

# Eagle Academy

## Student Handbook



2019-2020

### *Message from the Director:*

Welcome to the Eagle Academy! The Eagle Street Student Handbook is designed to supplement the Pittsfield Public Schools District Handbook. This handbook is designed to

provide a summary of the most important procedures and policies as they relate to Eagle Academy students and families. This information will help you to understand your rights and opportunities as well as your responsibilities and obligations in order to have a safe and successful high school experience. It is important that you and your families review these policies and procedures to ensure a successful and positive experience at the Eagle Academy.

The staff at the Eagle Academy looks forward to serving you.

Melissa Brites  
Alternative Education Director  
(413)770-9745  
[mbrites@pittsfield.net](mailto:mbrites@pittsfield.net)

## **School Department Organization**

### **School Committee**

The Honorable Linda Tyer, *Mayor of Pittsfield*

Mrs. Katherine Yon, *Chairman*

Mrs. Cynthia Taylor, *Secretary*

Dr. William Cameron

Mr. Daniel C. Elias

Mr. Joshua Cutler

Mr. Dennis Powell

### **Administration**

Dr. Jason McCandless, *Superintendent*

Mr. Joseph Curtis, *Deputy Superintendent*

Mrs. Kristen Benhke, *Assistant Superintendent of Business and Finance*

Mrs. Tammy Gage, *Assistant Superintendent for College and Career Readiness*

### **Eagle Academy**

Ms. Melissa Brites, *Director, 413-770-9745*

*Mr. Brian Kelley, Program Director, 413-448-9724*

Ms. Dawn Betters, *School Adjustment Counselor, 413-448-9724*

Mr. Lance Spratling, *Teacher of Deportment, 413-448-9724*

Mr. Joseph King, *Caseworker, 413-448-9724*

### **Statement of Nondiscrimination**

The Pittsfield Public Schools, in accordance with its non-discrimination and zero tolerance policy, does not discriminate in its programs, activities, facilities, employment, or educational opportunities on the basis of race, color, age, disability, sex, religion, national origin, sexual orientation, or gender identity and does not tolerate any form of discrimination, intimidation, threat, coercion and/or harassment that insults the dignity of others by interfering with their freedom to learn and work. [M.G.L. c.76, s5]

## **Welcome to Eagle Academy**

### **Program Description**

The Eagle Academy provides special education services to adolescents. We are located in the historic Eagle Building in downtown Pittsfield, MA.

Eagle Academy provides specialized programming for high school students in grades 9-12. Our program is designed to provide a small, safe and supportive environment for students who have significant behavioral and/or social emotional needs and who have had difficulty accessing the general education curriculum in a traditional high school setting.

Eagle Academy provides individualized and small group instruction for academics delivered by licensed teachers. In addition, the program offers counseling services, case management, social skills instruction, life skills and job readiness training.

Our Program works collaboratively with many community agencies to support and enhance programming, including: CATA, Berkshire Museum, MassHire, 1st United Methodist Church, YMCA, The Christian Center of Pittsfield, Williams College, and BCC TRIO Program.

Students referred to EOS @ Eagle Street have significant social/emotional needs and exhibit challenging, often unskillful behaviors in a typical school setting. Most students have identified disabilities and receive special education services through an IEP. Students come to us with a history of chronic behavior problems which have resulted in disciplinary action, including multiple suspensions.

### **Our Mission**

In order to foster academic excellence, and inspire students to set and achieve personal goals at the highest level, EOS @ Eagle, focuses on instilling knowledge, confidence, and personal goal setting, while providing a safe, respectful and engaging environment in which all students can learn and grow. Together, with families, teachers, administrators, and community partners, our mission is to offer a comprehensive alternative education program that will encourage and empower students to maximize his or her potential for success. Students will acquire the 21st century skills necessary to become productive students, responsible citizens and lifelong learners in a dynamic, diverse world.

### **Eagle Academy Daily Schedule**

Time	Schedule
7:30-7:45	Program opens. Student check in with Teacher of Department
7:45-8:15	Breakfast and Morning Check-In. Review of schedule and program expectations.
8:15-9:45	Academics: Students are assigned to small groups and rotate through 3-30 minute sessions.
9:45-10:00	Break: Students must remain in assigned areas
10:00-10:30	Life Skills/Health
10:30-12:00	Academics: Students are assigned to small groups and rotate through 3-30 minute sessions.
12:00-12:30	Lunch: Students must remain in the cafeteria and all students will complete their assigned community job. Rotating schedule
12:30-1:30	*Academic Support/Community Programming
1:30-2:30	Daily Staff Meeting/Prep Time/Student Meetings

\*Academic Support/Community Programming is a required part of the EOS @ Eagle program, and runs from 12:30 PM – 1:30 PM each day. During this time, our students will participate in activities, such as; physical education, health, community & vocational activities, mindfulness, art, music, theater, employment, and volunteerism. Students will be expected to follow program rules in all settings, including community based sites.

## Schoolwide Expectations

In conjunction with the Positive Behavioral Supports initiative, students are expected to apply the EOS @ Eagle Street principles when considering their conduct and behavior as a member of the Eagle Street community.

*At Eagle Street, we are:*

**S: Safe**

**O: On Time**

**A: Accountable**

**R: Respectful**

The Eagle Street staff will review and implement programs to teach these expectations with all students throughout the year. We utilize a daily point system designed to monitor progress and motivate students. Points are used as part of the grading system, and level system where students can earn incentives and privileges.

## DISTRIBUTION OF REPORT CARDS

Report cards are distributed the week after marks close

	<u>Progress Reports</u>	<u>Close of Marks</u>
1 <sup>st</sup> Quarter	October 4, 2019	November 1, 2019
2 <sup>nd</sup> Quarter	December 13, 2019	January 24, 2020
3 <sup>rd</sup> Quarter	March 13, 2020	April 3, 2020
4 <sup>th</sup> Quarter	May 10, 2020	June 17, 2020

\*The above dates may be amended

## High School Graduation Requirements

The following are the minimum graduation requirements for Pittsfield Public Schools:

4 years of English (English 9, English 10, English 11, English 12)

3-4 years of Math (Algebra 1, Geometry, Algebra 2)

If score “Needs Improvement” (220-238) on math MCAS, 4<sup>th</sup> year of math is a requirement to graduate to satisfy Educational Proficiency Plan (EPP); however, we highly recommend ALL students take a 4<sup>th</sup> year of math.

3 years of history (US. History I, US History II, World History)

3 years of science (Biology, Chemistry, Physics)

4 years of PE

2 Years of Human Development

Demonstrate Proficiency on MCAS in ELA, Math and Science (Score 240 or satisfy Educational Proficiency Plan)

244 total credits- 64 credit minimum a year

### **Credits**

Two credits are earned for each period per week that the course meets. Example - English meets 5 periods per week and therefore awards 10 credits.

### **Promotion**

Promotion at the high school level shall be by course rather than by grade. Students who fail required subjects and do not take and pass said subjects during the subsequent summer school session shall be required to repeat these subjects the following school year. Required subjects shall include English and physical education each year, as well as 3/4 years of math, 2/3 of social studies (one year of which must be U.S. History), 2/3 years of science, and two years of human development.

### **Marking System**

Report cards are issued approximately every ten weeks. A report card grade reflects elements of class participation, interest, industry, completion of assignments, test scores, and attendance. Informal progress reports are issued approximately halfway through each marking period.

Eagle Street encourages all families to utilize their Powerschool accounts to monitor their student's grades. If you do not have a Powerschool account, forgot your password, or need assistance logging on, please see the detailed instructions on our school and/or district website or email Karen Shields in our technology department at [kshields@pittsfield.net](mailto:kshields@pittsfield.net). The PowerSchool parent portal is an important tool to help families monitor student academic progress, and we strongly encourage all families to frequently log in to check student grades. If you already have access, but need assistance navigating the website or smartphone app, please do not hesitate to call the program at 448-9724 or 770-9750 and someone will assist you.

High school grades range from 0 to 100. A grade of 60 is passing. Averaging the four-quarter grades arrives at a final grade for a full-year course. Class attendance and teacher comments will appear on the report card.

A grade point average is used to determine the following:

High Honors = 92  
Honors = 88

### **Teacher Grades**

Teacher grades for all courses not labeled Pass/Fail shall be on a numerical basis with a grade of 60 being the lowest passing grade.

### **Absenteeism and Marking Practices**

If you are absent for illness or other excusable reasons, please follow the following procedures:

- Have your **PARENT/GUARDIAN** call the program between 7:00 and 8:15 in the morning at 448-9724 or 770-9750, **OR**
- —Bring in a note signed by your **PARENT** explaining the reason for your absence.
- In the case of absence, it is the responsibility of the student to arrange for make-up to be completed. Failure to do so will result in zeros for the missed work, until the work made up through arrangements with the classroom teacher.

A doctor's note may be required in order to grant excused absences after five consecutive days of absence.

Good attendance and active participation will **RAISE YOUR GRADE**. For most students this is an opportunity to improve learning and grades.

Active participation in classroom activities is the basis for all course work. The learning experience that takes place in the classroom environment is a meaningful and essential part of the classroom structure. Time lost from class, in terms of opportunity for interaction among students and teacher, is irretrievable. Moreover, each classroom is a community in which students are expected to play an active role as a member of their larger high school community, as reflected in each school's mission. Therefore, daily classroom attendance is considered to be an integral part of each student's course of study. Some high school students must take increasing responsibility for educational decisions on a daily as well as long-term basis to fulfill completion of class assignments is considered to be each student's vital obligation.

For this reason, though some absences may be excusable, no absence is truly acceptable. Students and their parents should make every effort to ensure that the student should be present in class except in the case of serious illness or family emergencies.

Students are expected to arrive on time to school each day and follow the daily schedule of the program.

### **Course Registration**



Registration occurs each spring and both students and parents are involved in the registration process. Evening informational meetings as well as faculty support the registration process. Student schedules are released and mailed to students shortly after the close of the school year. School counselors are available to support schedule changes throughout the summer and at the start of the school year. The SAC and caseworkers assigned to the Eagle Street program will assist students and families in order to ensure that students are on track to graduate and have been enrolled in the appropriate required courses.

### **Withdrawals and Transfers**

A student withdrawing from high school must obtain a withdrawal card from the school counseling office. The student must return all texts and other school property and secure the signatures of his teachers, his counselor, the school nurse, the Attendance Office, and the Main Office. Once completed, the card is returned to the school counseling office. The school department will share demographic information about school dropouts with MassHire, the Adult Learning Center or other appropriate agencies that may be able to help the student obtain a GED or job training. Furthermore, an exit interview will be attempted prior to the student's departure. The SAC or caseworker assigned to Eagle Street will assist families in this process.

### **Summer School**

A student who has failed a course during the school year with a minimum final course grade of 40 may make it up during the summer school. Courses failed during the school year with a final grade below 40 must be made up during summer school. See your guidance counselor for more information. It is the student's responsibility to properly inform summer school personnel so that the correct course is registered for. **A student must complete the regular course during the school year before taking remedial summer school courses. Failing a course with a grade of less than 40, or failure to make up a failed course in summer school might require a student to complete an additional year of high school to graduate.**

### **Policy for Course Credits Outside The Pittsfield Schools**

It shall be the policy of the Pittsfield Public Schools to authorize the granting of credit to students at Taconic High School and Pittsfield High School for courses pursued at Berkshire Community College, the Adult Evening Program, or other educational institutions approved by the Superintendent of Schools, for which they received prior authorization from their high school principal.

#### **Guidelines:**

- \*Students are responsible for obtaining and returning paperwork in a timely manner
- \*Students must gain approval from their building principal
- \*Credit equivalents are determined as directed by the guidance departments, the building principal, and the educational institution
- \*Pass-fail courses will not factor into GPA or RIC

\*Student athletes, in order to be eligible for participation, must meet minimum credit, attendance, and academic standards. Students may be required to produce attendance verification and/or academic progress reports. They must sign to give the institution attended permission to share attendance and grade information with the Taconic guidance department.

\*Approvals may not be granted if equivalent courses are available through the Pittsfield Public Schools

## **Testing**

During the course of a high school student's career, both mandatory and optional assessments will be administered. A descriptive list (not limited to) is provided below.

**MCAS (Massachusetts Comprehensive Assessment System):** English Language Arts, Mathematics tests are offered in the spring of students' sophomore years. Science is offered in the spring of the 9th grade year. Students must obtain a 220 on all three exams to be eligible for a diploma. Three re-tests are offered each year to those sophomores, juniors and seniors who do not pass. Students who achieve high scores are eligible for tuition relief at state schools.

**Quarterly Benchmark Assessments:** These exams are created and administered in each course and will comprise of 5% of the quarter grade. These exams run parallel to MCAS format and are aligned with state curriculum frameworks. Seniors may earn an exemption from the fourth quarter benchmark if they meet defined criteria.

**SAT/ACT/PSAT:** These exams are given to those students in preparation of application to colleges and universities. Recently changed, the exam has been modified, including the addition of a writing component. SAT preparation is integrated into the English and mathematics curriculum and private vendors also market tutorial materials. Subject (SAT II) exams are also offered to demonstrate proficiency in specific content areas.

**ASVAB:** A free exam offered to students to support their exploration of future careers and aptitudes in specific career pathways.

## **Counseling and Health Services**

### **Counseling Services**

The EOS @ Eagle Street program offers ongoing, daily counseling to all students. Services are provided individually and in small groups according to the needs of students and as outlined in student IEPs. In addition, outside referrals to mental health services may be recommended by the SAC at the program.

## **Health Services**

The Eagle Street program does not have a full time nurse. All staff members are CPR and First Aid certified.

## **Accidents**

Accidents of any nature should be reported to a program administrator immediately.

## **Home Tutoring**

The School Department provides home tutoring for students who will be absent for a prolonged period of time due to illness and/or physical or emotional disabilities. Such requests, for students enrolled in the Eagle Street Program, should be directed to the Program Administrator.

## **Program Operations**

### **Volunteers & Visitors**

While Eagle extends a warm welcome to parents and others who visit our program, at the same time, we must assure that our students and staff are safe and learning is not disrupted. Schools must be aware of who is in the building and why they are there. All entrances to the Eagle Street program are locked. This includes the elevator and the door leading to the stairwell at the street level entrance of the building. All visitors must report to the Teacher of Department's Office with a valid ID (preferably a driver's license), sign in, and receive a visitor's pass/identification for use while in the program. Visitors will be escorted to their destination by Eagle Street staff.

Anyone who wishes to volunteer time to work with our students and is likely to have access to students which, at times, may be unsupervised while on school premises or while participating or assisting in school-sponsored programs or activities must register with the district for a Criminal Offender Records Information (CORI) check before engaging in volunteer activities. The opportunity to volunteer may be denied if the check reports evidence of criminal conduct deemed by the superintendent or designee to create a credible risk to students, staff, or the public.

## **Student Code of Conduct, Character, and Support**

For the Pittsfield Public Schools full Code of Conduct, Character, and Support, please see the PPS District Website at [www.pittsfield.net](http://www.pittsfield.net)

## **Behavior Concerns, Infractions and Aligned Consequences and Interventions**

### **Major Shifts in the Discipline Matrix in the Current Code:**

- The Code places a greater focus on aligned restorative and accountable consequences and interventions rather than punishment. When an exclusionary response, such as in-school (ISS) or out-of-school (OSS), is warranted, the focus will be on short-term removals.
- The Code of Conduct, Character and Support places greater emphasis on interventions where students must account for their behavior and do something to repair the harm or make things right, rather than relying only on exclusionary consequences.

- Infractions are described as concretely as possible to avoid problems with assigning consequences that cover too wide a range of options.
- The delineation of four levels of consequences and interventions reduces the risk of discretionary determinations with the intended result to be increased equitable responses and decreased disproportionate responses for groups of students that are often overrepresented in exclusionary discipline.
- Differential responses will occur when indicated to accommodate for differences in the severity and frequency of the infraction and developmental differences in students based on age and ability.
- Level 1 lower impact behaviors should be managed by classroom teachers.
- As with all levels of behavior, if the behavior persists, restorative and accountable responses from higher levels may be imposed.

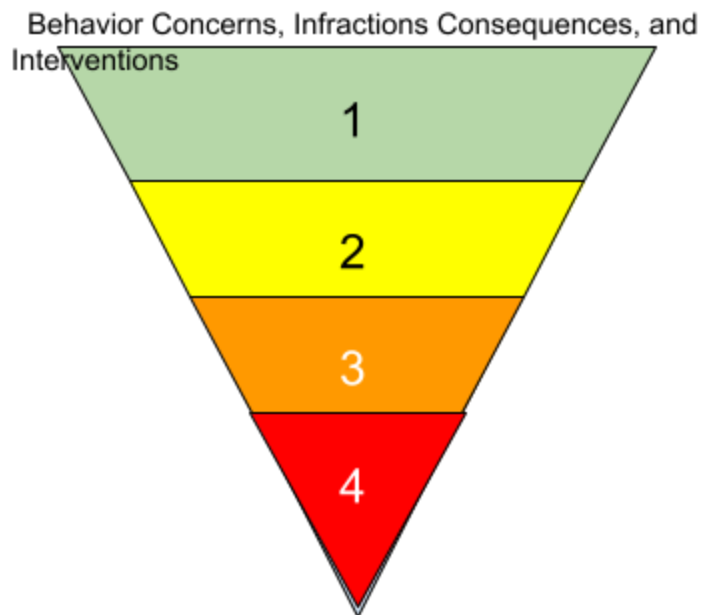
Level 1 interventions incorporate universal schoolwide and classroom practices that promote the development and practice of prosocial behaviors, self-discipline, habits of learning, and healthy well-being. Teachers aim to prevent minor discipline problems from becoming major disciplinary incidents.

Level 1 behavior requires intervention/consequences by the teacher/staff member; it may involve documentation. At this level, teachers/staff provide support to and set classroom limits with students, with possible follow-up consultation from student support staff.

Level 2 involves targeted interventions and may include consequences when a student's behavior violation warrants this. At this level, when the behavior persists after teacher interventions are not successful it may involve student removal from classroom, restorative interventions, meeting with administrator or student support staff member or having a family conference.

Level 3 and 4 involve violent or dangerous behavior violations that seriously jeopardize school and classroom safety and order. Students who are experiencing high risk or pervasive behavioral, academic, and physical and mental health concerns are assigned more intensive, individualized interventions.

Consequences and interventions apply to all students, Kindergarten to Grade 12, including all students with IEPs and 504 plans. Multiple incidents or chronic violations of the same behavior will warrant more intensive interventions and more serious consequences. Level 3 and 4 consequences and interventions may be modified for students to ensure the developmental appropriateness of the response, as well as, compliance with regulations for students with disabilities on an IEP or 504 plan. Employment of a suspension at a K-2 level is used only as a last resort and must include consultation with the Superintendent or his/her designee. Principals can also request this consultation for other grade levels to determine the most appropriate consequences and interventions. Exclusionary responses, such as ISS or OSS, allows the school community to devise a safety and a reintegration plan. Parents of any student



who has engaged in highly aggressive or dangerous behaviors are expected to participate in the intervention plan created to support their child's success.

The matrix below outlines the definitions of behavioral infractions and the initial level of response to be expected.

**NOTE: Lowest level infractions are noted below. In situations where behavior continues and may become persistent, infractions progress to higher levels.**

<b>Level 1 <i>Teacher/Staff support with student support team consultation if necessary</i></b> The behavior requires intervention/consequences by the teacher/staff member; it may involve documentation.						
<b>Level 2 <i>Involves support staff and/or appropriate administration</i></b> The behavior persists after teacher interventions are not successful; it may involve student removal from classroom, restorative interventions, meeting with administrator or student support staff member or family conference.						
<b>Level 3 <i>In-school and Short-Term Suspension</i></b> The behavior presents a risk to the safety, health, or welfare of the adults and students; may involve in-school suspensions (partial or full day) or short-term suspensions from 1 to 5 days based on severity and repeated occurrences; may also involve meeting with administrator or student support team member, family conference, and/or re-entry restorative planning conference.						
<b>Level 4 <i>Request for Long-Term Suspension</i></b> Infractions at this level represents the most serious infractions and may result in a suspension of more than five days, up to and including a full-year of suspension or exclusion from school. Behavior involves violent or dangerous behavior violations that has a substantial detrimental effect on safety and the general welfare of the school.						
Code	Offense Category	Description of the Offense	Level 1	Level 2	Level 3	Level 4
<b>Alcohol (liquor law violations: possession, use, sale)</b>						
1010	Sale of alcohol	Selling or attempting to sell alcoholic beverages on school property or at a school function.				■
1020	Distribution of alcohol	Distributing (i.e., giving away) alcoholic beverages on school property or at a school function.			■	
1030	Drinking alcohol	Consuming alcoholic beverages on school property or at a school function.			■	
1040	Possession of alcohol	Having alcoholic beverages in one's pocket(s), bag(s), locker, car, etc.			■	

		while on school property or at a school function.				
1050	Suspicion of alcohol use	Exhibiting behaviors that suggests that an individual consumed alcohol.		■		
1100	Arson (Setting a Fire)	The unlawful or intentional damage, or attempt to damage, any school property by fire or incendiary device. Firecrackers, fireworks, and trash can fires would be included in this category if they were contributing factors to a damaging fire.				■
<b>Attendance Policy Violation (Not Attending School or Classes as Required)</b>						
1210	Forging absence excuse	Creating a false document or signature used with the intent to deceive a school official.		■		
PPS-01	Forging absence excuse	Creating a false document or signature used with the intent to deceive a teacher.	■			
1220	Skiping or Leaving Class	Missing or left class without permission	■			
1230	Tardiness	Lateness for school or class without permission.	■			
1240	Truancy	Missing or leaving school without permission		■		
1300	Physical Altercation or Attack	Committing an act of violence toward a person, including, hitting, kicking, shoving, punching, scratching or spitting on another person. <b>Must have an offender and a victim.</b>			■	
1700	Physical Fighting	<b>Mutual</b> participation in an altercation involving physical violence. <b>No victims, only offenders.</b>			■	
1400	Burglary / Breaking and Entering (Stealing Property/Un	Unlawful entry or attempted entry into a building or other structure with the intent to commit a crime.				■

	lawful Entry)					
PPS-02	Classroom Misbehavior	Refusal to do work or participate in lesson; lack of compliance with classroom rules; off-task behavior; interrupting others from doing their work; engages in demands, argumentative and adversarial speech, confrontations or “back talk” (includes share or buddy teachers)	■			
PPS-03	Persistent Classroom Misbehavior	Refusal to do work or participate in lesson; lack of compliance with classroom rules; off-task behavior; interrupting others from doing their work; engages in demands, argumentative and adversarial speech, confrontations or “back talk” that requires removal from class by an administrator (does not include share or buddy teachers)		■		
PPS-04	Public Space Misbehavior	Running, excessive noise, horseplay, loitering or unauthorized hall walking	■			
PPS-05	School Bus Misbehavior	Distraction of driver while driving;				
1500	School-Wide Disorderly Conduct	Any act that <b>substantially</b> disrupts the orderly conduct of the <u>school environment</u> . Required a high level of administrative and/or support staff resources to return to calm.			■	

Drugs Excluding Alcohol and Tobacco (Illegal Drug Possession, Sale, Use/Under the Influence)						
1610	Sale of illegal drug	Selling or attempting to sell illegal drugs on school property or at a school function.				■
1620	Sale of substance represented as an illegal drug	Selling a substance represented as an illegal drug (e.g., selling oregano represented as marijuana).			■	
1630	Distribution of illegal drug	Distributing (i.e., giving away) illegal drugs on school property or at a school function.				■

1640	Distribution of substance represented as an illegal drug	Distributing (i.e., giving away) substance represented as an illegal drug.			■	
1650	Use of illegal drug*	Smoking, snorting, injecting, ingesting, or otherwise using an illegal drug not mentioned above			■	
MA02	Marijuana use	Smoking or otherwise using marijuana on school property or at a school function.			■	
1660	Possession of illegal drug*	Having an illegal drug in one's pocket(s), bag(s), car, locker, etc. on school property or at a school function.			■	
MA01	Marijuana possession	Having marijuana in one's pocket(s), bag(s), locker, car, etc.			■	
MA03	Possession of illegal drugs with intent to sell	Possession of illegal drugs with intent to sell on school property or at a school function.				■
1670	Possession of drug paraphernalia	Having equipment (e.g., bong) for use in consuming illegal drugs in one's pocket(s), bag(s), car, locker, etc. on school property or at a school function.			■	
1680	Suspicion of use	An instance where an individual's behavior suggests that he or she used illegal drugs.		■		

### Harassment, Nonsexual (Physical, Verbal, or Psychological)

1810	Bullying	The repeated use by one or more students (aggressors) of a written, verbal or electronic expression or a physical act or gesture of any combination thereof, directed at a target that: (i) causes physical or emotional harm to the target or damage to the target's property; (ii) places the target in reasonable fear of harm to him/herself or of damage to his/her property; (iii) creates a hostile environment at school for the target; (iv) infringes on the rights of the target at school; (v) materially and substantially disrupts the education process of			■	
------	----------	---	--	--	---	--



		the orderly operation of a school. This includes cyber bullying.				
1820	Hazing	Committing an act or acts against a student or coercing a student to commit an act that creates risk of harm to a person in order to be initiated into a student organization or class.				■
1897	Other nonsexual harassment	The incident cannot be coded in one of the above categories but did involve nonsexual harassment. This includes harassment based on the basis of race, color, age, disability, sex, religion, national origin, sexual orientation, or gender identity.			■	
1900	Harassment, Sexual	Unwelcome sexual advances, requests for sexual favors, other physical or verbal conduct/communication of a sexual nature, including gender-based harassment that creates an intimidating, hostile, or offensive environment.			■	

#### **Inappropriate Use of Medication (Prescription or over-the-counter)**

2110	Sale of medication	Selling prescription or over-the-counter medication.				■
2120	Distribution of medication	Distributing (i.e., giving away) prescription or over-the-counter medicine in violation of school rules.				■
2130	Use of medication in violation of school rules	Using prescription or over-the-counter medicine in violation of school rules.			■	
2140	Possession of medication in violation of school rules	Having prescription or over-the-counter medication in one's pocket(s), bag(s), car, locker, etc., in violation of school rules		■		
2150	Suspicion of use of medication in violation of school rules	An instance where an individual's behavior suggests that he or she used prescription or over-the-counter drugs in violation of school rules.		■		
PPS-06	Inciting or Participating in Disturbance	Engaging in an intentional act to disrupt the normal operation of the school community; instigating or encouraging another person to violate the Code of Conduct, Character and Support		■		

2200	Administrative Non-Compliance/ Insubordination	Unwillingness to comply with authority, refusal to respond to a reasonable request, or other situations in which a student fails to comply with the reasonable requests of school personnel. Includes failure to comply with assigned consequence and failure to identify oneself.		■		
2300	Kidnapping (Abduction)	Unlawful seizure, transportation, and/or detention of a person against his/her will, or of a minor without the consent of his/her custodial parent(s) or legal guardian. This category includes hostage taking.				■
<b>Obscene Behavior</b>						
2410	Displays of affection in violation of school policy	Holding hands, kissing or other displays of affection	■			
2420	Obscene written messages	Writing obscene messages on paper, on black boards, or elsewhere on school property (e.g., on bathroom wall).		■		
2430	Drawing obscene pictures	Creating illustrations of a sexually explicit or vulgar nature.		■		
2440	Obscene electronic communication	Posting obscene messages on Internet message boards, sending obscenities via Internet chat rooms/instant messaging, Twitter, cell phone text and downloading or emailing obscene material.			■	
2450	Obscene gestures	Gestures that are offensive, socially unacceptable, or otherwise not suitable for an educational setting.		■		
2460	Obscene language/profanity	Suggestive, explicit, or vulgar language, cursing, or abusive language.		■		
2500	Physical Altercation, Minor	Confrontation, horseplay, or physical aggression that does not result in injury.	■			
PPS-07	Refusal to Be Searched	Refusing to allow a search by a <b>school official</b> who possesses reasonable suspicion that a student may possess contraband violating school policy that could potentially endanger the welfare of the student or the safety of others.			■	

PPS-08	Refusal to Identify	Refusing to identify oneself when asked by a member of school staff, either an administrator or a teacher.		■		
--------	---------------------	--	--	---	--	--

2600	Robbery (Taking of Things by Force)	The taking of, or attempting to take, anything of value that is owned by another person or organization under confrontational circumstances by force or threat of force or violence and/or by putting the victim in fear. A key difference between robbery and theft is that the threat of physical harm or actual physical harm is involved in a robbery.				■
------	-------------------------------------	--	--	--	--	---

#### **School Threat (Threat of Destruction or Harm)**

2710	Bomb threat	Intentionally making a false report of potential harm from a bomb, dynamite, explosive, or arson-causing device on school property.				■
2720	Fire alarm	Verbally or otherwise (e.g., ringing alarm bells) making a false report of fire.			■	
2730	Chemical/ biological threat	Intentionally making a false report of potential harm from dangerous chemicals or biological agents.				■
2740	Terroristic threat	Making terroristic threats to harm students or school officials, and/or to destroy school property.				■
2800	Sexual Battery (Sexual Assault)	Oral, anal or vaginal penetration forcibly or against the person's will or where the victim is incapable of giving consent on school property or at a school function. Includes rape, fondling, indecent liberties, and child molestation.				■
2900	Sexual Offenses, Other (Lewd Behavior, Indecent Exposure)	Sexual intercourse, sexual contact, or other behavior intended to result in sexual gratification without force or threat of force on school property or at a school function. Code statutory rape here.				■

#### **Theft (Stealing Personal or Other Property)**

3110	General theft, Person	Taking or attempting to take money or property belonging to another person or the school with the intent to permanently deprive the victim of his or her possessions.		■		
3120	Motor Vehicle Theft	Theft of a motor vehicle on school property. This category includes theft of a car, truck, motorcycle, dune buggy, snowmobile, RV, or anything that is self-propelled on school property or at a school function.				■

### Threat/Intimidation (Causing Fear of Harm)

3210	Physical threat	Threatening an individual or group of individuals with a gesture(s) or body language.		■		
3220	Verbal threat	Threatening an individual or group of individuals with spoken words or sounds.		■		
3230	Written threat	Threatening an individual or group of individuals in writing (e.g., letter, note, message on chalkboard).		■		
3240	Electronic threat	Threatening an individual or group of individuals by text, email, postings on Internet sites, or through other electronic mechanisms.		■		
MA04	Threat of robbery	Any threat (verbal, written, electronic) by a person to commit a robbery.		■		
PPS-08	Extortion	Theft using coercion, which includes obtaining money or property from another student through coercion, intimidation or threat of physical harm			■	

### Tobacco (Possession or Use) Tobacco products is defined to include cigarettes, cigars, pipes, smokeless tobacco, juul and vape pods.

3310	Sale of tobacco	Sale of tobacco products			■	
3320	Distribution of tobacco	Distribution (i.e., giving away) tobacco products.			■	
3330	Use of tobacco	Smoking, chewing or otherwise using tobacco		■		
3340	Possession of tobacco	Having tobacco in one's pocket(s), bag(s), car, locker, etc.	■			

3350	Suspicion of use of tobacco	An instance where an individual's behavior, breath, etc., suggests that he or she used tobacco.	■			
3400	Trespassing (Unlawful or Unauthorized Presence)	Students are on school grounds either in the building they regularly attend after notice or in another school building without permission			■	
<b>Vandalism (Damage to School or Personal Property)</b>						
3510	Vandalism of school property	Intentionally damaging or destroying school property (K-2 considerations)			■	
3520	Vandalism of personal property	Intentionally damaging or destroying the personal property of a student or staff member, including graffiti (K-2 considerations)			■	
3600	Violation of School Rules	Violation of school rules without insubordination.	■			
3600 (PPS)	Academic Dishonesty	Includes plagiarism, cheating, copying from another student, altering records, and assisting another student in any of the above actions.		■		
3600 (PPS)	Violation of the Dress Code	Wearing clothing that is in opposition to the dress code policy.	■			
PPS-09	Violation of Electronics Device Policy	Students may not use or operate personal electronic devices or cell phones in any instructional space during the school day. This includes earphones or buds.	■			
PPS-10	Recording and/or Distribution of Others	Students may not record the voice or image of another without consent or in any way that interferes in the educational environment. This includes the distribution of voice and/or image, as well as, posting to a public forum.			■	
PPS-11	Violation of Electronic Acceptable Use Policy	Refer to District Electronic Acceptable Use Policy	■			
MA05	Felony Conviction Outside of School*	When type of felony determines a substantial threat to a safe, peaceful school environment.				■

MA19	Felony complaint (charge) outside of school*	Type of felony determines a substantial threat to a safe, peaceful school environment.				■
------	--	--	--	--	--	---

Weapons Offenses						
Firearm						
0011	Handgun	A handgun or pistol				■
0012	Shotgun	A shotgun				■
MA14	Rifle	A rifle				■
0013	Other type of firearm*	The weapon involved was another type of firearm not named above, including zip guns, starter guns, and flare guns. As defined by the Gun-Free Schools Act.				■
Knives/Other Weapons (Level 3 could be a first consideration based on a student's age and development.)						
0021	Knife with blade less than 2.5 inches	Knife with blade less than 2.5 inches				■
0023	Knife with blade greater than or equal to 2.5 inches	Knife with blade greater than or equal to 2.5 inches				■
0029	Other knife*	The weapon involved was another type of knife.				■
0030	Other Sharp Objects*	The weapon involved was another type of sharp object, (e.g., razor blade, ice pick, dirk/dagger, Chinese star, other pointed instrument [used as a weapon]).				■
0040	Other Object*	The weapon involved was another known object (e.g., chain, nunchakus, brass knuckle, billy club, electrical weapon or device [stun gun], BB or pellet gun).				■
0050	Substance Used as Weapon*	The weapon involved was a substance (e.g., mace, tear gas) that was used as a weapon.				■
MA51	Explosive or Incendiary Device	A bomb, grenade, rocket, missile, mine, or other incendiary device				■

0099	Unknown Weapon	Any other object not described above, such as fireworks or firecrackers				■
------	-------------------	--	--	--	--	---

### **Aligned Supports and Interventions**

As stated throughout, the focus of the Code of Conduct, Character and Support is on finding a balance between assigning accountable consequences for behavioral infractions and providing supports and a restorative approach to interventions to both address behavior and to assist students to learn effective skills to positively impact future behavior. It is important to keep the following context in mind: One of the best ways to prevent problematic behavior is the presence of a well-structured, engaging and culturally responsive lesson as outlined within the Massachusetts Educator Evaluation Rubric.

Supports and interventions are aligned with each level of the behavioral infraction matrix and represent a menu of suggested responses. Teachers, support personnel and administrators may select one or more responses in each level. It is not expected that all interventions at each level would be used.

Administrators, teachers, and student support personnel may also use a lower level intervention when it is appropriate. They will strive to match students with interventions that are the least intensive, while being the most effective. Interventions will be monitored and adjusted based on student response.

School personnel are responsible for developing and using strategies that promote optimal learning and positive behavior throughout a student's school experience. Administrators, teachers, school counselors, social workers, psychologists and other school staff are also expected to use promotion and prevention strategies to engage students, including students with disabilities, that facilitate students' academic and social-emotional growth, assist them in following school rules and policies, and support correction when behavioral issues arise. If, at any time, school officials suspect that a student's difficulties may be the result of a disability which may require special education services, the student should be referred immediately to the school Special Education Director/Coordinator and her team.

Teachers are expected to use Universal Tier 1 practices to create respectful, orderly, and productive classrooms through (1) the development of caring, supportive relationships with and among students; (2) organizing and implementing instruction in ways that optimize students' access to learning; (3) using group management methods that encourage students' engagement in academic tasks; (4) promoting the development of students' self-management and social efficacy; and (5) using appropriate interventions to assist students with behavior problems.

The chart below is a tool to indicate how supports and interventions are aligned at the four levels of behavioral infractions. Note that it is always acceptable, and often appropriate, to include lower level restorative and accountable actions even when addressing higher level behavior.

<p><b>Level 1 Behavior: Support/behavior intervention provided by the teacher.</b></p> <p><b>The behavior requires intervention/consequences by the teacher.</b></p> <p><b>May include additional consultation with student support personnel when patterns of behavior persist.</b></p> <p>Level 1 behavior does not include exclusion, such as ISS or OSS, as an initial response.</p>	
<p><b>Level 1 Documentation and Restorative &amp; Accountable Responses</b></p>	<p><b>Level 1: Prevention and Classroom Behavior Support Responses</b></p> <p><b>(Utilize the Promotion and Prevention Toolbox for additional strategies.)</b></p>
<p><b><u>Documentation:</u></b></p> <p>Consider submission of a discipline referral for “Classroom Misbehavior” in PowerSchool if a pattern of behavior persists or intensifies that the staff member believes should be documented.</p> <p><b><u>Accountability Responses:</u></b></p> <p>Suggested communication with parent/family to discuss and problem solve a concern via phone, email, in-person conference or letter.</p> <p>Assign teacher-supervised consequences.</p> <p><b><u>Restorative Responses: Personal, Academic and Behavioral Check-ins</u></b></p> <p>Choose from the following based on relevance (See following pages for descriptions.):</p> <ol style="list-style-type: none"> <li>1. Restorative Question Conference</li> <li>2. Personal Efficacy Conference</li> <li>3. Diffusing Conference</li> <li>4. Problem-Solving Circle</li> </ol>	<p><b><u>Prevention:</u></b></p> <ol style="list-style-type: none"> <li>1. Promote opportunities to <b>get to know your students</b> and develop positive, trusting relationships, including meeting and greeting students daily or learning about students’ lives outside the classroom.</li> <li>2. Practice clear, consistent academic and behavioral classroom procedures and routines daily.</li> <li>3. Pre-teach, model, practice, reinforce, and monitor classroom <b>expectations</b>.</li> <li>4. <b>Differentiate classroom instruction</b> to best meet diverse student needs. Students will have less behavioral difficulties when they can access the instruction.</li> <li>5. Provide activities that <b>promote group cohesion</b> in your classrooms.</li> <li>6. Use <b>positive, specific praise/feedback</b> in a 5:1 ratio over negative feedback. Include individual and group kudos, recognitions and celebrations.</li> <li>7. Use developmentally appropriate <b>sensory, motor and and space modifications</b> to change the environment or the ways that students engage.</li> <li>8. Lesson Planning--remember that one of the best ways to prevent problematic behavior is the presence of a <b>well-structured, engaging and culturally responsive lesson</b>.</li> </ol> <p><b><u>Classroom Behavior Support Responses:</u></b></p> <ol style="list-style-type: none"> <li>1. First Response--use <b>redirection strategies</b> including: prompts, cues, proximity, effective reminders, positive directives that invite cooperation and self-correction.</li> <li>2. Diffuse and de-escalate upset students or charged situations by <b>calmly responding to negative and inappropriate speech</b> in ways that support students to self-correct.</li> <li>3. Avoid or <b>disengage</b> from power struggles.</li> <li>4. Remain calm. <b>Avoid taking conflict personally</b>. It’s rarely about you, even when it feels like it.</li> </ol>



	<ul style="list-style-type: none"><li>5. Watch that the <b>nonverbal messages</b> you are giving out match what you want to communicate.</li><li>6. Use <b>brief behavior check-ins</b> with individual students during class time or during a group/class discussion to solve a problem, assist students to make a positive choice to self-correct their behavior.</li><li>7. Utilize brief <b>restorative conversations</b> to promote self-reflection and help repair relationships with the teacher or students experiencing an interpersonal conflict.</li><li>8. <b>Consult with student support personnel</b> to generate possible strategies to reduce unskillful behaviors and increase desired target behaviors.</li></ul>
--	--

## **Level 2 Behavior: Involves support staff and/or appropriate administration.**

The behavior persists after teacher interventions are not successful; it may involve student removal from classroom, restorative interventions, meeting with administrator or student support staff member or family conference. It could include referral for a Building Assistance and/or Student Support Team meeting.

Level 2 behavior does not include suspension, such as ISS or OSS, as an initial response.

### **Level 2 Documentation and Accountability Response**

## **Level 2: Behavior Support Responses** (Incorporate all Level 1 Prevention and Classroom Behavior Support Responses as well.)

#### **Documentation:**

REQUIRES submission of a log entry in PowerSchool to document the incident.

#### **Accountability Responses:**

Requires communication with parent/family to discuss and problem solve a concern via phone, email, in-person conference or letter.

Teacher- supervised and/or administrative consequences can be assigned.

If behavior warrants use of the Reset Protocol, all requirements of the protocol must be met.

#### **Restorative Responses:**

(See following pages for descriptions.)

1. Problem-Solving and Planning Conference
2. Return Conference After Classroom Removal
3. Student-Teacher Mediated Conference.

#### **Teacher Facilitated Level 1 Behavior Supports PLUS**

1. Restorative conferencing between teacher and student (might also include parent and/or student support personnel) to develop a plan for improving behavior, engagement, and academic performance in the classroom. Restorative conferencing should include the relevant type of conferencing listed to the left.
2. More intensive academic and/or behavioral progress monitoring.
3. Review and rehearse classroom and/or school-wide academic and behavioral expectations.

#### **Student Support Staff/Administrator Facilitated Interventions:**

1. Continued incident investigation.
2. Meeting with a member of the school administration, school counselor, or school adjustment counselor.
3. Conference with student followed by conferencing with teacher teams, Building Assistance Team (BAM) and/or Student Support Team (SST) when a pattern persists.
4. Provide Tier II student support staff facilitated interventions that could include referral to school adjustment counseling services and other building-based Check and Connect/PBIS Tier II or PBIS Tier III programming, which could include individual, and small group interventions, mediation, restitution, social and emotional learning programs.
5. Individualized psychological assessment and trauma assessment when recommended by BAM Team after interventions previously instituted.
6. Individualized case management services for students with IEPs and 504 plans with possible reconvene of IEP/504 Team to review needs for additional accommodations and supports when concerns persist.
7. Referral to services, collaboration and coordination as appropriate with community-based supports and agencies.
8. Referral to Intervention Support Centers when developed in year two of the Code implementation.

## Level 3 Behavior: Behavior Support Responses

### Warrants in-school and/or short-term out-of-school suspension (1-5 Days)

The behavior presents a risk to the safety, health, or welfare of the adults and students; may involve in-school suspensions (partial or full day) or short-term suspensions from 1 to 5 days based on severity and repeated occurrences; may also involve meeting with administrator or student support team member, family conference, and/or re-entry restorative planning conference.

If student presents with significant mental health distress and concerns about immediate risk to self or others, school adjustment counselor should be consulted to assess need for a referral to the Brien Center Emergency Services/Crisis Team (413-499-0412). Parent permission is required.

#### **Documentation:**

REQUIRES submission of a log entry in PowerSchool to document the incident.

Discipline letter sent home by administrator, including information to parent on due process rights.

Due process hearing when requested.

#### **Accountability Responses:**

Behavior warrants removal from classroom or other building location by administrator.

Parent/guardian notification and scheduling of conference with administrator, student and parent.

Administrator investigation of incident and consideration of past pattern of ODRs in determining consequences.

If behavior warrants use of the Reset Protocol, all requirements of the protocol must be met.

Manifest Determination required when student with disability reaches 5-10 days of suspension or a pattern of behaviors resulting in suspension occurs.

Consultation with public safety officials, police and fire, when a crime is suspected.

#### **Incorporate all Level 1 and Level 2 Prevention and Classroom Behavior Support Responses as well.**

#### **Additional Responses Include:**

- Development of comprehensive student specific academic and behavioral intervention plan, such as, completion of a functional behavioral assessment and plan, reassess and adjust existing plans and increase monitoring.
- Creation of a safety plan.
- Referral to SST, BAM, IEP/504 eligibility or reconvene team as indicated based on student's current services.

<p><b><u>Restorative Response Protocols:</u></b></p> <p>(See following pages for descriptions.)</p> <ol style="list-style-type: none"> <li>1. Return Conference after Classroom Removal</li> <li>2. Bullying-Harassment Caucus and Conference when relevant</li> <li>3. Restorative Group Conferencing</li> <li>4. Suspension Re-Entry Protocol</li> </ol>	
<p style="text-align: center;"><b>Level 4 Behavior: Behavior Support Responses</b></p> <p style="text-align: center;"><b>Warrants longer-term out-of-school suspension (5 days or more)</b></p> <p>Infractions at this level represents the most serious infractions and may result in a suspension of more than five days, up to and including a full-year of suspension or exclusion from school.</p> <p>Behavior involves violent or dangerous behavior violations that has a substantial detrimental effect on safety and the general welfare of the school.</p> <p>If student presents with significant mental health distress and concerns about immediate risk to self or others, school adjustment counselor should be consulted to assess need for a referral to the Brien Center Emergency Services/Crisis Team (413-499-0412). Parent permission is required.</p>	
<p><b><u>Documentation:</u></b></p> <p>REQUIRES submission of a log entry in PowerSchool to document the incident.</p> <p>Discipline letter sent home by administrator, including information to parent on due process rights.</p> <p>Due process hearing when requested.</p> <p><b><u>Accountability Responses:</u></b></p> <p>Behavior warrants removal from classroom or other building location by administrator.</p> <p>Parent/guardian notification and scheduling of conference with administrator, student and parent.</p> <p>Administrator investigation of incident and consideration of past pattern of ODRs in determining consequences.</p>	<p style="text-align: center;"><b>Incorporate all Level 1 and Level 2 Prevention and Classroom Behavior Support Responses as well.</b></p> <p><b><u>Additional Responses Include:</u></b></p> <ul style="list-style-type: none"> <li>• Development of comprehensive student specific academic and behavioral intervention planning, such as, completion of a functional behavioral assessment and plan, reassess and adjust existing plans and increase monitoring.</li> <li>• Creation of a safety plan.</li> <li>• Referral to SST, BAM, IEP/504 eligibility or reconvene team as indicated based on student's current services.</li> </ul>

<p>If behavior warrants use of the Reset Protocol, all requirements of the protocol must be met.</p> <p>Manifest Determination required when student with disability reaches 5-10 days of suspension or a pattern of behaviors resulting in suspension occurs.</p> <p>Consultation with public safety officials, police and fire, when a crime is suspected.</p> <p><b><u>Restorative Response Protocols:</u></b></p> <p>(See following pages for descriptions.)</p> <ol style="list-style-type: none"> <li>1. Return Conference after Classroom Removal</li> <li>2. Bullying-Harassment Caucus and Conference when relevant</li> <li>3. Restorative Group Conferencing</li> <li>4. Suspension Re-Entry Protocol</li> </ol>	
---	--

### **Restitution Policy/Damage to School Property**

Students and their parents are held responsible for loss of or damage to textbooks, equipment, and materials that have been assigned to them, and for loss, damage, or destruction of school property for which the student has been judged responsible by the principal.

The director of the program has authority and responsibility to administer restitution procedures for lost, damaged, or destroyed school property. The director shall establish the repair or replacement cost of the property in question, under regulations issued by the Superintendent of Schools. When damage or destruction to a school building is concerned, the Assistant Superintendent for Business and Finance shall consult the Director of Building Maintenance to ascertain the repair or replacement cost.

The student or parent shall make restitution payable to the school department, or when a school building is concerned, to the City of Pittsfield. The principal shall transmit same to the Office of the Superintendent.

If the principal is unable to obtain restitution from the student or parents, the principal shall refer the case to the City Solicitor for possible legal action.

**An Act Prohibiting the Practice of Hazing**  
M.G.L. c. 269 Section 17-19

Section 17. Whoever is a principal organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or both such fine and imprisonment.

The term "hazing" as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which wilfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action.

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

Section 19. Each institution of secondary education and each public and private institution of post secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections seventeen and eighteen; provided, however, that an institution's compliance with this section's requirements that an institution issue copies of this section and sections seventeen and eighteen to unaffiliated student groups, teams or organizations shall not constitute evidence of the institution's recognition or endorsement of said unaffiliated student groups, teams or organizations.

Each such group, team or organization shall distribute a copy of this section and sections seventeen and eighteen to each of its members, plebes, pledges or applicants for membership. It shall be the duty of each such group, team or organization, acting through its designated officer, to deliver annually, to the institution an attested acknowledgement stating that such group, team or organization has received a copy of this section and said sections seventeen and eighteen, that each of its members, plebes, pledges, or applicants has received a copy of sections seventeen and eighteen, and that such group, team or

organization understands and agrees to comply with the provisions of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post secondary education shall, at least annually, before or at the start of enrollment, deliver to each person who enrolls as a full time student in such institution a copy of this section and sections seventeen and eighteen.

Each institution of secondary education and each public or private institution of post secondary education shall file, at least annually, a report with the board of higher education and in the case of secondary institutions, the board of education, certifying that such institution has complied with its responsibility to inform student groups, teams or organizations and to notify each full time student enrolled by it of the provisions of this section and sections seventeen and eighteen and also certifying that said institution has adopted a disciplinary policy with regard to the organizers and participants of hazing, and that such policy has been set forth with appropriate emphasis in the student handbook or similar means of communicating the institution's policies to its students. The board of higher education and, in the case of secondary institutions, the board of education shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general any such institution which fails to make such report.

## **BULLYING**

The Pittsfield Public Schools developed and adopted an Anti-Bullying policy (STU-80 R-4/13/16) that is embedded in district-wide approaches to promoting a positive, pro-social culture for all students and staff, such as—the district's School-wide Positive Behavior Support initiative, the Olweus Anti-Bullying Program, and the implementation of school violence prevention curricula, Second Step and Steps to Respect.

### **Bullying Prohibited**

Bullying, including cyberbullying, and retaliation are not acceptable conduct and are prohibited within the Pittsfield Public Schools. Pittsfield Public School leadership and other staff will endeavor to maintain learning and working environments free of bullying. Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information is prohibited. Any student who engages in conduct that constitutes bullying or retaliation shall be subject to a range of disciplinary consequences up to and including suspension or expulsion.

This prohibition is in effect in the following locations:

- In the school building and on school grounds
- On property immediately adjacent to school grounds
- At a bus stop, on the school bus, or in other school-sanctioned transportation such as another vehicle owned, leased, or used by the school district
- At a school-sponsored or school-related activity, function, or program whether it takes place on or off school grounds

- Through the use of technology or an electronic device that is owned, leased, or used by the school district or school
- At any program or location that is not school-related, or through the use of personal technology or electronic device, if the bullying creates a hostile environment at school for the target, infringes on the rights of the target at school, or materially and substantially disrupts the education process or the orderly operation of a school

### **Definitions of Key Terms**

**Bullying:** The repeated use by one or more students or a member of a school staff of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a target that causes physical or emotional harm to the target or damage to the target's property; places the target in reasonable fear of harm to himself/herself or of damage to his/her property; creates a hostile environment at school for the target, infringes on the rights of the target at school; or materially and substantially disrupts the education process or the orderly operation of a school. Bullying includes cyber-bullying. (Definition based on M.G.L. c.71, 37O as amended by section 74 of Chapter 38 of the acts of 2013)

**Cyberbullying:** Bullying through the use of technology or any electronic devices such as telephones, cell phones, computers, and the Internet. It includes, but is not limited to, email, instant messages, text messages, and Internet postings. (Definition based on M.G.L. c.71, 37O)

**Aggressor:** A student or a member of a school staff who engages in bullying, cyberbullying, or retaliation.

**Target:** A student against whom bullying, cyberbullying, or retaliation is directed.

**Retaliation:** 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.

**Hostile Environment:** 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 the student's education.

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



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

The school or district expects students, parents or guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the principal or designee. Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report. Anonymous reports can be made by email to [bullying@pittsfield.net](mailto:bullying@pittsfield.net) or through a link in the “Family and Community” portion of the district website. Reports filed in this fashion will go to a dedicated email account that will be regularly reviewed. Students, parents or guardians, and others may request assistance from a staff member to complete a written report or may report orally. 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. A student who knowingly makes a false allegation of bullying or retaliation shall also be subject to disciplinary action.

### **Notification of Bullying Requirements**

#### 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 aggressor of this determination 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.

#### Notice to Another School or District

If the reported incident involves students from more than one school district, charter school, nonpublic school, approved private special education day or residential school, or collaborative school, the principal or designee first informed of the incident will promptly notify by telephone the principal or designee of the other school(s) of the incident so that each school may take appropriate action. All communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR 49.00.

#### Notice to Law Enforcement

At any point after receiving a report of bullying or retaliation, including after an investigation, if the principal or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the principal will notify the local law enforcement agency. Notice will be consistent with the requirements of 603 CMR 49.00 and locally established agreements with the local law enforcement agency. Also, if an incident occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in school, the principal or designee shall contact the local law enforcement agency if he or she has a reasonable expectation that criminal charges may be pursued against the aggressor.

In making this determination, the principal will, consistent with the district’s Anti-Bullying Policy and state and federal policies and procedures, consult with the school resource officer, if any, and other individuals and organizations such as the Pittsfield Police Department and the District Attorney’s Office, as the principal or designee deems appropriate.”

## **Responses to Bullying**

### Teaching Appropriate Behavior Through Skills-building

Upon the principal or his/her designee's determination that bullying or retaliation has occurred, the school will 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
- Providing relevant educational activities for individual students or groups of students in consultation with guidance and/or school adjustment 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
- Developing individual behavior plans to include a focus on specific social skill development
- Making a referral for counseling or other mental health services for targets, aggressors, and family members.

### 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 District's and School's code of conduct. Discipline procedures for students with disabilities are governed by the federal "Individuals with Disabilities Education Improvement Act" (IDEA) and 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

Any school staff member who witnesses possible bullying should immediately intervene and stop the possible bullying at that moment, as well as subsequently report suspected bullying behavior to the principal or designee when further investigation is warranted.

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.

Supportive services will be offered to the target. These services may include safety planning, school adjustment counselor services, and a mental health referral.

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.

The full text of the Pittsfield Public Schools Anti-Bullying Policy is available at [www.pittsfield.net](http://www.pittsfield.net). Questions regarding the district plan for the prevention of bullying can be directed to Ann Marie Carpenter at 413-499-9515 or [acarpenter@pittsfield.net](mailto:acarpenter@pittsfield.net).

### **Problem Resolution**

The principal or designee shall inform the parent or guardian of the target about the Department of Elementary and Secondary Education's problem resolution system and the process for accessing that system, regardless of the outcome of the bullying determination.

District students and/or parents of students may contact the Superintendent or designee as a result of a concern about resolution of a finding at the individual building level at 413-499-9512.

Any parent wishing to file a claim/concern or seeking assistance outside of the district may do so with the Department of Elementary and Secondary Education Program Resolution System (PRS).

That information can be found at: <http://www.doe.mass.edu/pqa>, emails can be sent to [compliance@doe.mass.edu](mailto:compliance@doe.mass.edu) or individuals can call 781-338-3700.

## **Attendance**

The High School attendance policy has been revised and approved by the Pittsfield School Committee. This change came about through analysis of attendance data, research, and feedback from study groups and school councils. Outlined below is the revised attendance policy.

### ***Philosophy***

It is the belief of the Pittsfield Public School System that one of the most significant factors affecting school success is regular attendance. Time in class is essential to the growth and development of each student and time lost will limit the opportunity for uniform instructional interaction and support.

School attendance is both a right and responsibility in the state of Massachusetts. Children have the right to attend school between the ages of five and twenty-one. Mandatory attendance applies to children between the ages of six and sixteen. Parents are ultimately responsible to ensure that their children attend school on a regular basis.

Research indicates that poor school attendance is directly linked to a decline in academic achievement. This absenteeism results in lost productivity for teachers, students and the class as a whole. This policy is guided by a desire to:

- Provide strong incentives to attend school regularly
- Encourage the make-up of missed work as a result of an absence
- Avoid punitive measures as a reaction to excessive absenteeism
- Create a policy that is enforceable and manageable for school staff
- Meet federal and state requirements for attendance

### ***Objectives***

By improving attendance and encouraging punctuality, Pittsfield Public Schools hopes to achieve the following:

- Improve scholastic performance by facilitating makeup of excessive missed work
- Create and maintain a positive school culture
- Place responsibility for attendance and punctuality on the students and/or their parents
- Develop habits in students that are beneficial skills for both post-secondary educational experiences and future employment
- Track school attendance patterns in order to support all children in the City of Pittsfield through attendance improvement programs and services.

### ***Class Attendance Policy***

The class attendance policy will be communicated regularly through report cards, progress reports, letters home, phone calls, and conferences.

There shall be no differentiation between excused and unexcused absences in the Pittsfield Public School system. All absences will be counted towards the quarterly and yearly totals. In the event of multiple days' absence due to medical illness, religious holiday, or bereavement, parents/guardians are encouraged to submit documentation to be reviewed by school administration within three days of the incident to be reviewed. In these cases it is assumed that much of the missed work would have been done during the extended absence. School based activities and field trips will be designated as field trips in Powerschool and, as such, will not count as absences.

All work missed as a result of an absence must be completed. Students who are absent on a day on which an assignment is due and/or a test/quiz is administered will be required to submit the assignment and/or complete the test/quiz on the day of their return. Students absent more than one day must make a specific plan with the instructor(s) and will have one week, or as directed by the instructor, to submit missed class work.

### ***Tardiness***

Consistent with the high schools' Positive Behavior Supports initiatives, students are encouraged to take responsibility by being punctual to class. Similarly, they should expect to be held accountable for any deviation from program expectations. Tardiness to class not only limits the amount of time that an individual student can be engaged and on-task, it is also disruptive to the class as a whole.

### ***Dismissal***

In order for a student to be dismissed from school, a parent/guardian must provide a written note or phone call to the program providing permission and the reason for the early dismissal.

### ***Attendance and Participation in Co-curricular Activities***

Consistent with school athletic and co-curricular policy, students participating in athletics and/or co-curricular activities must attend school for five consecutive periods in order to be eligible to participate in relevant after school, weekend, or vacation events. Students may appeal emergency cases to the principal who will review each case on an individual basis. Coaches and advisors will be expected to monitor student attendance for eligibility. Any student who participates in a practice, game or co-curricular activity, but is not in school for the required consecutive five periods will be suspended from participation for one week.

### ***Notification***

Attendance data will be collected on a period basis. Parents/Guardians will be contacted and a mandatory meeting will be scheduled with Eagle Street staff when absenteeism significantly impacts student performance and access to the services and supports in the program.

**\*\*Please refer to the program schedule and point system outlined at the beginning of this handbook for details regarding responses and consequences for absences and tardies.**

## **Electronic Devices/Use**

Students are not allowed to access electronic devices (cell phones, personal listening devices, speakers, etc) during class time. Upon entering the program, all students will be required to secure their phones for the day. Students may use a Yondr case or have their phone locked in the office area until dismissal time. Students who do not adhere to this policy will be subject to school discipline, including having the device(s) confiscated by the administration. Continued non-compliance with this policy may result in the device being held until a parent/guardian comes to retrieve it.

**Electronic devices lost or stolen while at school are not the responsibility of the Pittsfield Public Schools.**

## Smoking

Pursuant MGL Section 71, 2A and Pittsfield Public Schools Policy PER-20, smoking is prohibited on school grounds at all times. Students found to be smoking on school grounds or off school grounds during the school day are subject to school discipline. Electronic Cigarettes and “Vaping” are considered to be smoking and are subject to the same restrictions under this law.

## Food/Beverages

Due to life-threatening allergies and PPS’ Integrated Pest Management Plan the only food/beverage allowed in classrooms is water. Students must consume all other food/beverages in the cafeteria as they are designated food safe zones.

## Extra-Curricular Activities

Students are expected to conduct themselves in an orderly manner while participating in school sponsored clubs, sports, dances and other school activities and to be mindful of the rights of others to participate and enjoy the activities.

**Administration reserves the right to prohibit students who are not meeting the school wide expectations for academic performance and/or behavior from participating in these events. This decision can be appealed to the building principal.**

## Off-Campus School Activities

Students are expected to show the same consideration for the rights of others in off-campus school activities as during the regular school day. For example, good behavior is expected on field trips, at school musicals and drama presentations, and while being a spectator at a school game. In addition, for interscholastic athletics, the rules of the Massachusetts Interscholastic Athletic Association (MIAA) must be followed.

## School Grounds

Students may not leave the school grounds during the school day without permission from a parent or guardian, **approved at the discretion of the program Administrator. Students are not allowed to leave school for lunch.** Students who leave the building without permission during the school day and return will be required to go through the daily entry procedure before re-entering the program.

Any student on grounds without authorization may be charged with trespassing and is subject to school suspension and possible criminal action.

### **In the Classroom**

You are expected to observe classroom rules established by the teacher to maintain a good, orderly learning environment and protect the rights of all students to an equal opportunity to participate.

### **Cafeteria**

There is a 30 minute lunch period each day. Students are expected to be orderly while in the cafeteria and to clean up their places before transitioning to the afternoon instructional block. No food or drink is to be taken out of the cafeteria into other parts of the program. We expect and appreciate cooperation in keeping the cafeteria and grounds clean.

### **Authorized Areas**

During the school day students are to be in assigned classes. Between classes, students are to restrict themselves to the cafe and/or common area. Students are not to exit the building between classes and are not to be in unauthorized areas.

## **Due Process, Discipline and Student Rights**

### **Gender Identification**

The Pittsfield Public Schools, in accordance with its non-discrimination and zero tolerance policy, does not discriminate in its programs, activities, facilities, employment, or educational opportunities on the basis of race, color, age, disability, sex, religion, national origin, sexual orientation, or gender identity and does not tolerate any form of discrimination, intimidation, threat, coercion and/or harassment that insults the dignity of others by interfering with their freedom to learn and work. [M.G.L. c.76, s5]

### **Student Discipline and Due Process Rights**

Discipline, the need to identify constructive limits and controls in order to develop positive behaviors in all students, is an essential ingredient in every student's learning experience. The goal of discipline is to help students develop wise decision-making skills so that they may learn to make responsible choices in their interactions with others. To deal with student discipline issues, certain progressive discipline strategies are used by the teachers and administrators of the Pittsfield Public Schools and may include:

- Counseling that starts at the classroom level between teacher and student and, if not productive, proceeds to the principal, vice principal or dean of students
- Written assignments that are meaningful and of reasonable length and are not merely exercises in penmanship
- Detention after school, to be preceded by parental notification

- In-school suspension where the student is removed from the regular program to complete work assignments under a specialist's direction - if available - at the school
- Suspension from school that may be imposed by the principal after a hearing for ten (10) days or less, if the suspension does not cumulatively over the course of the school year exceed ten (10) days. For suspensions of more than ten (10) days, or if the proposed suspension cumulatively in the school year exceeds ten (10) school days, a suspension may be imposed by the Superintendent after a hearing by the Principal and Superintendent
- Expulsion from school that may be imposed by the principal or by the School Committee.

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

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

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

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

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

### **SHORT-TERM SUSPENSIONS: HEARING AND PRINCIPAL DETERMINATION**

A short-term suspension is the removal of the student from the school premises and regular classroom activities for ten (10) consecutive days or less. Out-of-school short-term suspensions which do not



cumulatively over the course of the school year exceed ten (10) days of suspension shall be conducted in accordance with this section.

Principal Hearing. The purpose of the hearing with the principal is to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student has committed the disciplinary offense, the basis for the charge, and any other pertinent information. The student shall have an opportunity to present information, including mitigating facts. A parent/guardian present at the hearing shall have the opportunity to discuss the student's conduct and offer information, including mitigating circumstances.

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

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

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

### **LONG-TERM SUSPENSIONS: HEARING AND PRINCIPAL DETERMINATION**

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

Additionally, the student shall have the following additional rights:

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

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

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

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

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

All written communications regarding the hearing and principal determination shall be either hand delivery or delivered by first-class mail, certified mail, or email to the provided by the parent/guardian for school communications (or other method agreed to by the principal and parent/guardian) in English, and

in the primary language in the home if other than English, or by other means of communication where appropriate.

### **APPEAL OF LONG-TERM SUSPENSION**

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

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

### **EMERGENCY REMOVAL**

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

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

A decision shall be rendered orally on the same day as the hearing, and in writing no later than the following school day. The decision shall meet all of the due process requirements of a principal's determination in a long-term suspension or short-term suspension, as applicable.

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

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

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

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

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

The principal shall send written notice to the student and parent about the in-school suspension, including the reason and the length of the in-school suspension, and inviting the parent to a meeting with the principal for the purpose set forth above, if such meeting has not already occurred. The principal shall deliver such notice on the day of the suspension by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or by other method of delivery agreed to by the principal and the parent.

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

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

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

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

The Principal shall notify the student and parent(s)/guardian(s) in writing of the opportunity for a hearing, and the right to have representation at the hearing, along with the opportunity to present evidence and witnesses. After said hearing, a principal may, in his/her discretion, decide to levy a suspension rather than expulsion. A student expelled for such an infraction shall have the right to appeal the decision to the Superintendent. The expelled student shall have ten (10) days from the date of the expulsion in which to

notify the Superintendent of his/her appeal. The student has the right to counsel at the hearing before the Superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student was guilty of the alleged offense.

#### Felony complaint or issuance of felony delinquency complaint

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

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

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

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

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

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

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

Subject to funding, the middle schools and high schools will utilize the Student Resource Center program site as an alternative to out of school suspensions lasting three or more days for students 14 years of age

or older. The program offered at the Student Resource Center is seen as an educationally sound atmosphere to the three out of school suspension situations outlined below.

## **DISCIPLINE OF SPECIAL NEEDS STUDENTS ( Special Needs Includes both Special Education and Section 504 Students)**

All students are expected to meet the requirements for behavior as set forth in this handbook.

Procedure: 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. When a suspension 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 within 10 days of the decision to suspend to review all relevant information in the student's file, including the IEP, any teacher observations, and any relevant information from the parents, to determine whether the behavior was caused by or had a direct and substantial relationship to the disability or was the direct result of the district's failure to implement the IEP—"a manifestation determination."
3. If district personnel, the parent, and other relevant members of the Team determine that the behavior is NOT a manifestation of the disability, then the suspension or expulsion may go forward consistent with policies applied to any student without disabilities, except that the district must still offer:
  - a. services to enable the student, although in another setting, to continue to participate in the general education curriculum and to progress toward IEP goals; and
  - b. as appropriate, a functional behavioral assessment and behavioral intervention services and modifications, to address the behavior so that it does not recur.
4. Interim alternative educational setting. Regardless of the manifestation determination, the district may place the student in an interim alternative educational setting (as determined by the Team) for up to 45 school days
  - a. on its own authority if the behavior involves weapons or illegal drugs or another controlled substance or the infliction of serious bodily injury on another person while at school or a school function or, considered case by case, unique circumstances; or
  - b. on the authority of a hearing officer if the officer orders the alternative placement after the district provides evidence that the student is "substantially likely" to injure him/herself or others.

- c. Characteristics In either case, the interim alternative education setting enables the student to continue in the general curriculum and to continue receiving services identified on the IEP, and provides services to address the problem behavior.
5. If district personnel, the parent, and other relevant members of the Team determine that the behavior IS a manifestation of the disability, then the Team completes a functional behavioral assessment and behavioral intervention plan if it has not already done so. If a behavioral intervention plan is already in place, the Team reviews and modifies it, as necessary, to address the behavior. Except when he or she has been placed in an interim alternative educational setting in accordance with part 4, the student returns to the original placement unless the parents and district agree otherwise or the hearing officer orders a new placement.
6. Not later than the date of the decision to take disciplinary action, the school district notifies the parents of that decision and provides them with the written notice of procedural safeguards. If the parent chooses to appeal or the school district requests a hearing because it believes that maintaining the student's current placement is substantially likely to result in injury to the student or others, the student remains in the disciplinary placement, if any, until the decision of the hearing officer or the end of the time period for the disciplinary action, whichever comes first, unless the parent and the school district agree otherwise.

State Requirements Federal Requirements 34 CFR 300.530-537

For a discipline flow chart, see [http://www.doe.mass.edu/sped/IDEA2004/spr\\_meetings/disc\\_chart.doc](http://www.doe.mass.edu/sped/IDEA2004/spr_meetings/disc_chart.doc).

### **STUDENT GRIEVANCE PROCEDURE**

Students are encouraged to bring their concerns about school issues or incidents to the attention of the professional staff. Students can contact a teacher, the Peer Resource Advisor, the School Adjustment Counselor, a member of the Guidance Department, or the Principal.

### **PROCEDURES FOR STUDENT GRIEVANCES OF DISCRIMINATION**

This policy addresses how to file complaints regarding alleged discrimination based on race, color, national origin, sex, religion, age, sexual orientation and disability.

The Pittsfield Public Schools has adopted procedures to assist any person who believes that she/he has been discriminated against for a prohibited reason, and to rectify any instances of such discrimination. Any student, or any parent or guardian, who believes that she/he has been discriminated against for any reason stated above should make her/his complaint, either formally or informally, to the school building principal or to the district's designated coordinator for compliance with the requirements of Title VI, Title VII, Title IX, Section 504, ADA, IDEA, and M.G.L 151B. Any person who believes that she/he has been discriminated against for any reason stated above in a matter of hiring or employment, or in having access to school facilities or activities, should make her/his complaint, either formally or informally, to the district's designated coordinator for compliance with the requirements of Title VI, Title VII, Title IX, Section 504, ADA, and IDEA.

The Pittsfield Public Schools' designated coordinators for all such matters are:

	<b>Problem Area</b>	<b>Position</b>	<b>Phone</b>
Title VI	Discrimination by race, color, national origin	Deputy Superintendent	499-9510
Title VII	Discrimination by employers on the basis of race, color, religion, sex or national origin	Human Resources Director	499-9505
Title IX	Discrimination in educational programs or athletics, on the basis of gender	Title IX Coordinator	499-9515
Section 504	Discrimination against individuals with disabilities	504 Coordinator	499-9515
ADA	Americans with Disabilities Act guarantees equal opportunity for individuals with disabilities in public accommodations, employment, transportation, state and local government services, and telecommunications.	Special Education Director	499-9515
IDEA	Individuals with Disabilities Education Act guarantees early intervention, special education, and related services to children with disabilities from birth to the age of 21.	Special Education Director	499-9515
Ch. 151 B	Discrimination by MA employers on the basis of race, color, national origin	Human Resources Director	499-9505

### **Rights of Students with Disabilities**

Federal law guarantees every student the right to a free and appropriate public education regardless of handicap or disability. State regulations (603 CMR 28.00) further guarantee the right to an education in the "least restrictive environment," in typical settings with students without disabilities.

- Every Pittsfield public school offers academic support services. These programs provide specialized instruction for eligible students in the area of documented disability.
- The PPS also offer services in a substantially separate setting for students with developmental delays, intellectual impairments, autism, and behavioral disorders when documented within a student's IEP or 504 Plan. These programs provide specialized instruction in a structured and predictable learning environment.

If you believe that your child is having difficulty making progress in a regular classroom due to a suspected disability, you have the right to seek through the school principal or the district's Office of Special Education an evaluation of your child to determine if she or he does have a disability and is eligible for special education services. As a first step, contact the building principal to discuss convening a Building Assistance Meeting. For more information contact your child's principal or the Office of Special Education at 499-9515.



## **Rights under Section 504**

A student with a disability recognized under the federal statute known as Section 504 (29 USC §794[a]) is entitled to accommodation of that disability. Section 504 covers qualified students with disabilities who attend schools receiving Federal financial assistance. To be protected under Section 504, a student must be determined to: (1) have a physical or mental impairment that substantially limits one or more major life activities; or (2) have a record of such an impairment; or (3) be regarded as having such an impairment. Section 504 requires that school districts provide a free appropriate public education (FAPE) to qualified students in their jurisdictions who have a physical or mental impairment that substantially limits one or more major life activities. Section 504 also prohibits discrimination against any student based on such a disability. A student whose disability is recognized under special education law, known as the Individuals with Disabilities Education Act (IDEA: see USC §1401[3]) is entitled to educational programs and assignments that are designed to develop her/his educational potential. [M.G.L. c. 71B §1] Section 504 accommodation plans and special education individualized education programs (IEPs) must be developed in accordance with procedures set out in federal and Massachusetts law and regulations. The 504 Coordinator is responsible for assuring compliance with Section 504. Contact the Superintendent's Office for referral to the 504 Coordinator.)

For a copy of the Massachusetts Department of Education Special Education *Parents' Rights Brochure* and the *Section 504 Handbook*, available in many languages, visit [www.doe.mass.edu/sped/parents](http://www.doe.mass.edu/sped/parents) on the Web.

## **Homeless Assistance**

Consistent with the Federal McKinney-Vento Homeless Education Assistance Act, homeless students are defined as those who lack a regular, fixed nighttime residence including supervised temporary accommodations (see definition, Policy STU-14). Students have the right to stay in their school of origin for the entire time they are homeless, even if they move to a different school district. Students who move into permanent housing during the school year can still finish the year in the same school. They may also choose to enroll in a school within the new zone, town or city where they live temporarily. Transportation will be provided unless your new address is within the walking distance of your child's school. For help, call the Deputy Superintendent's office, which serves as the district's homeless liaison, at 499-9510.

### **Please reference the PHS/THS Student Handbook for specifics on the following:**

- Athletic Program
- User Fee for Athletics & Co-Curricular
- Interscholastic Sports
- Clubs
- Teams
- Extracurricular Activities
- Dances, Prom and Senior Week Activities

### **Please reference the Pittsfield Public Schools' Policy Handbook for Parent and Students for:**

- |  |  |
|--|--|
| ● Equal Education Opportunities            | ● Student Safety, Health, and Immunization |
| ● Procedures for Enrolling Students        | ● Student Transportation                   |
| ● English Language Learning Support        | ● Due Process Rights                       |
| ● Building Safety and Public Accessibility | ● Student Records and Privacy              |