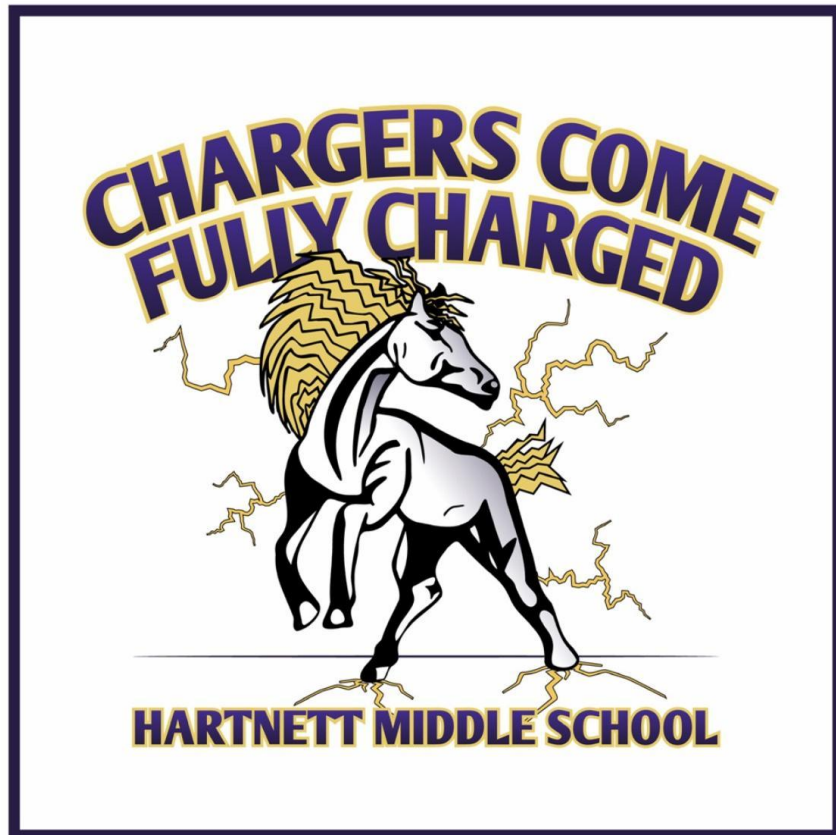


*Frederick W. Hartnett  
Middle School  
Student Handbook*

2021- 2022



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## MISSION

### **Blackstone-Millville Regional School District Mission Statement**

The mission of the Blackstone-Millville School District, working in partnership with students, parent/guardians, educators, support staff and other interested citizens, is to create a community of learners dedicated to providing a program of educational excellence. Collectively we strive to provide a safe and supportive learning environment that encourages the development of responsibility, tolerance, respect for self and others, creativity and an enthusiasm for learning enabling each student to fulfill his/her maximum potential as a productive member of a global society.

### **F. W. Hartnett Middle School's Mission**

Through a collaborative effort of school, home and community, the Frederick W. Hartnett Middle School will create a safe, positive, supportive environment that will promote the growth and development of the early adolescent. It is our goal to address the diverse educational, social, emotional and physical needs of our students and to provide them with the opportunity to achieve their fullest potential.

## GENERAL INFORMATION

### **Emergency Contact Person**

Only those listed on the registration form will be allowed to pick-up a child in the event a parent/guardian is unable to do so.

### **Visitors**

**All visitors must report to the main office before going to any other areas of the building.** Parent/guardian are always welcome to visit school and are encouraged to do so. If parent/guardian want to talk to a teacher regarding their child, they are asked to make an appointment with the teacher. This can be done by contacting either the teacher or counselor to schedule a conference.

### **Frequently Asked Questions**

**1. What if my child is absent?** Absence from school may result from illness or another urgent reason. When your child is absent from school, call **(508) 876-0190** by 8:30 A.M. on the day of the absence. Please include your child's name, grade and your name and a telephone number where you can be reached. Absent students are required to present a note from a doctor, dentist, or other document (ex. Bereavement, legal), within five (5) of returning to school for the absence(s) to be excused. *See Attendance Policy. \*See BMRSD COVID19 Handbook Appendix*

**2. What if my child needs to leave early?** Give your child a note with name, time of dismissal, reason and your name and telephone number. This note should be brought to the main office before school. Your child will be given a pass from the school secretary to leave class at the designated time. Parent/guardian must pick up their child at the main office and sign him/her out. *See Attendance Policy. \*See BMRSD COVID19 Handbook Appendix*

**3. What if my child has forgotten something at home?** Write the child's name and grade on the lunch, book, etc. and drop it off at the main office. *\*See BMRSD COVID19 Handbook Appendix*

**4. What if my child is being dismissed by the nurse?** The nurse will contact you or your designee to pick up the ill child. After signing in at the main office, please pick up your child in the nurse's office, which is located by the main office. The nurse will notify the main office of the dismissal.

**5. What if I need to get a message to my child?** Call the main office **(508) 876-0190**. Please do not leave a message on voice mail; we request that you speak to a person when leaving a message for your child.

**6. What if I would like to talk with a teacher or team?** Call the main office **(508) 876-0190** and leave a message. Please include a daytime telephone number and home telephone number. You may also email the teacher directly. A list of staff email can be found on the school website at [http://www.bmrtd.net/frederick\\_home.aspx](http://www.bmrtd.net/frederick_home.aspx).

**7. What if my child would like to reach me during the day?** Students are allowed to use the office phone during their lunch. Students may request to leave the cafeteria for this purpose. We discourage students from leaving academic classes to call home unless there is an emergency. Students may only use the main office phone for communication home. Cell phone use during the day as well as e-mailing is prohibited.

**8. What if there is no school?** When school is closed due to inclement weather or any other emergency, announcements will be made by our School District website <http://www.bmrtd.net>, Channel 4 (WBZ) <http://boston.cbslocal.com>, Channel 5 (WCVB) <http://www.wcvb.com>, Channel 7 (WHDH) <http://www.whdh.com>, Channel 10 (WJAR) <http://www.turnto10.com/weather/closings>, Fox 25 <http://www.myfoxboston.com>, Blackstone Cable (Comcast), Millville Cable (Charter), and OneCall Notification System.

**9. What if there are special conditions regarding custody, etc.?** If there are restrictions and/or special conditions regarding parent/guardian contact with a student, it is the responsibility of the custodial parent/guardian to make the school aware of the situation. These restrictions must be on file at the school. *Refer to page 33.*

**Attendance** *\*See BMRSD COVID19 Handbook Appendix*

### **School Attendance Policy**

The administration and teachers at FWHMS believe that classroom instruction constitutes the heart of the educational process. Time lost from class can never truly be regained; in particular, the important benefits derived from teacher explanations and from the interaction among students and between teacher

and students cannot be replaced. Not surprisingly, studies have shown a correlation between grades and attendance at school. Generally the more class time missed by a student, the lower the grade; therefore, the intent of the following attendance policy is to encourage better student attendance so that each student can acquire the necessary skills for future success.

The Middle School recognizes that regular and punctual school attendance is essential for success in ensuring that students attend school regularly in Accordance with Massachusetts General Law. Parent/guardians or guardians are responsible for ensuring that their children attend school regularly and punctually, and the parent/guardians or guardians are responsible for reporting any absence of their child (Ch. 76 §1A ). The school is responsible for inquiring about any unreported absences and notifying the parent/guardians or guardians of a student who has 5 or more unexcused absences in a school year (Ch. 76 §1A & 1B).

The expectation for all students is to achieve a minimum 95% attendance rate. The calculated percentage includes all absences from school including excused absences (medical, personal, funerals). Yearly Progress (AYP) and an acceptable performance level of each school include yearly attendance rate and chronic absenteeism.

Regular school attendance is defined as three (3) excused absences during a quarter.

Students are required to be in attendance on a daily basis in order to keep current with their school work. When an absence occurs, a student is required to do the following:

- Present a brief written explanation as to why he/she was absent from school
- Submit a note from a doctor, dentist, or other document (ex. bereavement, legal), within five (5) days of returning to school for the absence(s) to be excused.

After 5 days without a written excuse as outlined in Section I: Excused Absences, the absence becomes unexcused. After 5 unexcused absences, the principal or principal's designee will contact the parent/guardian to review the attendance policy and/or set up a conference.

If the student is absent for **3 consecutive days** or more a doctor's note must be presented to the main office upon return to school by the student. If the student fails to present the doctor's note the days will be considered unexcused.

It is the student's responsibility to request all work missed from the teachers when returning from **ANY** absence. It is the student's responsibility to make up any missing class work or homework. **After the third day of absence, parent/guardian may request homework assignments by calling the main office before 9:00 A.M.** Homework will be available for pick-up after 2:00 P.M. in the main office.

**Students will be allowed the number of days absent, plus one (1) day to make-up and turn in work.** For example, a student is out sick for three (3) days – all work is due by the end of the fourth day back. After this period, all missing work will be graded per teacher discretion.

### **Section I: Excused Absences**

The following are considered excused absences from school (all others are unexcused):

- Medically documented illness or injury (seen by physician)
- Bereavement/family funeral
- Major religious observances
- Court Date
- Out of School Suspensions
- Severe family circumstances (excused at the discretion of the Principal)

### **Section II: Unexcused Absences**

Parent/guardian will be advised of unexcused absences per quarter. After five unexcused absences, the principal or principal's designee will contact the parent/guardian to review the attendance policy and set up a conference if this has not already been done. The school officials will work with students and their parent/guardian to help correct the attendance deficiency.

**Note: Student vacations during normal school days are not excused. Homework will not be provided prior to the vacation.**

### **Section III: Early Dismissals**

The student is expected to present a written note from the parent/guardian to the main office in order to be dismissed early. **The student is expected to bring the note to the office prior to 7:55 a.m.**

The parent/guardian must sign the student out in the Main Office. When returning to school the same day, the student must sign in at the Main Office.

In order to participate in after school district sponsored activities or evening functions, students may not be dismissed earlier than 11:00 AM on any given day unless that dismissal is deemed excused by the administration.

**NOTE: Students will be released only to a parent/guardian or guardian unless specific arrangements have been made in advance.**

### **Section IV: Tardiness**

Students are considered late after 7:48 A.M. The tardy student must report to the main office to receive a tardy slip. Students are permitted to be tardy for school three (3) times during a quarter. On the fourth, fifth, sixth, seventh, eighth, ninth, and tenth tardy to school, the student will be assigned a detention. If a student has been late to school ten or more times during the quarter, upon the eleventh tardy and each time thereafter the student will receive a suspension.

A new late record will be started for each quarter. **A late note from a parent/guardian is also required for every late arrival to school.**

In order to participate in after school district sponsored activities or evening functions, students must arrive to school by 11:00 AM on any given day unless that tardy arrival is deemed excused by the administration.

### **Cheating Plagiarism Policy**

All assignments, quizzes, tests, and other graded work are to be the product of the individual student being evaluated. If, in the judgment of the teacher, a student uses another person's work and presents it as his own or her own, the student has committed plagiarism. The student is given a failing grade or a zero for that specific assignment and is subject to disciplinary action. Similarly, a student who allows another student to copy his/her work for purposes of the deception outlined above may receive a failing grade and be considered for disciplinary action at the teacher's discretion.

### **Choice of Teachers**

Students, on occasion, request a change in teachers for various reasons. Invariably, such requests are denied. We work hard to place all students in supportive, educational environments.

### **Request for Schedule Change**

Schedule changes will be considered only if all of the following criteria are met:

- The student must pick up an application form from the guidance office.
- The student must complete the application and obtain signatures in order presented on the form.

Submission of the application means the teacher's signature verifies that the student has made every attempt toward being successful in the class (after school help sessions, consistent homework performance, active class participation, parent/guardian contact, etc.) The teacher must also confirm that

despite these efforts the student is experiencing extreme difficulty with the subject matter and is unable to grasp the concepts. If a teacher does not agree, a written comment should be provided on the form. Principal's signature is required.

### **Extra Help from Teachers**

Teachers will give generously of their time after school to students. However, it is the responsibility of the student to request extra help and to make arrangements for it in advance. Students must have permission from a parent/guardian when staying after school for extra help.

### **Grading Policy**

100 – 90 = A

89 – 80 = B

79 – 70 = C

69 – 65 = D

64 – ↓ = F

### **Progress Reports**

Mid-quarter progress reports are published in X2 Student & Parent/guardian portal four times per year in the middle of each quarter. Printed copies will be available upon request.

### **Report Cards**

Report cards are issued four times per year, following the end of each quarter. Report cards are to be taken home for parent/guardian examination. Parent/guardian signature is required. The notice of receipt must be returned within three (3) school days or a consequence will result. The final report card of the year is mailed home.

### **Honor Roll**

After each quarterly marking period, an honor roll is published. This includes all students who achieve the necessary academic requirements. This list is posted in Team hallways and in local publications.

### **Honor Requirements**

Students must earn a minimum average of 85, with no grade below 80.

### **High Honor Requirements**

Students must earn a minimum average of 90, with no grade below 85.

### **Homework Policy Statement**

Homework refers to an assignment to be completed during a period of supervised study in class, outside of class, or at home. Well-chosen, clearly communicated homework is an integral part of the instructional process to extend classroom learning at the Frederick W. Hartnett Middle School. Challenging homework assignments help students learn. Homework that reinforces, enriches, and enhances instruction encourages families to become more involved with education. It also teaches students to work independently and to become more responsible for their own achievements.

### **National Junior Honor Society**

The National Junior Honor Society is an organization which promotes appropriate recognition of students who reflect outstanding accomplishments in the area of academics, character, leadership, service and citizenship. The Junior Honor Society's Blackstone-Millville Regional Middle School Chapter provides individual members the opportunity to share their talents with other students, their school and community.

7<sup>th</sup> Grade students who have obtained a cumulative scholastic average of at least 90% in the four (4) Core subjects in the first three quarters of their 7<sup>th</sup> Grade year are eligible to be considered for membership.

Such students are invited to apply and are then evaluated on the basis of service, leadership, character and citizenship. Students may be removed from the NJHS if grades fall below 90 or if serious disciplinary infractions occur.

### **Promotion/Retention Policy**

The Blackstone-Millville School District encourages each student to strive to reach the highest level of achievement possible. The District will make every reasonable attempt to ensure that all children will succeed and progress through school in a timely fashion.

The promotion of each student in the school district will be determined individually. The decision to promote or retain a middle school student will be made on the basis of the following factors:

- Students must achieve a grade of 65 or above to receive credit for a subject.
- Students may be required to attend summer school if they fail a major subject with a final grade below 64. Impacted students will receive written notification of this requirement.
- Students who fail two or more major subjects may be retained.

The number of retentions any student may be allowed will be based on the individual student and his/her circumstances. The building principal will make the final decision.

After considering the criteria and meeting with the parent/guardian, the building principal will make the final decision regarding retention. The decision will be communicated to the parent/guardian.

If a parent/guardian does not attend the scheduled conference, notification to the parent/guardian of the retention decision will be made in writing.

Students referred to summer school must present to the principal sufficient evidence of their successful completion of summer course work by the end of August if promotion to the next higher grade level is to be granted.

### **Student Responsibilities**

Each student has the responsibility to:

- Develop good work and study habits.
- Write his/her assignments in his/her agenda.
- Clarify with the teacher any questions pertaining to instructions for homework at the appropriate time.
- Take home any materials and information needed to complete the assignment.
- Learn to budget his/her time.
- Take advantage of study time during the day.
- Plan long-term assignments so that they are not done all at once.
- Return all work completed to the teacher by the date requested.
- Make up work missed during an absence.
- Request the work from his/her teachers.
- Attend school consistently.
- Nurture your mind and body by practicing good hygiene, nutrition and sleep habits.

With the assistance of their parent/guardian, students should do the following:

- Set aside a time to do assignments.
- Find a place free from excessive noise and other distractions in which to work.
- Organize time so assignments can be completed in a reasonable length of time.
- Carefully check the completed assignments.
- Check assignments which are posted on-line at [www.schoolnotes.com](http://www.schoolnotes.com).

### **Parent/Guardian Responsibilities**



It is important for parent/guardian(s)/guardian(s) to support the teacher and school and to instill in the child an attitude that class work and homework are an important and necessary part of the learning process. Parent/guardian should:

- Provide a quiet, well-lit place in which their child may study.
- Ensure their child's consistent attendance to school.
- Provide their child with healthy role modeling of behavior (language/word choices, hygiene, nutrition, etc.).
- Encourage and support their child's efforts.
- Be available for questions, being careful to remember that homework is the child's responsibility, not the parent/guardian's/guardian's.
- Set aside time to review their child's homework and to check it for accuracy and neatness as needed.
- Check student's daily agenda, or [http://www.bmrtd.net/frederick\\_home.aspx](http://www.bmrtd.net/frederick_home.aspx) > Parent/guardians > Homework for assignments.
- Stay informed of their child's grades and progress by reviewing the parent/guardian portal regularly. (Since Spring 2012, Progress Reports are only available on the Parent/guardian Portal; paper requests for those families requesting will be honored.

## DISCIPLINARY REGULATIONS

### **Bicycles, Skateboards, Rollerblades**

Students who choose to ride bicycles, skateboards or rollerblades to school **must** wear helmets. Refusal to comply with this safety regulation will result in disciplinary action.

### **Cell Phones, Musical Instruments, Electronic Equipment, Etc.**

Cell phones and all electronic devices must remain off and in the student's locker during the school day. The playing of all musical instruments is restricted to the music department areas. Skateboards and video games are not allowed in school. Students may use personal laptop computers but may not utilize the Internet without appropriate supervision and permission. **The school assumes no responsibility for lost equipment.**

### **Cell Phone Usage**

All phones may be used prior to the start of the school day and at the close of the school day. All improper uses stated above will incur disciplinary code penalties.

### **Personal Electronic Devices**

Personal devices can be used to support research, literacy instruction and promote education. An exception to our electronic device policy will be made for personal laptops, iPads, Kindles, Nooks and any other electronic device that may be used for educational value to school under the following conditions:

An understanding that the student:

- Will comply with the Blackstone-Millville Regional School District's Computer/Network Acceptable Use Policy.
- May do research on the personal electronic device **only when the teacher leading the class explicitly gives permission for research to be done.** Most of the time, student(s) **should not** be accessing a browser or on the Internet on their personal device **unless a teacher has explicitly given permission – this includes a study, lunch, or any other time a teacher is not leading the learning.** Only content already downloaded should be available for students during times students are not in a class getting instruction.

- **Should be using the personal device to access content already downloaded.** Students should not be accessing the Middle School's Wireless Network to download or stream anything unless a teacher specifically gives permission.
- Will assume responsibility for their own personal electronic device while on school property and **will not loan the personal electronic device to another student** in school or during school, bus travel whether to/from school or on field trips or athletic events, or leave the personal electronic device unsupervised (on desk, in hall, on school bus, etc.) at any time. **The school is not financially responsible for loss or damage to the personal electronic device while on school property/at a school event.**
- Will not use their personal electronic device – if equipped with a camera – for taking pictures or recording video at any time during the school day. Students proven taking pictures or recording other students, teachers, faculty and staff without their knowledge or consent might also be found in violation of the "two-party consent" Massachusetts General Law.
- Will understand that teachers may make the request that the personal electronic device to be placed in the student's locked locker at any time if the personal electronic device is a distraction. Failure to comply by the students may result an administrator referral and the principal, assistant principal, or adult appointed by the principal coming to the classroom or area the student is in and an escort to the office along with an office referral for insubordination.

### **Respect of Personal Rights**

Respecting the rights of all members of our school community is a top priority in our building. Any actions which may compromise the rights of others will be considered a severe violation of a person's rights. Pictures taken without a person's knowledge is considered a violation of that person or persons' rights.

### **Discipline Options**

Frederick W. Hartnett Middle School will afford due process rights to each student when disciplinary action against the student is contemplated. When a student misbehaves, a teacher or administrator may write a Discipline Referral Slip. All Discipline Referrals are recorded in X2 under student conduct.

When a student receives 5 referrals, a conference will be arranged including parent/guardian, a team representative, counselor and an administrator. When a student receives 10 or more referrals, charges may be filed with the court system.

**Note:** Those policy offenses that are significant in nature may result in a significant disciplinary consequence.

The following is a brief summary of the disciplinary options which may be assigned to a student by a teacher and/or administrator:

**Detention / Lunch Detention / One Period Suspension** – A teacher has the right to remove a student from his/her class or activity for the balance of the teacher's supervision of the student that day. The student is assigned regular or additional work to be completed in another school setting. A removal by a teacher will be based upon a need to restore order to an atmosphere conducive to learning in the classroom or activity. If detention is assigned on the Discipline Notice, a twenty-four (24) hour notice will be given for detention scheduled before or after school. A class period or lunch detention will be served immediately.

### **Teacher Detention**

Students may be assigned detentions by teachers. **Explanations or exemptions requested of the teacher assigning detention should be made after class period.** Students requesting explanations of behavioral consequences must wait until after class time to make this request.

Teachers who assign students after-school detention are to give said student a 24-hour notice before designating a day the student must stay after school. The exception to this is if the teacher telephones the parent/guardian, and both parties mutually agree that the student can serve the detention on that very day. Direct contact must be made with the parent/guardian or guardian. Messages on an answering machine are not acceptable in this case.

Families of students who do not report for a teacher assigned detention and who do not have an approved excuse will be contacted by the assigning teacher and an office referral will be filed by the teacher.

### **Restorative Time**

Students may be assigned Restorative Time for 1 to multiple days by the administration for infractions deemed outside of the teacher consequence realm. Students will be given 24-hour notice before serving Restorative Time. Students will be provided with a written description of the offense that resulted in the Restorative Time and notification will be given to a parent/guardian. Failure to report to Restorative Time will result in additional days. Continued failure to report to Restorative Time will result in progressive disciplinary action.

### **In School Suspension**

In School Suspension (ISS), for 1 – 5 days, is assigned by the administration. ISS will be held from 8:02 a.m. to 2:17pm. Students will report to the Main Office at the start of the school day and then be escorted to the in-house room for ISS. Only school work will be done while assigned to ISS. Students may bring lunch from home or may order from the cafeteria. Only standard lunch and milk may be ordered. Disruptive behavior or failure to follow ISS rules or supervisor's directions will result in additional disciplinary action.

**Participation in Extra-curricular or school sponsored activities for the days assigned in school suspension will be at the discretion of the staff.**

### **Out of School Suspension**

Out of School Suspension (OSS), for 1-10 days, is assigned by the administration. Out of School Suspension shall be made only after the administration has conducted a thorough investigation and has then determined that such suspension is necessary to prevent interference with an educational function or school purposes.

Students on Out of School Suspension may not appear on school grounds, or in the school for any reason, except with permission from an administrator. Parent/guardian must call ahead if a suspended student wishes to enter the building or be on school grounds. The parent/guardian must remain with the student and transport him/her on and off school grounds. **Students are not permitted to attend or participate in extra-curricular or school sponsored activities for the days assigned out of school suspension.**

While on suspension, students may make up missed work. Parent/guardian should contact the main office to arrange for the assigned work.

### **Suspension Procedures**

When a principal determines that a student should be suspended, the following procedure will be followed:

1. A meeting will be held prior to the suspension of any student. At this meeting the student will be entitled to:
  - A written or oral statement of the charge

- If the student denies the charges, a summary of evidence against the student will be presented.
  - The student will be provided an opportunity to explain his or her conduct.
2. The meeting shall precede suspension of the student except where the nature of the misconduct requires immediate removal. In such situations, the meeting will follow the suspension as soon as reasonably possible following the date of the suspension.
  3. Following the suspension, the parent/guardian of a suspended student will be notified in writing. The notification will include the dates of the suspension, the nature of the student's misconduct, and the action taken by the principal.

### **Suspension / Habitual Offenses**

Any student who reaches a total of fifteen (15) days of suspension may be expelled from school.

Habitual offenders may be referred to the juvenile probation department at the District Court for an interview as a condition of their return to school.

The Blackstone Police Department and the Millville Police Department may be notified of student suspensions. Students charged with any felony violations, related or unrelated to school, may be subject to the provisions of MGL 37H1/2.

### **BEHAVIORAL CODES FOR FREDERICK W. HARTNETT MIDDLE SCHOOL STUDENTS**

| <b>Behavior</b>   | <b>1<sup>st</sup> Consequence</b>                                       | <b>2<sup>nd</sup> Consequence</b>                                | <b>3<sup>rd</sup> Consequence</b>                                   | <b>4<sup>th</sup> Consequence</b>     |
|---|---|--|---|---------------------------------------|
| <b><i>Chewing gum</i></b>   | Teacher Consequence   | Office Referral<br>1 restorative time                            | Office Referral<br>2 restorative time                               | Office Referral<br>3 restorative time |
| <b><i>Tardy to class</i></b>  | Teacher Detention<br>3-5 times Tardy                                    | Parent/guardians called.<br>2 restorative time<br>6-7 Tardy      | Suspension<br>After 8 times tardy to the same class                 | Multiple days of suspension.          |
| <b><i>Tardiness to school- per quarter</i></b>  | Tardy 5 to 10 times –<br>1 restorative time for each                    | Tardy 11 or more<br>Times =<br>Suspension                        |   |                                       |
| <b><i>Possession of nuisance items such as:<br/>Laser pointers, toys, and any item that becomes a nuisance in class</i></b> | Item confiscated<br>Parent/guardian notified to pick up item in office  | Office Referral<br>Restorative time /ISS                         | Suspension  | Suspension                            |
| <b><i>Violation of dress code</i></b>   | Warning<br>Change required  | Change required<br>Restorative time<br>Parent/guardians notified | ISS/Suspension  | Suspension                            |
| <b><i>Cell phones/headphones/ electronic equipment visible during school hours without adult approval</i></b>               | Item confiscated<br>Parent/guardians notified to pick item up in office | Restorative time assigned  | ISS/Suspension  | Suspension                            |
| <b><i>Vandalism of Chromebook / Technology</i></b>  | Loss of Chromebook for one week; student will need to borrow            | Student will need to borrow a Chromebook                         | Major vandalism - student will need to borrow a Chromebook from the |                                       |

|   |  |   |   |  |
|---|--|---|---|--|
|   | a Chromebook from the library during school and will not be allowed to take one home   | from the library media center during school and will not be allowed to take one home; student will not be issued a new Chromebook | library media center during school and will not be allowed to take one home; students will not be issued a new Chromebook. Students will need to pay restitution. |  |
| <i>Malicious or unlawful use of school computers and/or school computer programs</i>                              | Suspension   | Suspension  | Suspension  | Suspension   |
| <i>Energy Drinks on school property</i>   | Item confiscated   | Restorative time assigned   | ISS/Suspension  | Suspension   |
| <b>Behavior</b>   | <b>1<sup>st</sup> Consequence</b>  | <b>2<sup>nd</sup> Consequence</b>   | <b>3<sup>rd</sup> Consequence</b>   | <b>4<sup>th</sup> Consequence</b>                      |
| <i>Bus Violation</i>  | Restorative time / Suspensions from bus  | Restorative time /ISS Suspensions from bus  | Restorative time /ISS/Suspension Suspensions from bus/  | Restorative time /ISS/Suspension Suspensions from bus/ |
| <i>Violation of Internet Acceptable Use Policy</i>  | Parent/guardian called<br>Internet access revoked for a period of time as determined by administration<br>Restorative time /ISS/ Suspensions | Additionally, ISS   | Additionally, ISS or Suspension   | Additionally, ISS or Suspension                        |
| <i>Biting</i>   | Suspension<br>Police may be notified   | Suspension<br>Police will be notified   | Suspension<br>Police may be notified  | Suspension<br>Police may be notified                   |
| <i>Spitting</i>   | ISS/Suspension<br>Police may be notified   | Suspension<br>Police will be notified   | Suspension<br>Police notified   | Suspension<br>Police notified                          |
| <i>Spitting on Someone</i>  | Suspension<br>Police may be notified   | Suspension<br>Police may be notified  | Suspension<br>Police may be notified  | Suspension<br>Police may be notified                   |
| <i>Failure to serve teacher and/or office detentions(s)</i>   | Parent/guardian contacted<br>Office Referral/<br>Restorative time Doubled  | Office referral<br>Restorative time doubled   | ISS/Suspension  | Suspension   |
| <i>Truancy:<br/>Students leaving school grounds without permission will be suspended; police will be notified</i> | 5 Restorative time   | 7 Restorative time  | 8 Restorative time<br>File in the court system  | Suspension   |
| <i>INSUBORDINATION:<br/>Refusal to follow school or classroom procedures,</i>                                     | Warning or<br>Teacher consequence<br>Restorative time (s)  | Office referral<br>Restorative time   | Office referral<br>Suspension/ISS/Suspension  | Office referral<br>Suspension                          |

|   |  |  |  |  |
|---|--|--|--|--|
| <i>directions, routines, or requests</i>  | Parent/guardians notified  |  |  |  |
| <i>Disruption in the cafeteria (i.e. food throwing, yelling, moving around, misuse of food items/utensils, etc.</i>             | Cleaning of area<br>Lunch detention  | Parent/guardians notified<br>Lunch detentions  | Removal from lunchroom<br>Restorative time /ISS  | Suspension   |
| <i>Disruption in class or other students' learning environment</i>  | Warning or teacher consequence<br>Parent/guardians notified<br>Teacher consequence         | Office referral<br>Restorative time /ISS/<br>Suspension                                    | Office referral<br>Restorative time /ISS/<br>Suspensions                                   | Office referral<br>Suspensions   |
| <i>Hands on other students' property</i>  | Warning<br>Teacher consequence<br>Parent/guardian notified                                 | Office referral<br>Restorative time/<br>Suspension   | Suspension   | Suspension   |
| <b>Behavior</b>   | <b>1<sup>st</sup> Consequence</b>  | <b>2<sup>nd</sup> Consequence</b>  | <b>3<sup>rd</sup> Consequence</b>  | <b>4<sup>th</sup> Consequence</b>  |
| <i>Plagiarism</i>   | Zero on the assignment<br>Parent/guardians notified<br>Restorative time                    | Suspension<br>Zero on assignment   | Suspension<br>Zero on the assignment   | Suspension<br>Zero on the assignment   |
| <i>Forgery</i>  | Parent/guardians notified<br>Restorative time  | ISS/Suspension   | Suspension   | Suspension   |
| <i>Statements, gestures, actions of disrespect to self, staff or peers</i>  | Office referral<br>Restorative time /ISS<br>Suspensions                                    | Office referral<br>Restorative time /<br>Suspensions                                       | Office referral<br>Suspensions   | Office referral<br>Suspensions   |
| <i>Stealing/Possession of Stolen Item</i>   | Restitution/ISS/<br>Suspension<br>Police may be notified                                   | Restitution/<br>Suspension<br>Police will be notified                                      | Restitution/<br>Suspension<br>Police notified  | Restitution/<br>Suspension<br>Police notified  |
| <i>Vandalism</i>  | Restitution/ISS/<br>Suspension<br>Police may be notified                                   | Restitution/<br>Suspension<br>Police will be notified                                      | Restitution/<br>Suspension<br>Police notified  | Restitution/<br>Suspension<br>Police notified  |
| <i>Alcohol, Powdered Alcohol, Drug Use/Possession in school, on school grounds or at school functions</i>                       | Suspension<br><br>Police will be notified  | Suspension<br><br>Police will be notified  | Suspension<br><br>Police will be notified  | Suspension<br><br>Police will be notified  |
| <i>Electronic cigarette or E-cigarette Liquid, Tobacco or paraphernalia in school, on school grounds or at school functions</i> | Suspension<br><br>Police will be notified<br><br>Participation in Vaping Diversion Program | Suspension<br><br>Police will be notified<br><br>Participation in Vaping Diversion Program | Suspension<br><br>Police will be notified<br><br>Participation in Vaping Diversion Program | Suspension<br><br>Police will be notified<br><br>Participation in Vaping Diversion Program |
| <i>Fighting</i>   | Minimum of 3 day<br>Suspension OSS   | Minimum of 5 day   | Minimum of 10 day  |  |

|   |  |   |   |   |
|---|--|---|---|---|
|   | Police may be notified   | Suspension<br>Police may be notified  | Suspension<br>Police will be notified.  |   |
| <i><b>The “encouraging” or “active” bystander in a fight (including those using personal devices to capture video or pictures)</b></i>                        | Suspension OSS   | Minimum of 5 day Suspension<br>Police may be notified                             | Minimum of 10 day Suspension<br>Police will be notified                           |   |
| <i><b>Safety Violation-Any behavior that potentially endangers the health and safety of any person</b></i>  | Suspension<br>Police notified  | Suspension<br>Police notified   | Suspension<br>Police notified   | Suspension<br>Police notified             |
| <i><b>Threats / harassment/ sexual harassment/ bullying/racial slurs</b></i>  | ISS/Suspension<br><br>Police will be notified  | Suspension<br><br>Police will be notified   | Suspension<br><br>Police will be notified   | Suspension<br><br>Police will be Notified |
| <b>Behavior</b>   | <b>1<sup>st</sup> Consequence</b>  | <b>2<sup>nd</sup> Consequence</b>   | <b>3<sup>rd</sup> Consequence</b>   | <b>4<sup>th</sup> Consequence</b>         |
| <i><b>Assault/ Battery teacher, staff or student</b></i>  | Suspension<br><br>Police will be notified  | Suspension<br><br>Police will be notified   | Suspension<br><br>Police will be notified   | Suspension<br><br>Police will be notified |
| <i><b>Disruption of School Environment</b></i>  | Suspension<br><br>Police may be notified   | Suspension<br><br>Police notified   | Suspension<br><br>Police notified   |   |
| <i><b>False accusations against a school employee</b></i>   | Suspension<br><br>Police will be notified  | Suspension<br><br>Police will be notified   | Suspension<br><br>Police will be notified   |   |
| <i><b>Possession of weapon in school, on school grounds, or at a school activity</b></i>  | Suspension<br><br>Police will be notified  | Suspension<br><br>Police will be notified   | Suspension<br><br>Police will be notified   |   |
| <i><b>Under the influence of drugs/alcohol, but not in possession of either substance on school property or at school functions or on school premises</b></i> | Suspension (O.S.S. for a minimum of 3 days to a maximum of 5 days.)<br>Police will be notified | Suspension (O.S.S. for 10 days.) Subject to expulsion.<br>Police will be notified | Suspension (O.S.S. for 10 days.) Subject to expulsion.<br>Police will be notified |   |
| <i><b>Not reporting to class</b></i>  | 2 Restorative time   | 4 Restorative time  | 3 days In-House suspension  | 5 days In-House suspension                |
| <i><b>Abusive/Vulgar Language/Gesture/Materials</b></i>   | 2 Restorative time   | 1 day of In-House suspension  | 3 days of In-House suspension   |   |
| <i><b>Public Display of Affection</b></i>   | Warning  | 1 Restorative time  | 1 day In-House  |   |

**Security/surveillance cameras are installed and may be used for the purpose of increasing safety and reducing liability at the Frederick W. Hartnett Middle School.**

### **Behavioral Code Clarifications**

Any behavior that is outrageous, overly disrespectful or dangerous, or not specifically stated in the matrix is subject to administrator review and assignment of consequences will result in an immediate office referral.

Where Suspensions are indicated, when appropriate and when staffing is available, the administration will make an effort to accommodate students in an In School Suspension

### **Alcoholic Beverage and Illegal Substances**

**Under the Influence**– If a student is found by a teacher, administrator or staff member or admits to being under the influence of drugs or alcohol, he/she will be discipline in keeping with the Discipline Code. The administrator and the student may have a conference as soon as possible to determine facts and develop a treatment option.

**Breathalyzer**– Although the alcohol testing device measures blood levels, our purpose is to determine if a student has used alcohol prior to or during a school sponsored activity. Note: Students at any school-sponsored activity may be tested by school administrators only with the consent of their parent/guardian. Testing will be done on a systematic basis unless a student shows overt signs of inconsistent behavior that might give administrators reasonable suspicion that the student is under the influence. Reasonable suspicion includes, but is not limited to: erratic behavior, slurred speech, strong foreign odor on clothing or breath, glazed and glassy eyes, unsteady gait, angry, agitated state, information offered by students, faculty, staff or anyone wishing to remain anonymous, leaving school grounds or returning to school grounds during scheduled hours. The failure or refusal to submit to alcohol testing when instructed to do so by an administrator and/or parent/guardian will be reported as “failure to submit to alcohol testing” on a student’s record with the consequence equal to and “under the influence” offense.

A **drug** is defined as any substance, other than food, that changes the way the body or mind functions.

## **BLACKSTONE-MILLVILLE REGIONAL SCHOOL DISTRICT**

### **Bullying Prevention and Intervention Plan<sup>1</sup>**

**(Complete Plan can be found in the Appendix F)**

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<sup>1</sup> The Model Plan and the BMRSD Plan have been updated to reflect M.G.L. c. 71, § 37O, as amended by Chapter 38 of the Acts of 2013 and Chapter 86 of the Acts of 2014. The Acts of 2013 changed the definition of “perpetrator” to include “a member of a school staff, including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional,” and made the plan applicable to school staff, including but not limited to, the individuals listed in the amended perpetrator definition. The Acts of 2014 requires districts and schools to “recognize” in their plans that “certain students may be more vulnerable to becoming a target of bullying or harassment based on actual or perceived differentiating characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical, developmental or sensory disability, or by association with a person who has or is perceived to have 1 or more of these characteristics.



M.G.L. c. 71, § 37O requires that school districts develop, adhere to and update a Bullying Prevention and Intervention Plan, in accordance with statutory requirements. The Department of Elementary and Secondary Education (DESE) has created a Model Bullying Prevention and Intervention Plan in accordance with M.G.L. c. 71, § 37O ("Model Plan"), in consultation with state agencies, school personnel, advocacy organizations, and other interested parties.

The Blackstone-Millville Regional School District (BMRSD) has adapted the Model Plan to create the BMRSD Bullying Prevention and Intervention Plan ("BMRSD Plan," "Plan"). The BMRSD Plan was developed in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, and parents/guardians.

The BMRSD Plan applies to both students and school staff members, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity and paraprofessionals.

Please note that the DESE's Model Plan, DESE Publications, and the BMRSD Plan all use the term "target" instead of "victim" and "aggressor" instead of "perpetrator."

### **BMRSD CORE VALUES:**

Our Purpose – To develop happy, healthy, and proficient students who are prepared for college, career, and community.

Our Work in Action – WHEN we focus on the what, the how, the whole child, and the community, THEN we will develop happy, healthy, and proficient students who are prepared for college, career, and make a positive impact on their lives and the lives of others.

Our District Core Values – Community, Achievement, Respect and Civility

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

We understand that members of certain student groups, such as students with disabilities, students who are gay, lesbian, bisexual, or transgender, and homeless students may be more vulnerable to becoming targets of bullying, harassment, or teasing. BMRSD will take specific steps to create a safe, supportive environment for vulnerable populations in the school community, and provide all students with the skills, knowledge, and strategies to prevent or respond to bullying, harassment, or teasing.

We will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyber bullying, or retaliation, in our school buildings, on school grounds, or in school-related activities. Verbal encouragement from bystanders will be considered bullying and receive the same disciplinary actions. We will investigate promptly all reports and complaints of bullying, cyber bullying, and retaliation, and take prompt action to end that behavior and restore the target's sense of safety. We will support this commitment in all aspects of our school community, including curricula, instructional programs, staff development, extracurricular activities, and parent/guardian involvement.

BMRSD is committed to working with students, staff, families, law enforcement agencies, and the community to prevent issues of violence. In consultation with these constituencies, we have established this Plan for preventing, intervening, and responding to incidents of bullying, cyber bullying, and retaliation. The principal is responsible for the implementation and oversight of the Plan.

## STUDENT LIFE

### Assembly Programs

When assemblies are scheduled, students are to proceed, as directed, to the announced site accompanied by their teachers. All classes are to remain seated together as a group, and teachers are to stay with them throughout the program.

### Athletic and Extracurricular Activities

All students must maintain a full daily schedule with passing grades in at least four (4) Core content classes; however, local rules established by the Principal will dictate academic eligibility to participate in Blackstone-Millville Regional Schools' Athletic offerings at the middle school level.

Each student participating in an athletic extracurricular activity shall be required to adhere to the rules of the **Massachusetts Interscholastic Athletic Association** (<http://www.miaa.net/>), the rules of the Dual Valley Conferences, and regulations established by the **Blackstone-Millville Regional School District**.

Each student is required to have at least one physical examination each year to participate in all athletic organizations. This may be completed by the school physician or the family doctor. Parent/guardian permission slips, available from the school nurse, must be filed prior to the exam. **Note: Insurance coverage is mandatory for all participants.**

### Buses *\*See BMRSD COVID19 Handbook Appendix*

Riding the bus is a **privilege**. Improper conduct on the buses will result in the privilege being denied. The school bus is the first and last classroom of the day; therefore, students are to maintain good discipline on the bus by remaining seated while the bus is moving, not tampering with the bus seats or equipment, not extending any part of the body from the bus, etc. **A school administrator has the authority to suspend a student from riding the school bus for inappropriate behavior.**

**The school discipline code governs the students both to and from school, including bus pick up and drop off locations. Smoking, fighting, vandalism, rowdiness, disrespect, bullying, and inappropriate language will not be permitted. The bus driver is responsible for student safety and should not be distracted in any way.**

**Students may be suspended from riding the bus to and from school, suspended from school or assigned detentions for improper behavior.**

#### Bus behavior:

- All students are assigned to a bus appropriate for their home locations.
- You may only ride another bus with an administrator approved note granting permission to ride a different bus.
- You must get on/off at your assigned stop.
- Behave appropriately; it is the first and last classroom of the day.
- Make good choices while riding to and from school.
- Enter and exit the bus in an orderly fashion.

### Cafeteria Policy *\*See BMRSD COVID19 Handbook Appendix*

Students may purchase a traditional school lunch each day or they may purchase items from the snack line. The snack line offers items such as sandwiches, snacks and drinks. Students may bring their own lunches to school as well. All students are expected to behave appropriately in the cafeteria and dispose of all trash items in the trash barrels provided.

### **Cafeteria Behavior:**

- All students sitting at a table are responsible for keeping their table and floor area clean.
- Students are not allowed to cut into the cafeteria line unless given specific permission by the cafeteria staff or a lunchroom monitor and the line will close five minutes before student dismissal.
- A student is allowed to leave the cafeteria only with permission from the cafeteria supervisor.
- Students are expected to use common sense and manners while eating. Example: Throwing food and touching food on someone else's tray is absolutely forbidden.
- Students are not allowed to throw or toss items in the cafeteria.
- Students must follow the requests of cafeteria supervisors the first time given.
- Except for special circumstances (i.e. lunch detention), students are not allowed to take any opened food or drink out of the cafeteria.
- Other rules may be made and announced when deemed necessary as additional privileges are granted.

### **Corridor Courtesy**

Students must use reasonable caution when passing from one class to another. Running is not allowed in the building. Use the most direct route, in order to avoid being late to class.

- Keep corridors open to traffic by walking to the RIGHT. Do not block traffic by standing in groups.
- Pass quietly. Be considerate of others in the halls and classrooms.
- Discard trash in containers provided. Keep the school clean by picking up paper from the floor.
- Immature behavior, such as yelling, hooting and whistling is not allowed.
- Public displays of affection constitute improper behavior for the teaching/learning environment and general school climate, and therefore, will not be tolerated.

### **Dress Code** *\*See BMRSD COVID19 Handbook Appendix*

#### **Dress Code/Proper Attire:**

BMRSD respects individual rights of expression, however it is expected that students will dress appropriately in school with consideration for public sensibility. Clothing and personal appearance should reflect self-respect and respect for others. The following dress is not meant to be restrictive, but is intended to guide students and their parents/guardians in choosing clothing that is safe and appropriate to wear in school. Students may dress in a manner reflecting current style and fashion; however, manner of dress may not be distracting or disruptive of the educational process.

Inappropriate dress includes, but is not limited to:

- clothing that is uncomfortably revealing; no undergarments should be visible; tops and bottoms should meet
- clothing or accessories that display offensive images or language
- clothing or accessories including hats, bandanas or hoodies
- clothing or accessories that display/promote tobacco, alcohol, or substance-related symbols or advertising

If an administrator determines that a student has violated the dress code, the student will be expected to change their attire to meet the dress code or will be sent home from school until she or he conforms to the dress code.

\*Administration will make the final determination on dress-code issues.

Students who have questions about particular types or items of dress should talk to a counselor or an administrator. **Remember, school is your job; appropriate dress is important!** *Refer to the Behavioral Codes on pages 9-11*

**Lockers \*See BMRSD COVID19 Handbook Appendix**

All students will be assigned a locker. They will be held responsible for the condition of their locker. Stickers, tape, etc. are not to be put on lockers. Students should clean out their locker regularly.

Students should not share lockers or combinations with anyone. Lockers are the property of BMRSD and are provided for student convenience only. The administration may check the contents of any locker with or without student permission.

**Note: Lockers must be locked at all times.**

**Parties**

The school's policy is distinctly opposed to the practice of conducting student parties on school time. Unfortunately, we cannot celebrate such festive occasions including birthdays and holidays during school time.

**Student Council**

The Student Council is an organization with goals that include the following: develop leadership skills, promote harmonious relationships throughout the school, improve school spirit and morale, provide a forum for student expression and promote the general welfare of the school.

To be eligible for membership, a student must meet the requirements as set forth under the General Policies of the District policy. The nomination and election processes are open to 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> graders.

**Student Expectations****Morning entry:**

- Remove hats
- Turn cell phones off by 7:40 am.
- Remain in the Cafeteria or Lobby until 7:40 AM.
- Speak to your peers in a respectful tone and do not use profanity or inappropriate gestures.
- Go to your locker, put away your back pack/ book bag and get materials for the morning.
- Put any and all electronic devices into locker making sure that they are turned off.
- Proceed directly to your homeroom for attendance.
- Be on time!

**Classroom behavior:**

- Arrive on time and with the necessary materials as well as a reading book.
- Be courteous and respectful to other students, faculty members and support staff at all times.
- Demonstrate good listening skills.
- Raise your hand when responding or contributing to class activities and/or discussion.
- Write down assignments in your agenda and put all required paperwork into organized binders or notebooks.

**While in the hallways:**

- Walk.
- Stay to the right.
- If going up and down the stairs, only use your designated side (A or B).
- Use normal voice level (don't shout).
- Keep your hands and feet to yourselves.
- Do not keep others from using their lockers.

**Bus behavior:**

- All students are assigned to a bus appropriate for their home locations.
- You may only ride another bus with an administrator approved note granting permission to ride a different bus.
- You must get on/off at your assigned stop.
- Behave appropriately; it is the first and last classroom of the day.
- Make good choices while riding to and from school.
- Enter and exit the bus in an orderly fashion.

### **Backpacks and book bags:**

- Backpacks and book bags are not to be worn or carried during the school day.
- ALL backpacks and book bags are to be placed in lockers upon entry into the building in the morning and left there until dismissal at the end of the day.

### **Food and Beverage:**

- No gum during the school day.
- Water only in non-glass container.
- Allergy-friendly snacks at teacher's discretion

### **Residency Requirements**

District policy dictates that only those who are residents of one of the two towns may attend district schools. The allowable exceptions are those who are eligible for and have been approved as school choice students or out of state students who have prior approval for tuition payment. Those found in violation will be excluded and will be subject to legal action.

The Blackstone/Millville Regional School District applies M.G.L. c. 76 5 in making determinations of student residency for purposes of enrollment in the District:

Although a student may have only one domicile, the District recognizes that, under M.G.L. c. 76 – 5, a student may have more than one residence and that students may reside or spend time in both residences. In the case where a student's parent/guardian resides in two different districts, the student may attend school in the Blackstone/Millville Regional School District as long as one parent/guardian remains a resident of the District.

The District recognizes that residency is not dependent upon the specific amount of time the student spends in the District, but rather whether one of the student's parent/guardians is a resident of the District.

### **Solicitation**

Students are not allowed to sell, distribute, or display non-school materials or commercial products during school, on school property, or at school functions.

### **Transfer from Classes**

A parent/guardian note is needed before a student is considered for transfer from an assigned class. Guidance counselors will talk to both teachers involved and will make the decision in the best interest of the student. Any appeal will be made to the principal.

### **Lost books/School Equipment/Chromebooks**

Textbooks are furnished for free and they should be regarded as valuable property. **All books should be covered immediately.** The student is responsible for all books, materials and equipment issued to him/her. If the item issued to the student is misplaced, stolen, or damaged, the student will be required to pay for the item before being issued another one. At the end of the year, all students are required to return all school owned resources in good condition. Failure to do so will result in a monetary obligation and

potential loss of privileges. **Vandalism of any school-issued equipment is the financial responsibility of the student.**

## **SAFETY PROCEDURES**

### **Fire Drills**

A printed card in each teaching area indicates the exit for that area when the fire alarm sounds. Fire drills are serious and are designed to protect students' lives in the event of a real fire.

**Students are to pass in absolute silence in line from all rooms to the exits assigned. Outside the building, teachers will take attendance while students remain silent and in line with their class until the signal is given to return to classes. The return is to be conducted in an orderly manner.**

### **Lockdown Procedures**

Lockdown procedures have been established to maintain the safety of everyone in the building. Students are to follow the direction of their teachers who in turn will be following procedures specific to the type of lockdown. Announcements will be made by the administration.

## **SCHOOL COMMITTEE POLICIES**

### **Appendix A**

#### **Blackstone-Millville Regional School District**

#### **Head Injury/Concussion Policy**

##### **Purpose**

This policy provides for the implementation of MA 105 CMR 201.000, *Head Injuries and Concussions in Extracurricular Athletic Activities* which applies to all public middle and high school students who participate in any extracurricular athletic activity. This policy provides the procedures and protocols for Blackstone-Millville Regional School District (BMRSD) in the management and prevention of sports-related head injuries within the district or school.

Policies and procedures must address sports-related head injuries occurring in interscholastic and extracurricular athletic activities but may be applied to all head injuries in students. Review and revision of such policies and procedures shall occur as needed but at least every two years.

##### **Participation Requirements and Training**

A. Concussion training is a pre-participation requirement for all students and must be completed prior to practice or competition. This training applies to one school year and must be repeated for every subsequent year. The following persons shall complete one of the head injury safety training programs approved by the Department of Public Health (DPH) as found on DPH's website:

- Coaches or Supervisor of extracurricular athletic activity
- Licensed athletic trainers
- Trainers
- Volunteers
- School and team physicians
- School nurses
- Athletic Directors
- Directors responsible for a school marching band, whether or not employed by a school or school district or serving in such capacity as a volunteer
- Parent/guardian of a student who participates in an extracurricular athletic activity
- Students who participate in an extracurricular athletic activity

The student and parent/guardian shall submit to the Athletic Director as a pre-requisite to participation, a certification of completion from any DPH approved on-line course, a signed acknowledgement that they have read and understand DPH-approved written materials or an attendance roster from a session using DPH-approved training.

#### **B. Participation Requirements for Students and Parent/guardian**

Before the start of every sports season, the student and parent/guardian shall complete and submit a current Pre-participation Form, signed by both student and parent/guardian, which provides a comprehensive history with up-to-date information relative to concussion history, any head, face or cervical spine injury; and any history of co-existent concussive injuries. At the required pre-season meeting for every season, the school shall provide current DPH-approved materials to all students who plan to participate in extracurricular athletic activities and their parent/guardian in advance of the student's participation. Such materials shall be posted on the district's website and shall at a minimum include a summary of DPH's rules relative to safety including but not limited to recognition of a concussion, second impact syndrome and rules for return to play after a head injury or concussion.

Annually, students participating in MIAA sports are required to provide a physical exam to the school nurse's office consistent.

The school nurse will review pre-participation forms and physical exams prior to athletic participation. Students will not be considered eligible to participate until these forms are submitted. The school nurse shall consult with the school physician as necessary regarding a student's medical history and or eligibility. BMRSD may use a student's history of head injury or concussion as a factor to determine whether to allow the student to participate in an extracurricular athletic activity or whether to allow such participation under specific conditions or modifications.

#### **C. Documentation of a Head Injury/Concussion**

If a student sustains a head injury or concussion during the season, the Report of Head Injury Form must be completed (a) by the coach, band director, or supervisor, if the injury or suspected concussion occurs during a game or practice, or (b) by a parent/guardian if the injury occurs during the season but not while participating in an extracurricular athletic activity and submit said form to coach, band director, supervisor or school nurse.

The Athletic Director or Band Director shall ensure that these forms are reviewed and provided to the school nurse.

#### **Exclusion from Play**

- A. Any student, who during a practice or competition, sustains a head injury or suspected concussion, or exhibits signs and symptoms of a concussion, shall be removed from the practice or competition immediately and may not return to the practice or competition that day.
- B. The student shall not return to play unless and until the student provides medical clearance and authorization.
- C. The coach or band director shall communicate the nature of the injury directly to the parent/guardian in person or by phone immediately after the game or practice in which a student has been removed from play for a head injury or suspected concussion. The coach or band director must also provide this information to the parent/guardian in writing (paper or electronic) by the end of the next business day.
- D. The coach or band director shall communicate, by the end of the next business day, with the Athletic Director that the student has been removed from play for a head injury, suspected concussion or any loss of consciousness.

### **Return to Academics/Extracurricular Activities**

Each student who is removed from play and subsequently diagnosed with a concussion shall have a written graduated reentry plan for return to full academic and extracurricular athletic activities.

- The plan shall be developed by a multidisciplinary team that may include: the student's teachers, the student's guidance counselor, school nurse, athletic director, parent/guardian, members of the building-based student support and assistance team or individualized education program team as appropriate and in consultation with the student's physician.
- The plan shall include but not be limited to:
  - Physical and cognitive rest as appropriate;
  - Graduated return to classroom studies as appropriate, including accommodations or modifications as needed;
  - Estimated time intervals for resumption of activities;
  - Frequent assessments by the school nurse as appropriate; and
  - A plan for communication and coordination between and among school personnel and between the school, parent/guardian, and the student's physician.
- The student must be completely symptom free, have returned to full academics and be medically cleared in order to begin graduated reentry to extracurricular athletic activities.
- The student must complete the five (5) step graduated return to play protocol prior to resuming full participation in the extracurricular activity.

### **Medical Clearance and Authorization to Return to Play**

Each student who is removed from practice or competition for a head injury, suspected concussion, or any loss or consciousness, shall obtain and present to the Athletic Director or school nurse a Post Sports-Related Head Injury Medical Clearance and Authorization Form (Medical Clearance and Authorization Form) prior to resuming full participation in the extracurricular athletic activity. This medical clearance should only be provided after a graduated return to play plan has been completed and the student has been symptoms free at all stages. The student must be completely symptom free at rest and during exertion prior to returning to full participation in extracurricular activities. The ultimate decision is a medical decision that may involve a multidisciplinary approach, including consultation with parent/guardian, the school nurse and teachers as appropriate.

Only the following individuals, who have received DPH-approved training in post-traumatic head injury assessment and management or have received equivalent training as part of their licensure or continuing education, may authorize a student to return to play:

- A duly licensed physician;
- A duly licensed athletic trainer in consultation with a licensed physician;



- A duly licensed nurse practitioner in consultation with a licensed physician;
- A duly licensed physician assistant under the supervision of a licensed physician; or
- A duly licensed neuropsychologist in coordination with the physician managing the student's recovery.

If a situation arises such that the student has been cleared to participate and school personnel noted that the student is still experiencing symptoms, that student shall be removed from play. The school has the authority to make the final determination whether a student may safely participate in a given extracurricular athletic activity. Participation is a privilege that may be permitted or withheld by school personnel based on individual circumstances. If these situations arise, the school personnel will communicate to the health care provider who provided the clearance, the specific symptoms and reason for the concern and that the student is not symptom free.

### **Responsibilities of the Athletic Director**

A. The Athletic Director shall participate in the development and biannual review of the policies and procedures for the prevention and management of sports-related head injuries within the school district or school.

B. The Athletic Director shall complete the annual training.

C. The Athletic Director, unless school policies and procedures provide otherwise, shall be responsible for:

- Ensuring that the training requirements for staff, parent/guardian, volunteers, coaches and students are met, recorded, and records are maintained;
- Ensuring that all students meet the physical examination requirements consistent with 105 CMR 200.000: *Physical Examination of School Children* prior to participation in any extracurricular athletic activity;
- Ensuring that all students participating in extracurricular athletic activities have completed and submitted Pre-participation Forms, or school-based equivalents, prior to participation each season;
- Ensuring that student Pre-participation Forms, or school-based equivalents, are reviewed);
- Ensuring that Report of Head Injury Forms, or school-based equivalents, are completed by the parent/guardian or coach and reviewed by the coach, school nurse, certified athletic trainer and school physician;
- Ensuring that athletes are prohibited from engaging in any unreasonably dangerous athletic technique that endangers the health or safety of an athlete, including using a helmet or any other sports equipment as a weapon; and
- Reporting annual statistics to the Department.

### **Responsibilities of Coaches**

A. Coaches shall be responsible for:

- Completing the annual training;
- Reviewing Pre-participation Forms, or school-based equivalents, so as to identify those athletes who are at greater risk for repeated head injuries;
- Completing a Report of Head Injury Form, or school-based equivalent, upon identification of a student with a head injury or suspected concussion that occurs during practice or competition;
- Receiving, unless otherwise specified in school policies and procedures, and reviewing forms that are completed by a parent/guardian which report a head injury during the sports season, but outside of an extracurricular athletic activity, so as to identify those athletes who are at greater risk for repeated head injuries;
- Transmitting promptly forms to the school nurse for review and maintenance in the student's health record, unless otherwise specified in school policies and procedures;
- Teaching techniques aimed at minimizing sports-related head injury;

- Discouraging and prohibiting athletes from engaging in any unreasonably dangerous athletic technique that endangers the health or safety of an athlete, including using a helmet or any other sports equipment as a weapon; and
- Identifying athletes with head injuries or suspected concussions that occur in practice or competition and removing them from play.

B. Coaches are responsible for communicating promptly with the parent/guardian of any student removed from practice or competition and with the Athletic Director and school nurse.

### **Responsibilities of the School Nurse**

The School Nurse shall be responsible for:

- A. Participating in the development and biannual review of the policies and procedures for the prevention and management of sports-related head injuries within the school district or school;
- B. Completing the annual training;
- C. Reviewing, or arranging for the school physician to review, completed Pre-participation Forms, or school-based equivalents, that indicate a history of head injury and following up with parent/guardian as needed prior to the student's participation in extracurricular athletic activities;
- D. Reviewing, or arranging for the school physician to review, Report of Head Injury Forms, or school-based equivalents, and following up with the coach and parent/guardian as needed;
- E. Maintaining:
  - Pre-participation Forms, or school-based equivalents; and
  - Report of Head Injury Forms, or school-based equivalents, in the student's health record;
- F. Participating in the graduated reentry planning for students who have been diagnosed with a concussion to discuss any necessary accommodations or modifications with respect to academics, course requirements, homework, testing, scheduling and other aspects of school activities consistent with a graduated reentry plan for return to full academic and extracurricular athletic activities after a head injury and revising the health care plan as needed;
- G. Monitoring recuperating students with head injuries and collaborating with teachers to ensure that the graduated reentry plan for return to full academic and extracurricular athletic activities is being followed; and
- H. Providing ongoing educational materials on head injury and concussion to teachers, staff and students.

### **Record Maintenance**

The school, consistent with any applicable state and federal law, shall maintain the following records for three years or at a minimum until the student graduates.

- Verifications of completion of annual training and receipt of materials;
- Pre-participation Forms;
- Report of Head Injury Forms;
- Medical Clearance and Authorization Forms; and
- Graduated re-entry plans for return to full academic and extracurricular athletic activities.

The school shall make these records available to DPH and the Department of Elementary and Secondary Education (DESE), upon request or in connection with any inspection or program review.

### **Reporting**

Starting school year 2011-2012, schools shall be responsible for maintaining and reporting annual statistics on a DPH form or electronic format that at a minimum report:

- The total number of Report of Head injury Forms received by the school; and
- The total number of students who incur head injuries and suspected concussions when engaged in any extracurricular athletic activities.

### **Penalties**

BMRSD takes the safety of students seriously. All members of the school staff are expected to follow these policies and protocols to support the health and safety of student athletes/band members. The underlying philosophy of these policies is “when in doubt, sit them out”. Failure to comply with the letter or the spirit of these policies could result in progressive discipline for the staff and/or forfeiture of games/competitions. If students or parent/guardian have concerns that the policies are being violated, they should place their concerns in writing with the Building/School Principal.

LEGAL REFS: M.G.L. 111:222, 105 CMR 201.000, 105 CMR 200.000

### **Parent/guardian/Legal Guardian Responsibilities Head Injury/Suspected Concussion Procedures**

- Complete Pre-participation Form (athletics – online form) and submit copy of student’s current physical exam. Student is **not** allowed to participate until both are submitted and reviewed by school nurse (Form 1)
- Complete concussion training ([Center for Disease Control and Prevention Heads Up Concussion in Youth Sports On-Line Training Program](#) or [National Federation of State High School Associations Concussion in Sports - What you Need to Know](#) available online and free of charge)
- If student is injured during practice/competition – coach/band director will complete Report of Head Injury Form and give to parent/guardian/legal guardian to sign. If student is injured outside of school activity, parent/guardian/legal guardian will complete form and submit to the school nurse (Form 2)
- If concussion suspected, the student must be seen by a physician
- If diagnosed with a head injury/concussion, communicate and work with physician, school nurse, guidance, teachers, Athletic Director regarding treatment and Academic Recovery Plan and Accommodations (Form 3 - must be signed by the physician)
- Provide additional medical documentation if student is not medically cleared within 2-3 weeks
- When fully returned to academics and symptom free, sign Graduated Return to Play Protocol Form (Form 4 - must be signed by the physician to begin the protocol)
- The student must be seen by his/her physician and the physician must medically clear and sign the Medical Clearance and Authorization Form for the student to return to full participation (State Form)

Adopted: May 8, 2014

### **Toileting Procedure**

For students who require adult assistance with toileting due to physical disabilities and/or unsafe behavior in the bathroom. Child specific toileting procedures should be determined by either the Occupational Therapist and/or Physical Therapist, who will then train staff as needed.

1. If the student is in a classroom with a bathroom in the classroom AND at least two adults in the classroom (ie Pre-K and Kindergarten).
  - a.) The adult assisting the student to the bathroom will inform the second classroom staff person that they will be toileting the student.
  - b.) The bathroom door will be left slightly ajar so that the staff may communicate as needed for assistance and safety
  - c.) If the door is not able to be left ajar, or if the staff assisting in the bathroom has a significant safety concern, then a second adult will need to assist in the bathroom.
2. If a student requires a private bathroom, or a bathroom that is not within the classroom setting.
  - a.) Two adults must assist with toileting to ensure student and staff safety.
  - b.) One adult should lead the toileting protocol, and responsibilities should be discussed prior to entering the bathroom.
  - c.) One adult may be provide the physical assistance, and the second adult can provide “stand-by” assistance as appropriate.

### **Video/Audio Taping of TEAM Meetings**

Tape recording of TEAM meetings is not permitted unless tape recording of a TEAM meeting is the only reasonable accommodation for a documented disability of any participant in the TEAM meeting where the documented disability or limited English proficiency prevents that participant from fully understanding or participating in the team process without the use of tape recording. This would apply to the parent/guardian/educational surrogate, student, a person invited to the team meeting, like a consultant or evaluator, as well as service providers, attorneys for the District or parent/guardian/educational surrogate/student, or advocates for the parent/guardian/educational surrogate/student. The person requesting the accommodation must contact the TEAM chairperson at least two (2) school days prior to the TEAM meeting to request the accommodation. Documentation related to the claimed need for an accommodation must be provided at that time.

Documentation of a disability or the limited English proficiency (if not obvious) should identify the impairment and how the impairment affects the parent/guardian/educational surrogate/adult student in an environment like a TEAM Meeting. Further documentation or oral written information may be requested by the District, if the initial documentation is insufficient for the District to make a determination. Once adequate documentation is received, as determined by the District, the District will engage in the interactive process. As a result of the request and the interactive process, the District may choose to provide a different accommodation. If the District determines that:

1. The impairment is not a disability, or there is no limited English proficiency, or
2. Taping is not permitted and a different accommodation will be provided,

then the person requesting the accommodation of taping the TEAM meeting will be provided a copy of the District’s Section 504 statement of procedural rights and/or complaint procedure and civil rights complaint procedure which the person may utilize in order to challenge the determination that taping is not permitted.

This procedure applies to both audio and video-taping of TEAM meetings, as well as Section 504 meetings.

In certain cases, this would also apply to an advocate/attorney representing a parent/guardian/educational surrogate/adult student.

Adopted 12/15/16

## **Managing Severe and Life Threatening Allergies \*See BMRSD COVID19 Handbook Appendix**

The Blackstone-Millville Regional School District is committed to providing a safe and nurturing environment for students. Recognizing the increasing prevalence of life-threatening allergies among school populations, Blackstone-Millville Regional School District will work in cooperation with parent/guardian, students, and physicians to minimize risks and to provide a safe educational environment for all students. The focus of allergy management will be prevention, education, awareness, communication, and emergency response. This policy and our district protocol will assist students to assume more individual responsibility for their health and safety as they mature and optimize full participation in educational programs and school sponsored activities.

The Blackstone-Millville Regional School District cannot guarantee to provide an allergen-free environment for all students with life-threatening allergies, nor prevent any harm to those students in emergencies. The goal is to minimize the risk of exposure to food allergens that pose a risk to those students, to educate the community, and to maintain and regularly update a system-wide protocol for responding to their needs.

Goals:

1. To maintain the health and protect the safety of children who have life-threatening food allergies in ways that are developmentally appropriate, promote self-advocacy and competence in self-care, and provide appropriate educational opportunities.
2. To ensure that interventions and individual health care plans for students with life-threatening food allergies are based on medically accurate information and evidence-based practices.
3. To define a formal process for identifying, managing, and ensuring continuity of care for students with life-threatening food allergies across all transitions (Pre-K – Grade 12)

While this document focuses on food allergies, the treatment of anaphylaxis (a potentially life-threatening allergic reaction) is the same whether caused by: insect sting, medication, latex, exercise induced, or unknown causes. For these reactions, similar and appropriate measures should be implemented. In all cases, the school principal in collaboration with the school nurse, may take additional steps and precautions as deemed necessary.

LEGAL REFS.: Managing Life-Threatening Allergies in Schools, DESE, May 2016

Section 504 of the Rehabilitation Act of 1973

American with Disabilities Act (ADA) of 1990

The Family Education Rights and Privacy Act of 1974 (FERPA)

The Individuals with Disabilities Education Act of 1976 (IDEA)

### **Life Threatening Allergy Management Protocol**

#### **Background:**

Allergic Reactions can span a wide range of severity of symptoms. The most severe and potentially life-threatening reaction is anaphylaxis. This protocol is to be used for students who are at risk for anaphylaxis and in circumstances where a previously undiagnosed life-threatening allergic response occurs.

Anaphylaxis is a potentially life-threatening medical condition occurring in allergic individuals after exposure to their specific allergens. Anaphylaxis refers to a collection of symptoms affecting multiple systems in the body, the most dangerous of which are breathing difficulties and a drop in blood pressure or shock, which are potentially fatal. The most common causes of anaphylaxis in children include allergies to:

- Foods (most commonly peanut, tree nuts, milk and dairy products, eggs, soy, wheat, shellfish, and fish)
- Insect stings (bees, yellow jackets, wasps, hornets)

- Medications
- Latex

Anaphylaxis can occur immediately or up to 24 hours following allergen exposure, so it is important to:

- Identify student at risk
- Take measures to prevent life-threatening allergic reaction from occurring
- Be educated and prepared to handle an emergency

### **Purpose and Goals:**

The Blackstone-Millville Regional School District cannot guarantee to provide an allergen-free environment for all students with life-threatening allergies, nor prevent any harm to those students in emergencies. The goal is to minimize the risk of exposure to food allergens that pose a risk to those students, to educate the community, and to maintain and regularly update a system-wide protocol for responding to their needs.

The sections below highlight the major responsibilities of the various groups, but each child's plan will be individualized and therefore not all responsibilities cannot be spelled out in this protocol.

The goal of the Blackstone-Millville Regional School District regarding Life-Threatening Food Allergies is to engage in a system-wide effort to:

- Prevent any occurrence of life-threatening food-based allergic reactions.
- Prepare for any allergic reactions.
- Respond appropriately to any allergy emergencies that arise.

Allergy Aware Classrooms will be designated by the building administrators and be clearly labeled with appropriate signs to identify them. Additionally, all pre-school and kindergarten rooms will be designated as "Allergy Aware Classrooms", as will shared specialty rooms at the elementary level (i.e. art, music, technology, etc.). An allergy aware classroom is defined as all staff, students, parent/guardian, and visitors to the classroom will be aware of the known allergies in the classroom. To be allergy aware one must understand the basic information about allergies, how to avoid allergens to prevent reactions, the symptoms of a reaction, and what to do when symptoms of a reaction are observed.

The school principal, in collaboration with the school nurse will ensure proper protocols are in place for all field trips, which include students with life-threatening allergies, to provide for the safety of those students. The school nurse along with the personnel supervising the field trip and the parent/guardian will collaborate to assure proper protocols are implemented.

### **Medication:**

The most common medication prescribed for anaphylaxis is epinephrine (EpiPen, Auvi-Q, Adrenaclick, generic). Parent/guardian of students with a life-threatening allergy are encouraged to leave an epinephrine auto-injector at school for use in case of emergency. It is also recommended that students (age/developmentally appropriate) carry another auto-injector in their backpacks, especially if they participate in before or after school activities.

The Blackstone-Millville Regional Schools have stock epinephrine auto-injectors in each school. This will be used by the school nurse in emergencies for students with unknown allergies who develop an anaphylactic reaction and for students with known allergies as a "back-up".

There is a standing medication order, issued from the school physician, in place for the emergency administration of epinephrine.

Student management of emergency medication will be governed by a separate policy and Massachusetts General Law covering Student Self-Administration of Medication.

### **Education and Training:**

The school nurse will determine the unlicensed school personnel to be trained regarding life-threatening allergies including demonstration of the use of an epinephrine auto-injector. The training program, at a minimum, will include both content standards and a test of competency developed and approved by the Department of Public Health in consultation with the Board of Registration in Nursing. The school nurse shall also provide a training review and informational update at least once a year.

### **Roles and Responsibilities:**

**School Administration (or Delegate):**

- Include in the school's emergency response plan a written plan outlining emergency procedures for managing life-threatening allergies. Modify the plan to meet special needs of individual students. Consider risk reduction for life-threatening allergies.
- Participate in the multidisciplinary team to develop and implement the *allergy management and prevention plan*.
- Support faculty, staff, and parent/guardian in implementing all aspects of the life-threatening allergy program.
- Ensure adequate time is provided for training and education for faculty and staff regarding: awareness of signs and symptoms of anaphylaxis; foods, insect stings, medications, latex allergies; risk reduction prevention and procedures; emergency procedures; how to administer an epinephrine auto-injector in an emergency.
- Support special training for school nutrition staff.
- Adopt "NO FOOD TRADING/SHARING" and "NO UTENSIL SHARING" procedures in all schools with a particular focus at the elementary school level.

**School Nurse:**

- Communicate with each parent/guardian of a student with life-threatening allergy and develop an *individual health care plan* and/or *anaphylaxis emergency plan* for the student.
- School nurse will enter each student's allergy in the Medical Alert field at the beginning of the school year and update as needed.
- Maintain updated *individualized health care plan* in the nurse's office. Maintain updated alerts in X2 with information for teachers and food service.
- Familiarize teachers with their students' *individual health care plans* and other staff members whom have contact on a need-to-know basis.
- Provide training and education for staff regarding life-threatening allergies including the administration of an epinephrine auto-injector.
- Educate new personnel as necessary.
- The school nurse will be responsible for following the Department of Public Health regulations governing the administration of prescription medications. Nurses are also responsible for following the regulations that permit registration of non-licensed personnel to be trained and to administer an epinephrine auto-injector.
- In the event that there is not a nurse in the building, follow the *Medical Emergency Response Plan*.
- Be available to review the *individual health care plan* as needed.
- Collaborate with school principal and classroom teacher to generate a letter home for parent/guardian of classmates of a student(s) with a life-threatening allergy informing them of conditions and restrictions in their child's classroom. Letters will be sent home for all elementary students and as needed for secondary students.

**School Physician:**

- Consult with the school nurse as needed in the development and implementation of the *allergy management and prevention plan*, *individual health care plans*, education, or other needs as they arise.
- Write a prescription or standing order for non-patient-specific epinephrine for administration by a licensed nurse in the case of anaphylaxis in an undiagnosed individual.

**Classroom Teachers/Staff:**

- Review with the school nurse the *individual health care plan* and X2 Alerts for any student(s) in your classroom with life-threatening food allergies.
- Work in collaboration with the school nurse to inform parent/guardian of classmates about the presence and needs of the child with life-threatening allergies in the "allergy aware" classroom.
- Advise parent/guardian of any school related activity that requires the use of food in advance of the project or activity.

- Avoid use of food for instructional lessons.
- Participate in life-threatening allergy training including the use of an epinephrine auto-injector.
- Leave information in an organized, prominent, and accessible format for the substitute teacher.
- Monitor identified student(s) with any food brought in and enforce a NO FOOD

TRADING/SHARING rule in the classroom.

- School personnel cannot be responsible for determining food allergens and/or those foods or ingredients in foods that are safe for a student with an identified life-threatening allergy to consume.
- Be aware of how the student with allergies is being treated; enforce school rules about bullying and threats.
- Collaborate with school nurse prior to field trips and review *anaphylaxis emergency plan*.

#### **Parent/guardian:**

- Inform the school nurse of your child's allergies and provide necessary medical documentation/orders from their doctor to enable the development of an *individual health care plan* and *anaphylaxis emergency plan*.
- Provide the school nurse with enough up-to-date emergency medications, including epinephrine auto-injectors for the current school year.
- Complete and submit all required medication forms, including emergency contact information.
- Communicate any changes in condition or status of student's allergies and/or treatments with the school nurse.
- Teach your child in an age-appropriate way to:
  - Recognize the first symptoms of an allergic/anaphylactic reaction.
  - Know where the epinephrine auto-injector is kept and who has access to the epinephrine.
  - Communicate clearly as soon as he/she feels a reaction is starting.
  - Carry his/her own epinephrine auto-injector when appropriate.
  - Not share snacks, lunches, or drinks.
  - Understand the importance of hand washing before and after eating.
  - Report teasing, bullying, or threats that may relate to the child's life-threatening allergy.
  - Learn to gradually increase developmentally appropriate participation in their food allergy management.
- Provide the school nurse with the licensed provider's statement if the student no longer has life-threatening allergies.
- Provide snacks for your child with safe foods for special occasions.
- Go on field trips and out-of-school activities with your child, whenever possible.

#### **Student:**

- Participate in developmentally appropriate ways in allergy management.
- Do not trade or share foods.
- Wash hands before and after eating.
- Learn to recognize symptoms of an allergic reaction.
- Promptly inform an adult as soon as accidental exposure occurs or symptoms appear.
- Take more responsibility for your food allergies as you get older:
  - Communicate to others that they have a food allergy.
  - Avoid food allergens.
  - Recognize symptoms and report/communicate to staff.
  - Read labels.
  - Carry own epinephrine auto-injector.
  - Administer own epinephrine auto-injector and be able to train others on its use.
- Develop a relationship with the school nurse and/or another trusted adult in the school to help identify issues related to management of the life-threatening allergy in school.

#### **School Nutrition Director/Food Service Personnel:**



- Consult with the school nurse as needed in the development and implementation of the *allergy management and prevention plan*, *individual health care plans*, or other needs as they arise.
- Food Service Director/Personnel will check the Medical Alert field for each school at the start of the school year and monthly during the year.
- Train all school nutrition staff and substitutes to read product food labels and recognize food allergens.
- Read all food labels and recheck routinely for potential food allergens.
  - It is important to note that ingredients in the food products may be changed by the manufacturer without specific notice or indication of such change. While food service personnel should routinely recheck products for known food allergens, not all situation will be detected.
- Understand the process by which to obtain all product allergen information.
- Food service personnel will be trained by the Director of Food Services regarding necessary measures required to prevent cross-contamination during food handling, preparation, and serving of food.
- The Food Services Director will investigate ingredients and cross-contamination issues with vendors.
- Follow cleaning and sanitation protocols strictly to avoid cross-contact.
- No foods with peanut or tree nut components will knowingly be prepared or served in any school.
- At least one “allergy free” table will be made available to students with identified food allergies in each school cafeteria. It will be indicated on the *individual health care plans* if a child is to be seated at this table. Friends whose lunches do not contain an offending food may also be seated at this table.
- The “allergy free” table will be cleaned per cafeteria cleaning procedures prior to and after breakfast and each lunch period.
- Avoid the use of latex gloves by school nutrition staff. Use non-latex gloves instead.
- Menus will be posted online along with nutrition information. Additional information regarding the school lunch will be provided, upon request, by the Food Services Director.
- At least one person in the cafeteria will be trained in the administration of epinephrine auto-injector.
- Have a functioning intercom, walkie-talkie, or other communication device to support emergencies.

#### **School Bus Company:**

- Provide school bus drivers with first aid training including the administration of an epinephrine auto-injector.
- Provide functioning emergency communication device (e.g., cell phone, two-way radio, walkie-talkie).
- Maintain policy of no food eating allowed on school buses.
- Know local EMS procedures.

LEGAL REFS: Managing Life-Threatening Allergies in Schools, DESE, May 2016  
 Section 504 of the Rehabilitation Act of 1973  
 American with Disabilities Act (ADA) of 1990  
 The Family Education Rights and Privacy Act of 1974 (FERPA)  
 The Individuals with Disabilities Education Act of 1976 (IDEA)

Adopted October 26, 2006

#### **Asbestos Management Public Notice – General Policy Statement and Purpose**

In compliance with the United States Environmental Protection Agency’s Asbestos Hazardous Emergency Response Act (AHERA) and the 40 Code of Federal Regulations (CFR) Part 763 Subpart E – Asbestos Containing Materials in Schools, The Blackstone-Millville Regional School District is committed to providing a safe and healthy environment for all employees, building occupants, transient occupants, contracted building service workers and the public. The Blackstone-Millville Regional School District has therefore established a policy for managing in-place asbestos.

Also, in compliance with AHERA, the District will contract with a licensed and approved Inspector to perform three-year re-inspections of school buildings, along with the maintenance of updated Management Plan materials to be kept on file in the Principals' Office of each District School as well as in the Superintendent's Office of the Blackstone-Millville Regional School District, 175 Lincoln Street, Blackstone, MA 01504. Questions regarding the Asbestos Management Plan may be directed to the Superintendent of Schools.

### **Technology Vision and 1:1 Core Values**

The Acceptable Use Policy can be found below. The focus of the Technology Program is to help our students continuously grow as independent learners. Successfully integrating technology into the curriculum is essential for students to learn 21st Century skills.

**Innovate:** Students will be able to imagine and create ideas centered around relevant and authentic learning experiences. Technology will allow students to make meaning through exploration, application, and problem solving.

**Communicate:** Students communicate with their peers, teachers, and virtually anyone they choose in order to share ideas and learning experiences. Multiple forms of media are available to access information, putting them at the center of their own learning.

**Appreciate:** Students will appreciate and value cross-disciplinary perspectives and collaboration. Students will learn and teach something new every day by working together and modeling their understanding of concepts. They will build courage to take risks and care for those they affect!

### **Care, Cleaning, and General Use of Chromebook**

- Students should handle their Chromebook with care and be mindful that the device is fragile.
- Students will not share their passwords with other students.
- Students should not change any Chromebook setting unless instructed to do so by an administrator or the tech department.
- Students are responsible for the general care of the device the district issued to them
- Do not leave device unattended
- To clean the Chromebook, unplug all cables and turn the device off. Wipe the device with a soft, lint free, dry cloth to clean stains and smudges
- Cables, cords, and accessories should be inserted carefully
- Students should make sure the keyboard is cleared of objects before closing
- No eating or drinking near Chromebooks
- When placing Chromebook on a desk or table, make sure the surface is flat, and place carefully on the middle of the desk or table to avoid the Chromebook slipping off and hitting the floor
- When placing Chromebook in a locker ensure it is secure and won't fall out when you reopen the locker
- Hold and lift the device by the base, not the screen
- Avoid placing heavy items on top of Chromebook
- Avoid exposing your device to extreme hot or cold

- Charge the Chromebook every night to ensure you have a fully charged device and are prepared for the school day
- Store your device and charger in a safe place where it will not be damaged by food, drink, small children, or pets
- Students should label their device using a piece of painter's tape or masking tape. No stickers are allowed on the device
- Do not remove the district stickers on the back of your Chromebook
- It is recommended that students purchase a protective case for the Chromebook

**Lost or Damaged/Broken Chromebooks** – Lost Chromebooks need to be reported to the Library Media Center immediately. If a Chromebook is unable to be found, the student will need to borrow a Chromebook from the library during school and will not be allowed to take one home. The student will not be issued a new Chromebook.

Damaged or broken Chromebooks need to be brought to the Library Media Center immediately, so that the problem can be addressed, and the Chromebook fixed, if possible. Students should not attempt to fix a Chromebook themselves. Students may borrow a Chromebook while their broken Chromebook is being fixed.

**Loaner Chromebooks** – Students are expected to bring their student mobile devices fully charged to school every day. Loaner Chromebooks will be available for students who are unable to use their Chromebook. Students are allowed to borrow a Chromebook from the Library Media Center if their Chromebook is broken or if they forgot it. If a student's Chromebook is not charged, they should bring it to the library. The student can borrow a loaner Chromebook while their Chromebook is being charged. A student is allowed to borrow a Chromebook because they forgot it or it is not charged three times per quarter without a consequence. For each time after that, students will receive a lunch detention. There is no consequence for borrowing a Chromebook because your device is broken.

Loaner Chromebooks must be returned to the Library Media Center at the end of the day. If a student does not return a loaned device at the end of the day, he or she will need to return it as soon as possible and will receive a lunch detention. If a student loses a loaner Chromebook, they will have their Chromebook taken away, and they will have to borrow a Chromebook every day.

## **Technology Use**

At Blackstone Millville Regional Schools, we use technology as one way of enhancing the vision to teach the skills, knowledge, and behaviors students will need to succeed in the global community. These technologies may include, but are not limited to, district-provided equipment as well as personal devices (computers, tablets, cell phones, laptops, netbooks, e-readers, and more).

### *Rules and Conditions*

- I will use technology in a meaningful, safe, and responsible way.
- I understand that I represent the school district in all my online activities.
- I understand that what I do on social networking websites should not reflect negatively on my fellow students, teachers, or on the District.
- I will use technology resources productively and appropriately for school-related purposes.
- I will avoid using any technology resource in such a way that would disrupt the activities of other users.
- I will use email and other means of communications (e.g. blogs, wikis, podcasting, chat, instant-messaging, discussion boards, virtual learning environments, etc.) responsibly.
- I understand that my school network and my school account are property of BMRSD and anything that I do with my account on the network can be monitored.

- I understand that District administrators will deem what conduct is inappropriate use if such conduct is not specified in this agreement.
- I will use technology in accordance with the laws of the United States and the State of Massachusetts:

Criminal acts – These include, but are not limited to, “hacking” or attempting to access computer systems without authorization, harassing email, cyber bullying, cyber stalking, child pornography, vandalism, and/or unauthorized tampering with computer systems.

Libel laws - Publicly defaming people through the published material on the Internet, email, etc.

Copyright violations - Copying, selling or distributing copyrighted material without the express written permission of the author or publisher (users should assume that all materials available on the Internet are protected by copyright), engaging in plagiarism (using another's words or ideas as your own).

Internet use is governed by BMRSD School Committee, school rules and codes of conduct and applicable law and regulation. Students may be selected at random to provide their Chromebook for inspection by school administration and/or technology staff. From time to time, the Network and Integration Administrator will make determinations on whether specific uses of the network are consistent with the acceptable use practice.

Violation of any of these rules could result in loss of computer privileges, detention, suspension, or any punishment deemed appropriate by the school administration.

**Consequences for Violating the Care Cleaning and General Use Policy:** (neglect is violating any of the above bullet points, **accidental or vandalism** includes dents in the outer case, cracks or discoloration of the screen, headphones not removed correctly, damage to any ports, and removed keys including any damage that results in the Chromebook needing to be replaced.

First accidental damage - warning

Second accidental damage - loss of Chromebook for 24 hours; student will need to borrow a Chromebook from the library during school and will not be allowed to take one home

Third or more accidental damage - loss of Chromebook for one week; student will need to borrow a Chromebook from the library during school and will not be allowed to take one home

First vandalism - loss of Chromebook for one week; student will need to borrow a Chromebook from the library during school and will not be allowed to take one home

Second vandalism - student will need to borrow a Chromebook from the library media center during school and will not be allowed to take one home; student will not be issued a new Chromebook

Major vandalism - student will need to borrow a Chromebook from the library media center during school and will not be allowed to take one home; students will not be issued a new Chromebook. Students will need to pay restitution.

## **BMRSD Computer/Network Acceptable use Policy**

The Internet, a global network of computers communicating with each other, enables users to explore thousands of libraries, databases, and other educational resources. The Blackstone-Millville Regional School District is committed to providing members of the school community access to this rich and evolving set of resources.

Families should be warned that some material accessible via the Internet may contain material that is illegal, defamatory, inaccurate, or potentially offensive to some people. While our intent is to make Internet access available to further educational goals and objectives, and despite the District's efforts to block inappropriate or objectionable material, students may find ways to access other materials as well. It is incumbent on all members of the Blackstone-Millville Regional School community to behave responsibly when using school facilities to access the Internet. It is, therefore, important for all parent/guardians or guardians to set and convey the standards of ethical and appropriate use of media and information sources.

The following standards of conduct and procedure shall be observed when utilizing the District computer network:

- No user shall engage in any behavior that would be considered offensive, obscene, or harassing. This includes, but is not limited to, the following behaviors:
  - Sending, receiving, or displaying messages or pictures containing obscene or abusive language.
  - Using obscene, abusive, or impolite language.
  - Willfully accessing on-line areas containing material that would be considered objectionable by the District or the community at large.
- No user shall engage in activity on-line that will incur financial and/or legal liability on the part of the District.
- Users shall adhere to copyright laws when accessing material from the Internet, the citing of references when appropriate, and refraining from transferring commercial software in violation of copyright laws. No user shall copy software onto or from computers owned by the school. This keeps with copyright laws and helps to protect school-owned computers facilities from computer viruses.
- No user shall alter desktop settings or trespass into another's files, folders, or work.
- No user shall employ the network for any commercial purpose.
- Users shall exercise good judgment and good manners when dealing with others via the Internet.
- Communication services (e.g. chat lines, personal e-mail, on-line games) may be used by students only with the explicit permission and supervision of a staff member.
- Students are responsible for good behavior on school networks just as they are in any other area of the school. General school rules for behavior and communication apply to computer use.
- Access to the network services is given to students who agree to act in a considerate and responsible manner. Parent/guardian permission is required. Access is a privilege - not a right. Access entails responsibility.
- Violations of any of the above standards of conduct and procedure may result in loss of Internet privileges for any user, and /or other disciplinary action deemed appropriate by the respective administrator, the Director of Instructional Technology, or the Superintendent of Schools. Unauthorized access to a computer system is in violation of MGL CH266 SEC 120F and may be subject to prosecution.
- The production of the official District web pages may occasionally include pictures showing class or school activities.

### **Communicable Diseases**

The Blackstone-Millville Regional School District is required to provide educational services to all school age children who reside within its boundaries. By law, however, admission to school may be denied to any child diagnosed as having a disease whereby attendance could be harmful to the welfare of other students and staff, subject to the District's responsibilities to handicapped children under the law.

The BMRSD School Committee recognizes that communicable diseases which may afflict students range from common childhood diseases, acute and short-term in nature, to chronic, life-threatening diseases.

Management of common communicable diseases shall be in accordance with Massachusetts Department of Health guidelines. A student who exhibits symptoms of a communicable disease may be temporarily excluded from school attendance. The District reserves the right to require a physician's statement authorizing the student's return to school.

The educational placement of a student who is medically diagnosed as having a life-threatening communicable disease shall be determined on an individual basis in accordance with this policy and accompanying administrative procedures. Decisions about the proper educational placement shall be based on the student's behavior, neurological development, and physical condition; the expected type of interaction with others in school setting; and the susceptibility to other diseases and the likelihood of presenting risks to others. A regular review of the placement decision shall be conducted to assess changes in the student's physical condition, or based on new information or research that may warrant a change in a student's placement.

In the event a student with a life-threatening communicable disease qualifies for services as a student with a disability under state and federal law, the procedures for determining the appropriate educational placement in the least restrictive environment shall be used in lieu of the procedures designated above.

Neither this policy nor the placement of a student in any particular program shall preclude the administration from taking any temporary actions including removal of a student from the classroom as deemed necessary to protect the health, safety, and welfare of the student, staff, and others.

In all proceedings related to this policy, the District shall respect the student's right to privacy. Only those persons with a direct need to know shall be informed of the specific nature of the student's condition. The determination of those who need to know shall be made by the Superintendent.

LEGAL REF.: M.G.L. 71:55

### **Disciplining Students with Special Needs**

State and federal regulations provide eligible students with certain procedural rights and protections in the context of student discipline. The Individual Education Program (IEP) for a student must indicate whether the student can be expected to meet the regular discipline code of the school or whether the code should be modified due to the student's disability. Such modifications will be described in the student's IEP.

As provided for in state and federal regulations:

Any eligible child may be suspended up to 10 days in any school year.

After a student with special needs has been suspended for 10 days in any school year, during subsequent removal, the school district must provide sufficient services for the student to continue to receive a free and appropriate public education.

A suspension of longer than 10 consecutive days or a series of suspensions that constitute a pattern are considered to represent a change of placement.

Prior to a suspension that constitutes a change of placement, district personnel, the parent/guardian and other relevant members of the team will convene a "Manifestation Determination" meeting to review all relevant information to determine whether the behavior was caused by or had a direct and substantial relationship to the disability or was the direct result of the district's failure to implement the IEP.

If the Manifestation Team determines that the behavior was not a manifestation of the disability, then the district may suspend or expel the student consistent with the policies applied to any student without disabilities. The district will, however, provide services to enable the student, although in another setting, to continue to participate in the general education curriculum and to progress towards IEP goals. A functional behavioral assessment and appropriate behavioral intervention services will be provided to lessen the likelihood of the behavior reoccurring.

If the Manifestation Determination determines that the behavior is a manifestation of the disability, then the team will complete a functional behavioral assessment and behavioral intervention plan. Except when the student is placed in an interim alternative education setting, the student will return to their original placement unless the parent/guardian and district agree otherwise.

Regardless of the manifestation determination, the district on its own authority may place a student in an interim alternative education setting (as determined by the team) for up to 45 school days if the behavior involves weapons or illegal drugs, another controlled substance, or the infliction of serious bodily injury on another person at school or school function; or, considered case by case, unique circumstance; or on the authority of a hearing officer if the district provides evidence the student is “substantially likely” to injure himself or others.

These procedural requirements apply to students not yet determined to be eligible for special education if the parent/guardian has expressed concern in writing or requested an evaluation, or if staff had expressed concerns about the student’s behavior directly to the Director of Student Services or other supervisory personnel.

### **Disciplining Students with a 504**

The code of conduct applies to students with and without disabilities; however, students on 504 plans must have an equal opportunity to be successful with classroom rules and behavioral regulations. Section 504 prohibits districts from disciplining students more severely than non-disabled students on the basis of disability. The free and appropriate education (FAPE) requirement of Section 504 provides that appropriate procedures for discipline are designed to meet individual educational needs of students with disabilities as adequately as the needs of non-disabled students are met.

Students with 504 plans may be excluded from their programs, as can students without disabilities. If students are suspended or expelled, they are entitled to oral or written notice of charges and an appeal for the opportunity to tell their side. Expulsion or suspensions of 10 or more days are considered a change of placement and must followed the procedures designated by the Americans with Disabilities Act (ADA).

When students with 504 plans are excluded from their program for more than 10 school days in the school year, it must be determined if the behavior was a result of the students’ disability (manifestation determination). If it is determined that the behavior was related to the disability, students may not be excluded from the current educational placement until a new plan is written. The behavioral intervention services and modifications in the plan should address the behavior violation so that it does not recur.

If the student's misconduct is determined not related to his disability then the district may discipline in the same way as other students would be disciplined. 504 students do not have to be provided with a free and appropriate public education (FAPE) during expulsion or suspension for behavior not related to the disability. Students currently engaged in drug or alcohol abuse are not protected under Section 504.

When the placement of students with disabilities is changed for disciplinary reasons, the students and parent/guardian are entitled to the procedural protections required by Section 504 and the ADA. (A school district may employ due process procedures that meet the requirements of IDEA to comply with the Section 504 and ADA requirements for procedural safeguards.) These protections include appropriate notice to parent/guardians or guardian, an opportunity for their examination of records, an impartial hearing with the participation of parent/guardians or guardian and an opportunity for their representation by counsel and a review procedure. Thus, if, after a reevaluation of an initial placement decision, the parent/guardian disagree with the determination regarding the relationship of the behavior to the disability or with the subsequent placement proposal in those cases where the behavior is determined to be caused by the disability, they may request an impartial hearing.

A school district is not prohibited from employing its normal, reasonable procedures short of a significant change in placement for dealing with 504 students who are endangering themselves or others. When

students present an immediate threat to the safety of others, school officials may promptly adjust the placement or suspend the students for up to 10 school days, in accordance with rules that are applied evenhandedly to all children.

### **Due Process**

The discipline code of the school is administered within the guidelines set by the U.S. Supreme Court with regard to due process for students. The Supreme Court holds that the Due Process Clause of the Fourteenth Amendment to the United States Constitution requires that a student facing temporary (up to ten days) suspension from a public school be given oral or written notice of the charge(s) against him or her. Explanation for the basis for the accusation(s) and an opportunity to present his or her version of the facts is given. In addition, the Court holds that unless the student's continued presence at school endangers persons or property or "threatens disruption of the academic process," the hearing must precede rather than follow his or her suspension. The Court points out that Due Process does not require that hearings in connection with suspension be trial-like in nature. Therefore, school officials are not required to give the student an opportunity to secure counsel, to confront and cross examine witnesses supporting the charges, or to call his or her supporting witnesses.

### **Field Trip Policy** *\*See BMRSD COVID19 Handbook Appendix*

The school district recognizes that firsthand learning experiences provided by field trips are a most effective and worthwhile means of learning. It is the desire of the Board to encourage field trips as part of and directly related to the total school program and curriculum. Educational field trips should be considered as a method of instruction and planned as such with definite objectives determined in advance.

Specific guidelines and appropriate administrative procedures shall be developed to screen, approve, and evaluate trips to ensure that all reasonable steps are taken for the safety of the participants.

These guidelines and appropriate administrative procedures shall ensure that all field trips have the approval of the principal and that all overnight trips have the prior approval of appropriate Administrative level.

The following conditions shall apply:

- All field trips shall be governed by school policy and the school policy shall be included in student handbooks.
- The Principal shall acquire advanced written permission from the parent/guardian or guardian for each student for each trip.
- Field trip permission slips shall contain all information stated on the attached blanket district permission slip form.
- The permission slip form approved by the District School Committee shall be used for all field trips. A copy of the completed permission slips shall be provided to all field trip supervisors and shall be taken on the field trip. The signed original of all permission slips shall be retained in the principal's office.
- Written notification of proposed field trip shall not be initiated prior to obtaining approval of the trip at the appropriate administrative level.
- (DAY TRIPS) Elementary school students groups shall include an adult supervisor for each (5-7) students as a minimum. Middle school student groups shall include an adult supervisor for each (8-10) students as a minimum. High school student groups shall include an adult supervisor for each (12-14) students as a minimum.
- (DAY TRIPS) For elementary students traveling to less restrictive sites that may be more difficult to supervise, the number of adults shall be increased to one for each (3-5) students as a minimum. For middle school students traveling to such locations, the number of adults shall be increased to one for each



(6-8) students as a minimum. For high school students traveling to such locations, the number of adults shall be increased to one for each (9-12) students as a minimum. The approving authority shall determine the difficulty of the trip based upon information provided by the sponsor of the trip. Sponsors should be prepared for providing information upon seeking approval.

- (OVERNIGHT TRIPS) Elementary students shall be attended by one chaperone per (4) students as a minimum. Middle school students shall be attended by one chaperone per (6) students as a minimum. High school students shall be attended by one chaperone per (8) students as a minimum. The appropriate ratio of female/male chaperones to female/male students should be considered.
- EXTENDED OVERNIGHT TRIPS may require more than the minimum number of chaperones. The approving authority shall determine the number of chaperones required.
- The building principal may need to consider adjusting the adult/student ratio when students who typically require additional support in the classroom attend field trips.
- Any school-approved field trip, as deemed necessary by the appropriate administrative level, must have a building administrator in attendance.
- Any alcohol/drug or tobacco use/possession while on a field trip will result in the same disciplinary action as when on school grounds.
- Any adult attending field trip must refrain from drinking alcoholic beverages. These trips are school-sponsored and drinking is prohibited during all times of the trip.
- Any student who does not observe rules and regulations while on an overnight field trip, shall be sent home at the parent/guardians'/guardians' expense.
- An informational meeting shall be held prior to all overnight field trips. Parent/guardian will be encouraged to attend in order to inform them of the trip's itinerary and rules along with answering any questions regarding the trip.
- Adults supervising students on field trips may not bring their child's sibling(s) along. Their focus must be as chaperone during field trips.
- No "guests" are allowed to accompany field trips. All adults are to be acting chaperones.
- A crisis management plan shall be established by each building principal to cover any potential emergency during a field trip. This plan shall support the adult supervisor on "what to do" and "whom to call" in case of an emergency. \*(i.e., portable telephones, etc.)
- A school nurse/medical person shall accompany all field trips at the elementary level. The need for medical coverage on middle school or high school day trips shall be determined by the building principal. A school nurse/medical person shall accompany all overnight field trips at the middle and high school level.
- The purpose of the educational field trip shall be clearly defined and correlated with instruction in the classroom. The itinerary for the intended trip should match the purpose.
- The eligibility requirements for students participating in field trips shall be determined by the building principal.
- A carrier that has been approved by the district shall transport students.
- All students shall be transported to and from the field trip by school arraigned transportation, unless prior written arrangements have been made with the building principal.
- Fundraising and/or collection of student payment for proposed field trip shall not commence until approval of trip at the appropriate Administrative level.
- Overnight trips shall not be scheduled during the semester and final exam weeks.
- The sponsor of the trip shall provide the awarding authority with evidence that he/she has contacted the assistant superintendent regarding the need for additional or special insurance for the trip. If determined such insurance to be necessary, assurance must be provided that coverage is or will be in effect.

All field trip requests must be to the superintendent no later than two school committee meetings prior to the date of the field trip.

All out-of-state or extended (overnight) trips and excursions must be approved in advance by the school committee. Fundraising activities for such trips shall be subject to approval by the appropriate administrator.

Trips outside the continental US are not school-sponsored events, and solicitations in the school will not be permitted.

### **Grievance Procedure**

A “Grievance” is a complaint brought by a student, or group of students, who feel that a provision of school regulation has been misinterpreted, applied inequitably or unjustly. When a grievance is alleged, the following procedures should be followed:

1. The aggrieved party should attempt remediation through a conference with the teacher involved. Should this prove unsatisfactory or undesirable, the grievance may be taken to the guidance counselor.
2. The aggrieved party, if dissatisfied, may present his /her grievance to the principal, who after hearing the facts and after consultation with the teacher, may take any action he/she thinks is necessary.
3. If aggrieved party feels the solution/decision is not agreeable, he/she may appeal to the superintendent, who, after consultation with the principal, may take any action he thinks necessary.
4. Still dissatisfied, the aggrieved party may present the case to the School Committee.

### **Non-Discrimination Statement**

It is the policy of the Blackstone-Millville Regional School District not to discriminate on the basis of race, color, sex, religion, national origin, homelessness, sexual orientation, gender identity, age, or disability, in its educational programs, services, activities, or employment practices; as defined and required by state and federal laws. Further information may be obtained by contacting Dr. Janis Laporte at 508-876-0190 or jlaporte@bmrsd.net.

## **NON-DISCRIMINATION AND ANTI-HARASSMENT POLICY/PROCEDURES EXCEPT FOR TITLE IX**

*\*A complete copy of the Non-Discrimination and Anti-Harassment Policy and Procedures is located in Appendix D of the handbook.*

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

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

District's Title IX policies and procedures. The Blackstone-Millville Regional School District, further does not deny equal access to or a fair opportunity to meet, or discriminate against, any group officially affiliated with the Boy Scouts of America, or any other youth group listed in Title 36 of the United States Code as a patriotic society

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

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

### **Notice of Equal Opportunity**

The Blackstone-Millville Regional School District reaffirms that they do not discriminate on the basis of race, color, sex, religion, national origin, homelessness, sexual orientation, gender identity, age, or disability, in admission to, access to treatment in or employment in its programs or activities. Consistent with M.G.L. Chapter 76, Section 5, the Blackstone-Millville Regional School District also affirms the commitment to maintain a school and work environment free of harassment based on race, color, sex, religion, national origin, homelessness, sexual orientation, gender identity, age, or disability. Any harassment on the basis of race, color, gender, religion, national origin, homelessness, sexual orientation, gender identity, age, or disability will not be tolerated and will be punishable to the full extent of the law.

If you should have any questions about the district's policy, please feel free to contact the Superintendent's Office for our District Coordinator contact information. If you should have a complaint or concern that there has been discrimination, you may also utilize the following procedure:

1. Report the violations to any staff member in the Blackstone-Millville Public Schools. He/she will notify the building principal. The building principal will meet with you and other persons who might have information about the issue promptly and will attempt to resolve the issue. Any additional investigation will be commenced by the school district investigators in each area, within a reasonable period of time. The building principal will issue his/her decision in writing to you within ten (10) days of the conclusion of the investigation.
2. If the complaint is not resolved, it can then be appealed to the district's Title IX Coordinator. This appeal must be in writing, describe the circumstances, and the relief you seek. This appeal should be taken within one week after receipt of the principal's decision.
3. The Title IX, Section 504, ADA Coordinator will meet with you within a reasonable time. Following a review of the materials presented to the principal and any additional investigation which will be conducted promptly, the Coordinator will make a final determination on whether there has been a violation of the district's policy within ten (10) days after the conclusion of any additional investigation. If there has been a violation, the Coordinator will indicate the steps to be taken to correct it. Inquiries concerning the application of nondiscrimination policies may also be referred to the Regional Director, Office for Civil Rights, U.S. Department of Education, 33 Arch Street, Ninth Floor, Boston, MA 02110 (June 2005)

### **Physical Restraint of Students**

Maintaining an orderly, safe environment conducive to learning is an expectation of all staff members of the Blackstone-Millville Regional School District. Further, students of the district are protected by law from the unreasonable use of physical restraint.

Physical restraint shall be used only in emergency situations after other less intrusive alternatives have failed or been deemed inappropriate, and with extreme caution. School personnel shall use physical restraint with two goals in mind:

1. To administer a physical restraint only when needed to protect a student and/or member of the school community from immediate, serious, physical harm; and
2. To prevent or minimize any harm to the student as a result of the use or physical restraint.

Only school personnel who have received training pursuant to 603CMR 46.00 shall administer physical restraint on students. Whenever possible the administration of physical restraint shall be administered in the presence of at least one adult who does not participate in the restraint. A person administering physical restraint shall only use the amount of force necessary to protect the student from injury or harm. A member of the School Committee or any teacher or any employees or agent of the school committee shall not be precluded from using such reasonable force as is necessary to protect pupils, other persons or themselves from an assault by a pupil.

Physical restraint is prohibited as a means of punishment, or as a response to destruction of property, disruption of school order, a student's refusal to comply with a school rule or staff directive, or verbal threats that do not constitute a threat of imminent, serious physical harm to the student or others.

In special circumstances, waivers may be sought from parent/guardian of students through the Individual Education Program (IEP) process or from parent/guardian of students who present a high risk of frequent, dangerous behavior that may frequent the use of restraint.

## **BLACKSTONE-MILLVILLE REGIONAL SCHOOL DISTRICT SEXUAL HARASSMENT/ TITLE IX PROCEDURES**

*\*A complete copy of the Sexual Harassment policy and procedures is located in Appendix E of the handbook.*

The Blackstone-Millville Regional School District ("District") deems that harassment and discrimination within the workplace/schools is unlawful and prohibits any harassment or discrimination on the basis of sex, sexual orientation or gender identity in the educational programs, services, and activities of the school district as well as all employment opportunities.

The Blackstone-Millville Regional School District is committed to maintaining an educational and employment atmosphere in which every student and employee is free to pursue his/her need and fulfill his/her responsibilities free from behaviors that would prove to be destructive.

Harassment and discrimination are considered to be destructive and will not be tolerated. It is considered to be unlawful to retaliate against an employee or student who files a complaint of harassment or discrimination or who cooperated in the investigation of such complaint.

## **Definitions**

In the employment context, sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment under Massachusetts law when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's advancement (quid pro quo harassment);
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions;
- Such conduct interferes with an individual's job duties; or
- The conduct creates an intimidating, hostile or offensive work environment.

In the educational context, sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

- An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct ("quid pro quo harassment");
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity ("hostile environment harassment"); or
- "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30)

The District will promptly investigate all allegations of sexual harassment of which it has actual knowledge and which are alleged to occur in the school's programs and activities, including locations, events, and/ or circumstances in which the school district exercises substantial control, in a way that is not deliberately indifferent.

The following additional definitions apply:

"Actual knowledge" means notice of sexual harassment or allegations of sexual harassment to any employee of the district, except that this standard is not met when the only official of the district with actual knowledge is the respondent (where the respondent is an employee). Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. Complaints will be addressed whenever the district has actual knowledge of the allegation.

"Administrative leave" means placing an employee on leave pursuant to state law. Nothing in the Title IX regulations precludes a recipient from placing a non-student employee respondent on administrative leave during the pendency of a grievance process, provided that Massachusetts laws are followed.

"Consent" means cooperation in act or attitude pursuant to an exercise of free will of a conscious person with informed knowledge of the nature of the act or actions. A current or previous relationship shall not be sufficient to constitute consent. Consent will not be found when submission to the act or actions is

undertaken due the influence of fear, fraud, forcible compulsion, threats, and/ or the complainant possessed any legal incapacity to consent at the time of the act or actions. Consent is a defense to all types of sexual harassment.

“Complainant” means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

“Deliberate indifference” means a response to sexual harassment that is clearly unreasonable in light of the known circumstances.

“Emergency removal” means the suspension or expulsion of a student on an emergency basis, consistent with state law. Nothing in the Title IX regulations precludes a district from removing a respondent from the district’s education program or activity on an emergency basis, provided that the district follows all procedures under Massachusetts law, undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.

Formal complaint means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment and requesting that the district investigate the allegation of sexual harassment. There is no required form to file a written complaint.

“Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

“Supportive measures” means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient’s education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the recipient’s educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures

### **Pest Management Plan Public Notice**

All schools in the Blackstone-Millville Regional School District, in compliance with the Act Protecting Children and Families from Harmful Pesticides, have filed Indoor and Outdoor Pest Management Plans with the Massachusetts Department of Agricultural Resources (MDAR). These plans, about pest management and pesticide use policy, are accessible at the MDAR website, <http://massnrc.org/ipm/>, in the Principal’s office of each school and at the District office.

**Home Hospital Instruction** 603 CMR 28.03 (c) **Educational services in home or hospital.** Upon receipt of a physician's written order verifying that any student enrolled in a public school or placed by the public school in a private setting must remain at home or in a hospital on a day or overnight basis, or any combination of both, for medical reasons and for a period of not less than fourteen school days in any school year, the principal shall arrange for provision of educational services in the home or hospital. Such services shall be provided with sufficient frequency to allow the student to continue his or her educational program, as long as such services do not interfere with the medical needs of the student. The principal

shall coordinate such services with the Administrator of Special Education for eligible students. Such educational services shall not be considered special education unless the student has been determined eligible for such services, and the services include services on the student's IEP.

### **Homelessness**

Students who lack fixed, regular, or adequate nighttime housing or have a primary nighttime residence in a supervised shelter are considered homeless. Homeless students are entitled to receive educational and other services for which they are eligible and to have the opportunity to enroll and succeed in school. Contact your child's principal, school counselor, or the district's homeless liaison, TBD, for assistance.

### **Student Food Services Accounts** *\*See BMRSD COVID19 Handbook Appendix*

The Blackstone Millville Regional School Committee establishes the following goals:

- To establish a consistent district policy regarding the method of payment for meals, charge availability and collection methods for charges in the district's meal program.
- To treat all students with dignity at all times.
- To support positive interactions with students, parent/guardian(s)/guardian(s), and district staff to the maximum extent possible.
- To encourage the parent/guardian(s)/guardian(s) to assume the responsibility of payments and to promote self-responsibility of the student.

### **Administration Of Policy**

The district is responsible for ensuring that the Food Services accounts are properly managed and accurately reported. The administration will closely monitor student school meal accounts with the goal of having all in good standing, thus eliminating negative balances and delinquent accounts.

Parent/guardian(s)/guardian(s) will strongly be encouraged to make payments via the online payment system. By registering for an account, parent/guardian(s)/guardian(s) can choose to receive email alerts to low balances, set up automatic deposits to student's account or schedule payments to add funds to the student account. The district administration will provide annual notice of how to access the online payment system.

### **Definitions**

- Good standing - a balance in the account of \$0.00 or more
- Negative balance (deficit accounts) - a balance in the account less than \$0.00
- Delinquent - an account which has a negative balance and no contact or payments have been received from the student or parent/guardian(s)/guardian(s) for 14 days after first notice.

### **Student Accounts**

Under no circumstances will a student be denied a lunch or receive an alternative lunch.

### **Blocks on Accounts**

Parent/guardian(s)/guardian(s) may contact, in writing, the food services manager to place a block on their student's account to prohibit the purchase of a la carte items or to set a dollar cap for daily spending.

### **Refunds**

- For any student who has withdrawn, a written request for a refund of any funds remaining in the student's account must be submitted.
- For students who are graduating, a refund may be issued with a written request or funds can be transferred to a sibling's account with a written request.

### **Remaining Balances**

Any positive balance may:

- Remain on account to be used in the following school year
- Be transferred to a sibling's account, or
- Be refunded to a parent/guardian(s)/guardian(s) with written request.

### **Deficit Accounts**

When a student account deficit exceeds the cost of five lunches in the elementary level, and two lunches at the middle and high school level, the food service manager or designee:

- Will send a letter or email to the parent/guardian(s)/guardian(s) requesting immediate payment.
- Will, if applicable, assist the family in applying for free and reduced priced lunch.

If the balances continue to escalate, and if there are no mitigating factors and the parent/guardian(s)/guardian(s) has not made any payment in an effort to reduce the negative balance or fails to bring the student's account in good standing within 14 days of the first deficit notice, the administration may take the following action(s)

- Deem the account delinquent
- Refer the account to a collection agency
- Initiate a claim in the court system
- Notify other appropriate state agencies

If a student's account is not in good standing at the end of the school year, the administration may take one or more of the following actions, unless or until prohibited by state law or regulation:

- Delay the issuance of report cards, transfer cards, and class assignments until or unless the negative or delinquent balance is paid in full.
- Refer the account to a collection agency.
- Initiate a claim in the court system and/or contact the MA District Attorney's office.
- Notify other appropriate state agencies.

If a senior's account is not in good standing as of May 1st, the administration may take the following action:

- Prohibit student from participation in senior activities and/or graduation exercises.

## **Appendix B**

### **STATE LAWS**

#### **English Language Learners (ELL)**

In an effort to educate each child individually, it is important to consider how each child can best learn. English Language Learners (ELL) or limited English Proficient students (LEP) are provided with the opportunity to be proficient in English and provided with full access to the academic, non-academic, and extracurricular activities as English speaking students. Some students do not have a strong base of literacy



or fluency in their first language and need to develop essential skills in listening, speaking, reading, and writing in English. In order to accomplish these goals, English Language Learners will receive sheltered English instruction in English classrooms in accordance with state and federal laws. Sheltered instruction addresses the concepts and skills as defined in the curriculum and assists students with language development.

If parent/guardian do not want their child to participate in an ELL program, a waiver may be granted. Refer to the Blackstone-Millville Regional District's English Language Learner Handbook for information about programs for English language learners OR CONTACT THE District's ELL Liaison, TBD.

## **Hazing**

### **C.269, S.17.Crime of Hazing: Definition: Penalty**

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

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

Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action. Added by St. 1985, c.536; amended by St. 1987, c.665.

### **C. 269, S.18. Duty to Report Hazing**

Whoever knows that another person is the victim of hazing as defined in section seventeen and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself or others report such crime to an appropriate law enforcement official as soon as reasonably practical. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars. Added by St.1985, c.536; amended by St.1987.c.665.

**C. 269, S.19. Hazing Statutes to Be Provided;** Statement of Compliance and Discipline Policy Required Each institution of secondary education and each public and private institution of post secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections seventeen and eighteen; provided, however, that an institution's compliance with this section's requirements that an institution issue copies of this section and sections seventeen and eighteen to unaffiliated student groups, teams, or organizations shall not constitute evidence or the institution's recognition or endorsement of said unaffiliated student groups, teams or organizations.

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

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

Each institution of secondary education and each public or private institution of post secondary education shall file, at least annually, a report with the regents of higher education and in the case of secondary schools, the board of education, certifying that such institution has complied with its responsibility to inform student groups, teams, or organizations and to notify each full time student enrolled by it of the provisions of this section and sections seventeen and eighteen and also certifying that said institution has adopted a disciplinary policy with regard to the organizers and participants of hazing, and that such policy has been set forth with appropriate emphasis in the student handbook or similar means of communicating the institution's policies to its students. The board of regents and, in the case of secondary institutions, the board of education shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general any such institution, which fails to make such report. Added by St. 1985,c.536; amended by St. 1987, c.665.

## **Massachusetts Nutrition Law – Effective August 2012**

Our School District wants to provide a healthy school environment for all students. That means offering nourishing food and drink choices that will promote students' growth and development, learning, and healthy life-long habits.

As part of the effort to improve children's health in Massachusetts, the State Legislature asked the Massachusetts Departments of Public Health and Elementary and Secondary Education to develop nutrition standards for our public schools. These standards will be applied in your child's school beginning August, 2012. The nutrition standards support our goals for student health and academic achievement by concentrating on serving nutrient-rich, minimally processed foods, such as fruits, vegetables, whole grains, lean protein and low-fat dairy products.

The new law will result in changes to many of the current practices our schools have involving food sold or provided in the buildings. It will be in effect from 30 minutes before the beginning of the school day until 30 minutes after the school day ends.

The new standards will apply to:

School cafeteria a la carte items & vending machines

School stores, snack bars, and concession stands

School booster sales, fund-raising activities and other school-sponsored or school-related events (*includes but not limited to: bake sales, incentive prizes such as pizza parties, food given for participation in classroom activities & clubs and food rewards*)

School buildings and any other location on school property, including classrooms and hallways (*includes but not limited to: birthdays, holiday celebrations, grade level snack sales, MCAS snacks and food-based incentives*)

All food items used in any of the above must meet the nutrition standards of the law. In order to simplify the process of what items are acceptable, a link to the new standards & list of food items that meet these standards is available on the Food Service site, which is accessible on the District website, under the "Foodservice" Tab.

We welcome your ideas and support in creating a healthier school environment for our students. Please feel free to contact the Food Service office with any questions and ideas you may have.

## **Non-Resident Students**

A change in the Massachusetts General Laws, Section 5 of CH76 permits a school committee to charge the parent/guardian or other persons causing a child to illegally attend a school. Following the advent of the Education Reform Act, tuition was only able to be charged to those coming from another state. Now a child who lives in a community other than that of the residence of his parent/guardian or guardian for the purpose of attending school is determined to be illegal and charges can be issued.

### **CHAPTER 76, Section 1. Attendance**

G.L. c. 76, s 1 requires that every child, with certain exceptions, between ages established by the state board of education, must attend a public day school, or some other approved school, during the times when public schools are in session. The school committee is charged with the duty to provide for and enforce the school attendance of all children actually residing in the city or town. Home schooling must be approved by the superintendent. Absences by a student may not exceed 7-day sessions or 14 half-day sessions in any six-month period.

### **Possession of a Weapon**

Pursuant to M.G.L. Chapter 269 Section 10(j), the possession of a firearm or other dangerous weapon in any building or on the grounds of a secondary school is a crime punishable by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both. Dangerous weapon includes, but is not limited to, a gun, bb-gun, paintball gun, air gun, knife, switchblade, ammunition, brass knuckles, a shod foot, and any instrument or object which can be used or is used to inflict injury on another person, such as a screwdriver, scissors, heavy jewelry, rope, etc.

This is a serious breach of school regulations and will result in suspension, police will be notified, and the person/student will be arrested and prosecuted. Refer to Appendix B, MGL, Section 37H regarding expulsion proceedings. The Superintendent of Schools will be notified.

## **Massachusetts Student Discipline Statutes and Regulations as of July 1, 2014**

### **G. L. Chapter 71, Section 37H**

#### **Offenses:**

On school premises or at school-sponsored events or activities:

- Possession of a dangerous weapon
- Possession of a controlled substance
- Assault on a member of the educational staff

#### **Consequence:**

- Exclusion for amount of time up to expulsion;
- Principal may suspend and not expel as he or she deems appropriate

#### **Due Process:**

- Constitutional due process;
- Prior notice to student of charge and written notice of right to hearing;
- Right to representation at hearing; and to present evidence and witnesses at hearing

#### **Appeal from the Principal's Decision:**

- Right to appeal **expulsion** decision to superintendent
- Timeline for requesting appeal: ten days from date of expulsion
- Right to counsel at hearing
- Superintendent can make factual determinations as well as determine consequence

#### **Provision of Education Services:**

Provide every student an opportunity to make academic progress during the period of suspension (whether in-school or out-of-school) or expulsion, to make up assignments, and earn credits missed. A district that suspends or expels a student for more than 10 consecutive days must provide the student and the parent/guardian with a list of alternative educational services.

**See G. L. c. 76, Section 21 and 603 CMR 53.13 for details, including required notice.**

**Discipline Collection and Reporting:**

- Collect and report to the Department data concerning the types and lengths of removals, suspensions, and expulsions, and access to education services
- Periodically review discipline data by selected student populations; determine extent of disciplinary removals and the impact on such populations; adjust practice as appropriate
- Department will provide assistance to school(s) if Commissioner identifies school(s) in district that have the highest percentage of suspensions or expulsions in Massachusetts for more than 10 cumulative days in a school year
- Create a plan to address disparities if Commissioner determines that school or district discipline data reflect significant disparities by race and ethnicity, or disabilities

**See 603 CMR 53.14 for details.**

**G. L. Chapter 71, Section 37H ½**

**Offenses:**

1. A felony charge or felony delinquency complaint against a student.
2. Conviction, adjudication, or admission or guilt with respect to such felony.

**Consequence:**

1. Felony charge or felony delinquency complaint: suspension for a period of time deemed appropriate by the Principal *if* the Principal determines the student's continued presence would have a substantial detriment on the general welfare of the school.
2. Felony or felony delinquency conviction or adjudication or admission of guilt with respect to such felony: removal for a period of time up to expulsion (i.e. permanent exclusion) *if* the Principal determines that the student's continued presence would have a substantial detriment on the general welfare of the school.

**Due Process (for either suspension or expulsion):**

- Constitutional due process;
- Written notice of the charges and of the reasons before the suspension takes effect;
- Principal may determine the appropriate amount of time for suspension;
- Written notice of the right to appeal to the superintendent;
- Suspension remains in effect pending appeal to the superintendent.

**Appeal from the Principal's Decision to Suspend or to Expel:**

- Timeline for requesting later than 5 calendar days following the effective date of the suspension/expulsion
- Superintendent must hold hearing within 3 calendar days of receipt of request and issue a decision within 5 calendar days.
- Superintendent may overturn or alter the decision.

**A student may appeal a suspension decision and the subsequent expulsion decision (following the conviction, adjudication or admission of guilt) regarding the same offense.**

**Provision of Education Services:**

Same as in G. L. Chapter 71, Section 37H

**Discipline Collection and Reporting:**

Same as in G. L. Chapter 71, Section 37H

## **G. L. Chapter 71, Section 37 H $\frac{3}{4}$**

### **Offenses:**

Any offense that is not addressed in 37 H or 37 H  $\frac{1}{2}$

### **Consequence:**

- May not suspend a student from school long-term (i.e. more than 10 days) until other remedies and consequences have been considered; consider ways to re-engage the student in learning
- Consequences other than suspension may draw from evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and behavioral interventions and supports
- No student may be suspended for more than 90 school days in a school year

### **Due Process:**

- Except for in-school suspension and emergency removals, prior oral and written notice of the charge to the student, and to the student's parent/guardian, and the opportunity for a meeting/hearing with the Principal before suspension takes effect. Consult 603 CMR 53:08 for details on notices
- Consult 603 CMR 53:07 for emergency removal process and 603 CMR 53:10 for in-school suspension process
- Explicit requirement to translate notice of the charges and the reasons in primary language of the home if other than English, or other means of communication where appropriate
- Principal must make and document reasonable efforts to include the parent/guardian in meeting/hearing with the student
- Principal must audiotape the hearing if requested by the parent/guardian and all those attending the hearing must be informed of the taping
- Following hearing, Principal must provide a written decision; and if a long-term suspension imposed, must inform student and parent/guardian in writing of the right to appeal to the superintendent and the process to be followed; translate notice of appeal rights in primary language of the home, or other means of communication where appropriate
- Before any out-of-school suspension of a student in preschool or grades K-3, Principal must notify superintendent in writing of the alleged misconduct and the reasons for suspending the student out-of-school.

### **Appeal from Principal's Decision:**

- Timeline for requesting appeal: written request not later than 5 calendar days following effective date of suspension; parent/guardian can request extension for up to 7 calendar days, which must be granted
- The superintendent must hold hearing within 3 calendar days of the parent/guardian's request for a hearing. The student or parent/guardian may request up to 7 additional calendar days. If so, the superintendent must allow the extension. The superintendent may have the hearing without the parent/guardian if the superintendent has made a good faith effort to include the parent/guardian
- The student has the right to present oral and written testimony, to cross examine witnesses, and to counsel at his or her expense at the hearing
- The superintendent must audiotape the hearing and notify hearing participants that the hearing will be taped

- The superintendent determines the facts and consequences, if any, but cannot impose a consequence greater than the Principal's decision. A written decision is due within 5 calendar days of the hearing.

**Provision of Education Services:**

Same as in G. L. Chapter 71, Section 37H

**Discipline Collection and Reporting:**

Same as in G. L. Chapter 71, Section 37H

**Code of Massachusetts Regulations**

**603 CMR 23.00 Students Records**

**23.07. Access to Student Records**

**Inspection of Record**

A parent/guardian or eligible student has the right to inspect all portions of the student record upon request. The record must be made available within two days after the request, unless the parent/guardian or student consents to a delay. The parent/guardian and eligible student have the right to receive a copy of any part of the record, although the school may charge a reasonable fee for the cost of duplicating the materials. The parent/guardian and eligible student may request to have parts of the record interpreted by a qualified professional from the school, or may invite anyone else of their choice to inspect or interpret the record with them.

**Confidentiality of Record**

Except where the regulations specifically authorize access by third parties, no individuals or organizations other than the parent/guardian, eligible student, and school personnel working directly with the student are allowed access to information in the student record without the specific, informed, written consent of the parent/guardian or eligible student.

**Access Procedures for Non-Custodial Parent/guardian**

As required by M.G.L. c. 71, §34H, a non-custodial parent/guardian may have access to the student record in accordance with the following provisions.

(a) A non-custodial parent/guardian is eligible to obtain access to the student record unless:

1. The parent/guardian has been denied legal custody based on a threat to the safety of the student or to the custodial parent/guardian, or
2. The parent/guardian has been denied visitation or has been ordered to supervised visitation, or
3. The parent/guardian's access to the student or to the custodial parent/guardian has been restricted by a temporary or permanent protective order, unless the protective order (or any subsequent order modifying the protective order) specifically allows access to the information contained in the student record.

(b) In order to obtain access, the non-custodial parent/guardian must submit a written request for the student record to the school principal annually. The initial request must include the following:

1. A certified copy of the court order or judgment relative to the custody of the student that either indicates that the requesting parent/guardian is eligible to receive access as set forth in 603 CMR 23.07 (5) (a), or a certified copy of a court order specifically ordering that the student records be made available to the non-custodial parent/guardian, and
2. An affidavit from the non-custodial parent/guardian that said court order or judgment remains in effect and that there is no temporary or permanent order restricting access to the custodial parent/guardian or any child in the custodial parent/guardian's custody.

- (c) The non-custodial parent/guardian must submit a written request for access each year stating that said parent/guardian continues to be entitled to unsupervised visitation with the student and is eligible to obtain access as set forth in 603 CMR 23.07 (5) (a).
- (d) Upon receipt of the request (initial and annual) the school must immediately notify the custodial parent/guardian by certified and first class mail, in English and the primary language of the custodial parent/guardian, that it will provide the non-custodial parent/guardian with access after 21 days, unless the custodial parent/guardian provides the principal with documentation that the non-custodial parent/guardian is not eligible to obtain access as set forth in 603 CMR 23.07 (5) (a).
- (e) The school must delete the address and telephone number of the student and custodial parent/guardian from student records provided to non-custodial parent/guardians. In addition, such records must be marked to indicate that they shall not be used to enroll the student in another school.
- (f) Upon receipt of a court order, which prohibits the distribution of information pursuant to G.L.c.71, §34H, the school shall notify the non-custodial parent/guardian that it shall cease to provide access to the student record to the non-custodial parent/guardian.

### **Access of Third Parties**

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

(a) A school may release the following directory information: a student's name, address, telephone listing, date and place of birth, major field of study, dates of attendance, weight and height of members of athletic teams, class, participation in officially recognized activities and sports, degrees, honors and awards, and post-high school plans without the consent of the eligible student or parent/guardian; provided that the school gives public notice of the types of information it may release under 603 CMR 23.07 and allows eligible students and parent/guardians a reasonable time after such notice to request that this information not be released without the prior consent of the eligible student or parent/guardian. Such notice may be included in the routine information letter required under 603 CMR 23.10.

(b) Upon receipt of a court order or lawfully issued subpoena the school shall comply, provided that the school makes a reasonable effort to notify the parent/guardian or eligible student of the order or subpoena in advance of compliance.

(c) A school may release information regarding a student upon receipt of a request from the Department of Social Services, a probation officer, a justice of any court, or the Department of Youth Services under the provisions of M.G.L. c. 119, sections 51B, 57, 69 and 69A respectively.

(d) Federal, state and local education officials, and their authorized agents shall have access to student records as necessary in connection with the audit, evaluation or enforcement of federal and state education laws, or programs; provided that except when collection of personally identifiable data is specifically authorized by law, any data collected by such officials shall be protected so that parties other than such officials and their authorized agents cannot personally identify such students and their parent/guardians; and such personally identifiable data shall be destroyed when no longer needed for the audit, evaluation or enforcement of federal and state education laws.

(e) A school may disclose information regarding a student to appropriate parties in connection with a health or safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. This includes, but is not limited to, disclosures to the local police department and the Department of Social Services under the provisions of M.G.L. c. 71, section 37L, and M.G.L. c. 119, section 51A.

(f) Upon notification by law enforcement authorities that a student, or former student, has been reported missing, a mark shall be placed in the student record of such student. The school shall report any request concerning the records of such child to the appropriate law enforcement authority pursuant to the provisions of M.G.L. c. 22A, section 9.

(g) Authorized school personnel of the school to which a student seeks or intends to transfer may have access to such student's record without the consent of the eligible student or parent/guardian, provided that the school the student is leaving, or has left, gives notice that it forwards student records to schools in which the student seeks or intends to enroll. Such notice may be included in the routine information letter required under 603 CMR 23.10.

(h) School health personnel and local and state health department personnel shall have access to student health records, including but not limited to immunization records, when such access is required in the performance of official duties, without the consent of the eligible student or parent/guardian.

### **Amendment of Record**

The parent/guardian and eligible student have the right to add relevant comments, information, or other written materials to the student record. In addition, the parent/guardian and eligible student have a right to request that information in the record be amended or deleted. They are entitled to meet with the principal to discuss their objection to information that is in the record, and to receive a written decision. A parent/guardian or eligible student who is not satisfied with the principal's decision may appeal to higher authorities in the school district.

### **Destruction of Records**

The regulation requires the school authorities to destroy a student's temporary record within five years after the student transfers, graduates, or withdraws from the school system. School authorities are also allowed to destroy misleading, outdated, or irrelevant information in the record from time to time while the student is enrolled in the school system. In each case, the school must first notify the parent/guardian and eligible student and give them the opportunity to receive a copy of any of the information before it is destroyed.

### **TEACHING ABOUT DRUGS, ALCOHOL, AND TOBACCO**

In accordance with state and federal law, the district shall provide age-appropriate, developmentally based drug, alcohol and tobacco education and prevention programs in grades K-12.

The drug, alcohol and tobacco education program shall address the legal, social, and health consequences of drug, alcohol and tobacco use, with emphasis on nonuse by school-age children. The program also shall include information about effective techniques and skill development for delaying and abstaining from using, as well as skills for addressing peer pressure to use illicit drugs, alcohol or tobacco.

The objectives of this program, as stated below, are rooted in the Committee's belief that prevention requires education, and that the most important aspect of the policies and guidelines of the district should be the education of children and youth on healthy decision-making.

- To prevent, delay, and/or reduce alcohol, tobacco, and drug use among children and youth.
- To prevent students' understanding of the legal, social, and health consequences of alcohol, tobacco, and drug use.
- To teach students self-management skills. Social Skills, negotiation skills, and refusal skills that will help them make healthy decisions and avoid alcohol, tobacco, and drug use.

The curriculum, instructional materials and outcomes used in this program shall be recommended by the Superintendent and approved by the School Committee.



This policy shall be posted on the district's website and notice shall be provided to all students and parent/guardians in accordance with state law. Additionally, the district shall file a copy of this policy with DESE in accordance with law in a manner requested by DESE.

#### **ALCOHOL, TOBACCO, AND DRUG USE BY STUDENTS PROHIBITED**

A student shall not, regardless of the quantity, use or consume, possess, buy or sell, or give away any beverage containing alcohol; any tobacco product, including vapor/E-cigarettes; marijuana; steroids; or any controlled substance. The School Committee prohibits the use or consumption by students of alcohol, tobacco products, or drugs on school property or at any school function.

Additionally, any student who is under the influence of drugs or alcoholic beverages prior to, or during, attendance at or participation in a school-sponsored activity, will be banned from that activity and may be subject to disciplinary action.

This policy shall be posted on the district's website and notice shall be provided to all students and parent/guardians of this policy in accordance with state law. Additionally, the district shall file a copy of this policy with DESE in accordance with law in a manner requested by DESE.

#### **CHAPTER 71 SECTION 37H. POLICIES RELATIVE TO CONDUCT OF STUDENTS**

According to the provisions of Massachusetts General Laws, Chapter 71, Section 37H, the following procedures are in effect for serious disciplinary infractions involving weapons, drugs or assault.

Any student who is found on school premises or at a school-sponsored or school-related event, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or a knife, or a controlled substance as defined in chapter ninety-four C, including, but not limited to marijuana, cocaine, and heroin, may be subject to expulsion from the school or school district by the principal.

Any student who assaults a principal, assistant principal, teacher, teacher's aide or any other staff member on school premises or at school-sponsored or school-related events, including athletic games, may be subject to expulsion from the school or school district by the principal.

Any student who is charged with a violation of either paragraph (a) or (b) shall be notified in writing of an opportunity for a hearing, provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the principal. After said hearing, a principal may, at his discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraph (a) or (b); provided, however, that any principal who decides that said student should be suspended shall state in writing to the school committee his reasons for choosing the suspension instead of the expulsion as the most appropriate remedy. In this statement, the principal shall represent that, in his opinion, the continued presence of this student in the school will not pose a threat to the safety, security and welfare of the other students and staff in the school.

Any student who has been expelled from a school district pursuant to these provisions shall have the right to appeal to the superintendent. The expelled student shall have ten days from the date of the expulsion in which to notify the superintendent of his/her appeal. The student has the right to counsel at a hearing before the superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provision of this section.

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 pupil's expulsion.

## **CHAPTER 71 SECTION 37L. REPORTS OF STUDENTS POSSESSING OR USING DANGEROUS WEAPONS ON SCHOOL PREMISES; TRANSFERRED STUDENTS' SCHOOL RECORDS**

In addition, any school department personnel shall report in writing to their immediate supervisor an incident involving a student's possession or use of a dangerous weapon on school premises at any time.

Supervisors who receive such a weapon report shall file it with the superintendent of said school, who shall file copies of said weapon report with the local chief of police, the department of social services, the office of student services or its equivalent in any school district, and the local school committee. Said superintendent, police chief, and representative from the department of social services, together with a representative from the office of student services or its equivalent, shall arrange an assessment of the student involved in said weapon report. Said student shall be referred to a counseling program; provided, however, that said counseling shall be in accordance with acceptable standards as set forth by the board of education. Upon completion of a counseling session, a follow-up assessment shall be made of said student by those involved in the initial assessment.

A student transferring into a local system must provide the new school system with a complete school record of the entering student. Said record shall include, but not be limited to, any incidents involving suspension or violation of criminal acts or any incident reports in which such student was charged with any suspended act.

## **CHAPTER 71 SECTION 37H1/2. FELONY COMPLAINT OR CONVICTION OF A STUDENT; SUSPENSION; EXPLUSION; RIGHT TO APPEAL.**

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

Upon the issuance of a criminal complaint charging a student with a felony or upon the issuance of a felony delinquency complaint against a student, the principal or headmaster of a school in which the student is enrolled may suspend such student for a period of time determined appropriate by said principal or headmaster if said principal or headmaster determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and the reasons for such suspension prior to such suspension taking effect. The student shall also receive written notification of his right to appeal and the process for appealing such suspension; provided, however, that such suspension shall remain in effect prior to any appeal hearing conducted by the superintendent.

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

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

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

Upon expulsion of such student, no school or school district shall be required to provide educational services to such student.

## **Physical Restraint**

603 CMR 46.00: Physical Restraint

See Appendix A, Physical Restraint of Students

## **Threat Assessment Policy**

### **Overview**

With the advent of increased violence in schools comes a corresponding difficulty for school principals in assessing the seriousness and validity of incidents containing threats, be they implied or overt.

The overriding concept in dealing with such incidents/instances must be the overall safety of the students, staff and property of the District. Administrators are placed in the position of determining how best to respond, especially when disciplinary action may be determined to be in conflict with a student's rights as defined by the United States Constitution and Massachusetts General Laws. The Threat Assessment Policy shall be published annually in the individual school handbooks.

### **The Intervention Process**

In light of the complexities of the issues connected to matters of threats, the principal may send the student home, in the custody of a parent/guardian, while deliberations are ongoing.

In the event of the receipt of any threat, the building principal shall assemble his/her assessment team, which in addition to himself/herself shall be comprised of, but not limited to, one or more individuals from the group shown below.

- The Assistant Superintendent of schools
- TEAM Chairperson
- The Assistant Principal(s)
- Another District principal
- The School Psychologist
- The School Adjustment Counselor
- The Chief of Police
- The District Counsel
- A Juvenile Probation Officer
- An Assistant District Attorney
- A teacher(s)
- The Guidance Counselor

The principal shall assess the threat and the appropriate response with the assistance of those consulted prior to formulating his/her decision.

Threat assessment will involve determining whether the threat received is of a low, medium or high threat level. This determination will be based upon a four-pronged effort as recommended by the Federal Bureau of Investigation's (FBI's) 1999 report titled, "A Threat Assessment Perspective". It will involve an examination of: (1) the personality of the student, including behavioral characteristics and traits; (2) family dynamics, including patterns of behavior, thinking, values, etc.; (3) school dynamics, including how a student might see himself/herself in relation to the school's culture; (4) social dynamics, including a student's beliefs, choice of friends, attitudes towards drugs, alcohol and weapons.

Once the threat assessment is complete, an evaluation of the threat (high, medium or low) and an appropriate response will be undertaken. The level of the threat shall determine if police intervention is required.

At the conclusion of the process, a debriefing session will be held to review the process and to recommend any steps that ought to be taken to further ensure the safety of the students, staff and property.

During the period of threat existence and assessment, the superintendent of schools shall serve as the sole source of public comment.

Adopted: March 22, 2001

Blackstone-Millville Regional School District

### **Restraining Order Policy**

In the event a student/faculty member obtains a restraining order, the named defendant will be subject to any and all course changes and route changes to comply with said restraining order. The named defendant will meet with a school administrator and the guidance counselor to sign a memorandum of agreement, which states such course and route changes will take place. He/she will be informed of the consequences if the restraining order is violated while on school property.

Violation of a restraining order is a criminal offense and any violation will be immediately reported to the police.

The onus of the restraining order is on the defendant. A victim cannot violate the restraining order through reasonable behavior. Cooperation is expected from both parties.

Third party contact or written messages through friends or other interested parties are a clear violation of the restraining order.

### **An Act to Protect Children and Families From Harmful Pesticides**

Pesticides shall not be applied indoors while children are on the property, except for anti-microbial pesticides such as bleach; rodenticides placed in tamper resistant baits; insecticidal baits; ready-to-use dusts, gels, or powder formulations; and certain lower risk pesticides. Until November 1, 2001 other pesticides can be applied indoors when children are NOT present on the property.

Pesticides shall not be applied on the outdoor property of a school, day care center or school age child care program while children are located in, on or adjacent to the area of the pesticide application.

All parent/guardians, staff, and children will have to be provided with standard written notification of any pesticide application that is made outdoors on school property. The notification will also have to be posted in a common area. The information to be contained in the standard written notification will be obtained from the licensed pesticide applicator that performs the work.

## **Appendix C**

## **FEDERAL LAWS**

## **Civil Rights Laws – Section 504 and Title VI and Title IX**

Section 504 is an Act which prohibits discrimination against persons with a handicap in any program receiving Federal financial assistance. The Act defines a person with a handicap as anyone who:

- Has a mental or physical impairment which substantially limits one or more major life activities (major life activities include activities such as caring for one's self, performing manual tasks, walking, seeing hearing, speaking, breathing, learning and working);
- has a record of such an impairment; or
- is regarded as having such an impairment.

The school district has specific responsibilities under the Act, which include the responsibility to identify, evaluate, and if the child is determined to be eligible under Section 504, to afford access to appropriate educational services.

If there are questions, please feel free to contact Janis Laporte, District 504 Coordinator @ 508-876-0190 or our Title VI and Title IX District Coordinator @ (508) 876-0190.

## **Family Educational Rights and Privacy Act (FERPA)**

The Family Educational Rights and Privacy Act (FERPA), a Federal law, requires that the Blackstone-Millville Regional School District, with certain exceptions, obtain your written consent prior to the disclosure of personally identifiable information from your child's education records. However, the Blackstone-Millville Regional School District, may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary. Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent/guardian's prior written consent. Outside organizations include, but are not limited to, companies which publish yearbooks.

If you do not want Blackstone-Millville Regional School District to disclose directory information from your child's education records without prior written consent, you must notify your child's school principal in writing within ten (10) days of your child's first day of school during the current school year.

## **Appendix D**

### **NON-DISCRIMINATION AND ANTI-HARASSMENT PROCEDURES EXCEPT FOR TITLE IX**

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

Any employee, student or third party who believes that he or she has experienced harassment or discrimination on the basis of his or her actual or perceived race, color, creed, ethnicity, religion, national origin, homelessness, disability, or age or who has witnessed or learns about the harassment of or

discrimination against, another person in the school environment, should inform the principal of the relevant school site or appropriate discrimination/harassment complaint official immediately or as soon as possible. For complaints based on sex/gender, sexual orientation and gender identity, please follow the District's Title IX policies and procedures. The Blackstone-Millville Regional School District further does not deny equal access to or a fair opportunity to meet, or discriminate against, any group officially affiliated with the Boy Scouts of America, or any other youth group listed in Title 36 of the United States Code as a patriotic society

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

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

#### **MMMMCCLV. Reporting Responsibilities**

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

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

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

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

The discrimination/harassment complaint officials for the Blackstone-Millville Regional School District are the following individuals on a district wide level:

Title II/ Section 504 (disability) - Dr. Janis Laporte 508-876-0190

Title VI (race, color, national origin) - Dr. Janis Laporte 508-876-0190

Title VII (employment discrimination based on race, color, religion, sex, national origin) - Matthew Ehrenworth 508-876-0119

Age Discrimination/Boy Scouts - Matthew Ehrenworth 508-876-0119

Homelessness - Ms. Jill Pilla Gallerani 508-876-0119

The school principals will serve as the building level coordinators for these categories.

## II.Procedures for Investigating

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

When a complaint of harassment or discrimination is received by the District, that allegation will be promptly investigated in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances and to the extent consistent with the law and collective bargaining agreements. The District will not issue any gag orders against the alleged victim or alleged aggressor. The grievance officer or discrimination/harassment complaint official will inform witnesses and others involved in the resolution process of the importance of maintaining confidentiality.

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

In certain cases, the harassment of a student may constitute child abuse under state law. The Blackstone-Millville Regional School District will comply with all legal requirements governing the reporting of suspected cases of child abuse and will report suspected criminal activity to the appropriate authorities.

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

1. Any staff member who receives a complaint verbally or in writing concerning harassment or discrimination or observes conduct which he/she believes may constitute harassment or discrimination is required to document the complaint and refer it to the school principal or discrimination/harassment complaint official immediately. Although the Blackstone-Millville Regional School District encourages a written complaint, use of a formal reporting requirement is not required. Oral reports will be considered complaints as well.

133938032. If the alleged victim or the alleged perpetrator chooses not to utilize the informal procedure, or feels that the informal procedure is inadequate or has been unsuccessful, he or she may proceed to the formal procedure. The informal process is completely voluntary and individuals can opt-out at any time.

133938080. The informal process will be a voluntary conversation between the alleged victim and the alleged perpetrator, which is facilitated by a school employee or by a designated discrimination/harassment complaint official. If the alleged victim or alleged perpetrator is a student under the age of eighteen (18), the facilitator **will** notify the student's parent(s)/guardian(s) if, after initial consultation with the student, it is determined to be in the best interest of the student. If the alleged victim and the alleged perpetrator feel that a resolution has been achieved, then the conversation remains confidential and no further action needs to be taken. The voluntary conversation must occur within five (5) workdays after receiving the complaint of discrimination or harassment. The results of an informal resolution shall be maintained by the facilitator, in writing.

133938176. If the alleged victim does not want to deal directly with the alleged perpetrator, or if the matter is not resolved informally, the complainant should immediately notify the school principal or the discrimination/harassment complaint official for formal resolution.

133938224. For a formal complaint, the alleged victim (or complainant, if not the alleged victim) will be asked to put in writing which begins the formal investigation process conducted by the school principal or the discrimination/harassment complaint official. If the alleged victim is not able to put it into writing or refuses, the principal or discrimination/harassment complaint official will put it into writing and ask the alleged victim to sign it. If requested, a Guidance / Adjustment Counselor, a School Nurse, or a School Psychologist may assist a student in putting it into writing.

133938272. During the investigation, the school principal or discrimination/harassment complaint official will:

- Keep the investigation group as small as possible to protect the rights of all parties and to prevent the investigation from becoming overly publicized and to protect the alleged victim (in addition to the complainant, if not the alleged victim) from retaliation.
- Complete the investigation as soon as possible from the date that it is reported, but no later than thirty (30) work days from the date of the complaint or report, unless impracticable. The investigation will include interviewing the complainant, the alleged victim (if different than the complainant), the alleged perpetrator and such other person(s) named by the complainant, alleged victim (if different than the complainant), or the alleged perpetrator who may have witnessed or have information pertaining to the incident. An opportunity will be provided for all parties to be heard and present witnesses.
- Throughout the investigation the District will maintain on-going contact with the alleged victim. In determining whether the alleged conduct constitutes a violation of this policy, the school principal or discrimination/harassment complaint official shall consider the age and level of understanding of the student(s) involved, surrounding circumstances, any relevant documents, the nature of the behavior, past incidents or past or continuing patterns of behavior, the relationships between the parties involved, and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of the District's policy prohibiting discrimination or harassment based on the actual or perceived protected class status of a student, employee or third party, requires a determination based on all of the facts and surrounding circumstances. Given that victims often experience continuing effects of harassment in the educational setting, during the investigative process the District will consider off-campus conduct to determine whether there is a hostile environment on campus.

133938320. After completing the investigation, the school principal or discrimination/harassment complaint official will conclude whether a violation of the policy has occurred or not; complete the written investigation report and send copies of the report to the discrimination/harassment complaint official, if the school principal is conducting the investigation, the superintendent, the alleged victim (in addition to the complainant, if not the alleged victim) and the alleged perpetrator. The report shall include:

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



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

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

133938368. Formal disciplinary actions shall be imposed in the event that the preponderance of the evidence indicates that the alleged conduct occurred. Any disciplinary action will be in accordance with due process rights under State law and any applicable collective bargaining agreement. The seriousness of the offense, including the nature and degree of harm caused, shall be considered when deciding the appropriate disciplinary action.

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

133938560. Appeal Procedure

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

### **III. Interim Measures**

The Blackstone-Millville Regional School District shall take immediate steps to protect the alleged victim, alleged perpetrator, witnesses, and the larger school community pending the completion of an investigation or the informal process and address any ongoing harassment or discrimination.

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

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

If the circumstances suggest a threat to others, the school principal or the discrimination/harassment complaint official will ensure that the District informs relevant members of the school community. This may include, for example, notifying employees of areas where harassment or discrimination frequently occurs.

#### **IV. Referral to Law Enforcement and Other Agencies**

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

The school principal or the discrimination/harassment complaint official will follow this procedure regardless of whether the alleged conduct is also being investigated by another agency, unless the fact finding process would impede a law enforcement investigation. In such cases, the school principal or the discrimination/harassment complaint official will determine whether interim measures to protect the well-being of the complainant and the school community and prevent retaliation are needed while the law enforcement agency's fact-gathering is in progress. Once notified that law enforcement has completed its gathering of evidence (not the ultimate outcome of the investigation or the filing of any charges), the school principal or the discrimination/harassment complaint official will promptly resume and complete the investigation.

Additionally, several behaviors listed as harassment may also constitute physical abuse. Thus, under certain circumstances, alleged harassment may also constitute physical abuse under Massachusetts law. Such harassment or abuse is subject to the duties of mandatory reporting and must be reported to the Department of Children and Families within twenty-four (24) hours of the time the educator becomes aware of the suspected abuse. All school personnel are identified as being mandatory reporters.

#### **V. Conflict of Interest**

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

#### **VI. Retaliation**

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

## **VII. Right to Alternative Complaint Procedures**

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

### **A. Students**

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

Massachusetts Department of Elementary and Secondary Education  
Program Quality Assurance Services  
75 Pleasant Street, Malden, MA 02148-4906  
Phone: (781) 338-3700  
FAX: (781) 338-3710  
Email: [compliance@doe.mass.edu](mailto:compliance@doe.mass.edu)

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

United States Department of Education  
Office for Civil Rights ("OCR")  
5 Post Office Square  
Boston, MA 02109  
tel. (617) 289-0111

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

### **B. Employees**

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

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

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

2. Massachusetts Commission  
Against Discrimination ("MCAD")

Boston Office

One Ashburton Place, Rm. 601  
Boston, MA 02108  
(617) 994-6000

Springfield Office

436 Dwight Street, Rm. 220  
Springfield, MA 01103  
(413) 739-2145

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

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**Appendix E**

**BLACKSTONE-MILLVILLE REGIONAL SCHOOL DISTRICT  
SEXUAL HARASSMENT/ TITLE IX PROCEDURES**

The Blackstone-Millville Regional School District ("District") deems that harassment and discrimination within the workplace/schools is unlawful and prohibits any harassment or discrimination on the basis of sex, sexual orientation or gender identity in the educational programs, services, and activities of the school district as well as all employment opportunities.

The Blackstone-Millville Regional School District is committed to maintaining an educational and employment atmosphere in which every student and employee is free to pursue his/her need and fulfill his/her responsibilities free from behaviors that would prove to be destructive.

Harassment and discrimination are considered to be destructive and will not be tolerated. It is considered to be unlawful to retaliate against an employee or student who files a complaint of harassment or discrimination or who cooperated in the investigation of such complaint.

**Definitions**

In the employment context, sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment under Massachusetts law when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's advancement (quid pro quo harassment);
- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions;
- Such conduct interferes with an individual's job duties; or
- The conduct creates an intimidating, hostile or offensive work environment.

In the educational context, sexual harassment means conduct on the basis of sex that satisfies one or more of the following:

- An employee of the recipient conditioning the provision of an aid, benefit, or service of the recipient on an individual's participation in unwelcome sexual conduct ("quid pro quo harassment");
- Unwelcome conduct determined by a reasonable person to be so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the recipient's education program or activity ("hostile environment harassment"); or
- "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v), "dating violence" as defined in 34 U.S.C. 12291(a)(10), "domestic violence" as defined in 34 U.S.C. 12291(a)(8), or "stalking" as defined in 34 U.S.C. 12291(a)(30)

The District will promptly investigate all allegations of sexual harassment of which it has actual knowledge and which are alleged to occur in the school's programs and activities, including locations, events, and/ or circumstances in which the school district exercises substantial control, in a way that is not deliberately indifferent.

The following additional definitions apply:

"Actual knowledge" means notice of sexual harassment or allegations of sexual harassment to any employee of the district, except that this standard is not met when the only official of the district with actual knowledge is the respondent (where the respondent is an employee). Imputation of knowledge based solely on vicarious liability or constructive notice is insufficient to constitute actual knowledge. Complaints will be addressed whenever the district has actual knowledge of the allegation.

"Administrative leave" means placing an employee on leave pursuant to state law. Nothing in the Title IX regulations precludes a recipient from placing a non-student employee respondent on administrative leave during the pendency of a grievance process, provided that Massachusetts laws are followed.

"Consent" means cooperation in act or attitude pursuant to an exercise of free will of a conscious person with informed knowledge of the nature of the act or actions. A current or previous relationship shall not be sufficient to constitute consent. Consent will not be found when submission to the act or actions is undertaken due the influence of fear, fraud, forcible compulsion, threats, and/ or the complainant possessed any legal incapacity to consent at the time of the act or actions. Consent is a defense to all types of sexual harassment.

"Complainant" means an individual who is alleged to be the victim of conduct that could constitute sexual harassment.

"Deliberate indifference" means a response to sexual harassment that is clearly unreasonable in light of the known circumstances.

"Emergency removal" means the suspension or expulsion of a student on an emergency basis, consistent with state law. Nothing in the Title IX regulations precludes a district from removing a respondent from the district's education program or activity on an emergency basis, provided that the district follows all procedures under Massachusetts law, undertakes an individualized safety and risk analysis, determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal, and provides the respondent with notice and an opportunity to challenge the decision immediately following the removal.

Formal complaint means a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment and requesting that the district investigate the allegation of sexual harassment. There is no required form to file a written complaint.

"Respondent" means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

"Supportive measures" means non-disciplinary, non-punitive individualized services offered as appropriate, as reasonably available, and without fee or charge to the complainant or the respondent before or after the filing of a formal complaint or where no formal complaint has been filed. Such measures are designed to restore or preserve equal access to the recipient's education program or activity without unreasonably burdening the other party, including measures designed to protect the safety of all parties or the recipient's educational environment, or deter sexual harassment. Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the

campus, and other similar measures. The district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the recipient to provide the supportive measures. The Title IX Coordinator is responsible for coordinating the effective implementation of supportive measures

### **Complaints and Reports of Sexual Harassment**

Upon receiving actual notice of alleged sexual harassment without a formal complaint, staff members must notify the Title IX Coordinator. The Title IX Coordinator must then contact the complainant within two school days of receiving the complaint and do the following:

- Discuss and offer supportive measures;
- Consider the complainant's wishes with respect to supportive measures;
- Explain that supportive measures may be received with or without filing a formal complaint;
- Determine whether the complainant wishes to file a formal complaint; and
- Explain to the complainant the purpose of filing a formal complaint.

The Title IX Coordinator must document in writing the supportive measures offered/provided or why no supportive measures were offered/provided. Complainant and respondents must be offered supportive measures even if they do not file a formal complaint.

If the complainant declines to file a formal complaint, the Title IX Coordinator must consider whether to sign a formal complaint and start an investigation despite the complainant's preferences. This decision may be appropriate when safety or similar concerns lead the district to conclude that a non-deliberately indifferent response to actual knowledge of Title IX sexual harassment could reasonably require the school district to investigate and potentially sanction a respondent. A Title IX Coordinator's decision to override the complainant's decision not to file a formal complaint must be documented in writing along with an explanation of why this decision was necessary in order to avoid deliberate indifference.

Formal complaints may also be filed directly with the Title IX Coordinator by a complainant in person, by mail, by email, or by telephone at any time, including during non-business hours.

The contact information for the Title IX Coordinator is:

Dr. Janis Laporte  
Frederick W. Hartnett Middle School  
35 Federal Street  
Blackstone, MA 01504  
508-876-0190

The complaint may be written by the complainant, or it will be reduced to writing by either the school employee who receives the complaint, the building Principal, or the Title IX Coordinator. Whether the complaint is reduced to writing by a student, parent, or staff member, the written complaint should include the name of the complainant, the name of the alleged victim (if different), the name of the respondent, the location of the school/department where the alleged discriminatory action occurred, the basis for the complaint, witnesses (if any), and the corrective action the complainant is seeking.

There is no time limit or statute of limitation on timing to file a formal complaint. However, at the time of filing a formal complaint, an alleged victim must be participating or attempting to participate in a program or activity of the school district. Additionally, the district has discretion to dismiss a formal complaint where the passage of time would result in the district's inability to gather evidence sufficient to reach a determination regarding responsibility, or when the district loses responsibility for the respondent (e.g., the respondent no longer attends or is employed by the district).

If the conduct alleged in the formal complaint would not constitute sexual harassment as defined in this policy even if proved, did not occur in the school district's education program or activity, or did not occur against a person in the United States, then the school district must dismiss the formal complaint under

these procedures, but could investigate it under other policies and procedures. The school district must send written notice of any dismissal.

Investigations to allegations of sexual harassment will be prompt and the formal process will be completed within a sixty day timeframe where feasible. There may be a temporary delay of the grievance process or the limited extension of time frames for good cause with written notice to the complainant and the respondent of the delay or extension and the reasons for the action. Good cause may include considerations such as the absence of a party, a party's advisor, or a witness; concurrent law enforcement activity; or the need for language assistance or accommodation of disabilities.

### **Written Notice**

Before any investigation can begin, the district must send written notice to both parties including sufficient details. Sufficient details include the identities of the parties involved in the incident, if known, the conduct allegedly constituting sexual harassment, and the date and location of the alleged incident, if known. The written notice must include a statement that the respondent is presumed not responsible for the alleged conduct and that a determination regarding responsibility is made at the conclusion of the grievance process. The written notice must inform the parties that they may have an advisor of their choice, who may be, but is not required to be, an attorney, and may inspect and review evidence. The written notice must inform the parties that the District's code of conduct prohibits knowingly making false statements or knowingly submitting false information during the grievance process.

If additional allegations are added during the course of the investigation, additional written notice must be provided.

### **Informal Resolution**

Where appropriate, after notice has been issued, the Title IX Coordinator should also consider offering the parties an option for informal resolution (e.g., mediation). Informal resolution may only be offered after a formal complaint is filed, and the parties must give written consent to engage in this process. Informal resolution may not be used if the allegation is against an employee respondent. Facilitators of informal resolution will be designated by the Title IX Coordinator and must not be biased against any of the parties.

Informal resolution is entirely voluntary. Complainants may elect to pursue formal procedures at any step in the process of making their complaint, even if informal resolution has already begun. Similarly, respondents may elect to follow formal procedures and decline informal resolution.

If the complainant and the respondent feel that their grievances have been sufficiently addressed via informal resolution, then no further action needs to be taken. This voluntary conversation must occur within five (5) school days after receiving the complaint of discrimination or harassment, unless both parties agree otherwise. The results of an informal resolution shall be maintained by the facilitator, in writing.

If the complainant is not satisfied with the resolution from the informal process, or if he/she does not choose informal resolution, then he/she can begin the formal complaint procedure described below.

### **Investigation**

If informal resolution is not offered to or accepted by the parties, the Title IX Coordinator will designate an investigator and a decision maker, who may not be the same person. The Title IX Coordinator is free to cast himself/ herself in either role, where appropriate.

The investigator must not be biased against any of the parties at the outset of the investigation. The investigator will be responsible for interviewing parties and witnesses, finding facts, and making determinations related to credibility, all of which will go into a written report. The investigator must avoid all questions that are protected by legal privilege, unless the privilege has been waived, and should avoid asking about the complainant's sexual history unless it is directly relevant to prove consent to the conduct at issue or to prove that the conduct was committed by someone other than the respondent.

Prior to completion of the investigative report, the school district will send to each party and the party's advisor, if any, the evidence subject to inspection and review in an electronic format or a hard copy, and the parties must have at least 10 days to submit a written response, which the investigator will consider prior to completion of the investigative report.

The investigator must avoid making any final determinations of responsibility for sexual harassment.

Findings should be written in a factual way in an investigative report. Credibility determinations may not be based on an individual's status as complainant, witness, or respondent.

During the investigative process and any further hearings, complainants and respondents have a right to have advisors of their choice participate in all aspects of the proceedings. The district will provide both parties with written notice of investigative interviews, meetings, and hearings, with sufficient time to prepare.

### **Findings of Responsibility**

After the investigator has completed the investigation, the designated decision-maker will be assigned to determine final responsibility or lack thereof for violating Title IX. The decision-maker must not be biased against any of the parties at the outset of this process.

Before the district can determine responsibility, an investigative report will be sent to the parties and the decision-maker will offer both the complainant and respondent the opportunity to submit proposed relevant, written questions to ask of any party or witness, to respond to questions posed by another party, and to offer additional limited follow-up. Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent. The decision-maker(s) must explain to the party proposing the questions any decision to exclude a question as not relevant.

After this process is complete, the decision-maker will create a written determination regarding whether sexual harassment has occurred using a preponderance of the evidence standard.

A "preponderance of the evidence" means that it is more likely than not that the alleged conduct occurred. The decision-maker shall further recommend what action, if any, is required. If it is determined that sexual harassment occurred, the District will take steps to prevent the recurrence of the harassment and correct its discriminatory effect on the complainant and others if appropriate. Such remedies may include supportive measures.

The written determination must be issued to both parties simultaneously and must include:

(A) Identification of the allegations potentially constituting sexual harassment;



- (B) A description of the procedural steps taken from the receipt of the formal complaint through the determination, including any notifications to the parties, interviews with parties and witnesses, site visits, methods used to gather other evidence, and hearings held;
- (C) Findings of fact supporting the determination;
- (D) Conclusions regarding the application of the recipient's code of conduct to the facts;
- (E) A statement of, and rationale for, the result as to each allegation, including a determination regarding responsibility, any disciplinary sanctions the recipient imposes on the respondent, and whether remedies designed to restore or preserve equal access to the recipient's education program or activity will be provided by the recipient to the complainant; and
- (F) The district's procedures and permissible bases for the complainant and respondent to appeal (a copy of, or direct reference to, this policy will suffice).

Formal disciplinary actions may be imposed in the event that the preponderance of the evidence indicates a violation of this policy, up to and including expulsion or termination. Any disciplinary action will be in accordance with due process rights under State law and any applicable collective bargaining agreement.

As indicated above, these procedures do not limit the District from removing a student or employee from a program or activity on an emergency basis based on immediate threats to people's physical health or safety or placing an employee on administrative leave during the pendency of the investigation.

### **Records**

A record will be maintained for a period of seven years of any actions, including supportive measures, taken in response to a report or formal complaint of sexual harassment and district staff will document the basis for the district's conclusion that its response was not deliberately indifferent.

### **Training**

The district will ensure that Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, receive training on the definition of sexual harassment, the scope of the recipient's education program or activity, how to conduct an investigation and grievance process including hearings, appeals, and informal resolution processes, as applicable, and how to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias.

The district will ensure that decision-makers receive training on any technology to be used in interviews and on issues of relevance of questions and evidence, including when questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant,.

The district also must ensure that investigators receive training on issues of relevance to create an investigative report that fairly summarizes relevant evidence.

Any materials used to train Title IX Coordinators, investigators, decision-makers, and any person who facilitates an informal resolution process, must not rely on sex stereotypes and must promote impartial investigations and adjudications of formal complaints of sexual harassment.

These training materials will be posted on the school district's website.

### **Appeals**

Any party may appeal the decision in writing to the Superintendent within fifteen (15) school days of receipt of the findings of the formal procedure or a dismissal on the following bases:

- (A) Procedural irregularity that affected the outcome of the matter;
- (B) New evidence that was not reasonably available at the time the determination regarding responsibility or dismissal was made, that could affect the outcome of the matter; and

(C) The Title IX Coordinator, investigator(s), or decision-maker(s) had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that affected the outcome of the matter.

The school district will notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties. Both parties will have a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.

The Superintendent or designee, as a further impartial decision-maker, will review the comprehensiveness and accuracy of the investigation and the conclusions, and issue written findings to both the complainant and respondent within thirty (30) school days of the appeal.

Contact information for the Superintendent:  
Superintendent of Schools – Dr. Jason DeFalco - 508-876-0137

### **External Grievance Procedure**

Any student, parent or employee who chooses not to use the District's internal grievance procedures or who is not satisfied with the District's internal grievance procedures may file a complaint of discrimination or harassment with an appropriate state or federal agency.

For complaints related to discrimination/harassment of students:  
The Office for Civil Rights, US Department of Education  
5 Post Office Square, 8<sup>th</sup> Floor  
Boston, MA 02109-3921  
Telephone: 617-289-0111, FAX: 617-289-0150, TDD: 877-521-2172

OR

The Massachusetts Commission Against Discrimination  
One Ashburton Place  
Sixth Floor, Room 601  
Boston, MA 02108  
Phone 617-994-6000, TTY: 617-994-6196

For complaints related to discrimination/harassment of parents:  
The Office for Civil Rights, US Department of Education  
5 Post Office Square, 8<sup>th</sup> Floor  
Boston, MA 02109-3921  
Telephone: 617-289-0111, FAX: 617-289-0150, TDD: 877-521-2172

For complaints related to discrimination/harassment of employees:  
The Office for Civil Rights, US Department of Education  
5 Post Office Square, 8<sup>th</sup> Floor  
Boston, MA 02109-3921  
Telephone: 617-289-0111, FAX: 617-289-0150, TDD: 877-521-2172

OR

The Massachusetts Commission Against Discrimination  
One Ashburton Place

Sixth Floor, Room 601  
Boston, MA 02108  
Phone 617-994-6000, TTY: 617-994-6196

OR

The Equal Employment Opportunities Commission  
John F. Kennedy Federal Building  
475 Government Center  
Boston, MA 02203  
Phone: 1-800-669-4000

### **Referral to Law Enforcement, Other Agencies**

Some alleged conduct may constitute both a violation of District policies and criminal activity. The building Principal, coordinator, Superintendent, or designee will refer matters to law enforcement and other agencies as appropriate under the law or District policy, and inform the complainant/ alleged victim of the right to file a criminal complaint.

### **Retaliation**

Complainants and those who participate in the complaint resolution process or who otherwise oppose in a reasonable manner an act or policy believed to constitute discrimination are protected from retaliation by law and District policy. The coordinator or designee will inform all involved individuals that retaliation is prohibited, and that anyone who feels that they have experienced retaliation for filing a complaint or participating in the resolution process should inform the coordinator. The coordinator will investigate reports of retaliation and, where retaliation is found, take separate remedial and disciplinary action.

## **APPENDIX F**

### **BULLYING PREVENTION AND INTERVENTION INCIDENT REPORTING**

#### **I. LEADERSHIP**

*Leadership at all levels has played a critical role in developing the BMRSD Plan. Leadership at all levels plays a critical role in implementing the BMRSD Plan in the context of other whole school and community efforts to promote positive school climate. Leaders have a primary role in teaching students to be civil to one another and promoting understanding of and respect for diversity and difference. Leadership is defined by the district or school, depending on existing roles and responsibilities and locally identified priorities for this initiative. Leadership is responsible for setting priorities and for staying up-to-date with current research on ways to prevent and effectively respond to bullying. It is also the responsibility of leaders to involve representatives from the greater school and local community in development and implementation of the BMRSD Plan.*

#### A. Assessing needs and resources.

The BMRSD Plan is the school's blueprint for enhancing capacity to prevent and respond to issues of bullying within the context of other healthy school climate initiatives. As part of the planning process, school leaders, with input from families and staff, have and will continue to assess the adequacy of current programs; review current policies and procedures; review available data on bullying and behavioral incidents; and assess available resources including curricula, training programs, and behavioral health services. This "mapping" process will assist BMRSD and individual schools in identifying

resource gaps and the most significant areas of need. BMRSD and individual schools have and will revise and develop policies and procedures; establish partnerships with community agencies, including law enforcement; and set priorities.

At a minimum of once every four (4) years, beginning with the 2017-2018 school year, BMRSD will administer a District or DESE-developed student survey to assess school climate and the prevalence, nature and severity of bullying in BMRSD schools. BMRSD will report bullying incident data to DESE annually.

BMRSD plan has done the following to allow for initial and periodic needs assessments: 1) surveyed students, staff, parents, and guardians on school climate and school safety issues; and 2) collected and analyzed building-specific data on the prevalence and characteristics of bullying. BMRSD intends to use this information to identify patterns of behaviors and areas of concern, and will inform decision-making for prevention strategies including, but not limited to, adult supervision, professional development, age-appropriate curricula, and in school support services. BMRSD will use the following methods to conduct needs assessments:

- Develop/select the survey

- Establish the appropriate timelines for administration

- Administer the survey

- Review and analyze results with the District's Leadership Team

- Modify District Blueprint for Improvement and School Improvement Plans with the appropriate goals, strategies and actions based on survey feedback

## B. Planning and oversight.

All BMRSD staff is responsible for alerting appropriate personnel about bullying related issues, and taking appropriate steps to prevent, mitigate and eliminate bullying in BMRSD schools, relative to both students and staff. BMRSD recognizes that it is charged with employing best practices to provide for the safety and well being of all students, staff, and members of the school community. Building principals/assistant principals are designated as reporting agents to receive reports of bullying and bully type behavior at their given school.

The role of the building principal:

- 1) Receiving reports on bullying;
- 2) Collecting and analyzing building- and/or school-wide data on bullying to assess the present problem and to measure improved outcomes;
- 3) Creating a process for recording and tracking incident reports, and for accessing information related to targets and aggressors;
- 4) Plan for the ongoing professional development that is required by the law;
- 5) Plan supports that respond to the needs of targets and aggressors;
- 6) Choose and implementing the curricula that the school or district will use;
- 7) Develop new or revising current policies and protocols under the Plan, including an Internet safety policy, and designating key staff to be in charge of implementation of them;

- 8) Amend student and staff handbooks and codes of conduct to, among other things, make clear that bullying of students by school staff or other students will not be tolerated;
- 9) Lead the parent or family engagement efforts and drafting parent information materials;
- 10) Review and update the plans each year, or more frequently.

### C. Developing priority statements.

BMRSD priority statements for communicating BMRSD's vision in creating and implementing its bullying prevention and intervention strategies are as follows, and will continue to be developed:

BMRSD expects that all members of the school community will treat each other in a civil manner and with respect for differences.

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

BMRSD recognizes and understands that certain students may be more vulnerable to become targets of bullying, harassment, or teasing based on actual or perceived characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, or sensory, disability, or by association with a person who has or is perceived to have one or more of these characteristics.

BMRSD has identified and will continue to identify and take the specific steps it will take to create a safe, supportive environment for vulnerable populations in the school community, and to provide all students with the skills, knowledge, and strategies to prevent or respond to bullying, harassment, or teasing.

The District recognizes that students with disabilities are disproportionately affected by bullying. The District has adopted these steps described in the plan to support vulnerable students and to provide all students with the skills, knowledge and strategies needed to prevent or respond to bullying or harassment.

BMRSD will ensure that a student with a disability who is a target of bullying behavior continues to receive Free and Appropriate Education (FAPE) in accordance with his/her IEP through the implementation of the following process:

- IEP Team will reconvene to determine whether or not the effects of the bullying resulted in a change in the student's needs to the degree that an amendment or revision to the IEP must be made to ensure FAPE within the least restrictive environment (LRE)
- During the investigation process, the District will inform the parent/guardian that they have the right to request an IEP Team meeting
- IEP Team will exercise caution if it is considering a change in placement of the location of where IEP services are to be delivered to the student with a disability
- Change in placement will be considered when the student can no longer receive FAPE in his/her current LRE placement
- If the student who engaged in the bullying behavior is a student with a disability, the IEP Team will reconvene to determine if additional supports and/or services are required to address the inappropriate behavior
- A Functional Behavioral Assessment may be proposed and subsequent development and implementation of a Behavioral Intervention Plan may be a result of the IEP Team meeting conducted to address the inappropriate behavior of a student with a disability

- IEP Team along with other school personnel will examine the environment in which the bullying occurred to determine if changes to the environment are warranted.

IEP Teams will carefully consider if a student's disability makes a child vulnerable to bullying, harassment, and teasing and will address the skills and proficiencies needed to avoid and respond to bullying, harassment, and teasing.

BMRSD may, but is not required, to establish separate discrimination or harassment policies that include these or other categories of students. Nothing in this section shall alter BMRSD obligations to remediate any discrimination or harassment based on a person's membership in a legally protected category under local, state or federal law.

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

The BMRSD Plan is a comprehensive approach to addressing bullying and cyber bullying, and BMRSD is committed to working with students, staff, families, law enforcement agencies, and the community to prevent issues of violence. In consultation with these constituencies, we have established this Plan for preventing, intervening, and responding to incidents of bullying, cyber bullying, and retaliation. The principal is responsible for the implementation and oversight of the Plan except when a reported bullying incident involves the principal or the assistant principal as the alleged aggressor. In such cases, the Superintendent or designee shall be responsible for investigating the report, and other steps necessary to implement the Plan, including addressing the safety of the alleged victim. If the Superintendent is the alleged aggressor, the School Committee, or its designee, shall be responsible for investigating the report, and other steps necessary to implement the Plan, including addressing the safety of the alleged victim.

## **II. TRAINING AND PROFESSIONAL DEVELOPMENT**

*BMRSD will provide ongoing professional development for all staff, including but not limited to, educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, and paraprofessionals, in accordance with M.G.L. c. 71, § 370 requirements. Staff training and ongoing professional development shall be provided to all staff as described herein, and shall address concerns identified by school and district staff.*

A. Annual staff training on the BMRSD Plan. Annual training for all school staff on the plan will include staff duties under the Plan, an overview of the steps that the principal or designee will follow upon receipt of a report of bullying or retaliation, and an overview of the bullying prevention curricula to be offered at all grades throughout the school or district. Staff members hired after the start of the school year are required to participate in school-based training during the school year in which they are hired, unless they can demonstrate participation in an acceptable and comparable program within the last two years.

B. Ongoing professional development. The goal of professional development is to establish a common understanding of tools necessary for staff to create a school climate that promotes safety, civil communication, and respect for differences. Professional development will build the skills of staff members to prevent, identify, and respond to bullying. As required by M.G.L. c. 71, § 370, the content of

school wide and district wide professional development will be informed by research and will include information on:

- (i) developmentally (or age-) appropriate strategies to prevent bullying;
- developmentally (or age-) appropriate strategies for immediate, effective interventions to stop bullying incidents;
- (iii) the complex interaction and power differential that can take place between and among an aggressor, target, and witnesses to the bullying;
- (iv) research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment;
- (v) the incidence and nature of cyber bullying; and
- (vi) Internet safety issues as they relate to cyber bullying.

Professional development will also address ways to prevent and respond to bullying or retaliation for students with disabilities that must be considered when developing students' Individualized Education Programs (IEPs). This will include a particular focus on the needs of students with autism or students whose disability affects social skills development.

Additional areas identified for professional development include:

- promoting and modeling the use of respectful language;
- fostering an understanding of and respect for diversity and difference;
- building relationships and communicating with families;
- constructively managing classroom behaviors;
- using positive behavioral intervention strategies;
- applying constructive disciplinary practices;
- teaching students skills including positive communication, anger management, and empathy for others;
- engaging students in school or classroom planning and decision-making;
- maintaining a safe and caring classroom for all students; and
- engaging staff and those responsible for the implementation and oversight of the Plan to distinguish between acceptable managerial behaviors designed to correct misconduct, instill accountability in the school setting, etc. and bullying behaviors

C. Written notice to staff. BMRSD will provide all staff with an annual written notice of the Plan by publishing information about it, including sections related to staff duties and bullying of students by school staff, in the BMRSD employee handbook and the code of conduct.

### **III. ACCESS TO RESOURCES AND SERVICES**

*A key aspect of promoting positive school climates is ensuring that the underlying emotional needs of targets, student aggressors, families, and others are addressed. The BMRSD Plan describes the strategies for providing supports and services necessary to meet these needs. In order to enhance BMRSD's capacity to prevent, intervene early, and respond effectively to bullying, available services reflect an understanding of the dynamics of bullying and provide approaches to address the needs of targets and student aggressors. BMRSD Plans include a strategy for providing counseling or referral to appropriate services for student aggressors, targets, and family members of those students. These locally established strategies are reflected in the BMRSD Plan.*

#### **A. Identifying resources.**

Annually, the district will review staffing and counseling services to ensure access for targets, aggressors, and their families. Recommendations may include reorganizing staff, establishing safety planning teams, and identification and partnership with local or community mental health service providers. The safety team will focus on early intervention and intensive services to maintain a positive school environment for all students.

**B. Counseling and other services.** The local police and safety officers as well as outside consultants will assist schools in developing safety plans for students who have been targets of bullying or retaliation, providing social skills programs to prevent bullying, and offering education and/or intervention services for students exhibiting bullying behaviors. Board Certified Behavior Analyst and counseling staff will work with school staff to develop strategies and implement current tools including, but not limited to, behavioral intervention plans, social skills groups, and individually focused curricula.

**C. Students with disabilities.** As required by M.G.L. c. 718, § 3, as amended by Chapter 92 of the Acts of 2010, when the IEP Team determines the student has a disability that affects social skills development or the student may participate in or is vulnerable to bullying, harassment, or teasing because of his/her disability, the Team will consider what should be included in the IEP to develop the student's skills and proficiencies to avoid and respond to bullying, harassment, or teasing.

**D. Referral to outside services.** BMRSD has established a referral protocol for referring students and families to outside services. Clear protocols will help students and families' access appropriate and timely services. Referrals must comply with relevant laws and policies. Current local referral protocols will be evaluated to assess their relevance to the Plan, and revised as needed.

#### **IV. ACADEMIC AND NON-ACADEMIC ACTIVITIES**

*The law requires that BMRSD provide age-appropriate instruction on bullying prevention in each grade that is incorporated into schools' curricula. Curricula must be evidence-based. Effective instruction will include classroom approaches, whole school initiatives, and focused strategies for bullying prevention and social skills development. BMRSD will review, and may utilize as appropriate, other resources made available by DESE.*

**A. BMRSD bullying prevention approaches may include.** Bullying prevention curricula will be informed by current research, which, among other things, emphasizes the following approaches:

- Using scripts and role-plays to develop skills;
- Empowering students to take action by knowing what to do when they witness other students or school staff engaged in acts of bullying or retaliation, including seeking adult assistance;
- Helping students understand the dynamics of bullying and cyber bullying, including the underlying power imbalance;
- Emphasizing cyber safety, including safe and appropriate use of electronic communication technologies;
- Enhancing students' skills for engaging in healthy relationships and respectful communications; and
- Engaging students in a safe, supportive school environment that is respectful of diversity and difference;.

**B. General teaching approaches that support bullying prevention efforts.** The following approaches are integral to establishing a safe and supportive school environment. These underscore the importance of BMRSD's bullying intervention and prevention initiatives:



- Setting clear expectations for students and establishing school and classroom routines; creating safe school and classroom environments for all students, including for students with disabilities, lesbian, gay, bisexual, transgender students, and homeless students;
- Using appropriate and positive responses and reinforcement, even when students require discipline;
- Using positive behavioral supports;
- Encouraging adults to develop positive relationships with students;
- Modeling, teaching, and rewarding pro-social, healthy, and respectful behaviors;
- Using positive approaches to behavioral health, including collaborative problem solving, conflict resolution training, teamwork, and positive behavioral supports that aid in social and emotional development;
- Using the Internet safely; and
- Supporting students' interest and participation in non-academic and extracurricular activities, particularly in their areas of strength.

## **V. POLICIES AND PROCEDURES FOR REPORTING AND RESPONDING TO BULLYING AND RETALIATION**

*To support efforts to respond promptly and effectively to bullying and retaliation, BMRSD has put in place policies and procedures for receiving and responding to reports of bullying or retaliation. These policies and procedures will ensure that members of the school community- students, parents, and school staff- know what will happen when incidents of bullying occur. These steps are listed below:*

*BMRSD may establish separate discrimination or harassment policies applicable to certain categories of students; Nothing in this section shall alter BMRSD's obligations to remediate any discrimination or harassment based on a person's membership in a legally protected class (under local, state or federal law).*

A. Reporting Bullying or Retaliation. Reports of bullying or retaliation may be made by staff, students, parents or guardians, or others, and may be oral or written. Oral reports made by or to a staff member shall be recorded in writing. A BMRSD staff member is required to report immediately to the principal or designee, or to the superintendent or designee, when the principal or assistant principal is the alleged aggressor, or to the school committee or designee when the superintendent is the alleged aggressor, any instance of bullying or retaliation the staff member becomes aware of or witnesses. Reports made by students, parents or guardians, or other individuals who are not BMRSD staff members, may be made anonymously. BMRSD will make a variety of reporting resources available to the school community including, but not limited to, an Incident Reporting Form<sup>2</sup>, a voicemail box, a dedicated mailing address, and an email address.

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

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<sup>2</sup> See Appendix A for Sample Incident Reporting Form.

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

#### 1. Reporting by Staff

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

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

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

### B. Responding to a Report of Bullying or Retaliation -Allegations of Bullying by a Student.

#### 1. Safety

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

The principal or designee will implement appropriate strategies for protecting from bullying or retaliation a student who has reported bullying or retaliation, a student who has witnessed bullying or retaliation, a student who provides information during an investigation, or a student who has reliable information about a reported act of bullying or retaliation. Established student safety planning policies and procedures include:

#### 2. Obligations to Notify Others

a. Notice to parents or guardians. Upon determining that bullying or retaliation has occurred, the principal or designee will promptly notify the parents or guardians of the target and the student aggressor of this, and of the procedures for responding to it. There may be circumstances in which the principal or designee contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.

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

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

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

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

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

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

Procedures for investigating reports of bullying and retaliation will be consistent with BMRSD policies and procedures for investigations. The principal or designee may consult with legal counsel about the investigation, in accordance with BMRSD procedures.

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

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

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

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

*E. Responses to Bullying. BMRSD's strategies for building students' skills, and other individualized interventions that BMRSD may take in response to remediate or prevent further bullying and retaliation, include:*

#### 1. Teaching Appropriate Behavior Through Skills-building

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

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

#### 2. Taking Disciplinary Action

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

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

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

### 3. Promoting Safety for the Target and Others

The principal or designee will consider what adjustments, if any, are needed in the school environment to enhance the target's sense of safety and that of others as well. One strategy that the principal or designee may use is to increase adult supervision at transition times and in locations where bullying is known to have occurred or is likely to occur.

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

## **F. Responding to a Report of Bullying by School Staff**

*BMRSD has developed policies and procedures that address how the BMRSD administration will respond to and resolve a report of bullying of a student by school staff. The policies and procedures address safety planning, notification to parent or guardians and others, investigation, and response - areas that are addressed when a student is alleged to have bullied another student (see Section V. B-E above). BMRSD may consult with local counsel re. such policies and procedures. BMRSD's policies and procedures emphasize the importance of the investigation, the need for the aggressor, target, and witnesses to be truthful, and that retaliation against someone who reports bullying or provides information during a bullying investigation is strictly prohibited and will result in disciplinary action.*

## **VI. COLLABORATION WITH FAMILIES**

*BMRSD will engage and collaborate with students' families in order to increase the capacity of the school or district to prevent and respond to bullying. Resources for families and communication with them are essential aspects of effective collaboration. The law requires BMRSD's to include provisions for informing parents or guardians about the bullying prevention and intervention curricula used by the school district or school including: (i) how parents and guardians can reinforce the curricula at home and support the school or district plan; (ii) the dynamics of bullying; and (iii) online safety and cyber bullying. Parents and guardians must also be notified in writing each year about the student-related sections of the Bullying Prevention and Intervention Plan, in the language(s) most prevalent among the parents or guardians. School- or district-specific approaches to collaboration will take into account age, climate, socio-economic factors, linguistic, and cultural make-up of students and the parents.*

A. Parent Education and Resources BMRSD will offer education programs for parents and guardians that are focused on the parental components of the anti-bullying curricula and any social competency curricula used by BMRSD. The programs will be offered in collaboration with the PTO, PTA, School Councils, Special Education Parent Advisory Council, or similar organizations.

B. Notification Requirements\_BMRSD will inform parents and guardians of enrolled students, annually, about the anti-bullying curricula that are being used. This notice will include information about the dynamics of bullying, including cyber bullying and online safety. BMRSD will send parents written notice each year about the student related sections of the Plan and the BMRSD Internet Safety Policy. All notices and information will be made available to parents or guardians will be in hard copy and electronic formats, and will be available in the language(s) most prevalent among parents or guardians. BMRSD will post the Plan and related information on its website.

## **VII. PROHIBITION AGAINST BULLYING AND RETALIATION**

*In accordance with M.G.L. c. 71, § 37O, BMRSD's statement prohibiting bullying, cyber bullying, and retaliation is as follows, and is reproduced in the student code of conduct, the student handbook, and the staff handbook.*

Acts of bullying, which include cyber bullying, are prohibited:

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

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

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

## **VIII. PROBLEM RESOLUTION SYSTEM**

*In accordance with M.G.L. c. 71, § 37O(g)(v), parents and guardians of the target shall be informed about DESE's problem resolution system and the process for seeking assistance or filing a claim through the problem resolution system. This information will be made available in both hard copy and electronic formats.*

Any parent wishing to file a claim/concern or seek assistance outside of the district may do so with the Department of Elementary and Secondary Education Program Resolution System (PRS). That information can be found at: <http://www.doe.mass.edu/prs/>. Emails can be sent to [compliance@doe.mass.edu](mailto:compliance@doe.mass.edu) or individuals can call 781-338-3700. Hard copies of this information are also available at the Superintendent's office.

## **IX. DEFINITIONS**

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

Bullying, as defined in M.G.L. c. 71, § 37O, is the repeated use by one or more students or a member of a school staff of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:

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

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

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

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

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

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

## **X. RELATIONSHIP TO OTHER LAWS**

Consistent with state and federal laws, and BMSRD policies, no person shall be discriminated against in admission to a public school of any town or in obtaining the advantages, privilege and courses of study of such public school on account of race, color, religion, ancestry, national origin, sex, socioeconomic status, academic status, gender identity or expression, physical appearance, sexual orientation, or mental, physical, developmental, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics. Nothing in the Plan prevents the school or district from taking action to remediate discrimination or harassment based on a person's membership in a legally protected category under local, state, or federal law, or school or district policies.

In addition, nothing in the BMRSD Plan is designed or intended to limit the authority of the school or district to take disciplinary action or other action under M.G.L. c. 71, §§ 37H or 37H, M.G.L. c. 71, §§ 41 and 42, M.G.L.C 76 § 5, or other applicable laws, or local school or district policies, or collective bargaining agreements, in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.

The BMRSD Plan shall afford all students the same protection, regardless of a student's legal status. Should any provision of this Plan be deemed to be in conflict with applicable state or federal law or regulation, such law or regulation shall control.

Revised: December 2020

**District Contact Numbers**

ELL Coordinator – Jill Pilla Gallerani – 508-876-0119

Title 1 Coordinator – TBD

Title IX, VI Coordinator – Dr. Janis Laporte - 508-876-0190

District 504 Coordinator – Dr. Janis Laporte - 508-876-0190

Special Education Director – Jill Pilla Gallerani – 508-876-0119

Homeless Liaison – Jill Pilla Gallerani – 508-876-0119

Superintendent of Schools – Dr. Jason DeFalco - 508-876-0137

**STUDENT/PARENT/GUARDIAN HANDBOOK**

*\*See BMRSD COVID19 Handbook Appendix*

We have read and understood the contents of the Frederick W. Hartnett Middle School  
Student/Parent/guardian/Guardian Handbook

Student: \_\_\_\_\_ Grade: \_\_\_\_\_

Parent/guardian/Guardian: \_\_\_\_\_

Date: \_\_\_\_\_

**USER AGREEMENT AND PARENT/GUARDIAN PERMISSION**



I understand and will abide by the Blackstone-Millville Regional School District's Acceptable User Policy for Computer Network use. I further understand that any violation(s) of the policy may result in disciplinary action, which could include loss of computer access, school disciplinary action, or any appropriate legal action.

Student Name: \_\_\_\_\_ DOB: \_\_\_\_\_

Student Signature: \_\_\_\_\_ Date: \_\_\_\_\_

As the parent/guardian or legal guardian of the minor student above, I grant permission for my son or daughter to use the networked computer services of the Blackstone-Millville Regional School District. I understand that this access is intended to be used for educational purposes. I also understand that some materials on the Internet may be objectionable, but I accept responsibility for guidance of Internet use – setting and conveying standards for my daughter or son to follow when selecting, sharing, or exploring information and media, in accordance with the Blackstone-Millville Regional School District's Acceptable Use Policy.

Parent/guardian or Guardian's name: (please print)

\_\_\_\_\_

Parent/guardian or Guardian's signature:

\_\_\_\_\_

School: \_\_\_\_\_ Grade: \_\_\_\_\_ DOB: \_\_\_\_\_

### COMMUNICATION REQUEST

In an effort to preserve paper and copying costs, we would like to send information home via e-mail whenever possible. Our Monthly Newsletter this year will be sent via this method on the first Friday of every month. Please share with us your preferred e-mail address (es) for this purpose.

\_\_\_\_\_ I would prefer e-mail communication. Below is/are my e-mail address (es):

E-mail (please write clearly): \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_ I have no access to e-mail. Please send materials through the mail or with my child.

### FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT SIGNATURE PAGE 2021-2022

If you **do not** want Blackstone-Millville Regional School District to disclose directory information from your child's education records without your prior written consent, you must notify the District in writing within ten (10) days of your child's first day of school during the current school year. Blackstone-Millville Regional School District has designated the following information as directory information: (Note: an LEA may, but does not have to, include all the information listed below.)

|                      |                         |
|----------------------|-------------------------|
| Student's name       | Electronic mail address |
| Photograph           | Date and place of birth |
| Major Field of study | Dates of attendance     |
| Grade level          |                         |

- Signing and returning this form will prevent your child's name from appearing publicly (newspapers) on the honor roll and

Participation in officially;

Recognized activities and sports

Weight and height of members of athletic teams

Degrees, honors, and awards received

The most recent educational agency or institution attended

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

Parent/guardian/Guardian Name \_\_\_\_\_

Date \_\_\_\_\_

**RETURN THIS FORM TO THE GUIDANCE DEPARTMENT TO OPT OUT**