or district will provide the school community, including but not limited to, educators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, paraprofessionals, administrators, staff, students, and parents or guardians, with written notice of its policies for reporting acts of bullying and retaliation. A description of the reporting procedures and resources, including the name and contact information of the principal or designee, and the superintendent or designee when the principal or the assistant principal is the alleged aggressor, will be incorporated in student and staff handbooks, on the school or district website, and in information about the Plan that is made available to parents or guardians.

Reporting by Staff: A staff member will report to the principal or designee, or to the superintendent or designee when the principal or the assistant principal is the alleged aggressor, or to the school committee or designee when the superintendent is the alleged aggressor, 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.

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, or to the superintendent or designee when the principal or the assistant principal is the alleged aggressor, or to the school committee or designee when the superintendent is the alleged aggressor. 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, or to the superintendent or designee when the principal or the assistant principal is the alleged aggressor, or to the school committee or designee when the superintendent is the alleged aggressor.

Confidentiality shall be maintained to the extent consistent with the school's obligations under law.

## RESPONDING TO A REPORT OF BULLYING OR RETALIATION - ALLEGATIONS OF BULLYING BY A STUDENT

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, ordering interim disciplinary action under the Student Code of Conduct, 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 under the Student Code of Conduct 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.

### Obligations to Notify Others

1. Notice to parents or guardians. Upon determining that bullying or retaliation has occurred, the principal or designee will promptly notify the parents or guardians of the target and the student 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](#).

2. 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
3. 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 and the school resource officer. 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 student 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.

## INVESTIGATION

The principal or designee will investigate promptly 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 student aggressor, target, and witnesses of the importance of the investigation, their obligation to be truthful and that retaliation against someone who reports bullying or provides information during a bullying investigation 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.

Each school shall document any incident of bullying that is reported per this policy and a file shall be maintained by the Principal or designee. A monthly report shall be provided to the Superintendent.

## 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 student 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.

### Responding to a Report of Bullying by School Staff

**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, placing a staff member on paid administrative leave or immediate unpaid suspension, creating a personal safety plan; 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.

### Obligations to Notify Others

1. **Notice to parents or guardians.** Upon determining that bullying or retaliation has occurred, the principal or designee will promptly notify the parents or guardians of the target, 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](#).
2. **Notice to staff member.** Upon determining that bullying or retaliation has occurred, the staff member will be promptly notified.
3. **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
4. **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 and the school resource officer. Notice will be consistent with the requirements of 603 CMR [49.00](#) and locally established agreements with the local law enforcement agency.

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.

## INVESTIGATION

The principal or designee will investigate promptly 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 of the importance of the investigation, their obligation to be truthful and that retaliation against someone who reports bullying or provides information during a bullying investigation 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. Interviews of the alleged staff aggressor will be conducted by administration. 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.

Each school shall document any incident of bullying that is reported per this policy and a file shall be maintained by the Principal or designee. A monthly report shall be provided to the Superintendent.

## 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 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 as well as the staff 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 personnel 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.

## RESPONSES TO BULLYING

Teaching Appropriate Behavior Through Skills-building. Upon the principal or designee determining that bullying or retaliation has occurred, the law requires that the school or district 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.

**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.

**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. One strategy that the principal or designee may use is to increase 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.

## TRAINING AND ASSESSMENT

Annual training shall be provided for school staff and volunteers who have significant contact with students in preventing, identifying, responding to, and reporting incidents of bullying.

## PUBLICATION AND NOTICE

Annual written notice of the relevant sections of the bullying prevention and intervention plan shall be provided to students and their parents or guardians, in age-appropriate terms.

Annual written notice of the bullying prevention and intervention plan shall be provided to all school staff. The faculty and staff at each school shall be trained annually on the bullying prevention plan applicable to the school.

Relevant sections of the bullying prevention and intervention plan relating to the duties of faculty and staff and bullying of students by school staff shall be included in the school employee handbook.

The bullying prevention and intervention plan shall be posted on the Berlin-Boylston Public Schools website.

## 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, gender identity, sexual orientation, genetic information, homelessness, or disability. 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, 37H½, 37H3/4](#), M.G.L. c. [71, §§41](#) and [42](#), M.G.L. c. [76 § 5](#), or other applicable laws, or local school or district policies, or collective bargaining agreements, in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.

SOURCE: Dupere

REFS.: Massachusetts Department of Elementary and Secondary Education's Model Bullying Prevention and Intervention Plan

LEGAL REFS.: Title VII, Section 703, Civil Rights Act of 1964 as amended

Federal Regulation 74676 issued by EEO Commission

Title IX of the Education Amendments of 1972

603 CMR [26.00](#)

MGL [71:37O](#)

MGL [265:43](#), [43A](#)

MGL [268:13B](#)

MGL [269:14A](#)

CROSS REFS.: [AC](#), Nondiscrimination

[ACA](#), Nondiscrimination on the Basis of Sex

[ACE](#), Nondiscrimination on the Basis of Handicap

[JBA](#), Policy Against Harassment and Discrimination for Students

[JICFA](#), Prohibition of Hazing

[JK](#), Student Conduct

Approved: *Berlin-Boylston Regional/Union #60 School Committee - June 19, 2018*

*Boylston School Committee - June 19, 2018*

*Berlin School Committee - June 19, 2018*

## PREGNANT STUDENTS – Policy JIE

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The Berlin-Boylston Public Schools wish to preserve educational opportunities for those students who may become pregnant and/or take on parenting responsibilities.

Pregnant students are permitted to remain in regular classes and participate in extracurricular activities with non-pregnant students throughout their pregnancy, and after giving birth are permitted to return to the same academic and extracurricular program as before the leave.

The Berlin-Boylston Public Schools do not require a pregnant student to obtain the certification of a physician that the student is physically and emotionally able to continue in school.

Every effort will be made to see that the educational program of the student is disrupted as little as possible; that health counseling services, as well as instruction, are offered; that return to school after leave is encouraged; and that every opportunity to complete high school is provided.

LEGAL REFS.: M.G.L. 71:84

Title IX: 20 U.S.C. § 1681

34 CFR § 106.40(b)

Approved: Berlin-Boylston Regional & Union #60 School Committees – May 17, 2012

Berlin School Committee – June 13, 2012

Boylston School Committee – June 6, 2012

## INTERROGATIONS AND SEARCHES – Policy JIH

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### Searches by Staff

The right of inspection of students' school lockers is inherent in the authority granted School Committees and administrators. This authority may be exercised as needed in the interest of safeguarding children, their own and school property.

Nevertheless, exercise of that authority by school officials places unusual demands upon their judgment so as to protect each child's constitutional rights to personal privacy and protection from coercion and to act in the best interest of all students and the schools.

Searches by school officials of students' automobiles or the student will be conducted in a way that protects the students' rights consistent with the responsibility of the school system to provide an atmosphere conducive to the educational process.

### Interrogations by Police

The schools have legal custody of students during the school day and during hours of approved extracurricular activities. It is the responsibility of the school administration to make an effort to protect each student's rights with respect to interrogations by law enforcement officials. Therefore:

1. When law enforcement officials find it necessary to question students during the school day or period of extracurricular activities, the school Principal or a designee will be present. The student's parent or guardian will be contacted so that the responsible individual may be notified of the situation.
2. If custody and/or arrest are involved, the Principal will request that all procedural safeguards, as prescribed by law, be observed by the law enforcement officials.

## HEAD INJURY AND CONCUSSION POLICY – Policy JJIF

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### Purpose

The Berlin-Boylston Public Schools have established a policy to be in compliance with Massachusetts's law entitled, *An Act Relative to Safety Regulations for School Athletic Program*, enacted to protect the safety and wellness of young athletes. Annual training will be provided as defined in the regulations. The Berlin-Boylston Public Schools will provide protocols to standardize procedures for persons involved in the prevention, training, and management of head injuries, including return to activity decisions, by exercising ordinary care in assuring the health and safety of their student athletes. This involves students who incur head injuries while involved in extracurricular athletic activities as well as during the school day.

The protocol is in compliance with the law to ensure the health and safety of all students. It shall be reviewed and revised as needed, but at least every two years. An accurate synopsis of this policy shall be placed in the student and faculty handbooks.

LEGAL REFS.: M.G.L. [111:222](#); 105 CMR 201.000

*Implemented: December 22, 2011*

*Reaffirmed: Berlin-Boylston Regional & Union #60 School Committee - August 25, 2015*

*Boylston School Committee - August 25, 2015*

*Berlin School Committee - August 25, 2015*

## ADMINISTERING MEDICINES TO STUDENTS – Policy JLCD

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Medication may not be administered to students while at school unless such medicine is given to them by the school nurse acting under specific written request of the parent or guardian and under the written directive of the student's personal physician (see below for exceptions). If a student has been approved for self-administration, a student who needs medication during the school day may be reminded to take the medicine by the school nurse or other individual designated by the school nurse in the student's medical administration plan. This provision only applies when the school nurse has a medical administration plan in place for the student. No one but the school nurse, and those others listed in the medical administration plan acting within the above restriction, may give any medication to any student.

### **Exceptions:**

The school district shall, through the district nurse leader, register with the Dept. of Public Health and train personnel in the use of epinephrine auto-injectors.

The school district may, in conjunction with the School Physician and the School Nurse Leader, stock nasal naloxone (Narcan) and trained medical personnel and first responders may administer nasal naloxone to individuals experiencing a life threatening opiate overdose in a school setting.

If the school district wishes medical personnel to train non-medical staff in the administration of nasal naloxone, the School Committee shall vote to approve such training and the Superintendent shall ensure that medical personnel have a written protocol which complies with medical directives and regulations from the Dept. of Public Health.

Following consultation with the school nurse, students who fall into the following exceptions may self-administer medications:

1. Students with asthma or other respiratory diseases may possess and administer prescription inhalers.
2. Students with cystic fibrosis may possess and administer prescription enzyme supplements.
3. Students with diabetes may possess and administer glucose monitoring tests and insulin delivery systems.
4. Students with life threatening allergies may possess and administer epinephrine.

LEGAL REF.: M.G.L. [71:54B](#)

Dept. of Public Health Regulations: 105 CMR 210.00; 244 CMR 3.00

*Approved: Berlin-Boylston Regional / Union #60 School Committee - June 19, 2018*  
*Boylston School Committee - June 19, 2018*  
*Berlin School Committee - June 19, 2018*

## TECHNOLOGY ACCEPTABLE USE – Policy IJNDB

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The goal of the Berlin-Boylston Public Schools Network (BBPSN) is to support and enhance instruction, research activities, administrative management and communication among the staff, students, and parents of the Berlin--Boylston Public Schools. The BBPSN provides computer access to communications resources, shared data resources, and opportunities for collaboration and enhanced communications to members of its educational community. Additionally, access to Internet resources provide responsible members of our educational community links to vast

research and other information rich sites globally that enhance the communities learning opportunities. The BBPSN is a data network implemented and overseen by the Berlin-Boylston Public Schools with the ability to link workstations, mobile devices, local area networks (LANs) and/or other external networks and access to a wide variety of globally available educational resources.

Acceptable use refers to whether the use of the network is consistent with the guidelines established for each network, LAN, workstation or other communications application that the data traffic may traverse. Given the changing nature of the technology involved and the demand that users make of networks, acceptable use is a dynamic process. The intent of this policy is to clarify certain cases that are clearly consistent or inconsistent with the intended purpose of the BBPSN and to establish guidelines for users in the appropriate use of our network. It is not possible to list all possible uses and the following is written to establish a minimum set of standards with regard to all uses of the BBPSN. Access through BBPSN to data communications carried through other networks is subject to acceptable use policies of those other networks. If other networks are accessed through BBPSN, the more restrictive and/or conservative policy shall, in all cases, apply, without exception.

Prior to authorized use of network resources, all computer users are required to sign a contract stating that they will follow the BBPSN Acceptable Use Policy. This agreement spells out in detail our expectations for the ethical and proper use of the Berlin-Boylston Public Schools Network. It must be signed by each user of the school's technology resources, and if a student is under 18 years of age, by that student's parent or legal guardian. School staff should discuss the Acceptable Use Policy with their students at the start of any internet/technology based curriculum project.

The Berlin-Boylston Public Schools have electronically limited patron access to objectionable or inappropriate materials or sites with the use of a commercial filter/firewall. Limited access systems are not fool proof and we shall also rely upon the end user and careful staff monitoring to adhere to this policy and to monitor appropriate on-line behavior. Random review of individual/system Internet logs, histories and filter logs will be conducted by the administration as a component of this monitoring process.

The use of the Berlin-Boylston Public Schools Network is a privilege, not a right, and inappropriate use will result in the cancellation of this privilege. In addition, violation of any of the conditions of this policy described here will be cause for disciplinary or legal action if appropriate. Users may be held liable for any cost incurred by the District to resolve any problems caused by their actions. When applicable, law enforcement agencies will be notified and involved. Unauthorized access or attempt to access the Berlin-Boylston Public Schools Network files shall be dealt with to the full extent of the law. Users will be subject to the same disciplinary review as applies to other infractions of each school's disciplinary policy.

Interpretation, application and modification of this Acceptable Use Policy is within the sole discretion of the Berlin-Boylston Public Schools. Any questions regarding this policy should be directed to the Building Principal or District Technology Coordinator.

#### Acceptable Use

1. All use of BBPSN shall be consistent with Berlin-Boylston Public Schools Network's primary goal. Each user shall abide by such rules and regulations of systems usage as may be announced from time to time by school personnel. The administration of the Berlin-Boylston Public Schools reserves the right to add to or change network guidelines for safety or educational reasons without notice.
2. Transmission of any material in violation of any U.S. or state regulation is prohibited. This includes but is not limited to: copyrighted material, threatening or obscene material, and/or material protected by trade secret. The administration of the Berlin-Boylston Public Schools in conjunction with the School Committee will be the arbiter of what constitutes obscene or objectionable language or images.
3. Use of BBPSN shall be approved only for legal purposes.

4. BBPSN should only be utilized for approved activities. Profit making activities or use by for-profit groups for any purpose should only occur with prior approval of the Berlin-Boylston Public Schools Administration to include the Superintendent of Schools, Technology Coordinator and other administrative personnel as deemed appropriate by the Superintendent.
5. Disruptions to BBPSN are to be avoided. This includes, but is not limited to, distribution of unsolicited advertising, propagation of computer worms and/or viruses, and using the network to make unauthorized entry to any other machine or device accessible via the network. Recreational computer game playing and similar activities will be considered unacceptable.
6. Users should access only those areas to which they have been given prior approval or authorization. Users are not to attempt to access information to which they have not been given specific approval. If there are any questions concerning access, they should be directed to the District Technology Coordinator.
7. Users shall adhere to appropriate and acceptable standards of conduct. Users shall abide by the generally accepted rules of network etiquette which include but are not limited to the following:
  - a. Be polite. Do not get abusive in your message to others.
  - b. Use appropriate language. Do not swear, use vulgarities or any other inappropriate language, symbols or emojis.
  - c. Never reveal your personal address, full legal name, phone number, social security number, bank information or other personal data to students, colleagues or network contacts.
8. Users are to respect the rights and property of others and will not improperly access, misappropriate or misuse the files, data or information of others.
9. Users are not to share their account with anyone or leave the account open or unattended. Account codes and passwords are confidential and should not be shared with any other person without the permission of the District Technology Coordinator.
10. Users are responsible for making back-up copies of digital resources critical to them.
11. Professional and legal standards of conduct and ethics should be maintained with regard to the use of copyrighted and licensed software. It is illegal to duplicate copyrighted and licensed software for use by others. Only that software which is legally owned by the Berlin-Boylston Public Schools and which has been approved for use by District Administrators in conjunction with the District Technology Coordinator shall be loaded onto and utilized on District owned systems. This shall include all technology equipment in use and housed in District facilities for use by school personnel and students of the Berlin-Boylston Public Schools unless otherwise documented and approved by the District Technology Coordinator and District Administration.
12. Information and resources accessible via BBPSN are private to the individuals and organizations which own or hold the rights to those resources and information unless specifically stated otherwise by the owners or holders of rights. Access to information or resources (even when that information or those resources are not securely protected) may occur only with prior permission of the owners or holders of rights to those resources or information. Within the BBPSN proper (resources residing on equipment owned, loaned to or leased by the Berlin-Boylston Public Schools) this final authority regarding specifically authorized rights to view and or access applications, files and other resources that reside on the system shall be determined by the administration of the Berlin-Boylston Public Schools. Specifically, this includes the Superintendent of Schools, Building Principal and the District Technology Coordinator.
13. Subscriptions to Listservs, bulletin boards and On-Line services must be pre-approved by the District Technology Coordinator in conjunction with building administrators and District Administration. BBPSN shall not assume liability for payment of any subscriptions, royalties or other fees associated with accessing commercial services, bulletin board systems and/or databases without the prior written permission of the District Technology Coordinator.
14. Access and participation to social communication sites and services are specifically prohibited without prior written approval of the school/district administration and the District Technology Coordinator.

15. Misuse or abuse of technology equipment is specifically prohibited. Users who are determined to be abusing or misusing will be held accountable for any damages incurred by the District to resolve any problems or repair any damages caused by said user.
  16. Users will respect the rights and property of others and will not improperly access, misappropriate or misuse the files, data or information of others.
  17. Users are responsible for taking precautions to prevent viruses on their own equipment and that of the Berlin-Boylston Public Schools.
  18. District provided E-mail shall be utilized for the sole purpose of exchanging information consistent with the Mission of the District and the Goal of the BBPSN.
    - a. Users may not use E-mail for private or commercial offering of products or services for sale or to solicit products or services.
    - b. E-mail may not be used for political or religious purposes.
    - c. E-mail messages are not considered to be private or privileged.
    - d. E-mail messages are subject to District review by an authorized representative of the District Administration at any time. For purposes of this policy, this shall include the District Technology Coordinator and Superintendent of Schools.
    - e. E-mail shall be used for school related purposes only.
  19. The Berlin-Boylston Public Schools makes no warranty (expressed or implied) with respect to network services or the content of any advice or information received from the BBPSN.
  20. All published or transmitted materials must adhere to school policies, and are subject to administrative review prior to posting on any electronic media. This includes district and/or school maintained/sponsored web pages or Internet sites.
    - a. Written parental/guardian permission is required prior to posting student work in either print or graphic form on any school supported/sponsored web page/site. This includes programs/activities such as Student Council, Athletics and National Honor Society in addition to individual classroom pages.
    - b. Use of student photos, graphic likeness, name or other identification is prohibited without explicit written permission from the parent/guardian and student for each occurrence.
- Furthermore, it shall be the policy of this district to limit identifying information to student first name and school district.
- c. Digital Media containing student likenesses, photos or work shall be submitted via email for approval by the building administrator (or their designee) prior to posting on any web-sites or social media.
  - d. The building administration shall keep a record of all school/classroom/school activity based web-sites/pages including the name of the sponsoring organization/group, group/program advisor, web-master (individual responsible for maintaining the site) and URL. A copy of this list shall be forwarded to the District Technology Office and updated bi-annually.

Approved: Berlin-Boylston Regional/Union #60 School Committee – August 30, 2016  
Boylston School Committee – August 30, 2016  
Berlin School Committee – August 30, 2016

## STUDENT RIGHTS AND RESPONSIBILITIES – Policy JI



The School Committee has the responsibility to afford students the rights that are theirs by virtue of guarantees offered under the federal and state constitutions and statutes. In connection with rights, there are responsibilities that must be assumed by students.

Among these rights and responsibilities are the following:

1. Civil rights-including the rights to equal educational opportunity and freedom from discrimination; the responsibility not to discriminate against others.
2. The right to attend free public schools; the responsibility to attend school regularly and to observe school rules essential for permitting others to learn at school.
3. The right to due process of law with respect to suspension, expulsion, and decisions the student believes injure his rights.
4. The right to free inquiry and expression; responsibility to observe reasonable rules regarding these rights.
5. The right to privacy, which includes privacy with respect to the student's school records.

It is the School Committee's belief that, as part of the educational process, students should be made aware of their legal rights, and of the legal authority of the School Committee to make and delegate authority to its staff to make rules regarding the orderly operation of the schools.

Students have the right to know the standards of behavior that are expected of them, and the consequences of misbehavior.

The rights and responsibilities of students, including standards of conduct, will be made available to students and their parents through handbooks distributed annually.

## STUDENT RECORDS – JRA-R

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603 CMR 23.00 is promulgated by the Board of Education pursuant to its powers under M.G.L.c.71, s.34D which directs that “the board of education shall adopt regulations relative to the maintenance of student records by the public elementary and secondary schools of the Commonwealth,” and under M.G.L.c.71, s.34F which directs that “the board of education shall adopt regulations relative to the retention, duplication and storage of records under the control of school committees, and except as otherwise required by law may authorize the periodic destruction of any such records at reasonable times.” 603 CMR 23.00 was originally promulgated on February 10, 1975, and was reviewed and amended in June 1995. 603 CMR is in conformity with federal and state statutes regarding maintenance of and access to student records, and is to be construed harmoniously with such statutes.

### Application of Rights

603 CMR 23.00 is promulgated to insure parents’ and students’ rights of confidentiality, inspection, amendment, and destruction of students’ records and to assist local school systems in adhering to the law. 603 CMR 23.00 should be liberally construed for these purposes.

1. These rights shall be the rights of the student upon reaching 14 years of age or upon entering the ninth grade, whichever comes first. If a student is under the age of 14 and has not yet entered the ninth grade, these rights shall belong to the student’s parent.
2. If a student is from 14 through 17 years or has entered the ninth grade, both the student and his/her parent, or either one acting alone, shall exercise these rights.

3. If a student is 18 years of age or older, he/she alone shall exercise these rights, subject to the following. The parent may continue to exercise the rights until expressly limited by such student. Such student may limit the rights and provisions of 603 CMR 23.00 which extend to his/her parent, except the right to inspect the student record, by making such request in writing to the school Principal or Superintendent of Schools who shall honor such request and retain a copy of it in the student record. Pursuant to M.G.L. c.71, s.34E, the parent of a student may inspect the student record regardless of the student's age.
4. Notwithstanding 603 CMR 23.01(1) and 23.01(2), nothing shall be construed to mean that a school committee cannot extend the provisions of 603 CMR 23.00 to students under the age of 14 or to students who have not yet entered the ninth grade.

### Definition of Terms

The various terms as used in 603 CMR 23.00 are defined below:

Access: shall mean inspection or copying of a student record, in whole or in part.

Authorized school personnel: shall consist of three groups:

1. School administrators, teachers, counselors and other professionals who are employed by the School Committee or who are providing services to the student under an agreement between the School Committee and a service provider, and who are working directly with the student in an administrative, teaching, counseling and/or diagnostic capacity. Any such personnel who are not employed directly by the School Committee shall have access only to the student record information that is required for them to perform their duties.
2. Administrative office staff and clerical personnel, including operators of data processing equipment or equipment that produces microfilm/microfiche, who are either employed by the School Committee or are employed under a School Committee service contract, and whose duties require them to have access to student records for purposes of processing information for the student record. Such personnel shall have access only to the student record information that is required for them to perform their duties.
3. The evaluation team that evaluates a student.

Eligible student: shall mean any student who is 14 years of age or older or who has entered 9th grade, unless the School Committee acting pursuant to 603 CMR 23.01(4) extends the rights and provisions of 603 CMR 23.00 to students under the age of 14 or to students who have not yet entered 9th grade.

Evaluation Team: shall mean the team, which evaluates school-age children pursuant to M.G.L.c.71B (St. 1972, c.766) and 603 CMR 28.00.

Parent: shall mean a student's father or mother, or guardian, or person or agency legally authorized to act on behalf of the child in place of or in conjunction with the father, mother, or guardian. Any parent who by court order does not have physical custody of the student, is considered a non custodial parent for purposes of M.G.L. c. 71, s.34H and 603 CMR 23.00. This includes parents who by court order do not reside with or supervise the student, even for short periods of time.

Release: shall mean the oral or written disclosure, in whole or in part, of information in a student record.

School-age child with special needs: shall have the same definition as that given in M.G.L. c. 71B (St. 1972, c.766) and 603 CMR 28.00.

School committee: shall include a school committee, a board of trustees of a charter school, a board of trustees of a vocational-technical school, a board of directors of an educational collaborative and the governing body of an M.G.L. c.71B (Chapter 766) approved private school.

Student: shall mean any person enrolled or formerly enrolled in a public elementary or secondary school or any person age three or older about whom a school committee maintains information. The term as used in 603 CMR 23.00 shall not include a person about whom a school committee maintains information relative only to the person's employment by the School Committee.

The student record: shall consist of the transcript and the temporary record, including all information, recording and computer tapes, microfilm, microfiche, or any other materials, regardless of physical form or characteristics concerning a student that is organized on the basis of the student's name or in a way that such student may be individually identified, and that is kept by the public schools of the Commonwealth. The terms as used in 603 CMR 23.00 shall mean all such information and materials regardless of where they are located, except for the information and materials specifically exempted by 603 CMR 23.04.

The temporary record: shall consist of all the information in the student record which is not contained in the transcript. This information clearly shall be of importance to the educational process. Such information may include standardized test results, class rank (when applicable), extracurricular activities, and evaluations by teachers, counselors, and other school staff.

Third party: shall mean any person or private or public agency, authority, or organization other than the eligible student, his/her parent, or authorized school personnel.

Log of Access: A log shall be kept as part of each student's record. If parts of the student record are separately located, a separate log shall be kept with each part. The log shall indicate all persons who have obtained access to the student record, stating: the name, position and signature of the person releasing the information; the name, position and, if a third party, the affiliation if any, of the person who is to receive the information; the date of access; the parts of the record to which access was obtained; and the purpose of such access. Unless student record information is to be deleted or released, this log requirement shall not apply to:

- a. Authorized school personnel under 603 CMR 23.02(9)(a) who inspect the student record;
- b. Administrative office staff and clerical personnel under 603 CMR 23.02(9)(b), who add information to or obtain access to the student record; and
- c. School nurses who inspect the student health record.

**Access of Third Parties.** Except for the provisions of 603 CMR 23.07(4)(a) through 23.07(4)(h), no third party shall have access to information in or from a student record without the specific, informed written consent of the eligible student or the parent. When granting consent, the eligible student or parent shall have the right to designate which parts of the student record shall be released to the third party. A copy of such consent shall be retained by the eligible student or parent and a duplicate placed in the temporary record. Except for the information described in 603 CMR 23.07(4)(a), personally identifiable information from a student record shall only be released to a third party on the condition that he/she will not permit any other third party to have access to such information without the written consent of the eligible student or parent.

- a. A school may release the following directory information: a student's name, address, telephone listing, date and place of birth, major field of study, dates of attendance, weight and height of members of athletic teams, class, participation in officially recognized activities and sports, degrees, honors and awards, and post-high school plans without the consent of the eligible student or parent; provided that

the school gives public notice of the types of information it may release under 603 CMR 23.07 and allows eligible students and parents a reasonable time after such notice to request that this information not be released without the prior consent of the eligible student or parent. Such notice may be included in the routine information letter required under 603 CMR 23.10.

**Access Procedures for Non-Custodial Parents.** As required by M.G.L. c.71, s.34H, a non-custodial parent may have access to the student record in accordance with the following provisions.

- a. A non-custodial parent is eligible to obtain access to the student record unless:
  1. The parent has been denied legal custody based on a threat to the safety of the student or to the custodial parent, or
  2. The parent has been denied visitation or has been ordered to supervised visitation, or
  3. The parent's access to the student or to the custodial parent has been restricted by a temporary or permanent protective order, unless the protective order (or any subsequent order modifying the protective order) specifically allows access to the information contained in the student record.
- b. In order to obtain access, the non-custodial parent must submit a written request for the student record to the high school principal annually. The initial request must include the following:
  1. A certified copy of the court order or judgment relative to the custody of the student that either indicates that the requesting parent is eligible to receive access as set forth in 603 CMR 23.07(5)(a), or a certified copy of a court order specifically ordering that the student records be made available to the non-custodial parent, and
  2. An affidavit from the non-custodial parent that said court order or judgment remain in effect and that there is no temporary or permanent order restricting access to the custodial parent or any child in the custodial parent's custody.
- c. The non-custodial parent must submit a written request for a access each year stating that said parent continues to be entitled to unsupervised visitation with the student and is eligible to obtain access as set forth in 603 CMR 23.07(5)(a).
- d. Upon receipt of the request (initial and annual) the school must immediately notify the custodial parent by certified and first class mail, in English and the primary language of the custodial parent, that it will provide the non-custodial parent with access after 21 days, unless the custodial parent provides the principal with documentation that the non-custodial parent is not eligible to obtain access as set forth in 603 CMR 23.07(5)(a).
- e. The school must delete the address and telephone number of the student and custodial parent from student records provided to non-custodial parents. In addition, such records must be marked to indicate that they shall not be used to enroll the student in another school.
- f. Upon receipt of a court order which prohibits the distribution of information pursuant to M.G.L. c.71, s.34H, the school shall notify the non-custodial parent that it shall cease to provide access to the student record to the non-custodial parent.

At least once during every school year, the school shall publish and distribute to students and their parents in their primary language a routine information letter informing them of the following:

- a. The standardized testing programs and research studies to be conducted during the year and other routine information to be collected or solicited from the student during the year.
- b. The general provisions of 603 CMR 23.00 regarding parent and student rights, and that copies of 603 CMR 23.00 are available to them from the school.

LEGAL REFS.: Family Educational Rights and Privacy Act of 1974,

P.L. 93-380, Amended

P.L. 103-382, 1994

M.G.L. 66:10 71:34 A, B, D, E, H

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CROSS REF.: KDB, Public's Right to Know