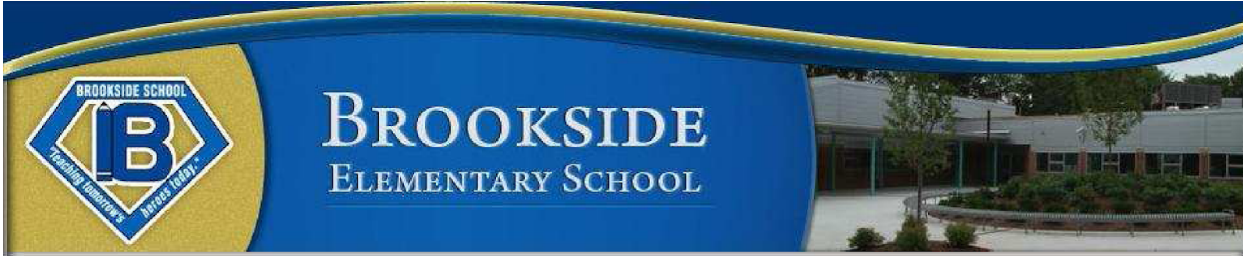


FAMILY ELEMENTARY SCHOOLS HANDBOOK



KINDERGARTEN – GRADE 2



2021 - 2022

(9/24/21)

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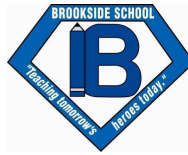
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Dear Families:

DUE TO THE COVID-19 VIRUS OUTBREAK, ADDITIONAL GUIDANCE, PROTOCOLS, POLICIES, REGULATIONS AND REQUIREMENTS MAY BE IN PLACE THAT ARE NOT INCLUDED IN THIS HANDBOOK.

Welcome to our Brookside Elementary School Community! I am so excited to be a part of an experienced, dedicated staff striving to enrich your child's foundation of education. It is our goal to fill your child's experience with a positive and nurturing environment to reach their fullest potential.

Serving approximately 500 students, our K-2 staff is eager to welcome your child to a learning environment that is also rich with literature, mathematics, technology, music, physical education and numerous hands-on, child-centered activities. Brookside Elementary School proudly dedicates each day to guiding our children to become productive, successful members of the Brookside community.

Together with Brookside's Elementary School Council, our professional team of educators strives to effectively implement the management of educational programs and curriculum advances. We have worked hard to develop and revise our school improvement plan to strengthen student progress and growth in all areas. You and your child will be part of this improvement plan since we are continually looking for ways to better what we accomplished yesterday.

This K-2 Family Elementary Schools Handbook was prepared by many members of the Milford Public School community, and in conjunction with Memorial Elementary School, to provide the members of Milford's Public Schools a detailed guide that will be helpful throughout the school year. It is your resource to the shared responsibilities of students, staff, and families that are members of the Brookside community. This year the K-2 Family Elementary Schools Handbook is available online at the school website: www.milfordpublicschools.com. Please be sure to sign and return the form that will be sent home to confirm that you have read this resource guide.

Everyone at Brookside Elementary School is committed to meeting the individual needs of your child through the heart of differentiated instruction. We firmly believe that this is a team effort and that education is the key to your child's future. Let's work together to help your child meet success in the years ahead!

Sincerely,

Eric Elmore, Principal
Victoria Houston, Assistant Principal

PHILOSOPHY OF EDUCATION

Brookside School of Milford provides a comprehensive educational program for the children of the community in preparing them for participation in a democratic society. In a variety of ways, our school offers the children the opportunity to develop self-confidence, self-esteem, respect for others and the ability to make value judgments about their own and others' actions.

Brookside's curriculum is the means for implementing this philosophy. The subject matter and learning environment challenges the children to the fullest extent of their abilities while accommodating their individual needs. The basic curriculum provides a flexible approach to education.

Our school program, developmental in nature, is consistent with sound learning principles that recognize individual patterns of growth, as it provides for intellectual, social, emotional and physical differences. The entire staff fosters a supportive and nurturing atmosphere where the belief is held that all children can learn.

In keeping with this philosophy of education, Brookside provides programs to establish proficiency in the basic skills of reading, writing, mathematics, listening and speaking. In addition, programs are provided in science, social studies, art, music, physical and health education, computer and technology literacy and instructional media.

We believe that education is a lifelong process. We realize that the school is not the only influence contributing to this process. It lies neither within our ability, nor our desire, to substitute for or supplant the guidance and love of the child's family. A commonality of purpose and sense of cohesiveness exists among school personnel, parents and the community-at-large. Our school, however, assumes primary responsibility for the development of basic skills, concepts and attitudes necessary for decision-making individuals in a constantly changing society.

We recognize the worth and dignity of all individuals. Each student is different from every other student in important ways. It is our obligation to help prepare all students for satisfying and meaningful lives, by providing guidance and learning experiences appropriate to their needs, interests and abilities. The curriculum, organization and atmosphere at Brookside School should help each student develop an awareness of their worth as human beings and a willingness to be responsible for their decisions and actions.

MISSION STATEMENT

"Brookside Elementary School is dedicated to promoting and maintaining effective school/community partnerships that support a safe, nurturing educational environment in which our diverse population will achieve its personal best and become responsible, productive students who embrace lifelong learning."

VISION STATEMENT

"Brookside Elementary School is a community of students, staff, and families working together to inspire a positive environment, where teamwork is valued to promote success."

School Administration & Office Staff

Mr. Eric Elmore, Principal
Ms. Victoria Houston , Assistant Principal
Ms. Claudia Singleton, Administrative Secretary
Mrs. Sandra Gray, Nurse

Teaching & Support Staff Kindergarten

Room 58	Mrs. Jennifer Carrier Mrs. Coleen Ferreira, Teacher Assistant
Room 66	Ms. Marissa Criasia Mrs. Michelle Keisling, TeacherAssistant
Room 60	Miss Lindsey DeRensis Miss Christina Cosquete, Teacher Asst
Room 63	Ms. Cierra Meurant Mrs. Maura Dolan, Teacher Assistant
Room 59	Mrs. Andrea Toothman Mrs. Maria Pillarella, Teacher Assistant
Room 56	Mrs. Katelyn Bruyere Mrs. Kerry Sanborn, Teacher Assistant
Room 57	Ms. Jillian Lynch Mrs. Deb Zanella, Teacher Assistant
Room 64	Mrs. Mary Robinson Mrs. Nara Paccico, Teacher Assistant
Room 65	Mrs. Meghan Geary Mrs. Diane Firth, Teacher Assistant

Grade One

Room 53	Mrs. Glynn Farrelly Smyth
Room 93	Mrs. Laura Nadolski
Room 55	Ms. Nancy Curran
Room 71	Ms. Marianne O'Sullivan
Room 94	Mrs. Darlene Risio
Room 98	Mrs. Sylvia Fitzgerald
Room 69	Mrs. Christine Zacchilli
Room 92	Mrs. Kate Manos

Grade Two

Room 45	Mrs. Chelsea Grimes
Room 44	Mrs. Christine Bemis
Room 29	Mrs. Renee Juli
Room 43	Mrs. Maureen Brown
Room 24	Mrs. Kelly Shaughnessy
Room 28	Mrs. Rose Ohannesian
Room 27	Ms. Tara Ridolfi
Room 25	Miss Gelsomina Gambardella

Milestones Room 67 Mrs. Andrea Kelley, ABA

Teaching & Support Staff

Room 105	Ms. Anne Snyder, Mrs. Lisa Duarte Art
Media Center	Mrs. Maureen Rice, Library/Media
Room 106	Mrs. Kathryn Anderson, Music
Room 100	Mrs. Sarah Rohde Music
Room 125	Mr. Scott Vanbuskirk, PE Mr. Dan Ohannesian PE Ms. Roselle Viegas, Adaptive PE
Office 15	Miss Katie Lavin, Adjustment Counselor

EL Teachers & Staff

Room 48	Mrs. Meredith Borst
Room	Mrs. Andrea Burkowske
Room 99	Mrs. Noramaris Davila

Special Education & Specialists

Room 47	Mrs. Kelly Williams, Occupational Therapist Mrs. Michelle Madden, Physical Therapist
Room 84	Mrs. Katherine Peck, Reading Specialist
Room 85	Mrs. Lynn Holmes , Reading Specialist
Room 86	Mrs. Kim Hippeli, Reading Specialist
Room 96	Mrs. Eileen Dixon, Math Specialist
Office 41	Mrs. Janet Morganelli, School Psychologist
Office 9	Mrs. Hannah Rogers, Team Chair
Room 67	Mrs. Lauren Sciarretta BCBA
Room 46	Ms. Melissa Frank, Special Education
Room 102	Mrs. Amanda Otteman, Special Education
Room 102	Miss Samantha Kennedy, Special Education
Room 102B	Mrs. Melissa Kelly, Special Education
Room 102B	Miss Julie Januskis, Special Education
Room 26	Mrs. Tonya Allegrezza, Speech/Language Mrs. Jennifer Mulcahy, Teacher of the deaf

Teaching/Behavioral Assistants

Mrs. Jessica Fragopoluos	Mrs. Debbie Weisenhorn
Miss Rebecca Weisenhorn	Ms. Angela Bouffard
Mrs. Jennifer Annantuonio	Mrs. Hannah Mobilia
Mrs. Maureen Doherty	Mrs. Michelle Burke
Mrs. Ellen Vachon	Ms. Normaris Davila-Droz
Mrs. Linda Ashworth	Mrs. Silvana Colabello
Mr. Dan Carlson	Mrs. Kim Pedrolí
Ms. Kim Kalen	Mrs. Francesca Lioce
Mrs. Elizabeth Magnuson	Miss Marissa Fiore
Mrs. Lynn Arnold	

Building Sub. Miss Lillian Klosen

Custodian Mr. Edward Waugh

Cafeteria Mrs. Hanna Filosa Mrs. Deb Scafuto
Mrs. Nicole Lamberson

MILFORD PUBLIC SCHOOLS ATTENDANCE PROCEDURES AND PROTOCOL

DUE TO THE COVID-19 VIRUS OUTBREAK, ADDITIONAL ATTENDANCE GUIDANCE, PROTOCOLS, POLICIES, REGULATIONS AND REQUIREMENTS MAY BE IN PLACE THAT ARE NOT INCLUDED IN THIS HANDBOOK.

In accordance with the General Laws of the Commonwealth of Massachusetts (Chapter 76, Section 1) students are required to attend school during the number of days required by the Board of Education. The education of children is a responsibility shared by both school and parent/guardian(s). It is important for a student to be present in school each day to ensure continuous learning. Students should be home when they are ill; otherwise all efforts should be made to have them in school. To the greatest extent possible, all appointments should be made before or after school and recreational trips should be scheduled during school vacations. Regular attendance is necessary in order to achieve academic success. Time lost from class is very difficult to make up, particularly in terms of student interaction and exchange of ideas. Therefore, it is important to attend school regularly and to be absent or dismissed only for serious matters.

- Any student who reports to school after 11:00AM, or who is dismissed before 11:00AM, will not be eligible to participate in any extracurricular activities that are scheduled for the same day. However, there may be certain instances when the above ruling could be waived and the student would be eligible to take part. In such cases a student should consult the Building Principal before the absence occurs.
- Any student who has had chronic attendance may be prohibited from attending certain field trips. This decision will be made after a joint meeting has taken place with the team, Guidance Counselor, student, and an Administrator.

School Attendance:

1. For the purpose of this policy, an absence will be defined as occurring any time a student is not present at the start of the school day, and does not check in (as late, tardy to school) with the school's office.
2. A tardy to school will be defined as occurring any time a student arrives late to school and needs to go to the school office in order to be considered present and attending school for the remainder of the school day. For the purpose of this policy, a tardy will be considered equal to a half (1/2) day of absence.
3. A dismissal from school will be defined as occurring any time a student leaves school prior to the end of the day. For the purposes of this policy, a dismissal will be considered equal to half (1/2) day of absence.
4. It is recognized that students may miss school for a number of reasons in which a physician's note or an alternative excuse may be considered. The only excuse that may be accepted to excuse an absence is a physician's note that documents that a child was seen on a particular day, a dentist's note stating that a child was treated on a particular day, or a legal reason such as a court date or an administrative excuse.

5. Any absence, tardy, or dismissal that is explained or covered by a physician's note, or other excuses that are considered appropriate by the School Administrator, may not be counted in determining if school consequences or further intervention is necessary at the discretion of school administrator. A student dismissed by a School Nurse will be excused the following day upon recommendation of the school nurse.

The following is a step-by-step procedure that will be used in situations where an absence problem exists:

Step One: When a student has a **total of six (6) days** of non-attendance within any 45 day period, either directly due to absences or in combination with tardies and dismissals, and none of those days have been covered by a physician's note or other administratively approved excuse, **then a letter and/or a telephone call** will be sent out to the student's parents/guardian(s) to review the attendance policy, warning the family that the student is at risk for requiring an intervention that would necessitate a school conference, and could involve the Court through a CRA (Child Requiring Assistance) application, or Adult Failure to Cause School Attendance Petition.

*Failure to Cause Petitions may be filed when the parent or guardian fails to enforce school attendance for the minor and absences accumulate to a total of eight (8) absences in 6 months.

Step Two: If the student continues to be absent, tardy or dismissed without appropriate excuses and the **total of non-attendance days is eight (8)** within any period of 45 days, a school conference will be mandatory. The conference would include parent/guardian(s) of the student, School Administrator or designee and may include the child. During the conference the determination will be made whether a CRA or Failure to Cause is necessary at that time. If not, another conference will be scheduled to monitor the student's attendance.

If the Court does decide to move forward with the CRA or Failure to Cause, it would be the responsibility of the School Administrator or designee to liaison between school, Court, and student/family in order to ensure school attendance.

Step Three: Any further absences, tardies, or dismissals from school would be brought to the attention of the Juvenile Probation Office. It would be up to the Court to determine if further intervention or consequences would be necessary. The student and family would be expected to work with the School Administrator or designee to assure compliance with school attendance laws. In some situations it would be useful for the student and family to also work with the School Adjustment Counselor in order to support improved attendance. This would be voluntary on the part of the student and family.

Step Four: Please note excessive absences (more than 8 in any 45 day period) may result in summer school and/or retention.

Student Absence Notification Programs

Chapter 76 Section 1A of the General Laws of Massachusetts states that the School Committee of a city, town, or regional school has the obligation to establish a student absence notification program to be monitored by the schools. Students are not allowed to call in their absences.

Parent/guardian(s) of each student must call their child's school on the morning of the absence to inform the school staff of the following information:

- **Child's name;**
- **Child's grade;**
- **Homeroom number;**

- Reason for the absence;
- Provide a parent/guardian(s) telephone number where they can be reached during the day;
- Name of person calling in the above information.

If a student is absent and the school is not notified by the time indicated, a call home will be made. If the school cannot make contact with a parent/guardian(s), the **Milford Police** will be notified and/or a 51A may be filed for neglect.

Parents/guardians are asked to take attendance seriously. A note excusing an absence, tardy or dismissal should be presented upon the child's return to school. The note of absence will be reviewed and any unaccepted notes will be referred to the Administration for follow-up.

In the event a student is absent due to illness for more than one consecutive day, he/she will be able to get missed homework. Parents/guardians are asked to call the office between 7:30-8:00 AM on the day of the absence to request homework assignments. If parents/guardians do not call in to get assignments, it is the **child's responsibility** to see his/her teacher within two days of his/her return to get any make-up work.

Absenteeism and Vacations

Milford Public Schools considers absenteeism excessive when it significantly interferes with a student's learning; as reflected in his/her academic performance or social development. School vacations are published well in advance during the school year and parents/guardians should make family plans accordingly. Our district discourages students missing school for extended family vacations. Such absenteeism may disrupt the continuity of the student's learning. School work will not be provided prior to a child leaving for a non-school vacation. Family vacations are unexcused absences. Parents/guardians who allow their child to be out of school for vacations are assuming responsibility for their child's educational program. Students will be expected to make up any class work and/or homework assignments upon returning to school. Students will be expected to make up the work within 10 school days but may not exceed a marking period. Early exams will not be provided. **Any work not made up will result in a grade of zero.**

1/30/13

Revised 2/6/13

Revised 2/12/13

Revised 5/20/13

1.3.c. TRUANCY

Unnecessary absences, due to a student's willful decision or a parent's inability or unwillingness to ensure attendance, is a violation of law and district policy. Parents who support or enable a chronic pattern of unnecessary absences may be subject to the Department of Social Services and/or court action. Such cases will be referred to the principal and/or the juvenile police officer.

1.3.d HOMEWORK DUE TO ABSENCES

After a child is absent from school for three (3) or more days due to illness or injury, we recommend that parent(s)/guardian request homework by calling the school before 10:00 AM. Homework can then be picked up that afternoon at the office.

Please Note: Parents should be aware that we administer standardized tests in the fall, mid-year and in the spring.

1.3.e TARDINESS

It is important for parents to have their child(ren) report to school on time. Attendance, lunch count, and opening exercises in the classroom take place within the first fifteen minutes of the day. Arriving late means

your child is starting their day one step behind their peers. Students reporting to school after 8:40 AM must report to the office to obtain a tardy slip. No child will be permitted to enter class unless a tardy slip has been obtained. **Parents are expected to escort their child to the office in the event that they are tardy. A tardy log is maintained by the school office personnel.**

The parent(s)/guardian of any student who is tardy six (6) or more days per marking term will be notified by a **telephone call and/or letter** and an explanation will be required as to the reason for repeated lateness. If a reasonable explanation is not received, such tardiness will result in a conference between the parent(s)/guardian(s), school officials and the juvenile police officer. Continued tardiness may result in court and/or Department of Social Services action.

1.3. f DISMISSAL

When six (6) or more dismissals per marking period are accumulated, **a telephone call will be made and/or a letter will be sent home to parent(s)/guardian(s)** and an explanation will be required as to the reason for repeated dismissals. If a reasonable explanation is not received, such dismissals will result in a conference with the parent(s)/guardian, school officials and the juvenile police officer. Continued dismissals may result in court and/or Department of Social Services action. A dismissal log is maintained by the school office personnel.

In order to ensure the continued safety of your children, a Dismissal Policy has been approved and adopted by the Milford School Committee (September 1, 1994).

Anticipated dismissal:

Parent or guardian will provide the school (via student) with a written notice of dismissal including date, dismissal time, return time, if applicable and name of person to whom the child will be dismissed.

Upon arrival at school:

Parent/guardian or designee will report directly to the office and not to their child's individual classrooms;

Parent/guardian/designee will be required to sign Dismissal Log and may be required to provide positive identification.

*****ALL STUDENTS MUST BE DISMISSED FROM THE OFFICE*****

In the event that no advance notice has been given, and persons other than the parent/guardian seek to dismiss a student, the school will contact the parent/guardian to verify the dismissal request. After verification the standard procedure for dismissal will be followed.

It is the responsibility of the parent or guardian to notify the school of any unusual or legal circumstances that may impact a student's safety. (i.e., restraining orders, custodial rights, etc.)

1.4 SCHOOL ARRIVAL/DISMISSAL

Bus students, walkers and students driven to school by their parents will be allowed to enter the building at 8:25am. Please have your children to school on time. Students are strongly discouraged from arriving before the 8:25am arrival time because there will be no supervision before 8:25am.

1.4. a BUS/VAN/ARRIVALS

Bus/van students will be dropped off at the bus loop between 8:25am - 8:40am. Students using these modes of transportation will be dropped off in the bus loop and will be directed into the school.

1.4. b. RIDERS ARRIVAL

Students transported to school by car should be dropped off no earlier than 8:25am. **The Brookside Car Loop will be closed at 8:35 am.** We have found that arriving after that time has made the children late. After 8:35 am you are asked to park your car in the parking lot and walk your child to the main entrance. If there is no

adult outside you will need to walk your child into the building and sign him/her in. **Parents are reminded not to use the bus loop when dropping off/picking up your child from school.** Your cooperation is greatly appreciated.

1.4. c WALKER ARRIVALS

Students walking to school should walk to the crossing guard and cross at the crosswalk. Students will then proceed along the walkway and enter the school, no earlier than 8:25 AM.

1.4. d PARKING-FROM MASSACHUSETTS DEPARTMENT of MOTOR VEHICLE DRIVING MANUAL:

SOME GENERAL RULES ABOUT STOPPING AND PARKING:

- You must not create a traffic hazard while parking or while your vehicle is stopped.
- You must always make sure that you leave at least a 12-foot wide, clear roadway for traffic to pass.
- When you leave your vehicle by itself, state law requires you to stop the motor, set the brake, make sure the ignition is locked, remove your key, and lock the door.
- In a zone posted for HP-DV parking only (unless you have disabled person plates or placards, or disabled veteran plates). The fine for a first offense is \$300.
- The fine for wrongful use of a disabled person or veteran plate or placard is a minimum of \$500.

***A YELLOW CURB INDICATES A FIRE LANE; THEREFORE, NO PARKING IS PERMITTED AT A YELLOW CURB.**

1.5 SCHOOL DISMISSAL

School dismissal is at **2:50 PM**. Early dismissal will not occur after 2:30 PM. Please remember that for the sake of safety the school door is locked during the entire school day. This will hold true at dismissal as well. Parents, guardians and other family members are asked to wait outside during the dismissal procedure. You are welcome to meet your child outside the door. The students will proceed through the front lobby then to the bus loop in a quiet, orderly fashion. Staff members will be on duty to supervise all dismissal procedures.

PLEASE BE REMINDED THAT THE BUS LOOP IS TO BE USED EXCLUSIVELY FOR BUSES & VANS. Injured/disabled students may use the bus loop for arrival and dismissal. Please let the office know if this is the case for your child.

Walkers should stay on the sidewalk and cross with the crossing guard at the crosswalk.

Smoking is prohibited in a vehicle while on school grounds.

BICYCLES

No bicycles are allowed at school.

1.5.a. DISMISSALS DUE TO INCLEMENT WEATHER POLICY

As winter approaches, the chance for serious storms prevail that may result in NO SCHOOL/DELAYED OPENING announcements. Information on school closings and delays due to the weather can be obtained via the ALERT NOW voice messaging system, the district website; www.milfordpublicschools.com by listening to WMRC (1490 AM) on the radio dial, usually beginning at 6:00 AM, or by watching WBZ (Channel 4). Please do not call the office of the Superintendent of Schools. In the event that school is delayed for one hour, reporting time for students will be as follows:

- Instead of the usual 8:40am starting time, school will begin at 9:40am and end at the regular dismissal time of 2:50pm. Buses & vans will pick-up at their regular bus stops one hour later than usual.

In case of an early dismissal when there is nobody home, please make sure your child knows exactly what to do (e.g., go to a neighbor's or relative's home).

The following are emergency bus routes, which will be used when it is safe to run bus routes but sidewalks are not passable. WMRC 1490 AM Radio, newspaper and the Milford Community Use web site (www.milfordma.us/mcs) will be used to notify parents when these routes will be activated. Students should walk to the nearest bus stop listed below.

1.5.b. EMERGENCY BUSING PLAN FOR ELEMENTARY SCHOOL WALKERS(Starts approx. 7:30 AM)

BROOKSIDE ELEMENTARY SCHOOL

Cr. Congress St. & Church St.
Cr. West St. & Bancroft St.
Cr. Congress St. & W. Pine St.
Cr. Congress St. & W. Spruce St.
Cr. Congress St. & Pleasant St.
Cr. Congress St. & Walnut St.
Cr. Congress St. & West Brook St.
Cr. Congress St. & Richmond Ave.
Cr. Congress St. & Hale Ave.
Cr. Congress St. & Metcalf Ave.
Cr. Congress St. & Blanchard Rd.
Cr. Fountain St. & DiAntonio Dr.
Cr. Fountain St. & Godfrey Ln.
Cr. Fountain St. & Princeton Dr.
Cr. Fountain St. & Rose Ln.
Cr. Fountain St. & Highland St.
Cr. Congress St. & Jennie D. Ln.
Cr. Congress St. & Jillson Cir.
Cr. Congress St. & Jionzo Rd.
Cr. Congress St. & Paula Rd.
Cr. Congress St. & Agnes Rd.

MEMORIAL ELEMENTARY SCHOOL

Cr. Main St. & Cook St.
Cr. Main St. & Pond St.
Cr. Main St. & Sumner St.
Cr. Congress St. & Exchange St.
Cr. Congress St. & Fayette St.
Cr. Congress St. & Pine St.
Cr. Pearl St. & State St.
Cr. Pearl St. & Granite St.
Cr. Pearl St. & Lincoln St.
Cr. Purchase St. & Mechanic St.
Cr. Purchase St. & Glines St.
Cr. Purchase St. & Fells Ave.
Cr. Purchase St. & Julian Ln.
Cr. Purchase St. & Vicki Ln.
Cr. Purchase St. & Sabatinelli Dr.
Cr. Purchase St. & Fountain St.
Cr. Purchase St. & Ariel Cir.

1.5. c. PHONE DIRECTORY IN THE EVENT OF AN EMERGENCY

If you are unable to get through to our office phone in the event of an emergency, you may call the Nurse's Office. The telephone number is found in the addendum at the back of this handbook. Also, if your child is late arriving home from school on the bus, and no one is answering at the school when you call, you can also call: 508.478.1133 – Mr. Ligor.

1.5. d. MASS COMMUNICATION USE POLICY

MILFORD PUBLIC SCHOOLS EMERGENCY NOTIFICATION POLICY

All schools that have an emergency will be responsible for notifying the Superintendent or Assistant Superintendent at the time of the event for authorization to launch an emergency announcement. In the event that the Superintendent or Assistant Superintendent cannot be reached, the building principal will be authorized to launch the emergency message.

Upon the launch of an emergency alert, the Central Administration Office will be notified. There are two types of messages that constitute an emergency situation and help to define an emergency: a response message and a recovery message.

Response: During a lockdown, evacuation, or relocation it is necessary that every parent knows the situation at the school(s) and what they, as a parent, will need to do and when. Accurate and timely information to families will prevent confusion and chaos.

Recovery: In the aftermath of an emergency, a carefully crafted message should be delivered from the Superintendent that details the actual events and how the school and district responded. Accurate and reassuring information needs to be provided to families.

Emergency messages can be delivered from the district main account using the routine process or by any one of the authorized users having access to the emergency contact information stored in the system. Assistance with the launching of an emergency message will be provided by the Director of Technology. In the event of a building based emergency, whenever possible, the principal will record the emergency notification message.

Reporting Procedure:

The school official authorized to deliver an emergency message must have the following information to relay prepared:

1. Details of situation
2. What the school is doing to respond to the situation
3. What the families need to do
4. Language(s) the message is to be sent

Milford Public Schools Mass Communication Use Policy

Statement of Purpose:

The Milford Public School District, through the utilization of a mass communication service, strives to achieve the following goals:

- Quickly and accurately inform families and staff of any emergency situations such as lockdowns or immediate evacuations due to weather-related early dismissals;
- Quickly and accurately inform families and staff of school cancellations due to weather or utility failures;
- Quickly and accurately inform families of their child's absence from school on a daily basis;
- Enhance communications within the school community among families, administrators and staff.

The Milford Public School District recognizes the importance of keeping families informed and, equally, the need to respect the privacy of the members of our school community. The Milford Public Schools will attain these goals and protect these ideals by developing a limited-use policy. If all parties understand the uses for a mass communication system it will be a positive and powerful communication tool for the district and provide families a new level of involvement in the education process as well as peace of mind regarding their child’s well being.

Requirements:

Outlining specific uses within the district and individual schools will enable the system to be closely monitored preventing overuse and the resulting decrease of its effectiveness. Appropriate uses include, but are not limited to the following:

District Use	Individual School Use
· Emergency Messages	Back to School Message
· Weather Related Information	Parents Conferences
· Staff Notifications	Attendance/Abs
· Early Release Reminders	Report Card Distribution
· Transportation Issues	Special Events Council Events
· Special Events	
· Surveys	Guidance Initiatives

All users are expected to plan the messages to be delivered, consider what the most important events are, then make a list grouping the events together. More than four messages per month from any one school will dilute the effectiveness of the system. When used appropriately, the system will be a valuable communication tool for the district and families. If used improperly or overused, mass notification may result in public relation problems.

Milford Public Schools Emergency Notification Policy

All schools that have an emergency will be responsible for notifying the Superintendent or Assistant Superintendent at the time of the event for authorization to launch an emergency announcement. In the event that the Superintendent or Assistant Superintendent cannot be reached, the building principal will be authorized to launch the emergency message.

Upon the launch of an emergency alert, the Central Administration Office will be notified. There are two types of messages that constitute an emergency situation and help to define an emergency: a response message and a recovery message.

Response: During a lockdown, evacuation, or relocation it is necessary that every parent knows the situation at the school(s) and what they, as a parent, will need to do and when. Accurate and timely information to families will prevent confusion and chaos.

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1. Details of situation
2. What the school is doing to respond to the situation
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Milford Public Schools Routine Notification Policy

All building Principals will have access to the contact information for their school. They will have the ability to store unlimited groups in the system and they will have full access to the mass communication web application to deliver messages from any computer with internet access, cell phone, or landline. Individual school-based messages are limited to the topics outlined on page 1 of this document or those additional topics approved by the Superintendent, which approval shall not be unreasonably withheld and provided in a timely manner. Building Principals must notify the District Administration regarding the content and scheduling of routine building-based notifications prior to launching the message.

All users are encouraged to plan the messages to be delivered. Consider what the most important events are then make a list grouping the events together. More than four messages per month from any one school will dilute the effectiveness of the system. When used appropriately, the system will be a valuable communication tool for the district and families.

Guidelines When Creating and Recording Messages

All Milford Public School Principals and District Officials should adhere to the following guidelines when using the mass communication system:

- Write all messages and rehearse before recording;

- Be as brief as possible. Edit excess words. Try to keep the recording to less than one (1) minute in length;

- If possible, always use a landline phone to record messages. This will ensure the best quality recording;

- Any time that a message is recorded, the caller should identify himself/herself and the school first;

- At the conclusion of any message, repeat all information that the recipient would need to write; ALWAYS listen to the recorded message to verify content and quality of the recording.

- Make sure the recording is delivered to the correct audience, (e.g. grade or school).

Approved MSC: 3/20/08

Reviewed by the MSC Policy Subcommittee: 5/12/2014

Approved MSC: 6/5/2014

CHAPTER 2: TRANSPORTATION

The Milford Public School District Transportation Policy in its entirety is available for your viewing at each elementary school, on the district website at www.milfordpublicschools.com, at the transportation office and the bus depot.

The purpose of school transportation is to get students who live a specified distance from their assigned school, to school and home in as safe, efficient and economic manner as possible.

Unless a student is eligible for transportation provided by the Milford Public Schools, the transportation of such student becomes the responsibility of the parent/guardian.

It is the parent/guardian's responsibility to see that the student gets to his/her assigned bus stop. The behavior and/or actions of the student while at a designated bus stop are subject to the parent/guardian's supervision and will not be the responsibility of the School Department.

2.1 ELIGIBILITY & GUIDELINES

At the K-4 grade level, transportation will be provided:

- Students in grades 1-4 who reside one mile or more from enrolled school;
- All students in Kindergarten;
- Special Education or medical circumstances documented by an I.E.P./504 Plan;
- The distance from a student's residence to the school attended shall be measured from the lot line of the property to the lot line of the school property and shall be measured along the shortest possible walking distance.

The Milford Public Schools reserve the right to alter or amend the eligibility requirements stated herein if a serious concern for a student safety or a family medical circumstance arises and there is sufficient space on an existing bus route to accommodate additional student(s).

KINDERGARTEN

- All kindergarten children will be bused;
- Bus stops will be established by the transportation department. There is no door-to-door transportation for kindergarten;
- At the time of registration, parents may designate the pickup and drop-off distinction. It must be the same address. Once school begins, there will be no changes.

Bus routes are established under the direction of the Transportation Coordinator so that an authorized bus stop is available within a reasonable walking distance of the home of every resident pupil entitled to transportation, that distance does not exceed one mile.

2.2 SUPERVISION OF RIDERS

Bus drivers are responsible for the safety of children riding to and from school. However, drivers must also give their full attention to the road while driving, therefore it is imperative that students diligently follow all bus rules to ensure the safety of passengers, pedestrians and motorists.

GENERAL

- Students transported in a bus are under the authority of and directly responsible to the driver of the vehicle;
- Continued disorderly conduct or persistent refusal to submit to the authority of the driver is sufficient reason for a student to be denied transportation on a bus;
- The driver of any bus is responsible for the orderly conduct of the students transported;
- No vehicle driver can require any student to leave the vehicle before such student has reached his/her destination;
- A bus cannot be put in motion until **all** students are seated;

- No bus can stop to load or discharge students except at regularly designated stops;
- No student can engage in unnecessary conversation with the driver while the vehicle is in motion;
- No persons should be allowed to occupy a position in a bus that interferes with the vision of the driver to the front, to either side of him, through the mirror to the rear, or with the operation of the vehicle;
- Nothing can be thrown within the vehicle or out the windows.

CONTENT REQUIREMENTS OF THE SCHOOL TRANSPORTATION VEHICLE

- A copy of the vehicle route should be placed in each bus prior to the beginning of the school year;
- Emergency numbers such as police, school, garage, hospital, etc. must be posted in each bus;
- Drivers are expected to keep their buses clean at all times.

2.3 BUS RULES of CONDUCT FOR DRIVERS

Discipline: Any violation of the rules and regulations for student behavior on school buses must be reported to the Transportation Coordinator. The action taken should be reported to the driver so the driver knows what action has been taken.

- Drivers must not remove a student from a bus as a disciplinary measure, except at the student's designated bus stop;
- Drivers must not touch a student, except to assist them or to render first aid;
- Bus drivers have no authority to appoint students as bus monitors and they must not do so. If repeated behavior problems arise, they may take any or all of the following actions:
 - Report each incident to the Director of Transportation/school administrator;
 - Require individual passengers to sit in the front seats so they can be observed;
 - As a last resort, bring the bus back to school;
- Extreme cases of misbehavior on the bus or at bus stops should be reported to the Transportation Coordinator;
- Although discipline on buses is a driver responsibility, his/her main job is to drive the bus safely and in accordance with rules and regulations.

2.3. a. EXTREME DISCIPLINE PROCEDURES ARE AS FOLLOWS

- stop the bus at the end of the road;
- turn off the ignition;
- set emergency brake;
- separate the problem students (if applicable);
- use the school bus two-way radio to contact the terminal manager and school official;
- the school official will decide how to get the children home;
- as a last resort, call the police to come to the scene;
- students should not be suspended from bus transportation without proper authorization.

(Suspension of a pupil from riding the bus must be administered by the Transportation Coordinator in accordance with the designated school administrator.)

Good student control is mainly the responsibility of the school bus driver. Points the driver should consider:

- the passengers are not mature adults with adult attitudes;
- the driver can expect a variety of discipline problems that will tax his/her patience;
- a smile or friendly greeting can do much to promote a pleasant atmosphere on the bus;
- the driver, along with the administrator, should discuss the transportation regulations with the students, especially at the beginning of the school year;
- the driver and administration should organize and hold an evacuation drill once each year with all students;
- be firm with students when necessary: avoid arguments with students - avoid making threats; issuing a bus conduct report if such behavior is warranted. (See Bus Protocols)

2.3. b. ACCIDENTS

In spite of all precautions, the possibility of accidents cannot be entirely eliminated. Drivers should be trained so that if, and when, accidents do occur, they know how to meet the emergency. The following procedures are suggested to drivers:

- stop the bus at the edge of the road;
- turn off the ignition;
- keep calm, and never lose your temper;
- do not argue or try to place blame for the accident;
- set out reflective triangles;
- make students as safe and comfortable as possible, moving them to a safe and comfortable location if necessary;
- under no circumstances should a bus driver allow students to proceed home by begging rides or walking long distances;
- if necessary, send two responsible students for the type of help needed;
- notify school officials;
- notify the police;
- obtain the names and addresses of all persons and witnesses involved in the accident;
- do not discuss the accident with anyone other than authorized personnel.

2.3. c. ACCIDENTS INVOLVING INJURY – PROCEDURES TO BE OBSERVED:

- do not move injured persons unless absolutely necessary and then only when the extent of the injury has been determined and such movement is deemed safe;
- keep onlookers away from the injured;
- keep injured persons lying down to prevent fainting and shock;
- give first attention to persons who appear to have stopped breathing or who are bleeding excessively;
- keep the person warm, make him/her comfortable and promote his/her ease of mind in any possible way;
- use the school bus two-way radio to notify appropriate officials;
- in the event of an extreme emergency, you may have to send a responsible person to call a physician or ambulance giving information concerning: location of the accident and the injured person, the nature and possible extent of injuries, and the supplies available at the scene of the accident, as well as what first aid is being given;
- avoid allowing the person to see his/her own injury.

THE RESPONSIBILITIES OF FAMILIES

The following guidelines will be conveyed to families by the principal:

- A. Cooperate with the school authorities and bus drivers in promoting efficient service.
- The purpose of school transportation is to provide safe, comfortable, and economical transportation for those pupils living beyond walking distance to the school. The school bus is not a taxi service for children, parents or unauthorized persons. Parents should not expect the bus to operate over roads that are not properly maintained or private lanes leading from the residence to the highway or on roads where adequate turn-around are not provided. Children will not be bused to birthday parties, CCD classes, scouts or any other activity at any time;
 - Children should be taken from the school to their homes, but in cases of extreme emergencies, the principal, after speaking to the Transportation Coordinator, may arrange for the driver to drop children at another designated place;

- Families and drivers must not place children who are not bus students on the bus at any time;
 - When families wish to take students home from school, arrangements should be made before the bus leaves the school. Under no circumstance should parent(s) stop the bus along the bus route at an undesignated stop to remove their child(ren) or take a neighbor's child;
 - Once a student boards a school bus, all rules and regulations of the school apply.
- B. Have children at the bus stop on time. Ensure proper conduct of students going to/from bus stop and while at the bus stop.
- C. Present suggestions in writing to the School Superintendent or the Transportation Coordinator for the improvement of school transportation.
- D. Ensure the cooperation of students with the authorities responsible for transportation. Families should understand that students riding on school buses must obey all regulations governing students riding school buses or forfeit their right to ride.
- E. An adult should walk with their child(ren) along the safest route to the bus stop, or to school, either prior to the opening of school or on the first day of school.
- F. Contact the Transportation Coordinator if a bus problem exists.

2.4 BUS RULES FOR STUDENTS

2.4. a WAITING FOR THE BUS

Be on time for the bus, but do not arrive at the stop earlier than 10 minutes before the time at which the bus usually arrives. Due to traffic and weather, etc., families should allow 10 minutes each way.

Observe all safety precautions while waiting for the bus:

- Do not play in the roads;
- If possible, avoid crossing streets;
- Whenever you must cross a street, do so only if you are sure that no moving vehicles are approaching from either direction;
- Do not push, pull or chase any other students;
- Avoid trespassing on private property and being noisy;
- As your bus approaches, line-up at least six feet away from the bus, do not approach the bus until it has stopped and the driver has opened the door.

LOADING THE BUS

- Get on your bus quickly and be seated at once;
- Be sure none of your belongings are in the aisles;
- Listen carefully and obey all directions issued by the driver.

2.4. b BUS EXPECTATIONS/PROTOCOLS/VIOLATIONS

Established by a Bus Safety Committee, January 25, 2008, consisting of the Transportation Coordinator, Transportation Contractor, Administrators, Bus Driver Representatives, School Adjustment Counselors, School Psychologist.

The bus driver's first responsibility is driving your child(ren) safely to and from school. They must maintain attention to the road at all times when the bus is in motion.

Please note that a bus driver reserves the right to assign bus seats as necessary.

<u>BUS EXPECTATIONS</u>
Use inside voices while on the bus;
Always use kind language and appropriate language;
Share your seat as necessary;
Keep hands and feet to yourself;
Keep the bus clean;
Keep the aisle clear;
All body parts and student materials MUST remain inside the bus;
Keep your back to the seat, with back pack removed. That means stay seated at all times!
Stay in sight of the bus driver while walking in front of the bus;
Never touch the emergency exit door or windows, unless otherwise directed by the driver;
Let the bus driver know if you are having a problem when the bus is NOT in motion.

<u>VIOLATIONS</u>
Disobeying safety regulations (i.e., standing while the bus is in motion, hanging out windows, throwing objects, yelling, etc.)
Fighting
Inappropriate language
Inappropriate touching
Bullying
Spitting
Threatening others, either verbally or physically
Any other action deemed severe by the administration and/or Transportation Coordinator

<u>PROTOCOL FOR VIOLATIONS</u>
First incident: Verbal Warning
Second incident: Verbal Warning
Third incident: Seat change (Time Out Seat)
Fourth incident: Written report generated by bus driver, sent to Transportation Coordinator, forwarded to the school and the school sends home. Time out in school for student.
Fifth incident: Second written report generated and sent home. Time out in school; possible bus suspension. Conference with parent(s)/guardian.
Sixth incident: Third written report sent home. Time out in school; possible bus expulsion. Necessary in- school conference with parent(s)/guardian.

<u>SEVERE VIOLATION</u>
May result in any of the above protocols, to be determined by the school administrator in consultation with the Transportation Coordinator.

<u>COMMUNITY HANDSHAKE</u>
Transportation Coordinator will attend the annual Kindergarten Orientation and Parent Forum to address transportation concerns/questions.
Bus drivers will discuss bus expectations, rules, violations and consequences with Kindergarten students and families, as well as all students on their first day of school.
All students will participate in proper bus behavior discussions, lessons and activities to learn how to properly utilize the bus.

Building administrators will review protocols, rules and consequences with all families at School Orientation Meetings/Back to School Evenings.
Bus protocols will be placed in the Elementary Family Handbook as well as be sent home to all families the first week of school.
All buses will display a visual of bus rules. Drivers and teachers will periodically discuss and review them as needed throughout the school year.
Students may participate in instructional lesson plans regarding proper bus behaviors.

2.4. c UNLOADING THE BUS

- Do not leave your seat until the bus has come to a complete stop and the driver has opened the door;
- Again, obey any directions issued by the driver;
- Leave the bus quickly but in a courteous manner without pushing other students;
- If you must cross a street as you leave the school bus, be sure to walk in front of the bus (never in back) at a distance of at least 12 feet out from the front of the bus. Make eye contact with the driver before crossing. If you get too close to the front of the bus, the driver will not be able to see you and a serious accident could occur;
- Never reach under the school bus to retrieve something. Tell the school bus driver then follow his/her instructions;
- Again, observe all safety precautions as you travel from your bus stop to your home;
- Violation of the bus rules may result in loss of bus privileges;
- All students must behave appropriately as passengers of a school bus. Clearly understood and well-informed rules are necessary for the successful management of students who ride school buses.

PROCEDURE FOR LATE/TARDY BUS

Buses are usually on time when dropping off students from school; however, there may be times when buses are late due to a variety of reasons. Please follow this procedure if/when this occurs:

- 1) Call the school office to inquire about the dismissal for the day;
- 2) Call the Transportation Coordinator, Mr. Morcone, and 508.478.1133 to ensure that all children have arrived home. Each day the Bus Company calls him to indicate that all buses have arrived in the bus yard;
- 3) If neither the school office nor Mr. Morcone is available, please call the Assistant Superintendent of Schools at 508.478.1102.



2.5 DISCIPLINARY ACTION

In regard to **non-severe** bus behavior violations (see protocols), the bus driver will allow a student two (2) verbal warnings. A third (3) warning will incur a change of seat and a fourth (4) violation will result in a written conduct report to the Transportation Coordinator and the school.

Violations of the transportation procedures will result in the following action:

First Written Violation:

Upon receipt of a Bus Conduct Report, the Transportation Coordinator will issue a warning and inform the respective principal who will inform the parent(s)/guardian of the child.

Second Written Violation:

A second violation may result in a suspension of bus privileges for a minimum of three (3) school days.

Future Written Violations:

Any future violations may result in suspension of bus privileges for the remainder of the academic year.

Parents/guardians will be notified of all suspensions in writing by the Transportation Coordinator and/or the respective building administrator. Regardless of whether a student's conduct constitutes a first violation, a student may be suspended from bus privileges due to dangerous or inappropriate behavior at the discretion of the Transportation Coordinator and/or building administrator.

CHAPTER 3: HEALTH SERVICES

HEALTH SERVICES

DUE TO THE COVID-19 VIRUS OUTBREAK, ADDITIONAL GUIDANCE, PROTOCOLS, POLICIES, REGULATIONS AND REQUIREMENTS MAY BE IN PLACE THAT ARE NOT INCLUDED IN THIS HANDBOOK.

The health concerns of today's school age children involve a broad range of physical, social, emotional and behavioral issues, which impact the students' educational process. It is the goal of healthcare professionals to identify these issues and to provide comprehensive health services to the student population. We strongly believe that in doing so, we are promoting better school participation, improved learning and higher educational achievement for all students.

The purpose of this section of the handbook is to inform parents/guardians about the services provided by the Department of Nursing and of the Massachusetts regulations that affect school attendance.

MEDICAL REQUIREMENTS FOR NEW STUDENTS

In accordance with Massachusetts regulations, a recent physical exam (within one year of start of school) and up-to-date immunizations are required for all students upon school entry and at certain intervals thereafter. For newly registering students only, a Tuberculosis (TB) Risk Assessment Form must be completed by your child's primary care physician and submitted upon registration. Health providers, as part of this routine health assessment, will screen students and test them for TB only if a risk factor is present.

ANNUAL HEALTH UPDATE CARDS

It is extremely important that we have accurate and up to date information on your child's Annual Health Update card. These cards are given to your child on the first day of each school year, or to a parent of a student who registers after the school year begins. To protect the safety of your child, it is imperative that we are able to contact you or another adult that you authorize, in the event of an illness or injury. Please choose an alternate contact person who is the most likely individual to be available during school hours. If a student is hospitalized or is going to be out of school for an extended period of time, please contact the school nurse as well as the teacher and Call Back System.

WHEN TO KEEP YOUR CHILD HOME FROM SCHOOL

Contact your child's school nurse with any questions regarding school attendance guidelines when ill or injured.

1. Any student who has a temperature of 100 degrees or greater should not be sent to school. The student must be fever free (less than 100 degrees) **without fever reducing medication** for at least 24 hours before returning to school. If the student is sent home by the nurse due to fever, the student will not be permitted to return to school the following day.
2. Any student diagnosed with a contagious illness requiring an antibiotic should be on the antibiotic for a period of 24 hours or more before returning to school. Depending on the condition, the school nurse may require a note from the health care provider confirming that the child is no longer contagious and may return to school.
3. A student with vomiting or diarrhea should stay at home and return to school only after being symptom-free for at least 24 hours.
4. Students with rashes of unknown cause should be examined by a health care provider before returning to school.

Please contact the school nurse if your child develops a medical problem or an existing medical problem changes.

DISMISSAL & DUE TO ILLNESS/INJURIES

The school nurse will determine whether a student who presents with signs/symptoms of illness or injury may remain in school or must be dismissed. If dismissal is necessary, the school nurse will contact the parents/guardians. If they cannot be reached, their emergency contacts will be called. Students dismissed by the school nurse must be signed out in the school's main office by the parent/guardian.

MEDICATION ADMINISTRATION

The following is an overview of the medication policies that are in place to ensure the health and safety of students that may need to take medications in school.

These forms must be on file in the school nurse's office before medication can be administered in school:

1. Signed Medication Order – A written order from a licensed provider is required for prescription medications, including over the counter medications.
 - a. Special medication situations – For short term medications requiring administration for 10 or less school days, the pharmacy labeled container may be used in lieu of a signed medication order. Whenever possible, short term antibiotics should be given at home.
 - b. Standing orders – Our school nurses may administer certain over the counter medications such as acetaminophen, under our school physician's directive, when the parent/guardian authorizes this on the Annual Health Update card.
2. Medication Administration Authorization must be completed and signed by parent / guardian for all medications. This form may be accessed at any school health office or at the MPS Nursing Department website: <https://www.milfordpublicschools.com/nursing>
3. Medication Administration Plan – The parent/guardian should arrange to meet with the school nurse when delivering medication for the first time to complete any necessary forms and discuss the medication administration plan:-

GENERAL INFORMATION REGARDING MEDICATIONS

- Medication is to be delivered directly to the school nurse by parent or a responsible adult. Students may not bring medication into school or to school sponsored events.
- Under certain circumstances, a student may be allowed to self-carry specific medications in accordance with state and/or federal regulations with prior approval by both the school nurse and parent/guardian. Upon parent/guardian request a student in Grade 5-12 may be evaluated by the school nurse for self administration of certain medications.
- Medication must be in a pharmacy labeled or manufacturer's labeled container.
- No more than a 30-day school day supply of unexpired medicine will be accepted.
- Upon parent/guardian request information regarding emergency medication during bus transport will be provided.
- As there are no nurses present before or after school hours, parents should contact the school nurse to discuss plan for accessing medications, such as inhalers and epinephrine by auto-injector, if the student will be participating in school sponsored programs during these times.

MEDICAL AWARENESS POLICY

The Milford School Committee is committed to the development of practices that will help to create an environment as safe as reasonably possible for all individuals in the school community.

The Milford School Committee will follow, to the extent such is deemed appropriate to the Milford School System, the Massachusetts Department of Education guidelines, Managing Life Threatening Allergies in Schools published in 2002.

A complete copy of this policy (File: JLCE) is contained in the Milford Public Schools Policy Manual and can be accessed in any school office throughout the district or at the Milford Public Schools' website www.milfordpublicschools.com.

PREVENTIVE HEALTH SCREENINGS

1. Physical exams are required upon enrollment, Pre-K and Kindergarten entry and grades 4, 7 and 10.
2. The Massachusetts Department of Public Health requires that schools conduct health screenings students in certain grades. Parents will be notified of any abnormal findings with recommendation for follow up care with an appropriate health care provider. **Notify the school nurse in writing** if you choose not to have your child screened.

Vision Screening	Grades K-5, 7 , 10
Hearing Screenings	Grades K-3, 7 , 10
Height and Weight	Grades 1, 4, 7, 10
Postural Screening	Grades 5-9
SBIRT	Grade 10

3. Oral Health- A Fluoride Rinse Program is offered to all students in grades 1 through **3**. It is optional and funded through the Milford Board of Health.
4. School Physician-The Milford Public Schools employs a school physician for medical consultation and required physical exams as needed.

MEDICAL EXCUSES

A physician's note is required when your child is unable to fully participate in physical education classes and/or recess, or has been diagnosed with a concussion. The note will be dated and signed, and specify the duration of the absence or restrictions.

A physician's note is also required for admittance to school following an absence of 5 or more consecutive school days due to illness, surgery, hospitalization or following any absence related to a communicable disease. ****Please refer to Attendance Policy regarding required documentation for excused absences.**

HEAD LICE PROTOCOLS

The Milford Public Schools supports the recommendations outlined by the American Academy of Pediatrics, Center for Disease Control, National Association of School Nurses and the Department of Public Health with regards to management of head lice in the school setting.

Head lice are tiny, wingless insects that survive by feeding on human blood. They cannot jump or fly, and they do not burrow under the skin. They are not known to transmit disease. Head lice can be spread by direct head-to-head contact with hair of other people who may have head lice. For example: during play, slumber parties, sports activities, or camp. Head lice are not associated with poor hygiene. Nits (eggs) are not transmissible.

Weekly head checks by parents, resulting in early detection, treatment, and removal of lice and nits, is the most reliable method of controlling head lice infestation.

The school nurse is the key health professional to provide education and anticipatory guidance to the school community regarding best practice guidance in the management of head lice. The school nurse's goals are to facilitate an accurate assessment of the problem, control infestation, provide appropriate health information for treatment and prevention, and minimize school absence. (NASN, 2014)

The management of head lice should not disrupt the educational process and therefore the following procedures will be followed:

- School nurses will screen any student who exhibits signs and symptoms of head lice.
- If the school nurse suspects evidence of head lice, the student's parent/guardian will be notified and collaborate with the school nurse and/or primary care provider for treatment options. Dismissal will be determined at the discretion of the school nurse with the intent that a child demonstrating an active lice infestation shall be dismissed.
- Students will be allowed to return to school after appropriate treatment has been given and they are checked by the school nurse.
- The presence of nits will not prevent a child from attending school.
- An informational fact sheet on head lice management will be provided to the parent of a student who has head lice infestation.

DESTRUCTION OF STUDENT HEALTH RECORDS

At the end of each school year, the student health record is reviewed. Any misleading, outdated, or irrelevant information contained in the temporary record may be destroyed. Such information may include, but is not limited to, notes regarding absences, return to school, physical education restrictions, and mandated school screenings. If you would like to receive this information, please respond in writing to your school nurse before the end of the school year.

CHAPTER 4: PARENT/TEACHER CONFERENCES

Conferences with the teachers are encouraged, but should be arranged at times other than during instruction. The Milford Elementary Schools will offer two conferences during the school year. Ample notification will be sent home before conferences take place. Please take advantage of this opportunity to visit with your child's teacher(s). Cooperation is encouraged between parents, teachers and the school administration.

Please review the following process when requesting a conference with a teacher:

- Appointments must be prearranged. Parents are asked to contact their child's teacher to set a time/date for a conference;
- Parent(s)/Guardian(s) must report to the office to inform the secretary that they have a teacher conference. They must sign the visitor's log and secure a visitor's pass;

- The secretary will notify the teacher that his/her appointment has arrived;
- Once the meeting has concluded, the parent will return to the office, sign out and return the visitor's pass;
- Should you not be able to attend a scheduled appointment with a staff member, please be sure to notify the teacher as soon as possible.

NOTE: It is important for all parents to pre-arrange a meeting with a teacher. It is very difficult to meet with a parent, unannounced, when the teacher has the responsibility and supervision of the class. Hallway and informal meetings (arriving at school and asking to speak with a teacher) are inappropriate. If you would like to meet with your child's teacher please call or send a note for an appointment. The staff is more than willing to meet with you at a mutually convenient time to discuss any issue related to your child.

4.1 CORRESPONDENCE

Parents will receive a monthly newsletter from the principal's office highlighting programs, important dates and school activities that will take place at the Elementary Schools. Suggestions for improving the format of this monthly bulletin are always welcome.

All teachers will periodically send home curriculum newsletters/reports on what's taking place in your child's classroom. This newsletter highlights curriculum content and any special programs taking place in the classroom. Please check with your child to ensure that you receive both the principal's and the teacher's monthly newsletter. You may also locate the principal's monthly newsletter online at www.milfordpublicschools.com.

CHAPTER 5: SCHOOL FORMS and MATERIALS POLICY

During the school year necessary information regarding our students must be obtained so that we are kept informed of address changes, emergency notification, call back information, etc. Your cooperation in completing such forms and returning them to school in a timely manner is essential if we are to maintain an accurate accounting of the students at our school. Please review all of your child's papers and encourage your child to take the responsibility in taking home and returning all relevant information.

5.1 CHANGE OF INFORMATION

5.1.a CHANGE OF ADDRESS AND/OR TELEPHONE NUMBER

Parents should notify the school of any change of address, telephone number (home, work or cell), emergency dismissal procedure or other pertinent information as soon as possible. Written notification is preferred.

5.1. b SCHOOL FAMILY DIRECTORY

In order to correspond with school members and arrange play dates for your child(ren), The Elementary Schools will create a one time, hard copy of a School Family Directory. Please complete the information requested on the form that will be sent home, **ONLY** if you want all your information included in this hard copy directory. Note that we will only send home one copy per family and it will not be updated once printed for the school year.

5.1. c CLASSROOM INVITATIONS

Often families wish to invite classmates to events outside of school by sending invitations through school. Since it is our goal is to make all children feel valued, please note that classroom teachers are only permitted

to allow invitation distribution if one of the following circumstances exists, either every child in the class is invited, all the girls are invited, or all the boys are invited, as the case may be. Thank you for your understanding in this matter.

5.1.d CHANGE OF NAME, CUSTODY AND GUARDIANSHIP

The school should be notified immediately of any changes which affect your child's permanent records and transcript. The original court document must be brought to the principal's office where a copy will be made and placed with the student's records. According to Massachusetts law we cannot acknowledge a name change without legal documentation. If your child can only be dismissed to certain people, we must have written confirmation from the legal parent or guardian.

5.1.e CUSTODIAL/NON-CUSTODIAL PARENT INFORMATION ANNUAL RENEWAL

The school encourages all parents to be actively involved and informed in the education of their children and sees parents as a vital link to the success of their children in school. However, many parents may not be aware of the Massachusetts Law (General Laws Chapter 71, Section 34-H) that specifies detailed procedures that govern access to student records by parents who do not have physical custody of their children.

The school principal (or designee) can answer questions you may have regarding access to student records as well as the procedural and notification process involved. Please contact the school office as this LAW REQUIRES ANNUAL REVIEW. No information may be released to a non-custodial parent who has not filed under provisions of MGL Chapter 71, Section 34-H.

5.2 TRANSFERS OUT OF SCHOOL DISTRICT

Parents are requested to notify the office and their child's teacher as much in advance of their actual departure as possible. The release form for school records may be obtained from our secretary and must be signed by a parent/guardian before the child leaves the school. This will enable records to be forwarded immediately.

5.3.a SCHOOL MATERIALS POLICY

Adopted by the Milford School Committee

All school related supplies such as textbooks, (hard cover/consumable) pencils, rulers, crayon, etc., are supplied by the school department. It is the responsibility of the student to maintain all such materials for everyday use. General guidelines for keeping all materials are as follows:

- Textbooks should not be marked, written in, (unless directed to by the teacher) or defaced in any way. Book covers should be used to protect all textbooks from the elements of bad weather or constant use. Be sure your name, grade and school are written on the book cover in case the book is misplaced;
- Students are responsible for maintaining their school texts for the year. If a student loses a textbook then he/she is required to purchase another one. The general cost for hard-covered book is \$30.00 and the cost for a consumable is \$12.00. It becomes incumbent upon the student to take this responsibility seriously not only because of the cost, but also of the time lost without having a textbook;
- Students can maintain pencils, pens, crayons, a ruler and notebooks within their desk. Other school supplies (staplers, paper punch, markers, and scissors) need not be brought to school unless directed by

the teacher. Only those essential materials needed to complete school related assignments are to be brought to school. Most of the supplies our students need will be supplied by the school;

- Toys, electronic games and devices, models, dolls, etc., may be brought to school, but we discourage students from doing so. Such items may become broken, lost or misplaced, which could lead to other issues. If such items are brought to school, its care is the sole responsibility of the child. If a staff member at any time finds these objects detrimental to the functioning of class, they may choose to ban the item;
- Students may bring balls/bats (soft rubber balls, whiffle balls, basketballs, Nerf™ footballs, Nerf™ soccer balls or plastic bats) and jump ropes to school. Skateboards, hard balls, or any other item that may cause harm or injury to any other student will not be allowed. We want our recesses to be safe and fun for all.

5.3.b Technology Responsible Use Policy

The Milford Public Schools shall provide access for employees and students to the computer system/network, including access to external networks, for limited educational purposes. Educational purposes shall be defined as classroom activities, career and professional development, and high quality self-discovery activities of an educational nature. The purpose of the system/network is to assist in preparing students for success in the classroom by providing access to a wide range of information and the ability to communicate with others. The system/network will be used to increase communication (staff, parent, and student), enhance productivity, and assist staff in upgrading existing skills and acquiring new skills through a broader exchange of information. The system/network will also be utilized to provide information to the community, including parents, governmental agencies, and businesses.

Availability

The Director of Technology, Digital Learning and Innovation shall be responsible for implementing, monitoring, and evaluating the district's system/network for instructional and administrative purposes.

Access to the system/network, including external networks, shall be made available to employees and students for instructional and administrative purposes and in accordance with administrative regulations and procedures.

Access to the system/network is a privilege, not a right. All users shall be required to acknowledge receipt and understanding of all administrative regulations and procedures governing use of the system and shall agree in writing to comply with such regulations and procedures. Noncompliance with applicable regulations and procedures may result in suspension or termination of user privileges and other disciplinary actions consistent with the policies of the Milford Public Schools. Violations of law may result in criminal prosecution as well as disciplinary action by the Milford Public Schools.

Acceptable Use

The Central Administration shall develop and implement administrative regulations, procedures, and user agreements, consistent with the purposes and mission of the Milford Public Schools as well as with law and policy governing intellectual property.

Monitored Use

Electronic mail transmissions and other use of electronic resources by students and employees shall not be considered confidential and may be monitored at any time by designated staff to ensure appropriate use for instructional and administrative purposes. Internet use will be monitored and filtered so that users are not accessing inappropriate material.

Liability

The Milford Public Schools shall not be liable for users' inappropriate use of electronic resources or violations of copyright restrictions, users' mistakes or negligence, or costs incurred by users.

Administrative Procedures for Implementation

1. Commercial use of the system/network is prohibited.
2. Targeted and/or cyber bullying using of the system/network is prohibited and will be investigated following school and district policies.
3. The district will link the Acceptable Use Policy and Procedures to the district website.
4. Copyrighted software or data shall not be placed on the district system/network without permission from the system administrator.
5. Access to the network will be granted to employees with the understanding of reading this acceptable use policy and signed agreement of reading.
6. Access will be granted to students with a signed access agreement and permission of the building administrator or designee(s).
7. Students completing required course work would have first priority for after hour's use of equipment.
8. Principals or their designee will be responsible for disseminating and enforcing policies and procedures in the building(s) under their control.
9. Principals or their designee will ensure that all users complete and sign an agreement to abide by policies and procedures regarding use of the system/network. All such agreements are to be maintained at the building level.
10. The system/network may not be used for illegal purposes, in support of illegal activities, or for any activity prohibited by district policy.
11. Deliberate attempts to degrade or disrupt system performance may be viewed as violations of district policy and/or criminal activity under applicable state and federal laws.
12. Vandalism will result in the cancellation of system privileges and will require restitution for costs associated with hardware, software, and system restoration.
13. Attempts to read, delete, copy, or modify the electronic mail of other users or to interfere with the ability of other users to send/receive electronic mail is prohibited.
14. Pretending to be someone else when sending/receiving messages is prohibited.
15. Transmitting or viewing obscene material is prohibited.
16. Revealing the personal information (addresses, phone numbers, etc.) of others without their consent is prohibited.
17. The photographing and transmitting the images of others without their consent is prohibited.
18. The district will cooperate fully with local, state, or federal officials in an investigation concerning or relating to misuse of the district's system/network.

Milford Public Schools Network Responsible Use Guidelines

The Milford Public School District believes the use of computer networked services, email, and the Internet are an integral part of an engaging, student-centered, and collaborative learning environment. It is understood that all of our computer networked services are provided exclusively for educational purposes.

The Milford Public Schools filters and monitors all internet traffic for the purpose of safeguarding staff and students from harmful content. Milford Public Schools is aware that not all inappropriate content can be filtered and the District will make every effort to correct any known gaps in the filtering of information. The Milford Public Schools also provides supervision and education related to appropriate online behavior, including

interacting with other individuals on social networking websites and in chat rooms, and regarding cyber bullying awareness and response.

The district encourages parents/guardians to supervise their child(ren) when using technology from home.

Academic Integrity

Use of district networked technology in Milford Public Schools requires adherence to a set of standards which include the expectation that no student will engage in the following behaviors as defined by the course teacher.

- Cheating
- Plagiarism
- Fabrication
- Obtaining an unfair advantage
- Aiding and abetting dishonesty
- Falsification of records and official documents
- Unauthorized access to academic or administrative records/systems

If a student is unclear as to whether or not his or her actions are in violation of the policy, then it is that student's responsibility to clarify and ambiguities with the appropriate instructor before violation is discovered by technology or school administration.

Adopted MSC: 5/9/13

Revised MSC: 5/23/13

Amended MSC: 11/2/17

Responsible Use Guideline Sign Off

As a Milford Public Schools student, I understand that the use of school network and email is a privilege, not an entitlement. I understand my school network and email accounts are owned by MPS and are not private. Milford Public Schools has the right to access my information at any time. I understand that MPS administrators will decide what conduct is inappropriate use if such conduct is not specified in this agreement. I will use technology in a manner that complies with laws of the United States and the Commonwealth of Massachusetts. I understand that I am to notify an adult immediately if I encounter material that violates appropriate use.

I understand and will abide by the Responsible Use Guidelines above. I will use the Milford Public Schools technology resources productively and responsibly for school-related purposes. I will not use any technology resources in such a way that would disrupt the activities of other users. I will use and maintain any device assigned to me in accordance with the Individual Device Agreement. I understand that consequences of my actions could include possible loss of technology privileges and/or school disciplinary action as stated in the Code of Conduct and/or prosecution under state and federal law.

Complete a Digital Acknowledgement of this form online at <http://goo.gl/forms/xkJ7a5IH3L>

Or complete the next section below and return to school

User Agreement for Participation in an Electronic Communications System

This user agreement must be renewed each academic year.

Users Name:

School:

I have read the district's Acceptable Use Policy and Administrative Procedures and agree to abide by their provisions. I understand that violation of these provisions may result in disciplinary action including but not limited to suspension or revocation of privileges, suspension or expulsion from school, termination of employment, and criminal prosecution.

Signature:

Parent/Guardian Sponsor:

I have read the district's Acceptable Use Policy and Administrative Procedures. In consideration for the privilege of using the district's system/network, and in consideration for having access to the public networks, I hereby release the district, its operators, and institutions with which they are affiliated from any and all claims and damages of any nature arising from my child's use of, or inability to use, the system/network, including, without limitation, the type of damage identified in the district's policy and administrative procedures.

5.4 SCHOOL SUPPLIES STATEMENT

The Milford Public Schools values the partnership between home and school and appreciates the support offered by families where the purchase of school supplies is concerned. Please be advised, however, that no student enrolled in the Milford Public Schools is to receive a list of required supplies for any academic subject or classroom. Teachers may recommend a reasonable supply list (e.g., binders, notebooks, markers, index cards, etc.) to guide families who wish to purchase items for their child. It is the position of the Milford Public Schools that supplies will be provided, by the school, for students who are unable to provide such.

5.5 REPORT CARDS

Report cards are issued three times per year in Grades 1 and 2 and twice per year in Kindergarten. After reviewing the report card carefully with your child, please sign and return the report card envelope to your child's teacher (you may keep the entire contents of the report card). Conferences may be scheduled at this or at any other time by calling the school to schedule an appointment.

5.6 SUMMARY OF REGULATIONS PERTAINING TO STUDENT RECORDS

This self-explanatory summary of the regulations may be used to fulfill the notice requirement of 603CMR 23.10(1) (b) of the regulations. Such notice must be disseminated to students and parents at least once during every school year.

The State Board of Education has adopted Regulations Pertaining to Student Records. The development of these regulations, which have the force of law, was mandated by state laws enacted 1972 and 1974. The regulations apply to all public elementary and secondary schools. (They also apply to all private schools which have state approval to provide special education services under Chapter 766, the Special Education Act.) They are designed to insure parents' and students' rights of confidentiality, inspection, amendment and destruction of student records, and to assist school authorities in their responsibilities for the maintenance of student records.

The regulations apply to all information kept by a school committee on a student in a manner such that he or she may be individually identified. The regulations divide the record into two sections: the transcript and the temporary record. The transcript includes only the minimum information necessary to reflect the student's educational progress. This information includes name, address, course title, grades, credits, and grade level completed. The transcript is kept by the school system for least sixty days after the student leaves the system.

The temporary record contains the majority of the information maintained by the school about the student. This may include such things as standardized test results; class rank; school sponsored extracurricular activities; and evaluations and comments by teachers, counselors, and other persons, as well as other similar information. The temporary record is destroyed within five years after the student leaves the school system.

The following is a summary of the major parent and student rights regarding their student records, as provided by the Regulation Pertaining to Student Records:

5.6.a INSPECTION OF RECORD

A parent, or a student who has entered the ninth grade or is at least 14 years old, has the right to inspect all portions of the student record upon request. The record must be made available to the parent or student no later than two days after the request, unless the parent or student consents to a delay.

The parent and student have the right to receive copies of any part of the record, although a reasonable fee may be charged for the cost of duplicating the materials.

Finally, the parent and student may request to have part of the record interpreted by a qualified professional of the school, or may invite anyone else of their choosing to inspect or interpret the record with them.

5.6.b CONFIDENTIALITY OF RECORD

With a few exceptions, no individuals or organizations but the parent, student, and school personnel working directly with the student are allowed to have access to information in the student record without the specific, informed, written consent of the parent or the student.

5.6.c AMENDMENT OF RECORD

The parent and student have the right to add relevant comments, information, or other written materials to the student record. In addition, the parent and student have the right to request that information in the record be amended or deleted. The parent and student have a right to a conference with the school principal to make their objections known. Within a week after the conference, the principal must render a decision in writing. If the parent and student are not satisfied with the decision, the regulations contain provisions through which the decision may be appealed to higher authorities in the school system.

5.6.d DESTRUCTION OF RECORD

The regulations require that certain parts of the student record, such as temporary record, be destroyed a certain period of time after the student leaves the school system. School authorities are also allowed to destroy misleading, outdated, or irrelevant information in the record from time to time while the student is enrolled in the school system. Before any such information may be destroyed, the parent and student must be notified, and have an opportunity to receive a copy of any of the information before its destruction.

The above is only a summary of some of the more important provisions of the Regulations Pertaining to Student Records that relate to student and parent rights. If more detailed information is desired, a copy of the regulations may be received from your school.

CHAPTER 6: BEHAVIOR MANAGEMENT

Concerning school behavior, our collective energies should be focused on maintaining a discipline plan that is fair and consistent with our expectations of student behavior in the classroom, building, playground and cafeteria and respectful of each child's self-esteem. It is our goal to encourage good behavior in our students and support their understanding of school rules while building a sense of community. Please review the discipline guidelines listed so that you may become familiar with the discipline policy.

The elementary schools implement Positive Behavioral Interventions and Support (PBIS). Our PBIS mission statement states that: *We will treat each other with respect. We will take responsibility for our learning and behavior to promote a safe and positive school community.* Therefore, our students will be taught what it looks like to ***be safe, be responsible and be respectful*** throughout our school building. When there are uniform school-wide standards, students know exactly what is expected of them at all times and the result is a safer, more positive learning environment for everyone.

Managing student behavior on a school-wide basis requires a commitment from the entire staff. To achieve the desired benefits, it is essential that everyone work together as a team in teaching, implementing and reinforcing a school-wide discipline plan. Positive Behavioral Interventions and Support is a school-wide systems approach to enhance the capacity of our schools to educate all our children. We believe that by helping students practice good behavior, we will build a school community where all students can succeed and grow.

6.1 SCHOOL-WIDE EXPECTATIONS – BE SAFE-BE RESPONSIBLE-BE RESPECTFUL

Students will:

1. Take pride in our school;
2. Show respect for people and their property;
3. Keep hands, feet and objects to themselves;
4. Walk through the building in a quiet, orderly manner;
5. Follow directions at all times;
6. No chewing gum in school;
7. Use appropriate language (e.g., no cursing, swearing, etc.);
8. Not wear hats in the school building.

6.1.a CAFETERIA:

Students will:

1. Clean their area when finished eating;
2. Eat all their food in cafeteria;
3. Not play with or throw their food;
4. Get permission to leave table for any reason;
5. Wait in line in a quiet, orderly manner.

6.1.b PLAYGROUND:

Students will:

1. Stay in assigned areas;
2. Line up in a safe orderly manner;
3. Use appropriate language;
4. Keep hands, feet and objects to yourself;
5. Stay away from snow, ice and puddles, etc.;
6. Ask permission to leave the playground.

6.1.c INDOOR RECESS

Students should not be staying in for recess unless:

- A note from parent/doctor stating reason to exclude from outdoor recess;
- An injury that prevents a student from going outdoors.

If weather conditions make it necessary to hold an indoor morning/lunch recess, then students will remain in their classrooms. Constructive activities, board games, make-up work, etc. can be utilized at this time.

6.2 DRESS/APPEARANCE

Decisions concerning school dress should be personal and should be the responsibility of the students and their parent(s)/guardian. We expect each of our students to be well groomed and neat in their general appearance. Articles of clothing such as T-shirts (with suggestive logos/sayings) shirts/blouses that expose the midriff or anything that would be counterproductive to the educational environment at the school are not allowed. **Hats are not allowed to be worn in the school.** Sneakers must be worn on physical education days. No flip flops, sandals, etc. are permitted on physical education days. Footwear such as this is not safe for physical education instruction. Our intent is to promote a clean, healthy, educational environment through proper school attire.

The teacher will alert the administration if s/he feels there is a question on the appropriateness of a student's attire. The principal would then call the student to the office to assess the student's dress. If, in the opinion of

the principal, the student's dress is not school appropriate, then a call would be made to the parent(s)/guardian asking for their cooperation in addressing this issue.

The role of the school is to maintain a sound educational atmosphere conducive to learning. Families will be notified if a student's dress creates a disturbance that interferes with the function of the school. We want our students to be comfortable in their dress, but their appearance must be supportive of the overall goals of the school.

6.3 TIME OUT:

If an incident occurs in school, the staff member will determine if it is a minor or major incident. If it is a minor incident it will be handled by the reporting staff member. If it is a major incident, the student may receive a timeout from recess. Parents will be informed of major incidents either by phone call, email, written incident report or Talking Points message. The repeated continuance of behaviors not following the discipline plan may result in a parent conference, or in extreme circumstances, after-school detention or suspension.

For students that continually disobey the school rules such as fighting, hindering the safety of others, damaging school property, defying school authority, or exhibiting any type of misbehavior that is counterproductive to the school wide discipline plan, more severe consequences will result. Students whose behavior is severe in nature will be sent directly to the Principal or Assistant to the Principal's Office and handled accordingly:

- Parental contact will be made;
 - A meeting will be held with parents to discuss continuing issues;
 - A plan will be devised between the parent/administration;
 - The Principal/Designee will reserve the right to suspend a student for continued offenses to this policy.
- The number of days will be dependent upon issues related to the misbehaviors.

6.4 STUDENT DISCIPLINE

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

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

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

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

Suspension

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

Notice of Suspension:

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

Emergency Removal

A Principal may remove a student from school temporarily when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the Principal's judgment, there is no alternative available to alleviate the danger or disruption.

The Principal shall immediately notify the Superintendent in writing of the removal including a description of the danger presented by the student.

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

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

In School Suspension – not more than 10 days consecutively or cumulatively

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

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

Principal's Hearing – Short Term Suspension of up to 10 days

The hearing with the Principal shall be to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction.

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

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

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

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

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

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

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

The hearing with the Principal shall be to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction.

At a minimum, in addition to the rights afforded a student in a short-term suspension hearing, the student shall have the following rights: In advance of the hearing, the opportunity to review the student's record and the documents upon which the Principal may rely in making a determination to suspend the student or not; The right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense; The right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so; The right to cross-examine witnesses presented by the school district; The right to request that the hearing be recorded by the Principal, and to receive a copy of the audio recording upon request. If the student or parent requests an audio recording, the Principal shall inform all

participants before the hearing that an audio record will be made and a copy will be provided to the student and parent upon request.

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

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

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

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

Superintendent's Hearing

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

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

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

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

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

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

Expulsion

Any student who is subject to expulsion by the principal shall be notified in writing in an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the principal.

Any student who has been expelled from school by the principal shall have a right to appeal to the superintendent. The expelled student shall have ten days from the date of expulsion in which to notify the superintendent of his/her appeal. The student has the right to counsel at a hearing before the superintendent.

When a student is expelled for possession of a weapon or a controlled substance, assault of a staff member, or for being convicted of a felony, and applies for admission to another school, the superintendent of the sending school shall notify the superintendent of the receiving schools of the reasons for the pupil's expulsion.

When a student is expelled under the provisions of this section, no school or school district within the Commonwealth shall be required to admit such student or to provide educational services to such student. (M.G.L. Chapter 71, §37H, §37H ½.)

Academic Progress

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

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

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

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

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

Disciplining Students with Special Needs

Disciplinary Due Process

Short Term disciplinary Sanctions: Prior to the imposition of any disciplinary sanction that might result in a student's suspension from school for ten (10) consecutive school days or less, the student will be given oral notice of the offense with which he/she is charged and an opportunity to respond. In the event that the principal determines that the student will be suspended from school, the student's parent(s)/guardian(s) will be notified by telephone and in writing.

Long Term Disciplinary Sanctions: Prior to the imposition of any disciplinary sanction that might result in the student's suspension for more than ten (10) consecutive school days or expulsion, the parent(s)/guardian(s) will be given written notice of a hearing at which they may be represented by an attorney at their expense and may examine and present witnesses and documentary evidence. Following this hearing, the decision maker (principal/school committee) will issue a written decision. The parent(s)/guardian(s) will have the right to appeal any decision imposing a long-term exclusion from school. Where the student is excluded in accordance with M.G.L. c. 71 §37H, the student shall have ten (10) days from the effective date of the exclusion to file a written appeal with the superintendent of schools. For exclusions imposed pursuant to M.G.L. c. 71, §37H1/2, the student shall have five (5) days from the effective date of the exclusion to file a written appeal with the superintendent. For exclusions imposed by the school committee in accordance with M.G. L. c. 76 §17, the student shall have the right to file a written request for reconsideration by the committee within ten (10) days of the effective date of the exclusion. Pending the outcome of any such appeal, the disciplinary sanction imposed shall remain in effect. M.G.L. c. 76 §17, M.G.L. c. 71 §37H, M.G.L. c. 71 §37H1/2.

Students with Disabilities: Students who have been identified as students with disabilities in accordance with the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act or who the school has reason to believe might be eligible for special education services are entitled to additional procedural protections when a disciplinary exclusion is considered. Prior to the imposition of any disciplinary sanction that would result in a change in placement; the student's Team will meet to determine whether the student's conduct

was a manifestation of the student's disability. If the Team determines that the conduct was a manifestation of the student's disability shall review any existing behavior plan or, if no such behavior plan exists, conduct a functional behavioral assessment. In many cases, a student with a disability will be entitled to services identified by the student's Team as necessary to provide the student with a free appropriate public education during periods of disciplinary exclusion exceeding ten (10) school days in a given year. For additional information regarding the rights of students with disabilities in the context of school discipline please contact the school district's director of special education or the building principal.

In addition to those due process protections afforded to all students, the Individuals with Disabilities Education Act and related regulations require that additional provisions be made for students who have been found eligible for special education services or who the school district knows or has reason to know might be eligible for such services. Students who have been found to have a disability that impacts upon a major life activity, as defined under §504 of the Rehabilitation Act, are, generally, also entitled to increased procedural protections prior to imposing discipline that will result in the student's removal for more than ten (10) consecutive school days or where there is a pattern of short term removals exceeding ten (10) school days in a given year. The following additional requirements apply to the discipline of students with disabilities:

1. The IEP for every student eligible for special education or related services shall indicate whether the student can be expected to meet the regular discipline code of the school or whether the code should be modified to address the student's individual needs.
2. Students with disabilities may be excluded from their programs for up to ten (10) school days to the extent that such sanctions would be applied to all students. Before a student with a disability can be excluded from his/her program for more than ten (10) consecutive school days in a given school year or subjected to a pattern of removal constituting a "change of placement," building administrators, the parent(s)/guardian(s) and relevant members of the student's IEP or 504 Team will meet to determine the relationship between the student's disability and behavior (Manifestation Determination). In most instances, during disciplinary exclusions exceeding ten (10) school days in a single school year, the student shall have the right to receive services identified as necessary by the Team to provide him/her with a free appropriate public education during the period of exclusion.
3. If building administrators, the parent(s)/guardian(s) and relevant members of the student's IEP or 504 team determine the student's conduct was not a manifestation of the student's disability, the school may discipline the student in accordance with the procedures and penalties applicable to all students but will continue to provide a free appropriate public education to those students with IEPs. The student's IEP or 504 Team will identify the services necessary to provide a free appropriate public education during the period of exclusion, review any existing behavior intervention plan or, where appropriate, conduct a functional behavioral assessment.
4. If building administrators, the parent(s)/guardian(s) and relevant members of the student's IEP or 504 Team determine that the conduct giving rise to disciplinary action was a manifestation of the student's disability, the student will not be subjected to further removal or exclusion from the student's current educational program based on that conduct (except for conduct involving weapons, drugs, or resulting in serious bodily injury to others) until the IEP or 504 Team develops, and the parent(s)/guardian(s) consent to, a new placement or unless the district obtains an order from a court or from the Bureau of Special Education Appeals (BSEA) authorizing a change in the student's placement. The Student's Team shall also review, and modify as appropriate, any existing behavior intervention plan or arrange

for a functional behavior assessment.

5. If a student with a disability possesses or uses illegal drugs, sells or solicits a controlled substance, possesses a weapon, or causes serious bodily injury to another on school grounds or at a school function, the district may place the student in an interim alternative educational setting (IAES) for up to forty-five (45) school days. A court of BSEA Hearing Officer may also order the placement of a student who presents a substantial likelihood of injury to self or others in an appropriate interim setting for up to forty-five (45) school days.

Reporting

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

The Principal of each school shall periodically review discipline data by selected student populations, including but not limited to race and ethnicity, gender, socioeconomic status, English language learner status, and student with a disability status in accordance with law and regulation.

SOURCE: MASC October 2014

LEGAL REF: M.G.L. 71:37H; 71:37H ½; 71:37H ¾; 76:17; 603 CMR 53.00

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

MSC Approved: 3/11/21

6.5 Physical Restraint Policy

MILFORD PUBLIC SCHOOLS PHYSICAL RESTRAINT PROCEDURES AND GUIDELINES

I. Overview

The Milford Public Schools seeks to promote a safe and productive workplace and educational environment for its employees and students. In accordance with the Code of Massachusetts Regulations (603 C.M.R. 46.00), the law governing the use of physical restraint on students in public schools, Milford seeks to ensure that every student participating in a Massachusetts public education program is free from the use of physical restraint that is with 603 CMR 46.00. Physical restraint shall be used only in emergency situations of last resort, after other lawful and less intrusive alternatives have failed or been deemed inappropriate, and with extreme caution.

School personnel shall use physical restraint with two goals in mind:

- 1) School personnel shall only administer physical restraint when it is needed to protect a student and/or a member of the school community from imminent, serious, physical harm.
- 2) When a physical restraint needs to be administered, school personnel shall seek to prevent or minimize any harm to the student as a result of the use of the physical restraint.

A. Intervention and Alternatives to Physical Restraint

Each school will provide annual professional development throughout the district to train staff on methods to identify and prevent student violence, self-injurious behavior, and suicide. Training will also include individual crisis planning and de-escalation of potentially dangerous behavior occurring among groups of students or with an individual student. Each school will have a Student Teacher Assistance Resource Team (START) that meets to identify students at risk and develop intervention strategies and supports to assist the students. This team will consist of an administrator, school counselor, school nurse, support staff and teachers. In addition to the START team, each school will have a crisis team which includes a School Psychologist or School Adjustment Counselor. This team will be trained in Nonviolent Crisis Prevention Intervention (CPI) and hold current certification. This team will also assist with the development of a safety plan for students with significant trauma history with emotional and behavioral issues who have required physical restraints. This plan will include de-escalation strategies, counseling, daily check-ins, and a positive behavioral intervention plan.

There are a variety of appropriate responses to student behavior that may require immediate intervention. These alternative methods should be used first when seeking to prevent student violence, self-injurious behavior and/or de-escalating potentially dangerous behavior occurring among groups of students or with an individual student.

These interventions include:

- Be Empathic, Nonjudgmental, Firm, Consistent and Caring
- Respect Personal Space: Be aware of your position, posture, and proximity when interacting with a student in distress.

- Use Nonthreatening Nonverbals. Be mindful of your gestures, facial expressions, movements, and tone of voice.
- Keeping your tone and body language neutral will go a long way toward defusing a situation.
- Remain calm, use quieter voice, get on the student's level, identify the source of their frustration and offer ways to problem-solve
- Try to minimize use of language as this can be overwhelming and escalate the situation; offer reasonable choices, set limits where appropriate
- Offer sincere support to the student; validate feelings, "That must be upsetting to you."
- Provide choices of alternate activities.
- Help the student to feel a sense of control.
- Ignore Challenging Questions.
- Focus on problem solving.
- Set Limits: Be clear, speak simply, and offer the positive choice first.
- Allow Silence for Reflection: It can give a student a chance to reflect on what's happening, and how to proceed. Silence can be a powerful communication tool.
- Allow Time for Decisions: When a student is upset, he/she may not be able to think clearly. Stress levels rise when students feel rushed. Allowing time brings calm.
- There may be times when staff must place their hands on a student, temporarily to redirect them putting a hand on either the student's shoulders, or elbow without force, and redirecting the student to the learning activity, classroom or safe location.

B. General guidelines for de-escalating potentially dangerous behavior occurring among groups of students or with an individual student include the following:

- 1) Remain calm -To possibly help prevent the likelihood of a student experiencing distress from escalating his/her behavior, use a neutral and level tone of voice, control one's facial expressions and use a supportive non-threatening body language.
- 2) Obtain Assistance - Whenever possible, school personnel should immediately take steps to notify school administrators, the school's crisis team and/or other school personnel of a potentially dangerous situation and to obtain additional assistance.
- 3) One Person Speaks - This often may be either the first trained staff person on the scene, the staff person with the most information about the particular situation or the staff with the best rapport with the student,
- 4) Remove Student If Possible-If the student is calm and safe enough to remove themselves without physical assistance, the student should be directed to go to another location.
- 5) Remove Other Students - If the dysregulated student is not calm and safe enough to remove themselves, the compliant students will be directed to leave the class/area.
- 6) Physical Escort -A physical escort may be necessary which is a temporary touching or holding, without the use of force, of the hand, wrist, arm, shoulder or back, for the purpose of inducing a student who is agitated to walk to a safe location.

C. Methods for Preventing Student Violence, Self-Injurious Behavior, and Suicide

Self-harming students need to know that teachers and other school personnel care about them and are available for emotional connection, support, and advice when needed.

- 1) Know the Signs: The most common forms of self-injury include cuts that are in lines on arms or legs, repeatedly picking at scabs, eraser burns, using matches or cigarettes to burn the body, hair-pulling, head banging, and punching walls or self.
- 2) Remain Calm; Accept him/her even though you do not accept the unsafe behavior. Let the student know how much you care about him/her and believe in his/her potential.
- 3) Try to understand the meaning of this behavior for the student, how the behavior has been helpful, and how they can now be helpful to the student.
- 4) Refer that student to your school's counselor or school psychologist.
- 5) Confidential and private. Staff refrains from discussing students when others are around or with other staff members not associated with the students' safety team.
- 6) Listen; Allow the student to talk to you. Be available.
- 7) Discover what the student's personal strengths are and encourage him/her to use those strengths.
- 8) Help him/her get involved in some area of interest, a club, sport, peer program, outreach
- 9) Assure the students that they can get help and let them know it is your job to get them to the right people in the building to help.
- 10) Modify the student's physical environment, when appropriate. Items to be changed include setting, lighting, smells and sounds, especially if they influence the occurrence of the behavior.

II. Methods For Engaging Parents/Guardians and Youth In Discussions About Restraint Prevention

The Principal should provide all families and students with information about behavioral supports and restraint prevention efforts that are utilized within their school annually. Additionally, the Principal is expected to follow these administrative procedures with respect to identifying students who may be at risk of restraint and work with the student and their family along with the school counselor to identify and work on behavioral supports to prevent restraint from occurring. If a student is restrained, the Principal is expected to follow these administrative procedures with respect to engaging the student and their family about the use of the restraint, the report regarding the restraint, any disciplinary sanctions that may be imposed and/or any other related matters. Additionally, the school counselor also should follow up with the student and their family regarding behavioral supports.

III. Definitions

Mechanical Restraint: The use of any device or equipment to restrict a student's freedom of movement. The term does not include devices implemented by trained school personnel, or utilized by a student that has been prescribed by an appropriate medical or related service professional, and are used for specific and approved positioning or protective purposes for which such devices were designed. Examples of such devices include: adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; vehicle safety restraints when used as intended during the transport of a student in a moving vehicle; restraints for medical immobilization; or orthopedically prescribed devices that permit a student to participate in activities without risk of harm.

Medication Restraint: The administration of medication for the purpose of temporarily controlling behavior. Medication prescribed by a licensed physician and authorized by the parent for administration in the school setting is not medication restraint.

Physical Escort: a temporary touching or holding, without the use of force, of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is agitated to walk to a safe location.

Physical Restraint: Direct physical contact that prevents or significantly restricts a student's freedom of movement. Physical restraint does not include: brief physical contact to promote student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing comfort, or a physical escort.

Principal: Instructional leader of a public school education program or his or her designee.

Prone Restraint: A physical restraint in which a student is placed face down on the floor or another surface, and physical pressure is applied to the student's body to keep the student in the face-down position.

Seclusion : Involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. Seclusion does not include a time-out as defined below.

Time-Out: a behavioral support strategy, developed pursuant to 603 CMR 46.04(1), in which a student temporarily separates from the learning activity or the classroom, either by choice or by direction from staff, for the purpose of calming. During time-out, a student must be continuously observed by a staff member. Staff shall be with the student or immediately available to the student at all times. The space used for time-out must be clean, safe, sanitary, and appropriate for the purpose of calming. Time-out shall cease as soon as the student has calmed.

IV. Specific Rights

603 C.M.R. 46.00 does not prohibit:

- (1) The use of physical restraint with reasonable force when it is necessary to protect a student or another member of the school community from assault or imminent, serious, physical harm.
- (2) The right of any individual to report to appropriate authorities a crime committed by a student or other individual;
- (3) Law enforcement, judicial authorities or school security personnel from exercising their responsibilities, including the physical detainment of a student or other person alleged to have committed a crime or posing a security risk; or an individual from exercising responsibilities as a mandated reporter pursuant to G.L. c. 119, § 51A. 603 CMR 46.00.

V. DESE Technical Assistance on use of Time-Out

DESE's Technical Assistance Advisory SPED 2016-1 explains the difference between inclusionary time-out and exclusionary time-out.

Inclusionary time-out is when the student is removed from positive reinforcement or full participation in classroom activities while remaining in the classroom. It is used as a behavior support strategy while allowing the student to remain fully aware of the learning activities of the classroom. These practices can exist as classroom behavior support tools, such as "planned ignoring," asking students to put their heads down, or placing a student in a different location within the classroom

Exclusionary time-out is the separation of students from the rest of the class either through complete visual separation or from actual physical separation. This intervention is staff- directed and should only be used when the student is displaying behaviors which present, or potentially present, an unsafe or overly disruptive situation in the classroom. Exclusionary time-out should not be used as a method of punishment for noncompliance, or for incidents of misbehavior that are no longer occurring.

The student must be continuously observed by a staff member who is immediately available to the student at all times. The space used for exclusionary time-out must be clean, safe, sanitary, and appropriate for the purpose of calming.

If it is not safe for the staff member to be present with the student, the student may be left in the time-out setting with the door ajar. However, in order to ensure that the student is receiving appropriate support, a school counselor or other behavioral support professional must be immediately available outside of the time-out setting where the individual can continuously observe and communicate with the student as appropriate to determine when the student has calmed. Students must never be locked in a room. For students displaying self-injurious behavior, a staff member must be physically present in the same setting with the student. Exclusionary time-out must end when the student has calmed.

If an exclusionary time-out lasts longer than 30 minutes, principals must be asked for permission to continue use of this time-out. If a student continues to be agitated or if the use of this time-out exacerbates behavior, the principal may not approve the request and other behavioral support strategies should be attempted.

Students must never be locked in a room. 603 CMR 46.02 defines seclusion as: The involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. The use of seclusion is prohibited in Massachusetts For students displaying self-injurious behavior, a staff member must be physically present in the same setting with the student.

VI. Use of Physical Restraint

Physical restraint may never be used as a means of discipline. It should not be used in response to property damage, disruption of school assembly, a student's refusal to comply with a rule or staff directive, or verbal threats when those actions do not constitute a threat of assault, or imminent, serious, physical harm. Physical restraint may not be used as a standard response for any student. No IEP or written behavioral plan may include physical restraint as a standard response to any behavior.

Physical restraint may never be used when the student cannot be safely restrained because it is medically contraindicated for reasons including, but not limited to, asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting.

Only trained school personnel shall administer physical restraints. Trained school personnel are those individuals who have received the in-depth training in Non-Violent Crisis Prevention Intervention (CPI) and maintain current certification.

Safety

In order to maintain and monitor the safety of the student, staff will review and have knowledge of the physical and psychological history and limitations of the student. Staff will use the safest method possible in order to prevent or minimize physical harm.

The administration of the physical restraint shall be witnessed by at least one adult, when possible, who does not participate in the physical restraint. During a physical restraint, staff will continuously monitor the student's physical status, including skin temperature, color and respiration, and make certain that the student is able to breathe and speak. When administering a physical restraint, school personnel shall use only the amount of force necessary to protect the student or others from physical injury.

Duration

All physical restraints must be terminated as soon as the student is no longer an immediate danger to himself or others, or the student indicates that he or she cannot breathe, or if the student is observed to be in severe distress, such as having difficulty breathing, or sustained or prolonged crying or coughing. If a student is restrained for a period longer than 20 minutes, staff must obtain the approval of the principal. The approval shall be based upon the student's continued agitation during the restraint justifying the need for continued restraint.

Prone Restraints/Floor Restraints

Prone restraints are prohibited in public education programs except on an individual student basis, and only under the following circumstances:

1. The student has a documented history of repeatedly causing serious self-injuries and/or injuries to other students or staff;
2. All other forms of physical restraints have failed to ensure the safety of the student and/or the safety of others;
3. There are no medical contraindications as documented by a licensed physician;
4. There is psychological or behavioral justification for the use of prone restraint and there are no psychological or behavioral contraindications, as documented by a licensed mental health professional;
5. The program has obtained consent to use prone restraint in an emergency as set out in 603 CMR 46.03(1)(b), and such use has been approved in writing by the principal; and,
6. The program has documented 603 CMR 46.03(1) (b) 1 - 5 in advance of the use of prone restraint and maintains the documentation.

Floor restraints, including prone restraints otherwise permitted under 603 CMR 46.03(1)(b), shall be prohibited unless the staff members administering the restraint have received in-depth training according to the requirements of 603 CMR 46.043(3) and, in the judgment of the trained staff members, such method is required to provide safety for the student or others present.

Follow-up

At an appropriate time after a student has been released from a restraint, the school shall implement the follow-up procedures set forth below: a. review the restraint with the student to address the behavior that precipitated the restraint; b. review the incident with school personnel who administered the restraint to discuss whether proper restraint procedures were followed; and c. consider whether any follow-up is appropriate for the students who witnessed the incident.

VII. Prohibitions

Mechanical restraint, medication restraint, and seclusion shall be prohibited in public education programs.

VIII. Reporting Physical Restraint Use

Staff who administered a physical restraint must verbally inform the principal of the restraint as soon as possible, and by written report no later than the next school working day. If the principal has administered the restraint, the principal will prepare the report and submit it to an individual or team designated by the superintendent for review. Following the use of any physical intervention (under 20 minutes) the reporting form for physical intervention should be completed and given to the TEAM Chair who will distribute appropriately. The building administrator or his/her designee shall provide the Special Education Director with a copy of a physical intervention with any student, regular education or special education. The principal or designee shall maintain an on-going record of all reported instances of physical restraint, which record shall be made available for review by the Department of Elementary and Secondary Education upon request.

Reporting to Parents

The principal or his/her designee must make reasonable efforts to verbally inform the student's parent of the restraint within twenty-four (24) hours of the event, and shall notify the parent by written report sent either within three school working days of the restraint to an email address provided by the parent for communications about the student, or by regular mail postmarked no later than three school working days of the restraint. If the school or program customarily provides a parent or guardian of a student with report cards and other necessary school related information in a language other than English, the written restraint report shall be provided to the parent or guardian in that language. The principal will provide the student and the parent an opportunity to comment orally and in writing on the use of the restraint and on information in the written report.

The report must include: the name of the student; the names and job titles of the staff who administered the restraint, and observers, if any; the date of the restraint; the time the restraint began and ended; and the name of the principal or designee who was verbally informed following the restraint; and, as applicable, the name of the principal or designee who approved continuation of the restraint beyond 20 minutes pursuant to 603 CMR 46.05(5)(c). A description of what was happening before the restraint; the efforts staff used to prevent escalation of the student's behavior, including the specific de-escalation strategies that the staff used; the alternatives to restraint that staff attempted; the justification for initiating the restraint; a description of the holds used and why they were necessary; a description of the student's behavior and reaction during the restraint, and any medical care given; information regarding any further actions the school has taken or may take; and information regarding opportunities for the student's parents to discuss the restraint with the school.

Reporting to the Department of Elementary and Secondary Education

In the event of a restraint resulting in injury to a student or program staff, a written report of the restraint shall be submitted to the Department of Elementary and Secondary Education within three (3) school days of the restraint with a copy of the record of the physical restraints maintained by the principal pursuant to 603 CMR 46.06(2) for the thirty (30)-day period prior to the date of the reported restraint. Additionally, the District will provide DESE with an annual report of its physical restraint use.

IX. Administrative Reviews

Weekly Individual Student Review

The principal must conduct a weekly review of restraint data to identify students who have been restrained multiple times during the week pursuant to 603 CMR 46.06 (5). If such students are identified, the principal must convene one or more review teams as the principal deems appropriate, to assess each student's progress and needs. The team will review data and develop an action plan for the student with the goal of rescuing physical restraints.

Monthly School-Wide Review

603 CMR 46.06 (6) also requires the principal to conduct a monthly review of school-wide restraint data. The principal must determine whether it is necessary or appropriate to modify the school's restraint prevention and management policy, conduct additional staff training on restraint reduction and prevention strategies or take such other action as necessary or appropriate to reduce or eliminate restraints.

If the principal directly participated in the restraint, a duly qualified individual designated by the superintendent shall lead the review team's discussion. The principal shall ensure that a record of each individual student review is maintained and made available for review by the Department or the parent, upon request.

X. Training

DISTRICT'S TRAINING REQUIREMENTS A. For All Program Staff

Within the first month of each school year, district-wide training on restraint prevention and behavior support will be provided to all staff members. The training shall consist of the following: (a) the role of the student, family and staff in preventing restraint; (b) Milford Public Schools Physical Restraint Prevention and Behavior Support Administrative Procedures and Guidelines, including use of time out as a behavior support strategy distinct from seclusion which is prohibited; (c) interventions that may preclude the need for restraint, including de-escalation of problematic behaviors and other alternatives to restraint in emergency circumstances; (d) when behavior presents an emergency that requires physical restraint, the types of permitted physical restraints and related safety considerations, including information regarding the increased risk of injury to a student when any restraint is used, in particular a restraint of extended duration; (e) administering physical restraint in accordance with medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans applicable to an individual student; and (f) identification of program staff who have received in-depth training pursuant to 603 C.M.R. 46.04(3) in the use of physical restraint. See 603 C.M.R. 46.04(2).

B. For Staff Authorized to Serve As A School-Wide Resource on the Proper Administration of Physical Restraints

At the beginning of each school year, the principal shall identify program staff that is authorized to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. Consistent with the Massachusetts Department of Elementary and Secondary

Education's physical restraint regulations, Milford Public Schools recommend that such training be at least sixteen (16) hours in length with refresher training occurring annually thereafter.

The content of the in-depth training shall include, but not be limited to: (a) appropriate procedures for preventing the use of physical restraint, including the de-escalation of problematic behavior, relationship building and the use of alternatives to restraint; (b) description and identification of specific dangerous behaviors on the part of students that may lead to the use of physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted; (c) the simulated experience of administering and receiving physical restraint, instruction regarding the effect(s) on the person restrained, including instruction on monitoring physical signs of distress and obtaining medical assistance; (d) instruction regarding documentation and reporting requirements and investigation of injuries and complaints; and (e) demonstration by participants of proficiency in administering physical restraint; and (f) instruction regarding the impact of physical restraint on the student and family, recognizing the act of restraint has impact, including but not limited to psychological, physiological and social-emotional effects. See 603 C.M.R. 46.04(3)&(4).

Section 12 of An Act Relative to the Reduction of Gun Violence¹ amended G.L. c. 71 by adding Section 95 (a) requires all public school districts and commonwealth charter schools to provide at least 2 hours of suicide awareness and prevention training every 3 years to all licensed school personnel. This training will take place during contractual professional development days, as well as provided to all new employees during the First Year Mentor Program.

XI. Restraint Complaint Procedure

Any individual who wishes to file a complaint regarding a physical restraint practice should immediately report his/her concerns to the Principal of the building in which the restraint took place. The Principal or designee will promptly investigate the complaint and will notify the complainant of the outcome within a reasonable time period.

Parents are encouraged to review these Procedures and the District's Physical Restraint Procedures and Guidelines and may request a meeting with the Principal of the building their child attends if they have any questions about restraint prevention practices and/or the use of physical restraint. Information on restraints and alternatives will be shared on the district's web site.

For concerns about a specific physical restraint, the formal Complaint Procedure noted above is also available to parents.

Legal Authority: 603 C.M.R. § 46.00

DESE Technical Assistance Advisory SPED 2016-1, July 31, 2015

<https://www.crisisprevention.com/>

Policy Subcommittee Review: 1/14/21

School Committee First Reading: 2/11/21

School Committee Second Reading: 2/25/21

Attached: Physical Restraint Reporting Form, Updated 2/10/21

DISTRICT LETTERHEAD

Confidential

Reporting Form for Behavioral Incident OR Physical Intervention

This form should be completed and returned to the building Principal written report no later than the next school working day.

Name of Student: _____ Date of Intervention: _____

Date of Birth: _____ SASID# _____ Does student receive special education services?: Yes No

Behavioral Incident: _____ Physical intervention: Escort _____ Restraint _____

Name & Titles of Staff Member(s):

_____ Completed CPI training ____yes ____no

_____ Completed CPI training ____yes ____no

_____ Completed CPI training ____yes ____no

Observers: _____

Incident Start Time: _____ Incident End Time: _____

Location: _____ School: _____

Administrator that was verbally informed: _____

Parent who was informed of intervention: _____ Time: _____ Date: ____ Method: _____

Description of activity in which acting out student engaged in immediately preceding incident and description of incident:

Description of efforts made to de-escalate situation, including alternatives that were attempted

Interventions before incident: (check all that apply)

____ Break	____ Directive statements	____ Alternate activity
____ Problem solve with staff	____ Removal from environment	____ Used visuals

____ Remove other students/staff

____ Followed individual behavior plan

____ Set limits

Other:

Behavior that prompted physical intervention:

Behaviors: (Check all that apply)

____ Argumentative with adult

____ Refusal to work

____ Yelling

____ Argumentative with student

____ Throwing items

____ Out of seat

____ Not following directions

____ Aggressions to staff

____ Self-injury

____ Inappropriate language

____ Aggression to students

____ Running in hall/around room

____ Environmental Destructions

Other:

Reason for initiating physical restraint:

(check all that apply)

____ Injurious to self

____ Leave school building

____ Aggressive to staff

____ Aggressive to students

____ Risk of injury was greater than risk of restraint

____ Non-physical interventions were not effective

Other:

Description of Physical Restraint or Escort Procedure:

Start Time	End time	Type of restraint/escort	Student behavior / reaction	Reason for ending restraint

Escort:

From _____ to _____

Injury:

Did any injuries occur? Yes _____ No _____ *Reported to nurse?* Yes No

If yes to whom:

Describe injury:

Medical care provided and by whom:

Injury reported to state within 3 day. Date reported _____ Time _____ Method: _____

Follow up:

Further actions taken by school:

Disciplinary action taken, if any? _____

Report distributed to: Parents _____ Date _____ Time _____

In Parents' Primary Language _____

Principal _____ Date _____ Director of Special Education _____ Date _____

This protective hold report was completed by:

Name of Staff: _____ Title: _____

Date: _____

CHAPTER 7: CAFETERIA

MILFORD PUBLIC SCHOOLS

Pre-pay for School Programs at www.paypams.com



Money goes directly towards students' programs.
No more lost money!

NEW USERS

Register Now:

1. Go to PayPAMS.com and click on the 'Register Now!' button on the home page.
2. Select **Massachusetts**, then select **Milford Public Schools**
3. Create a username and password and enter your contact information
4. Add children to your account.
5. Make payments.

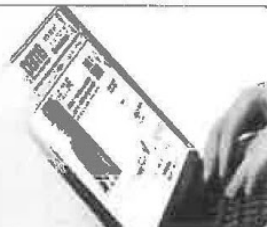
PAY FOR SCHOOL PROGRAMS ON PAYPAMS!

Instructions for Making Payments:

1. After logging into your PayPAMS account choose the service that you would like to make payments toward
2. Select the 'Buy' checkbox for the item you are purchasing
3. Click 'Add to Cart'
4. Select the student's name
5. Click 'Checkout'
6. Click 'Authorize Payment'

NEED ASSISTANCE?

Please visit
PayPAMS.com
and click 'Help'
to navigate
to PayPAMS
Help Center



CURRENT USERS

Tips for Making Online Payments:

1. **Forgot Password:** If you previously registered with PayPAMS but forgot your password, click on the 'Forgot Password' link on the home page of PayPAMS.com. If you were unable to retrieve your password through the 'Forgot Password' link, contact customer support from the 'Contact Us' page. Do not register again. Note: passwords are case sensitive
2. **Payment Confirmation:** When a payment is processed, a confirmation number will be displayed and an email will be sent verifying that the payment was processed. If a confirmation number is not displayed, the payment was not processed.
3. **Payment methods:** Payments can be submitted using MasterCard or Discover.
Credit Card / Bank Statement: PayPAMS payments will show up on your credit card/bank statement as payments to 'PayPAMS.com', or 'PAMS-<your school district> CO'
4. **Declined Payments:** If your payment is declined, verify that all billing information is correct. If all information is correct and payment is still declined, contact the issuing credit card company for further information. Reasons a card can be declined: insufficient credit/funds in account, incorrect billing information entered, closed credit card account, or credit card expiration date
5. There is a service fee of 3.5% per online payment. The service fee covers the costs of processing payments and maintaining the website.



KEEP THIS FOR REFERENCE:

USERNAME _____

PASSWORD _____

The Milford Public School has moved to an automated payment system for school meals. Each child is assigned a Personal Identification Number (PIN) that will stay with him/her for the duration of their time in the Milford Public Schools. Please help your child commit their PIN to memory and remind them not to share it. Parents can place monies in a student's Milford Food Services Account online by visiting www.paypams.com (This is hosted by PayPAMS). Please visit the site for translations in Spanish and Portuguese.

7.1 BREAKFAST

The Milford Public Schools offer a breakfast program for its students. Students may purchase breakfast from 8:05am until 8:30am each day. All students must report to their class by 8:40am.

Students who qualify for free lunch are also entitled to a free breakfast. Any student receiving a reduced lunch can also receive a reduced breakfast for the price of \$.30. Any student can purchase a breakfast for \$1.50. There is no published menu for this program. Breakfast will consist of milk, juice, and a bread derivative (e.g., cereal, muffin, bagel, etc.). Participation in this program is voluntary.

7.2 LUNCH

School menus are distributed from the school on a monthly basis. Menus are also published on the website at www.milfordpublicschools.com, in the Milford Daily News every Friday or Saturday for the next school week, published on <http://milford-ma.patch.com/>, announced on WMRC (1490 AM on your radio dial) every morning at 7:00am and shown on MHS cable bulletin (Channel 11) during the school week.

All students are expected to bring or buy a school lunch. The cost for a school bought lunch is \$2.75. Students bringing a lunch from home can buy milk (white, chocolate) for \$.50. Students who qualified for free/reduced lunch during the previous school year will continue to receive a free/reduced lunch until new forms are updated. **PLEASE NOTE THAT THESE FORMS AND GUIDELINES ARE SENT HOME DURING THE FIRST WEEK OF SCHOOL. TO RECEIVE THE FREE/REDUCED MEAL BENEFIT ALL STUDENTS/FAMILIES MUST SUBMIT A NEW APPLICATION EACH AND EVERY YEAR.** Benefit forms/guidelines are given to families as they register for school throughout the year as well. These forms are also available in Spanish and Portuguese. The cost of a reduced lunch is \$.40, the reduced breakfast is \$.30.

An alternative lunch (offered at the same price) is offered daily consisting of: yogurt, cheese, crackers or sunflower seeds, dessert and milk. A second alternative "sandwich of the week" lunch (offered at the same price) is available to students as well. Students must inform their teacher about their specific lunch choice. Students are permitted to go beyond their scheduled lunch period to complete eating their lunch.

Proper nutrition is essential for promoting a healthy body and a healthy mind. Therefore, any student who forgets his/her lunch money can charge his/her lunch at the lunch line. Students who charge must bring the borrowed money the following day. We have found this method to be most effective in having each student maintain responsibility for his or her noon meal. Parent notification will result in cases where a student has not returned borrowed lunch money.

Snacks may be eaten during morning recess. Please be sure to send your child to school with a snack each day. With each child's safety and well-being in mind and due to increasing concerns in regard to allergies, children will not be permitted to share snacks/food while in school. Teachers will no longer be permitted to provide snacks for children who may have forgotten one.

Students are responsible for throwing away all papers, wrappers, etc. All trash should be disposed of in the nearest trash receptacle. **TAKE PRIDE IN YOUR CLASSROOM AND SCHOOL BY KEEPING IT CLEAN!**

CHAPTER 8: SCHOOL SAFETY

8.1 EMERGENCY EVACUATION PLAN

The primary purpose of the Milford Public Schools Evacuation Plan is to provide for the safety and welfare of our school population. Such plan will be in effect when students and staff need to evacuate the school building due to a fire, bomb threat, or any emergency announced by the administration or public officials.

Our schools maintain an evacuation plan that has been designed by the administration of the building in concert with the Milford Police and Fire Departments. This plan is on file in the office of the Principal and is reviewed annually by the building administration with all building personnel.

8.2 FIRE DRILLS

Fire drills, at regular intervals, are required by law and are an important safety precaution. A loud bell will sound to indicate that a fire drill has begun. Students should line up at the classroom door with the teacher and quietly walk to the exit as directed. Once the students leave the building, they are to remain quietly with their class. Remaining quiet and calm is imperative during a fire drill so that directions may be clearly heard. Each teacher will review the fire drill procedure with his/her class throughout the year. Fire routes and alternative routes are posted in each classroom.

8.3 LOCK DOWN

A Lock Down Procedure has been established for the safety of the Milford Public Schools students and staff in the event that a crisis occurs that does not warrant building evacuation. As a matter of safety, details about the Lock Down Procedure cannot be detailed within this document, as the safety initiative could be compromised. Please be sure that the Milford Public Schools Lock Down Procedure has been approved by the Superintendent of Schools and the Milford Police and Fire Departments.

8.4 STUDENT SEARCH

- Students are subject to investigation and/or examination if there is a “reasonable suspicion” to believe that the student’s conduct is in violation of school rules and regulations. The student will be subject to investigation and/or examination if there is “reasonable suspicion” to believe that the student may be involved in an illegal activity.
- The following are subject to search: totes, clothing, gym bags, pocketbooks, desks or lunch boxes.
- Such measures will be taken only when a question of theft or illegal activity or the safety and welfare of the students and/or staff is reasonably believed to exist.

CHAPTER 9: PROMOTION AND RETENTION

PROMOTION AND RETENTION OF STUDENTS

The school committee is dedicated to the best total and continuous development of each student enrolled. The professional staff is expected to place students at the grade level best suited to them academically, socially, and emotionally.

In evaluating student achievement, each teacher will make use of all available information including results of teacher - made tests and other measures of skill and content mastery, standardized test results, and teacher observation of student performance. The principal will direct and aid teachers in their evaluations and review grade assignments in order to ensure uniformity of evaluation standards.

Students will normally progress annually from grade to grade. An exception may be made when, in the judgment of the professional staff, such exceptions are in the best educational interest of the students involved. Exceptions will only be made after prior notification and explanation to each student's parent(s) or guardian, but the final decision will rest with the building principal.

CRITERIA FOR PROMOTION AND RETENTION

Grades K-5 Within the definition of developmentally appropriate, teachers will make a recommendation for promotion based on the grade level expectations for individual children. When grade level expectations are not achieved, especially in reading, writing and mathematics, a recommendation for retention may be considered by the Principal. The Principal will meet with the parent/guardian before his/her final decision is made.

9.2 CLASS PLACEMENT & TEACHER REQUESTS

During the months of May/June the staff will be working on student placement for next year. Students will be assigned to heterogeneous classroom groups. We consider many factors as balanced groups are prepared, for example, the range of academic abilities, social mixture, gender balance, individual learning styles, student personalities and interaction, students benefiting from being together or separated from another, overall student behavior, student/teacher considerations and class size. The objective of the process is to produce the most workable heterogeneous combination of student groups. This important task contributes significantly to the creation of a positive class environment that enables students to function to the fullest of their abilities. Staff members are assigned to these classes based upon the best possible match of teaching skills and interpersonal needs of the students.

Parents may want to share information about their child's learning style to help in the placement process. Placement requests must be submitted in writing or via e-mail to the building Principal. Requests for specific

teachers are not appropriate. Please rely on our professional judgment and trust that we will group and provide children with the best possible learning environment. Students and parents will be informed of next year's class assignment on the report card issued in June.

9.3 TEACHER CHANGE REQUEST

The following procedure will be carried out regarding the transfer of a student from an assigned teacher to a different teacher within the building:

- All requests for a change must be in writing and brought directly to the attention of the Principal;
- Your request must indicate the reason(s) the change is being sought;
- A meeting will be arranged by the office with the parent/guardian, teacher, and the Principal. If it is determined that the change will enhance the academic, social, and emotional well-being of the child then a transfer will take place. The final decision will rest with the Principal.

CHAPTER 10: SCHOOL GROUPS

10.1 PARENT/TEACHER ORGANIZATION (PTO)

The PTOs at our Elementary Schools are dynamic and active organizations. Individual PTOs meet once each month in the evening to discuss social, educational and cultural programming for the students.

Through PTO-sponsored fund raising efforts, our students are able to participate in annual field trips and have cultural programs brought to them. Additional funds have been used to purchase various requested classroom items identified by school staff. You are invited to become a member of this organization at any time.

10.2 SCHOOL COUNCIL

The Education Reform Act of 1993 establishes a School Council at each school to consist of: an administrator, teachers/staff members, parents and community residents for the purpose of planning school improvement. It is the given task of each School Council member to plan school improvement through dialogue, surveys and discussion in relation to the goals and objectives of the school and the school system.

10.3 SPECIAL EDUCATION PARENT ADVISORY COUNCIL (SEPAC)

It is the mission of the Milford Parent Advisory Council on Special Education (SEPAC) to assist the special education department, parents and school committee in delivering the highest quality education to ensure that every Milford special education student has the opportunity to reach his/her maximum potential. In addition, SEPAC provides support to parents with special education children and enhances community awareness, understanding, and acceptance of special education issues. If you are interested in obtaining additional information about this organization contact: SEPAC, c/o Special Education Office, Milford High School, 31 West Fountain Street, Milford, MA 01757.

10.4 COUNSELING

The Milford Public School System provides professional, in-school counseling services to students at all levels. At the elementary schools, one School Adjustment Counselor and one School Psychologist provide assistance to those students whose social/emotional needs may compromise their learning. Providing such a service that

will support the needs of our students will be beneficial in allowing each student to reach his or her potential both academically and psychologically.

Referrals for in-school counseling may be made by school personnel, parents or students themselves. The School Adjustment Counselor may provide individual and/or group counseling, crisis intervention and consultation to parents, school personnel or outside agencies. See addendum for the School Adjustment Counselor's contact information.

11: SPECIAL EVENTS

11.1 SCHOOL VISITATION POLICY

Visiting the Milford Public Schools

The safety of our students and staff is of paramount importance in the Milford Public Schools. We thank you in advance for your cooperation with the following district visitation protocol (revised August 31, 2015):

- During school hours, all school doors will remain locked and all visitors must use the main entrance at each of the schools;
- Staff members will use their employee-assigned access keys to enter the buildings;
- Under no circumstances is a staff member allowed to open any door in the school building to let visitors in without following the appropriate protocol;
- Visitors will not be allowed into the building during school hours without a scheduled appointment;
- Staff members and administrators, including managers and directors, are required to utilize the digital calendar to schedule and record all visitor and vendor appointments;
- Facilities Manager and Food Services Director will provide a roster of authorized, scheduled vendors/employees to Building Administrators, Administrative Assistants, and Volunteers (when and where applicable) and will provide regular updates to Building Administrators, Administrative Assistants, and Volunteers as changes occur;
- Authorized vendors must have an employer-issued ID in order to access any Milford Public School building.

11.3 FIELD TRIPS/PARENTAL PERMISSION

At the discretion of the homeroom teacher, each homeroom may take one field trip during the year. Parent(s)/guardian(s) will be notified of any field trips that are planned and will be required to provide written

consent for their child to attend/participate. The classroom teacher reserves the right to not allow a student to attend a field trip because of inappropriate behavior and/or if the teacher feels that the student may be a danger to him/herself and/or the other students. The teacher will notify the parent(s)/guardian(s) and consult with the principal in such cases. Students not attending the field trip will report to school and be assigned classroom work.

District policy now mandates that parents wishing to chaperone their child's class trip must complete a school specific CORI background check. Clearance of the CORI form usually takes about 2-3 weeks. Therefore, it is best to fill out this form at the beginning of the school year so that you do not miss out on any of your child's classroom yearlong events. This background check is also required if you intend to be a classroom parent volunteer. The CORI check is valid for a one year period.

11.4 LOST & FOUND

There is always a multitude of items left in the "Lost and Found" area. Please label your child's name on all lunch boxes, coats or any other valuable possessions taken to school. This will enable us to return lost items to the rightful owner. If your child has lost his/her lunch box, mittens, hat, coat, boots, etc., please remind him/her to come to the "Lost and Found" area to look for them. **All unclaimed items will be donated after a reasonable length of time.**

11.5 SCHOOL USE PERMITS

If groups (e.g., Cub Scouts, Brownies, etc.) wish to use any part of the school facility either after school or for a weekend function, a permit for use must be obtained from the Central Administration Office. Upon request, you will be given information regarding the cost (if any), custodians required (if any) and the limitations of the permit.

11.6 PARENTS' LIABILITY FOR WILLFUL ACTS OF MINOR CHILDREN

Parents of an unemancipated child under the age of eighteen and over the age of seven years shall be liable in a civil action for any willful act committed by said child which results in injury or death to another person or damage to the property of another, which shall include any damages resulting from a larceny or attempted larceny of property as set forth in Section 30 A of Chapter 266, damage to cemetery property or damage to any state, county or municipal property or damage as set forth in Section 126A and 126B of Chapter 266. This section shall not apply to a parent who, as a result of a decree or any court of competent jurisdiction, does not have custody of such child at the time of the commission of the tort. Recovery under this section shall be limited to the amount of proved loss or damage but in no event, shall it exceed five thousand dollars.

CHAPTER 12: DISTRICT WIDE POLICIES AND PROCEDURES

12.1 SERVICE OF COMPLAINTS

1. Parents are invited to present any concern relative to student safety or welfare in writing and submit it to the Building School Council Co-Chair or Principal.
1. The Principal or Building School Council Co-Chair shall place the concern on the agenda of the next scheduled meeting of the Council.
2. It is not mandatory for parental representation at the Council meeting when the concern is scheduled but is recommended. The Council Co-Chair or Principal will present the issue if the parent(s) is not present.

3. The Council shall establish a plan of action for the concern which shall include a reasonable schedule and periodic view of the plan at future meetings of the Council.
4. The Council shall retain as part of its regular records a copy of the concern and all acts taken or information obtained in relation to the stated concern. The School Newsletter will periodically inform parents about such concerns and the status.
5. Any parents not satisfied with the Building School Council plan of action shall present the concern to the Superintendent or Assistant Superintendent of schools who shall respond to the parent regarding the concern within thirty days.
6. Any parent not satisfied with the response of the Superintendent or Assistant Superintendent of School shall request that either the Superintendent or Chairman of the School Committee meet to present said concerns.

12.2 SMOKING POLICY

At its meeting of June 23, 1987, the Milford School Committee adopted a Smoking Policy for all Milford Public School employees, students and visitors. The policy was developed by a planning team of the MASS Coalition for a Healthy Future. This Smoking Policy is motivated by the philosophy that every staff person, student, and visitor should have the right to breathe clean air in the school and work environment and that, based on the most recent report of the Surgeon General, the School Committee should utilize its unique role to promote good health practices in this regard. This "clean-air policy" applies to all school department facilities including school buildings, administrative offices, athletic fields, gymnasiums, supply room, warehouse facility and school department vehicles. For complete details, please visit the District Policy Handbook found at www.milfordpublicschools.com

This policy has been reinforced by the educational Reform Act of 1993 which states that the use of any tobacco products shall be prohibited within the school buildings, the school facilities on the **school grounds** or on school buses by any individual, including school personnel. Building administrators and supervisors shall have responsibility to:

1. Inform all staff, students, and visitors of their obligations with respect to the policy.
2. Supervise implementation of the policy.

These responsibilities shall be addressed initially by distributing this circular and by posting the required signs and posters by providing information and encouragement and by serving as a positive role model for students, staff and visitors.

ENFORCEMENT

The success of this policy will depend upon the thoughtfulness, consideration, and cooperation of smokers and nonsmokers. All individuals on school premises share in the responsibility for adhering to and enforcing this policy.

12.2.a CITIZENS

Citizens who are observed smoking in school buildings shall be asked to refrain from smoking. If the individual fails to comply with the request, his or her violation of policy may be referred to the building principal or other school supervisory personnel responsible for the area or program during which the violation occurred. The supervisor shall make a decision on further action which may include a directive to leave school property. Repeated violations may result in a recommendation to the Superintendent to prohibit the individual from entering the school property for a specified period of time. If deemed necessary by school administration, the local law enforcement agency may be called upon to assist with enforcement of this policy.

Your cooperation in the implementation of Smoking Policy is appreciated. Any questions regarding this policy may be directed to Assistant Superintendent of Schools.

12.3 HARASSMENT POLICY

The Milford Public School System is committed to providing faculty, staff and students with an environment in which they may pursue their careers and studies without being harassed. All persons associated with the school system including but not limited to, the School Committee, the administration, the staff and the students are expected to conduct themselves at all times so as to provide an atmosphere free from harassment. Any person who engages in harassment while acting as a member of the school community will be in violation of this policy.

The Milford Public Schools expects that each and every employee/student shall respect the right of his/her co-workers in a comfortable and harassment-free environment. To work towards this level of mutual respect and understanding, an employee/student should let another employee/student know when that person's behavior or activity is considered offensive and/or leads to uncomfortable working conditions. Once made aware that such a condition exists, such behavior or activity shall cease immediately and permanently.

All parties will be informed of the law, the reporting methods and penalties for violating the policy. Copies of the policy will be included in all Milford Public Schools Student, Parent and Faculty Handbooks and will be distributed to support personnel through department and managers/supervisors.

12.3.a DEFINITIONS

Harassment refers to conduct or behavior that is personally offensive or threatening, impairs morale or interferes with the work effectiveness of employees/students. Harassment is illegal and will subject the School Department and the individuals who engage in the harassment to significant liability. However, behavior does not have to rise to the level of illegal conduct to violate this policy.

This policy refers, but is not limited, to harassment in the following areas:

- | | | |
|-----------|---------------------|------------------------|
| (1) Age | (4) National origin | (7) Sexual orientation |
| (2) Race | (5) Religion | (8) Disability status |
| (3) Color | (6) Sex | (9) Veterans status |
| | | (10) Gender Identity |

Examples of such harassment include, but are not limited to:

- Conduct or comment that threatens physical violence.
- Offensive, unsolicited remarks, unwelcome gestures or physical contact.
- Display or circulation of written materials or pictures degrading to any gender, racial, ethnic, religious or other group listed above.
- Verbal abuse or insults about or directed at, any employee or group of employees because of their membership in any of the groups listed above.

More specifically, sexual harassment, as here defined, is a violation of Title VII of the 1964 Civil Rights Act and M.G.L., c151B. For the purpose of the policy, it is defined as follows:

Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic work; or (2) submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working or academic environment. In determining whether an alleged incident constitutes harassment, the Superintendent of Schools will serve as the complaint manager.

The Superintendent will designate twelve (12) individuals, two (2) representing each school, one (1) will be male and one (1) will be female, to whom complaints may be reported. All designated persons must participate in a determined training on harassment and procedures. These individuals referred to herein as “designees” will adhere to the following procedures.

12.3.b COMPLAINT PROCEDURES

REPORTING HARASSMENT

Any complainant who cannot resolve an incident of harassment on an individual basis will report any incident of harassment to any designee. Incidents may also be reported to any School Personnel, who then in turn, will inform any designee. Under no circumstances will a complainant be denied the attention of the Superintendent of Schools. The complainant may file a formal complaint immediately or may do so after the Superintendent’s efforts to reach a settlement has proven unsuccessful. At any point in the process, both the complainant and the respondent may be accompanied by an advocate if they so desire.

12.3.c DESIGNEE RESPONSIBILITIES

Once a designee is made aware of a situation which may constitute an incident or pattern of harassment, it will be the responsibility of that designee to report the unresolved matter directly to the Superintendent of Schools. If possible, the designee being notified of harassment will be responsible for the following actions:

1. Encourage the victim of harassment and any witnesses to any incident of harassment, to make full disclosure of the incident;
2. Explain to the victim of harassment, or any witnesses, that while they will be protected from retaliation for filing a good faith complaint, confidence may not be maintained in reporting the matter to the Superintendent;
3. Inform only those who need to know;
4. Document all investigative efforts and interviews. In all unresolved matters, investigative efforts and interviews will be placed in an internal memorandum which is to be directed to the attention of the Superintendent of Schools;
5. Act in an affirmative manner to insure no further occurrences of harassment take place and there is no form of retaliation.

12.3.d RESPONSIBILITIES OF THE SUPERINTENDENT OF SCHOOLS

It will be the responsibility of the Superintendent of Schools to promulgate policies, procedures, and training programs which are designed to eliminate any form of harassment in the work place. Further, when any form of harassment is brought to the attention of the Superintendent, or his designated representative, all such complaints will be fully investigated under the direction of that office. Additional duties of the Superintendent of Schools with regard to this policy may also include the following:

1. Directly supervise the investigation of any referred complaints alleging harassment;
1. Ensure that all investigative efforts of all referred complaints and findings are made part of an administrative report;
2. Determine whether it is necessary to submit a report to the School Committee and, if appropriate, to any other Town Board or Commission which has direct involvement with those persons involved as to existence of such complaints, and the findings of the associated investigations;
3. Ensure that disciplinary action (to include, but not to be limited to, verbal and/or written warnings; suspension and/or termination of employment) is taken when it has been determined there is basis for the complaint or such action is warranted;

4. Take action to protect the victims and witnesses of harassment complaints from any further occurrence or retaliation;
5. Strive to create an atmosphere in the work place which makes it clear to all employees/students that discrimination or harassment of any kind will not be tolerated under any circumstances;
6. Schedule periodic appropriate training sessions for designees and other employees/students aimed at eliminating harassment from the work place;
7. Ensure the posting of copies of this policy on bulletin boards in the faculty and staff rooms within all school department buildings and student handbooks.

12.3.e SEXUAL HARASSMENT POLICY

Adopted by the Milford School Committee

I. POLICY

The Milford Public Schools, in accordance with the provisions of Title IX of the Education Amendments of 1972 and State law, prohibits discrimination on the basis of sex in educational programs and activities of the public schools. This policy applies to both educational and employment opportunities.

All persons associated with the Milford Public Schools including, but not necessarily limited to the Committee, the administration, staff, and students are expected to conduct themselves so as to provide an atmosphere free from sexual and gender-based harassment and discrimination. The Milford Public Schools prohibits sexual and gender-based harassment while on school grounds, while going to or coming from school, while at school activities on or off school grounds, while on District transportation, or while otherwise in a District program or activity.

Because the Milford Public Schools takes allegations of sex-based harassment seriously, it will immediately acknowledge as soon as possible and respond promptly to complaints of sex- based harassment and where it is determined that such inappropriate conduct has occurred, it will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action, where appropriate, as outlined in the Milford Public Schools' Non-Discrimination and Anti-Harassment Procedures. Further, any retaliation against an individual who has complained about sexual or gender-based harassment or retaliation against individuals for cooperating in an investigation of a sexual or gender-based harassment complaints is similarly unlawful and will not be tolerated.

Milford Public Schools is committed to providing employees and students an environment that is free from hostility and intimidation or from a sexually offensive work and learning environment. Milford Public Schools understands that members of certain student groups, such as students with disabilities, students who are gay, lesbian, bisexual, or transgender, and homeless students may be more vulnerable to becoming targets of harassment. Milford Public Schools will take specific steps to create a safe, supportive environment for vulnerable populations in the school community, and provide all students with skills, knowledge, and strategies to prevent or respond to sexual and gender-based harassment.

Please note that while this policy sets forth our goals of promoting a workplace and school environment that is free of sex-based harassment, the policy is not designed or intended to limit the Milford Public Schools' authority to discipline or take remedial action for workplace or school conduct which the District deems unacceptable, regardless of whether that conduct satisfies the definition of sexual or gender-based harassment.

The Milford Public Schools is committed to working with students, staff, families, law enforcement agencies, and the community to prevent issues of violence, discrimination, or harassment, which may include, but not be limited to sex-based harassment. Policies and procedures have been developed to respond in a confidential, impartial, and equitable manner to all complaints, whether formal filing or informal identification of harassment has occurred, by employees and students, as outlined in the Milford Public Schools' Non-Discrimination and Anti-Harassment Procedures.

The Milford Public Schools requires that any staff member who receives a complaint, observes or otherwise learns or becomes aware of sex-based harassment report the incident to the principal at the respective school site or the Title IX Coordinator with the assurance that the investigation process will take place promptly and be consistent with the policies and procedures as outlined.

Harassment is banned not just at school, during school hours, but also before or after school hours on all school property, including the school bus, school functions, or school events held at other locations. The policy also applies to any off-campus conduct that causes or threatens to cause a substantial and material disruption at school, or interferes with the rights of students or employees to be free from a hostile school environment taking into consideration the totality of the circumstances on and off campus.

Some examples of off-campus conduct that spill over into school are as follows:

- A student alleges that she was sexually assaulted by another student off school grounds and that, upon returning to school, she was taunted and harassed by other students who are the assailant's friends.
- While at home, a student posts a song that contains statements about a fellow student's sexual orientation on social media for his 1,000 "friends," many of whom are students at his school. The song goes "viral" and is the primary topic of conversation at school for weeks, and results in the harassed student staying home and missing school.

An example where off-campus conduct does not have a continuing effect at school (so that the school is not in a position to impose consequences):

- At a neighborhood party on a Saturday night, two students called each other names based on gender-identity and a fight broke out between the students. There were no repercussions at school following the incident.

II. DEFINITION

Sex-based harassment includes both sexual harassment and gender-based harassment.

Sexual harassment consists of unwelcome sexual advances; requests for sexual favors; or other verbal or physical conduct of a sexual nature may constitute sexual harassment where:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment or educational development.
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or education decisions affecting such individual.
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile or offensive working or educational environment.

Sexual harassment may include, but is not limited to:

- unwelcome sexual advances - whether they involve physical touching or not;
- sexual epithets, jokes, written or oral references to sexual conduct, gossip about one's sex life, comment about an individual's sexual activity, deficiencies, or prowess;
- displaying sexually suggestive objects, pictures and cartoons;
- unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- inquiries into one's sexual experiences; and

- discussion of one's sexual activities.

Gender-based harassment includes acts of verbal, nonverbal, or physical aggression, intimidation, or hostility that are based on sex, although they are not necessarily sexual in nature, including harassment based on gender identity and expression. Gender-based harassment includes, but is not limited to, harassment based on the person's nonconformity with gender stereotypes, regardless of the actual or perceived sex, gender identity, or sexual orientation of the harasser or target of the harassment.

Sexual assault is the act of committing unwanted physical contact of a sexual nature, whether by an acquaintance or by a stranger. Such contact is unwanted when it occurs without the consent of one or both individuals, when one of the individuals is incapacitated or incapable of giving consent, or occurs with the use of force.

Hostile environment is unwelcome conduct that is sufficiently severe, persistent, or pervasive to interfere with or limit one or more students' abilities to participate in or benefit from the education program or creates a threatening, intimidating or abusive environment or sufficiently severe or pervasive so as to alter the conditions of the victim's employment and create an abusive working environment.

Retaliation is any form of intimidation, threatening, coercion or discrimination, directed against a student/staff/third party who reports a sex-based harassment, provides information during, assists in or participates in an investigation of sex-based harassment, or witnesses or has reliable information about sex-based harassment.

III. Title IX Officer

The Milford Public Schools has appointed a Title IX officer who will be vested with the authority and responsibility of processing all sex-based harassment complaints in accordance with the Milford Public Schools' Non-Discrimination and Anti-Harassment Procedures. The Title IX Officer is Kathleen Perry, Assistant Superintendent of Schools. At each school building, the principal will serve as the building Title IX Coordinator.

IV. STANDARDS OF CONDUCT

Sexual harassment is a violation of an individual's right to privacy and personal dignity. Anyone who engages in sexual harassment violates school policy. The Milford Public Schools will investigate and respond to complaints of sex-based harassment in accordance with Milford Public Schools' Non-Discrimination and Anti-Harassment Procedures.

Approved MSC: 11/7/1997

Amended MSC: 11/16/17

12.4 BULLYING

I. Policy

A. It is the policy of the Milford Public School District to take pro-active, reasonable measures designed to provide a learning and working atmosphere for students, employees and other members of the school community that is free from sexual harassment, bullying, and hazing intimidation. These terms are referenced

herein as “harassment,” which is more particularly defined below. The District in the strongest possible terms condemns harassment, whether based on race, color, religion, national origin, age, gender, gender identity, sexual orientation, disability, homelessness, military or veteran status or any other reason.

B. It is a violation of policy for any administrator, teacher or other employee, or any student or other member of the school community, to engage in or condone harassment in school, on school grounds, or at or in a school-related function, activity, communication or contact, or to fail to report or otherwise take reasonable corrective measures when they become aware of an incident of harassment.

C. This policy is not designed or intended to, nor shall it, limit the school’s authority to take disciplinary action or to take remedial action when such harassment occurs out of school, but otherwise has a sufficient nexus to school under applicable law, or is disruptive to an employee’s or student’s work or participation in school-related activities.

Harassment, including but not limited to cyber-bullying by electronic or other means, occurring in or out of school will be reviewed, and, when there has been established a sufficient nexus to school or school-related work, may result in discipline.

D. It is the responsibility of every employee, student, and parent to recognize acts of harassment and take reasonable action to see that the applicable policies and procedures of this school district are implemented. All members of the school community are and must act as partners in such efforts if we are to have any reasonable chance of success in preventing or minimizing activity of this type, which is harmful to both the victim and the perpetrator. The children attending our schools are in critical, formative stages of their lives. To the extent that we, working together, are able to show them a better way, they will reap immeasurable, lifelong benefits.

E. Any employee or student who believes that he or she has been subjected to harassment has the right to file a complaint and to receive reasonably prompt and appropriate handling of the complaint. While proper enforcement of this policy foreseeably may require disclosure of any or all information received, all reasonable efforts will be made to maintain confidentiality to the extent consistent with such enforcement and applicable provisions of law and regulations.

F. The Building Principal shall be responsible for assisting employees and students seeking guidance or support in addressing matters relating to any form of harassment.

II. Prohibition and Definitions

Harassment, including bullying, may take a variety of forms. It is utterly unacceptable in a school or work environment. As a result, no student, employee or other member of the Milford School community shall be subjected to harassment, intimidation, bullying, or cyber-bullying.

A. “Harassment,” including “Bullying,” the latter including but not limited to “cyber-bullying,” as used in this policy means an unwelcome written, electronic, verbal or physical communication, act or gesture which: (1) reasonably causes a student or employee to feel coerced, intimidated, harassed or threatened and (2) under the circumstances foreseeably may cause: (a) a reasonable person to suffer physical or emotional harm, or (b) damage to a student’s or employee’s property, or (c) a disruptive or hostile school environment. The behavior

must interfere with an employee's ability to perform his or her duties or with a student's academic performance or ability to learn, or interfere with a student's ability to participate in or benefit from services, activities, or privileges:

1. that are being offered by or through the school district; or
2. during any district-related educational program or activity; or
3. while in school, on or using school district property or equipment, in a school vehicle, on a school bus, at school-designated bus stops, at school-sponsored activities, at school-sanctioned events; or
4. through the use of data, telephone or computer software that is accessed through a computer, computer system, or computer network or any public education institute related to or provided or facilitated by the district; or
5. in circumstances otherwise having a sufficient nexus with the school district.

B. Bullying, as defined in M.G.L. c. 71, § 37O, is 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:

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

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

III. Guidelines and Procedures for Investigating and Processing Harassment Claims

Harassment may take many forms. In a school district such could involve an instance of staff member to staff member, staff member to student, student to staff member, or student to student. It conceivably could also include parent to a student other than the parent's child, staff member to parent, or parent to staff member. This listing is illustrative and the procedures set forth herein are not intended to limit the definition of harassment, nor the District's authority to take appropriate action as to same except to the extent that specific subject matter is expressly addressed herein.

Guidelines and procedures for dealing with any charge of harassment are as follows:

A. Harassment can be defined by the victim's perception in combination with objective standards or expectations. What one person may consider acceptable behavior may be viewed as harassment by another person. Therefore, in order to protect the rights of both parties, it is important that the victim make it clear to the harasser that the behavior is objectionable.

B. In all charges of harassment, the victim should describe in writing the specifics of the complaint to ensure that the subsequent investigation is focused on the relevant facts. If possible, victims should sign the complaint. Oral and anonymous complaints will be reviewed but are inherently difficult to investigate and may not be procedurally fair; as a result, no disciplinary action shall be taken on anonymous complaints unless verified by what the administration in the good faith exercise of its reasonable discretion deems to be clear and convincing evidence. All other complaints will be reviewed based on a preponderance of evidence standard, namely whether the administration in the exercise of its aforementioned discretion, taking into account all material information and circumstances, concludes that a violation of this policy more likely than not has occurred.

C. Any school employee who has reliable information that would lead a reasonable person to suspect that a person may be a target of harassment, bullying or intimidation shall immediately, as a condition of employment report it to the administration. Each school shall document each prohibited incident that is reported and confirmed, and report each such incident and the resulting consequences, including discipline and referrals if any, to the Assistant Superintendent for Business & Human Resources in timely fashion and without any avoidable delay.

D. A good faith report from a staff member is not grounds for any legal liability since such reports are a condition of the staff member's employment, is considered to have been made in the course of the staff member's employment for purposes of the municipal Tort Claims Act, M.G.L. c. 258. As a result, the employee would not be subject to damages simply by reason of making such a report.

E. If an instance of student to student harassment, as defined in Sec. II above, is reported to a staff member other than an administrator, the staff member must inform the Building Principal in timely fashion. If the alleged harasser would otherwise be responsible for conducting an investigation, the Alternate Harassment Coordinator designated by the Superintendent or Milford School Committee, who is presently the Assistant Superintendent of Schools, shall conduct the investigation and report to the alleged harasser's immediate supervisor.

F. If a situation involving a charge of staff member to student harassment, as defined in Sec. II above, is brought to the attention of any staff member, the staff member should notify the Building Principal immediately.

G. Once a charge of harassment has been made, the following course of action should be taken.

1. The Building Principal or Designee will conduct a reasonable, factual investigation by means of discussions with the individuals involved, any other witnesses if any, review of any documents and other, written or electronic materials, etc.

In situations involving allegations against an employee, the employee should be accorded all rights provided by any applicable statute and/or collective bargaining agreement, including but not limited to being informed of his/her right to have a third party present at the time of the discussion if apt, and in the case of a teacher of the right to counsel if the discussion could conceivably lead to a suspension (see, M.G.L. c. 71, sec. 42D).

In situations involving harassment of students, the Principal or Designee should conduct an investigation with the appropriate classroom or special subject area teacher. Parents will be informed of the situation and invited to participate in resolution discussions, if warranted, by the Principal.

Parents of students alleged to have engaged in harassment as to whom suspension is imposed shall be notified that they, or at least one of them, must attend a meeting at which the behavior, words or images giving rise to the complaint may be reviewed. Before any final decision is made as to whether to impose discipline exceeding ten (10) school days, and the nature of such discipline, the student and his or her parent(s) will be informed in reasonable detail of the factual allegations underlying the complaint and given an opportunity to respond to and provide any information material to same by the Principal.

In the school administration's discretion, depending on its preliminary assessment of the seriousness of a reported incident of alleged harassment, a student accused of harassment may be suspended from school under the procedures for suspension set forth in the student-parent handbook. A ten (10) school day suspension if deemed reasonably necessary by the administration may be imposed prior to such a meeting, but before any such were imposed the student shall be informed of the ground(s) for such possible suspension in sufficient detail to allow the student to respond to the charge(s). A conference with the student and his or her parent(s) or legal guardian(s) should occur prior to the student's readmission.

It is important that each situation be resolved as confidentially and as quickly as circumstances reasonably permit.

2. At any stage of the proceedings the alleged harasser and the victim may discuss the matter at a resolution meeting in the presence of the Principal and/or parent, when appropriate.

During this discussion, the offending behavior should be described by the victim and the administration. If warranted, a request for a change in behavior should be made, and a promise should be made that the described behavior will stop and not recur. If circumstances do not permit a face to face meeting, the administration will present the victim's position. Follow-up verification procedures will be explained. Failure to comply after a resolution, if any, is voluntarily reached at such a meeting will result in appropriate discipline. The Principal at the close of the meeting shall prepare a written summary of the discussion held at the meeting and of resolution, if any, agreed to at same, and shall ask the parties attending the meeting to review, date and sign the memorandum. The administrator shall sign the summary, and if any party to the meeting refuses to sign shall note that fact thereon. No such memorandum must be included in a student's school record or an employee's personnel file unless otherwise required by law, but the Principal shall keep a copy of same in her or his records.

H. If after a resolution meeting with the involved parties, the Building Principal determines that further disciplinary action must be taken, the following may occur:

1. In instances involving student to student or student to staff member harassment, subject to applicable law and the disciplinary procedures set forth in the student-parent handbook, the

student may be subject to mandatory counseling and/or discipline, including but not limited to suspension or expulsion.

2. In instances involving staff member to student and staff member to staff member harassment, findings will be reported to the Assistant Superintendent of Schools for further action. Personnel action, up to and including discharge from employment, may also be initiated at this point, consistent with applicable law and collective bargaining agreement.

3. In all cases where in the good faith judgment of the Principal or Superintendent so warrant, a referral to law enforcement will be made. School officials will coordinate with law enforcement agencies to identify liaison for harassment cases.

IV. Retaliation

In the event of retaliation, in any form, against any person who has made or filed, or provided any information as to a complaint relating to harassment, any employee or student found to have engaged in same shall be subject to discipline in accordance with applicable law or policy. In the case of an employee, up to and including dismissal from employment; in the case of a student, up to and including expulsion. If warranted a referral, to law enforcement shall also be made.

V. Confidentiality

Reports of harassment should be kept completely confidential to the extent consistent with necessary investigation procedures, with the goal of protecting the victim and stopping the behavior. Age appropriate, progressive discipline procedures are included in building-based student/parent / family/staff handbooks.

Guidelines and Procedures for Reporting and Responding to Bullying and Retaliation

To support efforts to respond promptly and effectively to bullying and retaliation, the Milford Public Schools has developed policies and procedures for receiving and responding to reports of bullying or retaliation. These policies and procedures ensure that members of the school community – students, parents, and staff – know what will happen when incidents of bullying occur.

A. Reporting bullying or retaliation. Reports of bullying or retaliation may be made by staff, students, parents or guardians, or others, and may be oral or written. Oral reports made by or to a staff member shall be recorded in writing. A school or district staff member is required to report immediately to the principal or designee or to the superintendent or designee when the principal or assistant principal is the alleged aggressor or to the school committee or designee when the superintendent is the alleged aggressor, any instance of bullying or retaliation the staff member becomes aware of or witnesses. Reports made by students, parents or guardians, or other individuals who are not school or district staff members, may be made anonymously. The school or district will make a variety of reporting resources available to the school community including, but not limited to, an Incident Reporting Form, a voicemail box, a dedicated mailing address, and an email address.

Use of an Incident Reporting Form is not required as a condition of making a report. The school or district will: 1) include a copy of the Incident Reporting Form in the beginning of the year packets for students and parents or guardians; 2) make it available in the school's main office, the counseling office, the school nurse's office, and other locations determined by the principal or designee; and 3) post it on the school's

website. The Incident Reporting Form will be made available in the most prevalent language(s) of origin of students and parents or guardians.

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

1. Reporting by Staff

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

2. Reporting by Students, Parents or Guardians, and Others

The school or district expects students, parents or guardians, and others who witness or become aware of an instance of bullying or retaliation involving a student to report it to the principal or designee, or superintendent or designee when the principal or assistant principal is the alleged aggressor. Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report. Students, parents or guardians, and others may request assistance from a staff member to complete a written report.

Students will be provided practical, safe, private, and age-appropriate ways to report and discuss an incident of bullying with a staff member, or with the principal or designee, or superintendent or designee when the principal or assistant principal is the alleged aggressor.

B. Responding to a report of bullying or retaliation – Allegations of Bullying by a Student.

1. Safety

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

and altering the aggressor's schedule and access to the target. The principal or designee will take additional steps to promote safety during the course of and after the investigation, as necessary.

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

2. Obligations to Notify Others

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

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

During the investigation the principal or designee will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The principal or designee will remind the alleged student aggressor, target, and witnesses of the importance of the investigation, their obligation to be truthful and that retaliation against someone who reports bullying or provides information during a bullying investigation is strictly prohibited and will result in disciplinary action.

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

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

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

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

The principal or designee will promptly notify the parents or guardians of the target and the aggressor about the results of the investigation and, if bullying or retaliation is found, what action is being taken to prevent further acts of bullying or retaliation. All notice to parents must comply with

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applicable state and federal privacy laws and regulations. Because of the legal requirements regarding the confidentiality of student records, the principal or designee cannot report specific information to the target's parent or guardian about the disciplinary action taken unless it involves a "stay away" order or other directive that the target must be aware of in order to report violations.

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.

LEGAL REFERENCES:

1. Title VII of the 1964 Civil Rights Act, Section 703
2. Title IX of the 1972 U.S. Civil Rights Act
3. Chapter 151C, Massachusetts General Laws
4. M.G.L. Chapter 76 §5
5. M.G.L. Chapter 269 §17, 18, 19
6. M.G.L. chapter 71, §82, 84

Amended MSC – 6/10/10

Revised MSC – 10/4/12

Revised MSC – 12/19/14

12.5 NON-DISCRIMINATION NOTICE and CIVIL RIGHTS AND SAFETY INFORMATION FOR SCHOOL PERSONNEL, PARENTS, AND STUDENTS

The Milford Public Schools have been working on a variety of strategies to ensure the safety of all of our school community.

One of those strategies is to build an increasing awareness and understanding in all of us of those civil rights granted to us by law, such as those summarized below:

- **Title I of the Americans with Disabilities Act of 1990:** Prohibits discrimination, exclusion from participation, and denial of benefits on the basis of disability in the areas of employment.
- **Title II of the Americans with Disabilities Act of 1990:** Prohibits discrimination, exclusion from participation, and denial of benefits on the basis of disability in the areas of educational programming.
- **Title IX of the Education Amendments of 1972:** Prohibits discrimination, exclusion from participation, and denial of benefits in educational programs on the basis of sex.
- **Title VI of the Civil Rights Act of 1964:** Prohibits discrimination, exclusion from participation, and denial of benefits based on race, color, or national origin.
- **Section 504 of the Rehabilitation Act of 1973:** Prohibits discrimination, exclusion from participation, and denial of benefits based on disability.
- **MGL, Ch. 76, Section 5 of the Massachusetts General Laws Chapter 76, Section 5:** Prohibits discrimination in all public schools on the basis of color, national origin, race, religion, ethnicity, disability, gender, gender identity or sexual orientation

As an educational institution, the Milford Public School district is committed to creating and maintaining schools preventing discrimination of all types. At the same time ensure the health and safety of all who work and learn within our schools.

12.5 NON-DISCRIMINATION NOTICE and CIVIL RIGHTS AND SAFETY INFORMATION FOR SCHOOL PERSONNEL, PARENTS, AND STUDENTS

Statement

It is the role of the Milford Public Schools to provide a safe and secure learning environment for all its students without distinction based on color, national origin, race, religion, ethnicity, disability, gender, gender identity or sexual orientation. Discrimination, sexual and bias-motivated harassment, and violations of civil rights disrupt the educational process and will not be tolerated.

It shall be a violation for any pupil, teacher, administrator or other school personnel to engage in sexual or bias-related harassment (referred to as “wrongful harassment”) or violate the civil rights of any pupil, teacher, administrator, or other school personnel. Any conduct rising to the level of a particularly serious infraction will result in referral to law enforcement agencies.

The School will act to investigate all complaints, formal or informal, verbal or written, of sexual or bias-related harassment or violations of civil rights and to take appropriate action against any pupil, teacher, administrator, or other school personnel who is found in violation.

Scope of Application

This notice applies to bias crimes, civil rights violations, bias incidents, and bias-related harassments occurring on school premises or property, or in the course of school-sponsored activities, including those outside of school if there is a detrimental effect on the school or educational environment.

Commitment to Prevention

This institution is committed to prevention, remediation, and accurate reporting of bias incidents and civil rights violations, to the end that all students can enjoy the advantages of a safe and tolerant learning environment where individual differences are respected. The school undertakes to engage in activities and programming such as training of all school personnel, intended to foster respect for diversity, civil rights, and non-violence in school settings.

Low Tolerance for Known Civil Rights Violations: Required Reporting and Intervention to Stop Harassment

- a. School employees must intervene in ongoing civil rights violations and episodes of wrongful harassment whenever witnessed or reported; to the extent intervention can be done safely. School employees must report a civil rights violation or episode of wrongful harassment to the building civil rights administrator. Once reported, the building civil rights administrator will prepare written documentation of the event. The building civil rights administrator must intervene in ongoing matters of civil rights violations and episodes of wrongful harassment, summoning assistance as necessary.
- b. The primary objective of school intervention in a civil rights matter is to put a swift end to, and prevent any recurrence of, any wrongful conduct, so as to ensure the safety of all students and a school environment free of wrongful harassment and civil rights violations. Intervention should be undertaken immediately, as needed on a short-term basis, and more comprehensively once a civil rights violation has been found to occur. The school will take all necessary steps within its authority to implement the objective of stopping continuing civil rights violations and wrongful harassment, and restoring and preserving an environment free of such conduct.
- c. Effective, and if need be escalating, measures should be used to definitively stop harassment and violence. School officials should immediately consider and use regular administrative actions to defuse a civil rights or wrongful harassment situation wherever possible. Relevant school disciplinary hearings should begin and proceed on an expedited basis where there is a threat of ongoing interference with civil rights. Disciplinary action appropriate to the offender's conduct should be taken when a violation is found. Potential criminal conduct should be reported to law enforcement, and legal remedies pursued as necessary to protect civil rights.

Designation of Civil Rights Administrators

The Principal (herein referred to as the designee) of each school in the Milford Public Schools will have the responsibility to respond to matters of civil rights that arise in the school setting. The Principal shall accept the responsibility to receive reports and complaints of civil rights violations from students, faculty or staff. In conjunction with the Assistant Superintendent of Schools, the Principal will take responsibility for upholding school civil rights and safety policies. The Principal will also serve as a liaison with law enforcement agencies, and assist the Superintendent of Schools in making referrals of possible criminal matter to law enforcement.

Identification of Prohibited Conduct

a. Definitions

i.) **BIAS INCIDENT** means any act, including conduct or speech, directed at or which occurs to a person or property because of actual or perceived color, national origin, race, religion, ethnicity, disability, gender, gender identity, or sexual orientation. A bias incident may or may not be a criminal act.

ii.) **BIAS INDICATORS** are objective facts and circumstances, which suggest that an action was motivated in whole or in part by a particular type of bias.

iii.) **BIAS MOTIVES** recognized by Massachusetts's law as causing hate crimes include prejudice based on color, national origin, race, religion, ethnicity, disability, gender, gender identity, or sexual orientation.

iv.) **CIVIL RIGHTS VIOLATIONS** involve interfering by threats, intimidation, or coercion, with someone's enjoyment of constitutional or statutory rights. Rights protected against interference include non-discrimination in access to advantages and privileges of a public school education. The term "civil rights violation" also covers bias-related and sexual harassment and bias crimes.

v.) **DISCRIMINATION** consists of actions taken against another(s), which treat them unequally because of color, national origin, race, religion, ethnicity, disability, gender, gender identity, or sexual orientation

vi.) **HARASSMENT** consists of unwelcome verbal, written or physical conduct targeting specific person(s), which is sufficiently severe, persistent, or pervasive to create an intimidating, hostile, humiliating, or offensive school environment, or substantially interfere with the progress of a student's education:

(1) **BIAS-RELATED HARASSMENT** will present bias indicators, most commonly epithets: name-calling derogatory to a particular racial, color, national origin, religious, or sexual orientation group;

(2) **SEXUAL HARASSMENT** covers instances of physical or verbal conduct of a sexual nature, not limited to but including sexual advances, which foster a hostile educational environment for the victim.

vii.) **HATE CRIMES** include any criminal acts, as defined in M.G.L. c 22C, sec 32, to which recognized types of bias motives is an evident contributing factor. Criminal bias-motivated conduct entails, at a minimum, threats. Criminal conduct includes acts putting someone in fear of immediate physical harm (assaults), and actual physical violence (assault and battery), and grows most serious if a victim suffers any bodily injury.

viii.) **HOSTILE ENVIRONMENT** exists when a student has been or is subjected to threats, intimidation, or coercion by another (or others) or is reasonably in fear for his or her safety. Whether a school environment has become hostile must be evaluated based on the totality of the circumstances. Repeated instances of bias-related and sexual harassment create a hostile environment for the victim. A single act of harassment can also create a hostile or intimidating environment if sufficiently severe. A hostile environment does not necessarily entail that a student exhibits quantifiable harm, such as a drop in grades.

ix.) **STALKING**, as prohibited by M.G.L. c265, sec 43, consists of intentional conduct involving (1) two or more acts directed at a specific person, (2) which would cause a reasonable person substantial distress, (3) where the perpetrator has more threats causing the targeted person fear of death or injury.

b. Common Bias Indicators:

i.) Bias-related comments or epithets

ii.) Bias-related markings, drawings, or graffiti

iii.) Use of bias-related symbols

iv.) No clear economic motive for an assault and battery

v.) Crime involving disproportionate cruelty or brutality

vi.) Offender history of crimes with similar motives and victims of the same group

c. Examples of Civil Rights Violations and Bias Incidents:

- i.) Unwelcome verbal, written, or physical conduct directed at the characteristics of a person's race or color, such as nicknames emphasizing stereotypes, racial slurs, comments on manner or speaking, and negative references to racial customs (racial and color harassment).
- ii.) Unwelcome verbal, written, or physical conduct, directed at the characteristics of a person's religion, such as derogatory comments regarding surnames, religious tradition, or religious clothing, or religious slurs, or graffiti. (religious harassment)
- iii.) Conduct directed at the characteristics of a person's national origin, such as negative comments regarding surnames, manner of speaking, customs, language, or ethnic slurs. (national origin harassment)
- iv.) Conduct directed at the characteristics of a person's sexual orientation or gender identity— actual, perceived, or asserted – such as negative name-calling and imitating mannerisms. (sexual orientation harassment)
- v.) Conduct directed at the characteristics of a person's disabling condition, such as imitating manner of speech or movement, or interference with necessary equipment (disability harassment).
- vi.) Physical conduct putting someone in fear of imminent harm, coupled with name-calling of a bigoted nature (crime of assault)
- vii.) Repeated, purposeful following of someone, coupled with evident bias against the victim's actual or perceived group status (civil rights violation or crime of stalking).
- viii.) Painting swastikas on walls or other public or private property (crime of vandalism.)
- ix.) Hitting someone because of his or her actual or perceived group status (crime of battery).

Procedures for Responding to and Investigating Incidents

- a. Whenever a staff person witnesses, or some third party reports a possible civil rights violation, the school's designated civil rights administrator must be notified. The school's civil rights designee, in conjunction with school safety personnel and the principal, should immediately begin an investigation. In an emergency, 911 must be called.
- b. A student coming forward to report a civil rights or wrongful harassment violation s/he has experienced should be directed to the school's designated civil rights administrator, after any emergency needs are attended. Consideration should be given to whether any immediate or interim steps are necessary to ensure the safety of and avert retaliation against the complainant.
- c. The investigation must determine whether a civil rights or wrongful harassment violation has in fact occurred. An immediate aim of the investigation should be preservation and gathering of evidence from the scene of an incident. Bias-related graffiti should be photographed then removed. The investigator should seek to interview all victims and witnesses at the scene, or as soon thereafter as possible, then interview others who may have relevant knowledge as well. The investigation may also consist of any other methods and documents deemed relevant and useful.
- d. All the circumstances as found should be carefully evaluated for the presence of bias indicators that would characterize the matter as a civil rights violation. The investigation should make a finding as to whether a civil rights or wrongful harassment infraction in violation of this policy has occurred.

Consequences for Civil Rights Violations and Failures to Act as Required**a. Non-disciplinary corrective actions:**

Potential civil rights or wrongful harassment violations can be addressed with steps that are not punitive in character, without the necessity of disciplinary proceedings. These steps generally lie within the ordinary discretion of principals and school officials. Examples of nondisciplinary actions that may be appropriate in some instances include counseling, assignment to participate in a diversity awareness training program,

separating offender and victim, parent conferences, and special work assignments such as a composition on a civil rights-related subject.

b. Disciplinary Proceedings

Violations of the civil rights or wrongful harassment of a student or school employee which are found to have occurred may warrant the imposition of sanctions up to and including suspension and expulsion (for students), and suspension or termination (for employees). Disciplinary actions will be taken toward the goals of eliminating the offending conduct, preventing recurrence, and reestablishing a school environment conducive for the victim to learn. The school may consider completion of a youth diversion program as a sanction for student violators, standing alone or in conjunction with other disciplinary actions, for violations of civil rights or wrongful harassment.

Failure to Act by Administrators and Teachers

Administrators and teachers have a duty to act to stop witnessed sexual or bias harassment and hate crimes, as safely as can be done; and report occurrences to the civil rights administrators and sometimes the police. A clear failure to act as this policy would directly result in dismissal action. The school administration will develop further sanctions and actions to address repeated instances of a failure to act in accordance with this policy.

Commitment to Non-Retaliation

To secure the unimpeded reporting of bias activity called for in this notice, the Milford Public Schools will deal seriously with any and all threats or acts of retaliation for the good faith filing of a complaint. Actual or threatened retaliation for the reporting of a civil rights matter constitutes a separate and additional disciplinary infraction warranting corrective actions. Staff will monitor the situations of victims/complainants carefully to ensure that no threats or acts of reprisal are made. Appropriate and immediate non-disciplinary administrative actions to mitigate possible or actual retaliation may also be taken; to the extent administrators have discretion to act.

Referral to Law Enforcement

Whenever a school employee has reason to believe that a potential hate crime has been, or is about to be committed, s/he should notify the school civil rights designee and, especially in an emergency, the local police. The civil rights designee has chief responsibility for notifying the police of potential hate crimes in non-emergency situations; the referral is mandatory whenever a probable hate crime is at issue.

Documentation Requirements

a. Record keeping

The designated civil rights administrator will be responsible for keeping records of all civil rights violations and hate crimes reported for the school. These records shall be confidential and grouped according to school year and grade. In addition to recording the particulars of the incident itself, the system should record the actions taken in response and the results of the investigation and intervention. The civil rights administrator shall keep this information gathered at a central place. The retention of records will be consistent with the M.G.L. on student records.

b. Monitoring and Tracking to Identify Patterns

Records should be maintained so as to permit administrators to detect patterns in civil rights violations, repeat offenders, and problem locations. Responsive action should be tailored based on the pattern information that records reveal.

8. Dissemination of Information and Training

- a. This notice shall be conspicuously posted throughout each school building in areas accessible to pupils and staff members.
- b. This notice shall appear in the faculty and student handbook.
- c. The School District will provide instruction in the provisions of this notice to teachers, other employees, and students.
- d. This notice shall be reviewed at least annually for compliance with state and federal law.

Additional Information: Section 504 of the Rehabilitation Act

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against persons with a disability in any program receiving federal financial assistance. In order to fulfill obligations under Section 504, the Milford Public School district has the responsibility to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person with a disability should knowingly be permitted in any program and practices of the school system.

The Milford Public Schools has the responsibility under Section 504 to identify, evaluate, and if the student is determined to be eligible under Section 504, to afford access to appropriate educational services.

If the parent or guardian disagrees with the determination made by the professional staff of the school district, s/he has the right to a hearing with an impartial officer.

The Family Educational Rights and Privacy Act (FERPA) also specifies rights related to educational needs. This Act gives the parents or guardian the right to: (1) inspect and review his/her child's educational records; (2) make copies of these records; (3) receive a list of the individuals having access to those records; (4) ask for an explanation of any item in the records; (5) ask for an amendment to any report on grounds it is inaccurate, misleading, or violates the child's rights; and (6) request a hearing on the issue if the school refuses to make the amendment.

Questions should be directed to the designated Section 504 Coordinator.

Additional Information: NOTICE OF NON-DISCRIMINATION

The Milford Public School district is committed to compliance with the Americans with Disabilities Act (ADA). The district intends to ensure that individuals with disabilities whether they are employed, apply for a position, or visit facilities within the schools are treated fairly and given an equal opportunity to access facilities, programs, activities, and employment.

It is unlawful for the Milford Public School district to discriminate on the basis of disability against a qualified individual with a disability in regard to:

- (a) recruitment, advertising job application, and employment procedures;
- (b) hiring, upgrading, promotion, award of tenure, demotion, transfer, layoff, termination, right of return from layoff, and rehiring;
- (c) rates of pay or any other form of compensation and changes in compensation;
- (d) job assignments, job classifications, organizational structures, position descriptions, lines of progression, and seniority lists;

- (e) leaves of absence, sick leave, or any other leave;
- (f) fringe benefits available by virtue of employment, whether or not administered by the covered entity;
- (g) selection and financial support for training including apprenticeships, professional meetings, conferences, and other related activities and election for leaves of absence to pursue training;
- (h) activities sponsored by a covered entity including social and recreational programs; and
- (i) any other term, condition, or privilege of employment.

The Milford Public Schools will not isolate individuals with disabilities, discriminate on the basis of disabilities through contracts, avoid using qualification standards, criteria, methods of administration or tests that discriminate against individuals with disabilities, avoid making unreasonable accommodation to an otherwise qualified individual with a disability.

The ADA requires that the district focus on the ability not the disability of the individual. The Milford Public School district will consider reasonable accommodations providing the individual can perform essential functions of the position. It is not required, however, to give preferential treatment to individuals with disabilities or lower the expected standards of performance.

The Milford Public Schools are committed to meeting the intent and spirit of ADA. All employees are urged to help meet this goal. If anyone believes that the Milford Public Schools has discriminated against him/her or someone else on the basis of disability, or if anyone has questions or concerns about the school system's responsibilities in this regard, please contact the Section 504/ADA Coordinator.

APPENDICES TO POLICY

Responsibilities of School Personnel and Students in Relation to Witnessed or Reported Bias Incidents

1. All Personnel and Students

- i.) **Report bias incidents and civil rights violations to school civil rights administrator.**
- ii.) **Be familiar with basic facts about hate and hate crimes**, so as to be able to identify bias incidents and have an understanding of the dynamics.
- iii.) **Challenge biased attitudes and behavior** whenever encountered in school and outside.
- iv.) **Reports hate crimes to police**, and summon help in an emergency.
- v.) **Uphold school civil rights and safety policies** and remain vigilant and alert for violations.
- vi.) **Take responsibility** so as to make a difference in stopping hate, finding and creating individual and group opportunities for action and involvement.

2. Teachers Only

- i.) **Set guidelines for classroom behavior** to avoid hurt feelings and promote respect.
- ii.) **Respond to and challenge insensitive behaviors** like name calling and exclusion of children who are different
- iii.) **Instruct against hate and prejudice**, where this message is apropos to classroom subjects and lessons.
- iv.) **Look for and help implement proactive programs and strategies** to promote tolerance and stop hate conduct.

3. School Staff Specifically

i.) **Challenge and try to stop bias incidents** when witnessed or encountered in progress if a safe opportunity is presented.

4. Civil Rights Designees Specifically

- i.) **Be available to receive reports of civil rights violations** from students, faculty and other administrators.
- ii.) **Respond promptly to a report of a civil rights violation** by intervening if possible, ensuring that students are safe and free from harassment, and by starting an investigation and quickly ascertaining the facts.
- iii.) **Put a stop to ongoing harassment** immediately and effectively, and refer victims to support services and resources available in the area.
- iv.) **Take remedial, corrective, and disciplinary action** as the circumstances established by the investigation, school policies, and the Code of Conduct, warrant.
- v.) **Take steps to avert retaliation** against students who report civil rights violations, and act immediately to ensure student safety and freedom from harassment.
- vi.) **Communicate and coordinate efforts with police** on a regular, ongoing basis, and develop a working partnership with police officers assigned to schools and civil rights issues.
- vii.) **Undergo specialized training** to maintain knowledge of hate crimes and civil rights issues as they affect schools.
- viii.) **Coordinate school prevention programming and activities**, drawing on available resources and tools.

Federal and Massachusetts Laws Bearing on Harassment and Bias

Crimes in School Settings

- (a) Title VI, 42 U.S.C. Sec. 2000 et seq. (prohibition of discrimination based on race, color or national origin)
- (b) Title IX, 20 U.S.C. Sec. 168 et seq. (prohibition of discrimination based on sex, gender identity or gender.
- (c) Title II of the Americans with Disabilities Act, 42 U.S.C. Sec. 12134 (prohibition of discrimination based on disability)
- (d) G.L. c. 71, Sec. 37H (student handbooks required to state disciplinary measures applicable to “violations of other students’ civil rights)
- (e) G.L. c. 76, Sec 5 (prohibition of discrimination “on account of race, color, religion, national origin, gender, gender identity or sexual orientation”, in access to “advantages, privileges and course of study of [local] public school”).)
- (f) G.L. c. 151C (Fair Education Practices Act, includes prohibition of sexual harassment)
- (g) G.L. c. 214m /sec, 1B (right of privacy)(h) G.L. c. 214. Sec 1C (right of freedom from sexual harassment)
- (i) G.L. c. 12, Sec 11H and 11I (prohibition of treats, intimidation, or coercion interfering with someone’s legal rights)
- (j) G.L. c. 265, Sec. 37 (criminal penalties for the use of force or treats to interfere with someone’s legal rights)
- (k) G.L. c. 265, Sec 39 (increasing penalties for assaults, batteries, and property damage motivated by bias on grounds of race religion,gender, gender identity, ethnicity, disability and sexual orientation)

NON-DISCRIMINATION NOTICE and CIVIL RIGHTS AND SAFETY INFORMATION FOR SCHOOL PERSONNEL, PARENTS, AND STUDENTS

The Milford Public Schools have been working on a variety of strategies to ensure the safety of all of our school community.

One of those strategies is to build an increasing awareness and understanding in all of us of those civil rights granted to us by law, such as those summarized below:

- **Title I of the Americans with Disabilities Act of 1990:** Prohibits discrimination, exclusion from participation, and denial of benefits on the basis of disability in the areas of employment.
- **Title II of the Americans with Disabilities Act of 1990:** Prohibits discrimination, exclusion from participation, and denial of benefits on the basis of disability in the areas of educational programming.
- **Title IX of the Education Amendments of 1972:** Prohibits discrimination, exclusion from participation, and denial of benefits in educational programs on the basis of sex.
- **Title VI of the Civil Rights Act of 1964:** Prohibits discrimination, exclusion from participation, and denial of benefits based on race, color, or national origin.
- **Section 504 of the Rehabilitation Act of 1973:** Prohibits discrimination, exclusion from participation, and denial of benefits based on disability.
- **MGL, Ch. 76, Section 5 of the Massachusetts General Laws Chapter 76, Section 5:** Prohibits discrimination in all public schools on the basis of race, color, gender, gender identity, religion, national origin or sexual orientation.

As an educational institution, the Milford Public School district is committed to creating and maintaining schools preventing discrimination of all types. At the same time ensure the health and safety of all who work and learn within our schools.

NON-DISCRIMINATION NOTICE and CIVIL RIGHTS AND SAFETY INFORMATION FOR SCHOOL PERSONNEL, PARENTS, AND STUDENTS

Statement

It is the role of the Milford Public Schools to provide a safe and secure learning environment for all its students without distinction based on race, color, sex, religion, ethnicity, national origin, disability, gender, gender identity, pregnancy or pregnancy related conditions, sexual orientation or homelessness. Discrimination, sexual and bias-motivated harassment, and violations of civil rights disrupt the educational process and will not be tolerated.

It shall be a violation for any pupil, teacher, administrator or other school personnel to engage in sexual or bias-related harassment (referred to as “wrongful harassment”) or violate the civil rights of any pupil, teacher, administrator, or other school personnel. Any conduct rising to the level of a particularly serious infraction will result in referral to law enforcement agencies.

The School will act to investigate all complaints, formal or informal, verbal or written, of sexual or bias-related harassment or violations of civil rights and to take appropriate action against any pupil, teacher, administrator, or other school personnel who is found in violation

Scope of Application

This notice applies to bias crimes, civil rights violations, bias incidents, and bias-related harassments occurring on school premises or property, or in the course of school-sponsored activities, including those outside of school if there is a detrimental effect on the school or educational environment.

Commitment to Prevention

This institution is committed to prevention, remediation, and accurate reporting of bias incidents and civil rights violations, to the end that all students can enjoy the advantages of a safe and tolerant learning environment where individual differences are respected. The school undertakes to engage in activities and programming such as training of all school personnel, intended to foster respect for diversity, civil rights, and non-violence in school settings.

Low Tolerance for Known Civil Rights Violations: Required Reporting and Intervention to Stop Harassment

a. School employees must intervene in ongoing civil rights violations and episodes of wrongful harassment whenever witnessed or reported; to the extent intervention can be done safely. School employees must report a civil rights violation or episode of wrongful harassment to the building civil rights administrator. Once reported, the building civil rights administrator will prepare written documentation of the event. The building civil rights administrator must intervene in ongoing matters of civil rights violations and episodes of wrongful harassment, summoning assistance as necessary.

b. The primary objective of school intervention in a civil rights matter is to put a swift end to, and prevent any recurrence of, any wrongful conduct, so as to ensure the safety of all students and a school environment free of wrongful harassment and civil rights violations. Intervention should be undertaken immediately, as needed on a short-term basis, and more comprehensively once a civil rights violation has been found to occur. The school will take all necessary steps within its authority to implement the

objective of stopping continuing civil rights violations and wrongful harassment, and restoring and preserving an environment free of such conduct.

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ii.) **BIAS INDICATORS** are objective facts and circumstances, which suggest that an action was motivated in whole or in part by a particular type of bias.

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The designated civil rights administrator will be responsible for keeping records of all civil rights violations and hate crimes reported for the school. These records shall be confidential and grouped according to school year and grade. In addition to recording the particulars of the incident itself, the system should record the actions taken in response and the results of the investigation and intervention. The civil rights administrator shall keep this information gathered at a central place. The retention of records will be consistent with the M.G.L. on student records.

b. Monitoring and Tracking to Identify Patterns

Records should be maintained so as to permit administrators to detect patterns in civil rights violations, repeat offenders, and problem locations. Responsive action should be tailored based on the pattern information that records reveal.

8. Dissemination of Information and Training

a. This notice shall be conspicuously posted throughout each school building in areas accessible to pupils and staff members.

b. This notice shall appear in the faculty and student handbook.

c. The School District will provide instruction in the provisions of this notice to teachers, other employees, and students.

d. This notice shall be reviewed at least annually for compliance with state and federal law.

Additional Information: Section 504 of the Rehabilitation Act

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against persons with a disability in any program receiving federal financial assistance. In order to fulfill obligations under Section 504, the Milford Public School district has the responsibility to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person with a disability should knowingly be permitted in any program and practices of the school system.

The Milford Public Schools has the responsibility under Section 504 to identify, evaluate, and if the student is determined to be eligible under Section 504, to afford access to appropriate educational services.

If the parent or guardian disagrees with the determination made by the professional staff of the school district, s/he has the right to a hearing with an impartial officer.

The Family Educational Rights and Privacy Act (FERPA) also specifies rights related to educational needs. This Act gives the parents or guardian the right to: (1) inspect and review his/her child's educational records; (2) make copies of these records; (3) receive a list of the individuals having access to those records; (4) ask for

an explanation of any item in the records; (5) ask for an amendment to any report on grounds it is inaccurate, misleading, or violates the child's rights; and (6) request a hearing on the issue if the school refuses to make the amendment.

Questions should be directed to the designated Section 504 Coordinator.

Additional Information: NOTICE OF NON-DISCRIMINATION

The Milford Public School district is committed to compliance with the Americans with Disabilities Act (ADA). The district intends to ensure that individuals with disabilities whether they are employed, apply for a position, or visit facilities within the schools are treated fairly and given an equal opportunity to access facilities, programs, activities, and employment.

It is unlawful for the Milford Public School district to discriminate on the basis of disability against a qualified individual with a disability in regard to:

- (a) recruitment, advertising job application, and employment procedures;
- (b) hiring, upgrading, promotion, award of tenure, demotion, transfer, layoff, termination, right of return from layoff, and rehiring;
- (c) rates of pay or any other form of compensation and changes in compensation;
- (d) job assignments, job classifications, organizational structures, position descriptions, lines of progression, and seniority lists;
- (e) leaves of absence, sick leave, or any other leave;
- (f) fringe benefits available by virtue of employment, whether or not administered by the covered entity;
- (g) selection and financial support for training including apprenticeships, professional meetings, conferences, and other related activities and election for leaves of absence to pursue training;
- (h) activities sponsored by a covered entity including social and recreational programs; and
- (i) any other term, condition, or privilege of employment.

The Milford Public Schools will not isolate individuals with disabilities, discriminate on the basis of disabilities through contracts, avoid using qualification standards, criteria, methods of administration or tests that discriminate against individuals with disabilities, avoid making unreasonable accommodation to an otherwise qualified individual with a disability.

The ADA requires that the district focus on the ability not the disability of the individual. The Milford Public School district will consider reasonable accommodations providing the individual can perform essential functions of the position. It is not required, however, to give preferential treatment to individuals with disabilities or lower the expected standards of performance.

The Milford Public Schools are committed to meeting the intent and spirit of ADA. All employees are urged to help meet this goal. If anyone believes that the Milford Public Schools has discriminated against him/her or someone else on the basis of disability, or if anyone has questions or concerns about the school system's responsibilities in this regard, please contact the Section 504/ADA Coordinator.

APPENDICES TO POLICY

Responsibilities of School Personnel and Students in Relation to Witnessed or Reported Bias Incidents

1. All Personnel and Students

- i.) **Report bias incidents and civil rights violations** to school civil rights administrator.
- ii.) **Be familiar with basic facts about hate and hate crimes**, so as to be able to identify bias incidents and have an understanding of the dynamics.
- iii.) **Challenge biased attitudes and behavior** whenever encountered in school and outside.
- iv.) **Reports hate crimes to police**, and summon help in an emergency.
- v.) **Uphold school civil rights and safety policies** and remain vigilant and alert for violations.
- vi.) **Take responsibility** so as to make a difference in stopping hate, finding and creating individual and group opportunities for action and involvement.

2. Teachers Only

- i.) **Set guidelines for classroom behavior** to avoid hurt feelings and promote respect.
- ii.) **Respond to and challenge insensitive behaviors** like name calling and exclusion of children who are different
- iii.) **Instruct against hate and prejudice**, where this message is apropos to classroom subjects and lessons.
- iv.) **Look for and help implement proactive programs and strategies** to promote tolerance and stop hate conduct.

3. School Staff Specifically

- i.) **Challenge and try to stop bias incidents** when witnessed or encountered in progress if a safe opportunity is presented.

4. Civil Rights Designees Specifically

- i.) **Be available to receive reports of civil rights violations** from students, faculty and other administrators.
- ii.) **Respond promptly to a report of a civil rights violation** by intervening if possible, ensuring that students are safe and free from harassment, and by starting an investigation and quickly ascertaining the facts.
- iii.) **Put a stop to ongoing harassment** immediately and effectively, and refer victims to support services and resources available in the area.
- iv.) **Take remedial, corrective, and disciplinary action** as the circumstances established by the investigation, school policies, and the Code of Conduct, warrant.
- v.) **Take steps to avert retaliation** against students who report civil rights violations, and act immediately to ensure student safety and freedom from harassment.
- vi.) **Communicate and coordinate efforts with police** on a regular, ongoing basis, and develop a working partnership with police officers assigned to schools and civil rights issues.
- vii.) **Undergo specialized training** to maintain knowledge of hate crimes and civil rights issues as they affect schools.
- viii.) **Coordinate school prevention programming and activities**, drawing on available resources and tools.

Federal and Massachusetts Laws Bearing on Harassment and Bias

Crimes in School Settings

- (a) Title VI, 42 U.S.C. Sec. 2000 et seq. (prohibition of discrimination based on race, color or national origin)
- (b) Title IX, 20 U.S.C. Sec. 168 et seq. (prohibition of discrimination based on sex or gender.
- (c) Title II of the Americans with Disabilities Act, 42 U.S.C. Sec. 12134 (prohibition of discrimination based on disability)
- (d) G.L. c. 71, Sec. 37H (student handbooks required to state disciplinary measures applicable to “violations of other students’ civil rights)
- (e) G.L. c. 76, Sec 5 (prohibition of discrimination “on account of race, color, sex, religion, national origin or sexual orientation”, in access to “advantages, privileges and course of study of [local] public school”.)
- (f) G.L. c. 151C (Fair Education Practices Act, includes prohibition of sexual harassment)
- (g) G.L. c. 214m /sec, 1B (right of privacy)
- (h) G.L. c. 214. Sec 1C (right of freedom from sexual harassment)
- (i) G.L. c. 12, Sec 11H and 11I (prohibition of treats, intimidation, or coercion interfering with someone’s legal rights)
- (j) G.L. c. 265, Sec. 37 (criminal penalties for the use of force or treats to interfere with someone’s legal rights)
- (k) G.L. c. 265, Sec 39 (increasing penalties for assaults, batteries, and property damage motivated by bias on grounds of race, religion, ethnicity, disability and sexual orientation)
- (l) G.L. c. 266, Sec 127A (criminal penalties for vandalism of a school)

Approved MSC: 6/7/01

Revised: MSC 3/17/11

Reviewed MSC: 11/2/17

Reviewed by Policy Subcommittee: 6/21/18

Amended & Approved MSC: 9/6/18

Amended & Approved MSC: 10/4/18

12.555 NON-DISCRIMINATION AND ANTI-HARASSMENT PROCEDURES

Adopted by the Milford School Committee

It is the policy of Milford Public Schools to maintain a learning environment that is free from harassment or discrimination of any kind, including sex-based harassment. It is a violation of this policy for any member of the school community to harass or discriminate against another individual as outlined in this policy. Any allegation of harassment or discrimination will be investigated, and, if a violation of this policy is substantiated, disciplinary action will be taken. All reports of harassment or discrimination shall be investigated promptly, impartially and in a manner which will preserve the confidentiality of all concerned to the extent practicable under the circumstances.

Any employee, student or third party who believes that he or she has experienced harassment or discrimination on the basis of his or her actual or perceived race, color, creed, ethnicity, religion, national origin, sex/gender, homelessness, disability, sexual orientation, gender identity or age or who has witnessed or learns about the harassment of or discrimination against, another person in the school environment, should inform the principal of the relevant school site or appropriate discrimination/harassment complaint official immediately or as soon as possible.

Harassment and discrimination is banned not just at school, during school hours, but also before or after school hours on all school property, including the school bus, school functions, or at school events held at other locations. The policy also applies to any off-campus conduct that causes or threatens to cause a substantial and material disruption at school, or interferes with the rights of students or employees to be free from a hostile school environment taking into consideration the totality of the circumstances on and off campus.

Problems and complaints regarding discrimination and harassment should be resolved in a prompt and equitable manner. When possible, such problems and complaints should be resolved in an informal manner.

I. Reporting Responsibilities

Everyone in the school community is responsible for immediately reporting incidents of harassment, discrimination and/or retaliation, by anyone, in any form, that are directed at or witnessed by them at school or at a school sponsored event or of which they otherwise learn. Failure to cooperate with an investigation of such an incident will result in disciplinary action. Deceptive reporting may also be subject to a disciplinary response.

An individual may report to either the principal of the relevant school site or appropriate discrimination/harassment complaint official at his or her discretion. Students may additionally report incidents that they believe involve harassment or discrimination to their guidance counselor, any teacher, administrator or any member of the support staff, and the staff member will refer the complaint to the principal or the discrimination/harassment complaint official. If a School Guidance or Adjustment Counselor, School Nurse, or any member of the teaching staff, is contacted concerning a complaint or possible complaint, he/she should refer the matter to the principal immediately. Staff who observe conduct which violates this policy are to report the conduct to the principal immediately.

Employees who need help or wish to talk about harassment should contact the school principal, the appropriate discrimination/harassment complaint official, the perpetrator's immediate supervisor or any other school administrator immediately.

If one of the discrimination/harassment complaint officials is the person alleged to be engaged in discrimination/harassment, the complaint may be filed with one of alternate officials or any other school employee the student or employee chooses.

The discrimination/harassment complaint officials for the Milford Public Schools are the following individuals on a district wide level:

Title II/ Section 504 (disability):

Ms. Lisa Kingkade, 504 Coordinator,
508-478-1186 x3260
lkingkade@milfordma.com

Title VI (race, color, national origin) and Title VII (employment discrimination based on race, color, religion, sex, national origin):

Mr. Craig Consigli, Assistant Superintendent
508.478.1102
cconsigli@milfordma.com

Title IX (sex):

Ms. Kathleen Perry, Assistant Superintendent
508.478.1107
kperry@milfordma.com

Age Discrimination

The school principals will serve as the building level coordinators for this category.

II. Procedures for Investigating

The procedures set forth in this policy may be invoked even if other appeals and adjudication procedures have been provided by state law or federal law. Retaliation in any form for the filing of a complaint or reporting of harassment or discrimination is prohibited and will result in serious disciplinary action.

When a complaint of harassment or discrimination is received by the District, that allegation will be promptly investigated in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances and to the extent consistent with the law and collective bargaining agreements. The grievance officer or discrimination/harassment complaint official will inform witnesses and others involved in the resolution process of the importance of maintaining confidentiality.

The investigation will include a private interview with the person filing the complaint and with witnesses. The investigation will also include an interview with the person alleged to have committed the harassment or discrimination. Each party will have the opportunity to provide evidence and witnesses.

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

The specific procedures to be followed in conducting the investigations are set forth more fully below.

1. Any staff member who receives a complaint verbally or in writing concerning harassment or discrimination or observes conduct which he/she believes may constitute harassment or discrimination is required to document the complaint and refer it to the school principal or discrimination/harassment complaint official immediately. Although the Milford Public Schools encourages a written complaint, use of a formal written complaint is not

required. Oral reports will be considered complaints as well. The principal or discrimination/harassment complaint official shall ensure that the report is documented in writing and acknowledge within two (2) school days of receiving the complaint. The principal must send copies to the relevant discrimination/harassment complaint official within two (2) school days.

2. A student who has a complaint against another student may, if he or she chooses, use the informal process in order to resolve the complaint on a personal level, unless the complaint involves allegations of sexual assault. An employee who has a complaint against another employee may use the informal process, unless it involves an allegation of sexual assault. A student who has a complaint against an employee may only use the formal process. The Milford Public Schools will determine within forty-eight (48) hours whether the alleged victim wants to utilize informal procedures.

3. If the alleged victim or the alleged perpetrator chooses not to utilize the informal procedure, or feels that the informal procedure is inadequate or has been unsuccessful, he or she may proceed to the formal procedure. The informal process is completely voluntary and individuals can opt-out at any time.

4. The informal process will be a voluntary conversation between the alleged victim and the alleged perpetrator, which is facilitated by a school employee or by a designated discrimination/harassment complaint official. If the alleged victim or alleged perpetrator is a student under the age of eighteen (18), the facilitator will notify the student's parent(s)/guardian(s) if, after initial consultation with the student, it is determined to be in the best interest of the student. If the alleged victim and the alleged perpetrator feel that a resolution has been achieved, then the conversation remains confidential and no further action needs to be taken. The voluntary conversation must occur within five (5) work days after receiving the complaint of discrimination or harassment. The results of an informal resolution shall be maintained by the facilitator, in writing.

5. If the alleged victim does not want to deal directly with the alleged perpetrator, or if the matter is not resolved informally, the complainant should immediately notify the school principal or the discrimination/harassment complaint official for formal resolution.

6. For a formal complaint, the alleged victim (or complainant, if not the alleged victim) will be asked to complete the incident form which begins the formal investigation process conducted by the school principal or the discrimination/harassment complaint official. If the alleged victim is not able to complete the form, the principal or

discrimination/harassment complaint official will complete it and ask the alleged victim to sign it. If requested, a Guidance / Adjustment Counselor, a School Nurse, or a School Psychologist may assist a student in completing the incident form.

7. During the investigation, the school principal or discrimination/harassment complaint official will:

- Keep the investigation group as small as possible to protect the rights of all parties and to prevent the investigation from becoming overly publicized and to protect the alleged victim (in addition to the complainant, if not the alleged victim) from retaliation.

- Complete the investigation as soon as possible from the date that it is reported, but no later than thirty (30) work days from the date of the complaint or report, unless impracticable. The investigation will include interviewing the complainant, the alleged victim (if different than the complainant), the alleged perpetrator and such other person(s) named by the complainant, alleged victim (if different than the complainant), or the alleged perpetrator who may have witnessed or have information pertaining to the incident. An opportunity will be provided for all parties to be heard and present witnesses.

- Throughout the investigation the District will maintain on-going contact with the alleged victim. In determining whether the alleged conduct constitutes a violation of this policy, the school principal or discrimination/harassment complaint official shall consider the age and level of understanding of the student(s) involved, surrounding circumstances, any relevant documents, the nature of the behavior, past incidents or past or continuing

patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes Milford Public Schools a violation of the

District's policy prohibiting discrimination or harassment based on the actual or perceived protected class status of a student, employee or third party, requires a determination based on all of the facts and surrounding circumstances. Given that victims often experience continuing effects of harassment in the educational setting, during the investigative process the District will consider off-campus conduct to determine whether there is a hostile environment on campus.

8. After completing the investigation, the school principal or discrimination/harassment complaint official will conclude whether a violation of the policy has occurred or not; complete the written investigation report form and send copies of the report to the discrimination/harassment complaint official, if the school principal is conducting the investigation, the superintendent, the alleged victim (in addition to the complainant, if not the alleged victim) and the alleged perpetrator. The report shall include:

- a statement of the allegations investigated;
- a summary of the steps taken to investigate the allegations;
- the findings of fact based on a preponderance of the evidence gathered;
- the District's conclusion of whether discrimination or harassment did or did not occur;
- the disposition of the complaint;
- the rationale for the disposition of the complaint; and
- if the District concluded discrimination or harassment occurred, a description of the District's response.

The school principal or the discrimination/harassment complaint official shall determine whether the allegations have been substantiated as factual and whether they appear to be violations of this policy, using a preponderance of the evidence standard. A "preponderance of the evidence" means that it is more likely than not that the alleged conduct occurred.

If the complaint is supported, the report should recommend what action, if any, is required and will identify what steps the District is going to take to prevent recurrence of any discrimination or harassment and to correct its discriminatory effects on the complainant and others, if appropriate.

9. Formal disciplinary actions shall be imposed in the event that the preponderance of the evidence indicates that the alleged conduct occurred. Any disciplinary action will be in accordance with due process rights under State law and any applicable collective bargaining agreement. The seriousness of the offense, including the nature and degree of harm caused, shall be considered when deciding the appropriate disciplinary action.

- If the person alleged to have violated this policy is a staff member, possible discipline includes, but is not limited to, letters of reprimand, reassignment, and other disciplinary actions, including suspension or job termination.
- If the person alleged to have violated this policy is a student, possible discipline includes reprimand, classes or instruction on appropriate behavior, counseling, class transfer, detention, suspension or expulsion, consistent with the Student Code of Conduct.
- Any discipline of students will focus on changing behavior and ensuring that students learn about the impact of their behaviors and attitudes. Possible remedial action includes:
 - o Interventions for the alleged victim, such as counseling, academic support, health services, assigning an escort to allow the student to move safely between classes, and instruction on how to report other incidents of harassment or discrimination.
 - o Training or other interventions for the larger school community to ensure that students, staff and parents understand the types of behavior that constitute harassment or discrimination, and how to report it.
 - o Interventions for the individual who engaged in the conduct, such as parent notification, counseling, guidance, education about the impact of the conduct, positive behavior support, referral to a student success team, transfer to alternative programs, denial of participation in extracurricular or co-curricular activities or other privileges, and discipline.
- If it is established that the conduct involves a violation of law, report the matter immediately to the appropriate law enforcement authorities.

10. Appeal Procedure

- The alleged victim (or complainant if different than the alleged victim) or alleged perpetrator has the right to appeal the decision of the Superintendent in writing within two (2) school days after the decision is formally made. The Superintendent of Schools will respond in writing to the alleged victim (or complainant if different than the alleged victim) or alleged perpetrator within ten (10) school days.

III. Interim Measures

The Milford Public Schools shall take immediate steps to protect the alleged victim, alleged perpetrator, witnesses, and the larger school community pending the completion of an investigation or the informal process and address any ongoing harassment or discrimination. The District will take interim measures to prevent retaliation against the reporting student and minimize the burden of such measures on complainants.

Examples of interim measures include, but are not limited to:

- Providing counseling services via the school adjustment counselor and/or school psychologist for both the alleged victim and the alleged perpetrator;
 - Providing academic support services;
 - Ensuring no contact between the alleged victim and alleged perpetrator in District programs and activities (e.g., through stay away orders); the District will take care to minimize the burden of such steps on the alleged victim;
 - Providing an alternate schedule to ensure that the alleged victim and alleged perpetrator do not attend the same classes;
 - Informing the alleged victim of how to report any recurring conduct or retaliation;
 - Providing the alleged victim with alternative movement between classes and activities;
- and
- Making community based referral to medical and counseling services.

In the case of alleged sexual assault, the school principal or the discrimination/harassment complaint official will take additional steps as necessary to ensure the alleged victim is safe. This may include, for example, referring the student to a rape crisis center, creating a safety plan and designating an individual at the site level to act as a support person during the investigation. If the circumstances suggest a threat to others, the school principal or the discrimination/harassment complaint official will ensure that the District informs relevant members of the school community. This may include, for example, notifying parents and employees, if a student is sexually assaulted on the way home from school, or notifying employees of areas where harassment or discrimination frequently occurs.

IV. Referral to Law Enforcement and Other Agencies

Some alleged conduct may constitute both a violation of District policies and criminal activity. The school principal or the discrimination/harassment complaint official will refer matters to law enforcement and other agencies as appropriate under the law or District policy, and inform the complainant of the right to file a criminal complaint.

The school principal or the discrimination/harassment complaint official will follow this procedure regardless of whether the alleged conduct is also being investigated by another agency, unless the fact finding process would impede a law enforcement investigation. In such cases, the school principal or the discrimination/harassment complaint official will determine whether interim measures to protect the well-being of the complainant and the school community and prevent retaliation are needed while the law enforcement agency's fact-gathering is in progress. Once notified that law enforcement has completed its gathering of

evidence (not the ultimate outcome of the investigation or the filing of any charges), the school principal or the discrimination/harassment complaint official will promptly resume and complete the investigation.

Additionally, several behaviors listed as sexual harassment may also constitute physical or sexual abuse. Sexual abuse is defined as any act or acts by any persons involving sexual molestation or exploitation of a child, including, but not limited to incest, prostitution, rape, sodomy, or any lewd or lascivious conduct involving a child. Thus, under certain circumstances, alleged harassment may also constitute physical and/or sexual abuse under Massachusetts law. Such harassment or abuse is subject to the duties of mandatory reporting and must be reported to the Department of Children and Families within twenty-four (24) hours of the time the educator becomes aware of the suspected abuse. All school personnel are identified as being mandatory reporters.

V. Conflict of Interest

If there is a conflict of interest with respect to any party affected by this policy, appropriate accommodations will be made, such as, but not limited to, appointing or contracting with a neutral third-party investigator to conduct the investigation, or recusing from the process the person for whom a conflict or potential conflict of interest exists.

VI. Retaliation

Retaliation in any form for the filing of a complaint, the reporting of discrimination, including harassment, or participating in an investigation is prohibited. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment. If retaliation is established, it can be considered grounds for disciplinary action. Any allegations of reprisal will be subject to the same kind of investigation and disciplinary action as described above. The school principal or the discrimination/harassment complaint official will inform all involved individuals that

retaliation is prohibited, and that anyone who feels they have experienced harassment, coercion, intimidation, or discrimination for filing a complaint or participating in the resolution process should inform the school principal or the discrimination/harassment complaint official.

VII. Right to Alternative Complaint Procedures

In addition to the remedies set forth above, if you believe you have been subjected to harassment or discrimination, you may file a formal complaint with the government agency or agencies set forth below. Using the District complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies has a short time period for filing a claim.

A. Students

If you believe you have been subjected to harassment or discrimination, you may file a formal complaint with:

Massachusetts Department of Elementary and Secondary Education

Program Quality Assurance Services

75 Pleasant Street, Malden, MA 02148-4906

Phone: (781) 338-3700

FAX: (781) 338-3710

Email: compliance@doe.mass.edu

The time period for filing a claim is one year from the action.

United States Department of Education

Office for Civil Rights ("OCR")

5 Post Office Square

Boston, MA 02109
tel. (617) 289-0111

The time period for filing a claim with the United States Department of Education Office for Civil Rights is 180 days.

B. Employees

If you believe you have been subjected to harassment or discrimination, you may file a formal complaint with either or both of the government agencies set forth below:

1. United States Equal Employment
Opportunity Commission ("EEOC")
JFK Federal Building, Room 475
Boston, MA 02203
tel. (800) 669-4000

The time period for filing a claim with the EEOC is 180 days.

2. Massachusetts Commission
Against Discrimination ("MCAD")
Boston Office Springfield Office
One Ashburton Place, Rm. 601 436 Dwight Street, Rm. 220
Boston, MA 02108 Springfield, MA 01103
(617) 994-6000 (413) 739-2145

The time period for filing a claim with the MCAD is 300 days.

Approved MSC: 2/7/02
Amended MSC: 11/16/17

12.6 NONDISCRIMINATION ON THE BASIS OF DISABILITY

Adopted by the Milford School Committee

Title II of the Americans with Disabilities Act of 1992 and Section 504 of the Rehabilitation Act prohibit discrimination on the basis of a person's disability. The Milford Public Schools is committed to maintaining an educational environment and workplace where individuals are not discriminated against on the basis of disability. The Milford Public Schools strives to create an environment where all students and staff feel welcome. To meet this end, the Milford Public Schools will not tolerate the denial of access to activities, programs, or services to individuals with disabilities (as defined in Section 504 of the Rehabilitation Act 29 U.S.C. §705(20)).

The Milford Public Schools does not discriminate against an individual with a disability with regards to job application procedures, hiring, advancement, or discharge of employees, employee compensation, job training, or other conditions of employment.

The Milford Public Schools is committed to supporting students who qualify under Section 504 of the Rehabilitation Act and to ensuring that such students are not denied admission or access to the activities, programs and services offered by the Milford Public Schools because of disability.

As well, the Milford Public Schools is committed to ensuring that students with disabilities are not treated differently because of disability. The Superintendent of Schools shall take the necessary steps to inform parents/guardians and students of their rights under Section 504 of the Rehabilitation Act, including the right to receive reasonable accommodations if the student is found to be qualified under Section 504 of the Rehabilitation Act. Additionally, the Superintendent of Schools shall take the necessary steps to ensure parents/guardians and students are informed of their procedural rights under Section 504 of the Rehabilitation Act.

Reasonable Accommodations

The Milford Public School District shall make reasonable accommodations in policies, practices, or procedures when the accommodations are necessary to avoid discrimination on the basis of disability, unless the District can demonstrate that making the accommodations would fundamentally alter the nature of the service, program, or activity.

A request for an accommodation should be made in writing to the 504 Coordinator. Alternative means of filing a request will be made available if needed, such as large print or audiotape. Requests should include the name, address and telephone number of the individual requesting the accommodation, the location where the accommodation is required and why the accommodation is needed. For public meetings and hearings, the 504 Coordinator should be notified at least seventy-two (72) hours in advance.

For students, the 504 Coordinator will respond to such a request in accordance with the 504 Coordinator's Section 504 Policies and Procedures or Special Education Policies and Procedures. For all other individuals, the 504 Coordinator will respond within two (2) school days of receipt of the request.

Communications

The Milford Public Schools shall take the appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with members of the public without disabilities. To this end, the District shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in, and enjoy benefits of, a service, program, or activity conducted by the District. In determining what type of auxiliary aide or service is necessary, the District shall give due consideration to the requests of the individuals with disabilities.

Auxiliary Aids and Services

"Auxiliary aids and services" includes:

1. Qualified interpreters, note takers, transcription services, written materials, assisted listening systems, and other effective methods for making aurally delivered materials available to individuals with hearing impairments
2. Qualified readers, taped texts, audio recordings, Braille materials, large print materials, or other effective methods for making visually delivered materials available to individuals with visual impairments
3. Acquisition or modification of equipment or devices
4. Other similar services and actions

Limits of Accommodations

The Milford Public Schools is not required to take any action that would result in a fundamental alteration in the nature of a service, program, or activity or undue financial and administrative burdens. A decision that a request would fundamentally alter the service, program, or activity or unduly burden the District shall be made by the Superintendent after considering all resources available for use in funding and operating the program, service, or

activity. The decision shall be accompanied by a written statement of the reasons for reaching that conclusion.

Notice

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

Website Accessibility

The Milford Public Schools is committed to providing all users of their websites, including users with disabilities, with meaningful accessibility in this online environment. The Milford Public Schools follow standards that are generally based on the standards used by the federal government for technology accessibility for individuals with disabilities and web content accessibility guidelines developed by the World Wide Web Consortium (W3C). The Milford Public Schools websites are regularly tested and reviewed by users to verify that the websites are compliant with applicable standards.

If an individual needs assistance in accessing materials, such a request should be made to the webmaster.

Compliance Coordinator

The Milford Public Schools shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title II of ADA, including any investigation of any complaint communicated to it alleging its noncompliance or alleging any actions that would be prohibited under ADA. The District shall make available to all interested individuals the name, office address, and telephone number of the employee(s) so designated and has adopted Non-Discrimination and Anti-Harassment Policies and Procedures. The Milford Public Schools receives federal financial assistance and must comply with the above requirements. Additionally, the Milford School Committee is of the general view that:

1. Discrimination against a qualified person with a disability solely on the basis of disability is unfair and unacceptable; and
 2. To the extent possible, qualified individuals with a disability should be included within the school community.
- Accordingly, employees of the Milford Public Schools will comply with the above requirements of the law and policy statements of this committee to ensure nondiscrimination on the basis of disability.

MSC Approved File ACF: Policy Concerning Americans with Disabilities Act: 2/7/02

Policy Sub-Committee Reviewed Revision of Policy: 2/1/18

MSC Approved: 2/15/18

12.7 NON-DISCRIMINATION ON THE BASIS OF GENDER IDENTITY

The Milford Public Schools has a commitment to maintaining a safe, respectful and supportive working and learning environment in which all students and employees can thrive and succeed. Discrimination on the basis of gender identity or gender expression is not tolerated and any form of intimidation, threat, coercion and/or harassment that insults the dignity of others and interferes with their freedom to learn or work is unacceptable.

“Gender expression” is the manner in which a person represents or expresses gender to others, often through behavior, clothing, hairstyles, activities, voice, or mannerisms.

“Gender identity” is a person’s gender-related identity, appearance or behavior, whether or not that gender-related identity, appearance or behavior is different from that traditionally associated with the person’s physiology or assigned sex at birth.

“Gender nonconforming” encompasses people whose gender expression differs from stereotypic expectations.

The terms “gender variant” or “gender atypical” are also used.

“Transgender” is a person whose gender identity or gender expression is different from that traditionally associated with the assigned sex at birth.

The Milford Public Schools strictly enforces a prohibition against harassment and discrimination, sexual or otherwise, of any of its students or employees by anyone, including any fellow student, teacher, supervisor, co-worker, or vendor, as such conduct is contrary to the mission of the Milford Public Schools and its commitment to equal opportunity in education and employment. The school district does not and will not discriminate on the basis of gender identity, sex, sexual orientation, or gender expression in the educational programs and activities of the public schools, and strives to create an environment where all students and staff feel safe, welcome and included. The Milford Public Schools will not exclude any person from admission to a public school or from obtaining the advantages, privileges, and courses of study of such public school on account of gender identity.

The Milford Public Schools takes allegations of discrimination and harassment seriously and will respond promptly to complaints. It is the responsibility of each school and the District and all staff to ensure that all employees and students, including transgender and gender-nonconforming employees and students, have a safe school environment. Where it is determined that inappropriate conduct has occurred, the Milford Public Schools will act promptly to eliminate the conduct and will impose corrective action as necessary, including disciplinary action where appropriate, which may include termination of employment or school-related discipline. The provisions of the Milford Public Schools’ Non-Discrimination Policy and Prohibition Against Sexual Harassment, Non-Discrimination on the Basis of Sex, Anti-Bullying, Bullying Prevention and Intervention Plan, Equal Educational Opportunities and Equal Employment Opportunity policies provide the procedures for investigating and addressing these complaints, and are incorporated herein as if fully set out and set forth.

To help create a safe and supportive environment for all students, and consistent with applicable laws and guidance, the school district will take the following steps:

Names/Pronouns

An employee or student has the right to choose a name and pronoun appropriate to the employee’s or student’s gender identity, regardless of the assigned birth sex and name that appears on the birth certificate.

Schools should accurately record and use the employee's or student's chosen name and the pronouns that are consistent with the employee's or student's gender identity. Court orders are not required to update records to reflect changes in a name and gender markers. Schools will work with an employee or a student and the parents/guardians of the student if they are involved in the process, or, in the case of a younger student, with the student and the student's parents/guardians, to develop a plan for communicating any name and pronoun change within the school.

Schools will question a student's asserted gender identity only when school personnel believe that the student's gender-related identity is being asserted for some improper purpose.

Transitions

When an employee transitions, the school shall hold a meeting with the employee to provide a safe and supportive working environment and to address any concerns that may arise. When a student transitions, the school shall hold a meeting with the student and the parents/guardians of the student if they are involved in the process, or in the case of a younger student, with the student and the student's parents/guardians, to develop a transition plan to provide a safe and supportive educational environment for the student and to address any concerns that may arise.

Privacy, Confidentiality and Student Records

All persons, including students, have a right to privacy, and this includes the right to keep one's transgender status private at school. Records with an employee's or student's assigned birth name and sex, name change for gender identity purposes, gender transition, medical information related to gender identity or other information of a similar nature, if such records exist, will be maintained in a separate, confidential file. The school district shall ensure that all information related to an employee's or student's gender identity shall be kept confidential in accordance with applicable federal, state and local privacy laws and regulations. Information that may reveal an employee's or student's gender identity to others will not be disclosed unless the school is legally required to do so, or unless the disclosure has been authorized by the student or employee, or in the case of a younger student, by the student's parents/guardians. Schools will consult with an employee or a student and the parents/guardians of the student if they are involved in the process, or, in the case of a younger student, with the student and the student's parents/guardians, when determining whether any such information should be disclosed, and if so, how much information should be disclosed and to whom. Schools will also consult with the student before discussing a student's gender nonconformity or transgender status with the student's parent or guardian.

Accessibility to Restrooms, Locker Rooms and Changing Facilities

An employee or student may access the restrooms, locker rooms and changing facility that corresponds to the employee's or student's gender identity. Upon an employee's or student's request, any employee or student who is uncomfortable using a shared facility, regardless of the reason, shall be provided with a safe and non-stigmatizing alternative. Based upon availability and the appropriateness to address privacy concerns, accommodations that may be offered to an employee

or student who desires increased privacy may include, but are not limited, to: (a) use of a nearby private area (such as a gender neutral restroom, gender neutral changing room, nurse's restroom, or a nurse's office); (b) a separate changing schedule, or
(c) use of private area within a public area (such as, an area separated by a curtain, or a bathroom or changing stall with a door). Schools will consult with an employee or a student and the parents/guardians of the student if they are involved in the process, or, in the case of a younger student, with the student's parents/guardians, to ensure accessibility and address any concerns that may arise.

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Physical Education Classes and Athletic Activities

In those instances where there are gender-segregated classes or activities as opposed to co-educational classes and activities, a student must be allowed to participate in a manner consistent with the student's gender identity.

Dress Codes

An employee or student must be permitted to dress in compliance with the school district's dress code in a manner consistent with the student's or employee's gender identity. School staff shall not enforce a school's dress code more strictly against transgender and gender- nonconforming employees or students than other employees or students.

Other Gender-Based Activities, Rules and Practices

Schools should review and evaluate any gender-based activities, rules and practices currently being utilized, and replace such gender-based activities, rules and practices with non-gendered alternatives. If there is a clear and sound pedagogical purpose to retain a gender-based activity, rule or practice, an employee or student must be allowed to participate in the activity, rule or practice in a manner consistent with the employee's or student's gender identity.

Overnight Housing for Field Trips

Students must be allowed to be housed according to their gender identity. If a student requires specific accommodations, the student or parent/guardian will contact Administration at the school to make these arrangements.

Education and Training

The school district shall incorporate training about transgender and gender-nonconforming students into its anti-bullying and non -discrimination curriculum, student leadership training and staff professional development in order to promote a safe and supportive environment for all students and staff.

Consistent with this policy and applicable laws and guidance, the Superintendent of Schools shall promulgate administrative procedures to address steps that school staff should take to create a culture where transgender and gender-nonconforming students feel safe, supported and fully included. The administrative guidelines should, at a minimum, address the following areas: gender transition, names and pronouns, privacy, confidentiality and student records, gender markers on student records, restrooms, locker rooms and changing facilities, physical education classes, intramural and interscholastic athletic activities, dress codes, and other gender-based activities, rules, policies and practices, and education and training.

MSC Adopted: 3/15/18

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12.8 ADDITIONAL INFORMATION: SECTION 504 OF THE REHABILITATION ACT

Adopted by the Milford School Committee

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against persons with a disability in any program receiving federal financial assistance. In order to fulfill obligations under Section 504, the Milford Public School District has the responsibility to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person with a disability should knowingly be permitted in any program and practices of the school system.

The Milford Public Schools has the responsibility under Section 504 to identify, evaluate, and if the student is determined to be eligible under Section 504, to afford access to appropriate educational services.

If the parent or guardian disagrees with the determination made by the professional staff of the school district, s/he has the right to a hearing with an impartial officer.

The Family Educational Rights and Privacy Act (FERPA) also specify rights related to educational needs. This Act gives the parents or guardian the right to: (1) inspect and review his/her child's educational records; (2) make copies of these records; (3) receive a list of the individuals having access to those records; (4) ask for an explanation of any item in the records; (5) ask for an amendment to any report on grounds it is inaccurate, misleading, or violates the child's rights; and (6) request a hearing on the issue if the school refuses to make the amendment.

Questions should be directed to the designated Section 504 Coordinator.

12.9 APPENDICES TO POLICY

Responsibilities of School Personnel and Students in Relation to Witnessed or Reported Bias Incidents

1. All Personnel and Students

- i. **Report bias incidents and civil rights violations** to the school civil rights administrator.
- ii. **Be familiar with basic facts about hate and hate crimes**, so as to be able to identify bias incidents and have an understanding of the dynamics.
- iii. **Challenge biased attitudes and behavior** whenever encountered in school and outside.
- iv. **Report hate crimes to police**, and summon help in an emergency.
- v. **Uphold school civil rights and safety policies** and remain vigilant and alert for violations.

- vi. **Take responsibility** so as to make a difference in stopping hate, finding and creating individual and group opportunities for action and involvement.

2. Teachers Only

- i. **Set guidelines for classroom behavior** to avoid hurt feelings and promote respect.
- ii. **Respond to and challenge insensitive behaviors** like name calling and exclusion of children who are different.
- iii. **Instruct against hate and prejudice**, where this message is apropos to classroom subjects and lessons.
- iv. Look for and help implement **proactive programs and strategies** to promote tolerance and stop hate conduct.

3. School Staff Specifically

- i. **Challenge and try to stop bias incidents** when witnessed or encountered in progress if a safe opportunity is presented.

4. Civil Rights Designees Specifically

- i. **Be available to receive reports of civil rights violations** from students, faculty and other administrators.
- ii. **Respond promptly to a report of a civil rights violation** by intervening if possible, ensuring that students are safe and free from harassment, and by starting an investigation and quickly ascertaining the facts.
- iii. **Put a stop to ongoing harassment** immediately and effectively, and refer victims to support services and resources available in the area.
- iv. **Take remedial, corrective, and disciplinary action** as the circumstances established by the investigation, school policies, and the Code of Conduct, warrant.
- v. **Take steps to avert retaliation** against students who report civil rights violations, and act immediately to ensure student safety and freedom from harassment.
- vi. **Communicate and coordinate efforts with police** on a regular, ongoing basis, and develop a working partnership with police officers assigned to schools and civil rights issues.
- vii. **Undergo specialized training** to maintain knowledge of hate crimes and civil rights issues as they affect schools.
- viii. **Coordinate school prevention programming and activities**, drawing on available resources and tools

12.10 MILFORD PUBLIC SCHOOLS COORDINATORS 2020-2021

Title VI - Dr. Craig Consigli

Title I - Carol Svirsky, Director

Title IX - Katheen Perry, Coordinator

Section 504 – Lisa Kingkade, Section 504 Coordinator

12.11 MEMORANDUM OF UNDERSTANDING *Approved MSC: 1/8/15*

RE: COMMUNICATION PROTOCOL INVOLVING THE SCHOOLS AND THE POLICE

GENERAL PROCEDURES

The Milford Public Schools, the Milford Police Department and District Attorney for the Middlesex District agree to coordinate their response to violent criminal acts, serious delinquent behavior, and improper alcohol and drug use which occur on school premises or at school-sponsored events.

This initiative is designed to ensure a safe and secure school environment for all students, to effectively address the illegal use of drugs or alcohol, weapons, hate crimes, and violence, and to provide teachers with confidence that there is a consistent, cooperative effort by appropriate officials to prevent crime in the Milford Public Schools.

It continues to remain the sole prerogative of school officials to impose discipline for infractions of school rules and district policies. The Milford Public Schools agree that reference to this Memorandum of Understanding shall be made in each school handbook providing a written code of conduct pursuant to M.G.L. Chapter 71, Sections 37H, 37H1/2, and 37H3/4.

School, police, prosecutors, probation officers, and social service professionals must share information so that the Criminal Justice System may prioritize prosecution of those cases involving individuals most likely to pose a threat to the community and identify other children in the court system who are in need of support services.

OBJECTIVES

- A. To provide a system of prompt reporting to law enforcement of any violent criminal acts or serious delinquent behavior.
- B. To implement a court team approach for sharing information regarding the behavior and background of students appearing before the court system and to coordinate responses to criminal/delinquent behavior.
- C. To provide available programs for at-risk youths.
- D. To establish and work with an advisory committee which can include representatives of the school age population, local police, clergy, parents, teachers, school administrators and community agency representatives which shall make recommendations to appropriate school officials and parent groups regarding more effective ways to promote an awareness of the dangers of drug abuse and sound preventative measures.

PROCEDURES

While acknowledging that school officials are not agents of the police or the Commonwealth and that the Commonwealth and the police are not agents of the school, the school and police agree to coordinate their efforts for reporting criminal/delinquent behavior.

- A. The Superintendent of Schools and the school principals are responsible for reporting acts. The Police Chief shall designate an officer (or officers) to coordinate all reported acts.

A **mandated reportable act** shall include:

- 1. Any serious incident of assault, destruction of property, or theft;
- 2. Violation of a restraining order;
- 3. Possession of a firearm or other illegal weapon;
- 4. Illegal possession, actual or constructive, or the sale or distribution of what is reasonably believed to be a controlled substance as defined by state law;
- 5. The sale or distribution of a drug which is believed to be a controlled substance under state law.

A **discretionary reportable act** shall include, but not limited to:

1. Any student's violation of a state criminal statute which warrants reporting, but is not as serious as a mandatory reportable act; and
 2. Finding any student, regardless of age, who is reasonably believed to be under the influence of alcohol or drugs.
- B. Any teacher or other school employee who has reasonable grounds to believe that a student has committed a mandatory or discretionary reportable act, as defined above, shall report the student to the Principal or Superintendent.
- C. The Principal/Superintendent shall inform the student and his/her parent or guardian of the nature of the offense and that certain offenses must be reported to the police. The Principal/Superintendent may offer the student the opportunity to respond to the report.
- D. The Principal/Superintendent shall in the case of a mandatory reportable act notify the police of the incident and the existence of any physical evidence. In addition, the Principal/Superintendent will comply with M.G.L. Chapter 71, section 37L, requiring that an incident involving a student possession or use of a dangerous weapon on school premises at any time be reported in writing to the Chief of Police.
- E. Any incident which involves the possibility of serious injury should be reported immediately to the Police Department by reporting directly to an officer assigned to the school or calling 911 and notifying the department that it is an emergency school incident.
- F. In a non-emergency situation, where there is no threat of serious physical harm, the crime/delinquent behavior should be reported to the Police Department. The department will then investigate the incident. After this investigation, where appropriate, an application for a delinquency complaint will be made to the Milford Juvenile Court (or in some cases to the Milford District Court, adult session.)
- G. It is often that school personnel cooperate further with police after a complaint is made. This may require giving a statement to the police and, on occasion, testify in court.
- H. School personnel are permitted to search a student's clothing, personal possessions, or locker at the direction of the Principal/Superintendent if there is a reasonable basis for believing that the student is concealing material the possession of which is prohibited by federal, state or local law, or the provisions of the School Discipline Code.
- I. The Principal/Superintendent shall inform students in writing at the beginning of each school year of this practice. The Principal/Superintendent should keep record of such searches, detailing time, place, reasons, and witnesses.
- J. Upon notification from the Principal/Superintendent, police shall respond in cases of mandatory reportable acts and may respond in other cases.
- K. Those student offenders who have reached their seventeenth birthday will be prosecuted through the regular court system. Non-students involved in such behavior occurring in school premises or at school events are also to be reported pursuant to this agreement.

CONCLUSION

The Milford Police Department and the Milford Public Schools are committed to safe schools. The immediate reporting, prompt investigation and speedy prosecution of serious criminal conduct will help to provide the secure environment which each student deserves and will send Milford students and their families an appropriate message that criminal behavior will not be tolerated.

CHAPTER 13: IMPORTANT TELEPHONE NUMBERS AND ADDRESSES

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Director of Digital Learning, Informational Technology, and Innovation

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English Language Program Director,

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Director of Nursing

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Title I Director

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