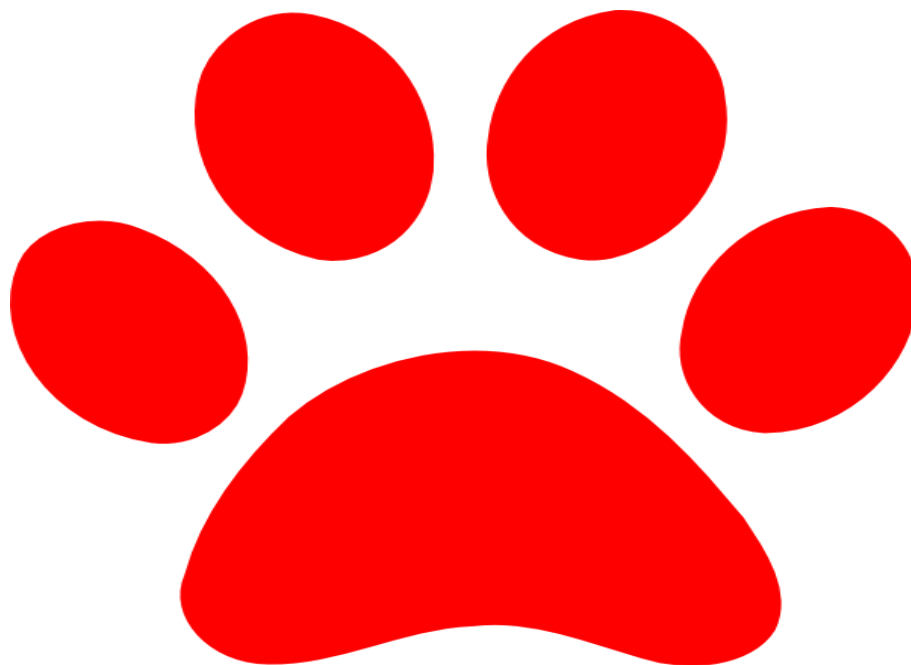


# Robert T. Capeless Elementary School



86 Brooks Avenue  
413-448-9665  
Pittsfield, MA 01201

## Our Mission:

Capeless Elementary School strives to create a community of learners by fostering the strengths and potential of each individual. We embrace the diversity of our community of learners, challenge their intellect and imagination, and celebrate their achievements. Dedicated students, educators, families, and volunteers come together at Capeless to provide a safe, respectful, and nurturing learning environment.

*Robert T. Capeless Elementary School Staff Directory*

<b>PRINCIPAL:</b>	<b>Candy Allessio</b>
<b>SECRETARY:</b>	<b>Sherry Reardon</b>
<b>KINDERGARTEN:</b>	<b>Erin Flynn-Ford/Michele Matthews</b>
<b>GRADE ONE:</b>	<b>Christine Mcdonald /Karen Pearce</b>
<b>GRADE TWO:</b>	<b>Danielle Bradley/Doris Hayes</b>
<b>GRADE THREE:</b>	<b>Darlene Albert/Tanya McClellan</b>
<b>GRADE FOUR:</b>	<b>Amber Higgins/ Jeanna Kuzia</b>
<b>GRADE FIVE:</b>	<b>Tracy Cusson/Karen O'Neill</b>
<b>PRE-K:</b>	<b>Kathleen Darling</b>
<b>LITERACY COACH:</b>	<b>Heather Gancarz</b>
<b>READING INTERVENTIONIST:</b>	<b>Christine Alberti</b>
<b>SPECIAL EDUCATION: Lauren Clark</b>	<b>IAC: Amanda Domery</b>
<b>NURSE: Jennifer Tanzman</b>	<b>PSYCHOLOGIST: Mary Jean O'Reilly</b>
<b>SCHOOL ADJUSTMENT COUNSELOR: Tina Bardwell</b>	
<b>O.T.: Colleen O'Brien</b>	<b>P.T.: Stephanie Davis</b>
<b>ART: Emmy Goldin</b>	<b>SCIENCE: Tricia Porter</b>
<b>SPEECH:Colleen Korte</b>	<b>World Language: Mary Jane LaFerriere</b>
<b>PHYS ED/Health:</b>	<b>Mary Cate Holmes, Joe Geurds, Richard Girdler</b>
<b>MUSIC INSTRUCTION:</b>	<b>Robert Tatten/Juliet Wright</b>
<b>PARAPROFESSIONALS:</b>	<b>Cheryl Huxtable, Sabrina Kastrinakis, Carol Crosier, Melissa Mae-Diaz(PRE-K) Rebecca Caropreso (PRE-K)</b>
<b>STUDENT SUPPORT PARA:</b>	<b>Lisa Donovan</b>
<b>CUSTODIANS:</b>	<b>Deane Steinman/ Henry Simpson</b>

# **Attendance Policies**

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

As stated in the Pittsfield Public School student/parent handbook, regular school attendance is essential to the total education of the student. Punctual arrival at school and at each classroom activity is essential to minimize disruptions, promote a positive class climate and maximize time on learning. It is a joint responsibility of the staff of the Pittsfield Public Schools and parents/guardians to encourage

students to take school attendance seriously. In the interest of promoting school attendance, provisions shall be established for commending students for exemplary attendance.

We encourage parents to schedule dental, physical, and other appointments during non-school hours, whenever possible. The scheduling of family vacations during times when school is in session is discouraged and will be marked as an unexcused absence. Teachers are not required to prepare work for students who miss school because of a family vacation.

## **1. EXCUSED ABSENCES**

Students must bring in a note after each day they are absent. The note must include the date absent, the reason for the absence, a phone number where a parent or guardian can be reached, and the parent or guardian's signature. Students will be given the opportunity to make up work for excused absences.

Excused absences may include:

- An illness or injury that prevents the student from attending school. The illness or injury must be verified by a health care provider, school nurse, or parent.
- A death in the immediate family (parent, sibling, grandparent, aunt, uncle, cousin) or other significant personal or family crisis
- Court appearances
- Medical or psychological tests during the school day. The parent must show evidence (such as a note from a health center) that the tests could not be scheduled after school.
- Religious holy days
- Other extraordinary situations approved by the school principal.

**IMPORTANT: Some parents think that any absence will be excused as long as the parent sends a note. This is not true.**

## **2. UNEXCUSED ABSENCES**

Here are a few examples of absences that are unexcused even if the parent sends a note:

- Repetitive and chronic absence due to illness or injury. In these cases, the parent must submit a letter from a health care provider verifying that the student was too sick or injured to go to school.
- Student needed to baby-sit
- Cutting class
- Family vacation
- Extension of a religious or cultural holiday beyond the designated day or days.

Whenever possible, parents should check with the principal before allowing a child to miss school if they are not sure the absence will be excused. The school does not have to help a student make up work due to unexcused absences.

### 3. TARDINESS

A student is **tardy** if she/he arrives at school late, without an excused reason. When a student is tardy for elementary school, the parent/guardian must report in person to the office in order to admit his/her child for the remaining instructional day.

### 4. AFTER-SCHOOL ACTIVITIES

Students participating in school activities such as PTO events, dances, concerts and athletics must attend the equivalent of 4.5 hours in order to be eligible to participate in relevant after school, weekend, or vacation events. Parents may appeal emergency cases to the school principal.

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### **\*\*\* PARENTS' LEGAL RESPONSIBILITIES FOR ENSURING STUDENTS' ATTENDANCE\*\*\* (M.G.L. c. 76 §2)**

**Parents or legal guardians are required to see that their children attend school regularly. Failure to do so may result in the Attendance Officer, the TIPS officer, or school personnel filing a 51A petition for a Child in Need of Services (CHINS) with the Department of Social Services or seeking juvenile court fines pursuant to M.G.L. 76 §2 or criminal charges pursuant to M.G.L. c. 119 §63.**

### 5. DISMISSALS

A parent/guardian requesting an early dismissal for her/his child must submit to the principal or designee a note stating the reason, date and time of the dismissal. Dismissals by telephone are accepted only in rare emergencies and must be verified by the principal or designee, or the child must be picked up at the office and signed out of school by her/his parent/guardian. Dismissals during school hours must be kept to a minimum.

**\*\*\*\*\*Students are not to be dismissed between 2:40 - 3:15 p.m. Please schedule accordingly.\*\*\*\*\***

## **SCHOOL BUS Information:**

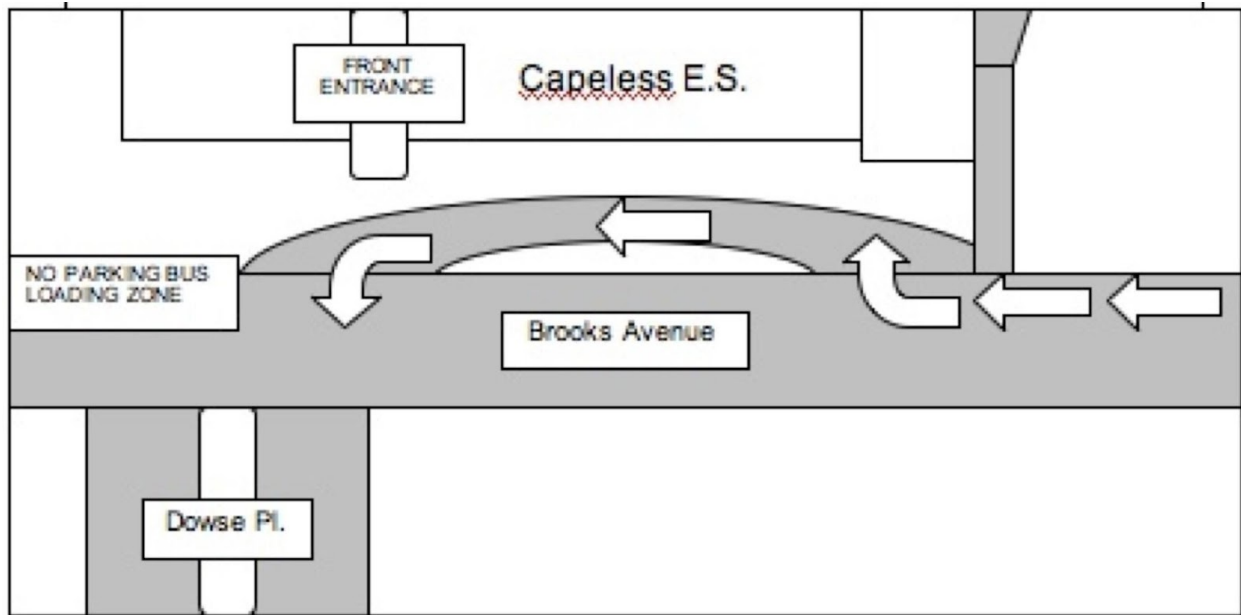
Paid bus transportation is available for families who live beyond the eligible busing distance. Information regarding this policy may be obtained at the Transportation Office by telephoning 499-9525. All families of students who ride the bus to and from school will be sent a copy of bus rules directly from the transportation office. You are required to sign this contract of rules and return it to school as soon as possible after receiving it. Transportation to and from school on the school bus is a privilege, and that privilege comes with responsibilities. It is the responsibility of the students on the bus to behave in a manner that will allow the driver's attention to be focused on the road, traffic, and safety of everyone. With that in mind, please note the following rules for behavior.

Please see rules for riding the bus below:

### **Students must:**

- \* listen to the bus driver and follow directions. Students will respond immediately to the driver's directions.
- \* be seated and stay seated on the bus at all times. Children are never permitted to stand or walk around on the bus while the bus is in motion.
- \* never lean out of the window. Keep heads, hands, and arms inside the bus at all times.
- \* engage in a quiet activity. Speak quietly on the bus. Use inside voices on the bus.
- \* do not fight, argue, pull, push, shove, shout, scream, tease, etc.
- \* keep their belongings on their lap.
- \* enter and exit the bus, one child at a time, and use the handrail for assistance.
- \* not eat or drink on the bus. Do not mark, litter, or damage the vehicle.
- \* behave on the bus so as to ensure the safety of everyone on the bus and in the streets.

**\*\*\*\*Failure to obey the rules of proper behavior on the bus leads to suspension from the bus.** If any student's behavior continues to interfere with the safety of everyone on the bus, he/she will lose transportation privileges for an extended time.



### TRANSPORTATION TO AND FROM SCHOOL

#### **School Arrival Procedure:**

**Bus riders:** Bus riders will be dropped off at the bottom of the school's front sidewalk.

**Walkers:** Walkers should take the safest route directly to school, using all sidewalks and crosswalks whenever possible.

**Car riders:** All cars should enter the school's front driveway on the school side of Brooks Avenue (please avoid left turns into the driveway). Cars should pull into the FRONT driveway and up to the school's sidewalk single file, no passing or pulling around. Students should unload the vehicle on the sidewalk side only in the designated unloading zone. Cars must remain single file at all times until complete exit of the driveway to ensure safety for all.

**\* All students in grade 3-5 will enter in the front door of the school. Students in grades K-2 will enter in the left side grade 2 door.**

#### **School Dismissal Procedure:**

**Bus riders:** Bus riders will be picked up at the bottom of the school's front sidewalk.

**Walkers:** Walkers should take the safest route directly home, using all sidewalks and crosswalks whenever possible.

**Car riders:** All cars should enter the school's front driveway on the school side of Brooks Avenue (please avoid left turns into the driveway). Cars should pull into the FRONT driveway and up to the school's sidewalk single file, no passing or pulling around. Students should load the vehicle on the sidewalk side only in the designated loading zone. Cars must remain single file at all times until complete exit of the driveway.

**\* All students in grade 3-5 will enter through the front door of the school. Students in grades K-2 will enter in the left side grade 2 door where an adult will be at 8:30 am.**

**\*ALL changes in transportation from school must be documented in writing, signed by a parent/guardian, with a phone number and submitted to the school's front office.**

**Link: [Entry, exit transitions](#)**

**Car Line**  
**Reminders:**

Capeless School experiences an extremely high volume of car traffic at arrival and dismissal time. Below are some tips to make our car traffic safe, and move quickly and smoothly.

- The car line begins at the bottom of the school driveway on the school side of Brooks Avenue
- No arrival drop off before 8:30 AM (unless students are coming to breakfast. – the dismissal line enters the driveway at 3:10 PM
- Please use parking on Brooks Avenue and Dowse Place for escorting your child to the building only – no drop offs from the street allowed

## **Capeless Food Service**

### **School Meals**

Capeless School will be participating in Community Eligibility Provision. Under Community Eligibility Provision only full meals can be considered as a no charge meal. Each student may receive one free breakfast and one free lunch per school day.

Students who wish to buy 1 or 2 food items or an additional meal must have funds at hand:

- Either cash or sufficient positive balance on their meal account.
- No charging of additional meals or food items will be allowed. Parents can access [www.myschoolbucks.com](http://www.myschoolbucks.com) to fund meal accounts.
- Lunches include fresh fruit and veggies, more whole grains, less sodium and fat, and nonfat/ low-fat milk.

The cost of lunch is \$2.15 for any lunches over the free lunch provided. (milk .40) Parents are urged to prepay lunches. You may pay for your child's meals by check, cash, or online at [www.mylunchmoney.com](http://www.mylunchmoney.com). My Lunch Money offers a free, convenient and safe payment method with low balance notification.

School lunch menus are sent home with your child each month and can also be found on our school website: <http://capeless.pittsfield.net/>.

Peanut-free tables are available in the cafeteria for anyone who has a peanut allergy. For safety reasons, we request that students who bring beverages to school should transport them in non-breakable containers. We do not permit students to drink soda and we encourage students to bring healthy snacks for their classroom snack time.

# Communications to the School

Visiting the School: School office hours are 8:30 AM-3:15 PM

We welcome visits to our school, but to ensure the safety and security of our students we require all parents, volunteers, and visitors to report to the office to sign-in and receive a badge. When delivering a “forgotten” item to school for your child, please leave the material at the office. A member of the staff will see to it that the item is promptly delivered.

We encourage you to contact us to share any concerns, questions, suggestions, or successes. We need constructive input from all members of the school community to keep our school on the path of continuous improvement. When expressing a concern or sharing a suggestion, we invite you to be a part of the solution. It is so important to bring our collective best thinking to the table when problems arise. To that end, when communicating with us about an issue, we encourage you to first contact the person who has the closest knowledge of your child’s day-to-day progress at school: your child’s teacher. As teachers are busy in their classrooms for nearly the entire school day, the best way to get in touch with your child’s teacher is to leave a message with the school office with a phone number where you can be reached. The teacher will then contact you when s/he has some time available outside of classroom responsibilities.

If the issue is not resolved at that level, or you wish to connect with us about a school-wide issue, you may contact the principal through the school office. Please know that if this is a classroom or child specific issue, the principal will first ask if you have already spoken with the teacher as this is where the first round of conversation needs to take place. Often, many issues are clarified and resolved through a parent-teacher conversation.

Building Assistance Team: We also have available at our school a team to help when student issues (academic or behavioral) persist after initial parent-teacher conferences



and the implementation of interventions that have come out of those conferences.

## What is a Building Assistance Meeting?

A Building Assistance Meeting is a problem solving system designed to formulate interventions to deal with student's difficulties in order to increase success in school. A teacher or parent, who has concerns regarding a student, presents them to the team to explore various strategies and options to develop a course of action. Many times a collaboration of people can offer more solutions than one or two people. The Building Assistance Meeting is made up of several people, including the principal, teachers, support staff, school adjustment counselor, and school psychologist.

### **Why would I be asked to attend a Building Assistance Meeting?**

If your child is experiencing difficulties despite interventions and modifications by the teacher and yourself, the teacher may choose to seek the help of the Building Assistance Meeting. You will have generally met with or talked to the teacher before the Building Assistance Meeting is initiated.

NOTE: A PARENT HAS THE RIGHT TO REQUEST A SPECIAL EDUCATION EVALUATION WITHOUT GOING THROUGH THE BUILDING ASSISTANCE MEETING PROCESS.

### **What types of problems are addressed?**

Basically any behavior that is interfering with your child's learning. For example, your child may have trouble with academic areas despite working very hard or may have problems with peer relationships or behavior.

### **How will I be notified of the meeting?**

The school will notify you by letter or phone call. Your child's teacher may also inform you of the meeting time.

### **What to expect at the meeting:**

First, you should not be alarmed by the number of people in attendance. As stated above, we are a collaborative group of people that come together to help problem solve. The focus will NOT be on your child's problem, but rather on how we can help to increase success. By coming to the Building Assistance Meeting you are included in the problem solving process, and interventions may include things for your child to do at home or with you. Home-School collaboration is key to the problem solving process.

The meeting is generally 30 minutes and uses the following structure:  
Introductions, 5 minutes to define the problem, 15 minutes to brainstorm possible interventions, 10 minutes to summarize, identify interventions and to set a follow up meeting. (as necessary)

## **Pittsfield Public School Wellness Policy**

### **Pittsfield Public Schools Wellness Policy:**

The **Pittsfield School Committee** is committed to aiding students with school environments that promote and protect children's health, well-being, and ability to learn by supporting healthy eating and physical activity. Schools **shall limit celebrations that involve food during the school day to no more than one party per class per month**. Celebrations for birthdays will occur once per month and food will be provided by the cafeteria.

**PLEASE DO NOT BRING FOODS FROM HOME FOR CLASSROOM CELEBRATIONS** (this includes, cakes, cookies, candy, foods with high sugar and low nutrition). Beverages not allowed shall include: diet drinks, soft drinks containing caloric sweeteners, energy drinks, iced teas, fruit-based drinks that contain less than 50% real fruit juice or that contain additional caloric sweeteners. For questions regarding this policy, please contact the **Superintendent's office, 499-9512**.

**This Policy WILL be strictly enforced. Please do not bring birthday cakes or cupcakes for your child's class. We will have to send them home.**

## Capeless: A Responsive Classroom School

The Capeless School has implemented the Responsive Classroom program at all grade levels. In an effort to assist students in developing their intellectual, social, and cultural strengths. Crucial to the success of this initiative is a consistent application of instruction and example through modeling that places a strong emphasis on commonly shared human values: honesty, fairness, and respect. Our collective journey toward that goal as a school community is implemented across the grades and throughout the building by developing and strengthening students' social skills: cooperation, assertion, responsibility, empathy, and self-control.

Each of our teachers has been trained in the Responsive Classroom approach through the Northeast Foundation for Children (Greenfield, MA) In order to ensure expertise in all classrooms. While space In this format does not allow us to provide all the details of the program we believe it is important that we make you aware of the six basic components:

1. **Classroom Organization** that provides active interest areas for students, space for student- created displays of work, and an appropriate mix of whole class, group and individual instruction.
2. **Morning Meeting** format that provides children the daily opportunity to practice greetings, conversation. sharing and problem-solving, and motivates them to meet the academic challenges of the day ahead.
3. **Rules end Logical Consequences** that are generated, modeled and role-played with the children and that become the cornerstone of classroom life.
4. **Academic Choice** for all children each day in which they must take control of their own learning in some meaningful way, both individually and cooperatively.
5. **Guided Discovery** of learning materials, areas of the room, curriculum content and ways of behaving that moves children through a deliberate and careful introduction to each new experience. There is no assumption that children already know how to do something before they begin.
6. **Assessment and Reporting** to parents that is an evolving process of mutual communication and understanding.

The research conducted on the Responsive Classroom approach clearly indicates that as student success builds in the area of social skills, there is a direct correlation in increased academic success.

# Be Respectful Be Responsible Be Ready to Learn

**Capeless School uses:**

## **Positive Behavior Intervention Support**

A major advance in school-wide discipline is the emphasis on school-wide systems of support that include proactive strategies for defining, teaching, and supporting appropriate student behaviors to create positive school environments. Instead of using a patchwork of individual behavioral management plans, a continuum of positive behavior support for all students within a school is implemented in areas including the classroom and non-classroom settings (such as hallways, restrooms).

Positive behavior support is an application of a behaviorally-based systems approach to enhance the capacity of schools, families, and communities to design effective environments that improve the link between research-validated practices and the environments in which teaching and learning occurs. Attention is focused on creating and sustaining primary (school-wide), secondary (classroom), and tertiary (individual) systems of support that improve lifestyle results (personal, health, social, family, work, recreation) for all children and youth by making problem behavior less effective, efficient, and relevant, and desired behavior more functional.

Capeless teachers and staff encourage all students to make correct and appropriate choices concerning acceptable behavior. While this process works for most students, there are interventions we take to correct behavior problems at their onset. The consequences for inappropriate student behavior are implemented as follows (please note that the term parent also includes legal guardians).

## **Examples of CLASSROOM-BASED CONSEQUENCES FOR UNACCEPTABLE BEHAVIORS**

(most discipline problems are resolved at this level)

- Positive practice (“being respectful in the classroom means....”)
- Reminder of the rules
- Verbal reprimand
- Over-the-shoulder correction
- Record of behavior
- Planned ignoring
- “Sit-and-think” and/or “buddy teacher” with a brief problem-solving form
- Loss of privilege
- Use of problem-solving form with discussion
- Restitution (restore/ repair damage done- wash desk, write apology, etc.)
- Use of daily report form
- Call to parents

### Classroom Expectations: Developed in Classroom (1-3 for each of 3 Rs )

#### Classroom Consequences:

- verbal reminder of expectation
- take a break – separate place in classroom
- \*buddy teacher – documentation only
- \*office referral – office referral in Powerschool

#### Playground Expectations:

- stay within playground boundaries
- find an adult when someone is hurt
- use equipment safely as it is intended to be used
- share equipment and take turns
- always use kind words
- include everyone in group games
- line up immediately and appropriately when recess is over
- students must report a playground incident to the playground supervisor immediately during recess time

#### Playground Consequences:

- verbal reminder of the expectation
- take a break on bench
- loss of privilege and/or choice of activity

#### Cafeteria Expectations:

- students sit at assigned seats – no more than six to a table
- quiet voice in kitchen area
- students will be called by a teacher to clear trays and clean table
- quiet tables will be called by a teacher to line up
- “zero” voice when in line and traveling in the hallway
- teacher leads line out to recess

#### Cafeteria Consequences:

- verbal reminder of expectations
- reassignment of seat
- communication home to family

### Buddy Teacher:

Buddy Teacher is an effective system for providing students a safe place to regain self-control and be ready to learn in the classroom. Buddy teachers are a pair of teachers in nearby rooms who have agreed to lend each other a hand with time-out, a non-punitive strategy for helping children regain their self-control. In most cases, time-out takes place in the children's own classroom: A child who is not following the rules is calmly and matter-of-factly asked to go to a designated spot in the room for a minute or more to refocus before returning to the group. For those times when a student refuses to go to take a break, continues to act out while there, or resumes disruptive behavior upon returning to the group, teachers need a simple and effective way to handle the situation. Buddy teacher time-out is one such method. Often times, simply by removing the stimulus in the child's own classroom and having them move to another space is effective as allowing the child to regain self-control. A student may only need to spend a few minutes with the Buddy Teacher and is sent back to class.

### **OFFICE REFERRAL**

Behavioral incidents are classified by severity as teacher/ classroom managed or Principal/ office managed. The following are examples, but not limited to behavior requiring an office referral:

- putting self or others' safety at risk
- continued disruption of teaching and learning not resolved by taking a break and/or buddy teacher
- aggression or threatened aggression (physical violence/ fighting)
- bullying – defined as being exposed repeatedly, over time to negative actions on the part of one or more persons
- possession of a weapon or instrument used as a weapon – toy weapons are not permitted at school and may be considered for consequences as a real weapon if found to be used in a threatening manner

### **Consequences of Office Referral:**

Consequences may vary depending on the severity of a behavioral incident but typically progressive disciplinary action is taken including:

- verbal reminder of expectations and reprimand - call to family
- loss of privilege – loss of recess may only be a result of unsafe or aggressive recess behavior – call to family
- in school suspension – call/ and or meeting with family
- out of school suspension – meeting with family, principal, teacher and School Adjustment Counselor

In the event of chronic severe behavior that consequences have not resolved, a Functional Behavior Assessment will be completed and a behavior plan will be implemented in collaboration with principal, teacher, School Adjustment Counselor and family.

## **Immunizations**

An up-to-date immunization record is required for every student. Each student's record is reviewed by the School Nurse to insure compliance with Massachusetts State Law.

## **Medications**

Massachusetts Law requires that all medication that must be administered during school hours be brought directly to the School Nurse by a parent/guardian. All medication must be in a properly labeled pharmaceutical container. The School Nurse will dispense the medication as directed by the physician. A written order from the doctor and written parent permission must accompany the medication. Long-term medications require a special form to be completed by the physician and parent. This form may be obtained from the School Nurse.

## **Medical Exemption from Physical Education**

If physical activities are restricted for a medical reason, a signed note from the doctor or the parent/guardian must be presented to the Health Office. If the exemption is to be for an extended period of time, written documentation must be presented from the physician.

## **Health Screening**

All students are scheduled for vision, height, weight, and hearing screenings each year. Fifth grade students are also screened for scoliosis.

## **Illness**

If your child feels ill in the morning, please keep him/her home. Although good attendance is desirable, a sick child should never be sent to school. Please call the school, if your child will be absent. Since we are not equipped to function as an infirmary, but as a first aid station, students who are ill cannot remain at school for any length of time. Please be sure that the school has names and up-to-date telephone numbers of the persons to be contacted in the event of illness or emergency. We want to provide each child with a safe and healthy environment. The nurse should be made aware of any pertinent medical information, i.e., allergies, medications, and/or physical restrictions. Any parent/guardian who has a health related concern should feel free to contact the School Nurse at 448-9660.

# ***Pittsfield Public Schools' Dress Code***

Below you will find the official dress code guidelines for all Pittsfield Public Schools. We believe they are reasonable and reflect a common sense approach to what is/is not appropriate for the school setting. We are particularly concerned with t-shirts, which might be **inappropriate** for school:

Spring/Summer clothing that expose midriffs or might be too short (shorts/skirts)/ We also need to remind you that for **safety reasons**, no sweatshirts/sweaters, shirts or jackets should have string cord closures, which can be caught on playground equipment putting your child in a potentially dangerous situation. Please review the information provided and assist us in promoting appropriate dress with the students. Thank you so much for your cooperation!

## **STUDENT ATTIRE**

Personal appearance is an individual matter. No one, however, has the privilege of disregarding the norms of reasonable dress. Attire that could interfere with the learning process is not allowed. Students will be counseled on an individual basis if their attire is improper. Parents will be contacted if there is a question regarding a student's attire. Clothing must always conform to safety standards of the particular class. The following dress code was drawn up by a committee of parents, teachers, administrators, and students:

- Hooded jackets or sweatshirts with drawstrings cannot be worn on or around play or work equipment.
- Clothing is to be clean and neat without holes or tears.
- The bottom of the top overlaps the top of the bottoms.
- Spandex and Lycra are acceptable only when worn over or under less revealing garments.
- Obscene, vulgar, racist, sexist or other offensive pictures, words, or slogans are prohibited.
- Hemlines of skirts or shorts must fall below fingertips when arms are relaxed at sides.
- Shoes/sandals must be worn at all times. (Flip-flops are not safe attire)
- Hats (caps, berets, scarves) of a non-religious nature may not be worn in the school.
- Undergarments should not be visible.
- Any other dress that distracts, disrupts, intimidates or provokes can be deemed inappropriate by the principal or designee.

*\*\*\*Recess during the winter: Please be sure to send your child to school with appropriate clothing for outdoor play in the snow. Please be sure that your child has a hat, mittens/gloves, boots (and a change of shoes for indoors), a winter coat, and snow pants. We recommend writing your child's name on all of his/her clothing.*

*\*\*\*Indoor recess: On rainy days or days when it is extremely cold, student have recess in their classrooms where they have the opportunity to play board games, draw, read, or work on the computer.*



## **FAMILY PARTICIPATION**

Family members can be a valuable resource for the classroom teacher. It is our desire to promote greater involvement of families in school activities. To this end, we encourage family members to participate in the following ways:

- serving on School Council
- participating as a volunteer library aide, and/or classroom helper to accompany your child's class on field trips
- attending PTA meetings, assisting PTA sponsored events (i.e. roller skating, fund raising)

## **FIELD TRIPS**

At various times during the year, classes may take a field trip to enrich their curriculum. A permission slip will be sent home explaining the exact nature of the trip and requesting your written consent for your child's participation. If your child takes a medication during the school day, arrangements for administration of the medication will be made in collaboration with the school nurse, teacher, and family. If you would like to chaperone a field trip, a CORI check form must be filled out in order to participate on the field trip. Please see Ms. Reardon or Nurse Tanzman in the front office for the CORI form.

## **INVITATIONS**

The distribution of invitations for out of school activities and parties is discouraged. Invitations will not be distributed in school unless the entire class is invited.

## **LOST AND FOUND**

Found items are kept in or near the school office. Found items that are identified with the child's name will be returned. With this in mind, please remember to label your child's clothing. Parents are encouraged to check the Lost and Found for missing items. Items not claimed will be given to a charitable organization.

## **PLAYGROUND SAFETY AND ACCEPTABLE TEMPERATURE**

Equipment is checked on a monthly basis by the maintenance department. Unsafe equipment will be closed or removed. All items brought from home need to be approved by the classroom teacher and/or recess aide for safety and appropriateness (e.g., balls, jump ropes, etc.)

Children should be properly clothed for daily outside play. When snow covers the ground, student should be prepared with a coat, snow pants, snow boots, hat and gloves or mittens. Children are sent outside for recess when the temperature is 20 degrees Fahrenheit or above – the wind chill is 15 degrees Fahrenheit or above, and playground conditions permit safe play.

We encourage all students to go outside for recess on outside recess days. We understand that children with asthma or those returning after a serious illness may need to occasionally stay in. If your child needs to stay in for more than a day or two, you will need to provide us with a doctor's note specifying the reason.

### **P.T.O.**

Capeless is most fortunate to have an active and supportive Parent/Teacher Organization. The PTO holds its meetings on the first Monday of each month alternating at 4:30 pm (September through June). Each year, the PTO supports students and staff through a variety of special programs and fundraisers as well as by assisting in classrooms, library, or on field trips. Your involvement in PTO is essential.

### **SCHOOL COUNCIL**

The School Council is a community based committee composed of the principal, parents, teachers and a community member whose purpose is to help shape the policies and programs of the whole school.

They assist the principal in preparing the School Improvement Plan and the Foundation Budget.

Capeless School Council has members that include staff members, parents and community members. Meetings are held in the early evening. A School Council Schedule is available on our school website and in family newsletters.

### **RELEASE OF STUDENT PHOTOS, MEDIA INTERVIEWS**

Highlighting achievements in our schools is an integral part of reporting responsibly to our community and is a way of sharing in the success of our school and students. However, it is our primary goal to respect your privacy. During the year, we often have the opportunity to photograph and videotape students in a variety of school related activities. Student recognition programs, academic programs and fine arts programs are a few examples of these activities.

As such, these personally identifiable photographs and/or videotapes may be used in communication tools such as the district newsletter, calendar and in communicating with the media such as allowing interviews or photographs with students. The district reserves the right to deny media requests for student interviews at any time. Please provide a written statement to the school in the event that you do not want your child's photo to be used in public communications.

### **SCHOOL CANCELLATION**

School cancellation due to weather or other emergency situation is carried by the following FM radio stations: WBEC 105.5, WBRK 101.7, WUPE 95.9 and TV Channels 6, 10, and 13 as well as Connect-ED.

**For more information regarding Pittsfield Public Schools, please refer to the District Handbook.**

### **Homeless Assistance**

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

**2021-2022**  
**BULLYING PREVENTION**  
**and**  
**INTERVENTION PLAN**

Pittsfield Public Schools  
Pittsfield, Massachusetts 01201  
2021-22

*The mission of the Pittsfield Public Schools is to serve our community and its children by creating an environment where lifelong learning is valued, excellence is expected, and improvement is continuous.*

**BULLYING PREVENTION AND INTERVENTION PLAN (BPIP)**  
Pittsfield Public Schools  
2021-22

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**Pittsfield Public Schools**

November 16, 2020

Dear Pittsfield School Community:

I would like to introduce the Pittsfield Public Schools' 2020-21 Bullying Prevention and Intervention Plan. The Pittsfield Public Schools remains focused on eliminating bullying and peer harassment in our schools. This plan outlines all the steps that will be taken to educate staff and students and respond to bullying and unkind behavior. There is no room for bullying in the Pittsfield Schools and/or the City of Pittsfield, and this plan lays the groundwork for ensuring safe schools across the district. This plan has been revised in 2020 to integrate our revised Code of Conduct, Character and Support. Both the Bullying Prevention and Intervention Plan and the Code demonstrate a commitment to creating a safe, caring learning community focused on developing positive relationships and prosocial, civil behavior.

I encourage you to read this Bullying Prevention and Intervention Plan carefully. Pay close attention to the section on Reporting and Responding so that you are aware of how to let us know about possible bullying and the ways in which we respond to restore physical and emotional safety, as well as, teach necessary social skills. We emphasize that ANY student who feels bullied or witnesses bullying should report this behavior immediately to their school principal. Also, we ask that parents let your school leaders know if your child is feeling targeted, even though your child may be reluctant for you to contact the principal.

If you have any questions about this policy or any aspect of bullying, please do not hesitate to contact the administration at your child's school; Ann Marie Carpenter, the Director of Social Emotional Learning and Student Support at [acarpenter@pittsfield.net](mailto:acarpenter@pittsfield.net); or the Superintendent's office at 413-499-9512.

Sincerely,



Joseph Curtis  
Interim Superintendent

## **I. REVISED BULLYING PREVENTION AND INTERVENTION PLAN**

This policy was updated for the 2020-2021 school year and aligns with and reflects the principles and strategies outlined in the District Code of Conduct, Character, and Support. Click here for the [2019-20 Code of Conduct, Character and Support](#) and the [2020-21 Code of Conduct, Character and Support Remote and In-Person Learning](#).

## **II. PITTSFIELD PUBLIC SCHOOLS PROHIBITION OF BULLYING, CYBER-BULLYING AND RETALIATION:**

Bullying, including cyber-bullying, and retaliation as defined in this Bullying Prevention and Intervention Plan (BPIP), is not acceptable conduct and is prohibited within the Pittsfield Public Schools. Bullying of any type has no place in a school setting. The Pittsfield Public Schools leadership and staff will strive to maintain learning and working environments that support positive personal relationships between students and between students and staff and are free of bullying. Any student who engages in conduct that constitutes bullying shall be subject to disciplinary consequences up to and including suspension or

expulsion in accordance with state law, district policy and student handbooks. In addition to disciplinary consequences, a student engaging in bullying behavior will also receive other interventions intended to build increased competence in relationship-building and other necessary social emotional learning skills.

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

Any form of bullying is prohibited:

- in any school building and on all school grounds
- in district provided virtual learning environments and learning management systems
- on property immediately adjacent to school grounds
- at a bus stop or on a school bus or any other school sanctioned transportation, such as another vehicle whether owned, leased, or used by the school district
- at a school-sponsored or school related activity, function or program whether it takes place on or off school grounds
- through the use of technology or an electronic device that is owned, leased or used by the school district or school
- at any program or location that is not school-related, or through the use of personal technology or electronic device that is not owned, leased or used by the school district, if the bullying creates a hostile environment at school for the target, infringes on the rights of the target at school, or materially and substantially disrupts the education process or the orderly operation of a school

As the District's Anti-Bullying Policy (STU-80) states, it is not the District's intent to prohibit students from expressing their ideas, including ideas that may offend the sensibilities of others, or from engaging in civil debate. However, the District does not condone and will take both disciplinary and remedial action in response to conduct that creates a hostile environment and interferes with students' opportunity to learn.

### **III. DEFINITIONS OF KEY TERMS:**

The following language and definitions are applied throughout this BPIP and are to be used consistently within the Pittsfield Public Schools in relation to incidents of bullying/cyber-bullying:

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

**B. Cyber-bullying:** Cyber-bullying is bullying through the use of technology or any electronic devices such as telephones, cell phones, computers and the Internet. It includes, but is not limited to, email, instant messages, text messages and Internet postings, including, but not limited to blogs, websites, and social networking. (Reference M.G.L. c.71, s. 37O)

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

**D. Aggressor:** A student or staff member who engages in bullying, cyber-bullying or retaliatory behavior. (The use of the term aggressor varies from the term “bully” in the Act to Prevent Bullying, yet is being used in the plan under the guidance of the MA Department of Elementary and Secondary Education.)

**E. Target:** A student against whom bullying, cyber-bullying or retaliation is directed.

**F. Hostile Environment:** A situation in which bullying causes the school environment to be permeated with intimidation, ridicule or insult that is sufficiently severe or pervasive to alter the conditions of the student’s education. (Reference M.G.L. c.71, 37O)

**G. Staff:** School staff is defined as including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity and paraprofessionals.

#### **IV. LEADERSHIP**

##### **A. Public/Staff Involvement in the Development of the Bullying Prevention and Intervention Plan:**

Pittsfield Public Schools involved a variety of stakeholders in the initial development of and subsequent revisions of the district Anti-Bullying Policy and the Bullying Prevention and Intervention Plan. This included posting the draft of the policy to the district website with information on how to have opportunities for feedback; providing a draft of the plan to the Superintendent’s Parent and Teacher Advisory groups, soliciting feedback from the Curriculum Parent Advisory Group and presenting the draft plan to the policy to the School Committee, including student members, in a publicly televised meeting with opportunity for public input. In addition, key components of this plan were included in a major revision of the district’s Code of Conduct, Character and Support, and, thus, was again reviewed by a forty member task force including students; parents/family members; community stakeholders, including faith-based, child protective, mental health and law enforcement organizations; as well as, educators and district building and central office administrators.

##### **B. Priority Statements**

The District strives to create an environment free of bullying and works to foster civil social interaction in the schools and to prevent and prohibit conduct which is inconsistent with the District's values as outlined in the Code of Conduct, Character and Support. The Pittsfield Public Schools regards the existence of a positive school climate as central to its mission and values.

The Code addresses the development of both student conduct and student character. The development of good character is essential to healthy development and responsible behavior, academic success in school today, and future success in college, career, and life. The Code and the Bullying Prevention and Intervention Plan include expectations that ensure that schools provide equal access to a wide range of



supports and interventions that promote positive behavior, help students develop self-management as well as social and emotional efficacy, and enable students to improve and correct inappropriate, unacceptable, and unskillful behaviors.

The 2019-20 District Improvement Plan states that our belief is that through communication, meaningfully focused collaboration, and significant contribution, we can work to create an effective, safe, and nurturing learning environment for all students, while maintaining our focus on student achievement.

This Bullying Prevention and Intervention Plan (BPIP) documents a comprehensive approach to addressing bullying and cyber-bullying in the district that includes plans for preventing, intervening and responding to reports of incidents of bullying or cyberbullying. The BPIP operates from a set of priority statements that drive our actions:

1. Bullying is detrimental to student learning and achievement. It interferes with the mission of the schools to educate their students and disrupts the operations of the schools. Bullying negatively affects not only students who are targets but also the aggressors and those who participate in and witness such behavior.
2. Bullying prevention and intervention must be directly addressed, but also must be woven into a proactive fabric of climate enhancing activities and approaches in order to be most effective. This intention is supported in the district through the implementation of School-Wide Positive Behavioral Supports<sup>1</sup> and the systematic delivery of prosocial, violence prevention and social emotional learning programming to enhance social competence in all our students.
3. Enhancing social skill development related to empathy development, anger management and conflict resolution in our students has a primary role in creating tolerance of differences and, as such, preventing instances of bullying. Increased tolerance is important for all students, but it is critical for students with increased vulnerability to being the target of bullying behavior.

**Students with Possible Increased Vulnerability:** The plan recognizes 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.

4. The Pittsfield Public Schools is committed to providing evidence-based bullying prevention and intervention curricula. The district takes a systematic approach to bullying prevention and intervention. This includes the delivery of the Second Step Social Emotional Learning and Bullying

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<sup>1</sup> School-wide Positive Behavior Interventions and Supports (SWPBIS) is a framework that guides the selection, integration and implementation of evidence-based practices for improving academic and behavioral outcomes for all students. Improving student academic and behavior outcomes is about ensuring all students have access to the most effective and accurately implemented instructional and behavioral practices and interventions possible. SWPBIS provides an operational framework for achieving these outcomes. (pbis.org)

Prevention Units in our elementary schools Pre-K to Grade 5 and the implementation of restorative practices grades Pre-K through Grade 12.

5. District leaders acknowledge their place in establishing expectations and offering guidance to school building staff as they work to improve school climate and address bullying issues. It is leadership's responsibility to provide resources, professional development, administrative support, and common policies and procedures that will work toward elimination of bullying throughout the district. It is an expectation that each school building will maintain a Multi-Tiered Systems of Support (MTSS) Tier 1 team in each building. This leadership team is a compilation of the PBIS Leadership Team and the Code Implementation Team.

## **C. Planning and Oversight Responsibilities**

### **Staff Responsibilities:**

It is the position of Pittsfield Public Schools leadership that **all** staff members are responsible for promoting a safe and supportive learning environment for every member of the school community. Responsibilities include: establishing transparent and consistently taught and reinforced behavioral norms that support pro-social behaviors; responding to students who are involved in "gateway bullying behaviors<sup>2</sup>" by quickly and briefly responding; responding to instances of bullying as they happen and reporting any instance of bullying to the building administrator or his/her designee for further review and/or investigation. Staff responsibilities also include active participation in professional development opportunities provided to assist staff to improve their skills in recognizing and responding appropriately to gateway and bullying behaviors. District leadership has further responsibilities in regard to bullying prevention and intervention in this plan. These are outlined below.

The District Superintendent and his/her designee(s) are responsible for the overall development and implementation of the District Bullying Prevention and Intervention Plan (BPIP) in collaboration with the central office administration, building principals and other key central office and building-based administrators, such as school adjustment counselors, guidance counselors, vice principals, and deans. This responsibility includes ensuring district-wide procedures for the following:

- consistent bullying and retaliation reporting procedures for students, parents and staff;
- maintenance of procedures for investigation, responding and documentation of bullying incidents;
- developing new or revising current relevant policies and protocols;
- amending student and staff handbooks and codes of conduct;
- provision of supports and interventions for students who are targets or aggressors of bullying behavior;

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<sup>2</sup>Gateway behaviors are statements that, intentionally or unintentionally, embarrass, insult, harass, belittle or shame others. (Massachusetts Aggression Reduction Center; <https://www.marccenter.org/>)

- identification and delivery of social and emotional learning curricula K-12, including necessary professional development in the implementation of these curricula;
- annual professional development of staff and students in prevention, identification, reporting of and appropriate responses to bullying;
- communication with and outreach to parents/families regarding filing a report of suspected bullying and other provisions of the BPIP;

- regular reviews of and updates to bullying policies and procedures and the District Prevention and Intervention Plan, at least, bi-annually; and
- regular data collection and analysis to create actionable future plans.

#### **D. Assessment of Needs and Resources**

The Pittsfield Public Schools (PPS) utilizes a variety of measures to assess school climate needs. This includes the utilization of both the results of family, staff and student voice surveys and disciplinary records documenting instances of bullying behavior. Student and family voice surveys include additional data points related to students' perceptions of their safety and connection to staff and students at school.

Further, the PPS conducts assessment of positive behavioral support implementation utilizing surveys, which include the Tiered Fidelity Inventory tool. PBIS Leadership Teams have used this tool to create building-based action data based on their results.

### **V. REPORTING AND RESPONDING TO BULLYING AND RETALIATION**

#### **A. Reporting Bullying or Retaliation**

Reports of bullying or retaliation may be made by staff, students, parents or guardians, or others and may be in oral or written form. Reports made by a staff member must be submitted in writing by the person making the report. Reports made by students, parents or guardians, or other individuals who are not school or district staff members can be written on the same reporting form or may be made anonymously. Oral or anonymous reports made by a parent and/or student shall be scribed by a staff member in circumstances where a written report was not submitted. Also, a web based system will allow users to file anonymous reports electronically. Click here for a copy of the [Suspected Bullying Reporting and Determination Form-2](#)

Use of a “Suspected Bullying Reporting and Determination Form” (see Appendix B) is required as a condition of making a report. The school or district will:

- Annually provide information on how to access the [Suspected Bullying Reporting and Determination Form](#) posted on the website or from their child’s school building.
- The Suspected Bullying Reporting and Determination Form will be made available in the most prevalent language(s) of origin of students and parents or guardians.
- Annually, the school or district will provide the school community, including administrators, educators and other staff, students and parents or guardians with written notice of its policies for reporting acts of bullying and retaliation as parts of district and school handbooks. A description of the reporting procedures and resources, including the name and contact information of the principal or designee, will be included in these handbooks, on the school and district website, and in information made available to parents or guardians.

#### **B. Reporting by Staff**

Every school or district staff member, including but not limited to, central office administrators, building principals and administrators, school adjustment counselors and school psychologists, teachers and related

service providers, paraprofessional staff, school nurses, cafeteria workers, custodial staff, bus drivers, athletic coaches and extracurricular advisors is required to monitor and address student behavior and to intervene when unkind behavior occurs. This includes immediately ensuring that any need for student safety in the present moment is restored. Concern about any bullying or retaliatory conduct must also be reported as soon as possible to the principal or the administrator designated to investigate suspected bullying behavior.

In addition, if any adult suspects that a student is being targeted and bullied, they are required to fill out the district suspected bullying determination form and submit it to the building administrator. As the person who has witnessed the behavior it is most effective if that staff member makes contact with the family of the target and the aggressor to give the clearest description of the bullying behavior and the steps planned to take to promote respectful behavior in your classroom.

The requirement to report to the principal or designee does not limit the authority and the responsibility of the staff member to respond to behavioral or disciplinary incidents consistent with school or district policies and procedures for behavior management and discipline.

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

The school or district asks 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 administrative designee. Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report. Anonymous reports can be made from a link on the district website. [Suspected Bullying Reporting and Determination Form-2](#). Students, parents or guardians, and others may request assistance from a staff member to complete a written report or may report orally. Students will be provided practical, safe, private and age-appropriate ways to report and discuss an incident of bullying with a staff member or with the principal or designee. A student who knowingly makes a false allegation of bullying or retaliation shall also be subject to disciplinary action.

### **D. Responding to a Report of Bullying or Retaliation**

#### **Safety First**

Before fully investigating allegations of bullying or retaliation, the staff member, 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 are not limited to, creating a personal safety plan; pre-determining seating arrangements for the target and/or the aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a “safe person” for the target; and altering the aggressor’s schedule and access to the target. The principal or designee will take additional steps to promote safety during the course of and after the investigation, as necessary.

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

## **Notification Requirements**

Notice to Parents or Guardians: Upon investigation and determination that bullying or retaliation has occurred, the principal or designee will promptly notify the parents or guardians of the target and the aggressor and will review response protocols. There may be circumstances in which the principal or designee contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.

Notice to Another School or District: If the reported incident involves students from more than one school district, charter school, 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.

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 aggressor.

In making this determination, the principal will, consistent with the Bullying Prevention and Intervention Plan and in compliance with school or district policies and procedures, consult with the school resource officer or another member of the Pittsfield Police Department in the absence of a school resource officer and/or other individuals the principal or designee deems appropriate.

## **Investigation**

The following provides general guidelines for responding to a report of bullying or retaliation. Note that the guidelines should be modified as necessary to respond appropriately to the individual complaint.

Pre-Investigation: Before fully investigating allegations of bullying or retaliation, school personnel will assess the level of need and take immediate steps to support the alleged target and/or protect the alleged target from further potential incidents of concern. If the initial report is to or by a staff member, the staff member will complete an initial review of the situation and intervene as necessary. The staff member will make a referral to the principal or administrative designee if further administrative investigation is needed.

Investigation: The investigator will seek to determine the basis of the complaint, gather information from the complainant, including such matters as what specifically happened, who committed the alleged acts, who was present or may have information about the events, when the events occurred and where the events occurred.

The principal or designee will promptly investigate 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 interview students, staff, witnesses, parents or guardians, and others as necessary. The principal or designee will remind the alleged aggressor, target, and witnesses that retaliation is strictly prohibited and could result in disciplinary and restorative actions in alignment with the Student Code of Conduct, Character, and Support.

The principal or administrative designee and other staff members, as determined by the principal or administrative designee, may conduct interviews. To the extent practical, given his/her obligation to investigate and address the matter, the principal or designee will maintain confidentiality during the investigative process. The principal, designee and any other interviewers will maintain a written record of the investigation. Procedures for investigating reports of bullying and retaliation will be consistent with school or district policies and procedures for other investigations. If necessary, the principal or designee will consult with legal counsel about the investigation.

**Determinations:** The principal or designee will make a determination based upon the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the principal or designee will take steps to prevent recurrence and to ensure that the target is not restricted from participating in school or from school activities. The principal or designee will, one, determine what remedial action is required, if any, and, two, determine what response and/or disciplinary or restorative actions are necessary as guided by the Student Code of Conduct, Character, and Support.

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 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 and/or mental health interventions.

The principal or designee will promptly notify the parents or guardians of the target and the aggressor orally 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 with other students unless it involves a "stay away" order or other directive that the target must be aware of in order to report violations.

## **Responses to Bullying**

### **Teaching Appropriate Behavior Through Skills-Building**

Upon determining that bullying or retaliation has occurred, the school principal or designee will decide upon a range of responses that balance the need for accountability with the need to teach appropriate behavior and restore/repair relationships. M.G.L. c. 71, § 37O(d)(v). Some skill-building approaches that the principal or designee may consider include:

- Offering individualized skill-building or restorative sessions;

- Providing relevant educational activities for individual students or groups of students in consultation with guidance and/or school adjustment counselors and other appropriate school personnel;
- Implementing a range of academic and nonacademic positive behavioral interventions and supports to help students understand prosocial ways to achieve their goals;
- Meeting with parents and guardians to engage parental support and to reinforce the anti-bullying curricula and social skills building activities at home;
- Developing individual behavior plans to include a focus on specific social skill development; and
- Making a referral for counseling or other mental health services for targets, aggressors and family members.

### Taking Disciplinary Action

If the principal or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of information gathered through investigation 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 BPIP and with the district and school's Code of Conduct, Character and Support. Discipline up to and including suspension and expulsion may be applied by the school principal. All suspensions or expulsions are subject to review by the Superintendent and his/her designee with the student and parents afforded full due process rights.

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.

Discipline procedures for students with disabilities are governed by the federal Individuals with Disabilities Education Improvement Act (IDEA) and state laws regarding student discipline. A manifest determination will be completed to determine the connection between a student's bullying behavior and his/her disability. As necessary, a special education team will be reconvened to review the student's IEP.

Students with disabilities are known to be considered to be a vulnerable population for both being bullied and, in some disability categories, for engaging in bullying behavior. The risk for this will be reviewed at all IEP initial, reevaluation and annual meetings as part of the IEP process to determine appropriate interventions, both universal for all students and individualized.

### 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.

Supportive services will be assessed and offered to the target. These services may include safety planning, school adjustment counselor services and mental health referral, as well as, increased use of Tier 1 classroom strategies that promote safe and supportive learning environments.

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 or other responses are

needed. If so, the principal or designee will work with appropriate school staff to implement them immediately.

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

**A. Identifying Resources:** The Pittsfield Public Schools has a multi-tiered approach to providing support services to students, including bullying prevention and intervention. This approach includes universal interventions for all students, targeted group interventions for students exhibiting similar difficulties, and individualized interventions when appropriate. Further, the district has identified a common set of best practice Tier 1 strategies to promote positive personal relationships and engaged classrooms where all students experience a sense of belonging.

### Universal/Tier 1 Prevention and Promotion Strategies:

- Each school has a MTSS Tier 1 Leadership Team focused upon implementing Positive Behavior Supports, the Code restorative and promote/prevention strategies. These efforts are designed to support improved peer and student-teacher relationships and make the school a safer and more positive place for students to learn.
- The district has adopted additional universal curricula to promote the development of social competence among its students. These are outlined in section *VII:A* below.

Targeted/Tier 2 Interventions: A few of the Tier 2 programming that exists to meet the needs of groups of students who have been identified as being at risk are listed below:

- School Adjustment Counselors are available in all district schools to work with both regular and special education students determined to be at risk and in need of targeted social skill groups. These interventions are often provided to students who have characteristics that make them more vulnerable to bullying behavior, either in the target or aggressor role.
- Check In/Check Out (CICO) are provided in buildings to support students who have demonstrated unskilled behavior and have difficulty complying with expectations without additional staff support.
- Various mentor programs exist across grade levels to support students by providing positive role models.
- Special programs exist for targeted student populations:
  - The *Step Ahead Program* provides services to anxious and socially withdrawn youth during the transition from elementary to middle school.
  - At the high schools, there are established *Gay/Straight Alliance* groups to provide supports to LGBTQ (lesbian, gay, bisexual, transgender, queer and questioning ) youth often have increased vulnerability for being a target of bullying.

Individual Supports for Students: In keeping with a tiered system of support, individualized supports exist for students that need them. These include:

- School-wide problem solving teams known as Student Support or Building Assistance Teams provide intervention planning for identified students utilizing an RtI (Response to Intervention) model.
- Behavioral assessment, planning and monitoring is conducted to address individual student needs.
- School adjustment counselor and school psychologist services, including risk assessment and safety planning, are available at all schools.
- Assessment of the social functioning of students with disabilities to ensure that, when necessary, a student's IEP (Individualized Education Plan) addresses the development of the student's skills and



proficiencies to avoid and respond to bullying behavior for both targets and aggressors. Students can often be in either of these roles at different times.

**Counseling and other Services:** The Pittsfield Public Schools provides staff and programming to address the social and emotional needs of its students. This staff is available to work with aggressors, targets and families and participate in universal prevention efforts. All counseling staff is certified by the DESE and, if applicable, also possess other required state licensure in social work or mental health counseling.

Pittsfield Public Schools provides access to school adjustment counseling services for all students, both general and special education. SACs work with students, parents, administrators and faculty, as well as community service providers to assist students in improving their school performance. The range of direct services provided to students can include crisis intervention and threat of harm assessment; observation; evaluation; individualized and classroom behavioral intervention planning and monitoring; multimodality intervention services to individual students, groups and classrooms; services to parents and families; consultation regarding classroom management strategies; and coordination with and referral to community resources.

District school psychologists play an integral role in evaluation for special education eligibility and assessing students at risk, including the target of bullying or an aggressor. Their services include psychological testing and evaluation, observation, risk assessments, consultation to staff and administrators on individual students and classroom management strategies, data analysis and recommendations for academic and behavioral modifications.

SACs and school psychologists work collaboratively and are integral members of building-based problem solving and intervention teams alongside teachers, administrators and other staff. Both SACs and school psychologists are key facilitators of school-wide activities to support student safety and positive school climate and are leaders of School-Wide Positive Behavioral Interventions and Support (SWPBIS) efforts district wide.

## **B. Students with Disabilities**

As required by Chapter 92 of the Acts of 2010, when the IEP Team determines that a student has a disability that affects social skills development or that a student may participate in or is vulnerable to bullying, harassment, or teasing because of his/her disability, the IEP 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.

Special Education Instruction and Accountability Coordinators, School Adjustment Counselors, School Psychologists, Special Educators and other IEP Team members, such as parents and students, will identify appropriate goals and supports to be addressed within the IEP that relate to the student's vulnerability in relation to bullying.

## **C. Referral to Outside Services**

School Adjustment Counselors and school counselors will assist students and families in accessing appropriate resources within the community. Referrals may be made to community mental health agencies to address individual mental health needs of students who are being identified as a target or aggressor and

for their families. This might include individual and family counseling as well as crisis intervention services. In addition, the school district has a strong collaboration with community providers, including youth-serving agencies that provide after-school programming, athletics and positive social skills opportunities. The District fosters and maintains strong collaborative relations with a variety of private and public agencies providing services to children and families, including the Department of Children and Families; the Department of Mental Health; the Department of Youth Services; the Department of Developmental Services; Department of Transitional Assistance; and all other private contracted providers. In addition, the Pittsfield Public Schools (PPS) and their staff routinely coordinate on both individual and systemic levels with community and governmental agencies.

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

### **A. Specific Bullying Prevention Approaches**

Teachers in Pre-K through Grade 5 implement the *Committee for Children, Second Step* program which addresses skill development in the areas of empathy, impulse control, emotion regulation and increased anger management and conflict resolution skills. In these, the teachers also implement the *Committee for Children, Bullying Prevention Units*, an evidence-based specific anti-bullying prevention curriculum. This teaches students to recognize, refuse, and report bullying, to be assertive and to build friendships. At both the elementary and secondary level, restorative practices and the engaged classroom strategies constitute the evidence-based approaches implemented to support positive relationship development and safe classrooms that deter bullying behavior. Further MARC (Massachusetts Aggression Replacement Center) research based strategies are encouraged to be used by educators, including the “9 second” response by educators when a gateway bullying behavior is observed.

The programs include the following types of activities (this is not an exhaustive list):

- using scripted lesson plans and role-plays to develop skills and teach expected prosocial behavior;
- implementing classroom meetings/gatherings to build positive relationships among students and creating a sense of safety and belonging in classrooms;
- teaching students about the definition of bullying and cyber-bullying including the imbalance of power, the roles of aggressor, target and bystander and the negative impact of bullying on all parties;
- empowering students to take action by knowing what to do when they witness other students engaged in acts of bullying or retaliation, including seeking adult assistance;
- emphasizing cyber-safety, including safe and appropriate use of electronic communication technologies;
- enhancing students’ skills for engaging in healthy relationships and respectful communications by teaching prosocial skills related to conflict resolution, impulse control, emotional regulation and anger management and empathy;
- teaching the following anti-bullying expectations to students:
  - We will not bully others.
  - We will try to help students who are bullied.
  - We will try to include students who are left out.
  - If we know someone is being bullied, we will tell an adult at school and at home;
- engaging students in a safe, supportive school environment that is respectful of diversity and difference; and
- clarifying the consequences of engaging in disrespectful, bullying behavior from both a disciplinary and interpersonal perspective.

**B. General teaching approaches that support bullying prevention efforts:** The following approaches are integral to establishing a safe and supportive school environment:

- implementation of consistent high leverage practices within the Engaged Classroom Promotion & Prevention Toolbox, such as meeting and greeting students, academic and behavioral check-ins, first responses to behavior concerns, defusing upset students, depersonalization, remaining calm, restorative conversations, etc;
- setting clear expectations for students and establishing effective school and classroom routines;
- reinforcing relevant “District Rules” within the Code of Conduct, Character and Support
- teaching and recognizing expected behavior;
- utilizing effective and predictable classroom routines and procedures;
- creating safe school and classroom environments for all students, including populations of students at increased vulnerability to bullying;
- using appropriate and positive responses and reinforcement, especially when students require discipline;
- using positive behavioral supports such as increased rates of praise and recognition of positive behavior more frequently than negative statements and punishment;
- encouraging adults to develop positive, respectful relationships with students;
- modeling, teaching, and acknowledging pro-social, healthy, and respectful behaviors;
- using positive approaches to behavioral health within instruction and other activities, including collaborative problem solving, conflict resolution training, teamwork, and positive behavioral supports that aid in social and emotional development;
- using the Internet, electronic devices and remote learning management systems safely; and
- supporting students’ interest and participation in non-academic and extracurricular activities, particularly in their areas of strength, in order to enhance social development.

## **VIII. TRAINING AND PROFESSIONAL DEVELOPMENT**

**The Pittsfield Public School Bullying Prevention and Intervention Plan requires initial and ongoing professional development for all staff including, but not limited to, educators, administrators, counselors, psychologists, school nurses, cafeteria workers, secretaries, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, and paraprofessionals.**

**A. Annual Staff Training on the Plan:** Annual training for all school staff regarding bullying behavior and expectations of the BPIP will occur within the first 30 days of the start of school. This will include the following areas: staff responsibilities for reporting and responding procedures; an overview of the steps that the building administrator or designee will follow upon the 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 hired after the start of the school year will be required to participate in training within thirty days from their date of hire.

**B. Ongoing Professional Development:** Staff professional learning experiences will be devoted to topics related to promoting emotionally and interpersonally safe learning environments each year. The purpose of these professional development opportunities is to establish a common understanding of and language for the district supported strategies necessary for staff to create a school climate that promotes safety, civil communication and a respect for differences for all students. Principals, other building administrators and educators will facilitate additional learning experiences to allow for continued opportunities for sharing amongst colleagues and integrating these strategies into their teaching practice.

Specific anti-bullying professional development will build the skills of staff members to prevent, identify, and respond to bullying. As required by M.G.L c.71, s. 37O, the content of school-wide and district-wide professional development will be informed by research and will include information on:

- developmentally appropriate strategies to prevent bullying and create a safe school climate;
- developmentally appropriate strategies for immediate, effective interventions to stop bullying incidents;
- information regarding the complex interaction and power differential that can take place between and among an aggressor, target, and bystanders of the bullying;
- research findings on bullying, including information about specific categories of students who have been shown to be particularly vulnerable for bullying in the school environment;
- information on the incidence and nature of cyber-bullying; and
- Internet safety issues as they relate to cyber-bullying.

**C. Written notice to staff:** The Pittsfield Public Schools will provide all employees with an annual electronic copy of the Bullying Prevention and Intervention Plan and will include pertinent sections of the BPIP in the District and School employee handbooks.

## **IX. FAMILY AND COMMUNITY COLLABORATION**

Ongoing communication with parents, guardians, other caretakers and community stakeholders is critical for successful anti-bullying efforts at the schools. Some ways in which this ongoing collaboration will be made an integral part of the BPIP are:

- Each school will provide information regarding district anti-bullying policies and procedures, including reporting procedures, possible disciplinary responses, and prevention and intervention activities and available resources in their School Handbooks. This information is also included in the Code of Conduct, Character and Support, which is provided to families annually.
- Information to parents will also be shared on the website and in the district Family Newsletter.
- An annual Parent Education Night will be offered, which will include information about the dynamics of bullying and cyber-bullying, including Internet safety. The following will be reviewed: the definition of bullying, the difference between bullying and normal peer conflict, strategies on how to respond to meet the needs of their children and the ways in which to partner with schools to ensure physical and emotional safety of children. In addition, anti-bullying, social competency and violence prevention and social emotional learning programming provided to their children will be explained, including the ways in which parents can reinforce these efforts at home.
- Parents will have access to PPS bullying policy, the Bullying Prevention and Intervention Plan and reporting forms on the District website. All notices and information will be made available in hard copy and electronic formats, and will be available in necessary languages to meet the needs of our families.

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

This plan affords all students in the Pittsfield Public Schools the same protection.

Consistent with state and federal laws and the policies of the Pittsfield Public Schools, no person shall be discriminated against in admission to a public school or in obtaining the advantages, privilege and courses of study of such public school on the account of race, national origin, religion, disability, age, sexual

orientation or gender identity. Nothing in this plan prevents the Pittsfield Public Schools from taking action to remediate discrimination or harassment based on a student's membership in a legally protected category under local, state, federal law or school or district policies.

In addition, nothing in this Bullying Prevention and Intervention Plan is designed or intended to limit the authority of a school or District to take disciplinary action or other action under M.G.L. c. 71s. 37H or 37H1/2, other applicable laws, or school or district policies in response to violent, harmful or disruptive behavior.

# APPENDIX

## Appendix A

STU-80

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### **PITTSFIELD PUBLIC SCHOOLS Pittsfield, Massachusetts**

#### ANTI-BULLYING

#### **POLICY**

It is the intent of the Pittsfield Public Schools to provide all students with an equitable opportunity to learn. To that end, Pittsfield Public Schools has a significant interest in providing a safe, supportive, orderly and respectful school environment that is conducive to teaching and learning. Pittsfield Public Schools takes a systemic approach to bullying prevention and intervention. Anti-bullying prevention in the Pittsfield Public schools is embedded within broader school-wide approaches that promote a positive, pro-social culture for all students and staff.

Bullying is detrimental to student learning and achievement. It interferes with the mission of the schools to educate their students and disrupts the operations of the schools. Bullying negatively affects not only students who are targets but also the aggressors and those who participate in and witness such behavior.

The Pittsfield Public School recognizes that certain students may be more vulnerable to becoming a target of bullying 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 one or more of these characteristics. The district's Bullying Prevention and Intervention Plan shall include the specific steps that the Pittsfield Public Schools shall take to support vulnerable students and to provide all students with the skills, knowledge and strategies needed to prevent or respond to bullying or harassment.

It is not the Pittsfield Public Schools' intent to prohibit students from expressing their ideas, including ideas that may offend the sensibilities of others, or from engaging in civil debate. However, the Pittsfield Public Schools does not condone and will take action in response to conduct that creates a hostile environment and interferes with students' opportunity to learn.

The Pittsfield Public Schools further delineates its anti-bullying procedures within its Bullying Prevention and Intervention Plan required under M.G.L. c.71, sec. 370. This plan shall be updated at least biennially and shall include input from students, families and other stakeholders. Student input shall in part be provided through a survey developed by the Department of Elementary and Secondary Education and administered at least once every four years.

## REGULATIONS

### A. Bullying Prohibited

Bullying, as defined in this policy, is not acceptable conduct in the Pittsfield Public Schools and is prohibited. Any student who engages in conduct that constitutes bullying, including cyber-bullying, shall be subject to disciplinary consequences up to and including suspension ~~or expulsion~~ in accordance with the student handbook. A student's bullying may also be addressed through other behavioral interventions.

Bullying of any type has no place in a school setting. The Pittsfield Public Schools will endeavor to maintain learning and working environments free of bullying.

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

The School Committee expects administrators and supervisors to make clear to students and staff that bullying is prohibited. This prohibition includes the following areas:

- in the school building and on school grounds.
- on property immediately adjacent to school grounds.
- at a bus stop, on the school bus or other school sanctioned transportation, such as another vehicle owned, leased, or used by a school district.
- at a school-sponsored or school related activity, function or program whether it takes place on or off school grounds.
- Through the use of technology or an electronic device that is owned, leased or used by the school district or school.
- At any program or location that is not school-related, or through the use of personal technology or electronic device, if the bullying creates a hostile environment at school for the target, infringes on the rights of the target at school, or materially and substantially disrupts the education process or the orderly operation of a school.

### B. Definitions

For the purpose of this policy, the following definitions will be used:

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

Cyber-bullying: Bullying through the use of technology or any electronic devices such as telephones, cell phones, computers and the Internet. It includes, but is not limited to, email, instant messages, text messages and Internet postings.

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

Target: A student against whom bullying, cyber-bullying or retaliation is directed.

Hostile Environment: A situation in which bullying causes the school environment to be permeated with intimidation, ridicule or insult that is sufficiently severe or pervasive to alter the conditions of the student's education.

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

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

### C. Application of Policy

This policy applies to bullying that takes place at school or adjacent to or on school grounds, at any school-sponsored activity or event, or while students are being transported to or from school or school-sponsored activities or events. It also applies to bullying that occurs at any location that creates a hostile environment and substantially disrupts the instructional program, operations of the school, or welfare of students.

Examples of conduct that may constitute bullying include, but are not limited to:

1. Physical contact or injury to another person or his/her property;
2. Threats of harm to a student, to his/her possessions, or to other individuals, whether transmitted verbally, in writing, or through electronic or other means;
3. Blackmail, extortion, demands for protection money, or involuntary loans or donations;
4. Non-verbal threats and/or intimidations such as use of aggressive or menacing gestures;
5. Stalking;
6. Blocking access to school property or facilities;
7. Stealing or hiding books, backpacks, or other possessions;
8. Repeated or pervasive taunting, name-calling, belittling, mocking, put-downs, or demeaning humor;
9. Any form of cyber-bullying communicated through electronic means (e.g., text messaging, blogging, social networking, etc.) that are sent within the school day or beyond the school day and creates a disrupted or hostile school environment for one or more students

The determination, whether particular conduct constitutes bullying requires reasonable investigation and consideration of the circumstances, which include the frequency or repeated nature of the behavior at issue, the location in which the behavior occurs, the ages and maturity of the students involved, the activity or context in which the conduct occurs, and the nature and severity of the conduct. Determinations of bullying will be made utilizing the definition of bullying and cyber-bullying described above.

### D. Delegation of Responsibility

The Superintendent or his/her designee will be responsible for developing and implementing the District Bullying Prevention and Intervention Plan in collaboration with building principals and his/her designees. This includes procedures for the following:

1. Student and parent reporting of bullying to staff and school administrators;
2. Staff reporting of bullying to school administrators;
3. Review of reports and investigation of bullying incidents;
4. Intervention with and/or discipline of students who engage in bullying;
5. Support and interventions for students who are targets or aggressors of bullying;
6. Delivery of social and emotional learning curriculums K-12. ;
7. Annual professional development of staff and students in identification, reporting, prevention and appropriate responses to bullying, including developmentally appropriate strategies for immediate, effective interventions to stop suspected bullying.
8. Periodic evaluation of bullying prevention, intervention, and training procedures and the District Prevention and Intervention Plan.

### E. Reporting



Anyone, including a parent, guardian, student or school staff member, can report bullying or retaliation. Reports can be made in writing or orally. Oral reports made by or to a staff member shall be recorded in writing. Persons other than school or district staff can make reports anonymously. Anonymous reports may limit further investigation if the parties involved cannot be identified. 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 who have been or parents of students who have been bullied or who observe incidents of bullying are encouraged to report this behavior to a staff member or school administrator.

Staff must immediately report bullying to the building principal if they either witness or become aware of bullying or retaliation in another manner. Staff members responsible for reporting acts of bullying include, but are not limited, to the following: educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity, support staff or paraprofessionals.

Acts of reprisal or retaliation against any person who reports an incident of bullying are prohibited. Any student who is determined to have falsely accused another of bullying shall be subject to disciplinary consequences in accordance with the student handbook.

The Pittsfield Public Schools shall annually report bullying incident data as requested by the Department of Elementary and Secondary Education in the form and manner established by the Department.

#### F. Responding to Bullying

The District will promptly and reasonably investigate allegations of bullying. The Principal of each building or his/her designee(s) will be responsible for handling all complaints by students alleging bullying.

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

When the school principal or his/her designee(s) receives a report of suspected bullying, he or she shall promptly conduct an investigation. If there is a determination that bullying has occurred, he/she shall:

- Notify the parents or guardians of the target, and to the extent consistent with state and federal law, notify them of the action taken to prevent any further acts of bullying or retaliation.
- Notify the parents or guardians of the aggressor(s)
- Take appropriate disciplinary and/or remediation action. Disciplinary action shall balance the need for accountability with the need to teach appropriate behavior.
- Notify the local law enforcement agency if there is reason to believe that criminal charges may be pursued against the aggressor. In making this determination, the administrator may consult with the School Resource Officer or other individuals deemed necessary.
- Provide a strategy to provide counseling or referral to appropriate services for aggressors and targets and for appropriate family members of said students.

During the course of an investigation, the school principal and/or his/her designee will assess the need to restore a sense of safety to the alleged target and/or to protect the alleged target from possible further incidents, including the possible completion of a personal safety plan.

In determining the appropriate response to students who engage in bullying behavior, school administrators should consider the ages and maturity of the students involved, the type of behaviors, the frequency and/or pattern of behaviors, the context in which the incident occurred, and other relevant circumstances. Responses can include positive behavioral interventions, teaching appropriate behavior through skill-building, disciplinary action including suspension or ~~expulsion~~ in accordance with the student handbook and the Individuals with Disabilities Act (IDEA), and/or reports to law enforcement officials.

Administrative guidelines and procedures for all forms of bullying will apply as outlined in the student handbook. The District will provide professional development to support the implementation of this policy, as well as implement curriculum to develop social and emotional learning for the aggressor, target, and the entire school community.

#### G. Dissemination of Policy

Notice of what constitutes bullying, the Pittsfield Public Schools' prohibition against bullying, and the consequences for students who bully shall be communicated to students and parents through the Student Code of Conduct and Student Handbook and will be available on the District website. Staff will receive annual training on the identification, reporting, prevention and response to bullying.

#### H. Problem Resolution

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

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

Any parent wishing to file a claim/concern or seeking assistance outside of the district may do so with the Department of Elementary and Secondary Education Program Resolution System (PRS). That information can be found at: <http://www.doe.mass.edu/pqa>, emails can be sent to [compliance@doe.mass.edu](mailto:compliance@doe.mass.edu) or individuals can call 781-338-3700.

#### REFERENCES

STU-3 (Equal Educational Opportunities); Policy Handbook for Parents and Students  
Policy Handbook for Parents and Students

STU-34 (Hazing); Policy Handbook for Parents and Students

STU-24 (Student Rights and Responsibilities); Policy Handbook for Parents and Students

STU-31 (Student Conduct on Buses); Policy Handbook for Parents and Students

STU-38 (Secure School Environment); Policy Handbook for Parents and Students

STU-65 ((Student Safety); Policy Handbook for Parents and Students

STU-28 (Student Conduct – Conduct/Discipline/Suspension/Expulsion); Policy Handbook for Parents and Student)

## Appendix B

### **Principal Guidelines Anti-Bullying Information to be Included in both Employee and School Handbooks**

The following information must be included in your Employee and School Handbooks:

- The name and contact information for the principal and administrative designee tasked with conducting bullying prevention investigations
- Include all the following italicized content in the Anti-Bullying section of these documents.

*Included are selected portions from the 2020-21 Bullying Prevention and Intervention Plan. Please refer to the complete document posted on the website at [www.pittsfield.net](http://www.pittsfield.net) for further information.*

#### **PITTSFIELD PUBLIC SCHOOLS PROHIBITION OF BULLYING, CYBER-BULLYING AND RETALIATION:**

*Bullying, including cyber-bullying, and retaliation as defined in this Bullying Prevention and Intervention Plan (BPIP), is not acceptable conduct and is prohibited within the Pittsfield Public Schools. Bullying of any type has no place in a school setting. The Pittsfield Public Schools leadership and staff will strive to maintain learning and working environments that support positive personal relationships between students and between students and staff and are free of bullying. Any student who engages in conduct that constitutes bullying shall be subject to disciplinary consequences up to and including suspension or expulsion in accordance with state law, district policy and student handbooks. In addition to disciplinary consequences, a student engaging in bullying behavior will also receive other interventions intended to build increased competence in relationship-building and other necessary social emotional learning skills.*

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

*Any form of bullying is prohibited:*

- *in any school building and on all school grounds*
- *in district provided virtual learning environments and learning management systems*
- *on property immediately adjacent to school grounds*
- *at a bus stop or on a school bus or any other school sanctioned transportation, such as another vehicle whether owned, leased, or used by the school district*
- *at a school-sponsored or school related activity, function or program whether it takes place on or off school grounds*
- *through the use of technology or an electronic device that is owned, leased or used by the school district or school*
- *at any program or location that is not school-related, or through the use of personal technology or electronic device that is not owned, leased or used by the school district, if the bullying creates a hostile environment at school for the target, infringes on the rights of the target at school, or materially and substantially disrupts the education process or the orderly operation of a school*

*As the District's Anti-Bullying Policy (STU-80) states, it is not the District's intent to prohibit students from expressing their ideas, including ideas that may offend the sensibilities of others, or from engaging in civil*

*debate. However, the District does not condone and will take both disciplinary and remedial action in response to conduct that creates a hostile environment and interferes with students' opportunity to learn.*

### **III. DEFINITIONS OF KEY TERMS:**

*The following language and definitions are applied throughout this BPIP and are to be used consistently within the Pittsfield Public Schools in relation to incidents of bullying/cyber-bullying:*

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

**B. Cyber-bullying:** *Cyber-bullying is bullying through the use of technology or any electronic devices such as telephones, cell phones, computers and the Internet. It includes, but is not limited to, email, instant messages, text messages and Internet postings, including, but not limited to blogs, websites, and social networking. (Reference M.G.L. c.71, s. 37O)*

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

**D. Aggressor:** *A student or staff member who engages in bullying, cyber-bullying or retaliatory behavior. (The use of the term aggressor varies from the term "bully" in the Act to Prevent Bullying, yet is being used in the plan under the guidance of the MA Department of Elementary and Secondary Education.)*

**E. Target:** *A student against whom bullying, cyber-bullying or retaliation is directed.*

**F. Hostile Environment:** *A situation in which bullying causes the school environment to be permeated with intimidation, ridicule or insult that is sufficiently severe or pervasive to alter the conditions of the student's education. (Reference M.G.L. c.71, 37O)*

**G. Staff:** *School staff is defined as including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity and paraprofessionals.*

**Students with Possible Increased Vulnerability:** *The plan recognizes 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.*

## **REPORTING AND RESPONDING TO BULLYING AND RETALIATION**

### **A. Reporting Bullying or Retaliation**

*Reports of bullying or retaliation may be made by staff, students, parents or guardians, or others and may be in oral or written form. Reports made by a staff member must be submitted in writing by the person making the report. Reports made by students, parents or guardians, or other individuals who are not school or district staff members can be written on the same reporting form or may be made anonymously. Oral or anonymous reports made by a parent and/or student shall be scribed by a staff member in circumstances where a written report was not submitted. Also, a web based system will allow users to file anonymous reports electronically. Click here for a copy of the [Suspected Bullying Reporting and Determination Form-2](#)*

*Use of a “Suspected Bullying Reporting and Determination Form” (see Appendix B) is required as a condition of making a report. The school or district will:*

- *Annually provide information on how to access the [Suspected Bullying Reporting and Determination Form](#) posted on the website or from their child’s school building.*
- *The Suspected Bullying Reporting and Determination Form will be made available in the most prevalent language(s) of origin of students and parents or guardians.*
- *Annually, the school or district will provide the school community, including administrators, educators and other staff, students and parents or guardians with written notice of its policies for reporting acts of bullying and retaliation as parts of district and school handbooks. A description of the reporting procedures and resources, including the name and contact information of the principal or designee, will be included in these handbooks, on the school and district website, and in information made available to parents or guardians.*

### **B. Reporting by Staff**

*Every school or district staff member, including but not limited to, central office administrators, building principals and administrators, school adjustment counselors and school psychologists, teachers and related service providers, paraprofessional staff, school nurses, cafeteria workers, custodial staff, bus drivers, athletic coaches and extracurricular advisors is required to monitor and address student behavior and to intervene when unkind behavior occurs. This includes immediately ensuring that any need for student safety in the present moment is restored. Concern about any bullying or retaliatory conduct must also be reported as soon as possible to the principal or the administrator designated to investigate suspected bullying behavior.*

*In addition, if any adult suspects that a student is being targeted and bullied, they are required to fill out the district suspected bullying determination form and submit it to the building administrator. As the person who has witnessed the behavior it is most effective if that staff member makes contact with the family of the target and the aggressor to give the clearest description of the bullying behavior and the steps planned to take to promote respectful behavior in your classroom.*

*The requirement to report to the principal or designee does not limit the authority and the responsibility of the staff member to respond to behavioral or disciplinary incidents consistent with school or district policies and procedures for behavior management and discipline.*

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

*The school or district asks 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 administrative designee. Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report. Anonymous reports can be made from a link on the district website. [Suspected Bullying Reporting and Determination Form-2](#). Students, parents or guardians, and others may request assistance from a staff member to complete a written report or may report orally. Students will be provided practical, safe, private and age-appropriate ways to report and discuss an incident of bullying with a staff member or with the principal or designee. A student who knowingly makes a false allegation of bullying or retaliation shall also be subject to disciplinary action.*

### **D. Responding to a Report of Bullying or Retaliation**

#### ***Safety First***

*Before fully investigating allegations of bullying or retaliation, the staff member, 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 are not limited to, creating a personal safety plan; pre-determining seating arrangements for the target and/or the aggressor in the classroom, at lunch, or on the bus; identifying a staff member who will act as a “safe person” for the target; and altering the aggressor’s schedule and access to the target. The principal or designee will take additional steps to promote safety during the course of and after the investigation, as necessary.*

*The staff member, principal or designee will implement appropriate strategies for protecting the following persons from bullying or retaliation: a student/staff member who has reported bullying or retaliation, a student/staff member who has witnessed bullying or retaliation, a student/staff member who provides information during an investigation, or a student/staff member who has reliable information about a reported act of bullying or retaliation.*

#### ***Notification Requirements***

*Notice to Parents or Guardians: Upon investigation and determination that bullying or retaliation has occurred, the principal or designee will promptly notify the parents or guardians of the target and the aggressor and will review response protocols. There may be circumstances in which the principal or designee contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.*

*Notice to Another School or District: If the reported incident involves students from more than one school district, charter school, 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.*

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 aggressor.

In making this determination, the principal will, consistent with the Bullying Prevention and Intervention Plan and in compliance with school or district policies and procedures, consult with the school resource officer or another member of the Pittsfield Police Department in the absence of a school resource officer and/or other individuals the principal or designee deems appropriate.

### ***Investigation***

The following provides general guidelines for responding to a report of bullying or retaliation. Note that the guidelines should be modified as necessary to respond appropriately to the individual complaint.

Pre-Investigation: Before fully investigating allegations of bullying or retaliation, school personnel will assess the level of need and take immediate steps to support the alleged target and/or protect the alleged target from further potential incidents of concern. If the initial report is to or by a staff member, the staff member will complete an initial review of the situation and intervene as necessary. The staff member will make a referral to the principal or administrative designee if further administrative investigation is needed.

Investigation: The investigator will seek to determine the basis of the complaint, gather information from the complainant, including such matters as what specifically happened, who committed the alleged acts, who was present or may have information about the events, when the events occurred and where the events occurred.

The principal or designee will promptly investigate 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 interview students, staff, witnesses, parents or guardians, and others as necessary. The principal or designee will remind the alleged aggressor, target, and witnesses that retaliation is strictly prohibited and could result in disciplinary and restorative actions in alignment with the Student Code of Conduct, Character, and Support.

The principal or administrative designee and other staff members, as determined by the principal or administrative designee, may conduct interviews. To the extent practical, given his/her obligation to investigate and address the matter, the principal or designee will maintain confidentiality during the investigative process. The principal, designee and any other interviewers will maintain a written record of the investigation. Procedures for investigating reports of bullying and retaliation will be consistent with school or district policies and procedures for other investigations. If necessary, the principal or designee will consult with legal counsel about the investigation.

*Determinations:* The principal or designee will make a determination based upon the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the principal or designee will take steps to prevent recurrence and to ensure that the target is not restricted from participating in school or from school activities. The principal or designee will, one, determine what remedial action is required, if any, and, two, determine what response and/or disciplinary or restorative actions are necessary as guided by the Student Code of Conduct, Character, and Support.

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 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 and/or mental health interventions.

The principal or designee will promptly notify the parents or guardians of the target and the aggressor orally 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 with other students unless it involves a "stay away" order or other directive that the target must be aware of in order to report violations.

### **Responses to Bullying**

#### **Teaching Appropriate Behavior Through Skills-Building**

Upon determining that bullying or retaliation has occurred, the school principal or designee will decide upon a range of responses that balance the need for accountability with the need to teach appropriate behavior and restore/repair relationships. M.G.L. c. 71, § 37O(d)(v). Some skill-building approaches that the principal or designee may consider include:

- Offering individualized skill-building or restorative sessions;
- Providing relevant educational activities for individual students or groups of students in consultation with guidance and/or school adjustment counselors and other appropriate school personnel;
- Implementing a range of academic and nonacademic positive behavioral interventions and supports to help students understand prosocial ways to achieve their goals;
- Meeting with parents and guardians to engage parental support and to reinforce the anti-bullying curricula and social skills building activities at home;
- Developing individual behavior plans to include a focus on specific social skill development; and
- Making a referral for counseling or other mental health services for targets, aggressors and family members.

#### **Taking Disciplinary Action**

If the principal or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of information gathered through investigation 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 BPIP and with the district and school's Code of Conduct, Character and Support. Discipline up to and including suspension and expulsion may be applied by the school principal. All suspensions or expulsions are subject



*to review by the Superintendent and his/her designee with the student and parents afforded full due process rights.*

*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.*

*Discipline procedures for students with disabilities are governed by the federal Individuals with Disabilities Education Improvement Act (IDEA) and state laws regarding student discipline. A manifest determination will be completed to determine the connection between a student's bullying behavior and his/her disability. As necessary, a special education team will be reconvened to review the student's IEP.*

*Students with disabilities are known to be considered to be a vulnerable population for both being bullied and, in some disability categories, for engaging in bullying behavior. The risk for this will be reviewed at all IEP initial, reevaluation and annual meetings as part of the IEP process to determine appropriate interventions, both universal for all students and individualized.*

#### *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.*

*Supportive services will be assessed and offered to the target. These services may include safety planning, school adjustment counselor services and mental health referral, as well as, increased use of Tier 1 classroom strategies that promote safe and supportive learning environments.*

*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 or other responses are needed. If so, the principal or designee will work with appropriate school staff to implement them immediately.*

## Appendix C

### **Family Information Letter Anti-Bullying Efforts** Pittsfield Public Schools

Dear Parent/Guardian/Family Member,

Together, the staff of the Pittsfield Public Schools wants to partner with you to support your child(ren) having positive relationships with peers and adults. Social and emotional competence is as central to your child's healthy development as academic learning. Our goal is to provide physically and emotionally safe learning environments. This includes interactions with others which are free of bullying. This letter focuses on how you can prevent, respond and report any suspected bullying to school personnel.

Parents of students who suspect their child has been bullied (or who observe incidents of bullying) are encouraged to report this behavior to a staff member or school administrator. We need your assistance with intervening in situations of possible bullying or peer conflict in order to support you and your child. We can't help the situation if we don't know about it in a timely way.

Anyone, including a parent, guardian, student or school staff member, can report suspected bullying. Reports from parents can be made verbally or in writing. The district has a "[Suspected Bullying Reporting Form](#)" that you can complete and give to school staff. You only need to complete the front page. Family members can make reports anonymously. However, anonymous reports may limit further investigation if the parties involved cannot be identified. Also, it is important to note that no disciplinary action will be taken against an alleged aggressor of bullying **solely** on the basis of an anonymous report.

The following are some suggestions for parents to prevent and respond to bullying (adapted from the National Crime Prevention Council website):

- Teach kids to solve problems without using violence and praise them when they do.
- If you see any bullying, stop it right away, even if your child is the one doing the bullying.
- Encourage your child to help others who need it.
- Don't bully your children or bully others in front of them. If your children see you hit, ridicule, or gossip about someone else, they are also more likely to do so themselves.
- Talk to your child's teacher about suspected bullying instead of confronting the bully's parents. If the teacher doesn't act to stop the bullying, talk to the principal.
- Teach your child nonviolent ways to deal with bullies, like walking away, playing with friends, or talking it out.
- Help your child act with self-confidence.
- Don't encourage your child to fight. This could lead to him or her getting hurt, getting in trouble, and beginning more serious problems with the bully.
- Involve your child in activities outside of school. This way he or she can make friends in a different social circle.

If you would like to discuss any further concern or learn more about the anti-bullying prevention and intervention efforts in your child(ren)'s school, please contact a building administrator or the School Adjustment Counselor at your child's school. At the district level, you can also contact me at [acarpenter@pittsfield.net](mailto:acarpenter@pittsfield.net). Together we can improve kind, compassionate and civil interactions for our students that support their learning in all ways.

Sincerely,

Ann Marie Carpenter, LICSW

Director of Social Emotional Learning and Student Support

## **Student Handbooks and Codes of Conduct:**

1.

- a) The district has a code of conduct for students and one for teachers.
- b) The principal of every school containing grades 9-12 prepares, in consultation with the school council, a student handbook containing the student code of conduct and distributes it to each student annually, as well as to parents and school personnel; the school council reviews and revises the student code of conduct every year.
- c) The principal of every school containing other grades distributes the district's student code of conduct to students, parents, and personnel annually.
- d) At the request of a parent or student whose primary language is not English, a student handbook or student code of conduct is translated into that language.

2. Student codes of conduct contain:

- a) procedures assuring due process in disciplinary proceedings and
- b) the district's responsibility to provide every student with an opportunity to make academic progress during the period of suspension whether in-school, out-of-school or expulsion.
- c) appropriate procedures for the discipline of students with disabilities and students with Section 504 Accommodation Plans.
- d) If a charter school or a virtual school, the designation by the board of trustees as to who shall serve as the principal and who shall serve as superintendent for the purpose of 603 CMR 53.00.

3. Student handbooks and codes of conduct reference M.G.L. c. 76, s. 5 and contain:

- a) nondiscrimination policy that is consistent with M.G.L. c. 76, s. 5, and affirms the school's non-tolerance for harassment based on race, color, national origin, sex, gender identity, religion, or sexual orientation, or discrimination on those same bases;
- b) the school's procedure for accepting, investigating and resolving complaints alleging discrimination or harassment; and
- c) the disciplinary measures that the school may impose if it determines that harassment or discrimination has occurred.

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

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

Procedure: Procedures for suspension of students with disabilities when suspensions exceed 10 consecutive school days or a pattern has developed for suspensions exceeding 10 cumulative days; responsibilities of the Team; responsibilities of the district

1. A suspension of longer than 10 consecutive days or a series of suspensions that are shorter than 10 consecutive days but constitute a pattern are considered to represent a change in placement
2. When a suspension constitutes a change in placement of a student with disabilities, district personnel, the parent, and other relevant members of the Team, as determined by the parent and the district, convene within 10 days of the decision to suspend to review all relevant information in the student's file, including the IEP, any teacher observations, and any relevant information from the parents, to determine whether the behavior was caused by or had a direct and substantial relationship to the disability or was the direct result of the district's failure to implement the IEP—"a manifestation determination."
3. If district personnel, the parent, and other relevant members of the Team determine that the behavior is NOT a manifestation of the disability, then the suspension or expulsion may go forward consistent with policies applied to any student without disabilities, except that the district must still offer:
  - a. services to enable the student, although in another setting, to continue to participate in the general education curriculum and to progress toward IEP goals; and
  - b. as appropriate, a functional behavioral assessment and behavioral intervention services and modifications, to address the behavior so that it does not recur.
4. Interim alternative educational setting. Regardless of the manifestation determination, the district may place the student in an interim alternative educational setting (as determined by the Team) for up to 45 school days
  - a. on its own authority if the behavior involves weapons or illegal drugs or another controlled substance or the infliction of serious bodily injury on another person while at school or a school function or, considered case by case, unique circumstances; or
  - b. on the authority of a hearing officer if the officer orders the alternative placement after the district provides evidence that the student is "substantially likely" to injure him/herself or others.
  - c. Characteristics In either case, the interim alternative education setting enables the student to continue in the general curriculum and to continue receiving services identified on the IEP, and provides services to address the problem behavior.
5. If district personnel, the parent, and other relevant members of the Team determine that the behavior IS a manifestation of the disability, then the Team completes a functional behavioral assessment and behavioral intervention plan if it has not already done so. If a behavioral intervention plan is already in place, the Team reviews and modifies it, as necessary, to address the behavior. Except when he or she has been placed in an interim alternative educational setting in accordance with part 4, the student returns to the original placement unless the parents and district agree otherwise or the hearing officer orders a new placement.
6. Not later than the date of the decision to take disciplinary action, the school district notifies the parents of that decision and provides them with the written notice of procedural safeguards. If the parent chooses to appeal

or the school district requests a hearing because it believes that maintaining the student's current placement is substantially likely to result in injury to the student or others, the student remains in the disciplinary placement, if any, until the decision of the hearing officer or the end of the time period for the disciplinary action, whichever comes first, unless the parent and the school district agree otherwise.

State Requirements Federal Requirements 34 CFR 300.530-537

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