

**NESSACUS REGIONAL
MIDDLE SCHOOL**

STUDENT HANDBOOK 2016 – 2017

NESSACUS

is

“The Thinking Place”

35 Fox Road
Dalton, MA 01226
Telephone: (413) 684-0780

Nessacus Web Site: <http://www.cbrsd.org>

TABLE OF CONTENTS

NESSACUS MIDDLE SCHOOL VISION STATEMENT 4

NESSACUS MIDDLE SCHOOL MISSION STATEMENT 4

PRINCIPAL’S MESSAGE 4

STAFF DIRECTORY 5

STUDENT LIFE 6

 ABSENCES & ATTENDANCE 6

 A.M. PROCEDURES 7

 BELL SCHEDULES 7

 BUS CONDUCT & TRANSPORTATION 7

 CAFETERIA 8

 CARE OF SCHOOL PROPERTY 8

 DANCES AND OTHER SCHOOL SPONSORED ACTIVITIES 8

 ELECTRONIC DEVICES 8

 EMERGENCY CLOSING OF SCHOOL 8

 EMERGENCY DRILLS 9

 FIELD TRIPS 9

 GUIDANCE 9

 GUM CHEWING 9

 HEALTH CENTER 9

 LEAVING SCHOOL GROUNDS 10

 LIBRARY MEDIA CENTER 10

 MCAS 10

 PLANNER 10

 STUDENT DRESS & GROOMING 11

 TELEPHONE 11

 VISITORS 11

SCHOOL SERVICES 11

 CHAPTER 766 11

 DCAP 12

 PARENT TEACHER ORGANIZATION (PTO) 12

 SCHOOL COUNCIL 12

 TITLE I 12

ACADEMICS 12

 COURSES 12

 GRADING 13

 HOMEWORK 13

 PROMOTION AND RETENTION 13

 HONOR CODE 14

DISCIPLINE 14

 ALCOHOL & CONTROLLED SUBSTANCES 14

 ASSAULTIVE BEHAVIOR AND FIGHTING 14

 BULLYING & HARRASSMENT 14

 BUS MISCONDUCT & PROGRESSIVE CONSEQUENCES 15

 DETENTION 15

 PROGRESSIVE CONSEQUENCES & VIOLATIONS OF THE HONOR CODE 16

 WEAPONS 16

 STAFF DISCIPLINE RUBRIC 17

 ADMINISTRATION DISCIPLINE RUBRIC 19

CENTRAL BERKSHIRE REGIONAL SCHOOL DISTRICT POLICIES & LAWS OF THE COMMONWEALTH OF MASSACHUSETTS 20

 GUIDELINES CONCERNING STUDENT RIGHTS AND RESPONSIBILITIES 20

 AIDS 20

ALTERNATIVE EDUCATIONAL PROGRAMS	20
DUE PROCESS.....	20
FREE EXPRESSION	20
LIMITATIONS ON RIGHT TO EXERCISE FREE EXPRESSION.....	20
RIGHT TO AN EDUCATION.....	21
RULES AND REGULATIONS.....	21
SCHOOL RECORDS	21
SEARCH AND SEIZURE.....	21
STUDENT GOVERNMENT.....	21
STUDENT ORGANIZATIONS.....	21
SCHOOL COMMITTEE POLICIES & STATE LAW RELATIVE TO DISCIPLINE	21
RESPONSIBILITIES OF STUDENTS	21
REGULATIONS FOR THE CONDUCT OF STUDENTS	22
BULLYING-POLICIES & PROCEDURES FOR REPORTING & RESPONDING TO BULLYING & RETALIATION	22
COLLABORATION WITH FAMILIES.....	25
PROHIBITION AGAINST BULLYING AND RETALIATION	25
CHAPTER 227: AN ACT PROVIDING FOR DRUG FREE SCHOOL ZONES	26
CHAPTER 241: AN ACT PROVIDING FOR SUSPENSION OF A LICENSE TO OPERATE A MOTOR VEHICLE UPON CONVICTION OF VIOLATION OF THE CONTROLLED SUBSTANCE ACT	26
CHAPTER 269: HAZING.....	26
CHAPTER 322: AN ACT FURTHER REGULATING THE MISUSE OF DRIVER LICENSES AND IDENTIFICATION CARDS.....	26
CHAPTER 622: TITLE IX GRIEVANCE PROCEDURES	27
STATE LAW AND REGULATIONS REGARDING THE DISCIPLINE OF STUDENTS WITH SPECIAL NEEDS.....	27
COMPLAINT PROCEDURE FOR ALLEGED DISCRIMINATORY OR HARASSING CONDITION (5760).....	27
COMPLAINT PROCEDURE:	27
DRUG/ALCOHOL ASSISTANCE, PREVENTION AND DISCIPLINARY PROCEDURES (6730).....	28
PROCEDURES FOR DISCIPLINARY ACTION	28
JURISDICTION OF THE SCHOOL	29
SMOKING POLICY.....	29
DUE PROCESS FOR SUSPENSIONS: NOTICE OF PROPOSED SUSPENSION	29
DUE PROCESS FOR SHORT-TERM SUSPENSIONS: HEARING AND PRINCIPAL DETERMINATION.....	29
DUE PROCESS FOR LONG-TERM SUSPENSIONS: HEARING AND PRINCIPAL DETERMINATION.....	30
DUE PROCESS FOR SUSPENSIONS: APPEAL OF LONG-TERM SUSPENSION.....	31
EMERGENCY REMOVAL	31
IN-SCHOOL SUSPENSION UNDER 603 CMR 53:02(6) & CMR 53.10.....	31
SUSPENSION OR EXPULSION FOR DISCIPLINARY OFFENSES UNDER M.G.L. 71 §§37H AND 37H½	32
POLICY AND LAW	33
DIRECTORY AND YEARBOOK INFORMATION	33
NOTICE IS HEREBY GIVEN (6430.11):	33
EQUAL EDUCATIONAL OPPORTUNITIES (6110)	33
ELECTRONIC DEVICES (6505.1)	34
ENGLISH LANGUAGE LEARNERS (5240)	34
6140: HOMELESS STUDENTS: ENROLLMENT RIGHTS AND SERVICES	35
RIGHTS OF NON-CUSTODIAL PARENTS	36
SCHOOL COMMITTEE POLICY RELATIVE TO TECHNOLOGY	36

NESSACUS MIDDLE SCHOOL VISION STATEMENT

Advancing intellectual growth

Building character

Capturing the heart

NESSACUS MIDDLE SCHOOL MISSION STATEMENT

We will advance intellectual growth by:

- Providing a rigorous academic program
- Developing individual talents
- Engaging critical thinking
- Enhancing technology skills

We will build character by:

- Fostering mutual respect and social responsibility
- Challenging students to be better than they think they can be

We will capture the heart by:

- Developing meaningful relationships
- Instilling passion for lifelong learning
- Embracing our differences
- Celebrating community

PRINCIPAL'S MESSAGE

Welcome to the 2016-2017 school year at Nessacus Regional Middle School! Our mission at Nessacus is to foster mutual respect and social responsibility, while embracing our differences and celebrating community. We offer a variety of programs and activities, as well as an excellent academic curriculum that assists in the growth and development of well-rounded individuals. This handbook informs parents and students of school programs, policies and rules. Please review the contents of this handbook and feel free to contact us with any questions. Good communication between students, teachers, staff and administration is the key to the success of our students. We at Nessacus Regional Middle School take pride in our school and community. It is the cooperation and involvement of all members of the school and community that make Nessacus a great place to be. We are looking forward to working together with everyone to make this a great year.

Mrs. Tracey Tierney - Principal

STAFF DIRECTORY

NAME	TITLE	EMAIL	PHONE EXT.
Tracey Tierney	Principal	ttierney@cbrsd.org	2168
Tracey Goodrich	Assistant Principal	tgoodrich@cbrsd.org	2166
Stephanie Shafiroff	Guidance Counselor	sshafiroff@cbrsd.org	2184
Kristen Consolini	Guidance Counselor	kconsolini@cbrsd.org	2109
Peter O'Brien	School Adjustment Counselor	pobrien@cbrsd.org	2183
Rose Goddard	Food Service Supervisor	rgoddard@cbrsd.org	2194
Leslee Brennan	Administrative Assistant, Guidance	lbrennan@cbrsd.org	2186
Nancy Fuore	Administrative Assistant, Principal	nfuore@cbrsd.org	2004
Mary Jo Connor	Nurse	mconnor@cbrsd.org	2177
Madelaine Baker	Teacher, Mathematics	mbaker@cbrsd.org	2234
Martha Bodine	Teacher, 6 th Grade	mbodine@cbrsd.org	2180
Lynn Clairmont	Teacher, Science	lclairmont@cbrsd.org	2203
Francis "Rocky" Daley	Teacher, Language Arts	rdaley@cbrsd.org	2247
John Demler	Teacher, World Language	jdemler@cbrsd.org	2170
Ann-Marie Desautelle	Teacher, Music/Chorus	adesautelle@cbrsd.org	2103
Joanne Dowling	Teacher, Science	jdowling@cbrsd.org	2236
Louise Dynok	Teacher, Literacy	dgraham@cbrsd.org	2225
Thomas Fielding	Teacher, Language Arts	tfielding@cbrsd.org	2233
Andrew Garcia	Teacher, Instrumental Music/Band	agarcia@cbrsd.org	2107
Mary Ann Gingras	Teacher, 6 th Grade	mgingras@cbrsd.org	2106
Michael Hogue	Teacher, Social Studies	mhogue@cbrsd.org	2235
Elizabeth Jackson	Teacher, Math	ejackson@cbrsd.org	2257
Kim Lagerwall	Teacher, Language Arts	klagerwall@cbrsd.org	2256
Stephen Laurin	Teacher, Mathematics	slaurin@cbrsd.org	2248
Deborah Lee	Teacher, Social Studies	dlee@cbrsd.org	2249
David Lennon	Teacher, Digital Learning	dlennon@cbrsd.org	2167
Robert MacDowell	Teacher, Engineering Technologies	rmacdowell@cbrsd.org	2195
John McComish	Teacher, Social Studies	jmccomish@cbrsd.org	2255
Lyndsey McDermott	Teacher, 6 th Grade	lmcdermott@cbrsd.org	2104
Courtney Meisberger	Teacher, Social Studies	cmeisberger@cbrsd.org	2208
Lisa Morrison	Teacher, Physical Education/Health	lmorrison@cbrsd.org	2142
Amy Munn	Teacher, Science	amunn@cbrsd.org	2243
Devika Muruga	Teacher, Media Center	dmuruga@cbrsd.org	2175
Kathleen Parada	Teacher, Special Services	kparada@cbrsd.org	2155
Lindi Russell	Teacher, World Language	lrussell@cbrsd.org	2169
Karen Scholz	Teacher, Art	kscholz@cbrsd.org	2226
David Schroeder	Teacher, Physical Education/Health	dschroeder@cbrsd.org	2136
Nathan Sullivan	Teacher, Special Services	nsullivan@cbrsd.org	2254
Shelby Superneau	Teacher, Special Services	ssuperneau@cbrsd.org	2178
Erica Telle	Teacher, Science	etelle@cbrsd.org	2205
Kiersten Touponce	Teacher, 6 th Grade	ktouponce@cbrsd.org	2105
Corey Walsh	Teacher, Language Arts	cwalsh@cbrsd.org	2209
Lynn Wesley	Teacher, Mathematics	lwesley@cbrsd.org	2207
Hal Westwood	Teacher, 6 th Grade	hwestwood@cbrsd.org	2180

NAME	TITLE	EMAIL	PHONE EXT.
Susan Yzerman	Teacher, ESL	syerman@cbrsd.org	
Freddie Richards	Custodian, Head	frichards@cbrsd.org	2146
Don Campbell	Custodian	dcampbell@cbrsd.org	
Adam Yorke	Custodian	ayorke@cbrsd.org	
Lynn Duquette	Title I Tutor	lduquette@cbrsd.org	
Beth Psutka	Title 1 Tutor	bpsutka@cbrsd.org	
Pamela Bachli	Paraprofessional	pabachli@cbrsd.org	
Brenda Clark	Paraprofessional	bclark2@cbrsd.org	
Cheryl Dodge	Paraprofessional	chdodge@cbrsd.org	
Janet Douglas	Paraprofessional	jdouglas@cbrsd.org	
Jill Johnson	Paraprofessional	jjohnson@cbrsd.org	
Donna Jordan	Paraprofessional	djordan@cbrsd.org	
Tina Kasala	Paraprofessional	tkasala@cbrsd.org	
Cozeen Mayotte	Paraprofessional	cmayotte@cbrsd.org	
Patricia O'Brien	Paraprofessional	paobrien@cbrsd.org	
Cathleen Striebel	Paraprofessional	castriebel@cbrsd.org	
Ann Shacar	Cafeteria Worker	ashacar@cbrsd.org	2126
Bonnie Fahey	Cafeteria Worker	bfahey@cbrsd.org	2126
Karen Garvey	Cafeteria Worker	kgarvey@cbrsd.org	2126
Joanne Main	Cafeteria Worker	jmain@cbrsd.org	2126

STUDENT LIFE

ABSENCES & ATTENDANCE

NOTIFYING THE SCHOOL

Parents or guardians must call Nessacus before 9:00 A.M. (684-0780) to inform the school of the absence of their pupil and the reason thereof. Current law requires parents or guardians to furnish the school with a home, work or other emergency telephone where they can be contacted during the school day. Please keep your numbers updated. If a pupil is absent and the school has not been notified by the designated time, the school will call the telephone number or numbers furnished to inquire about the absence.

ATTENDANCE

Regular attendance enhances learning through uninterrupted access to academic content, more continuous direct instructions and more consistent development of skills and application of knowledge. More excessive absences, whether excused or unexcused; tardiness; and leaving school before scheduled dismissal times have a negative effect on student performance.

Did you know...?

- Massachusetts General Law, Chapter 76, Section 2 and Session Laws of 2012, Chapter 222 defines school attendance regulations
- Each school district is required to have a policy of notifying parents if their child has 5 or more unexcused absences a year.
- School principals are required to request a meeting with parents/guardians of a child who has 5 or more unexcused absences for the purposes of developing an action plan to improve student attendance.
- CBRSD adheres to and is in full compliance with these regulations
- Parents/Guardians have legal responsibility to ensure that their children attend school during the school year.

At Nessacus, after 5 unexcused absences a meeting will be scheduled with the Principal and Assistant Principal. The solution could be as simple as meeting with the parent or guardian and working together to improve that student's attendance. **However, in extreme cases or if this pattern continues, the next step may be for the school to solicit assistance from the Court (by filing a Failure to Send) or the Department of Children and Family Services.**

- **Excused absences** include absences due to illness/medical reasons (documented by doctor notes), bereavement, religious holidays, time spend with a family member home on military leave and court appearances (documented)
- If your child is dismissed by the school nurse for medical reasons and she requests that you keep him or her home for an additional period of time, this will also be considered an excused absence.
- **Unexcused absences** include vacation, truancy and absences due to illness without medical documentation.
- If you feel your child is missing school due to anxiety, or emotional causes, please contact us so that we may be of help to you and your child. Your child's safety and success is school are our priorities.

School starts each day at 8:00. Students entering the classroom after 8:05 will be considered tardy and will need a late slip from the main office. Students who enter class tardy have a harder time settling in to the classroom routine, and may disrupt classroom instruction. Please make every attempt to schedule medical and other appointments after school hours whenever possible. We appreciate your efforts with this.

If you child will be absent:

- Each day that your child is going to be absent or tardy, please call the school (684-0780) before 9:00 AM. If you have not called by this time, our office staff will be calling you as a precautionary measure.
- To leave a message before 8:00 AM call the school (684-0780) .
- If your child visits the doctor or is triaged over the phone, please ask for a note for the school to excuse your child's absence. These notes can be faxed by the doctor's office to 684-4214 or sent to school when your child returns.
- The classroom teacher will provide make up work as appropriate.

Early Dismissals:

- If you need to have your child dismissed before the end of the school day your MUST send a note with your child including the date and time of the dismissal and the name of the person who will be picking them up.
- Adults MUST report to the office in order to sign out the child.
- There will be NO office dismissals after 2:15 due to the afternoon bus dismissal procedure.
- Office staff will call down and have the child sent to the office. Please do not go to the child's classroom to pick them up.
- Individuals unknown to the office staff will be requested to produce a proper form of identification prior to releasing the child(ren).
- For the safety of our school community all visitors must use the front entrance and ring the bell to be let in the building.
- **These safety policies are in place for the safety of the entire school community. We thank you for your understanding.**

A.M. PROCEDURES

Before the school doors open at 7:55 A.M., students will be directed to the cafeteria or to the courtyard and basketball/tennis courts. They may not leave the school grounds.

BELL SCHEDULES

Full Day	8:00 - 2:35
Half Day	8:00 - 11:10
2 hour Delay	10:00 - 2:35

BUS CONDUCT & TRANSPORTATION

The school system will furnish bus transportation to all students that require transportation. Students are responsible to act as guests on the bus. We do not have to provide transportation to any student who cannot behave on a bus. A student may be suspended from riding the school buses for a period of time. It then becomes the responsibility of the parents to see that the student gets to and from the school.

Pupils transported in a school bus shall be under the authority of the School District and under control of the bus driver, a legal representative of the school. The safety of pupils riding school buses cannot be left to chance, and it is imperative that good order and discipline be maintained on each bus. Continued disorderly conduct or persistent refusal to submit to the authority of the driver shall be sufficient reason for a pupil to be denied the privilege of transportation in accordance with the general rules and regulations of the School Committee.

Students are encouraged to use the same bus stop for both AM and PM stops. If, because of day care requirements, a different PM stop or different PM route is needed, said service may be provided both on a space available and a regular basis only. A student needing a different PM stop or different PM route for one day may be provided with said service in the event of a legitimate family emergency. Any request for deviation from this policy must be made through the office of the Assistant Superintendent of Schools 48 hours in advance of the requested change. Only those students staying after school with a supervising adult will be allowed on the late bus. Students will obtain a Late Bus Pass from his/her supervising adult. Walking to Wahconah Regional High School to take the late bus is prohibited. Any student doing so will receive a Bus Conduct Report or Referral and be subject to progressive consequences.

- **Walking students** are asked to use the public sidewalks and not to use shortcuts through anyone's property. During the winter months when many sidewalks are snowed in, walking students are asked to walk on the left side of the road facing traffic and to walk in a single line. Walkers may request transportation during the winter months by filling out a "Request for Special Winter Bus Stop" application. These forms are available in the main office in mid-October.

CAFETERIA

mySchoolBucks is your online portal to see information and pay your student's school related fees such as meals. Adding funds to your students account is easy:

- First, register for a free account mySchoolBucks on the school's website and add your students. If you have multiple children, you can make multiple deposits for each child during your transaction. Next, make a payment. The deposit amount can be placed against a credit card, debit card or your checking account. All payments are securely processed using our highly secure website and encryption. All payments are quickly credited to your students account. You may also place money on your account by sending cash or writing a check made out to CBRSD and sending in with your child who will bring it into the cafeteria.
- Showing a student ID will expedite a quick and efficient lunch. Balances on your account will be forwarded to the next school if your child is moving to another school within the district.

CARE OF SCHOOL PROPERTY

Every student is expected to treat the school property, including building, books and lockers, with respect. Books and lockers are on loan, and it is the responsibility of each student to return them when required in good shape.

- **LOCKERS:** Each student will be issued a locker equipped with a combination lock. Students are to use only the lockers they have been issued. Lockers belong to the school and may be examined at any time by the administration of this school.
- **TEXTBOOKS:** Once the student has been furnished with a textbook by the school it becomes his/her responsibility. Students must remember that the school has only loaned you these books and that they must be returned at the end of the school year. Students with damaged or lost books may be charged a replacement cost as determined by the administration.

DANCES AND OTHER SCHOOL SPONSORED ACTIVITIES

Students are expected to be on their best behavior at all school-sponsored activities. When attending a dance all school rules are in effect.

- You are not to loiter outside the building at any time.
- Once arriving at the dance, you **MUST** stay inside. Once you leave, you are not permitted back in the building.
- Prior approval must be made for students who do not attend Nessacus;(ie) St. Agnes or students who are homeschooled.
- Students who are suspended, absent or dismissed due to illness on the day of a dance or school activity will not be allowed to participate in that dance or school activity.
- Any student receiving an office disciplinary referral with consequences will not be allowed to attend the next dance; this may include students who chronically fail to complete schoolwork.
- All Nessacus dances end at 9:00 PM.

ELECTRONIC DEVICES

Electronic devices are not to be used in school between the hours of 8:00 AM and 2:35 PM This includes cell phones, iPods, video games etc. These devices must be turned off and stored in lockers during the school day. Students may not use or operate cell phones or personal communication devices (PCDs) during the school day unless at the direction of teacher or administrator as part of a learning experience.

EMERGENCY CLOSING OF SCHOOL

At times it becomes necessary to close school, have a delayed start, or an early dismissal. If this occurs before the start of the school day, area radio/TV stations and the CBRSD website will carry the message. "School Messenger" an automated

phone service will also be utilized. You may sign up for this optional service at the beginning of the year. (Please do not call teachers or administrators; they receive information at the same time and manner as you.)

EMERGENCY DRILLS

During the school year we will hold several fire, lockdown and evacuation drills. Each room in the building has its own instructions. Staff will familiarize the students with the procedures to be used.

FIELD TRIPS

Field trips are an integral component of the middle school experience. However eligibility for participation in any field trip or off-campus activity is contingent on good standing in the following criteria:

- academic standing
- attendance
- violations of the Honor Code
- adhering to field trip deadlines
- see district policy for current regulations

These decisions will be based on a careful study of the individual student and reached by a committee consisting of the students' teachers, guidance personnel, the Assistant Principal and Principal

GUIDANCE

Our goal of providing a personalized experience for all the students in our school includes the opportunity for each student to develop a caring and trusting relationship with an adult member of our staff. Very often the face of that staff person belongs to a member of our guidance department. Broadly speaking guidance relationships refer to orienting students to grade levels or school in general, problem solving, academic counseling, personal and group counseling, career and secondary school guidance, and a myriad of referral services available to students. Nessacus employs 1.5 guidance counselors and one school adjustment counselor to support this effort.

Guidance also serves as a liaison role between students, families and the school. If your parents/guardians wish to meet with one or more of your teachers, they should contact the Guidance Department to set up an appointment.

GUM CHEWING

Gum chewing is not allowed on school property at any time.

HEALTH CENTER

Screenings: All students entering 7th grade are required by State Law to have a physical exam on file with the school nurse. The exam should be within 12 months of starting 7th grade and mailed or brought in to the school nurse. The Massachusetts Department of Public Health requires the schools to conduct the following screenings: Postural screening is done for all students in middle school. Vision and hearing screenings are done on all 7th graders. Parents are notified of the results only when the screening requires physician follow up. 7th graders also have their Height and weight measured and BMI calculated. An information packet from DPH with the student's ht/wt/BMI, is mailed home to the parent/guardian of all 7th graders.

An **emergency card** is kept by the nurse for each student. Please notify the nurse of any changes in your child's health, medication, immunizations or emergency contacts during the school year. In the case of injury or illness, first aid and nursing assessment and care will be provided by the nurse. If the EMERGENCY MEDICAL SERVICE is summoned, every effort will be made to contact the parent/guardian. It is therefore imperative that students return their emergency cards the first week of school. The card has a place for parents to give permission for the nurse to administer a few medications, if the nurse assesses that it is warranted. The administration of any other medication during the school day requires a written physician order (for long term medication) and parent/guardian written permission. All medication must be delivered to the school nurse in a pharmacy labeled container. The student is responsible for reporting to the nurse for scheduled medication.

Massachusetts State Law requires all students show proof of having received the required **immunizations** for their age, before attending school. The only accepted exceptions are for medical or religious reasons.

Students should be feeling well before coming to school. Students should stay home if they have had fever of over 100 degrees, vomiting or diarrhea in the last 24 hrs. Parents are asked to notify the school nurse if their child develops a contagious illness such as mononucleosis, or sustains a significant injury. Students with chronic health conditions and their parent/guardian are asked to meet with the school nurse at the beginning of the year to develop or update their health care plan.

A student is welcome to discuss any problem or concern with the school nurse. A parent or teacher may also refer a student to the nurse if a concern becomes evident. Students are required to get a pass from their teacher before reporting to the nurse during the school day unless it is an emergency situation.

LEAVING SCHOOL GROUNDS

At no time during the school day may any student leave school grounds without special permission from the Principal or Assistant Principal. Bus students are to come on and remain on school property as soon as their bus arrives in the morning. They are not to leave school at the end of the day and return for a bus

LIBRARY MEDIA CENTER

The Nessacus Library Media Center is open during regular school hours. Circulation policies, Library Media Center rules, and other helpful information can be found by visiting the website: <http://nessacuslibrary.weebly.com> or stopping into the library.

MCAS

Building a New Assessment for the Next Generation and Reviewing the Massachusetts Curriculum Frameworks: The Department of Elementary and Secondary Education (ESE) is in the process of upgrading MCAS to better measure the critical thinking skills students need for success in the 21st century.

The new test, informally called "MCAS 2.0," will build upon the best aspects of the MCAS assessments that have served the Commonwealth well for the past two decades. The test will include innovative items developed by [PARCC](#), along with new items specifically created to assess the Massachusetts learning standards.

MCAS 2.0 will be designed to be taken on a computer. The plan is to phase in computer-based testing so that computer-based tests are fully administered statewide in 2019, with many students participating as well in 2017 and 2018.

Massachusetts will have complete control of test administration, test content, testing windows, and the reporting of results. Traditionally, MCAS testing has been separated into two administration periods: an early window for English Language Arts, and a later window for Mathematics and Science and Technology/Engineering (STE). Beginning in 2017, grades 3-8 tests in ELA, Mathematics, and STE will be administered during one extended window for all subject area tests. In fall 2016, the Department will provide additional guidance on administering grades 3-8 tests, such as the number and length of test sessions, whether sessions will be generously timed, and whether there will be a prescribed order for testing.

More specific information will be provided as soon as it becomes available.

The Massachusetts Department of Secondary and Elementary Education offer these suggestions for parents and guardians to prepare their children for MCAS:

- Have regular discussions with your child's teacher(s) to see what you can do at home to support your child's work in school.
- Make sure your child gets enough rest, eats properly, and arrives at school on time every day.
- Send your child to school prepared to learn.
- Discuss with your child subjects that need improvement. Talk about whether he or she thinks there has been improvement. If the answer is no, find out why.
- Ask your child about homework that is due tomorrow and next week, and make sure this homework is completed.
- Ask your child to explain what he or she is studying.
- If your child has a disability, ask his or her teacher(s) how MCAS fits into your child's IEP or 504 plan.
- Help your child practice MCAS test questions, and review the tests together so you will all become familiar with the expectations.
- In addition we encourage you to engage your children in each of these conversation points. We encourage you to encourage them to work hard and take all of their studies, which would include PARCC/MCAS, seriously.
-

PLANNER

Each student will be provided a Planner on the first day of school. Students should have their planners with them at all times. If a planner is lost or damaged, additional planners may be purchased through the guidance office. The planner is to be used throughout the year for the following:

- Keeping track of school assignments and important school activities
- Communication between home and school
- Signing out to use the restrooms
- As a pass to the library, nurse, administration, and guidance offices

- As a pass to and from teachers classrooms

STUDENT DRESS & GROOMING

At Nessacus we are committed to reconcile an appropriate balance between our students' freedom of expression and a safe and respectful school environment. With this general principle in mind, a dress code should serve to enhance our educational interests by:

- Focusing attention on learning
- Increasing school unity and pride
- Ensuring safety
- Reducing discipline problems
- Improving self-respect
- Promoting our mission

Personal appearance should not disrupt the educational process, violate federal, state, or local health/obscenity laws, or affect the welfare and safety of the students or staff. Students must recognize that clothing should be functional for school and not disrupt the learning environment. Therefore, students shall not wear the following:

- Clothing items that contain messages that are vulgar, offensive, obscene, or libelous.
- Clothing that denigrates others on the basis of race, color, religion, creed, national origin, gender, sexual orientation, or disability.
- Clothing that promotes alcohol/drug use or violence.
- Clothing that is not functional and disrupts the learning environment.

Additionally:

- Hoods, hats, or any headgear that covers the head including, but not limited to, visors, bandanas, sweatbands, and ski bands must be removed upon entering the school building.
- Chains and studded jewelry (that could be construed by administration to be used as a weapon) are not allowed. Additionally, studded jewelry (including but not limited to bracelets and necklaces) is illegal in Massachusetts.
- Sunglasses are not to be worn in school.
- Backpacks/duffel bags, or other similar "tote" bags will not be allowed in classrooms. They must be left in the lockers between 8:00 and 2:35.
- Coats/jackets may not be worn to class unless extenuating circumstances occur. Students should expect to keep outdoor apparel in their lockers.
- Pajama bottoms and other sleepwear are unacceptable for school.
- Students must wear a top (shirt, blouse, etc.) that overlaps the top of the bottoms (pants, shorts, skirt, etc.); exposed stomachs are not allowed.

Any student who is deemed to be in violation of the dress code will be required to change. Administration will provide, to the best of their ability, temporary clothing a student may be able to change into. If that is not possible, or the student refuses, parents will be notified so that they may bring in clothing for the student to change into. If a student refuses to change, they may face further disciplinary action.

In summary, the administration shall determine compliance with the guidelines listed above. Furthermore, the administration reserves the right to practice discretion when determining a student's compliance (or lack thereof) with the dress code.

TELEPHONE

The office and classroom telephones are business telephones and are to be used by the students only with permission from an adult.

VISITORS

All visitors, including volunteers, are required to identify themselves at the main office where they will be required to sign in and wear I D badges until they return to the office to sign out.

SCHOOL SERVICES

CHAPTER 766

In accordance with the Massachusetts Law any student found to have needs which are not being adequately met by the regular school program, should be referred for an evaluation by 766 staff members to determine how best to meet the

student's individual needs. Any parent, faculty member, or administrator can request that a student be evaluated. If a parent has reason to believe a student has special needs, please contact the student's Guidance Counselor and the necessary procedures will be implemented.

DCAP

A District Curriculum Accommodation Plan (DCAP) exists to ensure that all possible efforts have been made to meet a student's needs in the general education classrooms and to support teachers in analyzing and accommodating the diverse learning styles of all students in those classrooms. For more information on DCAP please contact the guidance office.

PARENT TEACHER ORGANIZATION (PTO)

The PTO at Nessacus enjoys a well-earned reputation for serving to greatly enhance our programs. In order to maintain this reputation we are always looking for volunteers to join our ranks. Please consider becoming an officer or member by contacting the principal at the school.

SCHOOL COUNCIL

The Nessacus School Council meets monthly to make recommendations to the principal for the development, implementation, and assessment of the curriculum accommodation plan, assists in the review of the school budget and in the formulation of the school improvement plan. Elections for school council are held in the fall by the PTO. If you are interested in running for a seat on the council contact a PTO officer or the principal.

TITLE I

The Nessacus Title I Program offers help in reading and mathematics. Please contact Stefanie Wondriska-Clark, Director of Student Services, to discuss eligibility requirements.

ACADEMICS

COURSES

The sixth grade program consists of:

- Literacy: Columbia Teachers College Reading and Writing
- Mathematics: enVisionMATH
- Science: Next Generation Science Standards
- Social Studies: The 5 Themes of Geography
- Digital Literacy
- Explores
- PE and Health

The seventh and eighth grade programs consist of:

- ELA
- Math
- Science
- Social Studies
- World Language
- Explores
- PE and Health

Major subjects (with some exceptions) meet daily while minor subjects meet on a separate schedule, depending on the subject. Other specialized programs such as Literacy are offered as appropriate and necessary.

* For a more detailed description of any course, please contact your child's teacher directly.

Power School for Parents

CBRSD will be using the Powerschool Online Portal for grading and attendance.

PowerSchool is an advanced Student Information System used by schools across the country. Its functions include grading, attendance, and the scheduling of courses, teachers and students. PowerSchool is capable of allowing parents and students to access student grades and attendance in real time. The purpose of this feature is to increase communication and collaboration among parents, students, and teachers. While it gives parents and guardians more information about their child's education, at the same time it encourages students to take increased ownership of their learning.

Nessacus families can access to this information by looking under District Information on the website www.cbrsd.org. The Guidance Department will send home Student log-in information at the beginning of each year.

GRADING

The national and state-wide effort to develop performance-based standards is reaching fruition with the advent of the Common Core State Standards. In an effort to thoughtfully match this design with day-to-day practice, Nessacus is exploring how to implement a standards-based assessment and reporting system that would measure student proficiency on well-defined course objectives and learning goals. This system will be a much more accurate indicator of student achievement and understanding of the learning goals than the more traditional and subjective “letter grade” system. As we continue this process Nessacus will maintain its current assessment and reporting system.

There are four (4) reporting (REPORT CARDS) times during the school year:

November	April
January	June

If the student is not producing in a subject as well as the teacher would like, that student may be issued a PROGRESS REPORT at any time. REPORT CARDS should be taken home, signed by a parent/guardian and returned the following school day to the teacher who issued it. Progress Reports and grades are available through EdLine.

HOMEWORK

Nessacus believes that homework is a necessary and integral component of a student’s academic program; it is both meaningful and purposeful. Homework is designed so that students can perform it independently and in a reasonable length of time. We consider homework to be the shared responsibility of the teacher, parent(s), and child.

Homework when assigned will be for any one or more of four reasons:

- The assignment will help students to think more deeply about questions that matter.
- The assignment will help students to practice a skill or concept previously taught.
- The assignment promotes good study habits.
- The assignment introduces new content.

Homework is meant to be an essential aspect of the learning experience and will be reflected in the student’s overall grade. The cumulative grade for the class will be an accurate indicator of student achievement and understanding of the stated learning standards as a whole.

PROMOTION AND RETENTION

The philosophy of Nessacus is that all students can learn. We believe that each student is an individual who grows and matures within his/her own unique pattern of development. Varying rates of time are, therefore, needed to accommodate differing developmental growth patterns. As a result this may necessitate the retention of certain students. Decisions for placement will support the opportunity for maximum growth and development of all students.

These decisions will be based on a careful study of individual student needs and reached by a committee consisting of the students’ teachers, guidance personnel, the Assistant Principal and Principal. Other teachers and support staff may become a part of this team as needed. A parent communication plan will be established to inform them of their child’s progress throughout the year and the strategies that have been implemented to support learning.

The areas of student growth which must be considered before recommending retention are academic progress (to include a review of course work performance, local interim assessments, and MCAS), emotional and social development, and attendance.

Questions that must be considered:

Academic Progress

- Has the child mastered the grade level expectations?
- What does the summary of test score data indicate?
- What is the teacher’s observation of the child’s classroom performance?
- What does achievement on daily work in basic skills areas indicate?
- Has a disability been ruled out?

Emotional/Social Development

- What is the child’s attitude toward school?
- Describe peer and adult relationships.
- Describe child’s behavior in a school setting.

- Describe attention span and task commitment.
- Does the child appear to be confident in school?

Attendance

- Are there gaps in learning due to illness/excessive absences?
- Was there a change of school or other factors that created learning problems?

HONOR CODE

All students are expected to adhere to standards which place their honesty, self-respect, respect for others and qualities of good character above all else.

The following questions are guidelines to help members of the Nessacus community make the right choices:

- Does this action mislead or deceive?
- Does this action give me or others an unfair advantage?
- Does this action deprive another person of his/her rightful property?
- Does this action hurt or disrespect another person?
- Does this action bring discredit to Nessacus and its reputation?

Violations of the Honor Code shall be handled as follows:

- minor and infrequent offenses will be handled by the individual classroom teacher and/or instructional team and will involve a written intermediate DISCIPLINE REFERRAL as presented in the **Staff Discipline Rubric**.
- more frequent and/or more serious offenses will result in a formal DISCIPLINE REFERRAL, which will result in one of a series of progressive penalties as presented in the **Administrative Discipline Rubric**.
- special needs students are expected to adhere to the code of conduct and the rules and regulations for student conduct in the student handbook including all disciplinary measures. Any exceptions to regular school discipline will be spelled out in the student's Individual Educational Plan (IEP).
- progressive consequences are intended to provide a more detailed description of how the School Committee's policies on discipline will be implemented at Nessacus.
 - 6500-Regulations for Conduct of Students
 - 6510-Jurisdiction of the School
 - 6630-Suspension and Expulsion
 - 6770-Vandalism

DISCIPLINE

ALCOHOL & CONTROLLED SUBSTANCES

Possession and/or distribution of controlled substances (drugs) carries with it heavy penalties. See the section on District Policy #6730 and 6630. Smoking or the possession of tobacco or e-cigarettes or variations thereof in any form is prohibited.

ASSAULTIVE BEHAVIOR AND FIGHTING

Any type of intentional physical contact between students is not permitted at Nessacus. Students who engage in assaultive behavior or fighting will be subject to consequences as outlined in the Discipline Rubric. Students who engage in assaultive behavior or fighting may be expelled from school.

BULLYING & HARRASSMENT

(The complete CBRSD Bullying Prevention Policy starts on page 22.)

Bullying is the repeated use by one or more students of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:

- Causes physical or emotional harm to the target or damage to the target's property.
- Places the target at reasonable fear of harm to himself/herself or of damage to his/her property.
- Creates a hostile environment at school for the target
- Infringes on the rights of the target at school; or
- Materially and substantially disrupts the education process or the orderly operation of a school.

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

Harassment is the persistent irritation or torment of a person about the person's race, color, sex, national origin, disability, physical or personal characteristics or appearance.

Sexual Harassment is a sexual advance, a request for sexual favors and other verbal or physical conduct of a sexual nature. Such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's education by creating an intimidating, hostile, humiliating or sexually offensive educational environment. Nessacus Regional Middle School will endeavor to maintain a learning and working environment free of all forms of bullying including: physical, verbal, sexual harassment and cyber bullying.

Examples of bullying include but are not exclusive to:

- Intimidation, either physical or psychological.
- Threats of any kind; stated or implied.
- Assaults on students, including those that are verbal, physical, psychological and emotional.
- Attacks on school property.
- Cyber bullying through social networks; i.e. Facebook, texting, email, etc.

Administrators will make clear to students and staff that bullying or harassment in the school building, on school grounds, on the bus or school sanctioned transportation, or at school-sponsored functions will not be tolerated and will be grounds for disciplinary action up to and including suspension and expulsion of students, and/or court action.

The district will promptly and reasonably investigate allegations of harassment, including bullying. The building principal or his designee will be responsible for handling all complaints by students alleging harassment, including bullying.

Contact:

- a. Tracy Tierney – ttierney@cbrsd.org
- b. Tracey Goodrich – tgoodrich@cbrsd.org
- c. Stephanie Shafiroff – sshafiroff@cbrsd.org

BUS MISCONDUCT & PROGRESSIVE CONSEQUENCES

Suspension of bus riding privileges does not relieve the responsibility of the student to attend school. It is the responsibility of the parent to arrange transportation for their child to and from school during periods of suspension from bus riding privileges.

- **FIRST OFFENSE** - may result in a warning, which will be sent via letter to parents. If, however, the first offense is serious enough, it may result in suspension of bus privileges, as deemed necessary by the Administrator in charge. This suspension will normally be for three (3) days. However, based on the Administrator's judgment of the severity of the offense, this suspension may be for up to ten (10) days.
- **SECOND OFFENSE** - may result in suspension of bus privileges as deemed necessary by the Administrator in charge. This suspension will normally be for seven (7) days. However, based on the Administrator's judgment of the severity of the offense, this suspension may be for up to ten (10) days.
- **THIRD AND SUBSEQUENT OFFENSES** - may result in suspension of bus privileges as deemed necessary by the Administrator in charge. This suspension may not exceed ten (10) days. However, based on the Administrator's judgment of the severity of the offense, the Administration may bring a student's name to the School Committee for long-term suspension on any given offense.
- **FOURTH AND SUBSEQUENT OFFENSES** - may result in student's name being submitted to the School Committee for the purpose of seeking long-term or permanent suspension of bus riding privileges.

Parents are responsible for restitution, as defined by statute, for damages to the school bus, or other properties as a result of their children's actions.

DETENTION

School detention may be assigned as a disciplinary consequence. The rules for detention are as follows:

- Detentions can be from 30 minutes to one (1) hour in length depending on the nature of the offense. This decision will be made by administration in conjunction with staff.
- Parents must provide transportation for a student who receives a one (1) hour detention. **NO LATE BUS WILL BE AVAILABLE.**
- Students must bring work and be prepared to work for the entire period. Failure to do so may result in additional detentions.
- Failure to report for a detention will result in two additional afternoons of detention.

PROGRESSIVE CONSEQUENCES & VIOLATIONS OF THE HONOR CODE

In determining any penalty, at least two considerations other than the progressive system found in Staff/Administration Discipline Rubrics may have a bearing on the outcome. First, if an offense were serious enough, for example a very violent or disruptive act, the recommendation would not be treated as just another first or second offense but would very likely go to one of the final consequences. Second, in the course of due process, sometimes facts are learned which may have a bearing on the outcome. Students may have the option of working with the Assistant Principal to reduce the future levels at which they are placed on the progressive consequence system. This will be done through a student discipline contract. However, in general, the progressive consequences are outlined in the following rubrics.

WEAPONS

Weapons and “look alike” weapons are not permitted at Nessacus. A weapon is defined as any item (device, instrument, material, or substance, animate or inanimate) that may be used to cause harm. Students found to be in possession of a weapon will be subject to consequences as outlined in the Discipline Rubric and CBRSD Policy and laws of the Commonwealth of Massachusetts on page 19.

SUSPENSION AND EXPULSION

Please see CBRSD Policies and Laws of the Commonwealth of Massachusetts starting on page 19.

STAFF DISCIPLINE RUBRIC

DESCRIPTION	1ST OFFENSE	2ND OFFENSE	3RD OFFENSE	4TH OFFENSE
<p><u>Disrespect towards other and property</u> <i>(Any type of behavior that demonstrates a lack of regard for the feelings and wellbeing of others or violates school policy.)</i> <i>Peers/Property</i> <i>Adults</i></p>	Written Warning	1 or 2 teacher detentions	1 hour (Thursday Detention) *Phone home with adult in charge	Referral to Office
<p><u>Chronic Refusal to Do Work</u> <i>Unprepared for class</i> <i>Homework not completed</i> <i>Defiant in class</i></p>	Written Warning	1 or 2 teacher detentions	1 hour (Thursday Detention) *Phone home with adult in charge	Referral to Office
<p><u>Inappropriate Actions</u> <i>Cell Phone/iPod</i></p> <p><i>PDA</i> <i>Lying</i> <i>Tardiness/ Loitering in halls</i> <i>Food/drinks</i> <i>Excessive speaking out</i> <i>Swearing</i></p> <p><i>Cheating/Plagiarism</i></p> <p><i>Skipping class</i> <i>Forgery</i> <i>Stealing</i></p> <p><i>Swearing (directed at an adult)</i></p>	<p>Confiscate. Turn in to assistant principal.</p> <p>Written Warning</p> <p>Phone call home Zero on Assignment 1 detention</p> <p>Phone call home 1 detention</p> <p>Phone call home, detention or Referral to office at teacher discretion</p>	<p>Send to Office (parents pick up at end of day)</p> <p>1 or 2 teacher detentions</p> <p>Phone call home. Zero on assignment. 1 hour detention</p> <p>Phone call home 1 Hour detention</p>	<p>Office Referral</p> <p>1 hour (Thursday Detention) *Phone home with adult in charge</p> <p>Office referral.</p> <p>Office referral</p>	Referral to Office

<p><u>Bullying</u> <i>Teasing – name calling, taunting, gossiping/rumors, etc.</i></p> <p><i>Intimidation/Retaliation – either physical or psychological. Threats of any kind (stated or implied)</i></p> <p><i>Harassment – racial, ethnic, gender-related, religious, sexual and other forms of severe harassment</i></p> <p><i>Cyber Bullying</i></p>	<p>Written Warning</p> <p>1 or 2 Teacher Detentions</p> <p>1 or 2 Teacher Detentions (phone call home)</p> <p><i>Refer to Office</i></p>	<p>1 or 2 teacher detentions</p> <p>1 hour (Thursday Detention *Phone home with adult in charge)</p> <p>1 Hour Detention</p>	<p>1 hour (Thursday Detention *Phone home with adult in charge)</p> <p>Referral to Office</p> <p>Referral to Office</p>	<p>Referral to Office</p>
<p><u>Disruptive</u> <i>Chronic dress code violation</i></p> <p><i>Chronic disobedience in class</i></p>	<p>Student will put on additional clothing or clothing will be provided by the nurse</p> <p>1 or 2 teacher detentions</p>	<p>1 or 2 teacher detentions</p> <p>1 hour (Thursday detention) *Phone home with adult in charge</p>	<p>1 hour (Thursday detention) *Phone home with adult in charge</p> <p>Referral to Office</p>	<p>Referral to Office</p>
<p><u>Severe Behavior</u> <i>Any type of ongoing intentional physical contact that may cause injury, i.e., punching, kicking or similar behavior that may injure others</i></p> <p><i>Leaves the building without permission</i></p> <p><i>Possession of illegal substances or look alike substances (district policy will be followed)</i></p> <p><i>Theft</i></p>	<p>Referral to Office</p> <p>Discretion of administration</p>			

***Depending on the severity of the issue, we may find it necessary to proceed to the office referral offense.**

ADMINISTRATION DISCIPLINE RUBRIC

DESCRIPTION	<u>1ST REFERRAL</u>	<u>2ND REFERRAL</u>	<u>3RD REFERRAL</u>
<p><u>Disrespect towards other and property</u> <i>(Any type of behavior that demonstrates a lack of regard for the feelings and wellbeing of others or violates school policy.)</i> <i>Peers/Property</i> <i>Adults</i></p>	<p>Community service and/or letter of apology</p> <p>Up to 3 office detentions</p>	<p>Internal suspension</p>	<p>Internal or external suspension (parent/staff/admin meeting)</p>
<p><u>Chronic Refusal To Do Work</u> <i>Unprepared for class</i> <i>Homework not completed</i> <i>Defiant in class</i></p>	<p>Up to 3 office detentions (prepared to do work)</p>	<p>Internal suspension until work is completed</p>	<p>Internal or external suspension (parent/staff/admin meeting)</p>
<p><u>Inappropriate Actions</u> <i>Cell Phone/Ipod</i></p> <p><i>PDA</i> <i>Lying</i> <i>Tardiness/ Loitering in Halls</i> <i>Food/drinks</i> <i>Excessive speaking out</i> <i>Swearing</i></p> <p><i>Cheating/Plagiarism</i></p> <p><i>Forgery</i> <i>Stealing</i> <i>Skipping class</i> <i>Swearing (directed at an adult)</i></p>	<p>Discussion with student. Phone call home. Return phone at 2:35.</p> <p>Up to 3 office detentions (prepared to do work)</p> <p>Internal suspension</p> <p>Internal suspension</p>	<p>Confiscate phone (parent must pick up)</p> <p>Internal suspension until work is completed</p> <p>Internal suspension and parent conference</p> <p>Internal suspension</p>	<p>Office referral (parent must pick up) Internal suspension</p> <p>Internal or external suspension (parent/staff/admin meeting)</p> <p>Internal suspension and parent conference</p>
<p><u>Bullying</u> <i>Teasing – name calling, taunting, gossiping/rumors, etc</i></p> <p><i>Cyber bullying</i></p> <p><i>Intimidation/Retaliation – either physical or psychological.</i> <i>Threats of any kind (stated or implied)</i></p> <p><i>Harassment – racial, ethnic, gender-related, religious, sexual and other forms of severe harassment</i></p>	<p>3 office detentions or internal suspension</p>	<p>1-2 days internal suspension or external suspension</p>	<p>Office discretion</p>
<p><u>Disruptive</u> <i>Chronic dress code violation</i></p> <p><i>Chronic disobedience in class</i></p>	<p>Meeting with parent</p>	<p>Internal suspension</p>	
<p><u>Severe Behavior</u> <i>Any type of ongoing intentional physical contact that may cause injury, i.e., punching, kicking or similar behavior that may injure others</i></p> <p><i>Leaves the building without permission</i></p> <p><i>Possession of illegal substances or look alike substances (district policy will be followed)</i></p> <p><i>Theft</i></p>	<p>Discretion of administration</p>		

***Each referral may require students to call home with the Assistant Principal**

CENTRAL BERKSHIRE REGIONAL SCHOOL DISTRICT POLICIES & LAWS OF THE COMMONWEALTH OF MASSACHUSETTS

GUIDELINES CONCERNING STUDENT RIGHTS AND RESPONSIBILITIES

INTRODUCTION

In order to prepare our students for life in a democratic society, it is necessary that students fully understand their basic rights. Equally important is the need for students to fulfill their basic responsibilities. The statement that follows is an effort to clearly and concisely describe the rights and responsibilities of students in the Central Berkshire Regional School District.

AIDS

The State has provided all school systems with a policy on AIDS. The Central Berkshire Regional School District has developed additional guidelines and procedures. Copies of these guidelines are available from the Principal upon request.

ALTERNATIVE EDUCATIONAL PROGRAMS

1. **Special Needs Programs** for students in need of special education are available. Information about such programs may be obtained from the Director of Special Needs, a principal or the student's guidance counselor.

DUE PROCESS

Students have the right to fair and consistent disciplinary actions by teachers and administrators. Students have the right to due process in disciplinary proceedings; that is, students shall be informed of the specific policy or regulation which has been violated; and shall be given an opportunity to present his or her side of the issue before being proceeded against. In cases where serious penalties are recommended, the principal or superintendent of schools may invoke more formalized hearing procedures. (See Appendix 1 for procedure to be followed in suspension and expulsion cases). Students shall not be held accountable by school officials for any behavior outside school time or off school property, except during school sponsored activities or as indicated in the Athletic Training Code or when under the jurisdiction of the school as noted in 6510 in this booklet. Students have the right to make up work missed during absences for disciplinary reasons in the same manner as provided students who are absent for other reasons. Students have the responsibility to make up missed work within a reasonable period of time, as determined by the principal. Nothing contained in this statement on Student Rights and Responsibilities shall be construed to abrogate the authority vested by law in the school committee or to be construed to delegate that authority to others.

FREE EXPRESSION

Students have the right to express themselves and to disseminate their views through speech, writing, publications, pictures, posters, buttons, insignia, armbands, and all other media of communications, subject to reasonable regulations as to the use of school materials and equipment and the time and manner of distribution of materials. Students have the responsibility to declare authorship of materials, to refrain from libel and slander, to refrain from incitements to crime or violations of law or lawful regulation, and to refrain from the use of obscenities or obscene material (circulation of petitions, circulars, newspapers, and other printed matter). Students shall be allowed to distribute petitions, circulars, leaflets, newspapers, and other printed matter subject to the following specific limitations:

- a. **Time:** The time of distribution shall be agreed to by the principal so as to prevent interference with individual class programs.
- b. **Manner:** The manner of distribution shall be such that:
 - coercion is not used to induce students to accept printed matter or to sign petitions;
 - funds or donations are not collected for the materials distributed;
 - leaflets and printed material to be distributed shall be submitted to the principal prior to such distribution (approval or disapproval of such distribution shall be within a reasonable time and the principal may limit the number of students or group of students who may distribute materials in any one day--as in similar circumstances an appeal of the principal's negative decision may be made to the superintendent); materials are not left undistributed or stacked for pickup while unattended at any place in the school or school grounds;
 - the distributor must be a student of the school involved (a non-student must have the principal's written permission);
 - student distributors have the responsibility of cleaning up any litter that may result; and,
 - the distribution of materials shall not hinder the normal flow of traffic within the school.

LIMITATIONS ON RIGHT TO EXERCISE FREE EXPRESSION

In the exercise of the student rights described above, no person shall speak or distribute materials, wear buttons, or make other displays or post notices or other materials which are obscene according to current legal definitions; are libelous or slanderous according to current legal definitions; express or advocate racial, ethnic or religious prejudice; incite students

so as to create a clear and present danger of the imminent commission of unlawful acts on school premises or of the violation of lawful school regulations or of the disruption of the orderly operation of the school. In January 1988 the Supreme Court decision in the case of Hazelwood School District vs. Kuhlmeier the court concluded that the school authorities do not violate the first amendment rights of students in expressing control with the style and content of student speech in school sponsored expressive activities, as long as their actions are reasonably related to legitimate educational concerns.

RIGHT TO AN EDUCATION

Students have the right to an education and to equal educational opportunities through high school graduation. Students have the responsibility to attend school and classes regularly and to refrain from any disruption of the educational program. Pregnant and married students have the same rights and responsibilities as other students, subject however, to the policies pertaining to pregnant and married students as contained in the official Policy Manual of the Central Berkshire Regional School District.

RULES AND REGULATIONS

Students have the right to know the rules and regulations to which they are expected to conform. Students have the responsibility to abide by all published school and school committee policies and regulations. Students have the right to seek changes in policies and regulations by all appropriate means.

SCHOOL RECORDS

Students have the right to inspect their school records in accordance with the provisions of the "Students Records Regulation" approved by the Massachusetts Board of Education on January 28, 1975, and as amended in Ch.71, 34D and E in the 1981 statutes, Ch. 460, 1 and 2, a copy of which can be obtained from the building principal. Students have the responsibility to abide by said regulations.

SEARCH AND SEIZURE

Students shall be free from searches and seizures of their persons, papers, and personal effects with two exceptions:

- (1) articles in the possession of students in violation of school regulations may be seized if in plain view or as provided in the 1985 Supreme Court decision: "New Jersey vs. TLO" (This decision gives flexibility to school officials and teachers to conduct reasonable warrant less searches of students.)
- (2) The student's lockers, belonging to the school and supplied for student convenience, may be searched by a school official provided that the official has a reasonable basis to believe that articles are kept therein in violation of law or of school regulations.

STUDENT GOVERNMENT

Within each secondary school, and at the discretion of the building principal in each elementary school, students have the right to establish and select any government that they may adopt for themselves, as long as it is elective with offices and elections open to all students and a constitution is made available to all students. Within any such democratic government, students have the responsibility to participate in the development of programs and regulations beneficial to student life within the school.

STUDENT ORGANIZATIONS

Students have the right to form and participate in student organizations of their choice, and these organizations have the right to peacefully assemble and to conduct programs that do not endanger the health or safety, damage property, or disrupt the activities of others. Participants in student organizations have the responsibility to give timely notice to the principal of plans to assemble and to conduct such programs and in so doing, to respect the health, safety, property, rights and activities of others.

SCHOOL COMMITTEE POLICIES & STATE LAW RELATIVE TO DISCIPLINE

RESPONSIBILITIES OF STUDENTS

1. Students must treat teachers and other students with respect, regardless of sex, race, color, creed, ethnic background, socio-economic status, or minority group membership.
2. Students must refrain from impairing the educational process or depriving students or teachers of their right.
3. Students must respect the personal property of other students and teachers.
4. Students must refrain from acts endangering students or teachers, or impairing the condition or maintenance of school buildings or grounds.
5. Students must recognize the authority of the teacher and of duly commissioned non-teaching personnel anywhere in the school buildings or grounds.

6. Students must refrain from rude language or conduct.
7. Students must adhere to school rules and attempt to institute change through legally acceptable channels.
8. Students must apply their best efforts in studying and learning in each subject and class.
9. Students must keep their parents and or/guardians informed of all important school matters and events.
10. Students must respect the rights of all other students, teachers, administrators, counselors, nurses, paraprofessionals, custodians, secretaries, cafeteria employees, bus drivers, and guests.
11. Students must respect the individual right of each human being to differ and be different from them.

REGULATIONS FOR THE CONDUCT OF STUDENTS

(As required by General Laws, Chapter 71, Section 37H)

1. The school committee employs a superintendent to have "the care and supervision of the public schools". The superintendent, in the day-to-day operation of the school, delegates "the care and supervision" of the schools to the principals, teachers, and other staff. It is the responsibility of the principals, teachers, and other staff to publicize and enforce these regulations as well as to take the appropriate steps to formulate more detailed rules as necessary to support these regulations.
2. School committee regulations (and supporting rules) for the conduct of students are applicable when the students are under the jurisdiction of the school as defined in Policy 6510.
3. The following specific regulations are established by the school committee with reference to student conduct. Each student shall:
 - a. Attend school regularly in accordance with guidelines set out by the Massachusetts Board of Education and the school committee.
 - b. Account for absence (and tardiness) in the manner prescribed by each school.
 - c. Behave in a non-disruptive manner with due regard to the rights and privileges of others.
 - d. Be subject to applicable provisions of state law and local ordinances.
 - e. Know and follow the specific safety rules and procedures of the school.
 - f. Know and follow the specific rules and procedures related to fire and other emergency drills.
 - g. Refrain from smoking and possessing, using, buying or selling alcohol or illegal drugs.
 - h. A student may not be barred from participating in any school program, including athletic teams, musical groups or other clubs sponsored by the school because of hair or clothing style as long as the style does not endanger his/her health or safety or the health and safety of other students, or create a disruption of the educational process.
 - i. All students shall refrain from hazing as defined in Chapter 536 of the Acts of 1985. Students violating Chapter 536 may be disciplined pursuant to school Committee Regulations (and supporting rules) for the Conduct of Students. A copy of Chapter 536 of the Acts of 1985 shall be reproduced in the Student Handbook. A copy shall be given to each secondary school student and employee involved with supervision of such students. Written acknowledgement of the receipt of the student handbook shall be obtained from each person receiving the same.
4. The principal of each school will make copies of this policy available in the school's regular student, teacher, and parent notices and handbooks. Copies of these regulations will be made available from the principal of each building to any person on request and without cost.
5. Written acknowledgement of the receipt of the student handbook shall be obtained from each person receiving the same.
6. These regulations, along with certification indicating their availability as provided in paragraph 4, have been filed with the commissioner of education.

BULLYING-POLICIES & PROCEDURES FOR REPORTING & RESPONDING TO BULLYING & RETALIATION

The CBRSD Bullying Prevention Policy (JICFB) can be found on the district website

<http://www.cbrsd.org/CentralOffice/PolicyManual.pdf>. The language regarding reporting is copied below:

- CBRSD Policy states, "Students, who believe that they are a target of bullying, observe an act of bullying, or who have reasonable grounds to believe that these behaviors are taking place, are obligated to report incidents to a member of the school staff. The target shall, however, not be subject to discipline for failing to report bullying."
- Each school shall have a means for anonymous reporting by students of incidents of bullying. No formal disciplinary action shall be taken solely on the basis of an anonymous report.
- Any student who knowingly makes a false accusation of bullying shall be subject to disciplinary action.
- Parents or guardians, or members of the community, are encouraged to report an incident of bullying as soon as possible.
- A member of a school staff shall immediately report any instance of bullying the staff member has witnessed or become aware of to the school principal or their designee.

A. Reporting bullying or retaliation

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

Use of an Incident Reporting Form is not required as a condition of making a report. CBRSD schools will:

- a. Include a copy of the Incident Reporting Form in the beginning of the year packets for students and parents/guardians.
- b. Make it available in the school's main office, the counseling office, the school nurse's office and other locations determined by the principal or designee, and
- c. Post it on the school's website.

At the beginning of each school year, the Assistant Superintendent will provide the school community, including administrators, staff, students, and parents or guardians, with written notice of its policies for reporting acts of bullying and retaliation. A description of the reporting procedures and resources, including the name and contact information of the principal or designee, will be incorporated in student and staff handbooks, on the school or district website, and in information about the Plan that is made available to parents or guardians.

Reporting by Staff

A staff member will report immediately to the principal or designee when he/she witnesses or becomes aware of conduct that may be bullying or retaliation. The requirement to report to the principal or designee does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with school or district policies and procedures for behavior management and discipline.

Reporting by Students, Parents or Guardians, and Others

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

B. Responding to a report of bullying or retaliation

Safety

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

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

Obligations to Notify Others

- a. Notice to parents or guardians. Upon determining that bullying or retaliation has occurred, the principal or designee will promptly notify the parents or guardians of the target and the aggressor of this, and of the procedures for responding to it. There may be circumstances in which the principal or designee contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.
- b. Notice to Another School or District. If the reported incident involves students from more than one school district, charter school, non-public school, approved private special education day or residential school, or collaborative school, the principal or designee first informed of the incident will promptly notify by telephone the principal or designee of the other school(s) of the incident so that each school may take appropriate action. All

communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR 49.00.

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

C. Investigation

The principal or designee will investigate promptly all reports of bullying or retaliation and, in doing so, will consider all available information known, including the nature of the allegation(s) and the ages of the students involved. During the investigation the principal or designee will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The principal or designee (or whoever is conducting the investigation) will remind the alleged aggressor, target, and witnesses that retaliation is strictly prohibited and will result in disciplinary action.

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

Procedures for investigating reports of bullying and retaliation will be consistent with school or district policies and procedures for investigations. If necessary, the principal or designee will consult with legal counsel about the investigation. (Align this with school or district procedures.)

D. Determinations

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

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

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

E. Responses to Bullying

Teaching Appropriate Behavior Through Skills-Building

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

- offering individualized skill-building sessions based on the school's/district's anti-bullying curricula;
- providing relevant educational activities for individual students or groups of students, in consultation with guidance counselors and other appropriate school personnel;
- implementing a range of academic and nonacademic positive behavioral supports to help students understand pro-social ways to achieve their goals;
- meeting with parents and guardians to engage parental support and to reinforce the anti-bullying curricula and social skills building activities at home;
- adopting behavioral plans to include a focus on developing specific social skills;

- making a referral for evaluation.

Taking Disciplinary Action

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

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

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

Promoting Safety for the Target and Others

The principal or designee will consider what adjustments, if any, are needed in the school environment to enhance the target's sense of safety and that of others as well. One strategy that the principal or designee may use is to increase adult supervision at transition times and in locations where bullying is known to have occurred or is likely to occur. Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the principal or designee will contact the target to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are needed. If so, the principal or designee will work with appropriate school staff to implement them immediately.

COLLABORATION WITH FAMILIES

- A. Parent education and resources. CBRSD schools will offer education programs for parents and guardians that are focused on the parental components of the anti-bullying curricula and any social competency curricula used by the school. The programs will be offered in collaboration with the PTO, School Councils, Special Education Parent Advisory Council, and other appropriate school/community organizations.
- B. Notification requirements. Each year CBRSD schools will inform parents or guardians of enrolled students about the anti-bullying curricula that are being used. This notice will include information about the dynamics of bullying, including cyber bullying and online safety. The school or district will send parents written notice each year about the student-related sections of the Plan and the school's or district's Internet safety policy. All notices and information made available to parents or guardians will be in hard copy and electronic formats, and will be available in the language(s) most prevalent among parents or guardians. The schools will post the Plan and related information on its website and those plans will be mirrored on the district website.

PROHIBITION AGAINST BULLYING AND RETALIATION

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

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

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

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

DEFINITIONS

Aggressor is a student who engages in bullying, cyber bullying, or retaliation.

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

- Causes physical or emotional harm to the target or damage to the target's property.
- Places the target at reasonable fear of harm to himself/herself or of damage to his/her property.
- Creates a hostile environment at school for the target
- Infringes on the rights of the target at school; or

e. Materially and substantially disrupts the education process or the orderly operation of a school.

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

See M.G.L. c. 71, § 370 for the legal definition of cyber bullying.

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

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

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

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

CHAPTER 227: AN ACT PROVIDING FOR DRUG FREE SCHOOL ZONES

Effective July 11, 1989, anyone convicted of dealing drugs within one thousand feet of an elementary, vocational or secondary school will face a two year mandatory prison sentence. It will not matter whether the dealer knew he was near a school, whether it is a public or private school, or in session. The law will pertain to drug distributors, manufacturers or persons possessing a controlled substance with intent to distribute it. A fine of up to ten thousand dollars may also be imposed but not in lieu of the two-year term of imprisonment.

CHAPTER 241: AN ACT PROVIDING FOR SUSPENSION OF A LICENSE TO OPERATE A MOTOR VEHICLE UPON CONVICTION OF VIOLATION OF THE CONTROLLED SUBSTANCE ACT

A license to drive is one-privilege drug offenders will now lose for certain. This new law provides that a conviction of any drug offense shall result in the loss of the right to drive for a period of time up to five years. In the case of minors who may not yet have a driver's license at the time of their conviction, they may lose the right to obtain a license until reaching age twenty-one.

CHAPTER 269: HAZING

All persons must refrain from "*hazing*" as defined in Chapter 536, Acts of 1985, also known as **Massachusetts General Law Chapter 269**. The Central Berkshire Regional School District considers "*hazing*" will be subject to the school discipline codes, including suspension or exclusion.

Section 17 Whoever is a principle organizer or participant in the crime of "*hazing*" as defined herein shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or both such fine and imprisonment. The term "*hazing*" as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. (Central Berkshire Regional School District students come under the jurisdiction of the schools as outlined in policy #6510. Provisions of the state law would be in effect on private property.) 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.

Section 18 - Whoever knows that another person is the victim of "*hazing*" as defined in section seventeen and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such a crime shall be punished by a fine or not more than one thousand dollars (per state law).

CHAPTER 322: AN ACT FURTHER REGULATING THE MISUSE OF DRIVER LICENSES AND IDENTIFICATION CARDS

Teenagers and college students in particular should be aware that the mere possession of a false identification or license is an offense that now can send them to jail. A new law came into effect on July 11, 1989 that makes a broad spectrum of activities related to false I.D.'s or licenses punishable by a fine or imprisonment. These activities include, but are not limited to: making, using or carrying a false I.D. or license; using the cards or license of another; and furnishing false information in obtaining an I.D. or license. In addition, a conviction on any of these charges will result in an automatic one-year suspension of the license to drive.

CHAPTER 622: TITLE IX GRIEVANCE PROCEDURES

Provisions Related to the Initiation of Grievances

- A. Any parent, guardian, student or other person or group who believes that Title IX, Chapter 622 regulations have been violated may grieve that violation.
- B. All grievances or questions should be made known to the Chapter 622 Coordinator c/o Central Office, 254 Hinsdale Road, Dalton MA or by telephone (413) 684-0320.
- C. The coordinator will follow all necessary steps to accomplish an amicable resolution and to reduce confrontation. All grievances at this level will be kept confidential and every effort will be made to reduce the sometimes-sensitive issues discreetly and without further embarrassment and/or harassment.
- D. If the coordinator is unable to resolve the grievance to the satisfaction of those concerned, then the grievance will be brought to the Personnel Sub-committee for review who in turn will make a recommendation to the full School Committee. A copy of the grievance will also be sent to the Bureau of Equal Educational Opportunity.
- E. The School Committee will have thirty (30) days in which to respond in writing to the complaining party. A copy of this response will be sent to the Bureau of Equal Educational Opportunity

Provisions Related to the Processing of Grievance

- A. The Bureau of Equal Opportunity shall act as the representative of the Board of Education for the purpose of receiving complaints pursuant to these regulations.
- B. The Bureau of Equal Educational Opportunity shall, pursuant to a complaint received, conduct reviews to insure compliance. The School Committee and the specific school(s) involved shall cooperate to the fullest extent with such review.
- C. In the event of non-compliance, the Board of Education may take such action as it sees fit including, but not limited to, withholding of funds or referral to the office of the Attorney General for appropriate legal action.

STATE LAW AND REGULATIONS REGARDING THE DISCIPLINE OF STUDENTS WITH SPECIAL NEEDS

With respect to removal of students with special needs from public school, Massachusetts General Laws, Chapter 71B, section 3 states: "No school committee shall refuse a school age child with special needs admission to or continued attendance in public school without the prior written approval of the Department (of Education). No child who is so refused shall be denied an alternative form of education approved by the Department..." For purposes of this statute, the Department of Education has developed procedures that protect students with special needs from suspensions of more than ten (10) cumulative days in a school year. However, nothing in these procedures is intended to limit the provisions of Section 331 of the Chapter 766 Regulations for emergency evaluation and placement in "...instances of dangerously assaultive or self-abusive behavior..."

COMPLAINT PROCEDURE FOR ALLEGED DISCRIMINATORY OR HARASSING CONDITION (5760)

The Central Berkshire Regional School District is committed to equal employment and educational opportunity for all employees and applicants, students, and members of the school community without regard to race, color, sex, religion, national origin, age, sexual orientation, disability or homeless/unaccompanied status in all aspects of employment and education. The members of the school community include the School Committee, administration, staff, students, and volunteers working in the schools, while they work and study subject to school authorities.

The Central Berkshire Regional School District is committed to maintaining a school and work environment free from harassment based on race, color, sex, religion, national origin, age, sexual orientation, disability or homeless/unaccompanied status. The Central Berkshire Regional School District expects all employees, students and other members of the school community to conduct themselves in an appropriate and professional manner.

Harassment on the basis of race, color, sex, religion, national origin, age, sexual orientation, disability or homeless/unaccompanied status in any form will not be tolerated. Such harassment includes unwelcome remarks, gestures or physical contact, display or circulation of written materials or pictures derogatory to either gender or to racial, ethnic, religious, age, sexual orientation or handicap individuals or groups.

COMPLAINT PROCEDURE:

1. Any member of the school community who believes that he/she has been subjected to harassment will report the incident (s) to the grievance officer. All complaints shall be investigated promptly and resolved as soon as possible.
2. The grievance officer will attempt to resolve the problem in an informal manner through the following process:
 - a. The grievance officer will confer with the charging party in order to obtain a clear understanding of that party's statement of the facts, and may interview any witnesses.
 - b. The grievance officer will then attempt to meet with the charged party in order to obtain his/her response to the

complaint.

- c. The grievance officer will hold as many meetings with the parties as is necessary to establish the facts.
 - d. On the basis of the grievance officer's perception of the situation he/she may:
 - Attempt to resolve the matter informally through reconciliation.
 - Report the incident and transfer the record to the Superintendent or his/her designee, and so notify the parties by certified mail.
3. After reviewing the record made by the grievance officer, the Superintendent or designee may attempt to gather any more evidence necessary to decide the case, and thereafter impose any sanctions deemed appropriate, including a recommendation to the committee for termination or expulsion. At this stage of the proceedings the parties may present witnesses and other evidence, and may also be represented. The parties, to the extent permissible by law, shall be informed of the disposition of the complaint. All matters involving sexual harassment complaints will remain confidential to the extent possible. If it is determined that inappropriate conduct has occurred, district will act promptly to eliminate the offending conduct.
4. The grievance officer, upon request, will provide the charging party with government agencies that handle sexual harassment matters.
- Adopted: April 29, 1976
Revised: September 22, 1977
Revised: December 14, 1978
Revised: April 5, 1979
Revised: March 29, 1982
Revised: April 9, 1987
Revised: April 10, 2008 (Completely rewritten)

Note: The name and contact information for the grievance officer is as follows:

Melissa Falkowski
254 Hinsdale Road
Dalton, MA 01226
Tel: (413) 684-0320 X103
Email: mfalkowski@cbrsd.org

DRUG/ALCOHOL ASSISTANCE, PREVENTION AND DISCIPLINARY PROCEDURES (6730)

- 6730.1** The Central Berkshire Regional School District is committed to provide an environment for students to reach their maximum potential. To this end, it is necessary for each school and each student to remain alcohol and drug free.
- 6730.2** The use or possession of drugs, alcohol or look-alike-drugs by any student on school property, in schools, or at school functions is prohibited. Students shall be barred from any school-sponsored event if they have been using alcohol, drugs, or look-alike-drugs prior to their attendance at or participation in said school sponsored activity.
- 6730.3** Along with the above strong prohibition, the school committee recognizes that use of alcohol and drugs is a concern affecting the mental, emotional, and physical health of students. Therefore, it is the committee's belief that educational programs should be planned, designed and evaluated in order to afford students opportunities in making positive choices regarding their health.
- 6730.4** The school committee also recognizes that alcohol and drug abuse are part of a broader scope of problems involving the individual and society. These problems include a breakdown in confidence and communication between young people and adults. The committee has a responsibility to strengthen, promote and protect trust between people.
- 6730.5** The school committee recommends a broad educational program for students, school personnel, parents and citizens in the areas of alcohol and drug education, use and abuse; and it supports efforts to promote trust between students and adults.
- 6730.6** Should there be breaches of conduct concerning alcohol and drugs, the school committee supports the administration, principals and superintendent, in effecting the following procedures for disciplinary action to insure a positive and productive learning environment in its schools.

PROCEDURES FOR DISCIPLINARY ACTION

Definition of Terms:

Alcoholic Beverage: Alcohol spirits, liquor, wine, beer, and every liquid or solid containing alcohol spirits, wine, or beer in which contains half of 1% or more of alcohol by volume which is fit for beverage purposes either alone or when diluted, mixed, or combined with other substances.

Drug: As defined in Chapter 94, Section C of the Massachusetts General Laws, stimulants, amphetamines, depressants, tranquilizers, narcotics, relaxants, and hallucinogens or any other controlled substance regulated by the FDA and not administered as a properly prescribed medication.

Look-Alike-Drug: A substance or combination of substances, liquid or solid, which stimulate, appear like, or are intended to be drugs. (Examples are dry spices in cigarette wrappers and over the counter prescription drugs passed off as controlled substances.)

Use: The ingestion, inhalation, or injection of an alcoholic beverage, drug, or look-alike-drug.

Possession: The possession of an alcoholic beverage, drug, or look-alike-drug or drug paraphernalia

- a) on one's person, or
- b) among one's personal possessions such as a locker, motor vehicle, book bag or purse, or within the reasonable immediate vicinity of one's person.

Parent: Father, mother, or guardian.

C.R.A.: Child Requiring Assistance

As principals and the superintendent choose courses of disciplinary action, they will distinguish between and among alcohol, look-alike-drugs, and drugs, which are controlled substances.

JURISDICTION OF THE SCHOOL

6510.1 Students of the Central Berkshire Regional School District are considered under the jurisdiction of the school.

6510.11 While on school grounds or within the school.

6510.12 While traveling to and from school for a reasonable amount of time as determined by the administration.

6510.13 While at any school-sponsored activity

SMOKING POLICY

There will be no smoking by anyone at any time in any building or on school grounds of the Central Berkshire Regional School District. Student violators will be subject to suspension.

DUE PROCESS FOR SUSPENSIONS: NOTICE OF PROPOSED SUSPENSION

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

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

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

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

DUE PROCESS FOR SHORT-TERM SUSPENSIONS: HEARING AND PRINCIPAL DETERMINATION

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

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

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

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

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

DUE PROCESS FOR LONG-TERM SUSPENSIONS: HEARING AND PRINCIPAL DETERMINATION

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

Additionally, the student shall have the following additional rights:

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

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

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

- i. Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing;
- ii. Set out key facts and conclusions reached by the principal;
- iii. Identify the length and effective date of the suspension, as well as a date of return to school;
- iv. Include notice of the student's opportunity to receive a specific list of education services to make academic progress during removal, and the contact information of a school member who can provide more detailed information.

- v. Inform the student of the right to appeal the principal's decision to the superintendent or his/her designee (only if a long-term suspension has been imposed) within five (5) calendar days, which may be extended by parent/guardian request in writing an additional seven (7) calendar days.

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

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

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

DUE PROCESS FOR SUSPENSIONS: APPEAL OF LONG-TERM SUSPENSION

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

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

EMERGENCY REMOVAL

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

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

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

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

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

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

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

On the same day as the in-school suspension decision, the principal shall make reasonable efforts to notify the parent orally of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension. The principal shall also invite the parent to a meeting to discuss the student's academic

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

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

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

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

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

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

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

Felony complaint or issuance of felony delinquency complaint

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

The Principal shall notify the student in writing of the charges, the reasons for the suspension (prior to such suspension taking effect), and the right to appeal. The Principal will also provide the student and parent(s)/guardian(s) the process for appealing the suspension to the Superintendent. The request for appeal must be made in writing within five (5) calendar days. The hearing shall be held within three (3) days of the request. The suspension shall remain in effect prior to any appeal hearing before the Superintendent. At the hearing, the student shall have the right to present oral and written testimony, and the right to counsel. The Superintendent has the authority to overturn or alter the decision of the Principal. The Superintendent shall render a decision on the appeal within five (5) calendar days of the hearing.

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

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

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

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

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

make academic progress.

POLICY AND LAW

Prior to the beginning of each school year, each school committee shall schedule a minimum of 180 school days for the year for all public schools under its supervision and control. As a matter of policy, the Board of Education recommends that each school committee schedule a 185 -day school year to provide for contingency of snow days and other schedule disruptions. In all cases, school committees are encouraged to exceed the minimum where possible for the purpose of extension of student learning time.

Definition of a School Year: Under Education Reform, the law describes the school year as being 900 hours of supervised instructional time. In order to accumulate 900 hours, a student must be in class for five hours per day for 180 days. The Nessacus schedule will make it easy for a student to accomplish this easily.

Definition of School Day: A school day for an elementary grade shall consist of a minimum of 5 instructional hours. A school day for secondary grade shall consist of a minimum of 5 ½ instruction hours. A school committee may schedule a school day or school days of less than 5 or 5 ½ hours of instructional time with early release of pupils on the day before Thanksgiving, and to permit in-service education, parent conferences, and other professional activities provided that the average annual length of the school day is 5 instructional hours for elementary or 5 ½ instructional hours for secondary grades. The Commonwealth of Massachusetts, recognizing the rights of all individuals for a proper education has compulsory school attendance laws in effect (Chapter 76, Section 2 of the State Education Law):

"Every person in control of a child shall cause him to attend school as therein required, and if he fails to do so for seven day sessions or fourteen half-day sessions within any period of six months, he shall on complaint by a supervisor of attendance, be punished by a fine of not more than twenty dollars. No physical or mental condition capable of correction or rendering the child fit subject for special instruction shall avail as a defense unless it appears that the defendant has employed all reasonable measures for the correction of the condition and the suitable instruction of the child."

DIRECTORY AND YEARBOOK INFORMATION

The following public notice shall be published in the legal section of the school paper, school handbook, and local newspaper displayed on each school's bulletin board by September 1 of each year:

NOTICE IS HEREBY GIVEN (6430.11):

That Central Berkshire Regional School District, pursuant to the U.S. General Education Provisions Act declares the following directory information" as provided in said act, and that information relating to students may be made public if said information is any of the following categories:

- A. Student's name, address, telephone listing.
- B. Date and place of birth
- C. Major field of study.
- D. Participation in officially recognized activities and sports.
- E. Weight and height of members of athletic teams.
- F. Dates of attendance.
- G. Degrees and awards received.
- H. The most recent previous educational agency or institution attended by the student, and
- I. School-related photographs for use in yearbooks.

Law requires this public notice before such information can be placed in yearbooks or student directories. Any parent of any student in the district may notify the district by notifying the principal of the school in which said student attends, of the parent's desire that none of the above information may be released without the parent's consent, provided that such notification is given the district within thirty (30) days of this publication notice.

EQUAL EDUCATIONAL OPPORTUNITIES (6110)

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 all federally protected groups, including but not limited to, race, color, sex, religion, national origin, sexual orientation, disability, or homelessness.

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, sexual orientation, disability, or homelessness.

This will include all federally protected groups not specifically named.

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.

LEGAL REFS.: Title VI, Civil Rights Act of 1964

Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972

Executive Order 11246, as amended by E.O. 11375

Title IX, Education Amendments of 1972

M.G.L. [76:5](#); [76:16](#); (Chapter 622 of the Acts of 1971)

Board of Education Chapter 622 Regulations Pertaining to Access to Equal Educational Opportunity, adopted 6/24/75, amended 10/24/78

Board of Education, Chapter 766 Regulations 10/74 - amended through 3/28/78

603 CMR [26:00](#)

Adopted: January 24, 2008

ELECTRONIC DEVICES (6505.1)

Students shall, upon entering school, secure and not operate a CD player, electronic game, or pager. Students may possess and inconspicuously carry cell phones and portable communications devices (PCD's including PDA's with communication capabilities); however, these units must be turned off during the academic day to ensure that disruptions and interference of the instructional and academic climate of the school do not occur. Students may not use or operate cell phones or PCD's during the school day unless at the direction of teacher or administrator as part of a learning experience. The school day is defined as the time the student must report to class until dismissal. Students may use their cell phones and PCD's before and/or after school.

Students who violate the policy may face disciplinary actions by the administration. Additionally, cell phones or PCD's that are used during the day will be confiscated. The school administration may, in its sole discretion, grant exceptions to the use of electronic devices based upon critical need and appropriate documentation.

The policies contained within this handbook are subject to revision at any time. A copy of any revision will be made available upon request at the principal's office and on the district website.

ENGLISH LANGUAGE LEARNERS (5240)

The District shall provide suitable research-based language instructional programs for all identified English language learners in grades Kindergarten through 12 in accordance with the requirements of state and federal statutes and Massachusetts Department of Education regulations and guidance.

The District shall identify students whose dominant language may not be English through home language surveys that identify a primary home language is other than English (PHLOTE), observations, intake assessments, and recommendations of parents, teachers and other persons. Identified students shall be assessed annually to determine their level of proficiency in the English language.

The District shall certify to the Massachusetts Department of Education each year those students whose dominant language is not English, including specification of the number of non-English languages identified as dominant languages and the number and percent of students who speak each non-English language as their dominant language.

The District shall provide additional information as required by the Massachusetts Department of Education to comply with the No Child Left Behind Act.

LEGAL REFS.:

20 U.S.C. 3001 et seq. (language instruction for limited English proficient and immigrant students contained in No Child Left Behind Act of 2001)

42 U.S.C. 2000d (Title VI of the Civil Rights Act of 1964)

6140: HOMELESS STUDENTS: ENROLLMENT RIGHTS AND SERVICES

To the extent practical and as required by law, the district will work with homeless students and their families to provide stability in school attendance and other services. Special attention will be given to ensuring the enrollment and attendance of homeless students not currently attending school. Homeless students will be provided district services for which they are eligible, including Head Start and comparable pre-school programs, Title I, similar state programs, special education, bilingual education, vocational and technical education programs, gifted and talented programs and school nutrition programs.

Homeless students are defined as lacking a fixed, regular and

1. Sharing the housing of other persons due to loss of housing or economic hardship;
2. Living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations;
3. Living in emergency or transitional shelters;
4. Being abandoned in hospitals;
5. Awaiting foster care placement;
6. Living in public or private places not designed for or ordinarily used as regular sleeping accommodations for human beings;
7. Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations or similar settings;
8. Migratory children living in conditions described in the previous examples;

The superintendent shall designate an appropriate staff person to be the district's liaison for homeless students and their families. To the extent feasible, homeless students will continue to be enrolled in their school of origin while they remain homeless or until the end of the academic year in which they obtain permanent housing. Instead of remaining in the school of origin, parents or guardians of homeless students may request enrollment in the school in the attendance area in which the student is actually living, or other schools. Attendance rights by living in attendance areas, other student assignment policies, or intra and inter-district choice options are available to homeless families on the same terms as families resident in the District.

If there is an enrollment dispute, the student shall be immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute. The parent or guardian shall be informed of the district's decision and their appeal rights in writing. The district's liaison will carry out dispute resolution as provided by state rule. Unaccompanied youth will also be enrolled pending resolution of the dispute.

Once the enrollment decision is made, the school shall immediately enroll the student, pursuant to district policies. If the student does not have immediate access to immunization records, the student shall be admitted under a personal exception. Students and families should be encouraged to obtain current immunization records or immunizations as soon as possible, and the district liaison is directed to assist. Records from the student's previous school shall be requested from the previous school pursuant to district policies. Emergency contact information is required at the time of enrollment consistent with district policies, including compliance with the state's address confidentiality program when necessary.

Homeless students are entitled to transportation to their school of origin or the school where they are to be enrolled. If the school of origin is in a different district, or a homeless student is living in another district but will attend his or her school of origin in this district, the districts will coordinate the transportation services necessary for the student, or will divide the costs equally.

The district's liaison for homeless students and their families shall coordinate with local social service agencies that provide services to homeless children and youths and their families; other school districts on issues of transportation and records transfers; and state and local housing agencies responsible for comprehensive housing affordability strategies. This coordination includes providing public notice of the educational rights of homeless students in schools, family shelters and soup kitchens. The district's liaison will also review and recommend amendments to district policies that may act as barriers to the enrollment of homeless students.

LEGAL REFS.: Title I, Part C

No Child Left Behind Act, 2002

Adopted: January 24, 2008

Note: The name and contact information for the Homeless/Unaccompanied Youth Education Liaison is:

Stefanie Wondriska-Clark
80 Maple Street
Hinsdale, MA 01235
Tel: (413) 655-0167
Email: swondriskaclark@cbrsd.org

RIGHTS OF NON-CUSTODIAL PARENTS

If notified of a pending or actual divorce or separation between parents of a school-age child, the following policy and procedure shall apply:

A natural parent who is separated or divorced from the parent with legal custody of their child shall have the same rights as custodial parents in the following areas, unless these rights have been limited by court action:

- Access to their child's records.
- Visitation to observe their child, in accordance with the school's visiting policy.
- Conference with teacher to discuss their child's educational progress.

Custodial parents who wish to limit the above rights must provide the school with a copy of the relevant court document. To save children, parents, and the school from embarrassment and anguish, the following matters -if not already classified by a legal document - should be spelled out in writing by the custodial parent:

- Opportunity for the non-custodial parent to meet privately with a child in school;
- Opportunity for the non-custodial parent to take a child away from the school.

Lacking specific instructions in writing from the custodial parent or a court document on the matters in the above, school principals will assume non-custodial parents do not have these opportunities.

SCHOOL COMMITTEE POLICY RELATIVE TO TECHNOLOGY

All students are required to sign a Technology Acceptable Use Policy form prior to using any of the District's technology resources. (See Appendix C-1 of the CBRSD Policy Manual)