



**Clarksburg School  
Student Handbook  
2021-22**

**Staff**

**Administration**

Principal	Tara Barnes
Administrative Assistant	Mary Giron
Dean of Students	Jami Hall
Academic Support Coordinator	Jennifer Stratton

**Elementary Grades**

Grade PK	Mary Quinto
Grade K	Cathy Howe
Grade 1	Melissa Rusek
Grade 2	Colette Klein
Grade 3	Kimberly Rougeau
Grade 4	Kim Parker
Grade 4	Pamela Babcock
Grade 5	Heather Brzykcy
Instructional Aide	Jessica Wimpenny
Instructional Aide	Jillian Gummeson
Instructional Aide	Misty Cooper
Instructional Aide	Cody Wemette
Instructional Aide	Erica Pecor
Instructional Aide	Linda Neville
Interventionist Aide	Natalie Howe
Special Education Aide	AJ Drennan
Student Support Aide	Krisy McNeice

**Junior High**

Math	Brenda Johnson
Language Arts	Michael Little
Social Studies	Mark Karhan
Science	Audrey Witter

### **Special Education**

Special Ed. Coordinator	Jami Hall
Special Ed. Teacher	Emily Rosselli

### **Specialists**

Physical Education	Natalie Howe
Art	Erica Pecor
Music	Thomas Crean

### **Related Services**

Speech/Language	Jamie Boucher
SPL Assistant	Jordan Rennell
Occupational Therapist	Christin George
OT Assistant	Katelynn Iacuesssa
Physical Therapist	Caitlin Grant

### **Support Staff**

School Custodian	Michael Peters
School Nurse	Laura Martelle
Cafeteria Manager	Jim Callahan
Cafeteria Staff	Mark Lesage
	Merriam Serrano

**All students in the Clarksburg Elementary School, regardless of race, color, sex, gender identity, religion, national origin, sexual orientation, disability, or homelessness, have equal access to the general education program and the full range of any occupational/vocational education program offered by the district.**

## ***I. COMMUNITY INVOLVEMENT***

### **SCHOOL COUNCIL**

Under the *Massachusetts Education Reform Act*, each school is required to have a school council. The council is made up of the principal, teachers, parents, and members of the community. The duties of the council are to assist the principal in adopting educational goals, identify education needs, review the school budget, and formulate a school improvement plan. Council meetings are held at least four times a year.

### **PARENT TEACHER GROUP (PTG)**

The Clarksburg Elementary School has an active PTG. The PTG provides information, communication, and through its fund-raising efforts, financial support for school activities and programs. The PTG meetings are listed on the monthly school calendar and notices are sent home before each meeting. Parents and teachers are encouraged to participate in these meetings so that decisions can be made which best reflect the wishes of the entire PTG membership.

## ***II. GENERAL INFORMATION***

### **SCHOOL HOURS**

Students begin to enter the building at 8:20 a.m. and are dismissed at 3:00 p.m. Classes begin at 8:30 a.m. Students arriving later than 8:35 a.m. are considered tardy. On early release days, students are dismissed at 11:30 a.m. Since there is no before-school supervision, parents are asked to not drop their children off at school before 8:20 a.m. Students receiving breakfast do so upon their arrival.

### **SCHOOL DROP-OFF AND PICK-UP PROCEDURES**

When picking-up and dropping off students, parent(s)/guardian(s) are required to wait in their car while lining-up around the center island in the parking lot. At arrival, children should not exit their car until a staff member approaches. At dismissal, parent(s)/guardian(s) should line-up in the same manner and wait while students are safely put in their car by a staff member. Students are not permitted to walk or bike to school unless given permission through a coordinated event.

### **SCHOOL CANCELLATIONS AND DELAYS**

Cancellation and delay announcements will be made on area radio stations, TV, by automated messenger calling, and postings on the school website. If it is necessary to dismiss students during the school day, every attempt will be made to contact parents through announcements on the radio, the web site, by email and phone.

### **ATTENDANCE**

Attendance is critical for student success. Acceptable reasons for absence are illness, religious observance, death of a family member, hazardous weather, health treatment, or significant personal reasons judged excusable by the parent(s)/guardian(s) and the administration.

If a student is going to be absent, parent(s)/guardian(s) are to call school before 9:00 a.m. This procedure is to insure the safety of the children. If a parent or guardian does not call, the school will contact them at home or at work.

The complete Clarksburg School Attendance Policy can be found on the school website.

### **DISMISSAL**

If students are to be dismissed during the school day, they must bring a note from their parent(s)/guardian(s). If possible, medical and dental appointments should be scheduled for after school hours. Students wishing to leave early must have a valid reason explained in the note. Students will wait in the office and be released to the care of the appropriate person.

### **LATE ARRIVALS**

Tardiness to school can be disruptive and detract from the learning process. Because students are often late due to adult issues, we ask for your help in having your child at school on time.

Students who arrive late to school should report to the office and obtain an admission slip. A tardy student must have a note from their parent/guardian indicating the reason for the late arrival. Please see the Attendance Policy online for more information.

### **LEAVING SCHOOL GROUNDS**

No student is permitted to leave school grounds during the school day without permission. Any students leaving the school grounds will receive consequences at the principal's discretion. Police may be called if the situation is warranted.

### **ENTRANCE REQUIREMENTS**

Students entering kindergarten must be five years old by August 31 of the year that they enter. Parent(s)/Guardian(s) of students entering kindergarten must provide evidence of a birth date, as well as a record of current immunizations and lead screening. Proof of residency is required for all new students as per our Residency Policy posted on our website.

### **TRANSFERS**

Parent(s)/Guardian(s) of students transferring from other school systems will be asked to sign a record release form to enable the Clarksburg Elementary School to obtain the student's records.

### **STUDENT RECORDS**

Under Massachusetts law, the school may release the following student information: name, address, telephone number, date and place of birth, attendance records, participation in activities or sports, and honors or awards. If parent(s)/guardian(s) **DO NOT** want this information released, they must contact the school.

## **BUS TRANSPORTATION**

All students are transported to and from school by bus. Pre-Kindergarten students must be transported by parents. The bus company determines bus routes and bus stops. Prior to the start of the school year, the bus schedule is listed in the local newspaper. Students are assigned a bus route based on the location of their home. Arrangements must be made with the bus company for students who will be picked up or dropped off at other locations (i.e., daycare homes). The school must also be notified.

If your child will be attending an after-school program and will be picked up by program vans, the school must be notified. The school must also be notified if your child will be going to a different destination (grandparent, friend, etc) at dismissal.

## **FIRE DRILLS and SCHOOL SAFETY DRILLS**

Unannounced fire drills are routinely practiced throughout the school year under the supervision of the local authorities. During a fire drill everyone must leave the school building. Announced and unannounced school safety drills will be practiced throughout the school year under the supervision of the administration and occasionally the Massachusetts State Police. These drills are to educate the children on how they should react to an intruder or other threatening emergencies.

## **OUTDOOR RECESS**

Recess is held outdoors except when it is raining or the temperature or wind chill factor is below 10 degrees. Please send your child properly dressed for playing outdoors with a warm coat, snow pants, hat, mittens, and boots.

All children are expected to adhere to the rules of the playground, in order to ensure their safety.

## **SCHOOL PICTURES**

Every year, individual and class pictures are taken in the fall. If parent(s)/guardian(s) would like to choose to purchase individual pictures, payment is required on the day that the pictures are taken. If you are unable to afford pictures, please call the office to inquire about scholarship opportunities.

## **HEALTH SERVICES**

Health services are provided by the school nurse. A school nurse is at the school from 8:30 a.m. until 3:00 p.m. each day.

If a student is not well enough to remain in school, the parent(s)/guardian(s) will be called and expected to provide or arrange for the child to be transported home. Please do not send your child to school if they have had a temperature or has vomited within the previous 24-hour period.

Each year the students are checked for height, weight, hearing, and vision. In grades 5-8, students are also checked for scoliosis. A voluntary fluoride rinse program is available for students in grades 1-5. Permission slips and descriptive materials are sent home early in the school year.

### **MEDICATION**

If a student must receive medication while in school, the medication must be brought to school by the parents/guardians. All medication must meet the following conditions:

1. Must be in original pharmaceutical container.
2. Must have prescription label indicating name of medication, child's name, dosage directions, doctor's name and date.
3. Must be accompanied by a dated note from a doctor containing instructions for administering medication.
4. Must be kept in the nurse's office.

### **PEDICULOSIS POLICY**

Pediculosis (head lice) can spread rapidly among children and families. The North Berkshire School Union recognizes that a child can lose substantial amounts of instructional time due to the presence of pediculosis. In an effort to reduce loss of instructional time, the following policy has been developed.

School nursing staff will perform pediculosis checks on an as needed basis. Children who have live lice or large clusters of nits less than one inch from the scalp will be sent home for treatment. Parent(s)/Guardian(s) will receive written and verbal instruction regarding treatment and will also be referred to the child's doctor for potential prescription treatment if necessary.

Upon returning to school, the child must check in with the nursing staff to ensure all live lice and clusters of nits are gone. Any student with live lice will again be sent home for further treatment through their physician. Children with nits will be allowed to stay in school with a phone call to a parent to notify that the student will still need continuous combing and removing of nits.

School nursing staff will contact the doctor of any child who, after three treatments, remains infested or becomes reinfested with pediculosis. School nursing staff may also offer assistance of nit removal during school time, with parental permission.

### **SCHOOL LUNCH PROGRAM**

The school lunch program is a self-supported division of the school district. Menus are planned by the cafeteria manager in accordance with federal guidelines. The school lunch menu is posted on the school website each month.

An application for free or reduced lunch is sent home on the first day of school. If family circumstances change, forms can be requested throughout the school

year.

To facilitate the collection of money, parents are encouraged to send lunch or milk money on the first day of each week. Payment can be made by cash or a check made payable to the *Clarksburg School Cafeteria*.

As per our Lunch Charging Policy, students who accrue outstanding debt in the amount of \$14 or over will not receive a hot lunch until the debt is accounted for.

**Cost:**

Lunches	3.00
Breakfast	1.75
Milk	.50

Snacks are also available. No food from local restaurants should be brought in and dropped off for lunch in the cafeteria.

**LOST AND FOUND**

In the front hallway of the school there is a large box that contains lost objects. Feel free to come to the school and search through the box if your child has lost something or encourage your child to look while at school. If at all possible, please place your child's name in jackets, sweatshirts, lunch boxes, and hats.

**LOCKERS**

Each student will be assigned a hall locker in grades 3-8. They are for the individual use of students and should not be shared. All students must realize the importance of proper locker security. Because the locker is the property of the school and not the student, the administration has the right to open and examine the contents of a student's locker at any time. The use of the locker is entrusted to the student, and it is the obligation of each student to keep the locker neat, orderly, free of marks/writing and secure at all times.

**NO SMOKING POLICY**

State law prohibits smoking in school buildings, on school grounds, and on school buses for all students, staff and visitors. This includes all types of e-cigarettes, or other products containing tobacco. Students caught smoking on school grounds or in possession of paraphernalia will be result in suspension.

**BICYCLES**

For safety reasons, students are allowed to ride their bicycles with either their parents permission (grades 4-8) or with parent supervision (grades PK-3).

## **DRESS CODE**

Students' attire should not be distracting to the academic process, unsafe or suggestive in any way. Since we are a K-8 school, this might be interpreted differently depending on the age and the grade level of students. For this reason, the ultimate decision on appropriateness will rest with the principal. Be assured that all efforts will be made to assist families who, for economic reasons, find it difficult to provide clothing that is appropriate and in compliance.

- Clothing should be free from excessive tears
- Shirts and tops should have straps that are at least 2 adult fingers wide and long enough to cover all the midriff area. Tops should not reveal cleavage.
- No pajamas or slippers should be worn to school (unless it is pajama day)
- Underwear should not be showing
- Shorts should be at **mid-thigh** length
- Hats are not worn in the school or in buildings visited on field trips
- No writing across the backside of pants and shorts
- Clothing should not be excessively tight. Attire like yoga pants and leggings should not be worn unless a top is worn that covers the hip area.
- All clothing should be free of sexual and/or drug related slogans and advertising, including cigarettes and alcohol.
- Clothing should not contain writing or messages that are derogatory and offensive.

Students who come to school with inappropriate clothing will be allowed to call home for a change of apparel. If parents cannot be reached, students will be required to wear something from our collection if there is a size that fits. Repeated infractions will result in detention.

In cold weather, please make sure your child is appropriately attired with jackets, gloves/mittens, boots, hats and snow pants.

## **STUDENT SUPPORT CENTER**

A student support center is staffed with an assistant to help support students who need a break from the classroom for a social, emotional or behavioral need. This is a place for students to RESET from a conflict or incident, begin to think through a plan with adult support to REPAIR and RESTORE in order to solve the conflict. The Student Support Center is a safe space for students to vent and stabilize their emotions, not assign consequences. Consequences and discipline is handled by the classroom teacher or administration depending on the incident. On-going support for social emotional needs is facilitated by the Dean of Students and School Adjustment Counselor.



### **III. INSTRUCTIONAL PROGRAMS**

#### **CORE CLASSES**

##### ***English/Language Arts (ELA)***

The English Language Arts curriculum teaches the foundational building blocks and skills necessary for success across all content areas. Students at Clarksburg school will experience a rich language environment where they will be challenged to grow in all areas of language development: oral communication, reading comprehension, written expression, and the mechanics of writing. At each grade throughout their k-8 experience, students will be engaged and challenged with a developmentally appropriate curriculum. Upon leaving Clarksburg School, in preparation for success in their high school endeavors, each student will be able to:

- engage in conversations within different settings (speaking to a partner, small group, whole class)
- read, comprehend, and analyse complex literary and informational texts independently and proficiently
- produce a clear and coherent writing piece in which the development, organization, and style are appropriate to a specific task, purpose, and audience
- be proficient in the conventions and usage of the Standard English grammar and acquire an extensive vocabulary across content areas that will enable them to be skillful and ready for high school.

We believe in our students and we will work to help each individual student meet their highest academic achievement. We believe all our students can learn and be highly successful when provided with the highest standards of learning.

##### ***Mathematics***

Clarksburg School strives to provide “the highest quality mathematics education for every student”. Students experience curriculum, instruction, and assessments that are dynamic, intellectually challenging, and attentive to diverse needs.

In order to attain this vision, students will develop problem solving and reasoning skills through the use of mathematical models, technology, and multiple representations. Students will use mathematical tasks to activate their interest and intellect. Students will experience mathematical content connected and integrated across courses and between levels, at the same time ensuring that material coincides with state and national standards. In addition, students will be able to communicate their math knowledge through frequent discussion and writing. They will demonstrate their learning and progress towards explicit learning goals through a variety of assessments.

When students leave Clarksburg School, they will be able to:

- make sense of problems and persevere in solving them
- reason abstractly and quantitatively
- construct viable arguments and critique the reasoning of others
- apply the mathematics they know to solve problems in everyday life
- use appropriate tools when solving mathematical problems
- communicate precisely to others using appropriate math language
- look for and make use of structure and repeated patterns

“Math gives us a language to help understand the world, and we use the world to understand Math.”

### ***Science***

The science curriculum of Clarksburg Elementary School is centered on four major domains: Earth and Space Science, Life Science, Physical Science, and Technology and Engineering. Each grade level will focus on certain core ideas taken from the Massachusetts Curriculum Frameworks for science. Students will begin to recognize patterns and formulate answers to questions about the world around them. They will engage in knowledgeable discussions and debates regarding science and technology and apply scientific knowledge and skills in real-life situations. Our engaging science curriculum strives to instill a sense of curiosity and interest in students at all grade levels. Our students will be able to recognize problems in their community and generate ideas to improve the quality of their lives and the lives of those around them.

- Asking questions and defining problems
- Developing and using models
- Planning and carrying out investigations
- Analyzing and interpreting data
- Using mathematics and computational thinking
- Constructing explanations and designing solutions
- Engaging in argument from evidence
- Obtaining, evaluating, and communicating information

### ***Social Studies***

The Clarksburg Elementary School Social Studies curriculum offers the opportunity for students to acquire a mastery of the fundamental concepts and disciplines of geography, history, civics, economics and government. Students will engage in learning opportunities that will give them the knowledge and comprehension of the past that is necessary for succeeding in the present and planning for the future.

Clarksburg students will become educated and responsible citizens who will positively affect the communities in which they live, both now as students and in the future as adults. Working within the parameters of the guidelines set forth by the National Council of Social Studies, students' awareness of the social studies will begin to develop in an egocentric manner, then advance to broader and more structured concepts of social studies in the upper grades. Students will visit and revisit, in a multitude of contexts, the knowledge, skills, concepts, and attitudes to enable them to participate successfully in a democratic society. Students will engage in the content through structures such as debate, role play, research projects, artistic projects, mapping, interviews, other community fieldwork and additional meaningful activities.

Today's ever-changing world demands cooperative and independent problem solving to address challenging social, economic, ethical, and personal concerns. The social studies are as essential for survival as reading, writing, and computing. Clarksburg Elementary School will serve as a laboratory for students to explore and foster skills necessary for responsible social participation in a global community.

## **SPECIALISTS**

**Art-**Students in Grades PK-8 have one period of art instruction each week with an art teacher. Students will also have an opportunity to participate in collaborative art programs with Mass MoCA. It is hoped that students will come away from these programs with a greater appreciation of the arts.

**Health-** Students in grades K-8 have health class on a weekly basis provided by the School Nurse.

**Music-**Students in grades PK-8 have one period of music instruction each week with the music teacher.

**Physical Education-**Students in grades PK-8 have one physical education classes each week.

**Technology-**The administration makes every effort to update technology at Clarksburg Elementary School. In support of the Massachusetts Department of Education Technology Standards, the staff is committed to making technology an important tool to support learning. Technology is integrated into the classroom where there is a 1:1 ratio with students and Chromebooks or tablets.

**Library-** Students have opportunities to visit the Town Library with their classroom teacher.

## **PREKINDERGARTEN PROGRAMMING**

Clarksburg School will offer a PreKindergarten class for residents who are 3 or 4 years old for the 2021-22 school year. Students must turn 3 or 4 by September 1 to register. Enrollment priority will be given to students on IEPs, then 4 year olds, then 3 years olds if there are more students registering than our cap enrollment number (15).

## **CURRICULUM REVIEW AND CIVIL RIGHTS CRITERION**

The North Berkshire School Union (Gabriel Abbott Memorial School, Clarksburg Elementary School, Emma L. Miller Elementary School, Rowe Elementary School) ensures that individual teachers in the union review all educational materials for simplistic and demeaning generalizations, lacking intellectual merit, on the basis of race, color, sex, gender identity, religion, national origin and sexual orientation. Appropriate activities, discussions and/or supplementary materials are used to provide balance and context for any such stereotypes depicted in such materials. (Adopted from Massachusetts Department of Elementary and Secondary Education Civil Rights Criterion) To meet required criterion, individual teachers are also asked to evaluate personal stories and sharings to allow for balance and context. The school unions also evaluates materials prior to adoption or inclusion into the list of approved resources.

## **INDIVIDUALIZED PROGRAMS**

Students identified as having special needs that require Individual Educational Plans will receive services in area(s) of need from the special education teacher and/or other related service providers.

## **IV. SCHOOL ACTIVITIES**

### **MASSACHUSETTS STATEWIDE TESTING:**

Each spring, students in grades 3-8 are required to take statewide assessments. This year, students in grades 3-8 will take the MCAS tests. A schedule of these tests will be distributed to parent(s)/guardian(s).

### **HOMEWORK**

Teachers assign homework to provide drill and practices, to extend work being done in the classroom, and to build independent work habits.

Parent(s)/Guardian(s) can assist students by arranging a specific time for homework and providing a quiet work area.

Study halls are held during recess for those children who need assistance with completing their homework in a timely manner.

### **REPORT CARDS/PROGRESS REPORTS**

Report cards are issued three times a year (December, March, and June) for grades K-8. Progress reports are issued at midterm on an as needed basis.

### **HONOR ROLL CRITERIA**

An honor roll is published each trimester for students in Grades 6-8. The criteria are as follows:

High Honors- All A's

Honors-A, B

Honorable Mention-A, B, (1) C

Students enrolled in intervention or enrichment courses must receive a grade of passing to be considered for honor roll.

### **STUDENT-LED CONFERENCES**

Students actively engage in conferences with their parents and teacher to report on their goals and learning progress. Conferences are held in November and May. Parent(s)/Guardian(s) and teachers are encouraged to schedule additional conferences as needed.

### **FIELD TRIPS**

Field trips are taken by classes throughout the school year to enrich the school curriculum. A general field trip permission form will be sent home at the beginning of the year to cover all field trips. Parent(s)/Guardian(s) will be informed of field trips through the monthly newsletter or notes from individual teachers. The teacher and/or principal may not allow a child to go on a field trip because of continued or severe misbehavior.

### **HIGH SCHOOL PREPARATIONS:**

Beginning with parent conferences, the eighth grade advisor discusses school choices for the eighth grade (Drury and McCann). At that time, the advisor reviews up and coming events during the year that both schools offer with the parents so that students and parents can hear about and see these two schools.

#### **McCann:**

In early fall, a representative comes from McCann Vocational/Technical School to discuss available programs (shops), entrance requirements, and extracurricular activities that McCann offers. At this time, application forms are given to the students for the after school "Exploratory Program". These applications are due in the beginning of January. In January, on Tuesdays, Wednesdays and Thursdays, eighth grade students travel to McCann to participate in the shops available at the school from 3:00 p.m. to 4:30 p.m.. On each trip to the school, provided by the

McCann school, the students learn about each shop and usually make something they can bring home. At this time, students are given an application to fill out (one side for the teachers, and one side for the parents). These applications are due before February vacation. By May, McCann announces who has been accepted.

**Drury:**

Drury has an open house for students during the school day. Students travel to each department and are given an overview of the kind of classes available in each department. They are told the requirements for each level (honors, college prep., etc). At this time, students are also told about extracurricular activities available. Sometime in May, a guidance counselor comes to the school to help students who have decided to go to Drury with their application forms. At this time, they will answer questions the students may have about classes and choices.

## ***V. DISCIPLINE/BEHAVIOR***

### **SCHOOL-WIDE DISCIPLINE PLAN**

The purpose of the school-wide discipline plan is to make school a safe and welcoming place where everyone can learn and to help students develop the self-discipline necessary to become productive members of the school community.

The goals in establishing a school-wide discipline plan are as follows:

1. To provide students with a list of expected behaviors and a list of consequences if these expectations are not met.
2. To inform parents of behavioral expectations and solicit their support.
3. To communicate behavioral expectations to all staff members so as to assure consistency in all areas and throughout the school day.

In implementing the plan, the following will occur:

1. Homeroom teachers will be informed and/or involved in all incidents of misbehavior.
2. Consequences will be based on the seriousness of the incident and the grade level of the student.
3. Consequences will relate logically to the misbehavior.
4. Parents will be involved in incidents that are persistent or when deemed necessary.

The Clarksburg Elementary School staff always prefers to reinforce appropriate behavior and the respect for others, but when disciplinary action is necessary, the focus will be on helping the student to understand the problem and make a commitment to change his/her behavior. In discipline, as in other areas, we greatly need and appreciate the support of parents.

Before determining any consequences, there will be a concerted effort to assure that the student's perspective has been heard and investigated fairly.

Parent(s)/Guardian(s) who have concerns about any disciplinary action should

contact the teacher, principal, or superintendent, who will follow-up on those concerns.

### **GENERAL BEHAVIORAL EXPECTATIONS**

- Students will show respect for self and others.
- Students will show respect for school property and the personal property of others.
- Aggressive physical contact will be unacceptable.
- Students will use appropriate verbal and non-verbal language.
- Students will act in a manner that will promote a safe environment.

### **GENERAL CONSEQUENCES**

Consequences will match the misbehavior whenever possible. Consequences may not necessarily be administered in the following order.

- Student/teacher conferences
- Parent involvement
- Conference with principal
- In-school detention during lunch/recess
- After-school detention
- Clean-up detail and/or reimbursement for damaged property.
- Loss of certain school privileges, such as school dances, trips.
- In-school suspension
- Out-of- school suspension
- Expulsion
- In cases of harassment, drugs, and damage to school property, involvement of police and/or special resource personnel.

### **SPECIFIC SITUATIONS**

#### **Cell Phones and Electronic Devices**

The use of cell phones and electronic devices are prohibited in school, at school functions or on the school bus. Electronic devices may be used to listen to music on the school bus to and from school and on field trips. **They should be put away when entering the school building.** Electronic games are not allowed on the school bus or in school. Taking pictures or videos of students on the bus is strictly prohibited.

If a student brings a cell phone to school, the phone must be turned off and placed in the student's locker. If a student is found to have a cell phone on his/her person, they will be subjected to the following consequences:

1<sup>st</sup> Offense-The phone will be taken away and a parent/guardian will be required to pick it up. The student will receive an administrative detention.

- 2<sup>nd</sup> Offense-The phone will be taken away and a parent/guardian will be required to pick it up. The student will receive 2 administrative detentions.
- 3<sup>rd</sup> Offense-The phone will be taken away and a parent/guardian will be required to pick it up. The student will not be permitted to bring the cell phone to school for an extended time period.

### **Physical Aggression**

Physical aggression that is deemed to be more than “horseplay” or does not stop immediately with adult intervention will not be tolerated.

- 1<sup>st</sup> Offense: Administrative Detention\*
- 2<sup>nd</sup> Offense: One day in-school suspension\*
- 3<sup>rd</sup> Offense: Two days in-school suspension\*
- 4<sup>th</sup> Offense: Out of school suspension\*

*\*School discipline consequences may be imposed beyond each offense depending on intent and severity of the incident.*

### **Vandalism**

Any student who vandalizes or steals school property will be required to replace or repair all materials involved. If damage is done to school property accidentally as a result of the student’s behavior, the student may be required to repair or replace all materials. Students who damage school property or steal will be subjected to consequences for his/her behavior at the discretion of the principal.

### **BUS RULES:**

- Listen to and obey driver
- Find a seat and stay seated
- Talk in a quiet voice
- No fighting or harassing of others
- Keep hands and belongings in windows
- Show respect for property of others
- Treat bus and equipment with respect
- Walk at all times
- No pushing or shoving
- Do not throw objects
- No dangerous objects or illegal substances
- No eating, including candy or drinking

Bus transportation is a privilege that may be revoked if continued misbehavior occurs. For all school bus offenses, students will receive a notice for each incident, which must be signed by a parent/guardian and returned to school.



- 1<sup>st</sup> Offense: Warning
- 2<sup>nd</sup> Offense: Assigned seat on bus
- 3<sup>rd</sup> Offense: Loss of privileges at school
- 4<sup>th</sup> Offense: Detention

## **BULLYING PREVENTION**

Bullying is much more than teasing. While many bullies tease, others use violence, intimidation, and other tactics. Bullying is a continuum of behaviors that range from name-calling to assault. There are two main types of bullying behavior-physical bullying includes such tactics as tripping, kicking, stealing, and shoving. Emotional/social bullying includes gossiping, name calling, publicly humiliating the victim, spreading rumors, or convincing others to reject or isolate the victim. Bullying will not be tolerated at school or on the school bus.

Clarksburg's complete bullying prevention plan can be accessed through the school website. The following are excerpts from that plan:

### **A. PROHIBITION AGAINST BULLYING, HARASSMENT AND RETALIATION**

At the Clarksburg School, we will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyber bullying, or retaliation, in our school building, on school grounds, on school buses and at bus stops or in school related activities, including actions outside of the school day that impact the educational environment. School personnel will investigate promptly all reports and complaints and take prompt action to end the behavior and restore safety in the school environment. The District's Bullying Plan is a comprehensive approach to address bullying and harassment. The Clarksburg School is committed to working with students, staff, families, law enforcement agencies, and the community to prevent issues of violence.

### **B. CODE OF CONDUCT**

At Clarksburg School, we want to ensure that all interactions amongst students, staff, and parents are respectful, honest, courteous, sensitive, tactful, and considerate. This school has a legal and moral responsibility to provide a safe, educational environment for all students and staff. This code of conduct applies to all adults, including parents/guardians, staff, volunteers, extended family, and visitors while involved in any Clarksburg School activities.

- Be a positive role model
- Speak in an encouraging and positive manner
- Listen actively and offer empathy, support, and guidance when needed
- Regard everyone with respect and dignity
- Respect the rights of others as individuals
- Accept school decisions and follow the appropriate directions
- Any matter or concern related to managing student behavior should be

referred to staff immediately

- Please refrain from public criticism of children and staff of the school

### **C. DEFINITIONS**

**Aggressor:** A student who engages in bullying, cyberbullying, or retaliation

**Bullying:**

As defined in M.G.L. c. 71, 370, is the repeated use by one or more students of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at a target. This act may be based on a power imbalance and:

- 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

**Cyberbullying:**

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, e-mail, instant messaging, text messaging, and internet postings. See M.G. L. c. 71, 370 for the legal definition of cyberbullying.

**Hostile environment:**

As defined in M.G. L. c. 71, 370, is a situation in which bullying causes the school environment to be permeated with intimidation, ridicule, or insult or injury that is sufficiently severe or pervasive to alter the conditions of a student's education.

**Retaliation:**

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

**Reporting Bullying or Retaliation**

Reports of bullying and/or retaliation may be made by staff, students, parents/guardians and others. Reports may be oral or written. Oral reports from staff must be recorded in writing. A school or district employee is required to report immediately to the principal or designee any act of bullying or retaliation he/she witnesses or is aware of.

Anyone who wishes to report an incident of suspected bullying may do so by filling out a bullying form on the school website. They may also make a direct phone call to the principal.

- 1<sup>st</sup> Offense: Administrative Detention\*
- 2<sup>nd</sup> Offense: One day in-school suspension\*
- 3<sup>rd</sup> Offense: Two days in-school suspension\*
- 4<sup>th</sup> Offense: Out of school suspension\*

*\*School discipline consequences may be imposed beyond each offense depending on intent and severity of the incident.*

## **X. LEGAL POLICIES**

### **Special Education Information:**

603 CMR 28.00, the Massachusetts Special Education Law (previously Chapter 766), requires that additional provisions be made for students who have been found by an evaluation team to have special needs and whose program is described in an Individual Educational Plan or 504 Plan.

The IEP or 504 Plan for every student with special needs will indicate whether the student can be expected to meet the regular discipline code or disciplinary measures as are required.

When a student with special needs approaches ten days or more of suspension in a school year, a review of the I.E.P. or 504 Plan will be held to determine the appropriateness of the student's program. The student's Team will be reconvened and will conduct a Manifestation Determination Hearing. If the hearing does not find the student's disability is related to his/her misconduct then the student will be disciplined in accordance with the foregoing discipline policies while being provided Free Appropriate Public Education as determined by the Team. If the Team determines the disability is related to the student's misconduct, then the Team will take appropriate steps to ensure the IEP or 504 Plan is fully implemented and address possible changes to the student's Plan.

If the suspension will result in more than 10 days in a school year, all of the above steps will be followed: and, in addition, written notification and request for approval of an alternative plan will be filed with the Division of Special Education of the Massachusetts Department of Education and a copy will be given to the student's parents/guardians.

### **SECTION 504:**

(Section 504 of the Rehabilitation Act of 1973)

## PARENT'S/STUDENT'S RIGHTS

The following is a description of the rights granted by federal law to students with disabilities. The intent of the law is to keep you fully informed concerning decisions about your child and to inform you of your rights if you disagree with any of these decisions. You have the right to:

1. Have your child take part in and receive benefits from public education programs without discrimination because of his/her disabilities;
- 2.. Have the school district advise you of your rights under federal law;
3. Receive notice with respect to identification, evaluation, or placement of your child;
4. Have your child receive a free appropriate public education (FAPE). This includes the right to be educated with students without disabilities to the maximum extent appropriate. It also includes the right to have the school district make reasonable accommodations to allow your child an equal opportunity to participate in school and school related activities;
5. Have your child educated in facilities and receive services comparable to those provided student without disabilities;
6. Have your child receive special education and related services if s/he is found to be eligible under the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. Chapter 33, P.L. 101-476);
7. Have evaluation, educational, and placement decisions made based upon a variety of information sources, and by and by persons who know the student, the evaluation data, and placement options;
- 8 Have transportation provided to and from an alternative placement setting at no greater cost to you than would be incurred if the student were placed in a program operated by the district;
9. Have your child be given an equal opportunity to participate in nonacademic and extracurricular activities offered by the district;
10. Examine all relevant records relating to decisions regarding your child's identification, evaluation, educational program, and placement;
11. Obtain copies of relevant records at a reasonable cost unless the fee would effectively deny you access to the records;
12. A response from the school district to reasonable requests for explanations and interpretations of your child's records;
13. Request amendment of your child's educational records if there is reasonable cause to believe that they are inaccurate, misleading, or otherwise are in violation of the privacy rights of your child. If the school district refuses this request for amendment, it shall notify you within a reasonable time, advise you of the right to a hearing;
14. File a local grievance, in accordance with the school district's Nondiscrimination grievance procedure;
15. Request an impartial hearing related to decisions or actions regarding your child's identification, evaluation, or placement. You and the student make take part in the hearing and have an attorney represent you. Hearing requests may be made to the Commonwealth of Massachusetts, Department of Education: Bureau of Special Education Appeals, 350 Main Street, Malden, MA 02148-5023 (Phone#: 1-781-388-3300);

16. Appeal to the Office of Civil Rights (OCR), Region I, U.S. Department of Education, John W. McCormack, Post Office and Court House Square, Room 222, Boston, MA 02700;
17. Ask for payment of reasonable attorney fees, if you are successful on your claim.

***The person in this district who is responsible for assuring that the district complies with Section 504 is Jon Friedman, School Adjustment Counselor.***

## **SAFE SCHOOL POLICY:**

The State of Massachusetts requires all public schools to comply with the following:

- (a) Any student who is found on school premises or at a school sponsored or related event, including athletic games, dances, field trips, in possession of a dangerous weapon, including, but not limited to a gun, knife, razor blade; or a controlled substance defined in Chapter 94-C, including, but not limited to marijuana, cocaine, and heroin, may be subjected to expulsion from the school or school district by the principal.
- (b) Any student who assaults a principal, teacher in charge, teacher, teaching assistant, or other educational staff on school premises or at school sponsored or related events, including athletic games, dances, field trips, may be subjected to expulsion from the school or school district by the principal.
- (c) Any student who is charged with a violation of either paragraph (a) or (b) shall be notified in writing of an opportunity for a hearing. The student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the principal. After the hearing, the principal may in his or her discretion decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraph (a) or (b); provided, however, that any principal who decides that said student should be suspended shall state in writing to the school committee his or her reasons for choosing the suspension instead of expulsion as the most appropriate.
- (d) When a student is expelled under the provisions of this section and applies for admission to another school for acceptance, the superintendent of the sending school shall notify the superintendent of the receiving school of the reasons for the student's expulsion.

## **SEARCH AND SEIZURE**

Students should be aware that the courts have upheld the view that a student's locker and desk are not considered the student's personal property. Consequently, students in Clarksburg School are advised that lockers and desks are considered school property and that school personnel have the right to search such property when there is a reasonable suspicion that the contents present a hazard to the student, or other students or faculty, or if it contains illegal materials. School personnel also have the right to search the clothes and personal effects of all

students when there is reasonable suspicion that a student is harboring illegal materials or materials that can be construed as injurious to himself or herself or others in the building. In such a case the administration will advise the student of the charge or state the grounds for reasonable suspicion before conducting such a search. Naturally, illegal or dangerous materials will be confiscated and in extreme cases, the police may become involved.

## **NON-DISCRIMINATION/HARASSMENT**

The North Berkshire School Union (Gabriel Abbott Memorial School, Clarksburg Elementary School, Emma L. Miller Elementary School, Rowe Elementary School) is committed to maintaining and promoting an educational environment free from all forms of discrimination, including harassment. The civil rights of all school community members are guaranteed by law, and the protection of those rights is of utmost importance and priority to the Union. Discrimination, including harassment, on the basis of race, color, religion, national origin, ethnicity, genetic information or testing, sex, sexual orientation, gender identity, age, pregnancy, pregnancy related condition, or disability (hereinafter "membership in a protected class") will not be tolerated. Retaliation against any student or other individual who has complained of discrimination, including harassment, or individuals who have cooperated with an investigation of such a complaint, is also unlawful and will not be tolerated. The union will promptly investigate, remedy any harm, seek to prevent recurrence of such conduct, and will also develop procedures to accomplish this end. This policy applies to conduct directed toward persons associated with the educational community by all other persons associated with the educational community including, but not limited to, students, Union employees, the School Committee, school volunteers, and independent contractors.

### **I. What Is Discrimination, including Harassment?**

a. Discrimination: Treating persons differently, or interfering with or preventing them from enjoying the advantages or privileges afforded to others because of their membership in a protected class.

b. Harassment: Oral, written, graphic, electronic, or physical conduct relating to a person's actual or perceived membership in a protected class that is sufficiently severe, pervasive or persistent so as to interfere with or limit that person's ability to participate in the Union's programs or activities by creating a hostile, humiliating, intimidating, or offensive educational environment.

Harassing conduct based on a person's protected status may include, but is not limited to:

- Degrading, demeaning, insulting, or abusive verbal or written statements;
- Taking personal belongings, taunting, teasing, name-calling, or spreading rumors;
- Drawing or writing graffiti, slogans, visual displays, or symbols on school or another's property;

- Telling degrading or offensive jokes;
- Unwanted physical contact of any kind;
- Physical violence, threats of bodily harm, physical intimidation, or stalking;
- Threatening letters, emails, instant messages, or websites that come within the scope of the Union's disciplinary authority;
- Defacing, damaging, or destroying school or another's property.

c. Sexual Harassment: Conduct on the basis of sex that satisfies one or more of the following:

- A school employee conditioning education benefits on participation in unwelcome sexual conduct (i.e. quid pro quo); or
- Unwelcome conduct that a reasonable person would determine is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity; or
- Sexual assault (as defined in the Clery Act as: any sexual act directed against another person, without consent of the victim, including instances where the victim is incapable of giving consent), dating violence, domestic violence, or stalking (as defined in the Violence Against Women Act as: engaging in a course of conduct directed at a specific person that would cause a reasonable person to: (1) Fear for the person's individual safety or the safety of others; or (2) Suffer substantial emotional distress.).

Massachusetts General Laws Ch. 119, Section 51 A, requires that public schools report cases of suspected child abuse, immediately orally and file a report within 48 hours detailing the suspected abuse to the Department of Children and Families. For the category of sexual violence, in addition to Section 51A referrals these offences and any other serious matters shall be referred to local law enforcement. Schools must treat seriously all reports of sexual harassment that meet the definition of sexual harassment

## II. Responsibilities of all Persons Associated with Educational Community

Each member of the educational community is personally responsible for ensuring that his/her conduct does not in any way harass or discriminate against any other person that he/she has contact with in the performance of his/her duties or studies or while acting as a member of the school community. In addition, each member of the educational community is required to fully cooperate in any investigation of alleged discrimination, including harassment. Further, Union employees are obligated to intervene and stop any discrimination, including harassment they witness and to immediately report to the appropriate party instances of discrimination, including harassment that are reported to them or of which they otherwise learn.

## III. Designated Officials for Addressing Discrimination and Harassment Complaints

The Civil Rights Coordinator(s) and Title IX Coordinators are responsible for receiving reports and complaints of violations of this Policy. Individuals may file a

report or complaint of discrimination, including harassment, with the Civil Rights Coordinator(s) and/or Title IX Coordinators. If the complaint involves allegations of discrimination based on disability, the person filing the complaint also has the option to file his/her complaint with the building level 504 coordinator. A report or complaint of a violation involving the Civil Rights Coordinator(s) and/or Title IX Coordinators should be filed with the Superintendent. A report or complaint of violation involving the Superintendent should be filed with the Committee.

#### CIVIL RIGHTS and TITLE IX COORDINATORS:

Lisa Blackmer  
North Berkshire School Union  
26 Union St. Suite 1A  
North Adams, MA 01247  
413-664-9292  
[lblackmer@nbsunion.com](mailto:lblackmer@nbsunion.com)

Cheryl Boillat  
North Berkshire School Union  
26 Union St. Suite 1A  
North Adams, MA 01247  
413-664-9292  
[cboillat@nbsunion.com](mailto:cboillat@nbsunion.com)

IV. Procedure for Reporting Discrimination and Harassment The following complaint procedure has been established to ensure prompt and effective investigation into allegations of discrimination, including harassment. A person who believes that he or she has been discriminated against, including being harassed may, to the extent that they feel comfortable, immediately:

1. confront the harasser(s) or person believed to be discriminating against him/her;
2. state the conduct that he/she objects to;
3. indicate that he/she finds such conduct offensive, intimidating and/or embarrassing;
4. insist that the person(s) engaging in the conduct stop the conduct immediately; and/or
5. report the conduct immediately to the Civil Rights Coordinator(s);

If the individual with the concern is not comfortable with such a confrontation, or feels that such a confrontation is unsafe and/or otherwise inappropriate, he/she should instead report the situation to the Civil Rights Coordinator(s). Reports/complaints are to be filed within ninety (90) days after the conduct complained of occurred or within the time the individual reasonably becomes aware of the conduct. (Note: this filing period may be extended for good cause.) Reports/complaints filed after ninety (90) days will still be accepted, however, it is



important to know that the investigation may be impeded due to the passage of time after the conduct or occurrence. The report can be written or oral and should consist of the following:

1. the specific conduct objected to,
2. the date(s) and time(s) such conduct took place,
3. the name(s) of the alleged harasser(s) or person believed to be discriminating against them,
4. the location(s) where the conduct occurred,
5. the name(s) of any witness(es),
6. action sought to remedy the situation, and
7. any other details or information requested by the designated official.

The individual can contact the Civil Rights Coordinator(s) to file a report / complaint as well as to seek assistance in the filing of a report/complaint. If a report/complaint is filed, the person should provide the Civil Rights Coordinator(s) with any documentation (emails, notes, pictures, etc.) or other information in support of the allegation of discrimination, including harassment.

#### V. Investigation of Complaints

Upon receipt of a report or complaint, the Civil Rights Coordinator(s) should conduct a prompt investigation. The investigation must allow for the complainant, the subject of the complaint, the alleged harasser, and any other appropriate party to provide information, including witnesses or other evidence, relevant to the consideration and resolution of the complaint. The Civil Rights Coordinator(s) will also endeavor to promptly interview and obtain detailed written statements from potential witnesses. If further documentation or information is necessary, the Civil Rights Coordinator(s) will notify the appropriate party, asking that the information be provided within ten (10) school/working days.

The Union will take interim steps, as necessary, to ensure the safety and well-being of the complainant and the alleged harasser while the investigation is being conducted. Interim measures are available even if the complainant does not file or continue to pursue a complaint. The Civil Rights Coordinator(s) shall notify the complainant and the alleged harasser of specific types of interim measures available, which may include measures to avoid contact with the other party, allowing employees to change work situations as appropriate, or prohibiting contact between the parties pending the results of the Union's investigation. At any time, a complainant or the alleged harasser may request either orally or in writing to the Civil Rights Coordinator that specific interim measures be taken pending the outcome of the investigation.

A written determination regarding the complaint and any resolution will be provided by the Civil Rights Coordinator to the complainant and the alleged harasser within thirty (30) school/working days of the complaint. The determination of whether the Union's antidiscrimination policy has been violated will be based upon a preponderance of the evidence standard.

The complainant or the alleged harasser may request reconsideration of the determination and/or resolution of a complaint by notifying the Superintendent in writing or verbally within seven (7) school/workingdays of receipt of the written determination of the Civil Rights Coordinator. The Superintendent or his/her designee will respond to such request with notice to both parties within (30) thirty school/workingdays of receipt of the request for reconsideration; his/her decision is final.

If a violation is found to have occurred, the Union will take steps to prevent recurrence of the violation and correct its discriminatory effect on the person(s) affected. Such steps may include appropriate disciplinary action, counseling, development of a safety plan and other remedies, as appropriate.

#### VI. Consequences of Violating Policy- Discipline & Discharge

Any employee who violates this policy will be subject to disciplinary action consistent with the contractual provisions governing his/her employment. In appropriate circumstances, the Union may also refer the matter to law enforcement officials for possible prosecution.

Any student who violates this policy will be subject to disciplinary action which may range from detention, suspension from schools, or expulsion from school. (Note: students with disabilities will be subject to the applicable disciplinary procedures set forth in the Students' Rights and Responsibilities Union handbook, which adhere to Individuals with Disabilities Education Act and Section 504 of Rehabilitation Act of 1973.) In appropriate circumstances, the Union may also refer the matter to law enforcement officials for possible prosecution.

#### VII. Confidentiality

Investigations of discrimination, including harassment complaints shall be conducted in such a manner as to disclose information only to those with a need to know or those who may have information pertinent to the investigation. Please note, some level of disclosure may be necessary in the course of conducting interviews in connection with investigation of any complaint under this policy. The Union shall endeavor to keep such information as confidential as it can without compromising the thoroughness of the investigation.

#### VIII. State and Federal Authorities

In addition to the process described above, the complainant may, at any time, file a complaint with the U.S. Department of Education Office for Civil Rights, Massachusetts Commission Against Discrimination, Massachusetts Department of Elementary and Secondary Education, or other appropriate federal or state agency charged with enforcement of state and federal laws prohibiting discrimination, including harassment based on membership in a protected class.

U.S. Department of Education Office for Civil Rights 5 Post Office Square

8th Floor, Suite 900 Boston, MA 02109-3921  
Telephone: (617) 289-0111 <http://www.ed.gov>

Massachusetts Commission Against Discrimination 436 Dwight St.,  
2nd Floor, Rm. 220  
Springfield, MA 01103  
Telephone: (413) 739-2145

Massachusetts Department of Elementary and Secondary Education 75 Pleasant  
Street  
Malden, MA 02148-4906  
Telephone: (781) 338-3000

#### IX. Procedure for Reporting and Investigating Harassment on the Basis of Sex Notice:

The school is considered to have actual knowledge of a sexual harassment complaint if notice of sexual harassment or an allegation of sexual harassment is provided to a Title IX Coordinator, any school official, or any school employee. The School will investigate every formal complaint (which may be filed by a complainant or by a school's Title IX Coordinator). If the alleged conduct does not fall under Title IX, then a school may address the allegations under the school's code of conduct and can still provide supportive measures. The school is required to investigate the allegations in a complaint, send written notice of the allegations to both parties upon receipt of a formal complaint, and investigate under specified procedures. Schools are required to investigate every formal complaint and respond meaningfully to every known report of sexual harassment.

**Reporting:** Any person may file a report of sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), at any time either in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. However, if a person files a false complaint in bad faith, knowingly and intentionally, they will be subject to discipline.

**Investigations:** The School will investigate and adjudicate formal complaints of sexual harassment using a grievance process that incorporates due process principles, treats all parties fairly, and reaches reliable responsibility determinations. The school's grievance process will:

- Give both parties written notice of the allegations, an equal opportunity to select an advisor of the party's choice (who may be, but does not need to be, an attorney), and an equal opportunity to submit and review evidence throughout the investigation;
- Use trained Title IX personnel to objectively evaluate all relevant evidence without

prejudgment of the facts at issue and free from conflicts of interest or bias for or against either party;

- Protect parties' privacy by requiring a party's written consent before using the party's medical, psychological, or similar treatment records during a grievance process;
- Obtain the parties' voluntary, written consent before using any kind of "informal resolution"

process, such as mediation or restorative justice, and not use an informal process where an employee allegedly sexually harassed a student;

- Apply a presumption that the respondent is not responsible during the grievance process

(often called a "presumption of innocence"), so that the school bears the burden of proof and the standard of evidence is applied correctly;

- Use the preponderance of the evidence standard for all complaints of harassment on the basis

of sex, regardless of whether the complaint is against students or union employees;

- Ensure the decision-maker is not the same person as the investigator or the Title IX

Coordinator (i.e., no "single investigator models");

- Parties may submit written questions for the other parties and witnesses to answer;

- Protect all complainants from inappropriately being asked about prior sexual history ("rape shield")

- Send both parties a written determination regarding responsibility explaining how and why

the decision-maker reached conclusions;

- Effectively implement remedies for a complainant if a respondent is found responsible for sexual harassment;

- Offer both parties an equal opportunity to appeal;

- Protect any individual, including complainants, respondents, and witnesses, from retaliation

for reporting sexual harassment or participating (or refusing to participate) in any Title IX grievance process;

- Make all materials used to train Title IX personnel publicly available on the school's website or,

if the school does not maintain a website, make these materials available upon request for inspection by members of the public; and

- Document and keep records of all sexual harassment reports and investigations for at least seven years.

### Record Keeping for Sexual Harassment Complaints

Schools must create and maintain records documenting every Title IX sexual harassment complaint. Records relating to complaints of sexual harassment must be kept in accordance with the records retention schedule. Such records include: records of a school's investigation (including complaints (formal and informal),

notices, the determination, investigative report, disciplinary measures or remedies, etc.); records of any appeals and materials associated with the appeal; records of any supportive measures taken in response to a complaint of sexual harassment (even if the complainant does not file a formal complaint); records of any informal resolution process; all materials used to train Title IX Coordinators, Investigators, decision makers, and those facilitating an informal resolution. The training materials must be kept on the School's website.

Retaliation is prohibited.

Any person who experiences retaliation for exercising their rights under Title IX can file a retaliation complaint with the Title IX Coordinator. The school will keep the names/identity of parties and witnesses confidential unless such disclosure is required under another law, or is necessary to conduct a thorough grievance procedure .

### Supportive Measures

When alleged sexual harassment is reported, the Title IX Coordinator must inform the victim to their right of supportive measures even if not formal complaint is filed. The school must consider the alleged victim's wishes with respect to supportive measures. Supportive measures for those involved in the sexual harassment complaint process may include: counseling, extending deadlines, modifications of work and/or class schedules, school escort services, increased school security and/or monitoring, mutual restrictions on contact between the individuals involved through a safety plan. Supportive measures will be kept confidential whether they are provided to the alleged victim or accused person to the extent the confidentiality will not interfere with the supportive measure offered.

## **DUE PROCESS FOR SUSPENSIONS**

### **NOTICE OF PROPOSED SUSPENSION**

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

- a) the disciplinary offense;

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

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

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

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

A short-term suspension is the removal of the student from the school premises and regular classroom activities for ten (10) consecutive days or less. Out-of-school short-term suspensions which do not cumulatively over the course of the school year exceed ten (10) days of suspension shall be conducted in accordance with this section.

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

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

make academic progress during the period of removal.

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

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

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

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

Additionally, the student shall have the following additional rights:

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

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

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

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

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

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

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

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

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

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

## **EMERGENCY REMOVAL**



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

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

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

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

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

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

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

On the same day as the in-school suspension decision, the principal shall make reasonable efforts to notify the parent orally of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension. The principal shall also invite the parent to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. Such meeting shall be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the principal is

unable to reach the parent after making and documenting at least two (2) attempts to do so, such attempts shall constitute reasonable efforts for purposes of orally informing the parent of the in-school suspension.

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

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

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

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

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

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

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

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

The Principal shall notify the student in writing of the charges, the reasons for the suspension (prior to such suspension taking effect), and the right to appeal. The Principal will also provide the student and parent(s)/guardian(s) the process for appealing the suspension to the Superintendent. The request for appeal must be made in writing within five (5) calendar days. The hearing shall be held within three (3) days of

the request. The suspension shall remain in effect prior to any appeal hearing before the Superintendent. At the hearing, the student shall have the right to present oral and written testimony, and the right to counsel. The Superintendent has the authority to overturn or alter the decision of the Principal. The Superintendent shall render a decision on the appeal within five (5) calendar days of the hearing.

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

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

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

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

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

### **CHILD ABUSE**

In accordance with Massachusetts state laws, school employees are required to report suspected cases of child abuse and neglect. What follows are procedural steps for making required reports. The Massachusetts General Law states: Any mandated reporter who, in his or her professional capacity shall have reasonable cause to believe that a child under the age of eighteen years is suffering serious physical or emotional injury resulting from abuse inflicted upon him or her, shall immediately report such condition to the Department of Social Services by oral communication and by making a written report within 48 hours after such oral communication. Any such person so required to make such written and oral reports who fails to do so shall be punished by a fine of not more than one thousand dollars.

**DEFINITIONS:**

Mandated Reporters: Any physician, medical intern, hospital personnel engaged in examination, care or treatment of persons, medical examiner, psychologist, emergency medical technician, dentist, nurse, chiropractor, podiatrist, osteopath, public or private school teacher, educational administrator, guidance or family counselor, day care worker, probation officer, social worker, foster parent, firefighter or police officer.

**REPORTABLE CONDITIONS:**

A serious physical or emotional injury resulting from abuse or neglect, or the commission of any act by a caretaker or other individual with a child which constitutes a sexual offense under the criminal laws of the Commonwealth, or the physical dependence of a child upon an addictive drug at birth.

A comprehensive list of physical and behavioral indicators of child abuse and neglect is attached.

Reportable Conditions Include:

1. Physical Abuse: Any act of commission by a caretaker resulting in fracture of a bone, bruise, swelling, impairment of any organ, burn, bleeding or any other such injury including malnutrition.
2. Neglect: Failure by a caretaker, either deliberately or through negligence, to take those actions necessary to provide a child with minimally adequate nutrition, clothing, shelter, medical care, supervision, or other essential care.
3. Emotional Maltreatment: Acts of a caretaker which result in extreme emotional conditions of a child such as a severe state of anxiety, depression, or withdrawal.
4. Sexual Abuse: Inappropriate use of a child for the sexual gratification of a caretaker.

**I. Assessment of reportable condition.** The mandated reporter will be responsible for determining if a reportable condition exists. For help in establishing a reportable condition, the mandated reporter might choose to consult with

one or more of the following: guidance counselor, teacher, administrator, nurse. A meeting including the above might also occur.

**II. Notify Department of Social Services of any reportable condition by phone.**

North Adams number - (413) 662-2762, Pittsfield number - (413) 236-1800.

If required by Department of Social Services, submit a written report (Form 51A), to Department of Social Services, 90 North St., Pittsfield, MA 01201.

Some or all of the following information may be required for each oral and written report.

1. The time and date of report.
2. Child's age and sex.
3. Names and addresses of the child and his/her parents.

4. The nature and extent of the child's injuries, abuse, maltreatment or neglect.
5. The language spoken by the child.
6. The circumstances under which the person required to report first became aware of the situation involving abuse or neglect.
7. Any evidence of prior injuries, abuse or neglect.
8. Name of person or persons making such a report and their relationship to child.
9. The indication of possible further harm to the child; if risk exists, whether it is imminent.
10. The action taken, if any, to treat, shelter, or otherwise assist the child.
11. A determination whether or not the reporter is a mandated reporter.
12. The name, address and telephone number of the institution, school or facility, if any, that the reporter represents.
13. The name of the person providing the information, if other than the reporter.
14. Any other information which the reporter believes may be helpful in establishing cause of the alleged abuse or neglect by the person (s) responsible.

**III. The mandated reporter will notify an administrator, the nurse and the student's counselor of any reported condition.**

**POLICY ON PREGNANT STUDENTS**

OCTOBER 12, 2000

It is the policy of the school districts of the North Berkshire School Union (Clarksburg, Florida, Savoy and Monroe), consistent with Title IX, that all pregnant students be provided access to all academic, non-academic and extra-curricular activities throughout and after their pregnancy. Procedures for providing educational services to pregnant students.

1. Meeting with student, parents and school personnel to plan for the continued education of the student.
2. Determination of time frame when student must be absent for medical reasons.
3. If necessary, a 504 evaluation meeting to plan how educational "modifications" will be managed, and how long the modifications will need to be in place.
4. Cooperation with family planning agencies, counseling agencies and medical providers, as might be necessary.
5. Encouragement for the student to maintain a regular school schedule. It is important that the student be promoted at the end of the year and continue school with their age appropriate peers.
6. Long term absences cannot be condoned. The student should be in school or be provided tutoring under a 504 plan.

**GENERAL AND MASSACHUSETTS LAWS BEARING ON CIVIL RIGHTS AND ON HARRASMENT AND BIAS CRIME IN SCHOOL SETTING.**

**Title I of American with Disabilities Act of 1990:** Prohibits discrimination, exclusion from participation, and denial of benefits of the basis of disability in the areas of employment.

**Title II of the American with Disabilities Act of 1990:** Prohibits discrimination, exclusion from participation, and denial of benefits of the basis of disability in the areas of educational employment.

**Title VI of the Civil Right Act of 1964:** Prohibits discrimination, exclusion from participation, and denial of benefits based on race, color, and national origin.

**Title IX of the Education Amendments of 1972:** Prohibits discrimination, exclusion from participation, and denial of benefits is educational programs on the basis of sex, race, color, religion, sexual orientation or national origin.

**Section 504 of the Rehabilitation Act of 1973:** Prohibits discrimination, exclusion from participation, and denial of benefits based on disability.

**Massachusetts General Laws, Chapter 76, Section 5:** Prohibits discrimination in all public schools on the basis of race, color, sex, national origin, religion, and sexual orientation.

**Non-discrimination Policy – Chapter 622**

The Clarksburg Elementary School does not discriminate or exclude a student from any course, activity, service or resource available in our school on the basis of race, color, sex, gender identity, religion, national origin, disability or homelessness in admission to, access to, treatment in or employment in its programs and activities.

Clarksburg Elementary School has a designated person to handle inquiries regarding the nondiscrimination policies. The Chapter 622/Title IX Coordinator, the Superintendent of the North Berkshire School Union, can be reached at 413-664-9292.

For all questions regarding Federal Laws including Title I, Title II, Title VI, Title IX, and Chapter 76, section 5, contact:

John Franzoni, Superintendent  
North Berkshire School Union  
98 Church Street  
North Adams, MA 01247  
(413) 664-9292

For Federal Law 504, Rehabilitation Act of 1973, contact:

Jon Friedman, School Adjustment Counselor  
Clarksburg Elementary School  
777 West Crossroads  
Clarksburg, MA 01247  
(413) 663-8735

**Request for Interpretation, Translation or Support Services**

If you would like any forms or other communications from school translated into your first language, then please fill out the form below and submit it to contact person listed on form.

Title VI; EEOA: 20 U.S.C. 1703(f); M.G.L. c. 76, s. 5; 603 CMR 26.02(2)

**Clarksburg Elementary School****Request for Interpretation, Translation or Support Services\***

Date of request\_\_\_\_\_

Student Name \_\_\_\_\_ Grade\_\_\_\_\_

Person making request\_\_\_\_\_

Request for:

\_\_\_\_\_ translation

language(s)\_\_\_\_\_

\_\_\_\_\_ interpretation

\_\_\_\_\_ support service(s)

If this request is for translation, please attach English text.

If this request is for interpretation or support services, please attach date, time, purpose, and location of meeting or service.

Title VI; EEOA: 20 U.S.C. 1703(f); M.G.L. c. 76, s. 5; 603 CMR 26.02(2)

*\* including, but not limited to: guidance, and other counseling*

Send to:

Tara Barnes

Principal

413-743-1992

FAX 413-743-1114

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Response and notes: