

W. E. B. Du Bois REGIONAL MIDDLE SCHOOL

**Student/Family Handbook
2020-2021**



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W. E. B. Du Bois Telephone Numbers

W. E. B. Du Bois Main Office	644-2300
W. E. B. Du Bois Fax	644-2394
Nurse	644-2324
Kitchen	644-2325
Custodian	644-2326

District Numbers

BHRSD Central Office	298-4017
Superintendent of Schools	298-4017 x19
BHRSD Special Education Office	298-4017 x14
Monument Mountain Regional High School	528-3346
Muddy Brook Regional Elementary School	644-2350

Email Contacts

Email addresses may be found on the district website www.bhrsd.org
Administration and teacher email addresses are in the format of
first name.last name@bhrsd.org
i.e. ben.doren@bhrsd.org

Berkshire Hills Regional School District Committee

Mr. Stephen Bannon, Chairman
Mr. Richard Dohoney, Vice Chairman
Ms Corey Sprague, Assistant Treasurer
Diane Singer, Secretary

Mr. Sean Stephen	Ms Bonnie Bonn-Buffoni
Mr. William Fields	Ms Kristin Piasecki
Mrs. Anne Hutchinson	Mr. Jason St. Peter
Mrs. Molly Thomas	

Administration Berkshire Hills School District

SUPERINTENDENT OF SCHOOLS
Dr. Peter Dillon

DIRECTOR OF STUDENT SERVICES
Mrs. Kate Burdsall

DIRECTOR OF LEARNING AND TEACHING
Mr Jonathan Bruno

BUSINESS ADMINISTRATOR
Mrs. Sharon Harrison

DIRECTOR OF OPERATIONS
Mr. Steve Soule

MUDDY BROOK ELEMENTARY SCHOOL
Mr. Tim Lee, Principal
Mrs. Nan Thompson, Assistant Principal

W. E. B. DU BOIS REGIONAL MIDDLE SCHOOL
Mr. Ben Doren, Principal
Mr. Miles Wheat, Assistant Principal

MONUMENT MOUNTAIN REGIONAL HIGH SCHOOL
Mrs. Kristina Farina, Principal
Mr. Peter Falkowski, Assistant Principal

W. E. B. DU BOIS REGIONAL MIDDLE SCHOOL

Dear W. E. B. Du Bois Students and Families:

Welcome to the 2019-2020 school year! We look forward to success for all.

This Parent/Student Handbook is considered a guidebook for Berkshire Hills Regional School District families, and it is designed to give all members of our education community a shared and unified source of information. It provides the access you need to policies and legislation important to your child's education. Information contained in this booklet ranges from the district's medication policy to evacuation procedures. It provides for you all the information you are entitled to know through the *No Child Left Behind Act*, and it offers you names and numbers that may be helpful.

It is our hope that you will take a few minutes to review this handbook and discuss it with your child. Additional school and district information may be found on our website, www.bhrsd.org. Should you have any questions, please contact at 413-644-2300.

All the best,



Mr. Ben Doren
Principal



Mr. Miles Wheat
Assistant Principal

Berkshire Hills Regional School District does not discriminate on the basis of age, race, color, sex, gender identity, religion, national origin, sexual orientation, disability, or homelessness.

If you need this Handbook translated into one of the below languages, or any other language, please contact the School Office.

GREEK:

γραφείο.

Εάν χρειάζεστε αυτό το εγχειρίδιο μεταφράζονται στα Ελληνικά, επικοινωνήστε με το κεντρικό

PORTUGUESE:

Se você precisa deste manual traduzido para o português, por favor contacte o escritório principal.

SPANISH:

Si necesita este manual traducido al español, por favor póngase en contacto con la oficina principal.

CHINESE:

如果你需要這本手冊翻譯成中文，請聯繫主要辦公室。

POLISH:

Jeśli potrzebujesz niniejszy podręcznik w języku polskim, proszę skontaktować się z głównym biurem

ARABIC:

إذا كنت بحاجة إلى هذا الكتيب ترجمة إلى اللغة العربية، يرجى الاتصال المكتب الرئيس

HAITIAN CREOLE:

Si ou bezwen manyèl sa-a ke nan kreyòl, souple kontakte Biwo pwensipal la.

URDU:

اگر آپ کو اس کتابچہ کا اردو میں ترجمہ کی ضرورت ہے، مرکزی دفتر سے رابطہ کریں

GUJARATI:

તમે આ હેન્ડબુક ગુજરાતી અનુવાદ જરૂર હોય તો, મુખ્ય

KHMER

ប្រសិនបើអ្នកត្រូវបានបកប្រែទៅជាភាសាខ្មែរសៀវភៅនេះសូមទាក់ទងការ

SOMA MANDARIN

若您需要這手冊翻譯成中文，請聯絡辦事處。

W. E. B. DU BOIS REGIONAL MIDDLE SCHOOL

WHAT IS A MIDDLE SCHOOL?

It is special, individual learning activities for the “in between” student.

- It is **student** centered
- It is belonging to a **team**
- It is academics, exploratories, and physical education
- It is stressing basic skills
- It is flexible scheduling by teams for their students
- It is a chance to experience success
- It is learning to believe in self
- It is interdisciplinary units which show students how curriculum is interrelated
- It is learning to be self-directed, to accept responsibility, and to be independent

IS MY FIFTH GRADER READY FOR THIS?

We don't have to tell you that the growth process is speeding up! You only have to count outgrown shoes and let out last month's hems to know that!

You might be surprised to learn that many growth studies show:

- that the change to adolescence can begin for early maturing girls in Grade 3 and for early maturing boys in Grade 4.
- that a majority of students go through these changes during Grades 5 through 8; and all will be in some stage of transition during these grades.
- that today's 10 year olds are about the same size and maturity level as the 12 year olds in your parent's day.

THE MIDDLE SCHOOL IS PREPARED TO MEET THE NEEDS OF YOUR STUDENT:

Counselors are available to help students learn life-long problem-solving skills as they perceive their world as young adolescents.

Academic Teaming prepares students for higher education, both with individual and team effort.

The varied **Exploratory Classes** allow students to learn decision-making skills and permit them to experience success in the practical and performing arts.

W. E. B. DU BOIS REGIONAL MIDDLE SCHOOL

Mission

In cooperation with parents and the community, the W. E. B. Du Bois Regional Middle School will provide all students a safe environment in which:

- Personal and academic excellence is promoted and celebrated.
- Student responsibility for learning is developed and expected.
- All people value and exercise respect and responsibility.
- A spirit of inquiry is recognized and fostered.
- An enthusiasm for life-long learning is instilled.

MAKING OUR SCHOOL A GREAT PLACE TO BE

MVRMS subscribes to the beliefs set forth by the National Middle School Association. In their position paper, *This We Believe: Keys to Educating Young Adolescents* (2010), they outline a framework of four essential attributes that connect with the characteristics of successful middle grades schools. Embracing these attributes helps us in striving to create a school that best meets the needs of our students.

Essential Attributes

An education for young adolescents must be:

Developmentally responsive

Using the distinctive nature of young adolescents as the foundation upon which all decisions about school organization, policies, curriculum, instruction, and assessment are made.

Challenging

Ensuring that every student learns and every member of the learning community is held to high expectations.

Empowering

Providing all students with the knowledge and skills they need to take responsibility for their lives, to address life's challenges, to function successfully at all levels of society, and to be creators of knowledge.

Equitable

Advocating for and ensuring every student's right to learn and providing appropriately challenging and relevant learning opportunities for every student.

**W. E. B. DU BOIS REGIONAL MIDDLE SCHOOL
STAFF DIRECTORY FOR 2019-2020**

Administration/Guidance

Principal

Mr. Ben Doren

Assistant Principal

Mr. Miles Wheat

Guidance Counselor

Mr. Kevin Costello

Office Staff

Mrs. Julie Duffin

Ms. Debra Spence

Grade 5

Ms. Helen Eline

Math and Science

Mrs. Allison Fisher

Humanities

Ms. Wendy Somes

Humanities

Mrs. Nan Smith

Special Education

Mrs. Elizabeth Sparks

Math and Science

Grade 6

Mrs. Carole Aberdale

Math

Ms. Kim Cormier

Literature, Fiction and Non-Fiction

Mrs. Allison McGee

Special Education

Mr. Matt Naventi

Social Studies

Ms. Jessica Oakley

Science

Team Orange

Mrs. Gail Bouknight-Davis

Special Education

Mrs. Catherine Elliott

French

Mrs. Fred Erickson

Math

Mrs. Arantzazu Galdos-Shapiro

English

Mrs. Kathleen Gillis

Science

Mr. Julian Park

Social Studies

Team Green

Mr. Sam Ernst

Special Education

Mr. David Heath

Spanish

Mr. Brendan Heck

English

Mrs. Christine Lucy

Social Studies

Mrs. Cathy Rueger

Math

Mr. Keith Wright

Science

Interventionists

Mrs. Donna Astion

Enrichment

Ms Lynn Casella

Clinician

Mrs. Nancy Kane

Library/Media Specialist

Mr. Dominic Sacco

Student Adjustment Counselor

Special Education

Mr. Jake Pinkston

Ms. Ellie Rizzo

Therapeutic Learning Center Lead Teacher

Developmental Skills/Autism Lead Teacher

Art

Mrs. Katie Malone-Smith

General Music

Mrs. Aldonna Girouard

Health

Mrs. Pat Boland

Physical Education

Mrs. Stephanie Mason

Mr. Chip Vittum

Music

Mr. Erik Carlsen

Band

Mrs. Katherine Miranda

Orchestra

Mrs. Aldonna Girouard

Chorus

Design

Mr. Danny O'Dell

School Nurse

Ms. Hillary Bashara

Speech

Ms. Diane Viggiano

ESL

Mrs. Gabriela Sheehan

OT/PT

Ms. Kim Cavanaugh

Ms. Pam Hassett

Ms. Heidi Cooper

Paraprofessionals

Mrs. Kelly Bessey

Mrs. Kyoung Bubriski

Mrs. Audrey Console

Mrs. Ivy Cote

Mrs. Theresa Girona

Mrs. Betsy Heath

Mrs. Helen Hinkley-Grady

Mr. Andrew Kraforst-Lang

Ms Tammy Lockenwitz Payer

Ms Kathrine Mason

Mrs. Peg Pegorari

Mrs. Diana Piepho

Mr. Brian Rembisz

Mrs. Emily Williams

Mr. Chuck Brown, Directed Study Supervisor

Custodial Staff

Mr. Scott Jenny, Supervisor

Mr. Michael Race

Mr. Gerald Curtin

Mr. John Riiska

Food Service Staff Mrs. Kathy Sullivan, Director
Mrs. Theresa Errichetto
Mrs. Holly Hamilton

SCHOOL FAMILY STUDENT COMPACT

Compact of Shared Responsibility

W. E. B. Du Bois thanks you for the opportunity to be a part of your child's education. We know that there are many important actors in a child's life and no one person or organization is ever enough to see to all of the needs children have. We believe we have a better chance if we work closely together with families and involve students directly in taking responsibility for their educational success. The Compact of Shared Responsibility below grows out of that belief.

As a School we will:

- Communicate frequently regarding your child's education.
- Provide an environment that is safe and conducive to learning.
- Respect each student, their parents and the diverse culture of the school.
- Contact you quickly in case of any concerning incidents.
- Keep Power-School up to date so that you can keep track of your child's progress.

As Parents we will:

- Have on going communication with my child's school.
- See that my child attends school regularly and is habitually on time.
- Establish a time and place for my child to do homework and check regularly to see it is getting done.
- Monitor my child's involvement with electronics and social media.
- Come to the school as necessary to discuss the needs of my child and respond to specific incident.
- Be familiar with the student/family handbook.

As a Student I will:

- Come to school each day prepared to learn.
- Always work to the best of my ability.
- Strive to make a positive difference in the school community.
- Demonstrate respect for the behavioral norms of W. E. B. Du Bois, the staff, and my fellow students.
- Be familiar with the student/family handbook.



School Colors

Maroon and White

School Mascot

Spartans

RESTORATIVE PRACTICES AND BUILDING COMMUNITY

Building discipline and the development of school culture are pursued through a program known as Restorative Practices at W. E. B. Du Bois. Restorative Practices are based on seven core assumptions.

1. The true self in everyone is good, wise and powerful.
2. The world is profoundly interconnected.
3. All human beings have a deep desire to be in good relationships.
4. All humans have gifts; everyone is needed for what they bring.
5. Everything we need to make a positive change is already here.
6. Human beings are holistic.
7. We need practices to build habits of living from the core self.

The advisory curriculum based on these core assumptions is delivered once a week on Wednesday mornings. Advisories also meet daily for a brief period at the beginning of every day. Through a variety of team building activities and facilitated discussions, students are invited to determine how they can best help build up the culture of W. E. B. Du Bois. Advisory allows students to practice participating in important and sometimes difficult conversations.

Through our advisory program students will decide what it means for them to be member of a school community. They will ask and analyze the question of what it means to be a responsible community member. They will try to understand what each one of us owes our community and what our community can do for us.

When the trust of the community is violated, we respond restoratively. Discipline in a restorative context focuses more on repairing the harm than on punishing the wrong-doer. We ask ‘What and who were harmed?’, ‘What needs to be done to repair that harm?’, and ‘Who is obligated to repair that harm?’

Families are important partners in the restorative process. Especially in instances of serious harm, it is important that all students in a restorative circle feel they have advocates and allies in that circle. Families know their children the best. Your honest support and feedback in a restorative circle are a critical part in an effective restorative circle.

W. E. B. DU BOIS REGIONAL MIDDLE SCHOOL

Sharing Concerns

From time to time, parents may wish to bring problems or concerns to the attention of appropriate school officials. We urge parents to use the following general guidelines:

- 1) Any concerns regarding a school-related matter should first be raised by the parent with the staff member most directly involved unless the matter concerns civil rights, harassment, and/ or bullying (i.e. questions regarding the content of instructional materials or homework assignments should be raised with the teacher involved.)
- 2) If the matter remains unresolved, the parent may wish to speak with the building principal or assistant principal. Appointments can be scheduled by contacting the office.
- 3) If the matter is still unresolved, the parent may wish to speak to the superintendent. For an appointment, simply contact the superintendent's office.
- 4) If the matter still remains unresolved, the parent may wish to bring it to the attention of the School Committee by communicating directly with the chairperson of the School Committee.

We urge parents to use the progressive steps outlined above as most problems can be addressed satisfactorily by the teacher or other staff member most directly involved. We have found that by following this process parents find the most satisfaction and success.

The following are examples (not an all-inclusive list) of issues that are more appropriately addressed at the levels indicated.

1. **TEACHERS**
 - a. student homework assignments, quizzes, and tests;
 - b. course content, instructional materials, academic progress, and extra help;
 - c. issues related to classroom discipline, relationships with other pupils and the teacher.
2. **GUIDANCE COUNSELOR**
 - a. course selections and student schedule;
 - b. student placement issues;
 - c. school records
3. **SCHOOL ADJUSTMENT COUNSELOR**
 - a. problems between: school and home; teacher and pupil; pupil and other pupils;
 - b. personal matter relating to student development, behaviors, interactions and others;
4. **ASSISTANT PRINCIPAL**
 - a. school wide discipline issues, bus conduct issues
 - b. problems between: school and home; teacher and pupil; pupil and other pupils.
 - c. after school programs.

5. **PRINCIPAL**

- a. any issue arising out of a school building when no other staff member can be specifically identified;
- b. instructional and co-curricular program issues (athletics, music, drama, etc.);
- c. matters related to the physical plant;
- d. complaints, dissatisfaction, or concerns regarding school personnel;
- e. school-wide discipline.

6. **SUPERINTENDENT**

- a. questions regarding school committee policies and administrative procedures;
- b. school committee meeting and agenda items;
- c. complaints, dissatisfaction, or concerns regarding school personnel or services which have not been resolved at the principal's level.

7. **SCHOOL COMMITTEE**

- a. concerns that have not been successfully addressed/resolved throughout the process.

8. **CIVIL RIGHTS COORDINATOR**

- a. concerns related to discrimination and/ or harassment based on any protected category under state and/ or federal law.



GENERAL INFORMATION

AFTER SCHOOL ACTIVITIES

W. E. B. Du Bois offers a number of after school programs for our students. Announcements regarding registration are made on the morning announcements, via the PA and in the lunchroom. Information will also be available on our website. Sample programs include: basketball, volleyball, yearbook and newspaper. Should you wish to offer a class or want more information please contact Mr. Wheat. Please remember to pick up your child at the end of the activity. Most activities will end at 3:45.

SCHOOL HOURS

Our school day begins at 8:00. Students arriving at or after 8:00 will be marked as tardy. Students arriving by car should enter the front door and proceed to the Student Center. Students arriving by bus will enter through the back door and report to the Student Center. The day ends at 2:45. After school activities usually end at 3:45. A student must be with a staff member if in the building after 2:45. Students should be picked up promptly at the conclusion of the day or the activity.

ATTENDANCE

If your child is going to be absent please call the office at 644-2300. Calls made by 9 A.M. are greatly appreciated. Please note the district has an attendance policy which states that family vacations during school time are an unexcused absence. Teachers are not required to provide work in advance of a trip. Upon returning to school it is the responsibility of the student to meet with the teacher to determine missed work and set a schedule for completion.

Excused Absences

All students are required by law to attend school every day that school is in session. From time to time, circumstances dictate that a student will need to be absent from school for reasons deemed necessary by district policy. Parents/ guardians have a legal responsibility to ensure their child is in attendance each day school is in session, unless he/she is absent for one of the following reasons:

- Illness – persistent absences may require a note from a doctor.
- Bereavement.
- Documented medical or dental appointments.
- Documented court or legal commitments.
- Religious holidays.
- College visits.
- School field trips and programs.
- Disability-related reasons approved by a student's IEP or 504 Team.
- Other extenuating circumstances approved by the school administration.

Teachers are not authorized to excuse absences.

Unexcused Absences

All other reasons for an absence will be considered **unexcused** even if the student was given permission to miss school by their parent.

Massachusetts State Law specifies that a student under 16 years of age may not be absent more than six(6) unexcused day sessions in a six (6) month period. Students who willfully fail to attend class for more than eight (8) days are defined as habitually truant. Chronic absenteeism is defined in absences in excess of fifteen (15) excused or unexcused days. Parents are required under the law to ensure regular school attendance of their children and are subject to a fine or other legal action if they fail to comply with the law. The local school administration or designee will be provided with the names of students with seven or more unexcused absences during a six-month period.

Some examples of **unexcused absences** are, but not limited to:

- Family vacations/ trips unless the administration has granted approval for a documented educational experience or purpose
- Truancy
- Activities that should be conducted outside the school day, such as hair appointments, shopping, sleeping, doing homework, etc.
- Activities more appropriately related to the parent/guardian, such as providing care for siblings, absence due to parent transportation, etc.

Students' opportunity to gain a meaningful education is severely reduced if they choose not to attend school. **Academic class work and tests missed while choosing to be truant or leaving the school grounds without permission may not be made up. They are recorded without credit.**

Notification

Parents should notify the school by telephone each time their child is absent (excused or unexcused). The school administration or designee will determine if the absence is excused. If the parent does not call the school, school personnel will call the child's home, parent's workplace, or emergency contact to confirm the absence.

CLASS ATTENDANCE

Consistent with W. E. B. Du Bois' focus on Positive Behavioral Interventions and Supports, students are encouraged to take responsibility for their learning by attending classes each day. A **class cut** occurs when a student, who is marked present and in attendance to school, deliberately chooses not to go to his/ her scheduled class. In cases where school and class attendance show that a student may be cutting class, that student will be afforded due process through a meeting with school administration and is subject to both school and academic consequences based on the outcome of the meeting.

DISMISSALS

In order for a student to be dismissed before the end of the school day, the parent or guardian must send a note from home with a phone number for verification. This note should be submitted to the Main Office prior to first period, or as soon as possible thereafter. The note should describe the reason for the early dismissal, the destination of the pupil and the time of the actual release. The administration will decide whether the reason for the early release is appropriate and where appropriate will give consent. All 18-year-old students who have completed the age of majority form must obtain administrative permission in order to leave school grounds during the

academic day. If parent dismissals contribute to a pattern of absences that are excessive, W. E. B. Du Bois reserves the right to request a meeting between the school and student guardian to discuss the concern. Absences that result from a dismissal will be considered unexcused unless they meet the criteria for an excused absence, which are highlighted below.

Make-up Missed Work

It is the responsibility of the student to contact their teachers or classmates through email to gather work on days missed. It is suggested that students make arrangements with their teacher either in person or through email to gather class assignments as soon as possible in the event of an absence and in advance when the absence is planned. As indicated above, students may also contact Guidance for assistance when they will be absent for more than two days.

Attendance Procedure

When absences occur within a six (6) month period, the following steps will be taken

Step 1: Five (5) days of unexcused absence:

- Principal or designee sends a letter home reminding parents of the attendance policy.
- At the discretion of the Principal, a follow up call is made to parents to further explain policy and -develop a plan for improved attendance.

Step 2: Seven (7) days of unexcused absence:

- Letter from Principal or his designee and follow up conversation between Principal or designee and family to discuss the child's pattern of unexcused absences. The letter states that further unexcused absences may result in a referral to the Department of Children and Families and/ or Berkshire Juvenile Court.
- The administrator may suggest a meeting between parents and school staff to devise an attendance plan for the student and to discuss strategies to address the manifestation of the truancy issue.

Step 3: Ten (10) days of unexcused absence:

- Letter home indicating that the child has exceeded the legal limit.
- Principal or designee requests a formal meeting with parents to discuss ways the school and home can work together to resolve unacceptable number of unexcused absences.
- In the event that the parent fails to schedule and appear for a formal meeting within a two-week period, the district will initiate truancy/negligence procedures as described below.

Step 4: Fifteen (15) days of unexcused absence:

- The District initiates a CRA (Children Requiring Assistance) or a Failure to Send Action with the Southern Berkshire Juvenile Court, and/ or a 51A filing for educational neglect with the Department of Children and Families (DCF).
- Written notification to parents.

STUDENT RESPONSIBILITY FOR CLASS ATTENDANCE

Students are expected to attend all regularly scheduled classes. As such, it is necessary to take reasonable steps to ensure that students are present for all scheduled classes. Any student who is reported absent from class, who is not *excused* absent or dismissed from school in accordance with the BHRSD Attendance Policy will be charged with a class cut. Three (3) tardies to class is

equivalent to one absence. Additionally, each teacher will establish classroom and attendance procedures for his/her classes that support both attendance and participation. While these guidelines may vary depending on the nature of the course, they will align with the BHRSD Attendance Policy. In all cases, students who miss seven (7) scheduled class periods, excused or unexcused, in any course in a semester risk failing that class for the semester and, as a result, losing credit for the course.

TARDINESS TO CLASS

Tardiness occurs when a student is not in class when the bell sounds to signify the start of the class. It is a student's responsibility to be on time for class. With regard to tardiness, the classroom teacher sets and communicates his/her expectations, monitors the student's behavior, honors the efforts of punctual students, and disciplines when appropriate. In cases where, after repeated attempts to rectify the issue, the teacher's efforts to remediate classroom tardiness are unsuccessful, the student's name will be submitted to the administration for school appropriate next steps.

TARDINESS TO SCHOOL

The school day starts at 8:00 a.m. with either Community or the first period academic class. Consistent with the school's positive behavior supports initiative, students are encouraged to take responsibility by being punctual to school and ready to learn. Parents are encouraged to review the school's bell schedule and attendance expectations with their student and to work with the school to alleviate and rectify tardiness or any attendance concerns before the concerns reach a chronic level. Thus, students tardy to school are in fact tardy to class. In keeping with school attendance practices, **three (3) tardies to school** is the equivalent of one class absence.

BERKSHIRE HILLS TECHNOLOGY FUND

The Fund has made an ongoing commitment to assist district families in obtaining affordable bank financing for a computer purchase or depending on need, even borrowing a computer at no charge for as long as the student is enrolled in the district. The goal of the project has been to close the "digital divide" the gap between technological "haves and have nots" in our school community. Call Donald Elitzer at 528-4693 for more information.

BUSSING AND BUS BEHAVIOR

Transportation of students to and from school is provided by Massini Bus Company. Questions regarding routes, students riding alternate busses and concerns should be addressed directly with the bus company at 413-229-7962. Please obtain permission from the bus company at least one day in advance when your child needs to ride a different bus. A note from home without bus company approval does not guarantee that your child will be able to ride an alternate bus. Because it is difficult to reach students at the end of the day, we ask that you notify the school of changes in your child's transportation no later than 2 P.M. There are no late busses, so students staying for extra help or school activities will need to be picked up promptly at the close of the activity. Please be aware that due to the number of students riding the bus it may not be possible for students to ride with large projects or instruments. Please call the bus company in advance if you have a question regarding this issue.

In accordance with BHRSD Policy EEA, the School Committee has responsibility for students while being transported on school buses. The building Principal(s) are designated by the Berkshire Hills Regional School District School Committee to act as its agent for the

enforcement for the school bus transportation policy and as such the Principals have the same duties and responsibilities toward the students on the buses as they have toward these same students in a classroom situation. They also have the responsibility of advising and assisting the bus drivers in the maintenance of proper student behavior.

There are three main responsibilities involved with transportation:

- a) Ensuring the safety of all bus riders.
- b) Ensuring timely arrival and departure to and from school.
- c) Enforcement of school attendance laws.

To ensure the safety of all bus riders, it is recommended that the privilege of school bus transportation be subject to review and appropriate school action for any student whose conduct is such that it is distracting to the bus driver.

a) The following offenses shall apply:

1. Smoking, the use of drugs, alcohol, or any other contraband substance.
2. Being in the possession of a firearm, knife, explosive, or any other weapon.
3. Injury to another person.
4. Fighting.
5. Bullying, pushing, shoving, "horseplay", or any other activity that is distracting to the bus driver.
6. Damaging property.
7. Swearing, foul and/or abusive language.
8. Refusing to follow reasonable instructions given by the bus driver that are directly related to the driver's authority and responsibility to ensure safe and secure transport of students.

b) W. E. B. Du Bois uses the following procedure when suspected bus infractions are reported:

1. **Investigation:** The Assistant Principal will investigate the claim, and the student will be afforded the right to due process. All school infractions, including bus infractions, will be handled on a case by case basis.
2. **Restorative Practices:** In any case where a bus infraction is reported, administration will explore opportunities to restore relationships and trust between the student accused of the infraction and reporting parties. As with any case where restorative practices is applied, the Assistant Principal will determine the most appropriate application of restorative practices, and will base his or her decision following the outcome of the investigation.
3. **Additional School Action:** In cases where additional school action is necessary, W. E. B. Du Bois can impose additional consequences, which will be determined based on factors such as the frequency of infractions, the severity of the infraction relative to bus safety, and any other factor specific to the bus infraction.

c) Each infraction shall be reported by the bus driver to the administration (in writing) on the same day as the occurrence (if possible). It is the responsibility of each bus driver to include as much specific detail as is possible in each report he/she makes to the administration.

d) Any report submitted by a school bus driver and verified by the school administration will be filed upon a bus behavior report, listing student name, age, description of

offense, and action taken by the building administration. This report will be filed in each school, with copies sent to parents/guardians, bus driver and bus contractor.

- e) Denial of school bus transportation shall mean denial of the right to ride on all school buses, including but not limited to buses transporting students to athletic events or other extra-curricular activities.

DRESS EXPECTATIONS

Students at W. E. B. Du Bois Regional Middle School are expected to dress in a manner that promotes a positive and healthy climate. Students wearing inappropriate items will be asked to change clothes, cover the item, or call home for a change of clothing.

- Clothing that references tobacco, alcohol, drugs, weapons, or contains innuendoes referring to violence or sex is not acceptable.
- Student dress is to be conducive to full participation in the educational experience without distraction. Any style that is disruptive to the learning environment needs to be addressed with students and families.

Having to monitor student dress is uncomfortable for the staff and for the students. It raises many issues around body image. To minimize embarrassment, we try to be discreet about how we approach students asking them privately to change or cover up. If your child tells you that he or she wore a pair of shorts or a shirt and no one spoke with them, please understand that it does not necessarily mean the clothing is acceptable.

DIGITAL CULTURE

At W. E. B. Du Bois Regional Middle School, we promote appropriate use of technology to enhance the teaching of content and community behaviors that students need to succeed as responsible, digital citizens in our global society. Students in seventh and eighth grade with parental/guardian permission may bring a personal electronic device to school to use for educational purposes, such as accessing online materials, completing assignments and collaborating with peers, using the Internet and digital tools as part of the curriculum. All Students have access to school-based technology such as computers and tablets to support the regular curriculum. Students in fifth and sixth grade only need the school-based technology for success in instruction. W. E. B. Du Bois is committed to developing 21st-century vision and skills for our students, including how we approach digital culture in our increasingly technological world.

For students who do not have a device at home, or for school in the upper grades, our partnership with the Berkshire Hills Technology Fund lets us offer a low-cost tablet or computer, and a payment plan. See the section on the fund in this handbook for more information or contact the main office.

Examples of Personally Owned Devices

Personally owned devices include laptops, cell phones, smart phones, tablets and iPads/iPods, notebooks, netbooks, eReaders, and any device that can access the internet or has Wi-Fi. This includes all existing and emerging devices that can take photographs, record audio or video, input text, upload and download media, and transmit or receive messages or images that a student brings to school from home. Devices that only access games are not permitted. The district is not liable for the loss, damage, misuse or theft of personally owned devices brought to school.

Resource for Families

Common Sense Media is a great website for families and educators with good advice and reviews, great explanations and reasonable approaches to limits for the devices of tweens and teens: www.commonsensemedia.org

“Bring Your Own Device” (BYOD) Guidelines for Seventh and Eighth Graders

Based on our BYOD pilot we found that personal devices are being used by the upper grade students for instruction, while that was not the case for the younger grades. There are numerous benefits to accessing instructional resources, completing assignments and organizing using a personally owned device in school. Students who do not follow these guidelines will lose the privilege of using them in school, temporarily or permanently, depending upon the severity and frequency of the violation. All students must have a current Electronic Information Policy form signed and in their file to participate in BYOD. Students are expected to keep their devices off when they're not being used under adult supervision.

BYOD Student Expectations at MV

- Each student is responsible for his/her own personally owned device. This includes set-up, maintenance, and repair. Students are responsible for securing their devices at all times.
- W. E. B. Du Bois is not responsible for lost, loaned, damaged, or stolen devices.
- Students may use their device for personal use during recess while outside, or inside the designated recess area during inclement weather, as well as in the cafeteria before school. The school may establish other appropriate times, places and guidelines for students to use their devices for personal activity under adult supervision.
- Examples of acceptable use of a personally owned device include listening to music, playing games and reading.
- A student who needs to reach a family member can get teacher permission, or go to the main office to use the school phone or their device under adult supervision.
- Internet access may only be through the guest network (BHRSDGUEST). This is intended to ensure the safety of children by using our secure and monitored network. Personally owned devices may not access district servers, district files, or private networks (for example: 3G/4G cellphone networks) while at school.
- Personally owned devices may not be used at any time in hallways, locker rooms, restrooms, or other unsupervised spaces.
- Students may not use devices to record, transmit or post photographic images or video of any person without permission on campus or during school-related activities.
- Personally owned devices will be used as directed by the teacher. Each teacher may allow and regulate the use of personally owned devices in the classroom on a daily basis and on specific activities.

ELECTRONIC INFORMATION RESOURCES FOR STUDENTS

The electronic information resources are now available to qualifying students in the district. These resources include access to the Berkshire County Wide Area Network as well as Internet services. Electronics and Computer facilities are the hardware, software, network, and internet systems and equipment which may be located in the classrooms, hallways, computer and business labs, offices teachers' rooms, network station areas and libraries. The District's goal in

providing this service is to promote educational excellence by facilitating resource sharing, innovation and communication.

In addition, the smooth operation of the network relies upon the proper conduct of the end students that must adhere to strict guidelines. These guidelines are provided so those students are aware of the responsibilities they are about to acquire.

Each student member applying for an account will review set guidelines regarding proper behavior and use of the network. The signature(s) at the end of this document is (are) legally binding and indicate(s) the party (parties) who signed has (have) read the terms and conditions carefully and understand(s) their significance and agree(s) to abide by these terms.

Terms and Conditions

1. **Privileges:** The use of electronic information resources is a privilege, not a right. Inappropriate use of these resources will result in the loss of computer services, disciplinary action, and/ or referral to legal authorities. The systems administrator will close an account if necessary. An administrator or faculty member has the right to request, for cause, that the systems administrator deny, revoke, or suspend specific student accounts.
2. **Acceptable Use:** The use of an assigned account must be in support of education, business and/or. Research and within the educational goals and objectives of the Berkshire Hills Regional School District. Each student is personally responsible for this provision at all times when using the electronic information services.
3. **Monitored Use:** Electronic mail transmissions and other use of electronic resources by students shall not be considered confidential and may be monitored at any time by designated staff to ensure appropriate use for instructional and administrative purposes.
4. **Network Etiquette:** Each account holder is expected to abide by the generally accepted rules of student etiquette. These rules include, but are not limited to, the following:
 - a. Be polite. Never send, or encourage others to send abusive messages.
 - b. Use appropriate language. Remember that you are a representative of your school and district on a non-private system. You may be alone on a computer, but what you say and do can be viewed globally! Never use vulgar or any other inappropriate language.
 - c. Use electronic mail appropriately. Electronic mail(e-mail) is not guaranteed to be private. Everyone on the system has access to mail. Messages relating to or in support of illegal activities must be reported to the system administrator or school administration.
5. **Vandalism:** Vandalism is defined as any malicious attempt to harm or destroy property of another student or of any other agencies or networks that are connected to the Internet. Vandalism includes, but is not limited to, the uploading, downloading,

or creation or computer viruses. It also includes any physical damage to computer hardware or software in the District.

6. Security: Security on any computer system is a high priority because there are multiple students. Once properly logged into the BHRSD network, do not leave your account/connection open or unattended. Do not use another individual's account. Unauthorized access to a computer system or part of a computer system that you do not have permission to use is known as electronic trespass and is illegal. If you identify a security problem, notify the system administrator or school administration at once.
7. Liability: The Berkshire Hills Regional School District makes no warranties of any kind whether expressed or implied, for the service it is providing. The district will not be responsible for any damages the students suffer while on the system. These damages include, but are not limited to, loss of data as a result of delays, non-deliveries, misdeliveries, or service interruptions caused by the system or your errors or omissions. Use of any information obtained via the information system is at your own risk. The Berkshire Hills Regional School District specifically denies any responsibility for the accuracy of information obtained through electronic information sources.

Penalties

Failure to adhere to the above recommendations for proper use of the computer facilities in the BHRSD will result in the following disciplinary actions or additional actions as deemed appropriate.

First Offense: Loss of student password for two weeks.

Second Offense: Loss of student password for one month, and the possibility of school suspension.

Third and Subsequent Offenses: Loss of student password for one semester and the possibility of school suspension.

The right of appeal to the Principal will be upheld in all offenses. (*See Section I, Policy IJNDB of the BHRSD Policy Book for full policy*)

DISMISSAL, DROP OFF, AND PROHIBITION OF IDLING:

Students are dismissed at 2:45 PM on a regular school days and 11:30 AM on half days. Parents picking up students at the end of the day should park on the front circle and remain in your car rather than coming into school. Students will file out of the building at dismissal and find their ride. Please avoid blocking the crosswalk and our driveway entrance. A number of our students cross the street to walk to other school buildings. Cars in the crosswalk create a safety concern.

In the event of an early dismissal, parents should send a note to school with their child. The child gives the office staff the note and receives an early dismissal pass which is given to the teacher at the time they need to leave school.

If you have a situation arise which requires a message to your child regarding a change in plans when possible, we appreciate getting the call by 2 PM. This allows adequate time to get the message to the student.

When dropping off your student please do not block the driveway. Proceed to the front entrance only. Do not use the bus entrance since that will delay the busses dropping off students.

Parents must not idle their cars while waiting for students at either drop off or pick up. Whenever a bus or vehicle arrives, the driver is to secure the bus or vehicle and shut the engine down as soon as possible. No bus or vehicle will be left at idle in excess of five minutes of anticipated idling time.

PARKING

Limited visitor parking is available on your right as you drive around the front circle. Additional parking is available behind the school.

STUDENTS' RIGHTS

The legislation in G.L. c.71, §§ 82-85 is summarized as follows: the students may enjoy freedom of expression in public schools provided it shall not cause disruption and disorder in the school. Freedom of expression includes (a) expressing views through speech and symbols (b) writing, publishing and disseminating personal views as opposed to school sponsored speech which includes, but is not limited to student newspapers supported by use of school materials, funds, staff or identified by the school logo; (c) assembling peacefully on school property with prior administrative approval or off school property on public sidewalks subject to a reasonable time, place and manner restrictions.

Students have the right to dress as they wish provided their dress does not violate reasonable standards of health, safety, and cleanliness. No student shall be discriminated against because of marriage, pregnancy, parenthood, or actions outside of school which have no nexus to school or school activities.

Notwithstanding the rules above, school committees or school officials may take necessary action in cases of emergency.

No student shall be excluded from or discriminated against in admission to BHRSD or in obtaining the advantages, privileges, or courses of study and extracurricular activities of the BHRSD on account of age, race, color, sex, religion, gender identity, national origin, sexual orientation, or disability.

The specific statutes are available at:

<http://www.malegislature.gov/Laws/GeneralLaws/PartI/TitleXII/Chapter71>

EXTRA HELP

W. E. B. Du Bois remains open after regular school hours for any student requiring extra help or choosing to complete homework assignments. Students should connect with the teacher a day ahead to verify availability. Students must arrange their own transportation and should be picked up no later than 3:30 pm.

FIELD TRIPS AND OVERNIGHT TRAVEL

Field trips are an important part of the educational process. All students are expected to participate. Some trips happen during the school year and are designed to enrich the students' educational experience. Other trips are planned at the end of the school year as a culminating activity. When there is an expense for a field trip, scholarships are available for families in need. Please submit a letter to the principal or assistant principal stating the amount you are able to

contribute and the amount you will need in scholarship. We encourage all students to take part in fund raising events.

For the end of the year field trips, students may become ineligible if they have exhibited inappropriate behavior during the school year, poor attendance, excessive tardiness and lack of effort in academic performance. Parents and students are notified in advance if there is a concern about attendance. It is important that all students have the opportunity to attend.

Advance approval by the Superintendent is required for any student trip involving late night or overnight travel. Any student or staff member planning late night or overnight travel should consult the school committee policy on late night and overnight travel prior to making any travel arrangements.

GRADE LEVEL TEAMS/SCHEDULE ORGANIZATION

Grade 5 Students are on a grade level mini-team with one teacher responsible for humanities and one teacher responsible for math and science. Students also have a dedicated advisor. There are two periods of Exploratory Arts classes per day. The classes are: art, general music, health, library, physical education, technology, and theater.

Grade 6 Students are on a grade level team with a teacher responsible for each of the subject areas – math, science, social studies, literature non-fiction, and literature fiction. Students also have a dedicated advisor. There are two periods of Exploratory Arts classed per day. The classes are: art, foreign language, general music, health, physical education and technology.

Grades 7 & 8 are divided into two teaching teams, Green and Orange. Students are assigned to a team for their two years in seventh and eighth grade. Each student has one teacher for math, science, english language arts (ELA), social studies and foreign language. Students also take two periods of exploratory classes, the classes are art, design, music, physical education, health and performance music.

Students in Fifth and Sixth grade also take performance music: band, chorus, or orchestra.

Students in Seventh and Eighth grades may take a performance music – band, chorus and orchestra – during one of their exploratory periods.

GRADING SYSTEM

We use a percentage system for grading for sixth through eighth grade. The fifth grade uses a letter system, and fifth and sixth grade exploratory classes are taken on a pass basis. A grade of 80 and higher, or a B, constitutes proficiency in a class, and a grade of 90 and higher, or an A, constitutes mastery. Any assessment below a 70 or a C will be reported as an INT intervention grade. Students receiving an INT in a course will get supports in the next term to bring them closer to proficiency

Parents may view grades throughout the term by utilizing their Powerschool account.

GREEN SCHOOL

MVRMS is happy to have been built with many green materials and renewable systems. The geothermal system for heating and cooling using the natural properties of the earth assists us in

keeping our building warm and cool at the correct time. Heat recovery units help to reduce energy consumption of the ventilation system. Keeping our inside temperature stabilized is done by having insulation at 2.5 times the standard code requirement. Photovoltaic solar panels on the roof provide some of our electricity. The building orientation of north/south maximizes the use of natural light. In addition, strategically placed and operable windows provide light and air. The photo sensors in the classrooms automatically dim the lights when there is abundant sunlight. And we all enjoy walking into a room and having the sensors automatically work the lights!

HONOR ROLL

In order to achieve high honor status a student must have an average of 90 with no grades lower than 85. Honors is earned by having an average of 85 with no grades lower than 80. All subjects receiving a numerical grade count toward the average. Honor Roll is determined for 7th and 8th grade only.

LOCKERS

Each student is assigned a locker at the beginning of the school year. Homeroom teachers give students the combinations. Students are not to share lockers or combinations. Searches of students, their property and lockers may be conducted by school personnel if school officials have reasonable grounds for suspecting that the search will turn up evidence that the student has violated or is violating either the law or the rules of the school. Therefore, students do not have any reasonable expectation of privacy in their lockers. Police may be contacted to assist school personnel. Students are not to write on lockers, put decals or pictures on lockers or to deface a locker in any way. Any student who damages or misuses a locker will be subject to disciplinary action, plus restitution in full including materials and labor. Your locker is the property of the Berkshire Hills Regional School District and loaned to you for storage of school books and materials, plus personal items such as clothing.

LOST AND FOUND

Students are requested to bring any found articles, textbooks or clothing to the office. Lost and found items are collected in the cafeteria. The school suggests that you do not bring valuables or large sums of money to school as the school cannot assume responsibility for these items if lost. Periodically the school donates unclaimed items to local charities.

PARENT INVOLVEMENT

There are numerous ways parents can become involved with the school. Parents are welcome to offer after school activities, supervise an after school homework club, chaperone field trips and dances, visit on Welcome Wednesdays and become involved in more structured activities. Parents are required to complete a CORI form prior to involvement. Please contact the main office at 644-2300 for help with the process. You also may want to become involved in one of the following groups.

- Parent Mentoring – This is a district wide initiative to help parents and community members work with the school to support youth. The mission is: Community partners will collaborate to inspire and train parents and families to build their networks of support to promote safe and healthy environments for youth. Training programs will be offered throughout the school year to prepare

parents to address difficult issues with their children. Parents will also have the opportunity to discuss issues with other parents.

- School Council – This is a representative, school building based committee composed of the principal, parents, teachers and community members that is required to be established pursuant to MGL Chapter 71, section 59c. The MVRMS School Council meets monthly. The meeting schedule is posted on the website and on the Week at a Glance.

PARENTAL SUPPORT AND FUNDRAISING GROUPS

The Berkshire Hills Regional School District (BHRSD) is appreciative of and thankful for the support parental groups provide for co-curricular and athletic activities. Parents come as spectators, volunteers, and fundraisers. Their support provides a sense of community for our students and as volunteers they often provide the extra hand needed to accomplish an activity.

Financially their fundraising provides many enrichment activities for our students.

It is important to recognize that the BHRSD does not audit or provide accounting for their financial records.

To help ensure the credibility of these organizations and that of the school district the BHRSD will develop a set of financial accounting recommendations. Annually each organization will need to submit a document of assurance to the district that they are following the recommendations. In exchange, the BHRSD will allow them to use, subject to applicable district policy, the school/district name, our facilities and appropriate equipment, as well as publicize their activities.

PLAGIARISM

MVRMS takes very seriously the issue of students copying work from other people or sources including information found online. Time is spent in the classroom teaching students how to cite sources appropriately within documents. Students found plagiarizing will meet with the teacher, principal and parent to discuss appropriate consequences which could include loss of credit for the assignment or other disciplinary action, up to and including long-term suspension.

POWERSCHOOL

Powerschool is a web based student information system that enables educators to create a collaborative environment for parents, teachers and students to work together in preparing 21st century learners for the future.

PROJECT CONNECTION

Project Connection is an extended school day and school year program that involves activities with an academic component built in to the curriculum. We focus on experiential learning with many hands on programs that incorporate some of the many different Massachusetts Common Core Standards that we are working on all year long through the traditional school day.

Programs run from 3:30-5:00 and transportation is provided for those students that need. You can reach Project Connection by e-mail at projectconnection@bhrsd.org or by phone at (413) 644-2300 extension 3306.

HOMEWORKTh term “homework” refers to an assignment to be prepared during a period of supervised study in class or outside of class. The purposes of homework are to improve the learning processes, to aid in the mastery of skills, and to create and stimulate interest on the part of the student. Homework is a learning activity which should increase in complexity with the maturity of the student.

With increased maturity, learning should become an independent activity. This should be established through consistent assignments which encourage students to investigate for themselves and to work independently as well as with others. Homework assignments should be consistent in terms of the amount given each day and the time required for each assignment so that a pattern of meaningful homework can be established by the teacher and/or the student. The information for any homework assignment should be clear and specific so that the student can complete the assignment.

Homework assignments should take into consideration individual differences of students such as health, ability, conditions at home, and educational resources at home. Homework should not require the use of reference materials not readily available in most homes, school libraries, or the public library, and should require the use of those materials only when the student has had instruction in the use of them.

There are many other learning activities in the life of a student besides homework. Such things as participating in school activities, pursuing cultural interests, participating in family living, and exploring personal interests should be considered by teachers when planning consistent assignments. Homework is not to be used as a form of punishment under any circumstances. *(See Section I Policy IKB of the BHRSD Policy Book for full policy)*

REFERRAL for SPECIAL EDUCATION

A student may be referred for an evaluation by a parent or any person in a care giving or professional position concerned with the student’s development.

When a student is referred for an evaluation to determine eligibility for special education, the special education director will send written notice to the student’s parents within 5 school days of receipt of the referral. The notice shall seek the consent of the parent for the evaluation to occur, and provide the parent with the opportunity to express any concerns or provide information on the student’s skills or abilities. The parent will have the opportunity to consult with the special education director or his/her designee to discuss the reasons for the referral, the content of the proposed evaluation, and the evaluators.

Upon consent of the parent, the school district shall provide an evaluation of the student within 30 school days. We will ensure that evaluators are appropriately credentialed and trained to administer all assessments. Each person conducting an assessment shall summarize in writing, the procedures employed, the results, and shall define the student’s needs and recommendations for meeting those needs. A team meeting will be held within 45 school days of receipt of consent for evaluation, to determine eligibility for special education. The special education team shall consist of all evaluators, the student’s regular education teacher, a special education teacher, an administrator, the parent and anyone else relevant to the process. If you have questions or would like more information, please call Ms. Kate Burdsall, Director of Student Services. at 298-4017, ext.14.

SECTION 504

Some students with disabilities may be entitled to services and other accommodations under Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act. To qualify as a disabled individual under Section 504, a student must: 1) have a physical or mental impairment that substantially limits one or more major life activities; 2) have a record of such an impairment, or 3) be regarded as having such an impairment. To qualify for a 504 Plan, an individual must fit into qualification # 1 and require services and other accommodations to meet their educational needs as adequately as the needs of nondisabled students are met. The determination of such qualification shall be made by a team of persons knowledgeable about the disability and/or the student. A parent/guardian/teacher, as well as other individuals like the student's physician, may refer the student for an evaluation under Section 504. A complete copy of the Parent's/Guardian's procedural rights under Section 504 may be obtained from the guidance department's office.

HOMEBOUND INSTRUCTION

(Educational Services in the Home Or Hospital)

Upon receipt of a physician's written order verifying that any student enrolled in the Berkshire Hills Regional School District or placed by the district in a private setting must remain at home or

in a hospital on a day or overnight basis, or any combination of both, for medical reasons and for a period of not less than 14 school days in any school year, the principal shall arrange for provision of educational services in the home or hospital. Such services shall be provided with sufficient frequency to allow the student to continue his or her educational program, as long as such services do not interfere with the medical needs of the student. The principal shall coordinate such services with the Director of Student Services for eligible students.

(Section I, Policy IHBF of the BHRSD Policy Book)

SERVICE ANIMALS

BHRSD acknowledges its responsibility to permit students and/or adults with disabilities to be accompanied by a "service animal" in its school buildings, in classrooms, and at school functions, as required by the American with Disabilities Act (28CFR 35.136(a)).

ASSISTIVE TECHNOLOGY

Students on an IEP or 504 Plan may qualify for an Assistive Technology Evaluation and, on the basis of the evaluation, may benefit from the use of assistive technology in school, at home, or both. Regardless of setting, assistive technology remains the property of BHRSD and parents/guardians/ adult students will be required to sign an agreement regarding the use of assistive technology prior to using it within their homes. Additional information will be provided by individual students' IEP or 504 Teams.

EQUAL ACCESS TO ALL ASPECTS OF K-12 PROGRAM

The district evaluates all aspects of its K-12 program annually to ensure that all students, regardless of race, color, sex, gender identity, religion, national origin, limited English proficiency, sexual orientation, disability, or housing status, have equal access to all programs, including athletics and other extracurricular activities.

Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(b)(2); EEOA: 20 U.S.C. 1703(f); Section 504: 29 U.S.C. 794; 34 CFR 104.4(b)(4); Title II: 42 U.S.C. 12132; 28 CFR 35.130(b)(3); NCLB: Title III, Part A, Sec. 3121(c)(1)(C); Title X, Part C, Sec. 722(g)(1)(J)(i), 722(g)(7); Mass. Const. amend. art. 114; M.G.L. c. 71A, § 7; c. 76, § 5; 603 CMR 26.07(1),(4) as amended by Chapter 199 of the Acts of 2011

NONDISCRIMINATION

Public schools have the responsibility to overcome, insofar as possible, any barriers that prevent children from achieving their potential. The public school system will do its part. The District's policy of nondiscrimination will extend to students, staff, the general public, and individuals with whom it does business; No person shall be excluded from or discriminated against in admission to a public school of any town or in obtaining the advantages, privileges, and courses of study of such public school on account of race, color, sex, religion, national origin, sexual orientation or disability. (See Section A, Policy AC of the BHRSD Policy Book for more information)

VERTICAL ACCELERATION OF STUDENTS

It is a focus of the Berkshire Hills Regional School District to provide opportunities for its students to achieve in academics and, where possible, advance academically through both enrichment opportunities and grade/course acceleration. The enrichment process allows students not only

to master grade level curricula, but to utilize this information in new, different, and challenging situations. This is the first step beyond mastery of presented curricula. Acceleration proceeds above this level and allows a student to bypass a grade, or subject area within a grade, provided total mastery and enrichment opportunities have been exhausted.

The process by which vertical acceleration will be considered for implementation is as follows:

1. Parent, student, and/or faculty member may present a request for consideration of vertical acceleration.
2. The parent, student, and/or faculty must present a rationale for vertical advancement to another course or grade level.
3. The teacher and, where appropriate, the guidance counselor must present a thorough summary of classroom achievements and assessment of the student's academic progress.
4. The school psychologist should complete a thorough psycho-educational evaluation as appropriate.
5. The Principal will call for a team meeting involving the parents, teacher(s), school psychologist, and any other school personnel critical to the team meeting. At this meeting, all information regarding the student's academic progress and social/emotional maturity will be reviewed. The request for vertical acceleration will be based on the evaluation and achievement materials presented.
6. The team will make a recommendation to the principal regarding whether or not vertical acceleration should occur and, the team will recommend a plan of action for its implementation.

The principal will make a decision with the approval of the superintendent, regarding this recommendation. If the recommendation is not approved, the parent, student, and/or faculty member may request a review after six months.

7. The classroom teacher(s) and the building Principals will implement the plan. It will be the teacher's responsibility, along with the guidance counselors, where appropriate, to monitor student progress.

8. Regular communication regarding student progress will occur. Should the student have difficulty with the vertical acceleration, another team meeting will be activated to assess the situation and recommend changes in the program. Should the student succeed in the vertical acceleration, additional team meetings may be necessary to continue developing action plans for vertical acceleration in additional academic school years. The steps will follow those outlined above.

(See Section I, Policy IKEA of the BHRSD Policy Book for more information)

BULLYING PREVENTION AND INTERVENTION

BHRSD is committed to the provision of an educational atmosphere free from bullying, cyber-bullying and retaliation (Chapter 92 of the Acts of 2010, Section 5, Section 37O(d)(i)) in order to create a safe, caring, and respectful learning environment for all students. This Plan is updated to reflect G.L. c. 71, § 37O as amended by Sections 72 –74 of Chapter 38 of the Acts of 2013, which changed the definition of “perpetrator” to include “a member of a school staff, including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional.” The amendment also made the plan applicable to school staff, including but not limited to, the individuals listed in the amended perpetrator definition.

Definitions:

“Aggressor” and “Perpetrator” are used interchangeably and mean the perpetrator of bullying or retaliation as defined in G.L. c. 71, § 37O.

“Bullying”, pursuant to G.L. c. 71, § 37O, means the repeated use by one or more students or by a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:

1. causes physical or emotional harm to the target or damage to the target’s property;
2. places the target in reasonable fear of harm to himself or herself or damage to the target’s property;
3. creates a hostile environment at school for the target;
4. infringes on the rights of the target at school; or
5. materially and substantially disrupts the education process or the orderly operation of a school.

For the purposes of this section, bullying shall include cyber-bullying.

“Cyber-bullying” is bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to: any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to,

electronic mail, internet communications, instant messages or facsimile communications. Cyber-bullying shall also include:

1. the creation of a web page or blog in which the creator assumes the identity of another person or
2. the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in clauses (1) to (5), inclusive, of the definition of bullying. Cyber-bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in clauses (1) to (5), inclusive, of the definition of bullying.

“Hostile environment” means 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.

“Target” means a student victim of bullying or retaliation as defined in G.L. c. 71, § 37O.

Prohibition of Bullying

Bullying is prohibited: on school grounds, property immediately adjacent to school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a school district or school, or through the use of technology or an electronic device owned, leased or used by a school district or school and

at a location, activity, function or program that is not school-related, or through the use of technology or an electronic device that is not owned, leased or used by a school district or school, 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. Nothing contained herein shall require schools to staff any non-school related activities, functions, or programs.

(Chapter 92 of the Acts of 2010, Section 5, Section 37O (b).)

Reporting Incidents

The school 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. Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report. Reports of bullying and retaliation should be given orally or in writing to the building Principal. The target should report the specifics of the complaint to ensure that the subsequent investigation is focused on the relevant facts. A *Witness Form* is available in school offices, and is available on the school and district’s websites.

Our school staff has been trained on the new law and shall immediately report any instance of bullying or retaliation the staff member has witnessed or becomes aware of to the principal or to the school official identified in the plan as responsible for receiving such reports or both. (Chapter 92 of the Acts of 2010, Section 5, Section 37O (g).)

If an incident of bullying or retaliation involves students from more than one school district, charter school, non-public school, approved private day or residential school or collaborative school, the school district or school first informed of the bullying or retaliation shall, consistent

with state and federal law, promptly notify the appropriate administrator of the other school district or school so that both may take appropriate action. If an incident of bullying or retaliation occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in a local school district, charter school, non-public school, approved private day or residential school or collaborative school, the school district or school informed of the bullying or retaliation shall contact law enforcement consistent with Chapter 92 of the Acts of 2010, Section 5, Section 37O (h).

The building principal/designee shall be responsible for assisting employees and students seeking guidance or support in addressing matters relating to any form of bullying. All employees will be provided professional development in bullying prevention and intervention on an ongoing basis.

It is important that allegations of bullying and retaliation be investigated and resolved as confidentially and as quickly as the circumstances permit. Once a complaint of bullying or retaliation has been made, the following course of action should be taken:

- Investigating and/or gathering data
- Substantiating and establishing the facts
- Assessing the facts
- Documenting
- Communicating results

Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying shall be prohibited. (Chapter 92 of the Acts of 2010, Section 5, Section 37O (d)(v).) A student who knowingly makes a false accusation of bullying shall be subject to disciplinary action.

Following the investigation, if the Principal or his/her designee determines that bullying or retaliation has occurred, the Principal or his/her designee shall (i) notify the local law enforcement agency if the Principal or his/her designee believes that criminal charges may be pursued against an aggressor; (ii) take appropriate response or disciplinary action, including, but not limited to warnings, detentions and suspensions; (iii) notify the parents or guardians of an aggressor; and (iv) notify the parents or guardians of the target, and to the extent consistent with state and federal law, notify them of the action taken to prevent any further acts of bullying or retaliation; and (v) inform the parents or guardians of the victim about the Massachusetts Department of Elementary and Secondary Education's problem resolution system and the process for seeking assistance or filing a claim through the problem resolution system. (Chapter 92 of the Acts of 2010, Section 5, Section 37O (g).)

Academic Activities

BHRSD shall provide age-appropriate instruction on bullying prevention in each grade. This instruction shall be incorporated into the curriculum, be evidence-based, and information about it must be made available to parents and guardians. *Second Step* curriculum will be used in Grades K-8 for all students. In Grades K-5, *Second Step* is taught by the classroom teacher, and at the middle school level, *Second Step* is taught in Health classes. *Steps to Respect* is utilized in Grades 3-5 with whole classrooms as indicated by incident reports or requests by the classroom teacher, administrator, school psychologist, or adjustment counselor. There are additional interventions used as needed. Initiatives will also teach students about the student-related

sections of the Bullying Prevention and Intervention Plan at the beginning of the school year during administrative assemblies in Grades 6-12, and by classroom teachers in Grades K-5. At the high school, during physical education and health classes, students will be engaged in a curriculum that meets the approaches as described above. Additional interventions at the high school include social skills groups in each of the special education programs. The District will annually report bullying incident data to the Department of Elementary and Secondary Education.

More detailed information can be found at the BHRSD Bullying Prevention and Intervention Plan. It is available on the website and at the office, upon request.

HARASSMENT AND NON-DISCRIMINATION PROCEDURES

INVESTIGATION PROCESS

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

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

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

Harassment is defined as unwelcome conduct that creates a hostile environment. Harassing conduct may take many forms, including but not limited to verbal acts and name-calling, as well as nonverbal behavior that is physically threatening, harmful, or humiliating. Conduct is unwelcome if the student or employee did not request or invite it and considered the conduct to be undesirable or offensive.

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

Sexual Harassment is defined in G.L. c. 151 B, § 1 as Unwelcome sexual advances; requests for sexual favors; or other verbal or physical conduct of a sexual nature may constitute sexual harassment where:

- Submission to or rejection of such conduct is made either explicitly or implicitly a term or

condition of a person's employment or educational development.

- Submission to or rejection of such conduct by an individual is used as the basis for employment or educational decisions affecting such individual. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance by creating an intimidating, hostile, humiliating, or sexually offensive work or educational environment.

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

Harassment Reporting Responsibilities

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

When to Report:

- If you are a target or victim of violations to the anti-harassment policy;
- If you are a witness to violations of the anti-harassment policy;
- If you see insulting or demeaning graffiti or other visual displays; and/ or
- If you have other reasons to believe that there may have been a violation of this anti-harassment policy. This could include hearing re-occurring gossip about a possible incident or incidents.

An individual may report to either the principal of the relevant school site or appropriate discrimination/harassment complaint official at his or her discretion. Students may additionally report incidents that they believe involve harassment or discrimination to their guidance counselor, any teacher, administrator or any member of the support staff, and the staff member will refer the complaint to the principal or the district complaint official.

The discrimination/harassment complaint official for W. E. B. Du Bois is:

Mr. Miles Wheat

Although BHRSD encourages a written complaint, use of a formal reporting requirement is not required. Oral reports will be considered complaints as well.

BHRSD will promptly (within 48 hours) determine whether the alleged victim wants to utilize formal or informal procedures and, if the alleged victim chooses formal procedures, begin to investigate every complaint of harassment, discrimination or violence.

Confidentiality of the complaint and investigation will be maintained to the extent consistent with the school's obligations under law and under applicable collective bargaining agreements.

The grievance officer or discrimination/complaint official will inform witnesses and others involved in the resolution process of the importance of maintaining confidentiality, but will not issue any gag orders to the alleged victim or aggressor.

Complaints between the alleged victim and the alleged perpetrator may be handled two ways: through an Informal or a Formal Procedure.

The informal process is entirely voluntary and the complaints can opt out at any time and trigger the formal complaint process.

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

PROCEDURES FOR FILING A COMPLAINT

INFORMAL

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

FORMAL

Step 1

The grievance officer or the discrimination/harassment complaint official shall within forty-eight (48) hours of receiving the complaint or the termination of an unsuccessful informal resolution process, meet with the complainant and/or alleged victim (if they are different) by telephone or in person. The grievance officer or the discrimination/harassment complaint official will complete a discrimination/harassment complaint form based on the written or verbal allegations of the alleged victim within forty-eight (48) hours of meeting with the complainant. The complaint form will be maintained by the grievance officer or the discrimination/harassment complaint official.

Step 2

A prompt investigation shall be completed by the grievance officer or the discrimination/harassment complaint official within thirty (30) work days from the date of the complaint or report, unless impracticable. If the grievance officer or the discrimination/harassment complaint official anticipates that there may be discipline due to the

allegations, he or she will provide written notice of the investigation to the alleged perpetrator before conducting an interview of the alleged perpetrator.

The investigation may, as appropriate, consist of personal interviews with the alleged victim, the reporter (if different than the alleged victim), the individual(s) against whom the complaint is filed, and any other individuals who may have knowledge of the alleged incidents(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the grievance officer or the discrimination/harassment complaint official.

The alleged victim and the individual(s) against whom the complaint is filed have the opportunity to present witnesses and information to the grievance officer or the discrimination/harassment complaint official that they deem relevant. Refusal by the complainant to provide the investigator with documents or other evidence related to the allegations in the complaint, or to otherwise fail or refuse to cooperate in the investigation or engage in any other obstruction of the investigation, may result in the dismissal of the complaint because of a lack of evidence to support the allegations.

Step 3

The grievance officer or the discrimination/harassment complaint official shall document his or her findings. The grievance officer or the discrimination/harassment complaint official shall send the written report of the findings to the Superintendent, alleged victim, and alleged aggressor, unless the alleged victim agrees in writing to extend the timeline.

The report shall include:

- a) a statement of the allegations investigated;
- b) a summary of the steps taken to investigate the allegations;
- c) the findings of fact based on a preponderance of the evidence gathered;
- d) the District's conclusion of whether discrimination, harassment or violence did or did not occur;
- e) the disposition of the complaint;
- f) the rationale for the disposition of the complaint; and
- g) if the District concluded discrimination, harassment, different treatment or violence occurred, a description of the District's response. However, please note that in Title IX and Title VI investigations all discipline of the alleged aggressor will be kept confidential from the alleged victim unless it directly relates to the alleged victim (e.g., alleged victims will be notified of stay-away orders).

The grievance officer or the discrimination/harassment complaint shall determine whether the allegations have been substantiated as factual and whether they appear to be violations of this policy, using a preponderance of the evidence standard. A "preponderance of the evidence" means that it is more likely than not that the alleged conduct occurred. The grievance official shall further recommend what action, if any, is required. If it is determined that harassment, discrimination or different treatment occurred, the District will take steps to prevent the recurrence of the harassment, discrimination or different treatment and correct its discriminatory effect on the alleged victim and others if appropriate.

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

INTERIM MEASURES

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

In the case of alleged sexual assault, the grievance officer or the discrimination/harassment complaint official will take additional steps as necessary, for example, referring the student to a rape crisis center, creating a safety plan and/ or designating an individual at the site level to act as a support person during the investigation.

APPEALS

A party may appeal the decision of the grievance official or the discrimination/harassment complaint official in writing to the Superintendent within fifteen (15) work days of receipt of the findings of the formal procedure. The Superintendent, as an impartial decision-maker will review in an impartial manner the comprehensiveness and accuracy of the investigation and the conclusions, and issue written findings within thirty (30) school days.

REFERRAL TO LAW ENFORCEMENT, OTHER AGENCIES

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

RETALIATION

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

More detailed information on the harassment policies and procedures can be found at the BHRSD Harassment/Discrimination Policies and procedures online or at the schools office.

Individuals who believe that they have been subjected to harassment based upon legally protected classification should also be aware that they may contact the Massachusetts Department of Elementary and Secondary Education, 75 Pleasant Street, Malden, MA 02148-5023, telephone (781) 338-3300 or US Department of Education, Office of Civil Rights (OCR), 8th Floor, 5 Post Office Square, Boston, MA 02109-4557, telephone (617) 289-0111.

HAZING – G.L. c. 269, §§ 17, 18, & 19

Section 17

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

The term "hazing" as used in this section and in sections eighteen and nineteen shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully and recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the

weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

Notwithstanding any other provision of this section to the contrary, consent shall not be available as a defense to prosecution under this action.

Section 18

Whoever knows that another person is the victim of hazing defined in section seventeen and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself/herself or others, report such crime to an appropriate law enforcement official as soon as is reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than five hundred dollars.

Section 19

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

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

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

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

DUE PROCESS

PROCEDURES FOR SHORT-TERM SUSPENSION

(Exclusion of a student from school premises and regular educational program for a specified period of not more than ten school days.)

The principal, or his/her designee, may suspend students out-of-school on a short-term basis. Unless a student possesses a firearm, controlled substance, assaults a school staff member, or is charged or convicted of a felony complaint (see Administrative Procedures based on G.L., c. 71, §§37H and 37H ½, below) the student will receive the following due process prior to a short-term suspension:

1. Oral and written notice of the charges in English and the primary language of the home if other than English. This notice shall include, among other information, the potential length of the suspension and other potential consequences of the disciplinary offense, if applicable, an opportunity to have a hearing before the principal, or designee, concerning the proposed suspension, the date, time, and location of the hearing, the opportunity for the parent/ guardian to attend the hearing, and the right to interpreter services. .
2. At the hearing, if the student and/or parent/ guardian elect to attend, the student shall have the opportunity to present his/her version of the relevant facts and any mitigating circumstances.

Based on the available information, the principal, or designee, shall make a determination as to whether the student committed the disciplinary offences and what discipline shall be imposed. The student and parent/ guardian shall receive notice in writing of his/her decision, the reasons for it, and, if applicable, the type and duration of the suspension and the opportunity to make academic progress while excluded, including making up assignments and other academic work.

PROCEDURES FOR EMERGENCY REMOVAL

If the student's continued presence poses a danger to persons or property, or materially and substantially disrupts the order of the school and, in the principal's judgment, there is no alternative available to alleviate the danger or disruption; the principal may temporarily remove the student from the school prior to any hearing. This temporary removal shall not exceed two (2) days following the day of the emergency removal and the superintendent shall be immediately notified of the removal. Additionally, the principal shall make immediate and reasonable efforts to orally notify the student and student's parent/ guardian of the emergency

removal, the reason for the emergency removal, and the other information required in a short-term or long-term suspension notification. During the temporary removal, the short-term suspension notice shall be provided in writing to the student and parent/ guardian. The opportunity for a hearing with the principal or designee shall occur within two (2) school days, unless otherwise extended by the school and parent. A decision regarding the student's continued suspension or other removal shall be rendered the same day as the hearing and written notice shall be provided the following school day. This written notice shall include all the information required based on the type of discipline imposed (short-term suspension, in-school suspension, long-term suspension, or expulsion).

EXCLUSION FROM PRIVILEGES

The school administration may also exclude a student from privileges, such as extracurricular activities and attendance at school-sponsored events, based on a student's misconduct, regardless of whether the student is ultimately suspended or expelled. This type of removal is not subject to the procedures for suspension and expulsion outlined in this policy.

PROCEDURES FOR LONG-TERM SUSPENSION

(Exclusion of a student from school premises and regular classroom activities for more than ten school days.)

The principal, or his/her designee, may issue long-term suspensions at the building level. The principal may also issue expulsions for the offenses set forth in G.L. c. 71, §37H and §37H½ (described in the School District Policies, State and Federal Regulations section, below)

1. In the event of a long term suspension or expulsion, the student will be provided oral and written notice of the charges in English and the primary language of the home if other than English. This notice shall include, among other information, the potential length of the suspension and other potential consequences of the disciplinary offense, if applicable, an opportunity to have a hearing before the principal, or designee, concerning the proposed suspension, the right for the parent/ guardian to attend the hearing, the date, time, and location of the hearing, the right to interpreter services, the right to appeal to the superintendent, the opportunity to view the student's records, the right to be represented by counsel at the student/ parent/ guardian's own expense, the right to produce witnesses, the right to cross examine witnesses, and the right to request that the hearing be recorded and to receive a copy of the audio recording. .
2. In advance of the hearing, as at any time, the student and/or parent shall have the right to review the student's record and the documents upon which the principal or designee may rely in making a determination to suspend the student.
3. At the hearing, if the student and/or parent/ guardian elect to attend, the student shall have the opportunity to present his/her version of the relevant facts and any mitigating circumstances. The student shall also have the right to produce witnesses and the right to cross-examine witnesses presented by the school. Please note that student witnesses may not be compelled to testify. As indicated above, the student and/or parent/ guardian may also be represented by counsel, at private expense, and may request that the hearing be audio recorded.
4. After the hearing, the principal, or designee, shall make a determination as to whether the student committed the disciplinary offenses and what consequences shall be imposed. The student and parent shall be notified in writing of his/her decision, including, if applicable, the disciplinary offense; the date on which the hearing took place; the participants at the hearing; key facts and conclusions reached by the principal/ designee; the length and effective date of the

suspension; the date of return to school; notice of the student's opportunity to receive education services and make academic progress during the suspension; and the student's right to appeal to the superintendent or his/her designee if a long-term suspension has been imposed. The long-term suspension will remain in effect unless and until the superintendent reverses the decision.

PROCEDURES FOR EXPULSIONS

Expulsion is the removal of a student from the school premises, regular classroom activities, and school activities for more than ninety (90) days, indefinitely, or permanently. While excluded, students shall have the opportunity to receive educational services and make academic progress.

Students may be expelled under the following statutes:

- G.L.c.71 § 37H, which permits the principal to expel a student for possession of a dangerous weapon; possession of a controlled substance; or assault on a principal, teacher, teacher's aide, or other educational staff members on school premises or at a school sponsored event
- G.L., c.71, § 37H ½ permits the principal to suspend a student, for a period of time determined appropriate by the principal, if the student is charged with a felony and the principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The principal may also expel a student for being convicted of a felony, or upon an adjudication or admission in court of guilt with respect to such a felony, and the principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

OTHER EXCLUSION FROM CLASS

A student may be sent to the office, assigned detention, or assigned ISS for any off the following non-exhaustive list of reasons:

- Repeated and habitual disruption of a class/assembly;
- Destruction of classroom equipment or supplies;
- Repeated actions which endanger the safety and well-being of others; and
- Verbal or physical threats toward the teacher or other students.

The administration will offer all available resources to assist those students who are experiencing difficulty in school. These resources may include counseling services offered by the guidance department and/ or any other interventions that are appropriate.

Finally, the responsibility for attendance and proper conduct in school rests with the parent. The School Committee recognizes its responsibility to provide whatever services are needed to assist the parent in meeting his or her obligations but maintains that the school cannot and should not attempt to do this alone.

DETENTION

Detention is an after school session provided for students as a disciplinary measure. A student who is assigned detention is expected to report on the assigned day and complete the written work assigned as part of detention. Students are to report to the assigned room by 2:50 p.m. with schoolwork and study materials. Detention is dismissed no later than 4:30 p.m. Detention may be postponed only under exceptional circumstances. Should the student be engaged in after school employment, athletics or extra-curricular events, it will be his/her responsibility to behave in such a manner that does not warrant detention; should detention be assigned, the student must make arrangements to stay. If a student does not report for detention and/or complete the

assignment for that period, the detention supervisor will contact the student's parents and report the situation to the Assistant Principal. Students may not be able to attend school until a meeting between the student, parent and school administration has been held and the assignment completed.

REPORTING REQUIREMENTS – G.L. c. 71, § 37L:

Section 37L. The school committee of each city, town or regional school district shall inform teachers, administrators, and other professional staff of reporting requirements for child abuse and neglect as specified in sections fifty-one A to fifty-one F, inclusive, of chapter one hundred and nineteen, and the reporting requirements relating to fires in section 2A of chapter 148.

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

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

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

SUBSTANCE ABUSE POLICY

The Berkshire Hills Regional School District is legally and ethically obligated to create an environment that preserves the safety and honors the learning of all students. Consistent with W. E. B. Du Bois's focus on Positive Behaviors Interventions, and Supports (PBIS), students are expected to respect the safety of the school community and themselves by abstaining from the use and abuse of substances.

In addition, the Berkshire Hills Regional School District provides age-appropriate, developmentally appropriate, evidence-based alcohol, tobacco, and drug prevention education programs in grades K-12 and uses a verbal tool to screen pupils for substance abuse disorders in grades 7 and 9. A parent or guardian may opt out of the screening by written notification at any time prior to or during the screening in view of the fact that the use of alcohol and/or drugs can endanger the health and safety of the user, and recognizing the deleterious effect the use of drugs or alcoholic beverages can have on the maintenance of general order and discipline, the District prohibits the use of, serving of, or consumption of any alcoholic beverage or drugs, such as marijuana, steroids or any controlled substance, on school property or at any school function.

The following procedures have been established to inform students of their rights and responsibilities as well as the actions to be taken regarding drug and alcoholic beverage possession, use, distribution or sale. In addition to the following procedures, any student who

unlawfully uses, possesses, sells or otherwise distributes a drug, synthetic drug, alcoholic beverage or drug paraphernalia while on school property, during an off-school site activity, or at a school-sponsored activity, may be subject to suspension or expulsion based on the outcome of an investigation. See also G. L. c. 71, § 37H, below.

DEFINITION OF TERMS

Alcoholic Beverage: Any beverage or solid containing an amount of alcohol that is greater than one-half of 1% by volume.

Drugs: Any substance that has a physiological effect when ingested or otherwise introduced into the body, including nicotine. ~~and~~ This includes any medicine that is not administered by the school nurse as prescription medication or self-administered as described below.

All medication, including prescription drugs to be taken for medical purposes, must be administered under the supervision of the school nurse, with the exceptions of the following medications that may be self-administered: inhalers, enzyme supplements for cystic fibrosis, glucose monitoring tests and insulin delivery systems for diabetes, and epinephrine pens. All requests for students with disabilities to self-administer medications may be directed to their 504 or IEP TEAMS, or to the school nurse. All other medications must be given to the nurse at the beginning of the school day and taken in her presence unless otherwise provided by a student's IEP or 504 Team, or the school nurse.

Use: The self-administration of any drug or substance that is not approved by a student's IEP or 504 Team, or the school nurse..

Possession: Having of an alcoholic beverage or a drug or drug paraphernalia (a) on one's person, (b) among one's personal possessions such as in a locker, motor vehicle, book bag or purse, or (c) within the reasonable immediate vicinity or control of one's person.

Substance Abuse: A maladaptive pattern of substance use leading to clinically significant impairment or distress.

Contraband: A drug, alcoholic beverage, or drug paraphernalia. Paraphernalia may include any Juul or vaping device or any other system that aids in the delivery of a drug or nicotine.

Common examples of substance use and abuse experienced by schools include, but are not limited to:

1. A student voluntarily acknowledges to school personnel the presence of a substance abuse concern.
2. A student is suspected to be under the influence of drugs or alcohol.
3. A student is found to be in possession of a drug, alcoholic beverage or drug paraphernalia for personal use or sale.
4. A student not enrolled in Berkshire Hills Regional School District is believed to be under the influence of a drug or in possession of a drug or drug paraphernalia.

SUBSTANCE ABUSE PROCEDURES

1. A student voluntarily acknowledges to school personnel the presence of a substance abuse concern outside of the G. L. c. 71, § 97 screening process. (Note that the process for responding to these concerns during screening is governed by that statute, which prohibits disclosure of the statement without written student consent).

School Procedure

- A. The administration shall be immediately notified.
- B. The student shall be referred to school counselors.
- C. The student's legal guardian(s) shall be notified and a meeting of the student, guardian(s) and school officials shall be held to discuss appropriate options for treatment.
- D. A designated school official will follow up with students and families at dates, times, and at a frequency agreed upon by all involved parties to support the student and family in finding and maintaining appropriate treatment.

2. A student is suspected to be under the influence of drugs or alcohol for reasons unrelated to the aforementioned screening process.

School Procedure

- A. The administration shall be immediately notified.
- B. The administration, in cooperation with the school's nurse, will assess the student and situation to determine if further evaluation or care is necessary.
 - *If further evaluation or care is not necessary*, administration will investigate the claim and report all findings to parents and school counselors to determine next steps.
 - *If further evaluation or care is necessary*, administration will work with the nurse to determine the severity of the impairment so that emergency care can be sought if necessary.
- C. If no emergency care is necessary, the student will be supervised by the school nurse until they can be returned to the care of their parent or guardian.
- D. School consequences, specific to the incident, will be issued at this time. Local law enforcement may be notified of the incident at this stage.
- E. Once the student is ready to return to school, a meeting will be scheduled, and a support plan, designed to prevent a recurrence of the behavior, will be created. A designated school official will follow up with students and families at dates, times, and at a frequency agreed upon by all involved parties.

3. A student is found to be in possession of a drug, alcoholic beverage or drug paraphernalia either for personal use or sale.

School Procedure

- A. The administration shall be immediately notified.
- B. The administration, in cooperation with the school's nurse, will assess the situation according to section II (student use).
- C. The parent/guardian shall be notified and the student will be removed from school property for the remainder of the day.

D. School administration will conduct a full investigation in order to determine appropriate school action including logical next steps to support the involved student. Investigators will consider the following circumstances when reaching a decision:

- The student's engagement, or willingness to engage, in treatment programs related to substance use and abuse or behaviors that may be contributing to substance abuse
- The number of prior incidents involving drugs, alcohol, or nicotine
- Whether or not the student possessed the substance for the purpose of selling it to others
- Specific factors related to the type and quantity of the substance
- Other specific factors related to the present incident

E. School consequences, specific to the incident, will be issued at this time. Local law enforcement is notified of the incident at this stage, and any confiscated contraband may be turned over to police.

F. Once the student is ready to return to school, a meeting will be scheduled, and a support plan, designed to prevent a recurrence of the behavior, will be created. A designated school official will follow up with students and families at dates, times, and at a frequency agreed upon by all involved parties.

4. A student not enrolled in Berkshire Hills Regional School District is believed to be under the influence of a drug or in possession of a drug or drug paraphernalia.

School Procedure

- A. The administration is shall immediately be notified.
- B. School administration will take all necessary steps to arrange for the safe removal of the student from campus including assessing the situation according to section 2 (student use).
- C. If appropriate, the parent/guardian shall be notified.
- D. Contraband will be turned over to the police.
- E. The administration of the student's sending school will be notified.

School appropriate disciplinary actions increase with subsequent offenses.

NICOTINE REGULATIONS

In order to create and ensure an environment that is mindful of, and responsive to, the health and wellness of all students, W. E. B. Du Bois observes a policy designed to educate students on the dangers of nicotine use while honoring the right of all students to learn in a smoke and nicotine free environment. The following procedures are designed to uphold the law, educate students about the dangers of nicotine use and abuse, and help students struggling with nicotine use to find safe pathways to cessation.

If a student is found to be using tobacco, chewing tobacco, a Juul, vape, or any other type of device designed to aid in the use of nicotine, outside of the building:

1. The student will be allowed due process.

2. School administration will meet with the student and their guardian either in person or via telephone to discuss the circumstances of the infraction and to determine a school appropriate response.

3. A school appropriate response to nicotine use can include any combination of the following:

- student assignment to a school sponsored substance abuse cessation program
- an agreement between the family and school on an appropriate outside program to address nicotine abuse or the behaviors that manifest the abuse.
- a school appropriate step designed to repair the harm done to the school community.
- a school consequence appropriate to the specific details of the offense and the number of prior offenses incurred by the student.

If a student is found to be using tobacco, a Juul, vape, or any other type of device designed to aid in the use of nicotine, inside of the building:

1. The student will be allowed due process.

2. School administration will meet with the student and their guardian either in person or via telephone to discuss the circumstances of the infraction and to determine a school appropriate response.

3. A school appropriate response to nicotine use can include any combination of the following:

- student assignment to a school sponsored substance abuse cessation program
- an agreement between the family and school on an appropriate outside program to address nicotine abuse or the behaviors that manifest the abuse.
- a school appropriate step designed to repair the harm done to the school community.
- a school consequence appropriate to the specific details of the offense and the number of prior offenses incurred by the student.

MEDICATIONS

All medications are kept securely the nurse's office, except for the following medications that may be self-administered by a competent child: inhalers, enzyme supplements for cystic fibrosis, glucose monitoring tests and insulin delivery systems for diabetes, and epinephrine pens. All requests for students with disabilities to self-administer medications may be directed to their 504 or IEP Teams, or to the school nurse. With all other medications, an adult must deliver medications directly to the nurse and students are not to bring in their own medications. The school nurse administers prescription medications with an order from the prescribing doctor. Over the counter medications can be administered with written consent from the legal guardian. This includes sunscreen and insect repellent.

ADMINISTRATIVE ACTION IN CASES INVOLVING DRUGS, CONTROLLED SUBSTANCES, WEAPONS, OR STAFF MEMBER ASSAULTS –G.L. c. 71, § 37H:

The superintendent of every school district shall publish the district's policies pertaining to the conduct of teachers and students. Said policies shall prohibit the use of any tobacco products within the school buildings, the school facilities or on the school grounds or on school buses by any individual, including school personnel. Said policies shall further restrict operators of school buses and personal motor vehicles, including students, faculty, staff and visitors, from idling

such vehicles on school grounds, consistent with section 16B of chapter 90 and regulations adopted pursuant thereto and by the department. The policies shall also prohibit bullying as defined in section 37O and shall include the student-related sections of the bullying prevention and intervention plan required by said section 37O. Copies of these policies shall be provided to any person upon request and without cost by the principal of every school within the district.

Each school district's policies pertaining to the conduct of students shall include the following: disciplinary proceedings, including procedures assuring due process; standards and procedures for suspension and expulsion of students; procedures pertaining to discipline of students with special needs; standards and procedures to assure school building security and safety of students and school personnel; and the disciplinary measures to be taken in cases involving the possession or use of illegal substances or weapons, the use of force, vandalism, or violation of a student's civil rights. Codes of discipline, as well as procedures used to develop such codes shall be filed with the department of education for informational purposes only.

In each school building containing the grades nine to twelve, inclusive, the principal, in consultation with the school council, shall prepare and distribute to each student a student handbook setting forth the rules pertaining to the conduct of students. The student handbook shall include an age-appropriate summary of the student-related sections of the bullying prevention and intervention plan required by section 37O. The school council shall review the student handbook each spring to consider changes in disciplinary policy to take effect in September of the following school year, but may consider policy changes at any time. The annual review shall cover all areas of student conduct, including but not limited to those outlined in this section.

Notwithstanding any general or special law to the contrary, all student handbooks shall contain the following provisions:

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

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

(c) Any student who is charged with a violation of either paragraph (a) or (b) shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the principal. After said hearing, a principal may, in his discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraph (a) or (b).

(d) Any student who has been expelled from a school district pursuant to these provisions shall have the right to appeal to the superintendent. The expelled student shall have ten days from the date of the expulsion in which to notify the superintendent of his appeal. The student has the right to counsel at a hearing before the superintendent. The subject matter of the appeal shall not

be limited solely to a factual determination of whether the student has violated any provisions of this section.

(e) Any school district that suspends or expels a student under this section shall continue to provide educational services to the student during the period of suspension or expulsion, under section 21 of chapter 76. 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 in an education service plan, under section 21 of chapter 76.

(f) Districts shall report to the department of elementary and secondary education the specific reasons for all suspensions and expulsions, regardless of duration or type, in a manner and form established by the commissioner. The department of elementary and secondary education shall use its existing data collection tools to obtain this information from districts and shall modify those tools, as necessary, to obtain the information. On an annual basis, the department of elementary and secondary education shall make district level de-identified data and analysis, including the total number of days each student is excluded during the school year, available to the public online in a machine readable format. This report shall include district level data disaggregated by student status and categories established by the commissioner.

(g) Under the regulations promulgated by the department, for each school that suspends or expels a significant number of students for more than 10 cumulative days in a school year, the commissioner shall investigate and, as appropriate, shall recommend models that incorporate intermediary steps prior to the use of suspension or expulsion. The results of the analysis shall be publicly reported at the school district level.

ADMINISTRATIVE ACTION IN CASES INVOLVING FELONY CHARGES AND CONVICTIONS –G.L. c. 71, §37H½:

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

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

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

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

Any school district that suspends or expels a student under this section shall continue to provide educational services to the student during the period of suspension or expulsion, under section 21 of chapter 76. 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, under section 21 of chapter 76.

RESTRAINT OF STUDENTS IN PUBLIC SCHOOLS

In December 2014, the Department of Elementary and Secondary Education (DESE) officially approved changes to the physical restraint regulations applicable to public education programs. The definitions of what constitutes a physical restraint have been amended substantially. Furthermore, the regulations impose additional due process, incident reporting, and data review requirements.

New procedures are in place to assure that every physical restraint is reported and logged in the main office; that the principal (or designee) notifies the parents verbally and in writing of every restraint; that parents/students have the opportunity to comment on the restraint or a report of the restraint; that a principal (or designee) personally approves every restraint over 20 minutes and every time-out over 30 minutes; that the principal (or designee) has a weekly review of individual student restraint data; and that the principal (or designee) reviews school-wide restraint data on a monthly basis.

BHRSD complies with the provisions of 603 CMR 46.00 dealing with restraint of students in the public schools. To that end, the District's policy is developed pursuant to those regulations and is available upon request from the central office.

DISCIPLINE PROCEDURE FOR STUDENTS WITH DISABILITIES OR IMPAIRMENTS

All students are expected to meet the requirements for behavior as set forth in this Handbook. State and federal law requires that additional provisions be made for students with disabilities.

Students with Special Needs or 504 students may be suspended for up to ten (10) consecutive days, or ten (10) cumulative days, in any one school year, as would any other student under this handbook. Suspensions or exclusions in excess of ten (10) consecutive days or ten (10) cumulative days may also occur, provided that the conduct for which the student is being disciplined is not a manifestation of his/her disability (see below), and for special education students, that the District provides services to allow the students to receive a free and appropriate public education ("FAPE") during the suspension or exclusion. Section 504 students are not entitled to FAPE during the period of exclusion if the discipline is not a manifestation of the disability, but are entitled to make academic progress and educational services during a suspension, like a regular education student.

When a Special Needs or 504 student has been suspended for more than ten (10) consecutive or cumulative days in a school year, the Team will meet to conduct a manifestation determination. The manifestation determination Team must consider all relevant information in the student's file, including the student's IEP (or 504 Plan), in order to determine whether the behavior prompting disciplinary removal was a manifestation of the student's disability. The Team determines whether or not the misconduct was a manifestation by deciding two questions:

1) Is the misconduct the result of failure to implement the student's IEP or 504 Plan?
AND

2) Is the misconduct caused by, or does it have a direct and substantial relationship to the student's disability?

A summary of the manifestation determination review will be written and a copy provided to the parent(s)/guardian(s) as soon as possible after the review, but no later than five (5) school days after the review.

If the Team finds that the misconduct was not a manifestation of the student's disability, then the student may be disciplined according to the discipline policy otherwise outlined in this Handbook. Special education students will receive a free and appropriate public education during this period of suspension or exclusion. 504 students have a right to make academic progress and receive educational services like regular education students pursuant to Chapter 222. The student's Team should also consider whether a functional behavioral assessment (FBA), behavioral intervention plan, or changes to the student's IEP/504 Plan would be appropriate. If the Team finds that the misconduct was a manifestation of the student's disability, then the school may still be able to implement an IAES (see below), but otherwise the student has a right to return to his or her placement. The student's Team will arrange for a functional behavioral assessment (if one has not been recently conducted on the student) and the development or modification of a behavior intervention plan.

Federal and state law also allow school personnel to move a student with disabilities to an interim alternative educational setting (IAES) for up to 45 school days, if that student is in possession of a dangerous weapon at school or a school function or on school property; is in possession or uses a controlled substance or sells or solicits the sale of a controlled substance while at school or a school function or on school property; or inflicts serious bodily injury on a person, including him/herself. Under these circumstances, an IAES placement may be made

whether or not the conduct was a manifestation of the student's disability. The appropriate interim alternative educational setting shall be determined by the student's Team.

The IDEA and G.L. c. 71B also allow school personnel the option of pursuing an expedited hearing at the Massachusetts Bureau of Special Education Appeals (BSEA) to change the current educational placement of a student with a disability if remaining in that placement is substantially likely to result in injury to the student or others.

If the parent/guardian (or student 18 years or older) disagree with the Team's manifestation determination, or with the decision to place the student in an interim alternative educational setting, said parent/guardian (or student 18 years or older) also has the right to request an expedited due process hearing from the BSEA.

The Principal (or designee) will notify the Special Education Office of the suspendable offenses of a special needs student and a record will be kept of such notices.

Additional information on the discipline procedures for students with disabilities is available from the Special Education Department.

Students not yet eligible for special education or a 504 Plan

A child who has not been determined to be eligible for special education and related services or a 504 Plan and who has engaged in behavior that violates a code of student conduct may be eligible for the protections described above if the school has reason to suspect that the child has a disability and is in need of services. Please contact the Director of Special Education for more information.

PARENTAL NOTIFICATION LAW

The Massachusetts Parental Notification Law ensures that parents and guardians are notified about any curriculum that primarily involves human sexuality education or human sexuality issues. The law also states that parents are permitted to exempt their children from any portion of that curriculum without penalty.

Sex ed at W. E. B. Du Bois is part of our health curriculum.

TRANSFER OF PARENTAL RIGHTS THROUGH DECISION MAKING

The Berkshire Hills Regional School District informs students and families regarding the age of majority through the Team process and by written notice to all special education students and their parents, one year prior to age 18.

RESTITUTION

Students and their parents 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 administration. The administration shall establish the repair or replacement cost of the property in question and the student will be billed accordingly. The student or parent shall make restitution payable to MVRMS. Total payment must be made prior to the next school year.

SCHOOL ACTIVITIES

During the year there will be special activities designed for teams and/or specific grade levels. Information regarding these events will be found on our calendar and website. Most of these events are chaperoned by staff who volunteer their time. Should you wish to help chaperone please call the school. Prompt pick up at the end of the event is greatly appreciated.

SCHOOL CLOSING OR DELAY

The district will be using an automated calling system to alert families via phone and/or email of delays and closings. Please keep the school informed of phone number and email address changes. Information is also posted on www.bhrrsd.org

In addition, school closings or delayed openings will be announced as early as possible on the following radio stations: WSBS 860, WBRK 1340, and WUPE 100.1. The following TV stations will also have information: WWLP/TV22, WRGB/6, and WTEN/10.

GENERAL EDUCATION TEAM MEETINGS

Team teachers meet regularly to coordinate instruction and to review the progress of their students. Parents can arrange to meet with their child's team by contacting your child's homeroom teacher via e-mail or voice mail.

WATER BOTTLE GUIDELINES

- Water bottles are only to be filled with water
- Use clear bottles only
- Fill up bottles between classes or during free time and get to class on time (Filling up a bottle is not an excuse for being late to class)
- Privileges can be removed by your classroom teacher if the rules are not followed.
- Teachers have a choice to keep water bottles in a certain area of the room.
- Bottles are to be used appropriately.
- Bottles are to be used for drinking water only.
- Clean up the water if you spill it.
- Recycle all non-reusable bottles.

WEBSITE

Parents will find a great deal of information on our district and school website. Please check out www.bhrrsd.org, and click on the W. E. B. Du Bois link. After school events and other school news will also be available there. Bookmark our site and check in daily! Please let us know what other information would be helpful as we continue updating our pages.

WEEK AT A GLANCE

Each Friday an overview of the upcoming week is sent to parents who have an email listed. Paper copies are distributed to students without an e-mail address. The Week at a Glance talks about upcoming events and provides the school lunch menus.

EMERGENCY DRILLS

Fire and emergency drills are conducted on a regular basis to ensure safe evacuation of everyone in the school. The alarms can be heard throughout the school and also flash repeatedly for the

hearing impaired. Fire exits are posted in all rooms. When the alarms are sounded, students are to follow the teacher's directions to exit the building in a rapid but orderly fashion. Students are to remain outside with your teacher until the "all clear" is sounded. Under no circumstances should students come back into the building until the all clear is sounded.

ASBESTOS HAZARD EMERGENCY RESPONSE ACT (AHERA)

Each year the school is required by Federal Law to inform you of the status of asbestos in the school. At this time we are in the process of complying with all applicable Federal and State regulations. The asbestos management plan is on file in the office and accessible to you upon request. In addition, the school has successfully completed its inspections by the Fire Department and the Building Inspector.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT AND STUDENT RECORDS

Both Massachusetts and the federal government have laws that exist to insure parents' and students' rights of confidentiality, inspection, amendment, and destruction of student records, and to assist school authorities in their responsibilities for the maintenance of school records. In Massachusetts, those laws are found at G.L. c.71, §§ 34A, 34D, 34E, and 34H and at 603 CMR 23.00. The federal student records law is called the Family Educational Rights and Privacy Act and is found at 20 U.S.C. section 1232g; 34 CFR 99, further information is available at the link below: <http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html>

The following definitions apply to these subsections:

Authorized School Personnel (CMR)/ School Officials (FERPA):

School administrators, teachers, counselors, special education team members, clerical personnel, and other professionals who are employed by the school committee or who are providing services to the student under an agreement between the school committee and a service provider, and who are working directly with the student in an administrative, teaching, counseling, and/or diagnostic capacity. It includes attorneys, contractors, electronic/online vendors, consultants, volunteers, interns, or other parties to whom the school has outsourced institutional services or functions.

Legitimate Educational Interest:

Authorized School Personnel/ School Officials have a legitimate education interest in a student record when access to that record is necessary in order to fulfill his/ her professional responsibilities.

Eligible Students:

Any student who is 14 years of age or older or who has entered ninth grade, unless the School Committee has acting pursuant to 603 CMR 23.01(4) extends the rights and provisions of 603 CMR 23.00 to students under the age of 14 or to students who have not yet entered ninth grade.

Release of educational information by the school:

Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record, and parents may consent to the disclosure of educational records to any third party. However, FERPA and Massachusetts student records laws allow schools to disclose those records, without consent, to the following parties or under the following conditions:

- Other schools to which a student is transferring (please note that our schools will also request and receive student records from the school of origin for students transferring into

the District, and will be able to receive these records without additional consent upon receiving notice that the student will be enrolling in the District);

- Authorized School Personnel/ School Officials, when they have a legitimate educational interest in the materials.
- Administrative office staff and clerical personnel who are either employed by the school committee or are employed under a school committee service contract, and whose duties require them to have access to student records for purposes of processing information for the student record;
- Specified officials for audit, enforcement, or evaluation purposes, provided that except when collection of personally identifiable data is specifically authorized by law, any data collected by such officials shall be protected so that parties other than such officials and their authorized agents cannot personally identify such students and their parents;
- Local and state health department personnel to student health records, when such access is required in the performance of official duties;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and
- State and local authorities, within a juvenile justice system, pursuant to specific State law.

Under 603 CMR 23.07(4)(a) a school may release the following “directory” information without prior consent: “a student’s name, address, telephone listing, date and place of birth, major field of study, dates of attendance, weight and height of members of athletic teams, class, participation in officially recognized activities and sports, degrees, honors and awards, and post-high school plans.” Parents and eligible students may request that this information not be released without prior consent.

As referenced in 603 CMR 23.07(4)(g), the District forwards education records to other agencies or institutions that have requested the records and in which the student seeks or intends to enroll or is already enrolled so long as the disclosure is for purposes related to the student’s enrollment or transfer.

Under section 37L of G.L., c. 71, any student transferring into a new school district must provide the new district with “a complete school record,” including but not limited to, “any incidents involving suspension or violation of criminal acts or any incident reports in which such student was charged with any suspended act.”

Please also note that all student records will be destroyed 30 days after the student’s graduation from MMRHS or 30 days after transferring to another school. **This handbook hereby provides students and parents/ guardians with notice of destruction of records.** Parents/ guardians/ adult students are encouraged to request and procure student records from the central office within 30 days of a student’s graduation or transfer to another school.

RIGHT OF ACCESS, INSPECTION, AND REQUEST FOR AMENDMENT OF RECORDS BY CUSTODIAL PARENTS AND ELIGIBLE STUDENTS

Pursuant to 603 CMR 23.07, parents and eligible students shall be given access to the student record within ten days after the initial request and have the right to inspect the records. Upon

request, school officials will meet with the parent/ eligible student to interpret the records. The parent/ eligible student also has a right to have the records inspected by third parties.

Parents/ eligible students may also add information, comments, data, or other relevant information to the student record. They may submit written requests for amendment or deletion of all educational records, with the exception of records entered by a special education evaluation team. If parents/ eligible students wish to have special education records amended or deleted, they may request a meeting with the school principal or his/ her designee, or the special education team to discuss their concerns.

NON-CUSTODIAL PARENTAL REQUEST FOR STUDENT RECORDS

G..L. c. 71, § 34H

Any parent who by court order does not have physical custody is considered a non-custodial parent. A non-custodial parent may have access to the student record in accordance with law and Department of Education regulations, found at 603 CMR 23.07. A non-custodial parent requesting information shall submit a written request to the school principal.

Any parent who does not have physical custody shall be eligible to receive access to the student record unless:

- Parent's access is currently prohibited by temporary or permanent protective order, unless this order specifies access to such information.
- The parent is denied visitation; or, based on threat to safety of the child, is currently denied legal custody, or is court-ordered to be under supervised visits, and such threat is specifically noted in the custody or visitation order.
- There is an order of a probate and family court judge which prohibits the distribution of student records to the parent.

Once a request is received, the school shall review the student's records for any documentation limiting or restricting the non-custodial parent's access to the information or records. The district shall notify the custodial parent of the request by certified mail in both primary language of the custodial parent and in English that it will provide the information after 21 days, unless the custodial parent provides the principal with documentation that the parent is not eligible for the information. Such documentation includes:

- A court order prohibiting contact with the student, as outlined above;
- A (temporary or permanent) court order plainly prohibiting the distribution of information to provide protection to the student from abuse by the requesting parent; and
- Subsequent orders modifying a protective order that would otherwise allow such access. In this case, the custodial parent must contact the school to notify administration of any such modified court orders and provide documentation thereof.

If the custodial parent responds and provides any of the above documents, these records are to be placed in the student's file. If the custodial parent does not produce such documentation, the student records will be provided to the non-custodial parent, except that all electronic and postal address and telephone numbers relating to work or home of the custodial parent shall be removed from the records sent. Furthermore, student records provided to a non-custodial parent will be stamped to indicate that they cannot be used to enroll the student in school elsewhere.

If a student is the subject of any temporary/permanent custody order, decree, or agreement, a copy of the custody order, decree or agreement – either signed by the judge of the probate court

in the case of an order or decree or signed by both parents in the case of an agreement – must be provided to the main office.

These orders are important for determining access to the student's records, the right to have the student dismissed into the care of an individual, the right of access to a student's teacher and similar issues. Parents are responsible for notifying the school of any changes in the custody order, decree, or agreement.

These records are to be placed in the student's file. Each elementary and secondary school shall provide student records within ten days including, but not limited to:

- Report cards and Progress Reports
- Results of standardized testing
- Notice of referral for special education evaluation
- Notification of enrollment in ESL program (Chapter 71A)
- Notification of absences and illnesses
- Notification of detentions, suspensions, or expulsions
- Notification of permanent withdrawal from school

Upon receiving oral or written notice that the student seeks or intends to transfer to another school, the District will send a student's records to the school to which a student seeks or intends to transfer. The District does not require the consent of the eligible student or parent to forward these records.

PROTECTION OF PUPIL RIGHTS AMENDMENT

The Protection of Pupil Rights Amendment (PPRA) requires that the school notifies you to obtain consent or allow you to opt out of the following school activities: a student survey, analysis, or evaluation that concerns one or more of the following eight areas ("protected information surveys"):

1. Political affiliations or beliefs of the student or student's parent;
2. Mental or psychological problems of the student or student's family;
3. Sex behavior or attitudes; illegal, anti-social, self-incriminating, or demeaning behavior;
4. Critical appraisals of others with whom respondents have close family relationships;
5. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
6. Religious practices, affiliations, or beliefs of the student or parents; or
7. Income, other than as required by law to determine program eligibility.

This requirement also applies to the collection, disclosure or use of student information for marketing purposes ("marketing surveys"), and certain physical exams and screenings.

The District will provide parents, within a reasonable period of time prior to the administration of the surveys and activities, a notification of the surveys and activities and be provided an opportunity to opt their child out, as well as an opportunity to review the surveys. (Please note that this notice and consent/opt-out transfers from parents to any student who is 18 years old or an emancipated minor under State law).

Any allegations of FERPA violations relating to the above sections may be directed to the U.S. Department of Education's Family Compliance Office, located at 400 Maryland Avenue, SW, Washington, DC 20202.

MCKINNEY-VENTO HOMELESS EDUCATION ACT/TITLE I FOSTER CARE

According to the Federal McKinney-Vento Homeless Education Assistance Act, schools are required to immediately enroll homeless students in school, even if they do not have the documents usually required for enrollment, such as school records, medical records or proof of residency. There are similar protections under Title I of the Every Student Succeeds Act for foster care students. For additional information regarding the education of homeless students, please contact the homeless liaison coordinator, [insert coordinator here] For information regarding foster care students, please contact the DCF liaison [insert coordinator here].

The BHRSD prohibits discrimination or harassment based on homelessness. Any complaints of discrimination or harassment based on homelessness may be reported to the homeless liaison and will be investigated using the same process and steps as the District's non-discrimination procedures.

ENGLISH LANGUAGE EDUCATION (ELE)

The goal of the English Language Education (ELE) program of the Berkshire Hills Regional School District is to support the progress of LEP (Limited English Proficient) students in the four English language domains of reading, writing, listening, and speaking. These students (known as English Language Learners (ELL)) receive content instruction in English at the appropriate academic and grade level. Any newly enrolled student with a language other than English spoken at home will be assessed for English Language Proficiency within 30 days of enrollment at school. Based on the results, students will be placed in a regular education classroom/schedule with support services in English as a Second Language as needed.

All parents have the right to waive ESL services. Information on the waiver procedure is available through the principal of each school. A language Assessment Team (LAT) will convene once a student is identified as LEP. The LAT may include, but is not limited to: parent/guardian, principal, guidance counselor and/or school psychologist, ELL coordinator, teachers, and interpreter (when possible and if necessary). During that meeting, a specific education plan and schedule for the year will be developed. Programming options available to students are documented in the student/parent handbook. The mini-handbook (in Spanish and English) for students eligible for ELE services and their parents/guardians also provides information about ELE programming options and legislative rights.

All students will be assessed annually for progress. Once deemed fluent in spoken and written English. The student (now known as FLEP=formerly Limited English proficient) will be exited from the ELE program and monitored for at least one year to insure continued progress. (*See Section I, Policy IHBE of the BHRSD Policy Book for full policy*)

EQUAL EDUCATIONAL OPPORTUNITIES

In recognition of the diversified characteristics and needs of our students and with the keen desire to be responsive to them, the School Committee will make every effort to protect the dignity of the students as individuals. It also will offer careful consideration

and sympathetic understanding of their personal feelings, particularly with reference to their race, creed, sex, religion, nationality, and physical and intellectual differences.

To accomplish this, the Committee and its staff will make every effort to comply with the letter and the spirit of the Massachusetts equal educational opportunities law (known as Chapter 622 of the Acts of 1971), which prohibits discrimination in public school admissions and programs. The law reads as follows:

No child shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and course of study of such public school on account of race, color, sex, religion, national origin, gender identity or sexual orientation, disability or homelessness.

This will mean that every student will be given equal opportunity in school admission, admissions to courses, course content, guidance, and extracurricular and athletic activities.

All implementing provisions issued by the Board of Education in compliance with this law will be followed. *(See Section J, Policy JB of the BHRSD Policy Book for full policy)*

W. E. B. DU BOIS REGIONAL MIDDLE SCHOOL EMERGENCY PROCEDURES

EVACUATION

An evacuation of a building could be necessary as a result of many possible emergency situations including but not limited to fire, gas leak, hazardous materials release, or a bomb threat. To evacuate a school building is a decision made by the building administrator. The type of evacuation will vary depending on the circumstances surrounding the cause of the evacuation. There are four possible evacuations.

- The first evacuation is to leave the building and go directly to a pre-designated location to be accounted for and then wait for clearance to re-enter the building. The building should not be re-entered until the building administrator determines it is safe for re-entry.
- The second type of evacuation is to leave one building and go to another. The middle school will go to the elementary school in this instance.(High school goes to elementary/Elementary goes to middle school or high school depending on the situation) When two schools are being evacuated they will proceed to the remaining school.
- The third type of evacuation is to leave the building and board buses to report to our designated shelter location – Hevreh of Southern Berkshire. (High school goes to Hillcrest Education Center/Brookside Campus and Elementary reports to Berkshire South Youth Center)
- The fourth option is to evacuate the building by way of dismissing for the day.

In all four possible evacuations it is the role of the Critical Response Team to determine the best option, communicate that throughout the building and take all steps necessary to carry out the evacuation in an expeditious and orderly manner accounting for everyone throughout the entire evacuation.

Posted in each classroom are directions for the escape path for occupants of that classroom. Students are to leave the classroom quickly and quietly and report to the designated area with the teacher. Should a designated path be blocked, the teacher is to select an alternate path and lead the class outside. At that time attendance is to be taken and students are to remain with the teacher until directed to return to class or another location.

CONCUSSION MANAGEMENT AND RETURN TO PLAY REQUIREMENTS

Student/ athletes and Parents are required to read and sign off on the Concussion and Opioid fact sheets prior to athletic participation.

Assumption of Risk

All student/ athletes and parents must realize that participation in sports carries a risk of injury including possible concussion, and, by agreeing to participate in athletic activities and signing a parental permission form on behalf of their children/ themselves, they thereby assume the risks of such injury. It is imperative that extreme care and attention be used at all times by all parties. Specific provisions for exercising care can be found below and on this Website: [<http://www.cdc.gov/headsup/index.html>].

Concussion Management and Return to Play Requirements “When in Doubt- Sit It Out”

“A concussion is a complex disturbance in brain function, due to direct or indirect trauma to the head, related to neurometabolic dysfunction, rather than structural injury. Even a “ding,” “getting your bell rung,” or what seems to be a mild bump or blow to the head can be serious. Concussions can also result from a fall or from players colliding with each other or with obstacles, such as a goalpost.” (Centers for Disease Control and Prevention, 2009).

Part I: Signs and Symptoms of a Concussion

A concussion should be suspected if any one or more of the following signs or symptoms are present, or if the coach/evaluator is unsure.

1. Signs of a concussion may include (what the athlete looks like) the following:

- Confusion / disorientation / irritability
- Act silly / combative / aggressive
- Trouble resting / getting comfortable
- Repeatedly ask same questions
- Lack of concentration
- Dazed appearance
- Slow response / drowsiness
- Restless / irritable
- Incoherent / slurred speech
- Constant attempts to return to play
- Slow / clumsy movements
- Constant motion
- Loss of consciousness
- Disproportionate / inappropriate reactions
- Amnesia / memory problems
- Balance problems

2. Symptoms of a concussion may include (what the athlete reports) the following:

- Headache or dizziness
- Over sensitivity to sound / light / touch
- Nausea or vomiting
- Ringing in ears
- Blurred or double vision
- Feeling foggy or groggy

Note: DPH regulation 105 CRM 201 requires that a coach MUST immediately remove a student/ athlete from participating in any intramural or interscholastic athletic activity who (A) is observed to exhibit signs, symptoms or behaviors consistent with a concussion or (B) is diagnosed with a concussion regardless of when such concussion or head injury may have occurred or (C) sustains a head injury or suspected concussion. Under this regulation, coaches must also prohibit student/ athletes from engaging in any unreasonably dangerous athletic techniques and encourage techniques designed to promote safety. Failure to comply with this regulation may result in penalties including, but not limited to, personnel sanctions and the forfeiture of games.

Additionally, coaches, licensed athletic trainers, trainers, volunteers, school and team physicians, school nurses, athletic directors, marching band directors, students engaged in athletic activities

and their parents must annually read, sign, and acknowledge understanding and receipt of DPH approved concussion education materials provided by the school. While this information provides a useful reference regarding indicators of concussion in student/ athletes, it is not a substitute for reading, signing, and acknowledging receipt of those materials.

Part II: Return to Participation (RTP)

Currently, it is impossible to accurately predict how long concussions will last. There must be full recovery before someone is allowed to return to participation. Massachusetts Law now requires that no athlete may resume participation until they have received written medical clearance from a licensed health care professional (Physician or the following individuals in consultation with a licensed physician: Nurse Practitioner, Physician Assistant, Neuropsychologist or Athletic Trainer). Therefore, the following procedures will apply when a Pre-Participation Head Injury/ Concussion Form reveals a recent prior concussion (beginning with procedure 5) or when a concussion occurs during the sports season:

Concussion management requirements:

1. No student/ athlete SHALL return to participation (RTP) on the same day of concussion.
2. The coach shall communicate the nature of the injury directly to the parent in person or by phone and the licensed athletic trainer immediately after the practice or competition in which a student/ athlete has been removed from play for a head injury, suspected concussion, signs and symptoms of a concussion, or loss of consciousness. The coach or licensed athletic trainer also must provide this information to the parent in writing in English and in the language of the home on the Report of Head Injury during Sports Season Form, whether paper or electronic format, by the end of the next business day. If the athlete is injured during the season but not while involved in any school athletic or extra-curricular activity, the parent must complete the Report of Head Injury during Sports Season Form and provide it to the student/ athlete's licensed athletic trainer/ coach.
3. The licensed athletic trainer/coach shall communicate, prior to the next school day with the Athletic Director and school nurse that the student/ athlete has been removed from practice or competition for a head injury, suspected concussion, signs and symptoms of a concussion, or loss of consciousness. The licensed athletic trainer/coach will provide the Report of Head Injury during Sports Season Form to the nurse and Director of Athletics. The school nurse will contact the student's teacher and guidance counselors.
4. If a student/ athlete is suspected of having a head injury or concussion, the student/ athlete will be referred immediately to their primary care physician or the emergency room and will be given a symptom checklist for review by medical personnel. Any loss of consciousness, vomiting or seizures the student/ athlete MUST be immediately transported to the hospital. Any student/ athlete with signs or symptoms related to a concussion MUST be evaluated from a licensed health care professional Physician or the following individuals in consultation with a licensed physician: Nurse Practitioner, Physician Assistant, Neuropsychologist or Athletic Trainer). These individuals must have received the appropriate training to make certifications.
5. Each student/ athlete who is removed from practice or a competition and subsequently diagnosed with a concussion must have a graduated reentry plan to return to full academic and extracurricular activities. The plan will be developed by teachers, guidance

counselor, school nurse, licensed athletic trainer if on staff, parent and the child's treating medical provider.

6. Close observation of a student/ athlete MUST continue following a concussion. This should be monitored for an appropriate amount of time following the injury to ensure that there is no escalation of symptoms.
7. Schools will follow the primary care physician's written orders concerning return to school and physical activity.
8. The student/ athlete MUST obtain written clearance from one of the licensed health care professionals mentioned above directing them into a well-defined RTP stepped protocol similar to one outlined below. If at any time signs or symptoms should return during the RTP progression the student/ athlete should cease activity*.
9. After the RTP protocol has been successfully administered (no longer exhibits any signs or symptoms or behaviors consistent with concussions), final written medical clearance is required by one of the licensed health care professionals mentioned above for them to fully return to unrestricted participation in practices and competitions. This clearance may be provided via a DPH Post Sports-Related Head Injury Medical Clearance Form or school-based equivalent.
10. The student/ athlete diagnosed with a concussion must be completely symptom free at rest in order to begin graduated reentry to extracurricular athletic activities. The student/ athlete must be symptom free at rest, during exertion, and with cognitive activity in order to complete the graduated re-entry plan and be medically cleared to play.

Medical Clearance RTP Protocol (Recommended one full day between steps)

Rehabilitation stage - Functional exercise at each stage of rehabilitation - Objective of each stage:

1. No activity - Complete physical and cognitive rest until recovered and asymptomatic. School may need to be modified.
2. Light aerobic activity - Walking, swimming or stationary cycling keeping - Increase Heart Rate intensity, <70% of maximal exertion; no resistance training.
3. Sport Specific Exercise - Skating drills in ice hockey, running drills in soccer - Add Movement; no head contact.
4. Non-contact training - Progression to more complex training drills, i.e., - Exercise, coordination and drills passing drills in football and ice hockey; may start cognitive load progressive resistance training.
5. Full Contact Practice - Following medical clearance, participate normally - Restore confidence and assess training activities functional skills by coaching staff.

• If at any time symptoms should return during the RTP progression the student/ athlete should stop activity that day. If the student/ athlete's symptoms are gone the next day, s/he may resume the RTP progression at the last step completed in which no symptoms were present. If symptoms return and don't resolve, the athlete should be referred back to their medical provider.

References:

1. NFHS. Concussions. 2008 NFHS Sports Medicine Handbook (Third Edition). 2008: 77-82.
<http://www.nfhs.org>

2. McCrory, Paul MBBS, PhD; Meeuwisse, Willem MD, PhD; Johnston, Karen MD, PhD; Dvorak, Jiri MD; Aubry, Mark MD; Molloy, Mick MB; Cantu, Robert MA, MD. Consensus Statement on Concussion in Sport 3rd International Conference on Concussion in Sport held in Zurich, November 2008. Clinical Journal of Sport Medicine: May 2009 - Volume 19 - issue 3 - pp 185-200
http://journals.www.com/cjsportsmed/Fulltext/2009/05000Consensus_Statement_on_Concussion_in_Sport_3rd.1.aspx
3. Centers for Disease Control and Prevention. Heads Up: Concussion in High School Sports.
http://www.cdc.gov/NCIPC/tbi/Coaches_Tool_Kit.htm.
4. U.S. Department of Health and Human Services Centers for Disease Control and Prevention. A Fact Sheet for Coaches. (2009). Retrieved on June 16, 2010.
Http://www.cdc.gov/concussion/pdf/coaches_Engl.pdf
 Resources: C Centers for Disease Control and Prevention. Injury Prevention & Control: Traumatic Brain Injury. Retrieved on June 16, 2010.
<http://www.cdc.gov/TraumaticBrainInjury/index.html>
 C Centers for Disease Control and Prevention. Heads Up: Concussion in High School Sports Guide for Coaches. Retrieved on June 16, 2010.

BHRSD DISTRICT POLICIES

All policies can be found at:

http://www.edline.net/pages/bhrsd/General_Info/BHRSD_Policy_Manual/Policy_Indexes

BERKSHIRE HILLS REGIONAL SCHOOL DISTRICT **Great Barrington Stockbridge West Stockbridge**

BULLYING PREVENTION AND INTERVENTION INCIDENT REPORTING FORM

1. Name of Reporter/Person Filing the Report: _____
 (Note: Reports may be made anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of anonymous report.)
2. Check whether you are the: ☐ Target of the behavior ☐ Reporter (not the target)
3. Check whether you are a: ☐ Student ☐ Staff member (specify role) _____
 ☐ Parent ☐ Administrator
 ☐ Other (specify) _____
- Your contact information/telephone number: _____
4. If student, state your school: _____
5. If staff member, state your school or work site: _____

6. Information about the incident:

Name of Target (of behavior): _____

Name of Aggressor (person who engaged in the behavior): _____

Date(s) of Incident(s): _____

Time When Incident(s) Occurred: _____

Location of Incident(s) (Be as specific as possible): _____

Witnesses (List people who saw the incident for have information about it):

Name: _____ ☐ Student ☐ Staff ☐ Other _____

Name: _____ ☐ Student ☐ Staff ☐ Other _____

Name: _____ ☐ Student ☐ Staff ☐ Other _____

8. Describe the details of the incident (including names of people involved, what occurred and what each person did and said, including specific works used.) Please use additional space on back if necessary.

9. Signature of Person Filing this Report: _____ Date: _____
(Note: Reports may be filed anonymously.)

10: Form Given to: _____ Position: _____ Date: _____
Signature: _____ Date Received: _____

FOR ADMINISTRATIVE USE ONLY

II. INVESTIGATION

1. Investigator(s): _____

Position: _____

2. Interviews:

☐ **Interviewed aggressor**

Name: _____ **Date:** _____

☐ **Interviewed target**

Name: _____ **Date:** _____

☐ **Interviewed witnesses**

Name: _____ **Date:** _____

Name: _____ **Date:** _____

3. Any prior documented incidents by the aggressor? ☐ **Yes** ☐ **No**

If yes, have incidents involved target or target group previously? ☐ **Yes** ☐ **No**

Any previous incidents with findings of BULLYING, RETALIATION ☐ **Yes** ☐ **No**

Summary of Investigation:

(Please use additional paper and attach to this document as needed) _____

III. CONCLUSIONS FROM THE INVESTIGATION

1. Finding of bullying or retaliation:

☐ Yes

☐ No

☐ Bullying

☐ Incident documented as _____

☐ Retaliation

☐ Discipline referral only _____

2. Contacts:

☐ Target's parent/guardian Date: _____

☐ Aggressor's parent/guardian Date: _____

☐ District Equity Coordinator (DEC) Date: _____

☐ Law Enforcement Date: _____

3. Action Taken:

☐ Loss of Privileges

☐ Detention

☐ STEP referral

☐ Suspension

☐ Community Service

☐ Education

☐ Other _____

4. Describe Safety Planning: _____

Follow-up with Target: scheduled for: _____

Initial and date when completed: _____

Follow-up with Aggressor: scheduled for: _____

Initial and date when completed: _____

Report forwarded to Principal - Date: _____

Report forwarded to Superintendent – Date: _____

(If principal was not the investigator)

Signature and Title: _____

Date: _____

WELLNESS POLICY

It is the goal of Berkshire Hills Regional School District (BHRSD) for every student to have the necessary skills and knowledge to actualize healthy and satisfying lives. We believe that wellness is a multi-faceted concept that is best learned through practice and from modeling of healthy behaviors by adults in the school, family and community. We define wellness as a condition of health that is the result of proper nutrition, exercise and other personal habits that contribute to a sound mind and body. Therefore it is the policy of BHRSD to ensure that each student has equitable access to program, activities and classes that promote physical, social-emotional and mental wellbeing. These programs will be consistent with, but not limited by the Massachusetts Department of Education (MA DOE) Health curriculum frameworks for content (www.mass.edu/frameworks) and the National Health & Physical Education Standards for skills (www.educationworld.com/standards/national).

Wellness Committee

BHRSD will establish a Wellness Committee that should involve parents, students, nurse, Food Service Director, school committee member, health teacher, physical education teacher, school administrator, members of the public, and other community members as appropriate. The Wellness Committee will enact a plan, to be approved by the Superintendent, to oversee implementation and evaluation of the Wellness Policy.

Nutrition Guidelines

It is the policy of the school district that all foods and beverages made available on campus during the school day are consistent with School Lunch Program nutrition guidelines. Guidelines for reimbursable school meals will not be less restrictive than regulations and guidance issued by the Secretary of Agriculture pursuant to law. The district will:

- Establish separate guidelines for foods and beverages in the following categories:
 - foods and beverages included in a la carte sales in the food service program on school campuses
 - foods and beverages sold in vending machines, snack bars, school stores and concession stands
 - foods and beverages sold as part of school-sponsored fundraising activities
 - refreshments served at parties, celebrations and meetings during the school day
 - specify that its guidelines will be based on nutrition goals, not profit motives
- Participate, to the maximum extent possible, in federal school meals programs (including the School Breakfast Program, National School Lunch Program – www.fns.usda.gov).
 - Provide to all children who participate in subsidized food programs the ability to obtain food in a non-stigmatizing manner.
 - Provide students with access to a variety of affordable nutritious, appealing and fresh foods that meet and exceed health and nutritional needs of students as outlined by the Nutrition Standards and U.S. Dietary Guidelines. (www.nal.usda.gov/fnic/dga)

- Develop guidelines for maximizing nutritional value by decreasing fat and added sugars, increasing nutrition density and moderating portion size of each individual food or beverage sold within the school environment.
- Provide adequate time, with a minimum of 20 minutes sit down time, for students to eat lunch at appropriate times, no earlier than 10:45 and no later than 1:00 pm, in the school schedule in clean, safe, and pleasant settings.
- Refrain from using food as a reward/ punishment. This is not meant to exclude foods for celebration and special events.

Nutrition and Physical Education

The school district will provide nutrition education and physical education aligned with the standards established by the MA DOE.

Nutrition Education

- Provide sequential, interdisciplinary nutritional education to foster healthy lifelong habits and promote comprehensive wellness learning in each grade from pre-K to 12.
- Enhance nutrition education using locally grown foods whenever possible
- Promote regional partnerships between health agencies, health education resources, food suppliers, school meal programs, and other community resources.
- Send consistent nutrition messages from all aspects of the school program to student and families.
- Encourage parents/guardians to support healthy food choices and habits for their children.

Physical Education Activities

- Provide sequential, interdisciplinary physical education to foster healthy lifelong habits and promote comprehensive wellness learning in each grade from pre-K to 12.
- Refrain from using the denial and the imposition of physical activity as a punishment in all school related activities.
- Give students opportunities for daily physical activity during the school day through physical education (PE) classes, daily recess periods for elementary school students, and the integration of physical activity into the academic curriculum where appropriate.
- Provide opportunities for physical activity through a range of before- and/or after-school programs including, but not limited to, intramurals, interscholastic athletics, and physical activity clubs.
- Provide opportunities, encouragement and support for all preK-12 students to be physically active on a daily basis and achieve the recommended health-related physical fitness standards.
- Design curriculum that promotes the acquisition of lifelong physical activities, i.e. walking programs, cross-country skiing
- Encourage parents and guardians to support their children's participation in physical activity, to be physically active role models, and to include physical activity in family events.

Social/Emotional Activities

- Students will be provided sequential, interdisciplinary social-emotional education to foster healthy lifelong habits and promote comprehensive wellness learning in each grade from pre-K to 12.
- Students will understand the benefit of adequate sleep as it relates to readiness for learning and overall health and will learn to identify patterns of behavior that promote healthy sleep cycles, including types and timing of activities prior to sleep and nutritional relationships to sleep.
- Students shall learn to define relaxation and be able to understand its relationship to overall health and well-being. Additionally, students will be able to identify what type(s) of activities may encourage relaxation and will learn methods for promoting it in their own lives.

Other Wellness Activities

- Communication with parents/guardians, staff and students is essential. We will seek opportunities, to educate the school community on trends and information related to health and wellness. We will encourage community partnerships that assist the district in this effort.
- We will engage students, parents, teachers, food service professionals, health professionals, and other interested community members in developing, implementing, monitoring and reviewing district-wide nutrition, nutrition education, physical activity and social-emotional programs and policies and other wellness initiatives.
- We will consider and implement the when appropriate, environmentally-friendly practices such as the use of locally grown and seasonal foods, school gardens, recycling and composting.
- We will consider and implement when appropriate, physical activities and/or nutrition services or programs designed to benefit staff health.

Evaluation:

The Superintendent, Director of Food Services and Building Administration are charged with operational responsibility for ensuring the district meets the BHRSD Wellness Policy (ADF). The Wellness Committee will report annually to the BHRSD Superintendent, who will submit the report to the School Committee.

Leg Ref: Section 204 of Public Law 108-265 Child Nutrition and WIC Reauthorization Act 2004

BERKSHIRE HILLS REGIONAL SCHOOL DISTRICT
Great Barrington Stockbridge West Stockbridge

August 2019

Dear Parent(s)/Guardian(s):

The Federal *No Child Left Behind* Act of 2001 (also known as NCLB) requires that all school districts receiving Title 1 funding must notify parents of the right to know about the professional qualifications of the classroom teachers who instruct their child(ren). The specifics of the law are as follows.

- Parents/Guardians have the right to request information about the professional qualifications of the classroom teacher
 - Whether a teacher has met State qualifications and licensing criteria at the grade level and subject areas in which the teacher is providing instruction
 - Whether the teacher is teaching under an emergency license or waiver.
 - The baccalaureate degree major of the teacher and any other graduate certifications or degrees held by the teacher, and the field or discipline of the certification or degree.
 - And, whether the child is provided services by a paraprofessional, and if so, his/her qualifications.
- Parents also have the right to know if their child is taught by a teacher for four or more weeks who is not “highly qualified” (a term that is specifically defined by NCLB to mean that a teacher must be certified in the area in which he/she is teaching). This notification will come directly from the school to all parents whose children are impacted by this decision.

Berkshire Hills Regional School District is committed to providing quality instruction for all students and does so by employing the most qualified individuals to teach and support each student in the classroom. If you would like to receive any of the information listed above for your child’s teacher, please contact the building principal. If you have additional questions regarding NCLB, please do not hesitate to call the building principal.

Sincerely,

Kristi Farina

Director of Learning and Teaching

PARENT OR GUARDIAN CONSENT FORM ELECTRONIC INFORMATION POLICY

I have read the Berkshire Hills Regional School District's Electronic Information Resources Policy and understand that access to the electronic information resources is designed for educational purposes. I understand that it is impossible for the District to restrict access to all the controversial materials and I will not hold the District responsible for controversial materials my student acquires utilizing the district's electronic information resources. I agree to report any misuse of the electronic information resources to the District's System Administrator of School Administration. Misuse comes in many forms, but can be viewed as any messages sent or received that include/suggest pornography, unethical or illegal solicitation, racism, sexism, inappropriate language, and other issues described previously.

I hereby give my permission for my student to access the District's electronic information resources. I understand that this permission shall remain effective during the time my student is enrolled as a student in Berkshire Hills Regional School District, or until I give the District written notice that the permission given is revoked. I further understand that any amendments or revisions to the Electronic Information Resources Policy will be printed in the Student Handbook and that no other notice of amendment or revision to the Electronic Information Resources Policy will be given to me unless it is to be effective prior to publication in the Students Handbook.

Student's Name (please print) _____

Parent/Guardian Name (please print) _____

Signature _____ Date _____

I do not give the Berkshire Hills Regional School District permission for my student to access the District's electronic information resources.

Student's Name (please print) _____

Parent/Guardian Name (please print) _____

Signature _____ Date _____

(See Section I, Policy IJNDB-E of the BHRSD Policy Book for full Policy). (This is an example of a letter you will have to sign to allow your child to use the internet services)

DISTRIBUTION OF MEDICINE LETTER

September 2019

Dear Parent/Guardian:

Our school district requires that the following forms must be on file in your child's health record before we begin to give any medicine at school, whether prescription medication or non-prescription medication (such as Tylenol).

1. **Signed consent by the parent or guardian to give the medicine.** Please complete the enclosed consent form and give it to the health office.
2. **Signed medication order.** The written medication order form should be taken to your child's licensed prescriber (your child's physician, nurse practitioner, etc.) for completion and returned to the school nurse. This order must be renewed as needed and at the beginning of each academic year.

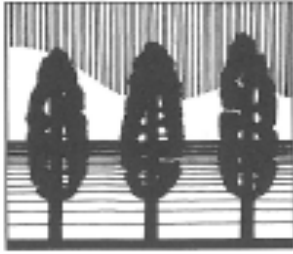
Medicines should be delivered to the school in a pharmacy or manufacturer-labeled container by you or by the student as long as the school nurse is notified. Please ask your pharmacy to provide separate bottles for school and home. No more than a thirty day supply of the medicine should be delivered to the school.

If you have further questions concerning this policy, please do not hesitate to call me at 644-2300.

Sincerely,

Pat Harper, RN
School Nurse

(See Section J, Policy JLCD-E of the BHRSD Policy Book)(This is an example of a letter you will have to sign to allow the school to dispense medications.)



BERKSHIRE HILLS REGIONAL SCHOOL DISTRICT

GREAT BARRINGTON • STOCKBRIDGE • WEST STOCKBRIDGE

50 MAIN STREET • P.O. BOX 617 • STOCKBRIDGE, MA 01262 • (413) 298-4017

Dear Parent,

Recently, some changes were made in the regulations dealing with student records. As you know, in cases where parents have divorced or separated, there are different rules set by the state for which parent can see and get copies of his/her child's student records. The parent(s) who have physical custody, as identified in the custody agreement or order, has the right to see and get copies of his/her child's student records with no limitation. However, the parent who does not have physical custody of the child (non-custodial parent), even if he/she has legal custody or visitation rights, may or may not have access to his/her child's student records.

A non-custodial parent is eligible to see and get copies of his/her child's student records unless the school or district has been given documentation that:

1. the non-custodial parent has been denied legal custody based on a threat to the safety of the student or to the custodial parent, or
2. the non-custodial parent has been denied visitation or has been ordered to supervised visitation, or
3. the non-custodial parent's access to the student or to the custodial parent has been restricted by a temporary or permanent protective order.

It is necessary for divorced or separated parents to submit a copy of the custody agreement or order so that the school system may identify which of the parents has physical custody of the child, and then to determine if one of the conditions above exists. The non-custodial parent must request in writing that he/she be permitted to look at or copy his/her child's student records. However, the school can allow the non-custodial parent to have access to the child's records only after the school has notified the custodial parent and twenty-one (21) days has elapsed from this notification. During that twenty-one day period, the custodial parent can obtain a court order restricting access to the child's records or can submit a copy of any outstanding protective orders; if such orders are provided to the school system, then the school cannot release records.

Very truly yours,

Peter Dillon
Superintendent of Schools

RECEIPT OF PARENT/STUDENT HANDBOOK

Each parent, guardian or the student him/herself (if over 18 years old) must sign the acknowledgment form below, indicating that he/she has received and read a copy of the handbook. If the signed acknowledgment form is not received by September 15, then the school district will nonetheless presume that the parent, guardian or student him/herself (if over 18 years of age) has received and read the handbook. Signing this handbook does not in any way create or indicate the existence of a contractual relationship between the parent/ student and the W. E. B. Du Bois Regional Middle School.

I have received and read the W. E. B. Du Bois Regional Middle School Handbook for the 2019-2020 school year.

Student Name

Parent Signature

Date

Please return to Advisory teacher.