

# Herberg Middle School



## Huskies

**Student Handbook 2021-2022**



# Theodore Herberg Middle School

501 Pomeroy Avenue  
Pittsfield, MA 01201  
(413) 448-9640

**Jason Hynek, Principal**

Tracy Mangiardi, Principal's Secretary

Lisa Lesser, AP, Grade 6

Amy Shaw, VP, Grade 7

Khalid Shehemi, AP, Grade 8

Steve Smith, Dean

Dear Parents, Guardians and Students,

Welcome to the 2021-2022 school year! I am incredibly excited and optimistic for this upcoming year.

Getting ready to start a new school year is always a very busy time. Add in the uncertainty of a Pandemic and we find ourselves with more questions than answers. Our goal at HMS is to provide the best possible education for our students with unlimited support. I, as Principal, am dedicated to doing whatever it takes to ensure every student succeeds. I have a phrase that I use to express this belief and it goes, "All Means All, No Excuses!" For staff it means we will not rest until All students are supported and on a path to success. For students, it means I will be accountable for my learning, not make any excuses and believe that my effort is the key to success. Together, with our best effort, all students leaving HMS for high school will have the foundational skills needed to be successful. If, as a parent/guardian or student, you ever have a question or suggestion, my office door is always open and I want to hear from you. I care deeply about everyone who walks through these front doors and will work tirelessly to ensure the best possible outcomes for all. Together, we can accomplish anything!

I also wanted to highlight some continuing changes taking place this school year. Herberg Middle School will have three grade level academies. Each academy will have dedicated teachers, support staff and administrators focused solely on that grade level. Again, our goal is to prepare students to be high achievers and high school ready both academically and socially. With our academy structure, staff will provide support for struggling students and acceleration for students who are ready for it, right when it is needed. Each grade level academy will also have its own dedicated Assistant Principal and location within the building to further support students, teachers and families. We will be holding **Virtual and In-Person Welcome Meetings** for families in each grade level in late August. Be on the lookout for an email with dates and times.

Remember, my door is always open and I would love to hear from you!

Sincerely,

Jason Hynek, Principal

# **Herberg Middle School**

## **Student Handbook**

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# Pittsfield Public Schools 2021-2022 School Year Calendar

Approved by School Committee  
3/24/21, Amended 5/26/21

## August 2021

S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25 NTO	26 NTO	27 NTO	28
29	30 ★	31 ★				0/0

## September 2021

S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8 K	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		21/21

Kindergarten students will start on September 8

## October 2021

S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						20/41

## November 2021

S	M	T	W	Th	F	S
31	1	2 ★	3	4	5	6
7	8	9 **	10	11	12	13
14	15	16 **	17 **	18 **	19	20
21	22	23	24	25	26	27
28	29	30				17/58

\*\* See below for Parent Conferences Dates

## December 2021

S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9 **	10 **	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	16/74

\*\* See below for Elementary Parent Conferences Dates  
12/10 is a half day for elementary students for elementary conferences

## January 2022

S	M	T	W	Th	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13 OH	14	15
16	17	18	19	20 OH	21	22
23	24	25	26	27	28	29
30	31					20/94

THS Open House: February 13--PHS Open House: February 2  
High School Open House Snow Date: February 27

★ November 2 - Full Day for Staff - No School for Students

## February 2022

S	M	T	W	Th	F	S
		1	2	3 OH	4	5
6	7	8	9	10 OH	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28					15/109

RMS Open House: February 3--HMS Open House: 10  
Middle School Open House Snow Date: February 17

## March 2022

S	M	T	W	Th	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23 **	24 **	25	26
27	28	29	30	31		23/132

\*\* See below for Parent Conferences Dates

## April 2022

S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
						15/14

Elementary Schools Provide Grades by Trimester  
Secondary Schools Provide Grades by Quarter

### Elementary Schools

Progress Report	10/15 (31)	1/21 (28)	4/29 (29)
Report Card	12/3 (30)	3/11 (29)	6/16 (33)

### Secondary Schools

Progress Report	10/8 (27)	12/17 (22)	3/4 (20)	5/6 ( )
Report Card	11/12 (23)	1/28 (23)	4/1 (20)	6/13

## May 2022

S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				21/168

## June 2022

S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17 *	18
19	20	21 *	22 *	23 *	24 *	25
26	27 *	28 *	29 *	30 *		12/180

## Jewish Holidays

Rosh Hashanah: Sundown September 6, September 7, September 8  
Yom Kippur: Sundown September 15, September 16  
Passover: Sundown April 15- April 23

## Parent/Guardian Conferences

- \*\* 12/9 & 12/10 Elementary Parent/Guardian Conferences
- \*\* 11/17 & 11/18 Middle School Parent/Guardian Conferences
- \*\* 11/16 & 3/24 PHS Parent/Guardian Conferences
- \*\* 11/9 & 3/23 THS Parent/Guardian Conferences

## Calendar Key

- NTO New Teacher Orientation
- ★ No School for Students; Full Day for Staff 8:00-3:00p.m.
- Half Day for Students; Full Day for Staff
- 🎓 High School Graduation
- \* Snow Day Make-up Dates

## Secondary Open Houses

Taconic School - January 13      Pittsfield High School January 20  
Reid Middle School - February 3      Heberg Middle School February 10

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Date	Event
September 1	First Day for Students Grades PreK & 1-12
September 6	Labor Day
September 8	First day of school for Kindergarten students
October 11	Indigenous Peoples' Day
November 11	Veterans Day Observed
November 24-26	Thanksgiving Recess
December 23 - January 2	Holiday Recess
January 17	Martin Luther King Jr. Day
February 21	Presidents' Day
February 21-25	Winter Recess
April 15	Good Friday
April 18	Patriots' Day
April 18-22	Spring Recess
May 30	Memorial Day
June 5 & 12	High School Graduation
June 16	Last Day of School (unless snow days must be replaced)
June 20	Juneteenth Observed

192 Day Calendar: 180 Student Days, 3 Full Staff PD Days, and 9 Emergency/Weather Days

<b>7:35-8:27</b>	<b>Class 1 (52 minutes)</b>		
<b>8:30-9:22</b>	<b>Class 2 (52 minutes)</b>		
<b>9:25-10:17</b>	<b>Class 3 (52 minutes)</b>		
<b>Lunch Block</b>	<b>First Lunch, 6th Grade</b> <b>10:20-10:50</b> <b>(30 minutes)</b>	<b>Class 4</b> <b>10:20-11:12</b> <b>(52 minutes)</b>	<b>Class 4</b> <b>10:20-11:12</b> <b>(52 minutes)</b>
	<b>Class 4</b> <b>10:53-11:45</b> <b>(52 minutes)</b>	<b>Second Lunch, 7th Grade</b> <b>11:15-11:45</b> <b>(30 minutes)</b>	<b>Class 5</b> <b>11:15-12:07</b> <b>(52 minutes)</b>
	<b>Class 5</b> <b>11:48-12:40</b> <b>(52 minutes)</b>	<b>Class 5</b> <b>11:48-12:40</b> <b>(52 minutes)</b>	<b>Third Lunch, 8th Grade</b> <b>12:10-12:40</b> <b>(30 minutes)</b>
<b>12:43-1:35</b>	<b>Class 6 (52 minutes)</b>		
<b>1:38-2:28</b>	<b>Class 7 (50 minutes)</b>		
<b>2:28</b>	<b>Dismissal</b>		

**PITTSFIELD PUBLIC SCHOOLS**  
**TITLE ONE PROGRAM HOME/SCHOOL COMPACT**  
**Herberg Middle School**  
**2021-2022**

The Herberg Middle School and the families of the students participating in the activities, services, and programs funded by Title I, Part A of the Elementary and Secondary Education Act (ESSA) agree that this compact outlines how families, the entire school staff, and students will share the responsibility for improved student academic achievement and the means by which the school and families will build and develop a partnership that will help children achieve the State's high standards.

**The Herberg Middle School will strive to:**

- Provide high quality curriculum and instruction in a supportive and effective learning environment that enables the participating children to meet the State's student academic achievement standards as follows:
  - Core programs that are aligned with the Massachusetts Curriculum Framework
  - Through a formative assessment cycle process that provides both intervention and enrichment
- Hold parent/guardian conferences at least each November during which this compact will be discussed as it relates to the individual child's achievement.
- Provide families with frequent reports on their children's progress. Specifically the school will provide report cards four times per year & progress reports when needed.
- Provide families reasonable access to staff. Specifically, please email, or phone, the staff to arrange a meeting.
- Provide families opportunities to volunteer and participate in their child's class, and to observe classroom activities as follows: parent/teacher organizations, School Council, academic celebrations, "fun" nights, to name a few.
- Respect and value the uniqueness of each child and his/her family.

**We, as families, will support our children's learning in the following ways:**

- Monitoring attendance.
- Making sure that homework is completed.
- Helping my child to read each day.
- Volunteering in the school.
- Participating, as appropriate, in decisions relating to my child's education.
- Promoting positive use of my child's extracurricular time.
- Staying informed about my child's education and communicating with the school promptly.
- Reading all notices from the school or the district.
- Serving, to the extent possible, on policy advisory groups such as the School Council and district Curriculum Advisory Board.
- Assisting my child in the implementation of Herberg's School-Wide expectations.

**As a student I will strive to:**

- Show respect for myself, my school and other people around me.
- Do my classroom and homework every day and ask for help when I need to.
- Display a positive attitude toward learning and put forth my best effort, even if something is challenging at the first or second attempt.
- Read at least 30 minutes every day outside of school time.
- Comply with our school expectations: Ready. Respectful. Responsible.
- Seek assistance from my teacher(s), the School Principal, the Assistant Principal, the Dean of Students, the School Guidance Counselors, or the School Adjustment Counselors when I have a problem with school work.

# ADMINISTRATION OFFICES - Herberg

## Herberg Middle School

**Jason Hynek**, Principal

**Tracy Mangiardi**, Administrative Assistant to Principal

**Diane Durant**, Administrative Assistant Main Office

**Steve Smith**, Vice Principal

**Lawrence Carrier**, Dean of Students

**Jenn LeVielle**, AP for Teaching and Learning, 6th Grade

**Amy Shaw**, AP for Teaching and Learning, 7th Grade

**Khalid Shehemi**, AP for Teaching and Learning, 8th Grade

**Kelly Abdalla**, School Adjustment Counselor

**Elaine Theodore**, School Adjustment Counselor

**Melissa Skidmore**, School Nurse

**Brianne DeMarco, Megan Donnelly**, Guidance Counselors

**Jessica Godfrey**, Resource Officer

### SCHOOL OFFICE HOURS

7:30 A.M. until 3:00 P.M.

### TELEPHONE NUMBERS

Main Office / Attendance	413-448-9640	SAC	413-448-9783
Fax Number	413-448-9644	Guidance	413-448-9640 x 4011
Nurse	413-448-9782	Guidance	413-448-9640 x 4009

### WEBSITES

**School Website:** <http://herberg.pittsfield.net>

Check here for information on school events, school calendar, policies & procedures and other news.

**District Website:** <http://www.pittsfield.net>

For a complete list of Pittsfield Public School student policies, please visit the district website at



## **ADMINISTRATION OFFICES - District**

### **Pittsfield School District**

Mr. Joseph Curtis, *Superintendent*

Ms. Kristen Behnke, *Assistant Superintendent for Business and Finance*

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

Ms. Lovelyne Pierre *Director of Human Resources*

Ms. Jennifer Stokes, *Director of Special Education*

### **PITTSFIELD SCHOOL COMMITTEE**

The Honorable Linda Tyer, *Mayor of Pittsfield*

Ms. Katherine Yon, *Chairwoman*

Mr. Mark Brazeau

Dr. William Cameron

Ms. Alison McGee

Mr. Daniel Elias

Ms. Nyanna Slaughter

### **COMMUNITY and BUSINESS PARTNERS**

#### **The Guardian Life Insurance Company of America**

Community partners that provide student services are:

Brien Center for Mental Health and Substance Abuse

Berkshire County Sheriff's Office Student Resource Center

Berkshire County Kids' Place and Violence Prevention Center

Effective Educational Practices (Positive Behavioral Support)

## **STATEMENT OF NONDISCRIMINATION**

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

## **SCHOOL HOURS and OPERATIONS**

Students enter the building at 7:20 a.m.

- Sixth Graders will enter through the South Entrance and report to their first period classrooms on the second floor.
- Seventh Graders will enter through the South Entrance and report to their first period classrooms on the second floor.
- Eighth Graders will enter through the Front Entrance and report to first period classrooms on the first floor.

Students Report to school 7:25 a.m.

Homeroom Begins 7:35 a.m.

Dismissal Begins 2:25 p.m.

DISMISSAL 2:28 p.m.

Half day dismissal time 10:50 a.m.

### **SCHOOL CLOSINGS (Weather)**

Extreme weather conditions such as heavy snow, ice, or flooding may result in the cancellation of classes at all schools. A localized emergency such as the loss of heat or a water main break may result in the cancellation of classes at a single school. In either situation, the superintendent or designee will notify local radio and television stations and post a notice on the education cable access channel by 6:00 a.m. The school department will initiate a automated phone call using the primary phone number listed for your student. School closings will also be posted on the Pittsfield Public Schools website, <http://mail.pittsfield.net/>. PLEASE DO NOT call the school for information, as you will only reach the answering machine.

### **GETTING MESSAGES TO STUDENTS**

Parents are encouraged to call the school in case of family/medical emergencies only. For all other messages, we would like to encourage parents to make prior arrangements with their students so we are not interrupting classrooms during the instructional day.

### **CORE VALUES - PRODUCTIVE ~ ACCOUNTABLE ~ KIND**

Within the classroom each teacher establishes behavioral expectations. While these expectations will vary from one teacher to another, students are expected to accept and adjust to variations in teaching style and personality, realizing that such are reflective of the differences they will encounter in the community at large. At minimum, the following are classroom rules:

- Be on time for class.
- Have the necessary materials to participate.
- Be prepared for class work.
- Show respect for the teacher and other students.
- Follow prescribed classroom procedures.
- Be attentive in class.
- Do your own work.
- Contribute positively to the class.
- Have permission from your teacher before you leave class.

## MEALS

Herberg Middle School will be participating in Community Eligibility Provision. Under Community Eligibility Provision only full meals can be considered 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.

Breakfast is served daily beginning at 7:15 A.M. Students must remain in the cafeteria until 7:25 a.m.

In compliance with the district Wellness Policy, students can not come to school with soda and power drinks (Coffee Drinks, Red Bull, Monster, Amp) while at school. Students are expected to be orderly while in the cafeteria lunch line and to clean up their places before returning their trays. No food or drink is to be taken out of the cafeteria into other parts of the building. After eating lunch, students will go outside. During the cold weather, proper outerwear is required and must be brought to the lunchroom, as no student will be allowed to go to his or her locker during the lunch period. Once a student goes outside, they must stay outside until lunch ends.

## MEDIA APPEARANCES

The Pittsfield Public Schools may display student's work or record classroom or school events via video, photographs, and print for displays to other students, school staff and parents in the school community. The PPS may also permit the media to cover such events and use a child's name or image in association with the coverage. Parents/guardians must notify the principal within 30 days of school entry if they do not want this information displayed or released.

## FIELD TRIPS

From time to time students will be afforded the opportunity to attend a field trip as an enhancement to the curriculum. Parents/Guardians will be notified prior and students will be required to have signed parental permission slips to attend. Any behavioral requirements for participation will be outlined in the permission slip.

## ASSEMBLIES

Attendance at assemblies is required of all students except those excused by a proper authority. Refrain from any behavior that will interfere with the enjoyment of the program by others. Be productive - accountable - kind during the performance.

## SCHOOL DANCES

All regular school rules apply at school-sponsored events. Dress must be appropriate for the dance. The same dress code that is enforced during the school day applies to school dances. Students that have had ISS or OSS prior to a dance may not be eligible to buy a ticket. If a student has a lost or overdue library book and/or textbook, he/she may not be permitted to purchase a dance ticket. Students **will be required to attend school on the day of the dance** in order to be admitted in.

Students must buy a ticket in advance and only those with tickets will be admitted. **No tickets are sold at the door.** Any student who leaves the dance early will not be allowed to return. Students should pre-arrange for transportation to pick them up when the dance ends.

## **SCHOOL PICTURES**

School pictures are taken within the first weeks of school and again in the Spring. Every student will be scheduled to have his/her picture taken for his or her student ID. Eighth grade photos will be used for the yearbook. Information on purchasing picture packages will be sent home prior to Picture Day.

## **LOCKERS/SECURITY FOR YOUR VALUABLES**

Each year we assign a locker for personal use. Valuable items should not be brought to school. Do not leave money or valuables in the locker.

**BE SURE TO KEEP YOUR LOCKER LOCKED AND DO NOT GIVE THE LOCKER COMBINATION TO ANYONE.**

Reminder: the school cannot be responsible for lost or stolen articles. Lockers are the property of the Pittsfield Public Schools and may be searched by the principal or his/her designee for reasons of building safety. Students should assume that their locker might be periodically inspected. Writing on lockers is prohibited and will be treated as an act of vandalism.

## **VALUABLES**

If, on occasion, students must bring valuables or money to school in excess of the usual lunch money, check such items in the office in the morning. Do not leave money or valuables in your locker. **Remember: The school cannot be responsible for your lost or stolen articles.**

## **VOLUNTEERS and VISITORS**

While Herberg Middle School extends a warm welcome to parents and others who visit our school and classroom, at the same time, we must assure that our students and staff are safe and learning is not disrupted. Schools must be aware of who is in the building and why they are there. All exterior entrances to HMS are locked after the start of the school day. During the school day, the only doors that should be used by visitors are the front doors. All visitors must report to the main office to sign in and receive a visitor's pass/identification for use while in the building. Visitors will be escorted to their destination by HMS staff.

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

## **CO-and EXTRACURRICULAR ACTIVITIES CODE OF CONDUCT**

Students may remain in the school building after school hours for any organized activity supervised by staff. Students may only use school grounds for their intended purpose. Students who do not have a valid reason to be at school after the school day has ended, need to leave the building and grounds by 2:40 pm.

## **SCHOOL PRIVILEGES ARE DEPENDENT UPON STUDENT CONDUCT**

Students have the opportunity to participate in many special school functions and activities, such as field trips, celebrations, performances, class days, athletic events, dances and graduation ceremonies, among others. Participation in such activities is a privilege to be earned – not a right. By violating school rules or the Code of Conduct, or by engaging in illegal or illicit activities outside of school, a student may lose these privileges. The principal or designee has the authority to limit or deny a student's participation in such special functions and activities.

The rules noted in this Handbook are for the protection of personal rights. They are based on normal courtesy and respect for others and include social as well as academic responsibilities. These rules are not meant to be exhaustive

or comprehensive enough to include all of the possible situations, behaviors, and consequences of behaviors that violate policy, procedure, or state or federal law.

- Show respect for all students, teachers, adults, school building, equipment, grounds and themselves.
- Follow individual teacher, team, and classroom procedures and expectations.
- Follow directions of all teachers and staff the first time they are given.
- Insubordination (not obeying adults or any form of disrespect toward adults) is unacceptable at all times.
- Keep hands and feet to themselves.
- Unauthorized sale of items is prohibited.
- Bullying is not tolerated under any circumstances.

The Administration has discretion to render judgment regarding what is and is not appropriate and may waive these policy restrictions in religious and/or medical situations. Administration will determine what consequences should follow when a student does not comply with this policy.



# ATTENDANCE

## 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 healthcare provider (after three days absent), 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.
- 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 the case.

## 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 attend school.
- Student needed to babysit
- Cutting class
- Family vacation
- Extension of a religious or cultural holiday beyond the designated day or days.

## CLASS ATTENDANCE & ABSENTEEISM POLICY

Good attendance and active participation will RAISE YOUR GRADE. For most students, this is an opportunity to improve learning and grades. Only students with unexcused or excessive absences will be penalized for lack of participation in class. Every student should have a goal to always be in school, on time and prepared to participate in every class. Class participation is defined by the following:

"Contributing positive attitudes, ideas and information, and material to the daily work of the class." This can be interpreted to mean coming prepared for class (books, pencils, assignment books, completing homework, taking a pop quiz, and/or participating in the daily activities).

Though homework and independent learning are important components of a middle school education, participation in classroom activities is the basis for all course work. Students and their parents should make every effort to ensure that the student be present in the class except in the case of serious illness or family emergencies. All absences are unexcused unless deemed excusable by the principal or his designee. Students must offer written documentation to support a request that an absence be considered excused.

## TARDINESS

You are tardy to school if you are not in homeroom before the 7:35 bell rings. If you arrive after the 7:35 bell, **report directly to the main office**. Any student who has been tardy to school five times, for unexcused reasons, will not be

admitted to class unless they are accompanied to school by a parent/guardian. A parent/guardian must accompany the student to school **each and every time** the student is tardy for the remainder of the school year.

## **DISMISSALS**

A parent/guardian requesting an early dismissal for her/his child **MUST** submit to the office a note stating complete student name (first, last), the reason, date and time of the dismissal. Dismissals by telephone are accepted only in rare emergencies and must be verified by the main office. The student must be picked up at the main office and **SIGNED OUT** of school by her/his parent/guardian. Dismissals during school hours must be kept to a minimum and we prefer parents do not dismiss students after 2:00 p.m.

## **MEDICAL EXCUSE FROM PHYSICAL EDUCATION**

You must have a medical excuse from the doctor to be excused from physical education classes. Report to the Main Office during homeroom with the doctor's note. Additionally, students will also need medical documentation to return to physical education classes.

### **HALL PASSES**

You are allowed three minutes to pass between classes. If you are detained by a teacher and foresee being late for your next class, request a pass from the teacher. If you arrive late to class without a pass, the teacher may place you on detention. Passes are issued during class time on a limited basis as determined by the classroom teacher.

## **TRUANCY**

You are expected to be in school every day that school is in session, unless you are ill, it is a religious holiday, or there is a serious illness or death in the family. If you are absent for any other reason, you will be considered truant.

Truancy can result in some form of disciplinary action and/or legal action.

## **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 filing a 51A petition and/or a Child Requiring Assistance (CRA) 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.

## **HOME TUTORING**

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

## HEALTH SERVICES

### SCHOOL NURSE

The School Nurse delivers services to promote optimal health and learning in students. The Health Room is located in the administrative wing of the school. If you feel ill during the day, tell your teacher. Your teacher will give you a pass to the health room. If you are unable to return to class within a reasonable length of time, home will be contacted.

**Always report to your teacher first before coming to the health room.** In the event the nurse is not on duty, report directly to the main office.

- An integral part of the health program is the physical examination of all sixth grade students. This examination may be best completed by your family physician.
- All seventh graders will be tested for hearing and vision.
- All medication given at school requires parental and doctor permission.
- Students with life threatening allergies should have Epi-pens in the health room.
- Yearly screenings include postural screening and height and weight.

### ACCIDENTS

Accidents of any nature should be reported to the nurse and the Main Office.

# ACADEMICS & GRADING

## EXPLANATION of MARKS

**A** - Superior (90-100) / **B** - Good (80-89) / **C** - Average (70-79) / **D** - Below Average (60-69) / **F** - Unsatisfactory (Below)

## PASSING GRADES

Teachers base the grades they give students on several factors, including:

- Scores on classroom tests and quizzes
- Completion of required products, for example, a book report or science project
- Participation in class discussion and activities
- Performance on homework assignments

## REPORT CARD DISTRIBUTION

Report Cards are sent home the week after marks close. Dates below may be amended.

	Progress Reports	Close of Marks
1st Quarter	October 8, 2021	November 12, 2021
2nd Quarter	December 17, 2021	January 28, 2022
3rd Quarter	March 4, 2022	April 1, 2022
4th Quarter	May 6, 2022	June 13, 2022

## HOMEWORK GUIDELINES

Homework is defined as written or non-written tasks that are assigned by teachers to be completed by students outside of the classroom. The purposes of homework are to practice newly taught skills, review previously mastered skills, develop independent study habits, and to extend and enrich the curriculum. Homework is never to be issued punitively. Homework should be related to the curriculum of the student's classroom and help promote an understanding of the importance of lifelong learning.

Homework can be given five nights a week in grades 6-8. Nightly homework, for all combined subjects, should not exceed 60 minutes for grade 6 students, 70 minutes for grade 7 students, and 80 minutes for grade 8 students. Reading is critical to academic success and should be incorporated into these times, however additional reading is always beneficial. Long-term assignments will be assigned at least two weekends before the work is due.

## HOMEWORK GRADING

To be considered in the daily amount of time assigned to a given student. Special education students may have modified homework as specified by their IEPs and 504's. Homework is not to be weighted more than 10% of a student's cumulative grade.

The most effective implementation of the homework guidelines will occur when teachers, parents, and students communicate well with each other in a home-school partnership. Homework is provided with an understanding of the realities of family life, along with the recognition that it is an important part of the learning activity of students.

If parents/guardians have questions/concerns about their student's homework, they are encouraged to be in touch with the student's teacher.

### **EXTRA HELP**

You may always seek extra help from your teachers if you do not understand an assignment, if the work is difficult or if you have been absent and have missed assignments and class discussions. Arrange a conference with your teacher before or after school or at a time convenient to both of you during the day.

A teacher will sometimes request a student to stay after school if it is apparent that the student is having difficulty with his work. This is not to be thought of as a punishment, but rather as the desire of the teacher to help you do your best.

### **LIBRARY**

The Library is open to students, faculty, and classes daily during the school day. Students are expected to follow school rules and care for library materials responsibly. Students may borrow books and/or magazines for a two-week period. Items may be renewed at the discretion of the librarian. Fines for overdue books will be forgiven when books are returned. Students will be required to pay replacement cost of any lost or damaged materials. Any student receiving an overdue notice must report to the librarian within 3 days to return, renew, or discuss replacement options. Students may be required to pay replacement costs or replace the missing item.

### **SEX EDUCATION PARENTAL NOTIFICATION**

Schools are required by law to notify parents about any classes that will be held on human sexual education or sexual issues. The notice must tell the parent how he or she can review the content and materials of the classes. While parents do not have to give permission for their children to take sex education classes, parents do have the right to exempt their children from such classes. To do this, simply write a letter to your child's principal saying you don't want your child to participate in sexual education classes. Please submit these requests through guidance.

### **PHYSICAL EDUCATION**

You will be participating in a physical education class every other day. Please come to school on gym days wearing appropriate clothes to participate in gym class or you may bring clothes to change into. Your gym teacher will give you specifics about clothing for physical education class that will ensure your health and safety. Each PE student will be assigned a gym locker with a padlock at the start of the school year. **Note:** Any special dispensation must be made with administration.

### **INSTRUMENTAL MUSIC PROGRAM**

The Herberg Music Department welcomes beginners and advanced students who desire to play a musical instrument. Students who play a band instrument receive weekly instrumental instruction. Lessons are held on a rotating basis so that students do not miss the same academic class each week. Further information concerning this program is available through our Music Department.

### **ACADEMIC AWARDS**

High honors and honors will be earned by students for outstanding academic work during each quarter. The parameters for students to earn placement on the honor rolls can be found on the Pittsfield Public School's website under Family & Community.



**ADDITIONAL PROVISIONS for Class Participation**

Excused Absence	No penalty for Missed Class Participation
Out-of-School Suspension	Zero for Class Participation for the Day
In-School Suspension	Zero for Class Participation for the Day
Unexcused Absence	Zero for Class Participation for the Day

Tests, which represent a culminating activity, will be considered separately from class participation. In other words, all students will be allowed to make up unit tests. Project work, which may be due on the day a student has an unexcused absence, will be accepted and graded, but it is strongly advised that the project be submitted early.

**PROMOTION TO HIGH SCHOOL**

Students who have failed to obtain passing grades in two or more academic subjects in the same grade or in the same academic subject in two successive grades and have not taken advantage of available remediation services or programs that are recommended (i.e. summer school program) will be considered to constitute exceptional circumstances and will not matriculate to the next level.

# **STUDENT SUPPORT**

## **CHAPTER 766**

Chapter 766 is a Massachusetts state law that applies to all people ages three to twenty-two who have not graduated from high school. It says that if students have special needs they should be given any help needed to allow them to stay in a regular school program as much as possible. Students who are determined to have special needs through testing and as a result of a Team recommendation can receive specialized assistance and instruction both within and outside of the regular educational setting.

### **BAM (Building Assistance Meetings)**

Building Assistance Meetings bring together a team of teachers, counselors and administrators with both the parent and student present to discuss the behaviors that are being observed within or outside the classroom. A FBA (Functional Behavior Assessment) will be used to develop a BIP (Behavioral Intervention Plan) with the purpose to support the student's academic and social progress.

### **GUIDANCE SERVICES**

A counselor is assigned to each Herberg student. Consult your counselor about such matters as problems with another student, academic problems, and/or some personal problem. Your counselor will also help you make your course selections as you prepare to enter high school.

# DRESS CODE

## ATTIRE and APPEARANCE

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. Disciplinary action is subject to administrative discretion. **Parents will be contacted if there is a question regarding a student's attire and placed in ISS/R room until proper attire is obtained.** Clothing must always conform to safety standards of the particular class.

A committee of parents, teachers, administrators, and students drew up the following dress code:

- Clothing is clean and neat.
- 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.
- Clothing that condones, endorses or otherwise glorifies or advocates the use of any weapon, illegal drug, controlled substance, alcoholic beverage, intoxicant, criminal or violent activity, or that is determined to be disruptive to the school environment is prohibited.
- Hemlines of skirts or shorts must fall below fingertips when arms are relaxed at sides.
- Shoes/sandals must be worn at all times.
- Hats (caps, berets, scarves, bandanas) may **not** be worn in the school and should be stored during the school day (exceptions may be made for religious observance)
- Students may not wear hoods at any time.
- Undergarments should not be visible.
- Sunglasses are not to be worn in the building
- Coats/jackets should be kept in student lockers unless building conditions warrant otherwise, as determined by the classroom teacher. (Keep a sweater/sweatshirt in your locker in case you are cold.)

**Note:** Any action on the dress code is upon the discretion of administration.

## GENDER IDENTIFICATION

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

# ELECTRONICS

## CELL PHONES

Students may bring a cell phone on school grounds, but the phone must be turned off and stored between the hours of 7:35am – 2:28pm on full days & 7:35 am – 10:50 am on half days. Students entering the building before 7:35 am to have school breakfast or to participate in any other school-sponsored activity must turn off their phones and follow school policy. If a cell phone is found on a student between those hours, the following disciplinary consequences will apply:

- **First violation** results in a telephone call to parents/guardians and the cell phone confiscated and locked in the Main Office and given back to the student at the end of the school day.
- **Second violation** will result in the device being confiscated and locked in the Main Office for parent/guardian pick up.
- **Ongoing violations** will be documented and the appropriate consequences will be issued.

Cell phones lost or stolen while at school are **NOT** the responsibility of the Pittsfield Public Schools.

## EARBUDS (Bluetooth)- LASER PENS-VALUABLES

Students may possess devices on school grounds and at school events, but once they have entered the building, the devices need to be turned off and stored properly. All electronic devices need to be turned off during the instructional day and shall not be used. If it is found that the device is being used during the instructional day or during a school sponsored event when it is not deemed appropriate then the following consequences shall apply: Disciplinary action may take place.

- **First violation** results in telephone call to parent and device given back to student at the end of the day.
- **Second violation** shall result in device being confiscated and locked in office for parent pick up.
- **Ongoing violations** will be documented as a failure to follow administrative directive. School officials, including classroom teachers, may confiscate a device being used during a restricted time. Parents may only claim the device at school between the hours of 7:30 a.m. - 2:30 p.m. Calling ahead is suggested. Electronic devices lost or stolen while at school are **NOT** the responsibility of the Pittsfield Public Schools. Administration may at their sole discretion grant exceptions to this policy if deemed necessary. The administration may require documentation of a critical need.

# **BUS TRANSPORTATION**

## **CONDUCT**

Bus transportation is available for Herberg students who reside one and one half miles from Herberg. Bus transportation is dependent upon proper behavior. For safety reasons, students may only ride the bus to which they are assigned. Do not ask permission to ride home with a friend. If a student endangers his or her own safety or the safety of others while on a school bus or van, the principal or designee may deny school-provided transportation to the student. Some buses are equipped with video cameras and this videotape may be used as evidence of the student's misbehavior. In all cases, the principal or designee must inform the parents before keeping the student off the bus. The student is expected to come to school on days when he or she is not allowed on the bus unless the student has also been suspended from school. Specific details can be found in policy STU-31.

## **SPECIFIC VIOLATIONS**

- Refusing to show bus pass when requested
- Boarding and exiting a bus in a disorderly fashion
- Littering or dirtying the bus
- Blocking or obstructing the aisle
- Drinking or eating on the bus
- Sitting in an unassigned seat
- Disturbing the driver or other occupants of the bus by the loud playing of any device that plays music on the bus
- Tampering with or damaging bus equipment\*\*
- Throwing anything from the bus or inside the bus
- Putting arms, hands, head, or any objects out the bus window
- Lighting matches, lighters, cigarettes, or other objects on the bus
- Exiting the bus other than through the main door
- Using abusive, obscene, or profane language of any kind and directing it at any person on the bus or outside the bus
- Fighting of any kind
- Showing disrespect to the bus driver by word or action
- Refusing to follow driver or monitor's directions
- Arguing with driver or monitor
- Showing disrespect to other students verbally or physically
- Engaging in any kind of horseplay, shouting, or loud noise endangering the safety of other passengers on the bus or
- Distracting the driver from performing his/her duties.
- Possession of or carrying weapons of any kind on the bus
- Liability for damage will be the responsibility of the student and/or parent

## **CHRONIC VIOLATIONS**

Any of the above misbehaviors will be considered a chronic violation when the bus driver or a designated school official observes a pattern developing in which a particular student frequently violates any of the above.



## **CONSEQUENCES FOR VIOLATIONS**

Warning, reprimand, parental notification, detention, in-house suspension, and/or suspension from bus riding, or revocation of bus riding privileges for the remainder of the school year.

## **CONSEQUENCES FOR CHRONIC VIOLATIONS**

Suspension from bus riding for nine days or more, up to and including the revocation of bus riding privileges for the remainder of the school year.

## **LATE BUS for AFTER SCHOOL ACTIVITIES/CLUBS**

We encourage you to participate in after-school activities such as intramurals or clubs that are offered after school. A late bus, which covers the Herberg School area, is available at 3:45 p.m., Monday through Thursday. **Only bus students are able to ride the late bus.**

# EMERGENCY PROCEDURES

Herberg Middle School, in cooperation with the Pittsfield Police Department and the Pittsfield Fire Department, has created multi-hazard emergency plans under the guidance of MEMA (Massachusetts Emergency Management Agency) in the summer of 2007. This plan includes preparation, response, recovery and mitigation components. Procedures include, but are not limited to, responding to a bomb threat, a violent intruder, hold-in-passing, shelter in place (weather related), or the need to evacuate the building. Every school has a designated evacuation site. Should an evacuation be necessary, all students and staff will report to the site and student attendance will be taken. Safety personnel will advise when it is safe to return to the building or will communicate the reunification procedures during which students will be released to a parent or guardian. To the extent possible, announcements will be made to the local radio stations and posted on the education cable access channel (PCTV) to inform parents about a school-wide emergency and actions that are underway or to be taken.

## PROTOCOLS

- **LOCKDOWN** - is called for an intruder, domestic disturbance or neighborhood safety issue.
- **HOLD IN PASSING** - is called for situations that don't involve eminent danger. Students and staff need to be inside a classroom or office. There is no movement in the building. Instruction and routines should continue inside building.
- **SHELTER IN PLACE** - is called for weather emergencies. Students and staff take shelter to prepare for a weather emergency.

## DRILLS

HMS, with support of Pittsfield Fire and Police officials, has designed a comprehensive emergency plan under the guidance of MEMA. This plan, revised in the summer of 2007, is reviewed annually. Part of the plan requires fire and civil defense drills that are required by law. All drills require complete cooperation from every student. Most important is that students follow directions, report to designated areas, and stay with assigned adults so that attendance can be monitored. Plans for these drills are carefully worked out and will be discussed with students prior to the first drill. Students must report to their designated areas and remain with their assigned teachers to assure the safety of all school staff and fire/police personnel.

## FIRE DRILL

When the fire alarm sounds, each student will follow his/her teacher's instructions in evacuating the building. Following the fire drill instructions posted in each room, students will form a line and quickly and silently leave the building. A fire drill is a serious exercise. Silence must be observed by all.

- Listen for instructions when the alarm sounds.
- Proceed quietly and in an orderly, single-file line out of the building following your teacher's instruction.
- Act as a door monitor if instructed to do so by a teacher.
- Remain in line until directed by your teacher to re-enter the building.
- If behavior is not in accordance with the Code of Conduct, discipline action will take place
- Return directly to your classroom.

## **SEARCHES OF LOCKERS, DESKS, COMPUTERS, CANINE**

In all circumstances of search and seizure in the school the interests of the student will be abridged no more than is necessary to achieve the legitimate end of preserving order in the school. A student search and resulting seizure will be carried out if (a) there are reasonable grounds for suspecting that the student has violated or is violating either the law or the rules of the school, and (b) the search itself is conducted in a manner reasonably related to its objectives and not excessively intrusive in light of the age and gender of the student and nature of the infraction.

Students may be issued lockers, desks, and computers, etc. at the opening of school or thereafter. Students should have no expectation of privacy in their school lockers, desks, computers, etc. Lockers, desks, computers, etc. are for the use of students but remain the property of the Pittsfield Public Schools. Students are advised that school administrators can inspect their lockers for the following: cleanliness, safety, and adherence to federal, state, and local laws and regulations without notice. At the discretion of the Principal, the State Police Canine Unit may be requested to perform an inspection of the school.

All cases of actual possession, use, sale and distribution of alcohol, a controlled substance or weapons in school, upon school property, or at school-sponsored events will be reported to the Pittsfield Police Department for appropriate action.

## **SCHOOL RESOURCE OFFICER / PITTSFIELD POLICE DEPARTMENT**

The Pittsfield Public Schools have an agreement with the Pittsfield Police Department to report all cases of actual possession, use, sale, and distribution of alcohol or a controlled substance in school, on school property, or at school-sponsored events for appropriate action, after the notification of parents.

The Pittsfield Public Schools in cooperation with the Pittsfield Police Department permit the assignment of an on-duty officer to work on school grounds for the primary purpose of being a resource to students and staff in the maintenance of a positive student environment. Should it become necessary, the resource officer can intercede in a situation in his/her capacity as an officer on-duty.

# CODE OF CONDUCT, CHARACTER & SUPPORT

## 1. Student handbooks and codes of conduct:

- a) The district has a code of conduct for students and one for teachers.
- b) The principal of every school containing grades 6-8 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 ensuring 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.

## Behavior Concerns, Infractions and Aligned Consequences and Interventions

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

- The Code places a greater focus on aligned restorative and accountable consequences and interventions rather than punishment. When an exclusionary response, such as in-school (ISS) or out-of-school (OSS), is warranted, the focus will be on short-term removals.
- The Code of Conduct, Character and Support places greater emphasis on interventions where students must account for their behavior and do something to repair the harm or make things right, rather than relying only on exclusionary consequences.
- Infractions are described as concretely as possible to avoid problems with assigning consequences that cover too wide a range of options.
- The delineation of four levels of consequences and interventions reduces the risk of discretionary determinations with the intended result to be increased equitable responses and decreased disproportionate responses for groups of students that are often overrepresented in exclusionary discipline.

- Differential responses will occur when indicated to accommodate for differences in the severity and frequency of the infraction and developmental differences in students based on age and ability.
- Level 1 lower impact behaviors should be managed by classroom teachers.
- As with all levels of behavior, if the behavior persists, restorative and accountable responses from higher levels may be imposed.

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

Level 1 behavior requires intervention/consequences by the teacher/staff member; it may involve documentation.

At this level, teachers/staff provide support to and set classroom limits with students, with possible follow-up consultation from student support staff.

**Level 2** involves targeted interventions and may include consequences when a student's behavior violation warrants this.

At this level, when the behavior persists after teacher interventions are not successful it may involve student removal from classroom, restorative interventions, meeting with administrator or student support staff member or having a family conference.

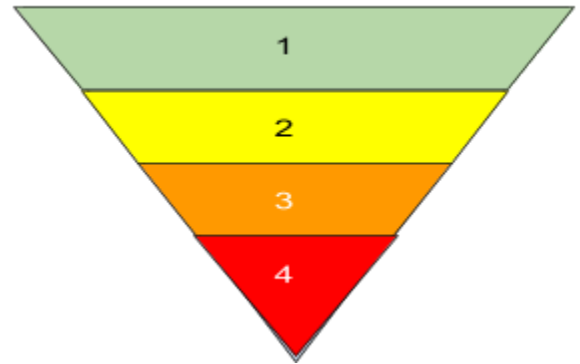
**Level 3 and 4** involve violent or dangerous behavior violations that seriously jeopardize school and classroom safety and order. Students who are experiencing high risk or pervasive behavioral, academic, and physical and mental health concerns are assigned more intensive, individualized interventions.

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

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

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

Behavior Concerns, Infractions Consequences, and Interventions



**Level 1 *Teacher/Staff support with student support team consultation if necessary*** The behavior requires intervention/consequences by the teacher/staff member; it may involve documentation.



**Level 2 *Involves support staff and/or appropriate administration*** The behavior persists after teacher interventions are not successful; it may involve student removal from classroom, restorative interventions, meeting with administrator or student support staff member or family conference.

**Level 3 *In-school and Short-Term Suspension*** The behavior presents a risk to the safety, health, or welfare of the adults and students; may involve in-school suspensions (partial or full day) or short-term suspensions from 1 to 5 days based on severity and repeated occurrences; may also involve meeting with administrator or student support team member, family conference, and/or re-entry restorative planning conference.

**Level 4 *Request for Long-Term Suspension*** Infractions at this level represents the most serious infractions and may result in a suspension of more than five days, up to and including a full-year of suspension or exclusion from school. Behavior involves violent or dangerous behavior violations that has a substantial detrimental effect on safety and the general welfare of the school.

Code	Offense Category	Description of the Offense	Level 1	Level 2	Level 3	Level 4
<b>Alcohol (liquor law violations: possession, use, sale)</b>						
1010	Sale of alcohol	Selling or attempting to sell alcoholic beverages on school property or at a school function.				■
1020	Distribution of alcohol	Distributing (i.e., giving away) alcoholic beverages on school property or at a school function.			■	
1030	Drinking alcohol	Consuming alcoholic beverages on school property or at a school function.			■	
1040	Possession of alcohol	Having alcoholic beverages in one's pocket(s), bag(s), locker, car, etc. while on school property or at a school function.			■	
1050	Suspicion of alcohol use	Exhibiting behaviors that suggests that an individual consumed alcohol.		■		
1100	Arson (Setting a Fire)	The unlawful or intentional damage, or attempt to damage, any school property by fire or incendiary device. Firecrackers, fireworks, and trash can fires would be included in this category if they were contributing factors to a damaging fire.				■
<b>Attendance Policy Violation (Not Attending School or Classes as Required)</b>						
1210	Forging absence excuse	Creating a false document or signature used with the intent to deceive a school official.		■		

PPS-01	Forging absence excuse	Creating a false document or signature used with the intent to deceive a teacher.	■			
1220	Skipping or Leaving Class	Missing or left class without permission	■			
1230	Tardiness	Lateness for school or class without permission.	■			
1240	Truancy	Missing or leaving school without permission		■		
1300	Physical Altercation or Attack	Committing an act of violence toward a person, including, hitting, kicking, shoving, punching, scratching or spitting on another person. <b>Must have an offender and a victim.</b>			■	
1700	Physical Fighting	<b>Mutual</b> participation in an altercation involving physical violence. <b>No victims, only offenders.</b>			■	
1400	Burglary / Breaking and Entering (Stealing Property/Unlawful Entry)	Unlawful entry or attempted entry into a building or other structure with the intent to commit a crime.				■
PPS-02	Classroom Misbehavior	Refusal to do work or participate in lesson; lack of compliance with classroom rules; off-task behavior; interrupting others from doing their work; engages in demands, argumentative and adversarial speech, confrontations or “back talk” (includes share or buddy teachers)	■			
PPS-03	Persistent Classroom Misbehavior	Refusal to do work or participate in lesson; lack of compliance with classroom rules; off-task behavior; interrupting others from doing their work; engages in demands, argumentative and adversarial speech, confrontations or “back talk” that requires removal from class by an administrator (does not include share or buddy teachers)		■		
PPS-04	Public Space Misbehavior	Running, excessive noise, horseplay, loitering or unauthorized hall walking	■			

PPS-05	School Bus Misbehavior	Distraction of driver while driving;				
1500	School-Wide Disorderly Conduct	Any act that <b>substantially</b> disrupts the orderly conduct of the <u>school environment</u> . Required a high level of administrative and/or support staff resources to return to calm.			■	

### Drugs Excluding Alcohol and Tobacco (Illegal Drug Possession, Sale, Use/Under the Influence)

1610	Sale of illegal drug	Selling or attempting to sell illegal drugs on school property or at a school function.				■
1620	Sale of substance represented as an illegal drug	Selling a substance represented as an illegal drug (e.g., selling oregano represented as marijuana).			■	
1630	Distribution of illegal drug	Distributing (i.e., giving away) illegal drugs on school property or at a school function.				■
1640	Distribution of substance represented as an illegal drug	Distributing (i.e., giving away) substance represented as an illegal drug.			■	
1650	Use of illegal drug*	Smoking, snorting, injecting, ingesting, or otherwise using an illegal drug not mentioned above			■	
MA02	Marijuana use	Smoking or otherwise using marijuana on school property or at a school function.			■	
1660	Possession of illegal drug*	Having an illegal drug in one's pocket(s), bag(s), car, locker, etc. on school property or at a school function.			■	
MA01	Marijuana possession	Having marijuana in one's pocket(s), bag(s), locker, car, etc.			■	
MA03	Possession of illegal drugs with intent to sell	Possession of illegal drugs with intent to sell on school property or at a school function.				■
1670	Possession of drug paraphernalia	Having equipment (e.g., bong) for use in consuming illegal drugs in one's pocket(s), bag(s), car, locker, etc. on school property or at a school function.			■	
1680	Suspicion of use	An instance where an individual's behavior suggests that he or she used illegal drugs.		■		

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

1810	Bullying	The repeated use by one or more students (aggressors) of a written, verbal or electronic expression or a physical act or gesture of any combination thereof, directed at a target that: (i) causes physical or emotional harm to the target or damage to the target's property; (ii) places the target in reasonable fear of harm to him/herself or of damage to his/her property; (iii) creates a hostile environment at school for the target; (iv) infringes on the rights of the target at school; (v) materially and substantially disrupts the education process of the orderly operation of a school. This includes cyber bullying.			■	
1820	Hazing	Committing an act or acts against a student or coercing a student to commit an act that creates risk of harm to a person in order to be initiated into a student organization or class.				■
1897	Other nonsexual harassment	The incident cannot be coded in one of the above categories but did involve nonsexual harassment. This includes harassment based on the basis of race, color, age, disability, sex, religion, national origin, sexual orientation, or gender identity.			■	
1900	Harassment, Sexual	Unwelcome sexual advances, requests for sexual favors, other physical or verbal conduct/communication of a sexual nature, including gender-based harassment that creates an intimidating, hostile, or offensive environment.			■	

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

2110	Sale of medication	Selling prescription or over-the-counter medication.				■
2120	Distribution of medication	Distributing (i.e., giving away) prescription or over-the-counter medicine in violation of school rules.				■
2130	Use of medication in violation of school rules	Using prescription or over-the-counter medicine in violation of school rules.			■	
2140	Possession of medication in violation of school rules	Having prescription or over-the-counter medication in one's pocket(s), bag(s), car, locker, etc., in violation of school rules		■		
2150	Suspicion of use of medication in violation of school rules	An instance where an individual's behavior suggests that he or she used prescription or over-the-counter drugs in violation of school rules.		■		

PPS-06	Inciting or Participating in Disturbance	Engaging in an intentional act to disrupt the normal operation of the school community; instigating or encouraging another person to violate the Code of Conduct, Character and Support		■		
2200	Administrative Non-Compliance/ Insubordination	Unwillingness to comply with authority, refusal to respond to a reasonable request, or other situations in which a student fails to comply with the reasonable requests of school personnel. Includes failure to comply with assigned consequence and failure to identify oneself.		■		
2300	Kidnapping (Abduction)	Unlawful seizure, transportation, and/or detention of a person against his/her will, or of a minor without the consent of his/her custodial parent(s) or legal guardian. This category includes hostage taking.				■
<b>Obscene Behavior</b>						
2410	Displays of affection in violation of school policy	Holding hands, kissing or other displays of affection	■			
2420	Obscene written messages	Writing obscene messages on paper, on black boards, or elsewhere on school property (e.g., on bathroom wall).		■		
2430	Drawing obscene pictures	Creating illustrations of a sexually explicit or vulgar nature.		■		
2440	Obscene electronic communication	Posting obscene messages on Internet message boards, sending obscenities via Internet chat rooms/instant messaging, Twitter, cell phone text and downloading or emailing obscene material.			■	
2450	Obscene gestures	Gestures that are offensive, socially unacceptable, or otherwise not suitable for an educational setting.		■		
2460	Obscene language/profanity	Suggestive, explicit, or vulgar language, cursing, or abusive language.		■		
2500	Physical Altercation, Minor	Confrontation, horseplay, or physical aggression that does not result in injury.	■			
PPS-07	Refusal to Be Searched	Refusing to allow a search by a <b>school official</b> who possesses reasonable suspicion that a student may possess contraband violating school policy that could potentially endanger			■	

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

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

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

### Theft (Stealing Personal or Other Property)

3110	General theft, Person	Taking or attempting to take money or property belonging to another person or the school with the intent to permanently deprive the victim of his or her possessions.		■		
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3120	Motor Vehicle Theft	Theft of a motor vehicle on school property. This category includes theft of a car, truck, motorcycle, dune buggy, snowmobile, RV, or anything that is self-propelled on school property or at a school function.				■
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<b>Threat/Intimidation (Causing Fear of Harm)</b>						
3210	Physical threat	Threatening an individual or group of individuals with a gesture(s) or body language.		■		
3220	Verbal threat	Threatening an individual or group of individuals with spoken words or sounds.		■		
3230	Written threat	Threatening an individual or group of individuals in writing (e.g., letter, note, message on chalkboard).		■		
3240	Electronic threat	Threatening an individual or group of individuals by text, email, postings on Internet sites, or through other electronic mechanisms.		■		
MA04	Threat of robbery	Any threat (verbal, written, electronic) by a person to commit a robbery.		■		
PPS-08	Extortion	Theft using coercion, which includes obtaining money or property from another student through coercion, intimidation or threat of physical harm			■	

<b>Tobacco (Possession or Use) Tobacco products is defined to include cigarettes, cigars, pipes, smokeless tobacco, juul and vape pods.</b>						
3310	Sale of tobacco	Sale of tobacco products			■	
3320	Distribution of tobacco	Distribution (i.e., giving away) tobacco products.			■	
3330	Use of tobacco	Smoking, chewing or otherwise using tobacco		■		
3340	Possession of tobacco	Having tobacco in one's pocket(s), bag(s), car, locker, etc.	■			
3350	Suspicion of use of tobacco	An instance where an individual's behavior, breath, etc., suggests that he or she used tobacco.	■			
3400	Trespassing (Unlawful or Unauthorized Presence)	Students are on school grounds either in the building they regularly attend after notice or in another school building without permission			■	

<b>Vandalism (Damage to School or Personal Property)</b>						
3510	Vandalism of school property	Intentionally damaging or destroying school property (K-2 considerations)			■	
3520	Vandalism of personal property	Intentionally damaging or destroying the personal property of a student or staff member, including graffiti (K-2 considerations)			■	
3600	Violation of School Rules	Violation of school rules without insubordination.	■			
3600 (PPS)	Academic Dishonesty	Includes plagiarism, cheating, copying from another student, altering records, and assisting another student in any of the above actions.		■		
3600 (PPS)	Violation of the Dress Code	Wearing clothing that is in opposition to the dress code policy.	■			
PPS-09	Violation of Electronics Device Policy	Students may not use or operate personal electronic devices or cell phones in any instructional space during the school day. This includes earphones or buds.	■			
PPS-10	Recording and/or Distribution of Others	Students may not record the voice or image of another without consent or in any way that interferes in the educational environment. This includes the distribution of voice and/or image, as well as, posting to a public forum.			■	
PPS-11	Violation of Electronic Acceptable Use Policy	Refer to District Electronic Acceptable Use Policy	■			
MA05	Felony Conviction Outside of School*	When type of felony determines a substantial threat to a safe, peaceful school environment.				■
MA19	Felony complaint (charge) outside of school*	Type of felony determines a substantial threat to a safe, peaceful school environment.				■

<b>Weapons Offenses</b>						
Firearm						
0011	Handgun	A handgun or pistol				■
0012	Shotgun	A shotgun				■



MA14	Rifle	A rifle				■
0013	Other type of firearm*	The weapon involved was another type of firearm not named above, including zip guns, starter guns, and flare guns. As defined by the Gun-Free Schools Act.				■
Knives/Other Weapons (Level 3 could be a first consideration based on a student's age and development.)						
0021	Knife with blade less than 2.5 inches	Knife with blade less than 2.5 inches				■
0023	Knife with blade greater than or equal to 2.5 inches	Knife with blade greater than or equal to 2.5 inches				■
0029	Other knife*	The weapon involved was another type of knife.				■
0030	Other Sharp Objects*	The weapon involved was another type of sharp object, (e.g., razor blade, ice pick, dirk/dagger, Chinese star, other pointed instrument [used as a weapon]).				■
0040	Other Object*	The weapon involved was another known object (e.g., chain, nunchakus, brass knuckle, billy club, electrical weapon or device [stun gun], BB or pellet gun).				■
0050	Substance Used as Weapon*	The weapon involved was a substance (e.g., mace, tear gas) that was used as a weapon.				■
MA51	Explosive or Incendiary Device	A bomb, grenade, rocket, missile, mine, or other incendiary device				■
0099	Unknown Weapon	Any other object not described above, such as fireworks or firecrackers				■

## Aligned Supports and Interventions

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

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

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

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

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

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

## Level 1 Behavior: Support/behavior intervention provided by the teacher.

The behavior requires intervention/consequences by the teacher.

May include additional consultation with student support personnel when patterns of behavior persist.

Level 1 behavior does not include exclusion, such as ISS or OSS, as an initial response.

Level 1 Documentation and Restorative & Accountable Responses	Level 1: Prevention and Classroom Behavior Support Responses (Utilize the Promotion and Prevention Toolbox for additional strategies.)
<p><b><u>Documentation:</u></b></p> <p>Consider submission of a discipline referral for “Classroom Misbehavior” in PowerSchool if a pattern of behavior persists or intensifies that the staff member believes should be documented.</p> <p><b><u>Accountability Responses:</u></b></p> <p>Suggested communication with parent/family to discuss and problem solve a concern via phone, email, in-person conference or letter.</p> <p>Assign teacher-supervised consequences.</p> <p><b><u>Restorative Responses:</u></b> <b>Personal, Academic and Behavioral Check-ins</b></p> <p>Choose from the following based on relevance (See following pages for descriptions.):</p> <ol style="list-style-type: none"> <li>Restorative Question Conference</li> <li>Personal Efficacy Conference</li> <li>Diffusing Conference</li> <li>Problem-Solving Circle</li> </ol>	<p><b><u>Prevention:</u></b></p> <ol style="list-style-type: none"> <li>Promote opportunities to <b>get to know your students</b> and develop positive, trusting relationships, including meeting and greeting students daily or learning about students’ lives outside the classroom.</li> <li>Practice clear, consistent academic and behavioral classroom procedures and routines daily.</li> <li>Pre-teach, model, practice, reinforce, and monitor classroom <b>expectations</b>.</li> <li><b>Differentiate classroom instruction</b> to best meet diverse student needs. Students will have less behavioral difficulties when they can access the instruction.</li> <li>Provide activities that <b>promote group cohesion</b> in your classrooms.</li> <li>Use <b>positive, specific praise/feedback</b> in a 5:1 ratio over negative feedback. Include individual and group kudos, recognitions and celebrations.</li> <li>Use developmentally appropriate <b>sensory, motor and and space modifications</b> to change the environment or the ways that students engage.</li> <li>Lesson Planning--remember that one of the best ways to prevent problematic behavior is the presence of a <b>well-structured, engaging and culturally responsive lesson</b>.</li> </ol> <p><b><u>Classroom Behavior Support Responses:</u></b></p> <ol style="list-style-type: none"> <li>First Response--use <b>redirection strategies</b> including: prompts, cues, proximity, effective reminders, positive directives that invite cooperation and self-correction.</li> <li>Diffuse and de-escalate upset students or charged situations by <b>calmly responding to negative and inappropriate speech</b> in ways that support students to self-correct.</li> <li>Avoid or <b>disengage</b> from power struggles.</li> <li>Remain calm. <b>Avoid taking conflict personally</b>. It’s rarely about you, even when it feels like it.</li> <li>Watch that the <b>nonverbal messages</b> you are giving out match what you want to communicate.</li> <li>Use <b>brief behavior check-ins</b> with individual students during class time or during a group/class discussion to solve a problem, assist students to make a positive choice to self-correct their behavior.</li> <li>Utilize brief <b>restorative conversations</b> to promote self-reflection and help repair relationships with the teacher or students experiencing an interpersonal conflict.</li> <li><b>Consult with student support personnel</b> to generate possible strategies to reduce unskillful behaviors and increase desired target behaviors.</li> </ol>

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

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

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

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

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

#### **Documentation:**

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

#### **Accountability Responses:**

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

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

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

#### **Restorative Responses:**

(See following pages for descriptions.)

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

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

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

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

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

## Level 3 Behavior: Behavior Support Responses

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

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

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

#### **Documentation:**

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

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

Due process hearing when requested.

#### **Accountability Responses:**

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

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

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

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

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

Consultation with public safety officials, police and

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

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

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

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

of conference with administrator, student and parent.

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

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

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

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

**Restorative Response Protocols:**

(See following pages for descriptions.)

1. Return Conference after Classroom Removal
2. Bullying-Harassment Caucus and Conference when relevant
3. Restorative Group Conferencing
4. Suspension Re-Entry Protocol

## **DISCIPLINE CODE for SECONDARY SCHOOL**

The purpose of this code is to provide for secondary school students, staff, and parents, a uniform set of expectations that will facilitate effective implementation of the Student Behavior Policy of the Pittsfield Public Schools. Within the framework of this code, each school may find it desirable to establish additional rules appropriate to its particular needs. Teachers and administrators will be called upon to exercise considerable judgment in applying the provisions of this code. Further, it should be noted that the first step toward effective implementation is dissemination of its contents to all concerned.

### **General Rules**

In order to maintain a constructive school atmosphere, it is essential that all students comply with generally accepted standards of behavior. In this regard, the following are considered violations of general school rules and are subject to disciplinary action. Violations of rules include, but are not limited to

- Disobedience
- Disrespect for authority
- Vulgar or obscene language
- Disruptive behavior
- Smoking/Vaping
- Littering
- Leaving school without authorization
- Tardiness (class or school)
- Skipping (class, school, detention)
- Hazing
- Gambling
- Harassment
- Assault or fighting
- Damaging school property
- Use or possession of drugs or alcohol
- Inappropriate sexual conduct
- Theft/Forgery
- Bomb threat/False alarm
- Inappropriate dress
- Cheating/Plagiarism
- Unauthorized parking
- Use/Possession of weapons/combustibles
- Creating an unsafe situation
- Other violations as determined by the administration

### **Illegal Conduct**

Illegal conduct at school or on the school grounds may result in school discipline as well as measures taken according to law. Such illegal conduct includes: violence, assault, or battery; robbery; extortion (taking somebody's money or other belongings by threat or violence); vandalism (intentional damage or destruction of property); and possession or use of illegal drugs. Students may not carry weapons, accept weapons from others, or give weapons to other students anywhere in the school building or grounds. Current law allows schools to apply sanctions to students for certain criminal acts perpetrated outside school confines.



## **PENALTIES**

Depending upon the nature and severity of the offense, disciplinary action will be from among the following:

- Range of Restorative Practices designed to remediate behavior
- ISSR-Reset Room or Short-term out of school suspension (1-9 days).
- Long-term out of school suspension (10 days or more as authorized by the Superintendent or his designee)
- Expulsion (permanent removal as authorized by the Superintendent)

## **DISCIPLINARY ACTIONS**

**Classroom teacher:** The classroom teacher may employ any of the following in dealing with violations of classroom regulations:

- Verbal Reprimand
- Conference with student
- Contact with parent
- Contact with parent & student and/or counselor/SAC
- Referral to guidance counselor, team or SAC
- Share room
- Teacher detention /lunch or afterschool

**Administrative staff:** Depending upon the nature and severity of the offense, school administrators may employ any of the following in dealing with violations of school regulations:

- After school detention
- Lunch detention
- ISS-R Recovery Room
- Restorative Practices
- Withdrawal of privileges including teacher vs student activities and after school intramurals
- Assignment of school service
- Consult with court officers or agencies (DCF, Key)
- BAM (Building Assistance Meeting)
- Assessment of cost for damages
- RISE or Short-term out of school suspension
- Court Referral (CRA)
- Long-term out of school suspension (10 days or more as authorized by the superintendent or his designee)
- Expulsion (permanent removal as authorized by the superintendent)

## **EXPLANATION OF PENALTIES**

### **TEACHER DETENTION**

Classroom teachers may assign detention for violations of classroom regulations. A classroom teacher may assign school detention for classroom violations. Pupils will be given a one-day notice before being assigned to detention.

### **OFFICE DETENTION**

A student who is assigned detention is entitled to verbal or written notice of the violation and an opportunity to respond before detention is assigned. A 24-hour notice of detention will be given. Detentions can occur beyond the school day or during student lunch. During detention, students are required to engage in academic work, restorative

practices, or other activities designated by the detention supervisor. Requests for postponement must be requested by the parent/guardian prior to the date to be served and are reviewed by the Vice Principal and/or the Dean of Students.

### **RISE/Reset Room**

When a student is placed in the RISE or Reset Room, he/she will be assigned to the room for a specific time. Students are expected to participate in activities and academic work throughout the day in the RISE Room and cooperate with the program staff.

# DISCIPLINE

## NOTICE OF PROPOSED SUSPENSION

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

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

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

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

## SHORT-TERM SUSPENSIONS: HEARING AND PRINCIPAL DETERMINATION

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

Principal Hearing. The purpose of the hearing with the principal is to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student has committed the disciplinary offense, the basis for the charge, and any other pertinent information. The student shall have an opportunity to present information, including mitigating facts. A parent/guardian present at the hearing shall have the opportunity to discuss the student's conduct and offer information, including mitigating circumstances. Based on the available information, including mitigating circumstances, the principal will make a determination whether the student committed the disciplinary offense, and if so, the consequence. The principal will provide notification in writing of his/her determination in the form of an update to the student and parent/guardian, and provide reasons for the determination. If the student is suspended, the principal shall inform the parent/guardian of the type and duration of the suspension, and shall provide an opportunity for the student to make up assignments and other school work as needed to make academic progress during the period of removal.

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

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

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

Additionally, the student shall have the following additional rights:

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

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

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

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

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

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

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

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

### **EMERGENCY REMOVAL**

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

During the emergency, removal the principal shall make immediate and reasonable efforts to orally notify the student and student's parent/guardian of the emergency removal and the reason for the emergency removal. The principal

shall also provide the due process requirements of written notice for suspensions and provide for a hearing which meets the due process requirements of a long-term suspension within the two (2) school day time period, unless an extension of time for the hearing is otherwise agreed to by the principal, student, and parent/guardian.

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

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

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

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

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

On the same day as the in-school suspension decision, the principal shall make reasonable efforts to notify the parent orally of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of

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

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

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

1. The due process procedures above do not apply to a) possession of a dangerous weapon; b) possession of a controlled substance; c) an assault on a member of the educational staff; or d) a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony if the principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school, as provided in M.G.L. c.71, §§37H or 37H½.
2. The principal will inform the student of the specific charges in writing, informing the student of the right to be represented by counsel (at the student's expense) and the right to provide evidence and question witnesses, on the proposed hearing date.
3. The student may appeal the principal's expulsion determination to the superintendent of schools within ten (10) days of notification of the expulsion.
4. The superintendent may uphold, reduce, or reverse the disciplinary action after the appeal hearing. Note that a failure to make an appeal to the superintendent within the ten (10) day period will exhaust any further right of appeal.
5. All students who have been suspended or expelled who remain residents of the District shall have an opportunity to make academic progress during their period of suspension, expulsion, or removal from regular classroom activities.
6. If the superintendent upholds the expulsion decision, if the student moves to another district during the period of suspension or expulsion, the new district of residence shall either admit the student to its schools or provide educational services to the student under an education service plan.

## **WEAPONS IN SCHOOL**

Possession of a weapon in school, en route to and from school, or at school functions is prohibited. A student found to be in possession of a weapon while under school jurisdiction is subject to disciplinary as well as legal action. Use of an instrument as a weapon whether or not designed as such is also prohibited. Weapons shall include but not be limited to guns, knives, switchblades, and explosive devices.

- Any student in possession of a weapon as herein defined is therefore in violation of this policy. The violator will be reported to the principal (or designee) who, in turn, will notify law enforcement officials. The weapon will be confiscated, parents notified, and appropriate disciplinary action taken.
- A pupil using a weapon in a fight or altercation will be administratively judged to be a danger to others and self and will be subjected to extended suspension or expulsion proceedings as well as possible legal action.
- A pupil whose use of a weapon has caused injury to another person, intended or unintended, will be subject to legal as well as disciplinary action.

- A pupil duly found to be responsible for his/her actions and in whole or in part for the presence of a loaded firearm at a Pittsfield Public School, on school property, or at a Pittsfield Public school function, shall be subject to expulsion proceedings.

A principal may upon good cause shown, grant written permission to students for actions otherwise at variance with the "Weapons in School" portion of this policy.

## **EXTENDED SUSPENSION/EXPULSION**

Serious disciplinary action, while necessary, addresses effects not causes. Attention must also be directed toward determining the community agencies to ensure that where lengthy school suspensions are dictated, violators will be assigned to specific activities outside the regular school setting and will not be free to roam the streets.

The withdrawal of educational opportunity is of course undertaken with reluctance and only after the student has been accorded full due process. However, the right of the great majority of students and their parents to a school atmosphere free from fear is an overriding priority and will be protected.

## **PLAGIARISM**

Plagiarism is the use of and representation of other people's words and ideas, in whole or in part, as the student's own work. This definition applies to, but is not limited to the following: words or ideas taken without proper acknowledgement from any published source, such as a collection of literary essays, *Spark Notes* et al., from any site on the Internet, from any essays written by other students, from any class notes taken by a student of a teacher other than the student's own. Plagiarism may take many forms, including the following:

- Copying word for word from any outside source without proper acknowledgement. This applies to use of an entire paper, to the use of entire sections and paragraphs, and to the use of a few words and phrases.
- Paraphrasing ideas from any outside source without proper acknowledgement.
- Submitting in whole or in part a paper written by another student.
- Submitting in whole or in part an assignment written for another course.
- Allowing one's essay, assignment, and/or test answers to be copied by another student.

## **CHEATING**

Cheating, in any form, is not tolerated at Herberg Middle School. Cheating can be defined as any form of plagiarism, and further defined (but not limited to) as a student's deceitful and dishonest act relating to academics. The following criteria shall be considered cheating: claiming credit for work not the product of one's own effort; providing oneself or others with unwarranted access to material or information during a test and/or other assigned work when no outside sources have been sanctioned, knowledge of or toleration of cheating by others. It will be presumed that any use of outside sources, including but not limited to: plagiarizing, bringing unauthorized notes during any test, turning in the same paper twice to two different classes, caught by a teacher looking at another student's paper will be understood as an intent to deceive. It will further be presumed that students who allow their work to be plagiarized, and/or who knowingly assist another student to cheat, do so with the intent to deceive.

## **REPORTING OF PLAGIARISM / CHEATING INCIDENT**

Students who cheat and/or plagiarize will be subject to the following reporting process:

### **FIRST OFFENSE**

Phone call notifying parents/guardians of the incident (with an "Incident Report" notation to be sent home *and* placed in student's record in the guidance office). Teacher will alternatively assess the student.

## **FURTHER OFFENSES**

Meeting/contact with parents/guardians concerning the incident and an "Incident Report" to be sent home *and* placed on student's record in the guidance office, student receives a ZERO on assignment.

If two students participate in a cooperative cheating/plagiarizing incident, both sets of parents/ guardians shall be notified.

## **PENALTY / DUE PROCESS REGARDING PLAGIARISM / CHEATING POLICIES**

In all cases, students are entitled to the protections afforded them in the Penalty/Due Process Regarding Plagiarism/Cheating Procedure. The above set of penalties is a mild one compared to those levied against student and professionals in post-secondary educational institutions. **Due Process**, shall be the only process of mitigating any of the policies described herein.

The Pittsfield Public School Committee recognizes that students are entitled to protections against unfair or arbitrary disciplinary actions. When accused of a violation of any of the expectations, codes or policies outlined in the *Pittsfield Public Schools Student Handbook*, the student in question will receive notice of the accusation, an explanation of the evidence, and an opportunity to present any information they think is relevant. Disciplinary consequences will not be assigned before those steps have been taken. If a student believes that he or she has been penalized unfairly, an appeal process is available. Throughout the process, all parties will adhere to the following guidelines:

- A student has a right to submit an appeal to a disciplinary decision within three school days from the day it was given.
- The student must write the appeal and address it to the supervisor of the person who made the original decision. Appeals of a teacher's decision must be made to the principal. There is no appeal of the principal's decision; the principal's decision is final.
- An appeal shall result in a hearing between the parties involved within three school days after the receipt of the appeal.
- The principal will make a decision on the appeal no more than five days after the hearing.

## **BUYING AND/OR SELLING**

The buying or selling of any item on school property without the permission of the Administration is prohibited.

## **ORGANIZED YOUTH GROUPS**

Principals shall deal firmly and decisively with incidents reflecting threats to students within the schools, or at school functions as well as en route between home and school that can be attributed to youth groups. If such incidents are attributed to concerted activities by youth groups however organized, they shall be considered most serious violations to our discipline policy subject to the maximum suspension permissible at the building level (9 days) and a recommendation for extension of suspension to the central administration. Law enforcement authorities are also to be notified. Where referrals to central administration reveal that membership in such a youth group was instrumental in the offense, the violator will be removed from the school setting for more than nine (9) days.

## **RESTITUTION POLICY / DAMAGE TO SCHOOL PROPERTY**

Students and their parents/guardians are held responsible for loss of or damage to textbooks, equipment, and materials that have been assigned to them, and for loss, damage, or destruction of school property for which the student has been judged responsible by the principal. The principal has authority and responsibility to administer restitution procedures for lost, damaged, or destroyed school property. The principal shall establish the repair or



replacement cost of the property in question, under regulations issued by the Superintendent of Schools. When damage or destruction to a school building is concerned, the School Department Business Manager shall consult the Director of Building Maintenance to ascertain the repair or replacement cost. The student or parent/guardian shall make restitution payable to the School Department, or when a school building is concerned, to the City of Pittsfield. The principal shall transmit it to the Office of the Superintendent. If the principal is unable to obtain restitution from the student or parent/guardians, the principal shall refer the case to the City Solicitor for possible legal action.

## **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).

## **BULLYING**

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

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

This prohibition is in effect in the following locations:

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

## **DEFINITIONS**

**Bullying:** The repeated use by one or more students or a member of a school staff of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a target that causes physical or emotional harm to the target or damage to the target's property; places the target in reasonable fear of harm to

himself/herself or of damage to his/her property; creates a hostile environment at school for the target, infringes on the rights of the target at school; or materially and substantially disrupts the education process or the orderly operation of a school. Bullying includes cyber-bullying. (Definition based on M.G.L. c.71, 37O as amended by section 74 of Chapter 38 of the acts of 2013)

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

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

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

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

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

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

## **REPORTING**

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

## **NOTIFICATION OF BULLYING**

### Notice to Parents or Guardians

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

## **NOTICE TO ANOTHER SCHOOL OR DISTRICT**

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

## **NOTICE TO LAW ENFORCEMENT**

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

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

## **RESPONSES TO BULLYING**

### Teaching Appropriate Behavior Through Skills-building

Upon the principal or his/her designee's determination that bullying or retaliation has occurred, the school will use a range of responses that balance the need for accountability with the need to teach appropriate behavior. [M.G.L. c. 71, § 37O(d)(v)] Skill-building approaches that the principal or designee may consider include:

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

## **TAKING DISCIPLINARY ACTION**

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

Discipline procedures for students with disabilities are governed by the federal "Individuals with Disabilities Education Improvement Act" (IDEA) and state laws regarding student discipline.

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

## **PROMOTING SAFETY FOR THE TARGET AND OTHERS**

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

The principal or designee will consider what adjustments, if any, are needed in the school environment to enhance the target's sense of safety and that of others as well.

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

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

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

## **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.

## **HAZING**

Chapter 536 of the Massachusetts General Laws specifies that it is a crime to participate in or to organize hazing, and that it is obligatory for any person at the scene of the crime to report the incident to authorities. Individuals found guilty of hazing shall be punished by a fine of not more than \$1000, or by imprisonment of not more than 100 days, or both. Whoever fails to report such a crime shall be punished by a fine of not more than \$500.

## **SEXUAL HARASSMENT**

Sexual harassment is illegal and will not be tolerated. Sexual harassment will result in disciplinary action up to and including expulsion. Any student who believes that he or she has been subject to sexual harassment should make a complaint to their teacher, guidance counselor, school adjustment counselor, the nurse, the dean of students, the vice-principal, or the principal, so that the appropriate action may be taken.

## **DISCRIMINATION POLICY**

Pittsfield schools prohibits discrimination in school admissions, participation in courses of study and extra-curricular activities, the hiring and employment of staff and access to school facilities and activities based on race, color, sex, religion national origin, sexual orientation, or handicapping condition. Any student, or any parent or guardian who believes that she/he has been discriminated against for any for any reason stated above should make her/his complaint, either formally or informally, to the building principal or to office of the Deputy Superintendent.

## **SMOKING**

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

## **TOBACCO FREE POLICY for PITTSFIELD PUBLIC SCHOOLS**

**PER-20 R-5/23/18**

It shall be a violation of this policy for any student of PPS to possess, use, consume, display or sell any tobacco products or tobacco paraphernalia at any time on school property, at off-campus school sponsored events and extra-curricular activities, and within vehicles located on school property.

It shall be a violation of this policy for any staff, administrator, or visitor of PPS to use, consume, display or sell any tobacco products or tobacco paraphernalia at any time on school property, at off-campus school sponsored events and extra-curricular activities, and within vehicles located on school property.

It shall be a violation of this policy for any person to promote, or for PPS to promote or allow promotion of tobacco products, tobacco brands, or tobacco paraphernalia on school property, at off-campus school sponsored events and extra-curricular activities. This includes promotion of any corporate name, trademark, logo, symbol, motto, selling message, recognizable pattern of colors, or any other indication of product identification identical or similar to those used for any brand of tobacco product company, or manufacturer of tobacco products through the distribution of any gear, bags, clothing, any personal articles, signs, structures, vehicles, flyers or any other materials.

PPS shall act to enforce this policy and to take appropriate action against any students, staff, administrator, or visitor who is found to have violated this policy. It shall be a violation of this policy for PPS to solicit or accept any contributions, gifts, money, curricula, or materials from the electronic cigarette industry, tobacco industry, and tobacco- or nicotine-related device industry or from any tobacco products shop. This includes, but is not limited to, donations, monies for scholarship, advertising, promotions, loans, or support for equipment, uniforms, and sports and/or training facilities. It shall also be a violation of this policy for PPS to participate in any type of service funded by any of the industries listed above.

## **DEFINITIONS**

School property includes: inside and outside administrative and operational buildings, school buildings, PPS program sites, sidewalks/walkways, parking lots, playgrounds, fields, school buses, and other official vehicles, loading docks and any other facility under PPS jurisdiction. Smoking and tobacco use while parked on school property is prohibited.

Tobacco products include, but are not limited to: cigarettes, cigars, cigarillos (or little cigars), clove cigarettes, loose tobacco, blunt wrappers, chewing tobacco (chew, dip), or any other product not mentioned that contains tobacco of any kind. It also includes any products containing nicotine such as dissolvable nicotine, electronic cigarettes, vaporizers, nicotine gel, nicotine water, or any other preparation of unregulated tobacco and any product or formulation of matter containing biologically active amounts of nicotine that is manufactured, sold, or offered for sale, or otherwise distributed with the expectation that the product or matter will be introduced into the human body, and not including any cessation product approved by the United States Food and Drug Administration for use as a medical treatment to reduce and eliminate nicotine or tobacco dependence.

Tobacco paraphernalia: includes any device used to aid, ingest, light, burn, or consume tobacco products, including but not limited to pipes, rolling papers, lighters and matches. Electronic cigarettes and vaporizers are considered to be tobacco paraphernalia.

## **REGULATIONS**

Massachusetts General Laws chapter 71 § 2A states that it shall be unlawful for any student enrolled in either primary or secondary public schools in the Commonwealth to use tobacco products of any type on school grounds during normal school hours

1. Smoking devices or containers, as well as electronic cigarettes, vaping boxes, and any other tobacco product or tobacco paraphernalia, shall not be shared, given, or sold to anyone including students, staff, faculty, contractors, or visitors on school property.
2. Violations of this Tobacco-Free Policy by students and staff are subject to disciplinary action in accordance with students' disciplinary codes and existing personnel and disciplinary procedures. Tobacco, whether intended to be inhaled or ingested, electronic cigarettes, vaping boxes, and any other tobacco product or tobacco paraphernalia will be confiscated if found in any of the aforementioned prohibited locations.

## **REFERENCES**

M.G.L., CH. 71, S. 2A, PUBLICATION OF SCHOOL COMMITTEE RULES AND REGULATIONS RELATIVE TO THE CONDUCT OF TEACHERS AND STUDENTS

It shall be unlawful for any student, enrolled in either primary or secondary public schools in the commonwealth, to use tobacco products of any type on school grounds during normal school hours. Each school committee shall establish a policy dealing with students who violate this law. This policy may include, but not limited to, mandatory education classes on the hazards of tobacco use.

M.G.L., CH. 71, S. 37H, PUBLICATION OF SCHOOL COMMITTEE RULES AND REGULATIONS RELATIVE TO THE CONDUCT OF TEACHERS AND STUDENTS See PER-10

M.G.L., CH. 270, S. 22, SMOKING IN PUBLIC PLACES

No person shall smoke in any courthouse, school, college, university, museum, library, train, airplane, a waiting area of any airport, waiting area of a health care facility as defined in section nine C of chapter one hundred and twelve, group child care center, school-aged day care center, or family day care center or on any premises where activities are licensed under section thirty-eight of chapter ten, except beano, or in any public building, except in an area which has specifically been designated as a smoking area of sufficient size and capacity and are available to accommodate nonsmokers. Any person admitted to a health care facility as defined in said section nine C of said chapter one hundred and twelve shall, upon request, be assigned a room in which smoking is not permitted and shall be entitled to be assigned to such room for the duration of his stay or until an alternative assignment is requested.

M.G.L. CHAPTER 270, SECTION 22

<http://www.mass.gov/eohhs/docs/dph/tobacco-control/smoke-free-schools-policy-manual.pdf>

# RECORDS

## PRIVACY OF RECORDS

Pursuant to the requirements of federal law, notice is hereby provided to all students attending the Pittsfield Public Schools (PPS), and to all persons in parental relation to such students, that the Family Educational Rights and Privacy Act (FERPA), 20 U.S.C. §1232-g, provides such persons with certain rights. The parent or guardian of each student who has not yet attained her/his eighteenth birthday, and every student who has attained her/his eighteenth birthday, is hereby notified that:

She/he has the right to inspect and review the student's educational records.

The Pittsfield Public Schools limits the disclosure of personally identifiable information contained in students' educational records except (a) by prior consent of the student's parent or guardian, (b) as directory information or information pertaining to honors, awards, achievements, or participation in school- or class-related activities, and (c) under certain limited circumstances permitted by FERPA or by Massachusetts regulation.

She/he may request that records be amended to ensure that they are not inaccurate, misleading, or otherwise in violation of the student's privacy or other rights.

She/he may file a complaint with the U.S. Department of Education alleging failure by the Pittsfield Public Schools to comply with FERPA and its regulations.

She/he may obtain copies of the Pittsfield Public Schools' policy on student records from: The Director of Human Resources 269 First Street Room 111 Pittsfield, MA 01201. Telephone 413-499-9505 FAX 413-448-8886. FURTHER INFORMATION ON LAWS AND POLICIES: COPIES OF SCHOOL POLICIES AND MASSACHUSETTS EDUCATIONAL LAWS ARE ON FILE IN HERBERG MIDDLE SCHOOL'S MAIN OFFICE AND/OR IN THE OFFICE OF THE DEPUTY SUPERINTENDENT.



## MISCELLANEOUS

### PROCEDURES FOR STUDENT GRIEVANCES OF DISCRIMINATION

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

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

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

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

### HOMELESS ASSISTANCE

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

## **RIGHTS of STUDENTS WITH DISABILITIES**

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

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

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

## **RIGHTS UNDER SECTION 504**

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

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

## **ESSA and TITLE 1 “RIGHT TO KNOW” COMPLIANCE STATEMENT**

The Pittsfield Public Schools, in accordance with Title I, hereby informs all parents/guardians that they have the right to know the following information regarding their child’s classroom teacher(s):

Whether the teacher meets the state qualifications and licensing criteria for the grades and subjects he/she teaches

Whether the teacher is teaching under emergency or provisional status because of special circumstances

The teacher’s college major, whether the teacher has any advanced degrees, and the field of discipline of the certification or degree Whether paraprofessionals provide services to your child and, if so, their qualifications. The Pittsfield Public Schools, in compliance with federal law, will provide you with the above information in a timely manner, if you request in writing.

**HANDBOOK ACKNOWLEDGEMENT**

All students MUST have their parent/guardian read, sign and return to their homeroom teachers, a sheet from the district handbook indicating that they have read and understand:

The Student Handbook	Plagiarism	Policy on Secure School Environment
Statement on Hazing	Student Dress Code	Rules of Conduct for Students
Attendance Policy	Discrimination	Privacy of Student Records
Athletic Suspension	Sex Education Policy	Bus Discipline Code
Drug/Alcohol Regulation	School Dance Rules	Food Services
Smoking Policy	School Dance Rules	Student Welfare and School Environment
Sexual Harassment Policy		
Computer Resources Acceptable Use Policy		

# **Herberg Middle School**

## **Student Handbook**

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