

**BRAYTON ELEMENTARY
SCHOOL**

STUDENT HANDBOOK

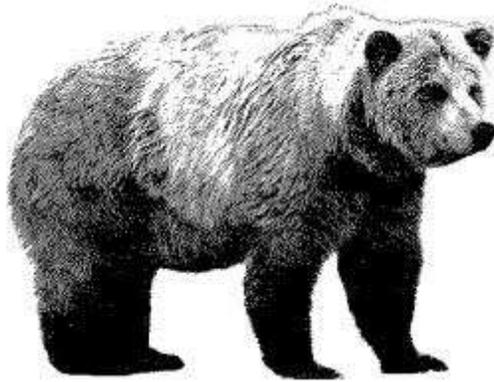
20 Brayton Hill Terrace
North Adams, Massachusetts
01247

413-662-3260

Dr. Barbara Malkas
Superintendent of Schools

Carolyn Wallace
Principal

Daniel Sherman
Dean of Students



Brayton Elementary School Mission Statement

Brayton Elementary is a "Community of Learners" where collaboration, cooperation and partnership among students, families, school and the community are critical and lead to the successful education of every child. Brayton is a learning environment where expectations allow for creativity and discovery through meaningful life experiences. Brayton staff, students, and families support and are supported by the Golden Rule:

"Treat others the way you want to be treated."

North Adams Public Schools: "Empower All Learners"

This handbook was created in an effort to maintain a positive learning environment for everyone. Learning in a safe and respectful school environment is a privilege that all students deserve.

The North Adams Public School Committee's policy of nondiscrimination will extend to students, staff, the general public, and individuals with whom it does business; No person shall be excluded from or discriminated against in admission to a public school of any town or in obtaining the advantages, privileges, and courses of study of such public school on account of age, race, color, sex, religion, national origin, sexual orientation, gender identity, disability, or homelessness.

COMMUNITY INVOLVEMENT

Our goal is to ensure that Brayton Elementary School is a place where children enjoy learning, where they want to come to school, where they continually gain skills and confidence, where they feel supported at all times, and where they learn to work together in a positive manner. We want all students and families to feel welcome at our school. Please contact the Principal, John Franzoni, if you have any questions regarding the school and/or your child's education.

School Council

Under the *Massachusetts Education Reform Act*, each school is required to have a school council. The school council is made up of the principal, teachers, parents, and members of the community. The duties of the council are to assist the principal in adopting educational goals, identifying student educational needs, and formulating a school improvement plan.

Parent Teacher Association (PTA)

Brayton School has an active PTA. The PTA provides information, communication, and through its fund-raising efforts, financial support for school activities and programs. PTA meetings are held monthly and notices are sent home prior to each meeting. Parents and teachers are encouraged to participate in these meetings.

Welcome Center

North Adams Public Schools have a Welcome Center located at Brayton School. The Welcome Center hosts family events and meetings for the school, provides community support options to families, and is available to assist with home to school connections.

Volunteers

Community volunteers are welcome and very much appreciated at Brayton School. We are very fortunate to have dedicated, student volunteers from both Williams College and MCLA. We are thankful for the senior volunteers who work at the school entrance, in the library, and in various classrooms. Please notify Carrie Schadler, Parent/Volunteer Coordinator, if you would like to be involved in our school community as a volunteer.

GENERAL INFORMATION

*****New this year: FAMILY DISMISSAL NUMBERS.**

All adults must have this number if they are dismissing their student from the school. See the gold sheet in your August Parent letter and page 7 of this handbook for details.

School Hours

School hours are from 8:40-2:55. Students can enter the building and be supervised in their classroom beginning at 8:25 a.m. Students are dismissed from school at 11:30 a.m. when there is an early release day

School Cancellations and Delays

If school is cancelled or delayed, announcements will be made on local radio stations and on TV, as well as an automated call through the emergency contact numbers provided by the families. If it is necessary to dismiss students during the school day, every attempt will be made to notify parents through announcements on the radio and by telephone.

Attendance

The North Adams School District encourages daily school attendance. Only through regular school attendance can a student take full advantage of the educational opportunities offered in the classroom. We believe in a direct and positive correlation between daily school attendance and academic success. Students are expected to be in attendance every day of the school year. The school system does, however, recognize that occasional absence from school is unavoidable and legitimate.

Massachusetts's law is very clear stating that only 6 unexcused absences are allowed in a six-month period. If the child is under your care, then the responsibility falls on you as the parent/guardian. When a child is truant for seven or more days, he/she is in violation of Massachusetts General Laws Chapter 76, Section 2. If a doctor has treated your child, or you have been advised by a doctor to have your child stay out of school, a doctor's note must be delivered to the school or faxed to the school by the doctor's office. This documentation warrants an excused absence from school. The only other acceptable reasons for absence are religious observance, death of a family member, hazardous weather, legal business or significant personal reasons judged excusable by the parent(s)/guardian(s) and the administration. The state requires the schools to send attendance letters home after a child reaches five or seven unexcused days absent.

If a student is going to be absent, parent(s)/guardian(s) are asked to call the school before 9:00 a.m. This procedure is to ensure the safety of the children. If parents or guardians do not call, the school will contact them at home or at work. When a student returns to school after an absence, he/she must bring a note written by a parent/guardian indicating the reason for the absence.

If a student is to be dismissed during the school day, he/she must bring a note from a parent/guardian to the main office in the morning at arrival. Please make every effort to schedule medical and dental appointments after school hours.

Entrance Requirements

Students entering kindergarten must be five years old by August 31 of the year that they enter school. Parents/Guardians of students entering kindergarten must provide evidence of a birth date, as well as a record of current immunizations, lead screening, and physical.

Transfers

Parents/Guardians of students transferring from other school systems will be asked to sign a record release form to enable Brayton School to obtain the student's records.

Change of Address

In the event a student moves to a new address during the school year, the school office must be notified. If you move out of North Adams, but wish to have your child continue their education at Brayton, you need to complete a school choice form (which may be obtained at the Superintendent's office or on our website). Should you move out of district, but within North Adams, you will need to enroll your child at the appropriate school (and provide verification of the new address).

Breakfast and Lunch

Brayton School has breakfast, hot lunch, and dinner programs. Menus are planned by the school district food service manager, Corbett Nicholas, and can be found on our school web page. Breakfast, lunch, and dinner are free for all students in the North Adams Public Schools. If a child wishes to bring a lunch from home, he/she may purchase milk. If a child would like an additional school lunch, there is a charge for the second lunch. Glass containers, soda, and gum are not permitted during the school day. Breakfast is served in the classroom beginning at 8:25 a.m. each day.

All students take part in our school's "Healthy Snack" program, which allows children to eat fresh fruits and vegetables daily at no individual cost. Children can also bring snacks from home, but these snacks should adhere to healthy choice guidelines.

State/District Food Policy

Food based celebrations for holidays and birthdays are omitted from the classroom during the school day. Other non-food based items, such as stickers or pencils can be used to acknowledge special days.

Recess

When children have finished their lunch, weather permitting, they are allowed twenty minutes of recess on the playground (or in the gymnasium if they are inside due to weather issues). Teachers or monitors supervise the playground activities. Please ensure that your child is dressed for outdoor recess each day. Outdoor recess is held unless it is below 10 degrees. During lunch, and on the playground, children are expected to abide by the rules established for safe and appropriate behavior. They are also expected to follow the directions of the staff supervising these activities. Continual misbehavior at

lunch or on the playground could result in community service, after school detention, or suspension from school.

Electronic Device Use Policy

The North Adams Public School Committee recognizes that electronic devices are a part of our everyday life. These rapidly evolving technologies play an important role in safety, communication, education, and employment. Appropriate use of technology empowers all learners with the ability to independently access information, communicate ideas, and promote student responsibility for learning.

Possession and use of personal electronic devices at school, or on school property is a privilege, not a right. The North Adams Public Schools are not responsible for any lost, stolen, or damaged personal electronic device brought on school property. Students, who choose to bring personal electronic devices to school, on school property, including buses, or to school sponsored events, agree to the following policy:

Electronic device use in grades prekindergarten - 6:

In grades prekindergarten through six, the expectation is that all personal or non-school issued electronic devices will be off and put away during school hours. Only school issued electronic devices will be used by students under supervision of a teacher or other supervising staff member.

Dress Code

Students are expected to adhere to standards of dress and appearance that are compatible with an effective elementary school learning environment. Presenting an appearance or wearing clothing which is disruptive, profane, or which endangers the health and safety of the student or others is prohibited.

Prohibited clothing and accessories are those that pose a safety or health hazard, interfere with or disrupt the educational process, advocate unsafe or inappropriate behavior, demean others on the basis of race, color, ethnicity, gender, disability, or promote the use of tobacco, drugs, or alcohol.

The following are prohibited:

- Exposed undergarments, bedtime attire, sagging pants, or see-through garments.
- Shirts that expose the midriffs, low cut tank tops or pants, single, multi-straped or strapless tops, or excessively short or tight garments. Tank top straps should be at least the width of two fingers and shorts and skirts should fall below fingertips when arms are relaxed at sides. Private parts should be private and not exposed.
- Attire or accessories with messages or illustrations that are lewd, indecent or vulgar, or promote any product or service that are not permitted by law to minors.

- Head coverings, including hats, hoods, and bandanas, except those worn for approved and accepted medical or religious purposes.
- Items that reasonably could be perceived as or used as a weapon or represent danger to self or others, including but not limited to chains, spikes, studded clothing and studded jewelry.
- Clothing or accessories that are deemed to be of a safety concern for self or others, including but not limited to pants that drag on the floor.

Appropriate student dress and appearance is the responsibility of the student and his/her parents or guardians. If a student's dress or appearance is deemed to endanger the health, safety and/or security of that student or to others, as outlined above, such infraction will be reported to the administration. Students will be asked to change clothing if necessary, and parents may be called to bring appropriate clothing to school.

*****FAMILY DISMISSAL NUMBERS** - needed for Early Dismissal from School for any reason as well as any After School Programs.

Starting this year, **any adult picking up a child from Brayton Elementary School MUST have the child's FAMILY DISMISSAL NUMBER in order to pick up the child. This includes parents, guardians, older brothers/sisters, etc.** The use of this number system increases the safety of all students in the building and makes sure that all students are dismissed to the correct adult.

The FAMILY DISMISSAL NUMBER is a 4-digit number that is assigned to each family for the duration of their time at Brayton. This year, letters containing FAMILY DISMISSAL NUMBER was mailed to current families. This important number will be given to new families upon registration. The school only gives this number to a child's Guardian. If you lose this number you will need to come to the school's Main Office with a picture ID to get the number.

AGAIN, **we will only dismiss a student to an adult who has the correct dismissal number (from the nurse, for an appointment, after school program, etc.)** so it is up to each Guardian, to give the number to any safe adult that he/she will allow to pick up their child (including the Guardian!)

Walking to and from school

Children who walk to school are expected to follow the school directed route to and from school unless the principal or dean of students has granted special permission. All students and visitors must use the main entrance. If you wish your child to go some place other than home after school, it is required that you notify the school in writing. Dismissal time is 2:55 for both bus students and walkers. Parents are not allowed to go to the classroom to pick up a child or wait in the main hallway. Walkers and students who are getting picked up by a parent will be dismissed via the cafeteria as a safety precaution. Please obey posted rules of school conduct and follow our safety rules while in the building to assist our efforts to maintain a positive and safe school environment

Bus Students

(Family Dismissal Numbers are not needed for students taking the bus home.)

Students are to obey the bus driver while entering, riding, and exiting the school bus. Students are expected to:

1. Remain seated
2. Not damage property
3. Be courteous to the driver and other passengers
4. Keep the bus clean
5. Have safe hands and feet and keep them inside the bus windows
6. Not throw anything on the bus or out of the windows
7. Keep voices low so that the driver is not distracted and can get attention if necessary
8. Follow rules of respect and kindness

Continual misbehavior on the bus could result in suspension from riding the bus. If the rules stated above are not followed, then a student can first get a warning, be suspended from riding the bus for three days, then for one week, then for one month, and ultimately for the rest of the year if the misbehavior continues. If the driver submits a Bus Behavior Report, it will be sent home for a parent signature.

The bus company determines bus routes/bus stops. Prior to the start of the school year, the bus schedules are published on line and in the newspaper. No one is allowed to ride on a bus to which they have not been assigned without a signed note from a parent.

***The school must be notified in writing if any changes in dismissal are needed.**

Bicycles

Due to safety concerns students are not permitted to ride bicycles to school.

Lockers

Each student will be assigned a hall locker. They are for the individual use of students and should not be shared. All students must realize the importance of proper locker security. Because the locker is the property of the school and not the student, the administration has the right to open and examine the contents of a student's locker at any time. The use of the locker is entrusted to the student, and it is the obligation of each student to keep the locker neat, orderly, free of marks/writing and secure at all times.

Students are responsible to the locker assigned to them by the office. Students who insert objects into the locking mechanism causing the locker to remain unlocked are liable for any items removed or damage done to the locking mechanism.

Safety Drills

Unannounced safety drills are routinely practiced throughout the year under the supervision of the Massachusetts State Police, and the North Adams Fire and Police Departments. The School Safety Management Team coordinates the planning for all safety drills in the building. Ongoing training has been provided to all staff members through a joint effort by the North Adams Fire and Police Departments, as well as the State Police, to help ensure the safety of all students and staff during the school day.

Student Support Center

Any student having difficulty following school rules will be sent to the Student Support Center. A trained assistant will work with the child to assist their ability to understand the impact of their actions. The child is then taught through discussion how to best avoid that behavior and make better decisions in the future. Parents may be notified when a student is sent to the Student Support Center. The Student Support Center is also used for breaks and/or check-ins in order to proactively help students make good choices throughout the school day.

HARASSMENT (M.G.L. c.76, s. 5), BULLYING (M.G.L. c. 71, § 37O), Related M.G.L.'s

The North Adams Public School District expects that all members of the school community will treat each other in a civil manner and with respect for differences. North Adams Public Schools is committed to providing all students with a safe learning environment that is free from bullying, cyberbullying, harassment, and intimidation. This commitment is an integral part of our comprehensive efforts to promote learning, and to prevent and eliminate all forms of bullying and other harmful and disruptive behavior that can impede the learning process.

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

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

To view the complete **North Adams Public Schools Bullying Prevention and Intervention Plan**, please go to the following web address:

<https://www.napsk12.org/bullying-prevention>

The website link also includes the **Elementary School Bullying Prevention & Intervention Incident Reporting Form**. This information can also be accessed and downloaded from the Brayton website:

<http://brayton.napsk12.org>

If you would like a paper copy of the North Adams Public Schools Bullying Prevention and Intervention Plan, please contact the school office.

Drug and Alcohol Policy

It is a violation of state law and school rules, and a threat to the welfare of others at school, for anyone to possess, use, sell or distribute alcohol or drugs on school grounds or at school sponsored activities at any time. Violations will result in disciplinary action as well as attempts to offer the student assistance in identifying and treating alcohol and drug related problems.

Substance Abuse Evaluations are available by specialists at Mental Health and Substance Abuse Services of the Berkshires (MHSAB). Students participating in this service because of a violation of school policy are expected to sign a release of information from concerning treatment recommendations to the school adjustment counselor. These evaluations are scheduled promptly to allow re-entry to school. To request and evaluation, call 664-4541 and speak to the receptionist for the substance abuse department.

Drug and Alcohol Discipline Policy

Category I: Selling, distributing, or possession of a controlled substance while under school jurisdiction.

1. As noted in the Education Reform Act, Chapter 71, Section 37H (See Appendix A); any student who is found on school premises or school related events, including athletic games, in possession of a controlled substance is subject to expulsion from the school or school district by the principal.
2. Notification of parent or guardian.
3. Notification of police.
4. Procedures contained in Massachusetts General Law, Chapter 71, Section 37H (Appendix A) will be followed.
5. If suspended, the student must participate in the Substance Abuse Evaluation and Readmission procedure described below.

Category II: Possessing alcohol, drugs, or a look-alike drug while under school jurisdiction. A look-alike drug is a substance that simulates, appears like, or is intended to be a drug. (Examples are spices in cigarette papers or over the counter medications like No-Doz.)

1. Notification of parent or guardian.
2. Notification of police.

3. Initiate appropriate discretionary action:
 - A. First offense: Up to 5 days suspension, which may be reduced at the principal's discretion if the student completes the Substance Abuse Evaluation.
 - B. Second Offense: Up to 10 days suspension, which may be reduced at the principal's discretion if the student completes the Substance Abuse Evaluation.
 - C. Third Offense: Up to 10 days suspension or initiation of action to expel the student from school.
4. Follow the Readmission Procedure.

Category III: Under the influence of alcohol, a drug, or a look-alike drug while under school jurisdiction.

1. When a staff member suspects a student is under the influence of alcohol, a drug or a look-alike drug, the staff member will immediately escort student to the health aide. If the student is uncooperative, the administration will immediately be contacted. The health aide will determine if the student is under the influence of any substance and will take whatever action is necessary to protect the student's health.
2. Notify the parent or guardian, and dismiss them into their physical custody.
3. Refer for examination by a physician.
4. Notify the police.
5. Initiate appropriate disciplinary action.
 - A. First Offense: Up to 5 days suspension, which may be reduced at the principal's discretion if the student completes the Substance Abuse Evaluation.
 - B. Second Offense: Up to 10 days suspension, which may be reduced at the principal's discretion if the student completes the Substance Abuse Evaluation.
 - C. Third Offense: Up to 10 days suspension or initiation of action to expel the student from school.
6. Follow the Readmission Procedure.

Drug and Alcohol Policy-Readmission Procedure

In all cases of violations of the Drug and Alcohol Policy, the student may be readmitted to classes when the following criteria have been met including the minimum days of suspension:

1. The student must meet with the adjustment counselor who will make the recommendations for further treatment, if indicated, which may include referral to community treatment programs.
2. A readmission conference, convened by the administration, and attended by the student, parent or guardian, school counselor, and involved school staff, will be satisfactorily concluded. This will include student and parent or guardian review and compliance with treatment recommendation.

HEALTH

Health Aide

A school nurse has been assigned to our school. The nurse serves under the supervision of the Health Services Administrator and is available to teachers, students, and parents during school hours. Both the nurse and the administrator are available to teachers and parents on a consulting basis in regard to the health or welfare of a student.

Immunizations

Records of immunizations are reviewed by the nurse to insure compliance with the Commonwealth's laws

Vision and Hearing

Vision and hearing tests are given each year to all students. Appropriate referrals are made to parents if a child fails the test.

Postural Screening

Postural screening is conducted on all children in grade five. Appropriate referrals are made to the parents if there is a positive finding.

Medication

If a child requires medication during school hours the following steps must be followed:

1. The parent must sign the permission slip provided by the school.
2. The medication must be in a properly labeled pharmaceutical container. It must be brought to the health aide by the parent. **Children should never be permitted to carry medication.**
3. A written, signed and dated request from the physician, which indicates dosage, time and method of administration must be included.

Reportable Diseases

If a student is absent from school from contacting measles, mumps, or chicken pox parents are to notify the school nurse. The school is required to report these diseases to the Department of Health.

Contagious Diseases

If a student is absent from school because of a contagious disease and under the care of a physician, a note from the physician is required before the student can return to school. Parents will be notified if their child is found to have head lice or nits. Children will be readmitted into school after treatment and removal of all nits have been verified by the school nurse.

Illness or Accident

If a child is not well enough to remain in school, the parent/guardian will be notified by the school nurse and expected to provide or arrange for the child to be transported home.

No Smoking Policy

State law prohibits smoking in school buildings, on school grounds, and on school buses.

School Adjustment Counselor

A school adjustment counselor is available for individual or group counseling, for consultation with parents and teachers, and for crisis intervention. A student may be referred to the counselor for an initial evaluation. If it is determined that the student would benefit from counseling, then a permission form will be sent to the student's parent/guardian for their signature and approval.

INSTRUCTION

Curriculum

Curriculum information can be found on the right hand side of our district web page, www.napsk12.org.

The North Adams School Committee has approved all textbooks used in the elementary school. Students are expected to participate in all school programs and activities unless excused because of physical or religious reasons. Parents should contact the principal or their child's teacher if they have reservations about their child participating in specific programs or activities.

Report Cards

Report cards are issued four times a year, approximately every nine weeks. The first report card will be issued during a conference between a parent/guardian and the child's teachers in November. Progress reports are sent home halfway through each quarter to provide an update to families on their child's academic progress.

Homework

Homework is an important part of the curriculum. Teachers assign homework to reinforce classroom learning and to assist the development of good work habits through independent practice. Homework also provides information to the parents about the instruction and lessons that are taking place in the classroom during the school day. The expectation is that parents and families will help to support the completion of homework. If you have any questions or concerns with homework, please contact your child's teacher or the school principal.

Testing

All students are assessed in reading fluency during September, January, and May. Further testing in this area is conducted on a regular basis to monitor the progress of individual students.

Students in grades 3-6 are given state mandated assessments in April and May to measure their academic improvement during the school year in English language arts and math. Grade 5 students also take a science and technology assessment. Data from all testing is analyzed and used to target student needs in order to plan future instruction.

Promotion

The North Adams Public Schools have a written promotion policy. Students must meet the criteria of this policy to be promoted. Parents will be notified on the third report card should their child be in danger of not being promoted.

Special Education Information

For a child who has learning, social, emotional and/or physical disabilities, support services are available. Referrals for an evaluation of the child's disability may be made by the parents, physician, teacher, or principal. Before a child is referred, a permission form must be signed by the child's parent/guardian. Once an evaluation has been completed, a team meeting is held to determine if support services are needed. If services are required, then an Individual Educational Plan is developed.

Title I Reading

Currently, Brayton School qualifies for Title I, a federally funded program, which provides reading reinforcement to all students who qualify in grades K-4.

After School Program

Brayton School hosts the 21st Century after school program for all elementary school students in grades kindergarten through four, from 3:00 p.m. – 5:00 p.m., Monday through Friday. Students are provided with a snack and can have dinner at the end of the program before going home each day. Program offerings are sent home at the beginning of each session and student placement is reserved on a first come, first serve basis.

CONTACT INFORMATION UPDATES

To update our files, we request that you notify the school office when you change your address or telephone number. It is very important that we have up to date contact information for every student in order to maintain two-way communication with each family. Please provide two contact numbers in case of an emergency situation.

NOTICE OF POSSIBLE PUBLICATION OF CERTAIN STUDENT INFORMATION

Throughout the year information, such as student's name, class, honors and awards, participation in sports/activities, projects, photos or video productions, may be publicized.

Please notify your child's school, **IN WRITING**, if you do not want the school to disclose information about your child without prior written consent. **YOU MUST RE-SUBMIT THIS WRITTEN NOTIFICATION ANNUALLY.**

If you submit such written notification **NOT** to publish information about your child, this will cover **ALL** the information listed above, including **publication of honors and awards**. You **CANNOT** selectively release some information but prohibit the release of other information.

*Section 9528 (Armed Forces Recruiter Access to Students and Student Recruiting Information on the No Child Left Behind Act) requires schools receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide students' names, addresses and telephone listings to military recruiters when requested. Parents may opt out of section 9528 by specifying this in a written request not to publicize any student information (as stated above). If you agree to allow student's information to be publicized as described above, you are, **BY LAW**, consenting to Section 9528 also.

North Adams Public Schools **McKinney-Vento Homeless Act Policies**

In order to provide children and youth who have lost their housing and/or lack of permanent housing equal access to free, appropriate public education, it is the goal of the North Adams Public Schools to ensure there are no barriers in the enrollment and retention of these children and youth in accordance with state and federal law.

Definitions: The Massachusetts Department of Education has adopted 725(2) of the McKinney-Vento Homeless Assistance Act regarding the definition of homeless children and youth as individuals whose primary nighttime residence is:

1. Shelters designated for the homeless and/or domestic abuse
2. Doubled- up i.e. sharing the housing of others due to loss of housing and/or economic hardship
3. Unaccompanied youth – a youth not in the physical custody of a parent or legal guardian
4. Unsheltered – living in cars, campgrounds, abandoned buildings, and substandard/inadequate housing
5. Hotels/motels
6. Children or youth waiting foster care placement (DCF emergency, temporary or transitional placement)

Identification:

1. Teachers, staff, administration shall notify the building liaison of their knowledge of a student in a homeless situation or unaccompanied youth. Building liaison will connect with the family and with the district liaison/case manager to ensure all the families/unaccompanied youth's needs are being met.

2. All families and students who are identified as homeless will be treated with dignity and respect. All information will be confidential. Families may self-identify.

3. Students who enter without records will be placed with peers in the appropriate grade level. NO student will be retained based on lack of records or homeless status. If there are indications of struggling to keep up with peers Title 1 interventions will be put in place as well as referral to the Individual Support Team (IST) in each building. If the child is struggling with interventions, then a referral to special education will be initiated.

4. Each building liaison will fill out a collection form and send to the Director of Research and Educational Information (REI) who will submit such documentation to the DESE

Participation: All students regardless of housing status have the right to participate in all activities that the school sponsors both before and after school.

The district will:

1. ensure enrollment in before/after school activities in all areas of interest.

2. ensure there is no segregation or stigmatization in participation of activities due to a student's lack of permanent housing

3. will provide transportation if needed to and from after school activities such as sports, 21st Century Programs, extracurricular clubs, etc.

4. ensure upon request that information is delivered to families in the language of the home.

5. ensure families have access to the Parent LINCS Center for activities they wish to participate in as well as receipt of monthly newsletters for the individual's school of origin

Liaisons: The North Adams Public Schools will designate a staff person as District Coordinator for the homeless with designated staff in each school as Building Liaisons to the coordinator. A district case manager will coordinate McKinney-Vento services for students and families including referrals to community agencies as needed. The roles are to ensure the rights of the homeless children and youth including enrollment and access to services entitled to.

Enrollment: The North Adams Public Schools will immediately enroll children and youth who are designated homeless in school even if they do not have the documents usually required for enrollment, such as school records, medical records, proof of residency.

School Selection: The children/youth have the right to either continue in the school of origin until the end of the year in which they obtain permanent housing or enroll in the public school that peers who are not designated homeless attend in the actual living area of the homeless students.

Transportation: At the request of the parent, guardian or homeless liaison, the North Adams Public Schools will provide transportation to and from the school of origin.

Nutrition: School lunch and other nutrition programs will be made available to the children/youth designated as homeless.

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.

SHORT-TERM SUSPENSIONS: HEARING AND PRINCIPAL DETERMINATION

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

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

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

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.

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.

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 or short-term suspension, as applicable, 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 or short-term suspension, as applicable.

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

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

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

The principal shall inform the student of the disciplinary offense charged and the basis for the charge, and provide the student an opportunity to dispute the charges and explain the

circumstances surrounding the alleged incident. If the principal determines that the student committed the disciplinary offense, the principal shall inform the student of the length of the student's in-school suspension, which shall not exceed ten (10) days, cumulatively or consecutively, in a school year.

On the same day as the in-school suspension decision, the principal shall make reasonable efforts to notify the parent orally of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension. The principal shall also invite the parent to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. Such 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 37H^{1/2}

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.

SCHOOL-WIDE EDUCATIONAL SERVICES PLAN:

EDUCATION SERVICES AND ACADEMIC PROGRESS UNDER SECTIONS 37H, 37H1/2 AND 37H3/4:

Any student who is serving an in-school suspension, short-term suspension, long-term suspension, or expulsion shall have the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal from the classroom or school. The principal shall inform the student and parent of this opportunity in writing when such suspension or expulsion is imposed.

Any student who is expelled or suspended from school for more than ten (10) consecutive days, whether in school or out of school, shall have an opportunity to receive education services and make academic progress toward meeting state and local requirements, through the school-wide education service plan. A description of the school-wide education service plan is provided below. The principal shall notify the parent and student of the opportunity to receive education services at the time the student is expelled or placed on long-term suspension. Notice shall be provided in English and in the primary language spoken in the student's home if other than English as determined by the home language survey, or other means of communication where appropriate. The notice shall include a list of the specific education services that are available to the student and contact information for a school district staff member who can provide more detailed information.

DISCIPLINE GUIDELINES – STUDENTS WITH DISABILITIES GENERAL GUIDELINES

Although all students are expected to meet requirements of the Student Discipline Code as set forth in this handbook, if the TEAM has determined that a student cannot be expected to meet this Code, it shall be documented in the student's Individualized Education Program (IEP), or a 504 Plan. All alternative approaches to the Code must be listed in the student's IEP, or a 504 Plan. A student who has an IEP, or has been considered to be in need of special education, may be disciplined and/or suspended in the same manner as a non-eligible student for any period if it does not exceed ten (10) cumulative days in the school year. Before a suspension of a special education student that goes beyond ten (10) cumulative days, a Manifestation Determination shall be made at a TEAM meeting; a Functional Behavioral Assessment may be completed as well by a Student Service staff person. If all the process requirements set forth for the Manifest Determination have been met, then the TEAM has one of two choices to make based on the answers to two (2) questions. These questions are: (a) "Was the conduct in question caused by, or did it have a direct and substantial relationship to the student's disability?" and (b) "Was the conduct in question the direct result of the school's failure to implement the student's IEP?" The TEAM may determine that the conduct was not a manifestation of the student's disability, and the student may be disciplined in the same manner as a non-eligible special education student, such as being excluded for more than ten (10) days. In cases involving removals for behavior not found to be a manifestation of the student's

disability, the IEP TEAM shall also establish how the special education services will be provided when the student is excluded. If the IEP TEAM determines that the behavior creating the need for exclusion is a manifestation of the student's disability, the TEAM must take immediate steps to remedy those deficiencies in the student's IEP, or placement, and/or in their implementations in order to better address the behaviors and prevent them from recurring.

The above rights also apply to students who have 504 Plans, and whose behavior may be a manifestation of their disability. Whether or not the student's conduct/behavior is a manifestation of the disability, the student may be placed in an intermediate alternative educational setting if there is documentation of carrying or possessing a weapon at school, on school premises, or at a school function, of knowingly possessing, using, selling, or soliciting the sale of a controlled substance while at school, on school premises, or at a school function; or inflicting serious bodily injury upon another person while at school, on school premises, or at a school function.

The above rights also apply to students who have been referred for special education services, even if it has not been determined if the student is eligible of special education services at the time of the infraction of the Code. If it is deemed that the school knew, or should have known, that the student was in need of special education services at the time of misconduct under consideration, then the same protections may apply to those students. As consistent with Massachusetts General Law c.76 s.5 "The North Adams Public Schools adheres to nondiscrimination in the student disciplinary process."

All appeals about discipline cases can be made directly to the Bureau of Special Education Appeals.

Contact information is as follows:

Bureau of Special Education Appeals,
Massachusetts Division of Administrative Law Appeals
350 Main Street,
Malden, MA 02148
781-338-6400

Students identified as having a disability and provided with a Section 504 plan

1. Students are expected to meet the expectations for behavior identified in this handbook.
2. A student on a Section 504 plan may be disciplined like any other non-disabled student. However, if the student is going to be suspended for ten (10) or more consecutive days, expelled or suspended for more than fifteen (15) cumulative days (and there is a change in placement as a result), then a manifestation determination shall be done.

3. A student with a 504 plan may not be disciplined beyond ten days if his/her conduct is a manifestation of his/her disability.

HAZING

Massachusetts General Law, Chapter 269, Sections 17-19 strictly prohibits any type of hazing or initiation into any student organization which will endanger, either physical or mental, a student's person. The law specifically states:

Section 17: Whoever is a principal organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or both such fine and imprisonment. The term hazing as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation. Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this section.

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 crime shall be punished by a fine of not more than one thousand dollars.

SEXUAL HARASSMENT POLICY/COMPLAINT PROCEDURE FOR STUDENTS

PURPOSE

To create for all North Adams Public Schools students a study environment free of sexual harassment.

The North Adams Public Schools is committed to safeguarding the right of all persons associated with the North Adams Public Schools, including students, employees, school committee members and volunteers to a work and educational environment that is free from all forms of sexual harassment. Therefore, the North Adams Public Schools condemns and prohibits all sexual harassment on its premises.

All individuals associated with the School System, but not necessarily limited to the School Committee, the administration, the staff, students and members of the public while on campus, are expected to conduct themselves at all times so as to provide an

atmosphere free from sexual harassment. Any person who engages in sexual harassment while acting as a member of the school community or while on school property will be in violation of this policy.

Appropriate disciplinary action, up to and including dismissal, will be taken in any instance where an employee violates this policy. Sexual harassment by a student will result in disciplinary action up to and including expulsion. Sexual harassment by others will result in their being excluded from school premises or if it is required that they enter the premises, they will be accompanied by a School System representative at all times.

If the sexual harassment is criminal in nature, the offense shall be reported to the police department as well as a Title IX Compliance Officer. If the sexual harassment requires the intervention of State Social Services or protective agencies, the proper authorities will be contacted. In these circumstances, the School's attorney will be notified to give advice and guidance on how to process these actions with the appropriate authorities.

Any student who believes that he or she has been subjected to sexual harassment should make a complaint to any administrator, a Title IX Compliance Officer, or directly to the Superintendent, so that appropriate action may be taken at once.

Management representatives are charged with the responsibility of discouraging any sexually harassing behaviors within or outside of their areas of supervision. This includes directly confronting the harasser when a management representative observes harassing behavior, and immediately reporting the activity to the Title IX Compliance Officer.

The Title IX Compliance Officer will investigate complaints promptly, and corrective action will be taken where appropriate. No person will suffer retaliation or intimidation as a result of using the internal complaint procedure.

A copy of this policy and its accompanying regulations are posted in appropriate places and made available to individuals upon request.

The Title IX Compliance Officers for the North Adams Public Schools are as follows:

Abby Reifsnyder

E3 Program Coordinator/Drury

Jonathan Slocum

Dean of Students

Colegrove Park Elementary School

Legal References: Title VIII, Section 703, Civil Rights Act 1964 as amended 45
Regulations 746776 issued by Chapter 622/EEOC Title IX of
1972 Education Amendments

SEXUAL HARASSMENT DEFINITION

Sexual harassment consists of unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature where:

1. Submission to such conduct is either explicitly made a term or condition of a student's education; or
2. Submission to or rejection of such conduct is used as a basis for education decisions affecting such student; or
3. Such conduct has the purpose or effect of substantially interfering with a student's educational performance, or creating an intimidating, hostile, or offensive educational environment.

Sexual harassment may include, but is not limited to:

1. Assault, inappropriate touching, intentionally impeding movement, comments, gestures, or written communications of a suggestive or derogatory nature.
2. Continuing to express sexual interest after being informed that the interest is unwelcome. (Reciprocal attraction between peers is not considered sexual harassment.)
3. Implying or actually withholding grades earned or deserved, suggesting that a poor performance evaluation will be prepared, or suggesting that a scholarship recommendation or college application will be denied.
4. Coercive sexual behavior used to control, influence or affect the educational opportunities, grades and/or learning environment of a student.
5. Offering or granting favors or educational benefits, such as grades or recommendations, in exchange for sexual favors.

Other sexual harassing behavior directed towards students, whether committed by management, staff, or students, is also prohibited. Such conduct includes but is not limited to:

1. Unwelcome sexual flirtations, advances or propositions;
2. Sexually explicit language or gestures;
3. Touching that an individual interprets as sexual in nature;
4. Any unwelcome physical contact;
5. The presence of sexually provocative photographs, pictures or other material, and the telling of sexual stories or jokes;
6. Verbal or non-verbal behavior about an individual's body that is interpreted as sexual in nature.

COMPLAINT PROCEDURE INFORMAL PROCESS FOR STUDENTS

In determining whether an alleged incident constitutes sexual harassment, the Title IX Compliance Officer will be vested with the authority and responsibility of processing all

sexual harassment complaints in accordance with the procedure outlined below, unless a Title IX Compliance Officer is the subject of the complaint.

1. Any student of the School System who believes that he/she has been subjected to sexual harassment is to report the incident(s) to any administrator, Title IX Compliance Officer, or directly to the Superintendent. The administrator and/or Superintendent are to immediately contact the Title IX Compliance Officer. A written record of the complaint will be made by the party receiving the complaint. A separate file system will be maintained, apart from the student's personal record, regarding these complaints and as to all matters relating to the complaints.
2. If the alleged harassment involves the Title IX Compliance Officer, the Superintendent of Schools will act as the Title IX Compliance Officer.
3. If the alleged harassment involves the Superintendent of Schools, the Secretary of the School Committee will act as the Title IX Compliance Officer.
4. The Superintendent and the Title IX Compliance Officer will look at the totality of the circumstances and the context in which the alleged incidents occurred. They will obtain a clear understanding of the facts. All matters involving sexual harassment complaints will remain confidential to the extent possible.
5. Students may be accompanied, at any phase of this process or subsequent hearing before the committee, by a parent, guardian or representative of their choosing. Parents will be immediately notified by the Title IX Compliance Officer of the existence of a student's report of sexual harassment.
6. The Title IX Compliance Officer will explain each phase of the Informal and Formal Complaint Process to a student who wishes to file a complaint and will assist the student in the processing of the complaint. In addition, the Title IX Compliance Officer will inform the student of additional forums for resolution of the complaint such as the Office of Civil Rights (O.C.R.) and the Massachusetts Commission Against Discrimination (M.C.A.D.).
7. Under normal circumstances, the Title IX Compliance Officer's investigation will be completed within five working days of the initial complaint. Upon completion of the investigation, the Title IX Compliance Officer shall issue his/her findings in writing to the student and the alleged harasser.

COMPLAINT PROCEDURE FORMAL PROCESS FOR STUDENTS

1. A complainant may file a formal complaint immediately or may do so after the Superintendent and the Title IX Compliance Officer's efforts to reach a settlement under the informal process have proven unsuccessful.
2. The complaint will state clearly and concisely the complainant's description of the incident and it will also indicate any remedy sought. The complaint must be signed by the complainant. The Superintendent's office will send the respondent a copy of the complaint within five working days after it is received. A separate file system shall be maintained as to all matters relating to the complaint. Confidentiality shall be maintained to the extent possible.

3. The respondent will have ten working days to respond in writing. This statement will contain full and specific references to each claim in the complaint, admitting, denying or explaining the complainant's allegations. The respondent must sign his or her statement which will then be appended to the original complaint. Within three working days, the Superintendent's office will forward both statements to the complainant and the respondent.
4. There will be two modes of resolution for formal complaints. A complaint may be settled through mediation or through a hearing. If the complainant and the respondent agree to pursue mediation, a date mutually acceptable to both parties will be set within ten working days. If the mediation results in a mutually acceptable agreement, copies of the agreement will be forwarded to both parties. If the mediation does not result in an agreement, the case will be forwarded to the Superintendent for a hearing unless the Superintendent is the alleged harasser in which case the hearing will be before the North Adams Public Schools School Committee.
5. When a hearing is requested, the Title IX Compliance Officer will inform the Superintendent or the School Committee, as the case may be, and the case will be heard at the next regularly scheduled meeting of the School Committee pursuant to the provisions of the Commonwealth's Open Meeting Law and/or before the Superintendent pursuant to M.G.L., c. 71, § 42.

FORMAL HEARING

1. The purpose of the Superintendent or School Committee Hearing is to determine whether the school system's policy of sexual harassment has been violated, and, if so, to determine the appropriate consequences for the violation.
2. Both parties will be given a full and fair hearing. The proceeding, although formal, is not a court proceeding and the Superintendent of School Committee is not bound by the procedures and rules of evidence of a court of law. In most instances, complainants and respondents will be expected to speak for themselves, although, if desired, each party may be accompanied by counsel or an advocate.
3. The presiding officer of the hearing may have counsel present for purpose of assisting in the orderly conduct of the hearing and the questioning of witnesses. The complainant and the respondent will be asked to clarify the issues and to define the areas of disagreement. To encourage a fair and focused hearing, at the start of the proceedings the points of agreement and disagreement will be reviewed. The Superintendent or the Committee Policy on Sexual Harassment has been violated, and, if so, will recommend appropriate consequences.
4. The presiding officer will:
 - a. ensure an orderly presentation of all evidence;
 - b. ensure that the proceedings are accurately recorded by means of a tape or stenographic recording; and
 - c. ensure that a decision is issued no later than ten working days after the conclusion of the hearing or, when written arguments are submitted, ten working days after the submission.

5. The Superintendent or the Committee, as the case may be, will:
 - a. conduct a fair and impartial hearing which ensures the rights of all parties involved;
 - b. define issues of contention;
 - c. receive and consider all relevant evidence which reasonable people customarily rely upon in the conduct of serious business;
 - d. ask relevant questions of the complainant, respondent and any witnesses if needed to elicit information which may be of assistance in making a decision; and
 - e. ensure that the complainant and respondent have full opportunity to present their claims orally or in writing, and to present witnesses and evidence which may establish their claims.

DECISIONS OF THE SUPERINTENDENT OR THE COMMITTEE

1. After all the evidence, testimony, and written arguments have been presented, the committee will convene for deliberations to determine whether the school system's policy on sexual harassment has been violated. If the Committee finds after a roll call vote that the policy has not been violated, that fact will be registered in the records of the hearing, and the written decision will be forwarded to the complainant and the respondent no later than fifteen working days after completion of the hearing.

In hearings before the Superintendent, if the Superintendent finds that the policy has not been violated, the Superintendent will issue a written decision to the complainant and the respondent no later than fifteen working days after the completion of the hearing.

2. If the Committee finds after a roll call vote that the charge of violating the school system's policy of sexual harassment has been substantiated, the hearing Committee will prepare findings and will determine a penalty for the respondent and relief for the complainant. The Committee will issue such decision to the complainant and the respondent no later than fifteen working days after the completion of the hearing.

In hearings before the Superintendent, if the Superintendent finds that the charge of violating the school system's policy on sexual harassment has been substantiated, the Superintendent will prepare findings and will determine a penalty for the respondent and relief for the complainant. The Superintendent will issue such decision to the complainant and the respondent no later than fifteen working days after the completion of the hearing.

The findings of fact as well as the penalty and relief will be based solely on the testimony and evidence presented at the hearing.

3. The penalty should reflect the severity of the harassment. The penalties may include, but will not be limited to, any one or combination of the following: verbal admonition, written warning placed in the respondent's personnel file or student record, probation, suspension without pay, dismissal, demotion, or removal from administrative duties within a department; students may be subject to suspension or expulsion proceedings following a finding that the policy has been violated. The Committee or Superintendent may also make appropriate recommendations, such as professional counseling, and may recommend relief for the complainant which reinstates and restores, as much as possible, the aggrieved party.

NOTICE OF NON-DISCRIMINATION

The North Adams Public Schools reaffirms that it does not discriminate on the basis of race, color, religion, sex, national origin, age, disability, sexual orientation, homelessness, or exercise of civil rights in admission to, access to, treatment in or employment in its programs or activities. The North Adams Public Schools also affirms its commitment to maintain a school and work environment free of harassment based on race, color, religion, sex, national origin, age, disability, sexual orientation, homelessness or exercise of civil rights. Any harassment on the basis of race, color, religion, sex, national origin, age, disability, sexual orientation, homelessness or exercise of civil rights will not be tolerated.

If you should have a complaint or concern that there has been discrimination, you may also utilize the following procedure:

1. Report the violation to the building principal. The building principal will meet with you and other persons who might have information about the issue promptly and will attempt to resolve the issue. Any additional investigation will be commenced within a reasonable period of time. The building principal will issue his/her decision in writing to you within ten (10) days of the conclusion of the investigation.
2. If the complaint is not resolved, it can then be appealed to the district's Equal Opportunity/Title IX/ Section 504/A.D.A. Coordinator. This appeal must be in writing, describe the circumstances, and the relief you seek. This appeal should be taken within one week after the receipt of the principal's decision.
3. The Equal Opportunity/Title IX/ Section 504/A.D.A. Coordinator will meet with you within a reasonable time. Following a review of the materials presented to the principal and any additional investigation which will be conducted promptly, the Coordinator will make a final

determination on whether there has been a violation of the district's policy within ten (10) days after the conclusion of any additional investigation. If there has been a violation, the Coordinator will indicate the steps to be taken to correct it.

For Title VI and Title VII: Contact Thomas Simon, Director of Pupil Services, North Adams Public Schools 191 East Main Street, North Adams, MA 01247, (413) 662-3232, tsimon@napsk12.org

For Title II and Americans with Disabilities Act, Section 504: Contact Jonathan Slocum, Dean of Students, Colegrove Park Elementary School, 24 Church Street, North Adams, MA 01247, (413) 662-3250, jslocum@napsk12.org

Inquires concerning the application of nondiscrimination policies may also be referred to the Regional Director, Office for Civil Rights, U.S. Department of Education, J.W. McCormack POCH, Room 222, Boston, MA 02109-4557

PHYSICAL RESTRAINT POLICY

The North Adams Public Schools complies with the Department of Education (D.O.E.) restraint regulations, 603 C.M.R. 46.00 et seq., as required by law. These regulations apply not only while attending school, but also at school-sponsored events and activities, whether or not on school property. Copies of this law are available at <http://www.doe.mass.edu/lawregs/603cmr46.html>, and in the office of the principal.

The North Adams Public Schools uses non-violent restraint such as Re-direction, escorts to quiet areas, talking to students, and other such methods. Physical restraint is only used as a last resort.

APPENDIX B

DISCIPLINING STUDENTS WITH SPECIAL NEEDS & STUDENTS on 504 Plans

All students are expected to meet the behavior requirements of the school.

However, special needs/504 students may require additional provisions and/or modifications.

MGL c. 76, sec. 16-18 Chapter 71, Section 37H (SE45)

1. The Individual Education Program (IEP)/504 must determine whether or not the student can meet the regular discipline code. Any modifications must be clearly defined through the TEAM process.
2. The principal or his/her designee will notify the Special Needs Office (and/or Guidance Staff if on a 504) of an offense committed by a special needs student that will result in a suspension. A record of these notices must be kept on file.
3. Prior to a student's 10th cumulative day of suspension or pattern of suspensions in a school year, a functional behavioral assessment may be completed. The TEAM must then convene to:
 - a. Complete a manifestation determination.
 - b. Design a modified program relative to handicapping condition.
 - c. Determine modifications of disciplinary code.
 - d. Define implementation of delivery of services during suspension.

If the Team determines that the behavior was a manifestation of the student's disability, the Team will develop a new IEP or amend the current IEP which may include the development of a Behavior Intervention Plan to accommodate the student's needs and adapt appropriate consequences. If the Team determines that the behavior was not a manifestation of the student's disability, the school may suspend or otherwise discipline the student according to the school's discipline codes except for a period exceeding ten (10) days. During this time, Special Education services as outlined in the IEP will be provided.

If a student possesses, uses, sells or solicits drugs on school grounds or at a school sponsored event, is in possession of a weapon on the school grounds or functions, or inflicts bodily injury at school or a school sponsored event the school may remove the student to an interim alternative educational setting (IAES) for not more than 45 school days without regard to whether the behavior is determined to be a manifestation the student's disability. The IAES will be determined by the IEP Team.

If, prior to the disciplinary action, the district had prior knowledge that the student may be a student with a disability, then the district makes all protections available to the student until and unless the student is determined not eligible.

Procedural Requirements applied to students not yet determined to be eligible for special education:

1. If prior to the disciplinary action a district had knowledge that the student may be a student with a disability, then the district makes all protections available to the student until and unless the student is subsequently determined not to be eligible. The district may be considered to have prior knowledge if:

- a. The parent expressed concern in writing
- b. The parent requested an evaluation or
- c. Staff had expressed directly to the special education director or other supervisory personnel specific concerns about a pattern of behavior demonstrated by the student.

The district may not be considered to have prior knowledge if the parent has not consented to an evaluation of the student or has refused special education services or if an evaluation of the student resulted in a determination of ineligibility.

2. If the district had no reason to consider the student disabled, and the parent requests an evaluation subsequent to the disciplinary action, the district must have procedures consistent with federal requirements to conduct an expedited evaluation to determine eligibility.

3. If the student is found eligible, then he/she receives all the procedural protections subsequent to the finding of eligibility.

****Any student can appeal their suspension. See Student Appeals.****

Brayton Behavior Rubric

<p style="text-align: center;">Hurtful And Disrespectful</p>	<p style="text-align: center;">Behavior</p>	<p style="text-align: center;">First Step</p>	<p style="text-align: center;">Second Step</p>	<p style="text-align: center;">Third Step</p>	<p style="text-align: center;">Beyond</p>
	<p>Teasing: Name calling, insulting, or other behavior that hurts the feelings of others</p> <p>Systematic</p> <p>Exclusion: Including prompting others to exclude</p> <p>Rumors: Starting or continuing rumors</p> <p>Disrespectful: Swearing, rude gestures, Talking Back</p> <p>Refusal: Non compliance with school rules and protocols, saying no, ignoring requests</p> <p>Bullying: harassment, exclusion, repeated targeting</p>	<p>Warning</p> <p>This should be handled within the classroom for first time offenses.</p>	<p>Student support center/ Reflective conversation</p> <p>Teacher directed consequence</p> <p>Phone call to parent or guardian-</p>	<p>Meeting with parent</p> <p>CORE team referral</p> <p>Student plan / program</p>	<p>Safety plan</p> <p>Individual education regarding behaviors</p> <p>Restriction on school activities</p>

Physical	<p>Physical Mischief: Fooling around that results in dangerous play or injury</p> <p>Physical Harm: Intentional grabbing, pushing, shoving, or slapping</p>	<p>Lunch detention</p> <p>Phone call to parent</p>	<p>Three lunch detentions</p> <p>Phone call to parent</p>	<p>Referral to CORE team</p> <p>Parent meeting</p> <p>Behavior or safety plan put in place</p>	
<p>* Severe Physical</p> <p>* Illegal</p>	<p>Severe Physical</p> <p>Violent hitting, slapping, punching kicking, or other similar behavior that may result in injury.</p> <p>Harassment: sexual name calling, racial, ethnic or other</p> <p>Bullying</p>	<p>1 Day suspension</p> <p>Phone call to parent</p> <p>Parent Meeting</p> <p>Lunch and/or after school detentions</p> <p>Safety Plan</p>	<p>3 day suspension</p> <p>Phone call to parent</p> <p>Parent meeting</p>	<p>CORE Team referral</p> <p>Phone call to parent</p> <p>Parent Meeting</p> <p>Possible court assistance</p>	Court assistance

* **Consequences** will vary in length and severity depending on the type, grade level, and impact on student safety.

* **Attendance:** Please bring chronic absenteeism directly to the Dean of Students immediately when a student reaches 5 unexcused days absent, followed by regular communication if the problem persists.

Note: Kindergarten through grade three students may receive additional warnings as these are behavior modifications that we are trying to teach to our children. More immediate and brief consequences may apply.

ISS/OSS: Teachers are responsible for providing class work to students serving a suspension. Students are expected to finish these assignments.