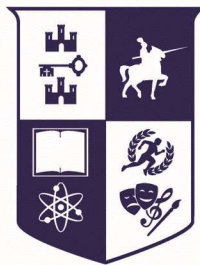
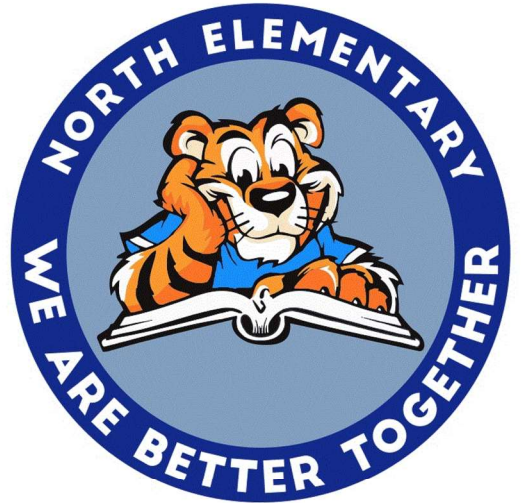


SOMERSET PUBLIC SCHOOLS



SOMERSET BERKLEY REGIONAL
AND
SOMERSET PUBLIC SCHOOLS
"All Students Achieving Excellence"



Somerset Elementary Schools Student/Parent Handbook 2022-2023 School Year

English: If you need this, or any other document, translated into a different language please notify the building principal.

Spanish: Si necesita una traduccion de este documento u otros documentos, por favor notifique Ud, al director de la escuela.

Portuguese: Se necessita isto, ou qualquer outro documento traduziu numa linguagem diferente, por favor notifica o director de escola.

Elementary School Web sites:

Chace Street Elementary School
South Elementary School
North Elementary School

chace.somersetschools.org
south.somersetschools.org
north.somersetschools.org

WHAT SHOULD I DO IF.....

Weather conditions suggest that school might be cancelled or dismissed early.

Cancellation or early dismissal announcements are made through the One Call Now System and on local radio and television stations.

I must pick up my child before the close of school.

Regular daily dismissal takes place at 3:15P.M. While removing a child before the end of the school day is discouraged, we recognize that, under certain unusual circumstances, it may be necessary. The child should be sent to school with a note on the morning of the dismissal. The note should be given to the child's teacher at the beginning of the day. If someone other than the child's parent or guardian is picking up the student, the person's name should be included on the note and the child's Emergency Form. In this case, the school may require identification before the child is released. When it is time for the child to be dismissed, the parent must come to the office to pick up the child and sign the child out for the day. No child will be sent out to a waiting car. A child will be released ONLY to someone on an Emergency Form.

That note should contain the following information:

- When the child will be picked up
- Who will be picking up the child (full name and relationship to the child)
- If appropriate, based on the time of dismissal, whether or not the child will be ordering lunch
- The reason for the dismissal

The child's parent or guardian must sign the note.

Visitor Protocol:

(All visitors must first report to the main office)

For the safety of the school and its students, please follow this protocol when requesting access:

1. **Have a state-issued, picture ID available.**
2. After sounding the buzzer, please clearly state:
 - your name
 - reason for your visit
 - include the name of a student if you are here to pick-up a student or for a scheduled meeting
3. Please remove all hats and sunglasses prior to entering the building.
4. Report directly to the main office.
5. **Please sign in and obtain an official visitor's badge.** This badge must be worn in plain sight at all times while you are in the building
6. **Please sign out on the visitor sheet prior to leaving the building.**
7. If you are picking up a student from an after school activity, please wait for them outside the building and a staff member will bring them out to you.

My child will be absent.

Please call the school before 8:30 a.m. to report the absence if the child will be out for that day. Please state the child's name, grade, and teacher. It is recommended that, at the time of the call, you request missed homework

and class work to be provided. Under most circumstances, the homework will be available for you by 3:15 p.m. the same day in the school's main office if the call is received before 8:30 a.m.

My child forgot his/her lunch money.

Borrowing is discouraged, but exceptions can be made if borrowing is necessary with the expectation that the amount borrowed will be paid back the next day. If borrowing is necessary, your child may go to the cafeteria to borrow for lunch.

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SOMERSET PUBLIC SCHOOLS

Superintendent of Schools (PreK-12).....Mr. Jeffrey Schoonover.....508-324-3100, Ext. 3215
 Director of Business and Finance.....Mr. Ronald Tarro.....508-324-3100, Ext. 3212
 Director of Curriculum and Assessment.....Ms. Elizabeth Haskell.....508-324-3100, Ext. 3231
 Director of Special Education.....Ms. Megan Ashton.....508-324-3100, Ext. 3226
 Director of Technology.....Mr. Stephen Levesque.....508-324-3115, Ext. 1100

ELEMENTARY SCHOOLS

School Hours:	Pre-Kindergarten	8:55 a.m. - 11:25 a.m. 12:25 p.m. - 2:55 p.m.
	Kindergarten-Grade 5	8:45 a.m. - 3:15 p.m.

CHACE STREET SCHOOL	538 Chace Street	508-324-3160
K - 5	Principal:	Mr. Timothy Plante
	Vice Principal:	Mr. Christopher Green
	Secretaries:	Mrs. Paula Faria
		Mrs. Andrea Richmond
	School Nurse:	Mrs. Christine Bugara, RN

**NORTH ELEMENTARY SCHOOL 580 Whetstone Hill Rd.
PK - 5**

**Principal:
Vice Principal
Secretaries:

School Nurse:**

**508-324-3170
Dr. Paula Manchester
Mrs. Rebecca Woodcock
Ms. Birgit Fogg
Ms. Joan Fortier
Ms. Stephanie Roy, RN**

**SOUTH SCHOOL
K - 5**

**700 Read St.
Principal:
Vice Principal:
Secretaries:

School Nurse:**

**508-324-3180
Mrs. Stephanie Brown
Dr. Rebecca Hurley
Mrs. Michelle DiBiasio
Ms. Carol Flores
Ms. Susan Bertrand, RN**

VISION STATEMENT

The Somerset Public Schools will ensure that students and teachers pursue excellence, achieve their full potential, and cherish learning as students prepare to be high school, college, career, and life ready.

Resilient

- Students will use healthy coping skills to persevere through challenges, adapt to changes, and manage time effectively.

Academic

- Students will be critical thinkers and problem solvers displaying academic, financial and technological literacy.

Independent

- Students will be confident, motivated, and will self-advocate.

Digital Citizens

- Students will be technologically proficient and display ethical digital awareness.

Empathetic

- Students will display empathy, kindness and inclusiveness.

Respectful

- Students will be effective communicators who demonstrate global and cultural awareness.

HOME SCHOOL PARTNERSHIP

An important goal of the Somerset Public Schools is to foster the development of individual students by enhancing their capacity to become active, ethical, and effective citizens in an ever-changing society. The family and the school share responsibility for this development. We welcome you, parents/guardians, into the full partnership necessary to undertake this most worthwhile challenge: to develop our nation's most valuable resource, your children.

Constant effective communication is essential to the success of our combined efforts. We hope that this guide will be helpful in informing you of policies and procedures, which are vital to the effective operation of our elementary schools. Should you have any recommendations or suggestions to refine the design of this booklet, please bring them to the immediate attention of your building principal.

TELEPHONE NUMBERS

School Department Central Office	508-324-3100
Somerset Middle School	508-324-3140
Chace Street School	508-324-3160
North Elementary School	508-324-3170
South School	508-324-3180

SOMERSET SCHOOL COMMITTEE

Shauna Geary, Chair
Robert Gaw, Vice Chair
Christine Courville
Kimberly Ferreira
Victor Machado, Jr.

LIAISONS

Ms. Megan Ashton:	504 Compliance Officer; Title IX and Civil Rights Compliance Officer; Homeless Liaison; Foster Care Point of Contact
Ms. Elizabeth Haskell:	Director of Title I and ELE Coordinator
Mrs. Stephanie Brown:	504 Coordinator for North Elementary
Mrs. Stephanie Brown:	504 Coordinator for South Elementary
Mr. Timothy Plante:	504 Coordinator for Chace Street Elementary

ATTENDANCE

A. ABSENCE

A telephone call to school by 8:30 a.m. is requested to indicate the reason for your child's absence. If a student is absent and "the school has not been notified by the designated time, the school shall call the telephone number or numbers furnished to inquire about said absences"(Chap. 76, Section 1A). Extended absences should be reported immediately so that teachers may plan accordingly.

A.1 CHRONIC ABSENCES

Students who are considered chronically absent are absent at least 10% of the school year. With 180 days of school, this equates to at least 18 days a year. Chronic absence also include excused and unexcused days. Besides chronic absenteeism being an indicator for a school's accountability, there is research that indicates when students are absent and missing instruction there is a direct correlation to their academic success. "Children who are chronically absent in preschool, kindergarten, and first grade are much less likely to read at grade level by the third grade. Students who cannot read at grade level by the end of third grade are four times more likely than proficient readers to drop out of high school". Additional statistics and research can be found here:

<https://www2.ed.gov/datastory/chronicabsenteeism.html>

<https://www.attendanceworks.org/wp-content/uploads/2017/06/Attendance-in-the-Early-Grades.pdf>

B. CHILDREN ARE ENCOURAGED TO ATTEND SCHOOL REGULARLY

The education of children is of utmost importance to school personnel. Continuity in every grade can only be accomplished with a consistent attendance record. Illness and unforeseen personal reasons do arise within every family, which result in a child's absence. It is vitally important for each child to be present in school whenever possible. Absences become part of the student's permanent record and are reported routinely to the Massachusetts Department of Education.

In addition, Massachusetts State Law requires that every boy and girl attend school each day that school is in session unless unable to do so because of illness or some other legitimate reason (MGL, Chapter 76, §§1, 2). Absences (not necessarily sequential days over seven (7) full days and fourteen (14) half days in a period of six (6) months may be considered 'chronic.' Family vacations do not qualify as excused absenteeism under Massachusetts law. The school principal or a designee will send a letter home letting them know that their child has (5) unexcused absences. When the student has (7) days unexcused absences, the principal or designee will meet with the parent/guardian to develop action steps for student attendance.

When the student returns to school, he/she should have a note from the parent/guardian documenting the reason for the absence, even if the absence was called in. The note should be given to the classroom teacher, who will forward it to the main office.

A student who is out for three or more consecutive days because of an illness or injury must bring in a doctor's note to verify the illness or injury. This doctor's note must specify the date(s) the doctor feels the student was too ill or injured to attend school.

PLEASE NOTE: All absences are considered unexcused.

Unexcused absences are unacceptable reasons for being absent from school. Parents/Guardians of students who are determined to have excessive absences from school will be identified and may be referred to the school attendance officer, who may refer the matter to the Department of Children and Families or the Bristol County Juvenile Court for violation of state law.

C. INITIAL ENTRANCE AGE

Children who will be five (5) years of age on or before August 31st of the school year during which they wish to enroll will be eligible to enter kindergarten. Children who will be six (6) years of age on or before August 31st of the school year during which they wish to enroll will be eligible to enter first grade.

D. DISMISSALS

All children being dismissed must be picked up at the school office. Transportation must be provided by a parent or guardian. One note per year is required for attendance at regularly scheduled activities, such as scouts or gymnastics. If a child has a note to attend such meetings, he or she will not be allowed to go home on the bus unless another note is received from the parent on the day in question. Parents or guardians must notify the school, in writing, if a daycare provider or person other than the parent will be picking up the child upon dismissal from school. Dismissals because of illness are handled by the school nurse and the office and will be considered excused absences.

The child should be sent to school with a note on the morning of the dismissal. The note should be given to the child's teacher at the beginning of the day. If someone other than the child's parent or guardian is picking up the student, the person's name should be included on the note and the child's Emergency Form. In this case, the school may require identification before the child is released. When it is time for the child to be dismissed, the parent/designee must come to the office to pick up the child and sign the child out for the day. No child will be sent out to a waiting car. A child will be released ONLY to someone on an Emergency Form.

That note should contain the following information:

- When the child will be picked up
- Who will be picking up the child (full name and relationship to the child and Identification)
- If appropriate, based on the time of dismissal, whether or not the child will be ordering lunch
- The reason for the dismissal

The child's parent or guardian must sign the note.

****If a child needs to be picked up at school, every attempt should be made by the parent to notify the school office/administration by 2pm.**

E. EARLY ARRIVAL

If you transport your child to school in the morning, please be sure that he/she does not arrive before 8:40 a.m., as there will be no supervision before that time. Students are not allowed to enter the building before that time. On inclement days, students may enter the building on arrival at 8:40 a.m. They are to report to the designated classrooms. Children may not enter classrooms unless the teacher is in the room.

F. AFTER SCHOOL HOURS:

Personal transportation is required for students who may be remaining after school for teacher assistance, a school club, or for an activity. A student should be picked up at the time identified by the teacher/club hosting the activity.

A parent/guardian that chooses to pick up his/her child after school should do so at the main entrance in front of the building at the time identified. In the interest of safety, we ask each parent/guardian to wait for his/her child

in the main lobby at the front of the school. Do not proceed to the classroom to pick up your child. Please leave cars parked in appropriately marked spaces in the lots provided.

G. SCHOOL ADMISSIONS/RESIDENCY

Any person who improperly attends the Somerset Public Schools will be required to remit full restitution to Somerset which restitution includes, but is not limited to, the cost of tuition for attending the Somerset Public Schools. Similarly, any person who assists a student in improperly attending the Somerset Public Schools will be required to remit full restitution to Somerset. Proof of residency of a student's legal guardian will also be required by the school administration.

In accordance with MGL C. 76, S. 5 & 6, students must attend the public school in the town where they actually reside. A student may not claim residence in a town for the sole purpose of attending school there. If investigation by school personnel verifies out-of-district residency, a parent/guardian may be held legally and fiscally responsible. If you have a question on this, please contact the main office of the school.

H. SCHOOL CANCELLATION OR DELAY

In the event of inclement weather, the Superintendent may cancel school or delay the opening of school if conditions threaten the health or safety of students and staff. In the event of a school delay, parents are expected to use their own judgment in sending children to school. Announcements will be made through the One Call Now notification system, and on local radio and television stations. When the opening of schools is delayed, schools will dismiss at their normal times. A delayed opening announcement will cancel the morning Alphabest session and an early dismissal will cancel the afternoon Alphabest program. Delayed openings may range from one hour to two hours. Morning Preschool and before-school activities are cancelled when a delay occurs.

Elementary Start time: 8:45 AM, Students can begin to arrive 8:40 AM

1 hour delay start time 9:45 AM, Students can begin to arrive 9:40 AM

90 minutes delay start time 10:15 AM, Students can begin to arrive 10:10 AM

2 hour delay start time 10:45 AM, Students can begin to arrive 10:40 AM

If an early release is required a One Call Now message will be sent as well as notifications to local television and radio stations. Please plan ahead and have someone available to pick up your child or meet him or her at the bus. Please call the school to inform us if someone other than a parent/guardian will be picking up your child.

I. TARDINESS

Please be sure that children arrive at school on time (school begins at 8:45 AM). Late arrivals disrupt the classroom and affect the student's ability to start the day properly. If you drop your child off for breakfast, please do so by 8:40 am. This should give them time to eat and not be tardy. Children need to form good habits of punctuality and responsibility. A full day of attendance is a minimum of three (3) hours. Habitually tardy students will be brought to the attention of the administration. A meeting with the principal or assistant principal and the student's parent/guardian may be requested and notice may be provided to the attendance officer documenting this behavior.

J. TRUANCY:

By law, students are required to attend school daily. The following will be classified as truancy:

1. Students absent from school in violation of the law.
2. Students who leave the school without proper authorization.

Students classified as truant will be required to make up missed work. In addition, written notification will be forwarded to the attendance officer documenting the truancy.

K. UNSCHEDULED EARLY DISMISSAL

We recognize that an unscheduled early dismissal may create some hardships on parents, especially working parents. Therefore, we will only approve unscheduled dismissal when early dismissal is warranted for safety concerns. While it remains the parents’ responsibility to make provision for the supervision of their children in the event that those students are dismissed early from Somerset Schools, we make the following suggestions:

- It is important that every child be aware of a plan in case of early dismissal if their parents are not at home.
- Share and review the plan with your child on a consistent basis.
- It is extremely important that emergency forms are kept up to date. If there are any changes in work, home, or sitter’s telephone number(s), notify the school office immediately.

If an early release is required, a One Call Now message will be sent as well as notifications to local television and radio stations. Dismissal begins in the high school, the middle school and then the elementary schools.

L. UNSCHEDULED EARLY DISMISSAL EMERGENCY PROCEDURES – SINGLE SCHOOL

The following procedures shall be followed if conditions warrant the unscheduled early dismissal of one school:

- a.) Parents will be notified.
- b.) Buses shall be called immediately.
- c.) Students shall be bused to the receiving school.
- d.) Teachers shall ride buses to the receiving school and supervise students.
- e.) Lunch shall be served at the receiving school depending on the situation and time of day that the situation occurs.
- f.) Activities for students shall depend upon availability of equipment and space.
- g.) Classes may combine for activities as needed.
- h.) All students shall be bused home at regular dismissal time.
- i.) Teacher shall ride the bus with the students and shall be bused to their cars at the conclusion of the bus runs.

School Being Dismissed:

Chace Street School
South School
North Elementary School

Scheduled Receiving Schools:

North Elementary School
Somerset Middle School
Somerset Berkley Regional High School

In the event that the designated school is unavailable, students will be bused to the Somerset Berkley Regional High School

PARENTS ARE REQUESTED TO KEEP EMERGENCY FORMS UP-TO-DATE.

M. VACATIONS SCHEDULED BY PARENT DURING SCHOOL TIME

Student absences resulting from family vacations taken at times other than the weeks (days) identified in the school calendar are unexcused. These absences create significant learning difficulties as 90% of today's instruction involves discussion, group work and in-school practice, which cannot be replicated when a child is not in school. Also, many of the classroom activities are grouped and differentiated with the readiness, interests, and learning styles of students in mind.

Assignments will not be sent home prior to the absence, but key assignments may be saved during the student's absence and given to the student upon his/her return to school. Key assignments that are not completed in an appropriate manner within one calendar week of his/her return or student-learning outcomes that have not been mastered will adversely influence the student's performance level on the progress report. The student bears the responsibility of the actual completion of all work missed due to absences because of a family vacation. The parents/guardians bear the responsibility for ensuring the completion of the work.

Textbooks are available at some grade levels in some subjects. Teachers may be able to send these textbooks home with the child after vacation. The parent is asked to assist the child in understanding the material as it progresses in the textbooks and to quiz the child with regard to this understanding. Textbooks are the responsibility of the family if lost or damaged. (Legal Refs.: M.G.L. 76:1, 76:16, 76:20.)

N. MAKE-UP WORK:

Students will be permitted to complete all of the work missed within a period of time equal to half the number of days of the family vacation (not to exceed seven school days). Any work not made up after the allotted time will receive a zero. Homework: make-up work after excused absences (2) days to make up every one day missed due to sick days

A parent/guardian can request make-up work by calling the main office secretary before 8:30 A.M. The make-up work will be gathered and sent to the office where it can be picked up by the parent/guardian in the afternoon by 3:15 P.M or work may be sent home with a sibling or neighboring student.

BEHAVIOR

A. GOAL

Every teacher and staff member strives for a well-disciplined and safe environment at school. Students are expected to show respect to fellow students, teachers, aides, and volunteers. All students have a right to be educated, and teachers have the responsibility to provide that education.

B. SCHOOL RULES

School rules, which govern acceptable behavior in the classroom and in the cafeteria, at recess, in the corridors, and in the restrooms, on the bus, and at assemblies have been developed by the school administration with the advice and assistance of the teachers. Classroom teachers and specialists regularly review these rules.

The Somerset Public Schools expects the following general behaviors from its students:

- Speak softly and politely to others.
- Proceed in corridors quietly.
- Keep your materials in good condition.
- Be responsible for your actions.
- Respect the rights and safety of others.
- Use school facilities and materials with care and respect.
- The use of any tobacco products within the school buildings, the school facilities, the grounds, or on school buses by any individual, including school personnel is prohibited.

At the discretion of the school administration, all penalties for violating the school rules listed may be increased or decreased depending on the severity of the violation and other circumstances. In addition, any offense to school order not mentioned in this handbook will be handled at the administration's discretion.

If the disciplinary procedures herein have been implemented and have been unsuccessful in changing the unacceptable behavior of a student, the parents/guardians will be contacted by the administration and may be asked to come into school to meet with their child's team of teachers and/or the administration. Excessive and repetitive violations of school rules may result in the school filing a Child Requiring Assistance ("The Act") Petition with the Bristol County Juvenile Courts.

Discipline can include a range of options including but not limited to:

1. Documentation/Verbal Warning
2. Parent/Guardian contact: If the student continues to commit the documented infraction, the teacher will contact the student's parent/guardian.

3. Indoor recess/office lunch/after-school detention: If the student continues the unacceptable behavior, the teacher should schedule an appointment with the student's parents/guardians and/or notify the administration.

C. INFRACTIONS:

FORGERY OF SIGNATURES: This may include but is not limited to any school paper that requires a parent or teacher signature, a note for an excused absence, a letter of suspension, a permission slip to attend a school function, or any other document issued by the school or school authority requiring a parent/guardian signature.

First Offense: Consequences given by the teacher; contact with parents.

Second Offense: Referral to administration for additional consequences and contact with parents.

CHEATING: This may include any student caught copying another student's work. In addition to the following consequences, students caught cheating will receive a zero for the test or assignment on which they cheated.

First Offense: Consequences given by the teacher; contact with parents.

Second Offense: Referral to administration for additional consequences and contact with parents.

PLAGIARISM: This may include any student caught copying print or electronic sources without the appropriate documentation.

First Offense: Consequences given by the teacher; contact with parents. (Student may redo the assignment)

Second Offense: Referral to administration for additional consequences and contact with parents. (Student receives a zero on the assignment)

INAPPROPRIATE USE OR POSSESSION OF WIRELESS COMMUNICATIONS OR ELECTRONIC DEVICES: See the wireless communications and electronic devices citation located in the general information section of this handbook for more information regarding these devices.

First Offense: Confiscation of the device and parent/guardian notification.

Second Offense: Confiscation of the device and referral to administration for discipline.

PICTURES/VIDEOS: Absolutely no pictures and/or videos should be taken with an electronic device, unless directed for educational purposes.

First Consequence: Confiscation of the device and the student may pick it up at the end of the school day.

Second Consequence: Confiscation of the device, and it must be picked up by a parent.

(Cell phones, like all other personal items brought to the school zone, may be subject to search. The outcome of that search may result in school sanction and/or a criminal investigation by the police)

ROUGHHOUSING: Roughhousing includes pushing, shoving, kicking, and general horseplay, even if the two involved students claim that their actions were not intended to be malicious. Roughhousing compromises the safety and orderliness of a school and will not be tolerated at Somerset Public Schools. Student safety is important at our school, and this type of behavior can lead to serious injury.

Student behavior may be addressed by the individual staff member witnessing the event, event or may be referred to administration, depending on the severity of the case. Continued behaviors will result in referral to

the office and communication with parents/guardians. Discipline for this offense will depend on the nature of the offense, offense and could range from loss of privileges to suspension.

First Offense: May range from a teacher consequence to suspension, depending upon the severity of the roughhousing as determined by the administrator.

Second Offense: May range from an administrative consequence to suspension depending upon the severity of the roughhousing as determined by the judgment of the administration.

PANTSING: “Pantsing” is where a student pulls down another student’s pants. This is an unacceptable form of behavior and could be considered an assault.

First Offense: Indoor Recess or Detention or Suspension

Second Offense: Suspension for additional days (Police notification may also result)

STEALING: Stealing will not be tolerated at Somerset Public Schools. Any student caught stealing will immediately return the item taken and offer an apology to the victim. This will take place in the presence of a guidance counselor or an administrator. The student’s parents/guardians will be notified, and the offending student will serve the suitable disciplinary consequence. (Police notification may also result)

First Offense: Consequences given by the teacher; contact with parents.

Second Offense: Referral to administration for additional consequences and contact with parents.

DISRESPECT TO STAFF: Students are expected to be responsible in showing respect to all staff members. Students are expected to use appropriate language and to conduct themselves in a courteous and polite manner.

First Offense: May range from a teacher consequence to suspension, depending upon the severity of the disrespect as determined by the administrator.

Second Offense: May range from an administrative consequence to suspension depending upon the severity of the disrespect as determined by the judgment of the administration.

PROFANITY/VULGARITY: Swearing, vulgar language, or derogatory remarks regarding race, color, sex, national origin, sexual orientation, intellectual abilities, exceptionalities, domicile, gender identity, gender, whether intended or not to demean or ridicule another, will not be tolerated. This includes all forms of expression. Such expressions foster prejudices and stereotyping which research has shown is often at the root of violence. We strive for our school to be a safe and comfortable atmosphere for everyone. Diversity should be celebrated, not ridiculed.

First Offense: Consequences given by the teacher; contact with parents.

Second Offense: Referral to administration for additional consequences and contact with parents

VANDALISM – DESTRUCTION OF PROPERTY: Tampering with property belonging to another student or staff member is an invasion of personal rights, disrespectful, costly, and will not be tolerated. Any student vandalizing or destroying another’s property will be required to make restitution. Police notification may result.

DISRUPTING THE LEARNING ENVIRONMENT/PROCESS: All students have the right to an education free of disruptions. Continuous and intentional classroom disruptions of any manner, which interfere with the teacher’s ability to teach, will not be tolerated. A disruptive student will be warned to change his/her behavior;

continuation of the behaviors may result in loss of privileges, or referral to the office, depending on the nature and severity of the behavior.

First Offense: Consequences given by the teacher; contact with parents.

Second Offense: Referral to administration for additional consequences and contact with parents

THREATS: VERBAL/NONVERBAL OR WRITTEN: All threats are taken seriously. Whether it be verbal or written, an investigation will be done by administration or designee. (Police notification may result)

First Offense: May range from a teacher consequence to suspension, depending upon the severity of the threat as determined by the administrator; contact with parents.

Second Offense: May range from an administrative consequence to suspension depending upon the severity of the threat as determined by the judgment of the administration; contact with parents.

FIGHTING/ASSAULTING ANOTHER STUDENT: Fighting or assaulting another student in school, at recess, on school grounds, or on school buses is dangerous and will not be tolerated. Students are expected to avoid conflicts that might escalate into fighting. Students are encouraged to seek advice from staff if a problem occurs which could escalate into a fight.

First Offense: May range from a teacher consequence to suspension, depending upon the severity of the fight as determined by the administrator.

Second Offense: May range from an administrative consequence to suspension depending upon the severity of the fight as determined by the judgment of the administration.

All cases of assault/ fighting will be referred to the office for administrative discipline.

SMOKING, VAPING, ALCOHOL AND DRUGS: Will not be allowed on school grounds, the bus, school events, after or before school. Violations of the Alcohol, Tobacco and Drug Use Prohibited (JICH) and Tobacco Products on School Premises Prohibited (ADC) policies may result in one or more of the following: attendance at a smoking cessation program, loss of school privileges, detention, or suspension.

MASSACHUSETTS GENERAL LAWS, CH. 71, §2A STUDENT USE OF TOBACCO PRODUCTS

The Somerset Public Schools is a SMOKE FREE school. In accordance with G.L. c. 71, §2A, use of all tobacco products is prohibited within all school facilities, on all school grounds, and on all school buses by any individual, including students, visitors, and school personnel. Possession of tobacco products is also prohibited. Tobacco products are defined as any product or substance containing tobacco including smoking and chewing items, including electronic or vapor/nicotine e-cigarettes.

Smoking and the possession of tobacco products are also prohibited at all school-sponsored events regardless of where they are held. Violations of the Alcohol, Tobacco and Drug Use by Students Prohibited and Tobacco Products on School Premises Prohibited (ADC) policies may result in one or more of the following: attendance at a smoking cessation program, loss of school privileges, detention, suspension, or expulsion. Smoke/Vapor detectors may be used to monitor smoking on the premises. Programs are available to any student who would like to try to stop smoking. (see school adjustment counselor).

Drug Free School Zone: The area within one thousand yards of the school has been declared a drug free zone by agreement between the Somerset police and the school committee. Any drug offenses in this area carry special and severe penalties.

School owned property and buildings: Any school controlled property and/or building. The district has jurisdiction over any student who is on any vehicle designated by the school for transportation of students to and from school, as well as to or from any school sponsored activity.

Please Note: When a student leaves the “school zone” the school’s obligation ends, however the school’s rights continue. For example: Administration has the right to investigate any incident involving a student occurring outside of the school zone. Administration has the right to gather information and exchange information in at least oral fashion with the police department regarding actions of school students. Administration has the right to make a determination whether actions of the student creates a clear danger/disruption connecting back to and upon the safe and orderly educational atmosphere of the school.

POLICY REGARDING DRUGS AND ALCOHOL Overview: Students are expected to behave in accordance with the School District’s rules and regulations and to remove themselves from situations which involve illegal activity or the possession or use of illicit drugs or alcohol. Students who put themselves in these situations or who do not report, or remove themselves from these situations may be subject to disciplinary action including suspension or expulsion. It is the policy of Somerset School District to maintain a safe, alcohol-free and drug-free environment. Policy: A student shall not knowingly possess, use, transmit, or be under the influence of any narcotic drug, hallucinogenic drug, amphetamine, barbiturate, marijuana, steroid, controlled substance, alcoholic beverages or intoxicant of any kind on school grounds at any time, or off school grounds at any school activity, function or event. Possession shall include being or remaining at a site, or in a room, building, or vehicle on school grounds or at a school activity, function or event, in which a controlled substance or alcohol is being used, consumed or possessed, including alcohol consumed or possessed by a person under the age of 21; provided, this “Presence Rule” shall not apply to activities which a student attends with his or her parent(s) or legal guardian(s) where alcohol is consumed as long as the student does not personally consume alcohol. Use of a drug authorized by a medical prescription from a registered physician for the student shall not be considered a violation of this regulation. The nurse’s office must be used to hold a student’s prescribed drugs for the school day for obvious reasons.

POLICY ON HANDLING DRUG AND ALCOHOL PROBLEMS: While recognizing the fact that school personnel are in no position to make valid judgments regarding causes of student's aberrant behavior, it is obvious that wide deviations from a student’s normal behavior are observable and are a cause of concern regarding the student’s mental, emotional and physical health on the part of all parents or guardians and school personnel. In keeping with this conviction and awareness of our responsibilities to the welfare of students, parents or guardians, and schools, we enforce the following policy:

- I. Possible User in School: Should a student’s behavior in school be such that there is reason to be concerned for their well-being, the student’s name should be referred to the principal or to the assistant principal. The administration will ask the school nurse to examine the student for possible cause. After consultation with the school nurse, if the principal or designee feels the child should be excused from school in the care of their parent/guardian, the student’s parent/guardian is to be notified by the principal or designee that the student is not well, and a conference will be held with the parent/guardian. If deemed appropriate, the principal should suggest that the student be seen by competent medical authorities. Should there be repetitions of the referral and consequent dismissals from school, the principal or designee shall, by phone and later in writing, invite the parent/guardian to school for a conference with the principal or designee as a precondition to the student’s reentry. During this interview the principal should make the parent/guardian aware of any circumstances of which they have knowledge that may help to account for the exhibited behavior. It is also expected that the parent/guardian will have made efforts to determine the causes of and remedies for the problem. If the parent/guardian has no evidence of having provided the student with assistance either medically, through family doctor, or through referral to an outside agency

- for an evaluation, the student may be suspended until such evidence is presented. Said suspension is governed by school committee policy. In the event that an outside agency is to be notified, then the parent/guardian shall be notified prior to such referral. If, after the referral, there is evidence of the student refusing to receive help, and the student is a juvenile, the school will consult with the juvenile probation officer to ascertain whether the case should be brought to juvenile court for the purpose of rehabilitation rather than criminal action. The parent/guardian shall be notified of the referral prior to its being made. A student who is in possession of drug paraphernalia or alcohol shall be considered a possible user and the parent/guardian contacted.
- II. II. User in School: The parent/guardian of a student who uses harmful or potentially harmful drugs or controlled substances or alcohol in school will be notified. It is also expected that the parent/guardian will have made efforts to determine the causes of and remedies for the problem. If parent/guardian has no evidence of having provided the student with an evaluation, the school will require that a referral be made to an outside agency for an evaluation. The student is to remain out of school until such evidence is presented. If it is determined that the user is also in possession, then Section IV will also apply. Parents/guardians shall be notified prior to said referral being made.
- III. III. Possible Possession: If the principal or designee has reason to believe that a student may be in possession of harmful drugs or a controlled substance or alcohol, the student will be called to the office and questioned concerning this matter. If, after talking to the student and further investigation, the principal or designee has reason to believe that the student is in possession of a harmful drug or alcohol or a controlled substance, the parent/guardian will be contacted for a conference, and the police will be called to the school at this time.
- IV. IV. Possession, Student Seller, or Distributor in School: The parent/guardian of any student who has a controlled substance, alcohol, or harmful drug in his/her possession will be called to the school immediately. Possession and/or distribution of drugs/alcohol on school premises, or substantiated involvement, or under the influence of, drugs and/or alcohol on school premises –Five (5) days suspension, parental referral and referral to Principal for possible further disciplinary action. (See Grounds for Expulsion)

A student shall not, regardless of the quantity, use or consume, possess, buy or sell, or give away any beverage containing alcohol; any tobacco product, including vapor/E-cigarettes; marijuana; steroids; or any controlled substance. The School Committee prohibits the use or consumption by students of alcohol, tobacco products, or drugs on school property, on school buses, or at any school function (reference School Committee Policies ADC, JICH and KLGGA).

D. STUDENT SEARCHES:

A student may be searched by the principal or a designee, whenever there is reasonable suspicion that the student is, or has been, in possession of contraband or materials indicating a violation of the discipline code or the law or where the student has violated or is violating either the discipline code or the law. The search itself will be conducted in a reasonable manner, given the age and sex of the student as well as the nature of the infraction. A witness will always be present for any search.

Whenever a student search is conducted, the following shall apply:

1. No search shall be conducted unless there is reasonable suspicion that a violation of law or school rules has occurred;
2. Searches shall be conducted by an administrator, or designated staff person in the presence of at least one other staff member;

3. Whenever a personal search is deemed necessary, the student shall be advised of the reason for the impending search prior to its implementation. School officials may examine articles of clothing such as pockets, coats, book bags, etc.;
4. In recognition that right to privacy considerations intensify as a search becomes invasive, no school official shall ever conduct a "strip search" of a student;
5. Should a student refuse to voluntarily comply with a request for a search, the student may be detained until parents, and if necessary police, can arrive to assist, as appropriate, in the investigation. A student who fails to cooperate, lies, misleads or threatens any person during or after a search or questioning, may be subject to additional disciplinary action;
6. Should a search uncover any substances or contraband, such shall be turned over to the appropriate authorities or rightful owner, as appropriate, and suitable disciplinary action shall be taken.

Nothing herein shall be construed to limit the right of the School Committee or administration to make use of external detecting resources should these become necessary or desirable.

E. DISCIPLINE OF STUDENTS on 504 PLANS

Students with 504 Plans are expected to abide by the same rules as students without disabilities. Students with disabilities may be disciplined in the same manner as their non-disabled peers for up to (10) cumulative school days in the same year, as long as the removal does not constitute a change in placement. A manifestation determination meeting must be held to discuss whether or not the student's behavior was a manifestation of his/her disability. Procedural protections for eligible 504 students are the same as those afforded to students who receive special education services.

F. SUSPENSIONS

The most serious consequence of inappropriate behavior is suspension. Most elementary students will not be suspended from school. If a student is suspended, their parents will be notified by telephone and also by letter. The letter will inform the parents of the reason for suspension, how long it is for, and the date the student can return to school.

The Somerset Public Schools adheres to the Student Discipline Laws and Regulations as set forth in Massachusetts General Laws Chapter 71, Section 37H, 37H ½ and 37H ¾ and 603 CMR 53.00 et seq. "Disciplinary offense under G.L. c. 71, §§37H or 37H½ " means one or more of the following alleged or determined disciplinary infractions: a) possession of a dangerous weapon; b) possession of a controlled substance; c) assault on a member of the educational staff; and d) a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school, as provided in G.L. c. 71, §§37H or 37H½.

STUDENT CONDUCT

MASSACHUSETTS GENERAL LAWS, CH. 71, S. 37H

Publication of School Committee Policies Relative to the Conduct of Teachers and Students.

(a) Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or knife; or a controlled

substance as defined in chapter ninety-four (94c) C, including, but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from the school or school district by the principal.

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

(c) Any student who is charged with a violation of either paragraph (a) or (b) shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the principal.

After said hearing, a principal may, in their discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraph (a) or (b).

(d) Any student who has been expelled from a school district pursuant to these provisions shall have the right to appeal to the superintendent. The expelled student shall have ten (10) days from the date of the expulsion in which to notify the superintendent of his appeal. The student has the right to counsel at a hearing before the superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated provisions of this section.

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

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

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

POLICY AGAINST USE/POSSESSION OF WEAPONS

Possession of any weapon is strictly forbidden. A weapon is any object that may be used to assault or intimidate, such as a knife, mace, or sharp spiked jewelry. Canes or other similar devices are not to be used or carried unless the school nurse has on file a physician's recommendation that a student use them. The administration will take disciplinary action commensurate with the violation.

School staff are required to file written reports on any incidents, regardless of whether or not they occur during school hours, involving a student's possession of a dangerous weapon on school premises. A Principal receiving such report will file copies with the local Chief of Police, the Department of Children and Families,

the school district's office of Student Services (or its equivalent) and the School Committee. The filing of such a report triggers an assessment of the student, referral to a counseling program, and a follow-up assessment.

Any student who is involved in a weapons "incident" whether expelled or not, is entitled to receive information on available counseling services. Such services can include counseling available within the district and provided by district personnel and/or counseling available through other agencies. Information provided to the student must include information regarding the cost to the student. The school district is required to provide counseling services at no cost to the student only if such counseling services are available on a regular basis to other students within the district.

Students transferring to a new district must provide that district with complete school records containing information on suspensions, violations of criminal acts and incident reports filed against the student.

Firearms

Whoever, not being a law enforcement officer, and not withstanding any license obtained by him/her under the provisions of Chapter 140, carries on their person a firearm as hereinafter defined, loaded or unloaded, in any building or on the grounds of any secondary school without written authorization of the board or officer in charge of such secondary school, shall be punished by a fine not more than one thousand dollars (\$1,000) or by imprisonment for not more than one year, or both. For the purpose of this paragraph, "firearms" shall mean any pistol, revolver, rifle or smoothbore arm from which a shot, bullet or pellet can be discharged by whatever means.

Any student who is determined to have brought a firearm to school will be disciplined in accordance with G.L. c. 71, s. 37H.

Firecrackers

Firecrackers and any other explosive devices are illegal and prohibited on school property. Discipline will be handled at the discretion of the administration.

MASSACHUSETTS GENERAL LAWS, CH. 71, S. 37H½

Felony Complaint or Conviction of Student; Suspension; Expulsion; Right to Appeal

Notwithstanding the provisions of Section eighty-four and Sections sixteen and seventeen of Chapter seventy-six:

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

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

five calendar days of the hearing. Such decision shall be the final decision of the city, town, or regional school district with regard to the suspension.

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

The student shall have the right to appeal the expulsion to the superintendent. The student shall notify the superintendent, in writing, of his request for an appeal no later than five (5) calendar days following the effective date of the expulsion. The superintendent shall hold a hearing with the student and the student's parent or guardian within three (3) calendar days of the expulsion. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The superintendent shall have the authority to overturn or alter the decision of the principal or headmaster, including recommending an alternate educational program for the student. The superintendent shall render a decision on the appeal within five (5) calendar days of the hearing. Such decision shall be the final decision of the city, town, or regional school district with regard to the expulsion.

Any school district that suspends or expels a student under this section shall continue to provide educational services to the student during the period of suspension or expulsion, under section 21 of chapter 76. If the student moves to another district during the period of suspension or expulsion, the new district of residence shall either admit the student to its schools or provide educational services under an education service plan, under section 21 of chapter 76.

MASSACHUSETTS GENERAL LAWS, CH. 71, S. 37H^{3/4}

Suspension or expulsion on grounds other than those set forth in Secs. 37H or 37H^{1/2}

(a) This section shall govern the suspension and expulsion of students enrolled in a public school in the commonwealth who are not charged with a violation of subsections (a) or (b) of section 37H or with a felony under section 37H^{1/2}.

(b) Any principal, headmaster, superintendent or other person acting as a decision-maker at a student meeting or hearing, when deciding the consequences for the student, shall exercise discretion; consider ways to re-engage the student in the learning process; and avoid using expulsion as a consequences until other remedies and consequences have been employed.

(c) For any suspension or expulsion under this section, the principal or headmaster of a school in which the student is enrolled, or a designee, shall provide, to the student and to the parent or guardian of the student, notice of the charges and the reason for the suspension or expulsion in English and in the primary language spoken in the home of the student. The student shall receive the written notification and shall have the opportunity to meet with the principal or headmaster, or a designee, to discuss the charges and reasons for the suspension or expulsion prior to the suspension or expulsion taking effect. The principal or headmaster, or a designee, shall ensure that the parent or guardian of the student is included in the meeting, provided that such meeting may take place without the parent or guardian only if the principal or headmaster, or a designee, can document reasonable efforts to include the parent or guardian in that meeting. The department shall promulgate rules and regulations that address a principal's duties under this subsection and procedures for including parents in student exclusion meetings, hearings or interviews under this subsection.

(d) If a decision is made to suspend or expel the student after the meeting, the principal or headmaster, or a designee, shall update the notification for the suspension or expulsion to reflect the meeting with the student. If a student has been suspended or expelled for more than ten (10) school days for a single infraction or for more than ten (10) school days cumulatively for multiple infractions in any school year, the student and the parent or guardian of the student shall also receive, at the time of the suspension or expulsion decision, written notification of a right to appeal and the process for appealing the suspension or expulsion in English and in the primary language spoken in the home of the student; provided, however, that the suspension or expulsion shall remain in effect prior to any appeal hearing. The principal or headmaster, or a designee, shall notify the superintendent in writing, including, but not limited to, by electronic means, of any out-of-school suspension imposed on a student enrolled in kindergarten through Grade Three (3) prior to such suspension taking effect. That notification shall describe the student's alleged misconduct and the reason for suspending the student out-of-school. For the purposes of this section, the term "out-of-school suspension" shall mean a disciplinary action imposed by school officials to remove a student from participation in school activities for one (1) day or more.

(f) A student who has been suspended or expelled from school for more than ten (10) school days for a single infraction or for more than ten (10) school days cumulatively for multiple infractions in any school year shall have the right to appeal the suspension or expulsion to the superintendent. The student or a parent or guardian of the student shall notify the superintendent in writing of a request for an appeal not later than five (5) calendar days following the effective date of the suspension or expulsion; provided, that a student and a parent or guardian of the student may request, and if so requested, shall be granted an extension of up to seven (7) calendar days. The superintendent, or a designee, shall hold a hearing with the student and the parent or guardian of the student within three (3) school days of the student's request for an appeal; provided that a student or a parent or guardian of the student may request, and if so requested, shall be granted an extension of up to seven (7) calendar days; provided further, that the superintendent, or a designee, may proceed with a hearing without a parent or guardian of the student if the superintendent, or a designee, makes a good faith effort to include the parent or guardian. At the hearing, the student shall have the right to present oral and written testimony, cross-examine witnesses and shall have the right to counsel. The superintendent shall render a decision on the appeal in writing within five (5) calendar days of the hearing. That decision shall be the final decision of the school district with regard to the suspension or expulsion.

(f) No student shall be suspended or expelled from a school or school district from a time period that exceeds ninety (90) school days, beginning the first day the student is removed from an assigned school building.

STUDENT DISCIPLINE AND DUE PROCESS RIGHTS

Consistent with the Massachusetts student discipline law (Chapter 222 of the Acts of 2012) and the student discipline regulations (603 CMR 53.00), Somerset Public Schools' student discipline policy includes specific procedures related to student suspensions and expulsions and is designed to provide students who are suspended or expelled the opportunity to make academic progress. Our goals are:

1. To keep schools safe and supportive for all students while ensuring fair and effective disciplinary practices;
2. To promote engagement of a student and a student's parent or guardian in discussion of the student's misconduct, and the options for responding to it;
3. To assure that every student who is expelled or suspended, regardless of the reason for suspension or expulsion, has the opportunity to receive education services to make academic progress during the period of suspension or expulsion; and
4. To limit the use of long-term suspension as a consequence for student misconduct until other consequences have been considered and tried as appropriate.

In all cases, the principal reserves the right to apportion discipline as they deem to be in the best interests of the student and the overall school environment.

A. Due Process

Except in cases of emergency or when the student's continued presence poses a danger to person or property, the principal may not impose a suspension without first providing the student and the parent or guardian with oral and written notice of the offense, the basis for the charge and the potential consequences, and providing the student an opportunity for a hearing on the alleged offense and the parent or guardian an opportunity to participate in the hearing. The principal shall make reasonable efforts to notify the parent or guardian orally of the opportunity to attend the hearing. A hearing may be conducted without the parent or guardian present if, after reasonable, good faith efforts to include the parent or guardian, the principal is unable to secure their participation.

This section does not apply to the suspension of a student for: (a) possession of a dangerous weapon; (b) possession of a controlled substance; (c) assault on a member of the educational staff; or (d) a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if the principal determines that the student's continued presence in school would have a detrimental effect on the general welfare of the school, as provided in G.L. c. 71, §§37H or 37H½.

i. Principal's Hearing

The principal shall determine the extent of the rights afforded to a student at a disciplinary hearing based on the anticipated consequences for the offense. Students facing a long-term suspension will be afforded greater minimum rights than students facing a short term suspension. For additional information refer to 603 CMR 53.08.

- a. Short-term Suspension: At a minimum, the principal shall discuss 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 should consider in determining whether other remedies or consequences (other than suspension) may be sufficient and appropriate. If present, the parent or guardian shall be provided an opportunity to discuss the student's conduct and other information, including mitigating circumstances that the principal should consider in determining consequences for the student.

Following the hearing, the principal shall notify the student and parent or guardian of the determination, the reasons for the determination, and length of any suspension being imposed. The determination shall be in writing. Students shall be provided with the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal.

- b. Long-term Suspension: At a minimum, a student facing a long-term suspension shall be afforded all of the rights afforded a student in a short-term suspension hearing. In addition, a student facing a long-term suspension shall have the following additional rights:
 - In advance of hearing, the opportunity to review the student's record and the documents upon which the principal may rely in making their determination;
 - The right to be represented by counsel or a lay person at the student's choice and at the student's/parent's or guardian's expense;
 - The right to produce witnesses on their behalf;
 - The right to cross examine witnesses presented by the school district; and
 - The right to request that the hearing be recorded.

The principal's determination shall be in writing and sent to the student and parent or guardian. If the principal decides to suspend the student, the written determination shall:

- Identify the offense, the date on which the hearing took place and the participants at the hearing;
- Set out the key facts and conclusions reached by the principal;
- Identify the length and effective date of suspension;
- Include notice of the student's opportunity to receive education services to make academic progress during the suspension;
- Inform the student of the right to appeal the decision to the superintendent (or designee). Appeal to the superintendent is only provided in those cases where the principal has imposed a long-term suspension.

In every case of misconduct for which suspension may be imposed, the principal shall exercise discretion in deciding the consequence for the offense.

ii. Superintendent's Hearing

A student placed on long-term suspension following a hearing with the principal shall have the right to appeal the principal's decision to the superintendent. The appeal must be filed within five (5) calendar days of the effective date of the long-term suspension. The superintendent shall hold the hearing within three (3) school days of the student's request, unless the student or parent or guardian request an extension of up to seven (7) additional calendar days, in which case the superintendent shall grant the extension. A good faith effort will be made to include the parent or guardian in the hearing.

The superintendent shall send written notice to the parent or guardian of the date, time, and location of the hearing.

The superintendent shall arrange for an audio recording of the hearing, a copy of which shall be provided to the student or parents or guardian upon request. The student shall have all of the rights afforded at the Principal's Hearing for long-term suspension.

The superintendent shall issue a written decision within five (5) calendar days of the hearing. While the superintendent may modify the principal's decision to reduce the suspension or consequence imposed on the student, under no circumstances may the superintendent impose a suspension which is greater than that imposed by the principal's decision. The decision of the superintendent shall be the final decision of the school district.

iii. Emergency Removal

Nothing in these rules and regulations shall prevent the principal from removing a student from school temporarily 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 alters and substantially disrupts the order of the school, and, in the principal's judgment, there is no alternative available to alleviate the danger or disruption. The principal shall immediately notify the superintendent in writing of the removal and the reason for it, and describe the danger presented by the student. The temporary removal shall not exceed two (2) school days following the day of the emergency removal, during which time the principal shall:

- Make immediate and reasonable efforts to notify the student and the student's parent or guardian of the emergency removal, the reason(s) for the removal and other matters set forth in 603 CMR 53.06(2);
- Provide written notice to the student and parent or guardian pursuant to 603 CMR 53.06(2);

- Provide the student with an opportunity for a hearing and the parent or guardian an opportunity to attend the hearing, before the expiration of two (2) school days, unless an extension of time for the hearing is agreed to by the principal, student and parent or guardian.
- A decision must be rendered (orally) on the same day as the hearing, and in writing no later than the following school day.

A student may not be removed from school on an emergency basis for a disciplinary offense until adequate provisions have been made for the student's safety and transportation.

Expulsion

Although suspension is limited to no more than ninety (90) school days in a school year under M.G.L. c. 71 s. 37H³/₄, principals continue to have discretion under M.G.L. c. 71, sections 37H and 37H¹/₂ to impose a longer suspension or expulsion on a student for one of the statutory offenses, such as possession of a dangerous weapon or a controlled substance on school grounds, or assault on school staff.

The student shall receive written notification of the charges and the reasons for such expulsion prior to such expulsion taking effect. The student shall also receive written notification of their right to appeal and the process for appealing such expulsion; provided, however, that the expulsion shall remain in effect prior to any appeal hearing conducted by the superintendent.

WEAPONS, DRUGS AND ASSAULT ON STAFF:

In accordance with M.G.L. c. 71, §37H:

- Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or a knife; or a controlled substance as defined in chapter ninety-four C, including, but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from the school or school district by the principal.
- Any student who assaults a principal, assistant principal, teacher, teacher's aide or other educational staff on school premises or at school-sponsored or school-related events, including athletic games, may be subject to expulsion from the school or school district by the principal.
- Any student who is charged with a violation of either paragraph (a) or (b) shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the principal. After said hearing, a principal may, in their discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraph (a) or (b).
- Any student who has been expelled from a school district pursuant to these provisions shall have the right to appeal to the superintendent. The expelled student shall have ten days from the date of the expulsion in which to notify the superintendent of their appeal. The student has the right to counsel at a hearing before the superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section.
- When a student is expelled under the provisions of this section, no school district within the commonwealth shall be required to admit such student or to provide educational services to said student. If said student does apply for admission to another school or school district, the superintendent of the school district to which the application is made may request and shall receive from the superintendent of the school expelling said student a written statement of the reasons for said expulsion.

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

Students should not bring in any toy or other object which resembles a weapon, knife, or gun of any kind. Objects of this nature will be confiscated and may result in the student being referred to the principal for further action, depending on the individual situation.

FELONY CHARGES AND CONVICTIONS:

In accordance with M.G.L. c.71 §37H ½:

Notwithstanding the provisions of section eighty-four (84) and sections sixteen (16) and seventeen (17) of chapter seventy-six (76):

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

The student shall have the right to appeal the suspension to the superintendent. The student shall notify the superintendent in writing of his request for an appeal no later than five (5) calendar days following the effective date of the suspension. The superintendent shall hold a hearing with the student and the student's parent or guardian within three (3) calendar days of the student's request for an appeal. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The superintendent shall have the authority to overturn or alter the decision of the principal or headmaster, including recommending an alternate educational program for the student. The superintendent shall render a decision on the appeal within five (5) calendar days of the hearing. Such decision shall be the final decision of the city, town or regional school district with regard to the suspension.

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

The student shall have the right to appeal the expulsion to the superintendent. The student shall notify the superintendent, in writing, of his request for an appeal no later than five (5) calendar days following the effective date of the expulsion. The superintendent shall hold a hearing with the student and the student's parent or guardian within three (3) calendar days of the expulsion. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The superintendent shall have the authority to overturn or alter the decision of the principal or headmaster, including recommending an alternate educational program for the student. The superintendent shall render a decision on the appeal within five (5) calendar days of the hearing. Such decision shall be the final decision of the city, town or regional school district with regard to the expulsion. Upon expulsion of such student, no school or school district shall be required to provide educational services to such student.

In accordance with M.G.L. c.76 §17 a school committee may permanently expel a student but not without first giving the student and his parent or guardian and opportunity to be heard.

G. DISCIPLINE OF STUDENTS WITH DISABILITIES

Students with Individualized Education Programs (IEPs) are expected to abide by the same rules as students without disabilities. However, there are different procedures for the discipline of students with disabilities under the federal IDEA and Massachusetts law. Parents/Guardians will be provided with copies of these procedures.

Students with disabilities may be disciplined in the same manner as their non-disabled peers for up to ten (10) cumulative school days in the same year, as long as the removal does not constitute a change of placement. When suspension of a student with a disability will constitute a change in placement (including removal to a 45-day interim alternative educational setting) the following procedures need to be followed. Relevant members of the student's IEP Team shall conduct a Manifestation Determination. As in a Team meeting, the parent/guardian shall receive a **written invitation** to the Manifestation Determination Team meeting, **as well as a copy of the procedural safeguards**. At that review, the Team must determine if the misconduct was a manifestation of the student's disability. This **must** take place within ten (10) **school days** of the occurrence of the behavioral incident in question.

Consideration of whether the behavior is a manifestation of the student's disability:

The law provides that the Team must consider evaluation information, observational information, the student's IEP and placement, and must determine whether the behavior prompting disciplinary removal was a manifestation of the student's disability. The behavior is considered a manifestation of the student's disability if the conduct in question was caused by, or had a direct and substantial relationship to the student's disability or was a **direct result of the school district's failure to implement the student's IEP**.

If the Team determines that the behavior was related to your child's disability, then your child may not be removed from their current educational placement. However, the IEP Team, which includes the parent/guardian, can develop a new IEP and decide upon a new placement. Once a parent/guardian consent for a change in placement is provided, the child will be moved to the agreed upon placement.

If a parent/guardian does not agree to a change in placement, the District can go to the Bureau of Special Education Appeals and request that Hearing Officer order a removal from the current educational placement.

If the Team determines the behavior was not related to your child's disability, then the school may suspend or otherwise discipline your child according to the school's code of student conduct, except that for any period of removal exceeding ten (10) cumulative school days, the school district must provide your child with a Free Appropriate Public Education (FAPE). The school district must determine the educational services necessary for your child to access FAPE and the manner and location of providing those services.

In the case of a disagreement with the Team's determination:

If the parent(s) disagrees with the Team's decision on the "manifestation determination" or with the decision relating to placement of the student in an interim alternative education setting or any other disciplinary action, the parent(s) have the right to appeal the Team's decision by requesting an expedited hearing from the Bureau of Special Education Appeals (BSEA).

Removals that do not require a manifestation determination:

School personnel may remove a student to an interim alternative educational setting for not more than forty-five (45) school days without regard to whether the behavior is determined to be a manifestation of the child's disability, in cases where a child carries or possesses a weapon to or at school, on school premises, or to or at a school function; knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function; or has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function.

H. PROCEDURE FOR EXPULSION

- The student is suspended and a report is submitted by the principal to the Superintendent of Schools.
- If the Superintendent, based on the evidence presented in the report, determines that there are possible grounds for expulsion, arrangements for a preliminary hearing with the student and parent/guardian will be made.
- Any student who is found in possession of a dangerous weapon or a controlled substance on school premises or at a school-sponsored or school-related event, including athletic games, may be subject to expulsion from the school or school district by the principal. Additionally, any student who assaults a principal, assistant principal, teacher, teacher's aide or other educational staff on school premises or at school-sponsored or school-related events, including athletic games, may be subject to expulsion from the school or school district by the principal.
- If the Superintendent, upon completion of a preliminary hearing, decides to recommend expulsion, the Superintendent will furnish, within five (5) school days, the parent or guardian and the student with a written statement of the facts leading to the recommendation.
- The Superintendent will arrange for a hearing before the School Committee pursuant to General Laws, Chapter 76, Section 17.

Hearing Process for Expulsion

In an expulsion proceeding, the student is entitled to the following:

- Advanced written notice of the charges.
- The right to be represented by an attorney or other person acting on the student's behalf.
- Adequate time to prepare for the hearing.
- The right to question witnesses.
- If warranted--a reasonable, prompt, written decision by the School Committee including specific grounds for the decision.

Questions concerning this procedure should be directed to the school principal.

I. STUDENTS NOT YET ELIGIBLE FOR SPECIAL EDUCATION

Students who have not been determined to be eligible for special education and related services and who have engaged in behavior that violates the District's Code of Conduct may assert any other protections provided to students with disabilities if the school district had knowledge that the student was a student with a disability before the behavior that resulted in the disciplinary action occurred.

The school district may be considered to have prior knowledge if, before the behavior that resulted in the disciplinary action occurred:

- The parent expressed concern in writing to administrative personnel of the student's school or to the student's teacher that the student is in need of special education and related services, or
- The parent requested an evaluation of the student, or

- District staff expressed, directly to the Director of Special Education or other supervisory personnel, specific concerns about a pattern of behavior demonstrated by the student.

The District may not be deemed to have had knowledge if the parent/guardian has not consented to an evaluation of the student or has refused special education services, or if an evaluation of the student was completed and resulted in a determination of ineligibility.

If the District had no knowledge that the student is a student with a disability, the student may be subjected to disciplinary measures applied to students without disabilities. However, if the parent/guardian requests an evaluation during the time period in which the student is subjected to these disciplinary measures, the District must conduct an expedited evaluation to determine whether the student is eligible for special education and related services. Until the evaluation is completed, the student remains in the educational placement determined by the District which can include suspension or expulsion without educational services. If, after the evaluation, the student is determined to be eligible the district must provide special education and related services in accordance with the IDEA.

J. PHYSICAL RESTRAINT OF STUDENTS

PHYSICAL RESTRAINT OF STUDENTS

Maintaining an orderly, safe environment conducive to learning is an expectation of all staff members of the school district. Further, students of the district are protected by law from the unreasonable use of physical restraint. Such restraint shall be used only in emergency situations as a last resort and with extreme caution after other lawful and less intrusive alternatives have failed or been deemed inappropriate.

When an emergency situation arises and physical restraint is the only option deemed appropriate, a trained staff member (either in Crisis Prevention Intervention or Safety Care) will be notified immediately. To prevent a student from injuring themselves, another student or school community member, a teacher or employee or agent of the school district may use such reasonable force needed to protect students, other persons or themselves from assault or imminent, serious, physical harm.

The definitions of forms of restraint shall be as defined in 603 CMR 46.02.

As used in 603 CMR 46.00, the following terms shall have the following meanings:

(1) Physical restraint:

The regulations define physical restraint as direct physical contact that prevents or significantly restricts a student's freedom of movement. Physical restraint does not include: brief physical contact to promote student safety, providing physical guidance or prompting when teaching a skill, redirecting for attention, providing comfort, or a physical escort.

(2) Physical escort: A temporary touching or holding, without the use of force, of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is agitated to walk to a safe location..

(3) Time Out: A behavioral support strategy developed pursuant to 603 CMR 46.04(1) in which a student temporarily separates from the learning activity or the classroom, either by choice or by direction from staff, for the purpose of calming. During time-out, a student must be continuously observed by a staff member. Staff shall be with the student or immediately available to the student at all times. The space used for time-out must be

clean, safe, sanitary, and appropriate for the purpose of calming. Time-out shall cease as soon as the student has calmed.

The use of “time out” procedures during which a staff member remains accessible to the student shall not be considered “seclusion restraint.”

(4) Public education programs: Shall mean public schools, including charter schools, virtual schools, collaborative education programs, and the school day of special education schools approved under 603 CMR 28.09, as provided in 603 CMR 18.05(5)(h), and school events and activities sponsored by such programs. The term "programs" may be used in 603 CMR 46.00 to refer to "public education programs." For purposes of 603 CMR 46.00, public education programs shall not include the educational services provided within Department of Youth Services, Department of Mental Health, Department of Public Health, and County Houses of Correction operated or contracted facilities..

(5) Other Type of Restraints:

(a) Mechanical Restraint: The use of any device or equipment to restrict a student's freedom of movement. The term does not include devices implemented by trained school personnel, or utilized by a student that have been prescribed by an appropriate medical or related services professional, and are used for the specific and approved positioning or protective purposes for which such devices were designed. Examples of such devices include: adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; vehicle safety restraints when used as intended during the transport of a student in a moving vehicle; restraints for medical immobilization; or orthopedically prescribed devices that permit a student to participate in activities without risk of harm.

(b) Seclusion Restraint: The involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. Seclusion does not include a time-out as defined in 603 CMR 46.02

(c) Medication restraint shall mean the administration of medication for the purpose of temporarily controlling behavior. Medication prescribed by a licensed physician and authorized by the parent for administration in the school setting in not medication restraint.

(d) Prone restraint: A physical restraint in which a student is placed face down on the floor or another surface, and physical pressure is applied to the student's body to keep the student in the face-down position.

The use of mechanical restraint, medical restraint, and seclusion is prohibited.

(6) School Working Day: A day or partial day that students are in attendance at the public education program for instructional purposes.

Physical restraint, including prone restraint where permitted under 603 CMR 46.03, shall be considered an emergency procedure of last resort and shall be prohibited except when a student’s behavior poses a threat of assault, or imminent, serious, physical harm to themselves and/or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions are deemed inappropriate.

The Superintendent will maintain procedures identifying:

- Appropriate responses to student behavior that may require immediate intervention;
 - Methods of preventing student violence, self-injurious behavior, and suicide, including crisis planning and de-escalation of potentially dangerous behaviors among groups of students or individuals;
 - Descriptions and explanations of alternatives to physical restraint as well as the school’s method of physical restraint for use in emergency situations;
 - Descriptions of the school’s training and procedures to comply with reporting requirements.
 - The Principal shall make reasonable efforts to verbally inform the student's parent of the restraint within twenty-four (24) hours of the event, and shall notify the parent by written report sent either within three (3) school working days of the restraint to an email address provided by the parent for communications about the student, or by regular mail postmarked no later than three school working days of the restraint.
- o Methods for engaging parents in discussions about restraint prevention and use of restraint solely as an emergency procedure;
 - A statement prohibiting: medication restraint, mechanical restraint, prone restraint unless permitted by 603 CMR 46.03(1)(b), seclusion, and the use of physical restraint in a manner inconsistent with 603 CMR 46.00;

Each building Principal will identify staff members to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. These staff members will participate in an in-depth training program in the use of physical restraint.

Each staff member will be trained regarding the school’s physical restraint policy and accompanying procedures. The Principal will arrange training to occur in the first month of each school year, or for staff hired after the beginning of the school year, within a month of their employment.

Physical restraint is prohibited as a means of punishment, or as a response to destruction of property, disruption of school order, a student’s refusal to comply with a school rule or staff directive, or verbal threats that do not constitute a threat of imminent, serious physical harm to the student or others.

PURPOSE AND AUTHORITY:

Physical restraint shall be used only in emergency situations of last resort, after other lawful and less intrusive alternatives have failed or been deemed inappropriate, and with extreme caution. School personnel shall use physical restraint with two goals in mind:

- (a) To administer a physical restraint only when needed to protect a student and/or a member of the school community from assault or imminent, serious, physical harm; and
- (b) To prevent or minimize any harm to the student as a result of the use of physical restraint.

TRAINING:

Required training for all staff. Each building principal will determine a time and method to provide all staff with training regarding the District’s restraint prevention and behavior support policy and requirements when restraint is used. Such training shall occur within the first month of each school year and, for employees hired after the school year begins, within a month of their employment. Training shall include information on the following:

At the beginning of each school year, the building principal shall identify school staff who are authorized to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. Such staff must participate in in-depth training in the use of physical restraint. The Department recommends that such training be competency-based with at least one refresher training occurring annually thereafter.

ADMINISTRATION OF PHYSICAL RESTRAINT:

Only school personnel who have received training pursuant to 603 CMR 46.04(2) or 603 CMR 46.04(3) shall administer physical restraint on students. Whenever possible, the administration of a restraint shall be witnessed by at least one adult who does not participate in the restraint. The training requirements contained in 603 CMR 46.00 shall not preclude a teacher, employee or agent of a public education program from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.

A person administering a physical restraint shall use only the amount of force necessary to protect the student or others from physical injury or harm.

A person administering physical restraint shall use the safest method available and appropriate to the situation subject to the safety requirements set forth in 603 CMR 46.05(5). Floor restraints, including prone restraints otherwise permitted under 603 CMR 46.03(1)(b), shall be prohibited unless the staff members administering the restraint have received in-depth training according to the requirements of 603 CMR 46.043(3) and, in the judgment of the trained staff members, such method is required to provide safety for the student or others present.

All physical restraint must be terminated as soon as the student is no longer an immediate danger to himself or others, or the student indicates that he or she cannot breathe, or if the student is observed to be in severe distress, such as having difficulty breathing, or sustained or prolonged crying or coughing.

Safety requirements. Additional requirements for the use of physical restraint:

- (a) No restraint shall be administered in such a way that the student is prevented from breathing or speaking. During the administration of a restraint, a staff member shall continuously monitor the physical status of the student, including skin temperature and color, and respiration.
- (b) Restraint shall be administered in such a way so as to prevent or minimize physical harm. If, at any time during a physical restraint, the student expresses or demonstrates significant physical distress including, but not limited to, difficulty breathing, the student shall be released from the restraint immediately, and school staff shall take steps to seek medical assistance.
- (c) If a student is restrained for a period longer than twenty (20) minutes, program staff shall obtain the approval of the principal. The approval shall be based upon the student's continued agitation during the restraint justifying the need for continued restraint.
- (d) Program staff shall review and consider any known medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans regarding the use of physical restraint on an individual student.
- (e) After the release of a student from a restraint, the public education program shall implement follow-up procedures. These procedures shall include reviewing the incident with the student to address the behavior that precipitated the restraint, reviewing the incident with the staff person(s) who administered the restraint to discuss whether proper restraint procedures were followed, and consideration of whether

any follow-up is appropriate for students who witnessed the incident

REPORTING:

School staff must report the use of any physical restraint as specified in 603 CMR 46.06(2).

The staff member who administered the restraint shall verbally inform the principal of the restraint as soon as possible, and by written report no later than the next school working day. The written report shall be provided to the principal for review of the use of the restraint. If the principal has administered the restraint, the principal shall prepare the report and submit it to an individual or team designated by the superintendent. The principal or his/her designee must maintain an on-going record of all reported instances of physical restraint, which shall be made available for review by the parent/guardian or DESE upon request.

The principal or their designee must make reasonable efforts to verbally inform the student's parent/guardian of the restraint within twenty-four (24) hours of the event, and must notify the parent/guardian by written report sent either within three (3) school working days of the restraint to an email address provided by the parent/guardian for communications about the student, or by regular mail postmarked no later than three (3) school working days of the restraint. If the school provides a parent/guardian of a student with report cards and other necessary school-related information in a language other than English, the written restraint report shall be provided to the parent/guardian in that language. The principal must provide the student and the parent/guardian an opportunity to comment orally and in writing on the use of the restraint and on information in the written report.

The written report required by 603 CMR 46.06(2) and (3) must include:

- (a) The name of the student; the names and job titles of the staff who administered the restraint, and observers, if any; the date of the restraint; the time the restraint began and ended; and the name of the principal or designee who was verbally informed following the restraint; and, as applicable, the name of the principal or designee who approved continuation of the restraint beyond twenty (20) minutes pursuant to 603 CMR 46.05(5)(c).
- (b) A description of the activity in which the restrained student and other students and staff in the same room or vicinity were engaged immediately preceding the use of physical restraint; the behavior that prompted the restraint; the efforts made to prevent escalation of behavior, including the specific de-escalation strategies used; alternatives to restraint that were attempted; and the justification for initiating physical restraint.
- (c) A description of the administration of the restraint including the holds used and reasons such holds were necessary; the student's behavior and reactions during the restraint; how the restraint ended; and documentation of injury to the student and/or staff, if any, during the restraint and any medical care provided.
- (d) Information regarding any further action(s) that the school has taken or may take, including any consequences that may be imposed on the student.
- (e) Information regarding opportunities for the student's parents/guardians to discuss with school officials the administration of the restraint, any consequences that may be imposed on the student, and any other related matter.

(f) Please see the Somerset Public Schools' *Physical Restraint Reporting Form*.

The principal shall conduct a weekly review of restraint data to identify students who have been restrained multiple times during the week. If such students are identified, the principal shall convene one or more review teams as the principal deems appropriate to assess each student's progress and needs. The assessment shall include at least the following:

- (a) review and discussion of the written reports submitted in accordance with 603 CMR 46.06 and any comments provided by the student and parent about such reports and the use of the restraints;
- (b) analysis of the circumstances leading up to each restraint, including factors such as time of day, day of the week, antecedent events, and individuals involved;
- (c) consideration of factors that may have contributed to escalation of behaviors, consideration of alternatives to restraint, including de-escalation techniques and possible interventions, and such other strategies and decisions as appropriate, with the goal of reducing or eliminating the use of restraint in the future;
- (d) agreement on a written plan of action by the program.

If the principal directly participated in the restraint, a duly qualified individual designated by the superintendent or board of trustees shall lead the review team's discussion. The principal shall ensure that a record of each individual student review is maintained and made available for review by DESE or the parent/guardian, upon request.

The principal shall conduct a monthly review of school-wide restraint data. This review shall consider patterns of use of restraints by similarities in the time of day, day of the week, or individuals involved; the number and duration of physical restraints school-wide and for individual students; the duration of restraints; and the number and type of injuries, if any, resulting from the use of restraint. The principal shall determine whether it is necessary or appropriate to modify the school's restraint prevention and management policy, conduct additional staff training on restraint reduction/prevention strategies, such as training on positive behavioral interventions and supports, or take such other action as necessary or appropriate to reduce or eliminate restraints.

When a physical restraint has resulted in an injury to a student or staff member, the school shall send a copy of the written report required by 603 CMR 46.06(4) to DESE postmarked no later than three (3) school working days of the administration of the restraint. The program shall also send DESE a copy of the record of physical restraints maintained by the principal pursuant to 603 CMR 46.06(2) for the thirty (30)-day period prior to the date of the reported restraint. DESE shall determine if additional action by the school is warranted and, if so, shall notify the school of any required actions within thirty (30) calendar days of receipt of the required written report(s).

Every school shall collect and annually report data to DESE regarding the use of physical restraints. Such data shall be reported in a manner and form directed by DESE.

K. BULLYING

Most bullying starts out verbally with teasing and put-downs and may become progressively worse, assuming physical dimensions.

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

Bullying is defined as an act of one or more individuals intimidating one or more persons through verbal, physical, mental, or written interactions. Bullying can take many forms and occur in virtually any setting. It can create unnecessary and unwarranted anxiety that will affect attending school, walking in corridors, eating in cafeterias, playing in the school yard or recreation areas, participating in or attending special and extra-curricular activities, or riding on the bus to and from school each day.

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 student property
- Cyber bullying: sending or posting harmful text or images using the internet or other communication device.

The School Committee expects administrators and supervisors to make clear to students and staff that bullying 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 for students, and termination for employees.

The district will promptly and reasonably investigate allegations of bullying. The principal of each building will be responsible for handling all complaints by students alleging bullying.

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 may 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 district will make a variety of reporting resources* available to the school community including, but not limited to, an Incident Reporting Form, a voicemail box, a dedicated mailing address, an email address and anonymous reporting.

Reporting by Students, Parents or Guardians, and Others

The Somerset Public Schools 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.

The contact names for each school are:

Chace Street School
North Elementary School
South School

Mr. Timothy Plante, Principal
Dr. Paula Manchester, Principal
Mrs. Stephanie Brown, Principal

REFS.: National School Safety Center, Maine Project Against Bullying, The Wellesley College Center for Research on Women

LEGAL REFERENCES: Title VII, Section 703, Civil Rights Act of 1964 as amended
Federal Regulation 74676 issued by EEO Commission
Board of Education 603 CMR 26:00

CROSS REF.: AC, Nondiscrimination; ACAB, Sexual Harassment; JICFA-E Hazing

File: JICFB

BULLYING PREVENTION AND INTERVENTION

INTRODUCTION

The Somerset Public Schools and Somerset Berkley Regional School District (“District”) are committed to providing a safe, positive and productive educational environment where students can achieve the highest academic standards. No student shall be subjected to harassment, intimidation, bullying, or cyberbullying.

The Bullying Prevention and Intervention Plan is a comprehensive approach to addressing bullying and cyberbullying. The Principal is responsible for the implementation and oversight of the Bullying Prevention and Intervention Plan within his or her school.

LEADERSHIP

A. Public involvement in developing the Plan

The District shall adhere to and update this plan to address bullying prevention and intervention in consultation with stakeholders, which may include teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents and guardians. The plan shall apply to students and members of a school staff, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity and paraprofessionals. This consultation shall also include a public comment period. This plan shall be updated at least biennially.

In the spring of 2016, the District Wellness Council met to review and to update the Plan. During the period of notice and public comment in October, 2016 and November, 2016, the Plan was distributed to all families within the Somerset and Somerset Berkley school communities through OneCall Now as well as posting the Plan on both district websites. Community members were encouraged to share feedback through school committee policy review email accounts (sc.policies@somersetschools.org and sc.policies@sbregional.org) that were also accessible through the district webpages.

B. Accessing needs and resources

At least once every four (4) years the District will administer a Department of Elementary and Secondary Education-developed student survey to assess school climate, and the prevalence, nature and severity of bullying in our schools. Additionally, the school or District will annually report bullying incident data to the Department.

Further, building principals, with input from families and staff, will assess the adequacy of current programs, review current policies and procedures, review available data on bullying and behavioral incidents and assess available resources. School building-specific data will be analyzed to identify patterns of behaviors and areas of concern will inform decision-making in designing for bullying prevention strategies. Bullying data will be reported to the School Committee on an annual basis.

C. Planning and Oversight

1. The District will be responsible for state and federal reporting requirements
2. Each building principal or designee, in conjunction with the District, will be responsible for the following:
 - a. receiving reports on bullying;
 - b. analyzing and building wide data on bullying to assess the present problem and to measure improved outcomes;
 - c. create a process for recording and tracking incident reports and for accessing information related to targets and aggressors;
 - d. planning for the on-going professional development that is required by law; planning supports that respond to the needs of targets and aggressors;
 - e. choosing and implementing the curricula that the school or District will use;
 - f. develop new or revise current policies and protocols under the Plan, including an Internet safety policy and designating key staff to be in charge of implementation of them;
 - g. amending student and staff handbooks and codes of conduct to, among other things, make clear that bullying of students by school staff or other students will not be tolerated;
 - h. lead the parent or family engagement efforts and draft parent information materials
 - i. review the Plan annually

D. District Priority Statements

The Bullying Prevention and Intervention Plan (Plan) is a comprehensive approach to addressing bullying, and cyberbullying and the Somerset Public Schools and Somerset Berkley Regional School District is committed to working with students, families, law enforcement agencies and the community to prevent such issues.

1. The District expects that all members of the school community will treat each other in a civil manner and with respect for differences.
2. The District is committed to providing all students with a safe learning environment that is free from bullying and cyberbullying. 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.
3. We understand that certain students may be more vulnerable to becoming targets of bullying, harassment, or teasing based on actual or perceived differentiating characteristics, including race, color, religion, ancestry, national origin, sex, socioeconomic status, homelessness, academic status, gender identity or expression, physical appearance, pregnant or parenting status, sexual orientation, mental, physical, developmental or sensory disability or by association with a person who has or is perceived to have one or more of these characteristics. The District will take specific steps to create a safe, supportive environment for 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.
4. We will not tolerate any unlawful or disruptive behavior, including any form of bullying,

cyberbullying, 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.

II. TRAINING AND PROFESSIONAL DEVELOPMENT

A. Annual staff training on the Plan

Annual training for all school staff on the Plan will include, an overview of the steps that the principal or designee will follow upon receipt of a report of bullying or retaliation and an overview of the bullying prevention curricula to be offered at all grades throughout the school or District. Staff members hired after the start of the school year are required to participate in school-based training during the school year in which they are hired, unless they can demonstrate participation in an acceptable and comparable program within the last two years.

B. On-going Professional Development

The goal of professional development is to establish a common understanding of tools necessary for staff to create a school climate that promotes safety, civil communication and respect for differences. Professional development will build the skills of staff to prevent, identify and respond to bullying.

This professional development will be organized by the building principal and will be delivered by SPS and SBRSHD employees who will have received training from the Massachusetts Aggression Reduction Center (MARC) or another approved training program. This training, which is the "Train the Trainer" model, has provided the staff with the knowledge base and training methods needed to inform their colleagues regarding bully prevention and intervention techniques.

Additionally, as required by M.G.L. c. 71, § 37O, the content of the SPS and SBRSHD professional development training will be informed by research and will include information on:

- (i) developmentally (or age-) appropriate strategies to prevent bullying;
- (ii) developmentally (or age-) appropriate strategies for immediate, effective interventions to stop bullying incidents;
- (iii) information regarding the complex interaction and power differential that can take place between and among an aggressor, target, and witnesses to the bullying;
- (iv) research findings on bullying, including information about specific categories of students who have been shown to be particularly at risk for bullying in the school environment;
- (v) information on the incidence and nature of cyberbullying; and
- (vi) Internet safety issues as they relate to cyberbullying.

Further, the District will provide professional development to staff that addresses ways to prevent and respond to bullying or retaliation for students with disabilities that must be considered when developing students' Individualized Education Programs (IEPs). This will include a particular focus on the needs of students with autism or students whose disability affects social skills development.

C. Written Notice to Staff

Principals, at the start of each school year, will provide all staff, including the staff of Alpha Best, the before and after-school program, with annual written notice, as well as posting the Plan on the school's website and by publishing information about it, including sections related to staff duties, in the school handbook.

III. ASSISTANCE AND ACCESS TO RESOURCES AND SERVICES

Promoting a positive school climate and ensuring that the underlying emotional needs of targets, aggressors, families, and others are addressed is critical. In order to enhance the district's capacity to prevent, intervene, and respond effectively to bullying, the District shall provide counseling or referral to appropriate services, including guidance, academic intervention, and protection to students, both targets and aggressors, affected by bullying, as necessary.

- A. Identifying resources: Annually, the district will review staffing and counseling services to ensure access for targets, aggressors, and their families. Recommendations may include reorganizing staff, establishing safety planning teams who will be responsible, should the need arise, for the development of student safety plans in the event it is in the best interest of specific students not to interact with one another, as well as focus on early intervention and intensive services to maintain a positive environment school environment. Members of the safety team can be the principal, assistant principal, school psychologist, school adjustment counselor, general education teacher, special education teacher, related service provider or any other individual staff member.
- B. Counseling and other services. If a situation dictates as such, the District will seek consultation with outside consultants and agencies in developing safety plans for students who have been targets of bullying or retaliation, assistance with providing social skills programs to prevent bullying, and offering education and/or intervention services for students exhibiting bullying behaviors. Counseling staff will work with school staff to develop strategies and implement current tools including, but not limited to, behavior support plans, social skills groups, and individually focused curricula.
- C. Students with disabilities. As required by M.G.L. c. 71B, § 3, as amended by Chapter 92 of the Acts of 2010, when the IEP Team determines the student has a disability that affects social skills development or the student may participate in or is vulnerable to bullying, bullying allegations, harassment, or teasing because of his/her disability, the Team will consider what should be included in the IEP to develop the student's skills and proficiencies to avoid and respond to bullying, harassment, or teasing.
- D. Referral to outside services. Annually, beginning during the second half of the 2016.2017 school year, the district will establish and review a referral protocol for referring students and families to outside services. Protocols will help students and families access appropriate and timely services. All referrals must comply with relevant laws and policies.

IV. ACADEMIC AND NON-ACADEMIC ACTIVITIES

A. Specific bullying prevention approaches:

Evidence-Based Curriculum

Age-appropriate, evidence-based instruction on bullying prevention shall be incorporated into the curriculum for all students. Currently, grades Kindergarten through Fifth utilize PATHS (Promoting

Alternative Thinking Strategies), which the Massachusetts Department of Elementary and Secondary Education has identified as a bullying prevention and intervention program and curriculum, that is research/evidence based. The middle and high school address bullying prevention and intervention through the health and wellness curriculum. Please note the bullying prevention and intervention curricula used can change based on the needs of the Districts.

Current research on bullying prevention curricula emphasizes the following approaches:

- Using scripts and role plays to develop skills;
- Empowering students to take action by knowing what to do when they witness other students or school staff engaged in acts of bullying or retaliation, including seeking adult assistance;
- Helping students understand the dynamics of bullying and cyberbullying, including the underlying power imbalance;
- Emphasizing cyber safety, including safe and appropriate use of electronic communication technologies;
- Enhancing students' skills for engaging in healthy relationships and respectful communications; and
- Engaging students in a safe, supportive school environment that is respectful of diversity and difference.

B. General teaching approaches that support bullying prevention efforts

The following instructional approaches are integral to establishing a safe and supportive school environment. These underscore the importance of our bullying intervention and prevention initiatives:

- Setting clear expectations for students and establishing school and classroom routines;
- Creating safe school and classroom environments for all students, including for students with disabilities, lesbian, gay, bisexual, transgender students, and homeless students;
- Using appropriate and positive responses and reinforcement, even when students require discipline;
- using positive behavioral intervention strategies (PBIS);
- Encouraging adults to develop positive relationships with students;
- Modeling, teaching, and rewarding pro-social, healthy, and respectful behaviors;
- Using positive approaches to behavioral health, including collaborative problem-solving, conflict resolution training, teamwork, and positive behavioral supports that aid in social and emotional development;
- Using the Internet safely; and
- Supporting students' interest and participation in non-academic and extracurricular activities, particularly in their areas of strength.

V. POLICIES AND PROCEDURES FOR REPORTING AND RESPONDING TO BULLYING AND RETALIATION

A. Reporting Bullying or Retaliation

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 or to the superintendent or designee when the principal or assistant principal is the alleged aggressor or to the school committee or designee when the superintendent is the alleged aggressor, any instance of bullying or retaliation the staff member becomes aware of or witnesses. Reports of bullying or retaliation made by students, parents or guardians, or other individuals who are not school or district staff members, may be made anonymously. However, no disciplinary action shall be taken against a student **solely** on the basis of an anonymous report.

The school or district will make a variety of reporting resources available to the school community including, but not limited to, an Incident Reporting Form,ⁱ 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. The school or district will:

- 1) include a copy of the Incident Reporting Form in the beginning of the year packets for students and parents or guardians;
- 2) 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
- 3) post it on the school's website. The Incident Reporting Form will be made available in the most prevalent language(s) of origin of students and parents or guardians.

As outlined previously, at the beginning of each school year, the school or district will provide the school community, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to extracurricular activities, paraprofessionals, 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, and the superintendent or designee when the principal or the assistant principal is the alleged aggressor, 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.

1. Reporting by Staff

A staff member, including the staff of Alpha Best, the Somerset Public Schools' before and after-school program, will report immediately to the principal or designee, or to the superintendent or designee when the principal or the assistant principal is the alleged aggressor, or to the school committee or designee when the superintendent is the alleged aggressor when he/she witnesses or becomes aware of conduct that may be bullying or retaliation. The requirement to report as provided 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.

2. Reporting by Students, Parents or Guardians, and Others

The school and/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, or superintendent or designee when the principal or assistant principal is the alleged aggressor. 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, or superintendent or designee when the principal or assistant principal is the alleged aggressor.

B. Responding to a report of bullying or retaliation – Allegations of Bullying by a Student

1. 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, such as a student safety plan developed collaboratively by the school and family, 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.

School Adjustment Counselors provide counseling for identified targets and student aggressors. The School Resource Officer (SRO) is also available to discuss bullying and bullying prevention with students.

2. 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 student 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 student 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 whomever is conducting the investigation) will remind the alleged student aggressor, target, and witnesses of the importance of the investigation, their obligation to be truthful and that retaliation against someone who reports bullying or provides information during a bullying investigation 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.

- All incidents of bullying must be documented and reported directly to the building principal or his/her designee, who will have the primary responsibility for resolving complaints.
- The Principal or designee, upon receipt of a viable report, shall promptly contact the parents or guardians of a student who has been the alleged target or alleged aggressor of bullying. The actions being taken to prevent further acts of bullying shall be discussed.
- The school principal or a designee shall promptly investigate the report of bullying, using a Critical Incident Reporting/Complaint Form which may include interviewing the alleged target, alleged aggressor, staff members, students and/or witnesses.
- Support staff shall assess an alleged target's needs for protection and create and implement a safety plan that shall restore a sense of safety for that student.
- Confidentiality shall be used to protect a person who reports bullying, provides information during an investigation of bullying, or is witness to or has reliable information about an act of bullying.
- 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 shall 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 student 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.

- All reasonable efforts shall be made to complete the investigation within five school days from the date of the report. If the investigation cannot be completed within five days, the principal will notify the parents or guardians of the status of the investigation after five days. The parents or guardians shall be contacted upon completion of the investigation and informed of the results, including whether the allegations were found to be factual, whether a violation of this policy was found, and whether disciplinary action has or shall be taken. At a minimum the Principal or his/her designee shall contact the parents or guardians as to the status of the investigation on a weekly basis.
- Disciplinary actions for students who have committed an act of bullying or retaliation shall be in accordance with district disciplinary policies, according to section C below.
- Each school shall document any incident of bullying that is reported per this policy and a file shall be maintained by the Principal or designee. A monthly report shall be provided to the Superintendent.
- Confidentiality shall be maintained to the extent consistent with the school's obligations under law.
- It is important that the child being bullied and/or the recipient of retaliation be given support from appropriate school staff to restore the target's safety and to assess the target's needs, including counseling intervention as needed. Research indicates that it is not always effective to bring a student who is being bullied and/or retaliated against together with the student who is doing the bullying for the purpose of mediating the dispute. Each case is unique and should be addressed with sensitivity to the safety and welfare of the students involved.
- 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.

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 student 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.

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

E. Responses to Bullying

1. Teaching Appropriate Behavior Through Skills-building

Upon the principal or designee determining that bullying or retaliation has occurred, the law requires that the school or district 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; and
- making a referral for evaluation.

2. 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.

I. First Incident:

If a teacher or other staff person recognizes, or perceives a report from a student regarding behavior of a relatively minor nature, such as mild teasing, name calling, or excluding a student from group activities, etc. the student or students involved will be warned that such behavior is not allowed. The student should be told that, if this behavior occurs again the student would be sent to the principal or designee for further action. When a warning is given, the staff member should document that such a warning has taken place. As stated throughout this policy, all reported incidents of bullying must be documented, including the final outcome of such investigation, i.e. Warning was given to a student.

When bullying is reported to a staff member, it is important to ask whether or not this behavior has happened previously. If there has been a history of chronic bullying, the staff member will skip Step One and consult with the principal /designee in order to determine appropriate action steps.

A teacher reporting bullying to the office shall use the Critical Incident Reporting/Complaint Form, completing the identifying information.

II. Second Incident:

The principal/designee will review school expectations and rules with the alleged aggressor, and a problem solving conference is held. The parents of the student will be called and notified. The student

and parents are told that any subsequent confirmations of bullying or any retaliation against those who brought the matter to the attention of staff, will be followed by disciplinary consequences. If the bullying behavior is judged to be severe, the principal/designee always has the option to dispense a disciplinary consequence, even upon the initial referral to the office. In cases where disciplinary action becomes necessary, a due process investigation will precede any such action.

III. Third Incident:

The principal/designee will contact the parents to set up a parental conference. The student will receive a disciplinary consequence which could range from detention to out of school suspension, depending upon the severity of the behavior. At the parental conference, bullying will be addressed, and a remedial plan may be formulated. Appropriate community based interventions or counseling will also be considered. In cases where disciplinary action becomes necessary, a due process investigation will precede any such action.

IV. Fourth Incident: Sent to the Principal or Designee

Following a comprehensive investigation, the student will be immediately suspended. A parental conference will be arranged to create/review a remedial plan. Additional alternatives, such as referral for expulsion could be considered. In cases where disciplinary action becomes necessary, a due process investigation will precede any such action.

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.

3. 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.

As with the investigation, the response will be individually tailored to all of the circumstances, including the nature of the conduct and the age of the students involved. In addition to taking disciplinary action, the following are examples of steps that may be taken to prevent the recurrence of bullying or retaliation:

- Monitor and assure the continued safety of all parties.
- Develop and implement a safety plan for the target and witnesses as needed.
- Provide necessary supports for the target.
- Require relevant educational activities for individual students or groups of students.
- Refer to psycho/social educational groups or workshops.

F. Responding to a Report of Bullying by School Staff

- Upon receipt of a report of alleged bullying of a student by school staff, the principal/designee will be responsible for taking appropriate actions in accordance with this Plan and other applicable district policies and procedures, including providing for the safety of the alleged target where necessary. If the principal is the alleged aggressor, then the Superintendent/designee shall be responsible for such actions. In the event the Superintendent is the alleged aggressor, the School Committee/designee shall be responsible for such actions.
- A staff member who is the subject of a complaint of a serious nature will be informed promptly and will be afforded the opportunity to present the facts as he/she sees them, in accordance with district policies and procedures, including any applicable collective bargaining agreements.
- Procedures for investigating reports of bullying and retaliation by staff are consistent with district policies and procedures for investigations of other alleged misconduct by staff. If necessary, the designated school official will consult with legal counsel about such procedures. Investigations may include interviews of staff, students and others as deemed appropriate. School officials will remind individuals (1) that retaliation is strictly prohibited and will result in disciplinary action and (2) of the importance of being truthful. To the extent practicable given their obligation to investigate and address the allegations at issue, the school officials will maintain confidentiality during the investigative process.
- In the event a designated school official determines that the staff member has engaged in bullying of or retaliation against a student, the student's parent/guardian will be notified of what action is being taken to prevent further such acts and to restore the student's sense of safety. All notice to parents must comply with applicable state and federal privacy laws and regulations. Because of the legal requirements regarding the confidentiality of personnel records, the school official will not report specific information to the target's parent or guardian about any 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.
- In the event disciplinary action against an employee is under consideration, appropriate due process will be provided. Any disciplinary action imposed will be based upon facts found by the designated school official and appropriate standards and expectations in light of the employee's role and responsibilities.
- Confirmed acts of bullying by staff shall be recorded and shared with the School Committee on an annual basis.

VI. COLLABORATION WITH FAMILIES

A. Parent education and resources

The schools or district 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 district to deepen understanding of the dynamics of bullying and retaliation.

Somerset and Somerset Berkley will develop a comprehensive Bullying Prevention and Intervention website. It will offer students, families, and staff easy access to the policy, plan, and procedures, it will provide a vehicle for reporting instances of bullying or retaliation, and it will provide useful resources and links to related sites.

The Districts' Bullying Prevention and Intervention webpage, to which parents/guardians will be referred, will include information about the following:

- How to reinforce the school/school district’s bullying prevention curricula at home;
- The dynamics of bullying; and
- Online safety and cyberbullying.

The schools or District will also offer overviews of the bullying legislation and the evidenced-based curriculum as well as share other helpful information to families at events such as Parent Teacher Organization (PTO) meetings, Back-to-School nights, and Parent Advisory Council for Education (PACE) meetings. Examples of helpful online resources for parents regarding bullying and bullying prevention include:

- Massachusetts Aggression Reduction Center: <https://www.marccenter.org/>
- Massachusetts Department of Elementary and Secondary Education <http://www.doe.mass.edu/sfs/bullying/>
- Bristol County Sherriff’s Office <http://www.bcsoma.us/bullyprevention.htm>

B. Notification requirements

Each year the school or district 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 cyberbullying and online safety. The school or district will send parents written notice each year about the student-related sections of the Plan as well as the district’s Responsible Use 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 school or district will post the Plan and related information on its website.

VII. PROHIBITION AGAINST BULLYING AND RETALIATION

Per M.G.L. c. 71, § 37O, the Somerset Public Schools and Somerset Berkley Regional School District prohibit acts of bullying, which include cyberbullying,

- On school grounds;
- On property immediately adjacent to school grounds;
- At school-sponsored or school-related activities;
- At functions or programs whether on or off school grounds
- At school bus stops;
- On school buses or other vehicles owned, leased or used by the school district; or,
- Through the use of technology or an electronic device owned, leased or used by the District.

Bullying and cyber-bullying are prohibited at a location, activity, function or program that is not school-related or through the use of technology or an electronic device that is not owned, leased or used by the District if the act or acts in question:

- create a hostile environment at school for the target;
- infringe on the rights of the target at school; and/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.

VIII. PROBLEM RESOLUTION SYSTEM

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

IX. DEFINITIONS (M.G.L. c. 71, § 37O)

Aggressor is a student or a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional who engages in bullying or retaliation.

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

- (i) causes physical or emotional harm to the target or damage to the target's property;
- (ii) places the target in reasonable fear of harm to him/herself, or of damage to his/her property;
- (iii) creates a hostile environment at school for the target;
- (iv) infringes on the rights of the target at school; or
- (v) materially and substantially disrupts the education process or the orderly operation of a school.

Cyber-bullying, as defined in M.G.L. c. 71, § 37O, means bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a:

- wire
- radio
- electromagnetic
- photo-electronic or photo-optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications.

Cyber-bullying shall also include the creation of a web page or blog in which the creator assumes the identity of another person or knowingly impersonates another person as author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying.

Cyber-bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

Bullying and cyber-bullying may occur in and out of school, during and after school hours, at home and in locations outside of the home. When bullying and cyber-bullying are alleged, the full cooperation and assistance of parents and families are expected.

For the purpose of this policy, whenever the term bullying is used it is to denote either bullying, or cyber-

bullying.

Hostile environment, as defined in M.G.L. c. 71, § 37O, 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.

School grounds is the property on which a school building or facility is located or property that is owned, leased or used by a school district, charter school, non-public school, approved private day or residential school, or collaborative school for a school-sponsored activity, function, program, instruction or training.

School 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, cyberbullying, or retaliation has been perpetrated.

X. RELATIONSHIP TO OTHER LAWS

Consistent with state and federal laws, and the policies of the school or district, no person shall be discriminated against in admission to a public school of any town or in obtaining the advantages, privilege and courses of study of such public school on account of race, color, religion, ancestry, national origin, sex, socioeconomic status, academic status, gender identity or expression, physical appearance, sexual orientation, or mental, physical, developmental, or sensory disability, or by association with a person who has or is perceived to have one or more of these characteristics. Nothing in the Plan prevents the school or district from taking action to remediate discrimination or harassment based on a person's membership in a legally protected category under local, state, or federal law, or school or district policies.

In addition, nothing in the Plan is designed or intended to limit the authority of the school or district to take disciplinary action or other action under M.G.L. c. 71, §§ 37H or 37H½ or 37H¾, M.G.L. c. 71, §41 and §42, M.G.L. c 76 §5, or other applicable laws, or local school or district policies, or collective bargaining agreements, in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.

In addition, nothing in the Plan is designed or intended to limit the authority of the school or district to take disciplinary action or other action under M.G.L. C. 71, §§ 37H or 37H½, other applicable laws, or local school or district policies in response to violent, harmful, or disruptive behavior, regardless of whether the Plan covers the behavior.

Laws and Regulations:

- An Act Relative to Bullying, Chapter 92 of the Acts of 2010, approved May 2, 2010 Federal Family Educational Rights and Privacy Act, 20 U.S.C. § 1232g
- and 34 CFR Part 99
- School Bullying Prohibited: Bullying Prevention Plans), M.G.L.

c. 71, § 370 Massachusetts Student Records Regulations, 603 CMR 23.00

○ Protection of Pupil Rights Amendment, 20 U.S.C. § 1232h and 34 CFR Part 98 Student Rights in Research, Experimental Programs, and Testing

○ Massachusetts General Laws Chapter §69 Section 1D – The board shall establish a set of statewide educational goals for all public elementary and secondary schools in the commonwealth

○ Massachusetts General Laws Chapter §71, Section 370 – School bullying prohibited; bullying prevention plans

○ Massachusetts General Laws Chapter §71 Section 93 – Policy regarding internet safety measures for schools providing computer access to students

Massachusetts General Laws Chapter 265 Section 43 – Stalking, punishment
Massachusetts General Laws Chapter §265 Section 43A – Criminal harassment, punishment

○ Massachusetts General Laws Chapter §269 Section 14A – Annoying telephone call

MASSACHUSETTS GENERAL LAWS, CH. 71, S. 370

School Bulling Prohibited; Bullying Prevention Plans

Bullying shall be prohibited:

- (i) on school grounds, property immediately adjacent to school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a school district or school, or through the use of technology or an electronic device owned, leased or used by a school district or school, and
- (ii) at a location, activity, function or program that is not school-related, or through the use of technology or an electronic device that is not owned, leased or used by a school district or school, if the bullying creates a hostile environment at school for the victim, infringes on the rights of the victim at school or materially and substantially disrupts the education process or the orderly operation of a school.

Each school district, charter school, approved private day or residential school and collaborative school shall provide age-appropriate instruction on bullying prevention in each grade that is incorporated into the curriculum of the school district or school. The curriculum shall be evidence-based.

Each school district, charter school, non-public school, approved private day or residential school and collaborative school shall develop, adhere to and update a plan to address bullying prevention and intervention in consultation with teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents and guardians. The plan shall apply to students and members of a school staff, including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, bus drivers, athletic coaches, advisors to an extracurricular activity and paraprofessionals.

The plan shall be publicized and widely available for members of the school community.

1. Bullying is defined as an act of aggression with the intent to cause embarrassment, pain or discomfort to another. Bullying involves an abuse of/or imbalance of power. Individuals or groups may be involved.
2. Bullying may include, but is not limited to:
 - a. Physical bullying: hitting, pushing, pinching, tripping, spitting on others, physically threatening, uninvited personal contact that does not cause physical harm (e.g., pulling off hats/backpacks, grabbing or shoving books, backpacks)
 - b. Verbal: teasing, using offensive names, ridiculing, spreading rumors, verbally threatening
 - c. Indirect Verbal: egging on bullying, speaking up in support of the bully or helping bully verbally

- d. Non-verbal: writing offensive names or graffiti about others, rude gestures, cyber bullying
 - e. Extortion: threatening to take someone's possessions, food or money
 - f. Property: hiding
 - g. Cyber bullying: sending/posting harmful/cruel text
3. Bullying can occur:
 - a. between students
 - b. between staff and students, i.e., bullying of a student by a staff person, or bullying of a staff person by a student.
 4. A witness to bullying should also report it to the appropriate school personnel (administration, guidance/adjustment counselor and/or school resource officer).
 5. Bullying is considered a serious school offense. Be advised that the administration will consider the following options in disciplining the bully: 1-10 days out-of-school suspension, parental notification, parental conference, and/or possible police referral.

L. HARASSMENT

Harassment of students by other students will not be tolerated in the Somerset Public Schools. This policy is in effect while students are on school grounds, school district property or property within the jurisdiction of the school district, school buses, or attending or engaging in school activities.

Harassment prohibited by the district includes, but is not limited to, harassment on the basis of race, sex, creed, color, national origin, sexual orientation, religion, disability, marital status, gender identity, genetic information, active military/veteran status, familial status, pregnancy or pregnancy-related condition, homelessness, ancestry, ethnic background, national origin or any other category protected by state or federal law. Students whose behavior is found to be in violation of this policy will be subject to disciplinary action up to and including suspension or expulsion.

Harassment means conduct of a verbal or physical nature that is designed to embarrass, distress, agitate, disturb or worry students when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of a student's education or of a student's participation in school programs or activities
- Submission to or rejection of such conduct by a student is used as the basis for decisions affecting the student, or
- Such conduct has the purpose or effect of unreasonably interfering with a student's performance or creating an intimidating or hostile learning environment.

Harassment as described above may include, but is not limited to:

- Verbal, physical or written harassment or abuse
- Repeated remarks of a demeaning nature
- Implied or explicit threats concerning one's grades, achievements, or other school matter
- Demeaning jokes, stories, or activities directed at the student.

The district will promptly and reasonably investigate allegations of harassment. The principal of each building will be responsible for handling all complaints by students alleging harassment.

Retaliation against a student because another student has filed a harassment complaint or assisted or participated in a harassment investigation or proceeding is also prohibited. A student who is found to have retaliated against another in violation of this policy will be subject to disciplinary action up to and including suspension or expulsion.

LEGAL REF.: M.G.L. 151B:3A Title IX of Education Amendments of 1972

BESE 603 CMR 26:00, 34 CFR 106.44 (a), (a) – (b); 34 CFR 106.45 (a)-(b) (1), 34 CFR 106.45 (b)(2)-(b) (3,4,5,6,7) as revised through June 2020

M. PLAYGROUND/RECESS

Recess provides the opportunity to socialize with other children, to exercise, and to release energy. Please dress students appropriately. Students will go outside as long as the temperature or wind chill (feels like) is at a minimum 20 degrees.

Recess periods are monitored by school staff who circulate through the play area and reinforce all school rules and expectations.

- Students will obey playground supervisors and act in a safe and orderly manner.
- Students are to proceed in a quiet and orderly manner when leaving and entering the building.
- Students must stay in designated areas.
- Students will dress in accordance with the weather and the dress code.
- Students are allowed to enter the building during recess only with the permission of a supervisor.
- When recess ends, students will end play activity immediately and line up with a supervisor.
- A time out area will be used for settling playground incidents and disputes.

N. TRESPASSING:

Playgrounds are available for public use. However, the Somerset Public Schools is not liable for any injury to an individual resulting from playground usage. Such injuries are at the liability of the user. Any individual who enters the school without permission when school is not in session or who gains access to the roof of the building will be considered a trespasser.

STUDENT PROGRESS

A. HOMEWORK

Though individual teachers have their own homework expectations, there is an expectation that all students are doing homework every night. Homework may not simply consist of paper worksheets, but may include nightly reading, fact fluency practice, Lexia, or activities that reinforce material students are learning in class.

Homework assignments that are not completed in an appropriate manner within a minimum of one day to a maximum of five school days, dependent on the length of absence, will adversely have an effect on the student's performance marks on the progress report. Homework and/or assignments that are not completed as

stipulated may impact participation in school-based events, such as field trips or special events, associated with the content area of the assignment.

B. PARENT-TEACHER CONFERENCES

The Parent-Teacher Conference is a way of exchanging information relative to a child's progress in school. Formal conferences are held each school year, following the issuance of the first progress report. Parent-Teacher Conferences will be held in December. **(Please see school calendar)**

Conferences between parent and teacher may be held at any time throughout the school year. Parents and/or teachers may initiate these conferences whenever they feel it is necessary by communicating by phone call, in person, or through written message.

C. PROGRESS REPORT

A progress report is an important means of maintaining communications between home and the school. Historically, the education of children in our society has been best served when there is a partnership between home and school.

Somerset's elementary trimester progress reports have been designed to communicate all-important information about a child's achievement as well as conduct in all areas.

STUDENT SERVICES

A. ART, MUSIC, HEALTH, TECHNOLOGY AND PHYSICAL EDUCATION

Parents are encouraged to ask their children when art and physical education classes occur so that children dress appropriately.

B. EARLY CHILDHOOD

The Somerset Public Schools' Early Childhood (EC) Program is an integrated program. The EC program is designed to give each three (3) and four (4) year old child an educational experience which is appropriate to his/her stage of development. The curriculum encourages each child to be actively involved in the learning process, to experience developmentally appropriate activities, and to pursue his/her own interests. The program seeks to develop each child's social/emotional skills and assist with the adjustment from the home setting to the school setting. In addition, the program broadens the child's experiences and offers challenging opportunities for the development of his/her creative abilities. Please contact the office of the Director of Special Education (508-324-3100, Ext. 3217, Ext. 3226) for additional information.

C. MUSIC PROGRAM, INSTRUMENTAL LESSONS

Students in Grades 4 and 5 have the opportunity to take string lessons in each school. Grade 5 students may take band instrument lessons at the school. Rental instruments are made available. Students must be marked present in school to participate in extracurricular activities that day. If an emergency situation occurs which requires a student to be absent on the day of an extracurricular activity, the principal may allow that student to participate in such activity. Such an emergency might include a funeral or a doctor's appointment. If a student is serving a suspension, he/she may not participate in any school sponsored extracurricular activities on that day.

D. SPECIAL EDUCATION

State and federal law provides certain rights to students who require special education and to the parents/guardians of those students. In Massachusetts, those rights are found in M.G.L.c.71B (popularly known as Chapter 766) and its implementing regulations, 603 CMR28.00.

One of the purposes of M.G.L.c. 71B is to identify and evaluate any child who may have a special need so that child may receive a free and appropriate education where they can access the curriculum and make educational progress. A parent/guardian concerned with their child's development may refer their child for an evaluation. For more information on the special education process, please contact the office of the Director of Special Education at 508-324-3100, Ext. 3217, Ext. 3226.

E. ENGLISH LANGUAGE EDUCATION (ELE)

The District's English Language Learning (ELL) program model is organized by the following grade-spans:

Kindergarten: Identified Limited English Proficient (LEP) students are placed in English-only language general education classrooms with assistance in English language acquisition. LEP students are provided ELL support services through the general education program. This includes immersion in content instruction that is based on the Massachusetts Curriculum Frameworks, integrated language-based classrooms, specialized language support, and language interpretation and translation services as needed.

Grades 1-5: Identified Limited English Learning (LEP) students are being placed in general education classrooms and provided ELL support services through the regular general education program. This support includes immersion in content that is based on the Massachusetts Curriculum Frameworks, language-based classroom, specialized language and speech support, in-class paraprofessional support, reading/language support (both in-class and reading clinic), Title 1 reading support, extended-day MCAS academic support (ELA and mathematics), and language interpretation and translation services, as needed. English Language Education (ELE) support is provided by reading specialists, literacy intervention teachers/tutors, speech and language specialists and paraprofessionals.

HEALTH SERVICES

A. STUDENT ILLNESS GUIDELINES:

Parents/guardians have the primary responsibility for the health of their children. Please keep the school informed of any illnesses or restrictions that your child may have. Good communication between school and home is essential.

Please follow these guideline to determine if you should keep your child home from school:

- Students **MUST** be fever free for 24 hours without the aid of fever-reducing medications (e.g. Tylenol, Motrin, etc) before returning to school.
- Fever: if your child has a fever (100 degrees or higher), they **CANNOT** be in school.
- Rash: A rash may cover the entire body or only one area. A child that has a rash that is draining, has open areas or is causing the child to itch excessively should not attend school. A rash accompanied with other symptoms such as: a fever, sore throat, irritability, vomiting, etc. should not attend school. If your child is excluded from school for a rash and a physician evaluation is required, please have your child's physician write a note that they are not contagious and may return to school.

- Vomiting/Diarrhea: A child who has vomited should wait 24 hours and be able to retain solid foods before returning to school. A child who is having frequent diarrhea stools should not attend school. If there is cramping/abdominal pain with diarrhea, the student may be more comfortable at home.
- Cough/Runny Nose: Minor cold symptoms are common and usually don't interfere with school attendance. A persistent, frequent cough and/or constant nasal drainage may affect your child's performance at school, and he/she may be more comfortable at home.
- Conjunctivitis and/or Strep Throat: If you suspect your child has conjunctivitis ("pinkeye") or strep throat, they should be seen by a doctor. A student needs to be on the prescribed medication for 24 hours before returning to school. A doctor's note is REQUIRED upon returning to school.
- Head Lice/Nits(eggs): Head lice is a common condition in elementary schools and is a reason for exclusion. Parents/guardians are responsible for checking their child's hair on a regular basis. If lice/nits (eggs) are found, parents should notify their school nurse and contact their physician for treatment recommendations. Upon return to school, all cases will be checked by the school nurse to ensure no lice/nits are present. **Parents must accompany student back to school where the nurse will check them.** For chronic cases, a doctor's note may be required for re-entrance to school as determined by the school nurse. Please note, students will be sent home if lice/nits are found. If multiple cases of lice/nits are noted within a building, families will be notified to help minimize the spread of cases. The extent of the notification will be determined by the building principal in conjunction with the school nurse.

* Documentation from The Physician: Any time your child sees his/her physician regarding illness, rash, injury, surgery, etc., your child must return with a note stating specific date child “may return to school” and any restrictions or limitations that may be required (no PE, recess, etc) and specific date when activities can be resumed.

**Very Important: As always, whenever your child is going to be out ill or for any other reason, please give the school a telephone call that morning by 8:30 AM. Thank you for your consideration in this matter.

B. IMMUNIZATIONS

In accordance with the General Laws of Massachusetts, it is necessary that your child be immunized against diphtheria, tetanus, pertussis, poliomyelitis, measles, mumps, and rubella (German Measles), HIB, chicken pox and Hepatitis B. The Superintendent has been directed by the Commissioner of the Department of Public Health and the Commissioner of the Department of Elementary and Secondary Education (DESE) to exclude children from attendance who have not been immunized.

C. OUTSIDE AGENCY REQUEST

In the event an outside provider requests information pertaining to your child the following is required:

- Signed parental “Authorization for Release of Educational and Medical Information” form.
- Ten days processing time.
- Original document is directly mailed to provider.

D. PHYSICAL EXAMINATIONS

Massachusetts Department of Public Health regulation requires that the public schools have on file a physical examination upon entrance or transfer into the school system and every three or four years thereafter. It is recommended that parents/guardians submit a yearly physical examination with all mandated screenings documented to the School Nurse for the purpose of maintaining current and up-to-date health records at all times.

E. REQUIRED SCREENINGS

The following are the required screenings for each grade level:

Lead: Grades Pre-K & K

Tuberculous: Grades Pre-K, K, & New Students

Vision: Grades Pre-K - 5

Hearing: Grades K - 3

BMI: Grades 1 & 4

Postural: Grade 5

It is highly recommended and encouraged that ALL required screenings be done by your own physician. For screenings performed in school, parents/guardians will be notified of abnormal findings as required by law.

F. MEDICATION AT SCHOOL

All medication should be administered at home. However, students who must receive medication, including over-the-counter medication, during the school day are required to comply with the following. In accordance with 105 C.M.R. 210.000, the following forms must be on file in your child's health record before we begin to give any medication at school:

Signed Medication Order form for each medication:

- Section 1 to be completed & signed by the parent/guardian.
- Section 2 to be completed & signed by child's physician or nurse practitioner and returned to the School Nurse for each medication.

Please return completed medication order(s) and action plan(s), along with the medication, to the School Nurse, on the first day of school in August.

This order must be renewed at the beginning of each academic year and as needed. No prescription drug or over-the-counter medication, including topicals (lotions), eye drops, ear drops, cough drops, etc. will be given in school without a written order from a physician. Medication should be delivered to the school in a pharmacy or manufacturer labeled container by parent/guardian or a responsible adult whom parent/guardian designate. No medication should ever be brought in by student. Please ask your pharmacy to provide separate bottles for school and home. No more than a thirty (30) day supply of the medication should be delivered to the school. Also, please make sure that the medication will not expire prior to the last day of school.

When your child needs medication to be given during the school day, please act quickly to follow these policies so we may begin to give the medication as soon as possible. In the event that the School Nurse is unavailable, the parent/guardian will be called to come to school and administer the medication to their child with a dose from home. An unlicensed person cannot administer your child's medication.

G. END OF SCHOOL YEAR:

Please retrieve any remaining medication on last day of school. Any medication not picked up will be discarded.

H. LIFE-THREATENING ALLERGIES

Please inform the School Nurse regarding your child's life-threatening allergies. At the discretion of the principal, various locations throughout a school may be designated as allergy aware zones. Families are expected to adhere to these safeguards to help to protect all of our students. For additional information, please refer to the District's Life-Threatening Allergy Policy.

I. HEALTH & CONTACT INFORMATION FORMS:

Health & Contact Information forms are required of all students and must be completed online annually. These forms must be current and up-to-date at all times. Should serious injury or emergency occur, this form provides vital emergency information.

The school nurse reserves the right to dismiss students, who in their professional opinion, are possibly contagious or are too ill to be in school. The nurse is there to provide a healthy and safe school environment that facilitates learning.

Any questions regarding Health Service issues should be directed to the nurse at each school site.

TESTING

In compliance with M.G.L. Chapter 71, Section 34D the Somerset Public Schools hereby notifies parents/guardians of public school students of its plan to gather information regarding students' abilities, aptitude, and achievement in order to meet his/her individual needs.

A. ASSESSMENT TESTING

State mandated assessment tests are administered annually in several grades. Parents/Guardians will be notified of the testing schedule and testing results.

During this academic year, the following assessments will be administered at the elementary schools.

GRADE	TEST	REASON
Preschool	Early Screening Inventory	Readiness
Kindergarten	Early Screening Inventory	Readiness
Grades 3, 4 and 5	MCAS/ (State-mandated testing)	Academic aptitude and achievement

Please note that changes in testing schedules and test types may be made by the Massachusetts Department of Secondary and Elementary Education (DESE) at any time. Modifications of the program outlined above will be made accordingly.

In addition to group testing, individualized assessments are administered as needed for instructional or informational purposes. Other details pertaining to M.G.L. Chapter 71, Section 34D are included elsewhere in this handbook. If you have any questions regarding these regulations, please feel free to contact the principal of your child's school.

District Contact Person: Director of Curriculum & Assessment:
Ms. Elizabeth Haskell: 508-324-3100, Ext.3214

B. SCHOOL ABILITY AND ACHIEVEMENT TESTING

School Ability and Achievement tests may be administered to our elementary school students.

The purpose of these tests is to measure the academic achievement of children in the areas of reading, language, math, science, and social studies. Parents/Guardians may be notified and results are available on request.

C. SCREENINGS

An early childhood screening is required for children in the town of Somerset between the ages of three (3) and four (4) as of August 31st if registering for Somerset's Early Childhood program or if parents/guardians have concerns. Screenings are held throughout the year and are advertised in locations that may include but are not limited to, i.e. local newspaper, local library, and local pediatrician offices.

The primary purpose of this screening is to identify any possible needs for special services upon school entrance. Such service may include physical therapy, speech therapy, etc. Kindergarten screening is mandated by the Massachusetts Department of Elementary & Secondary Education (DESE) for children who are five (5) years old by August 31st of the school year when planning to enter Kindergarten.

TRANSPORTATION

TRANSPORTATION POLICY

Date Approved by School Committee SPS: September 9, 2019

I. PURPOSE:

The primary purpose of the transportation system is to provide transportation for eligible pupils to and from the vicinity of their homes to the school they attend. Careful consideration shall also be given to efficiency and economy of the operation. Use of transportation equipment for field trips, co-curricular activities, and other authorized educational, cultural, and recreational activities is permitted when it does not conflict with the primary purpose for transportation.

II. SCOPE OF RESPONSIBILITY:

1. The Superintendent or their designee, working with the bus contractor and other appropriate administrators, will be responsible for establishing bus schedules, routes, stops, and all other matters relative to the transportation program.
2. The Parent/Guardian/Student: will cooperate with school authorities and bus drivers in promoting efficient transportation service.

III. STUDENT TRANSPORTATION POLICY

At no time shall a student be on a scheduled single bus ride to or from school for more than fifty (50) minutes.

PICK-up and drop-off locations are limited to one each. The pick-up location and the drop-off location may be different from each other.

If a student is brought back several times because a parent/guardian or designated individual is not there at the drop-off, the school may contact the Department of Children and Families (DCF) and possible file for neglect. Each school will give the bus transportation a list of designated individuals who may pick up their child at the drop off by the end of the first month. All kindergarten, elementary and middle school students are transported using district funds to provide safe transportation for eligible pupils to and from the vicinity of their homes to the school attended.

School administrators will provide the transportation provider a current, continually updated list of students who are required to be met and accepted by a parent or designated individual when the bus arrives at the stop in the p.m. If the parent or designated individual is not at the bus stop when the bus arrives, the student will be returned to their school. If a student is returned to school, the parent will be notified. Please see the “Bus Students Returning to School” section below to review consequences for violations of this policy.

BUS STUDENTS RETURNING TO SCHOOL:

There have been several incidences where there has not been anyone present at the end of the school day to receive their child from their bus drop-off location. When this occurs, the bus driver must return the student to their school at the end of the route. When a parent/guardian is not present at the student’s drop-off location at the end of the school day, the following procedure will be instituted per school year:

1st Incident: Parent is notified

2nd Incident: Parent is notified and a letter is sent home

3rd Incident: Loss of transportation (1) day after notice to the parent and the opportunity to explain the situation

4th Incident: Loss of transportation (2) days after notice to the parent and the opportunity to explain the situation

5th Incident: Loss of transportation (3) days after notice to the parent and the opportunity to explain the situation.

6th Incident: Loss of transportation (5) days after notice to the parent and the opportunity to explain the situation

After the 6th incident based on individual circumstances DCF will be notified

7th Incident and beyond: Loss of transportation (30) days after notice to the parent and opportunity to explain the situation.

If the bus has to return the student to school over seven (7) times, the school may consider a permanent possible loss of transportation. If the school is considering a potential permanent loss of transportation, the Principal will convene an informal hearing and provide the student’s parents an opportunity to explain the situation. The Principal will issue a written decision after the hearing. The parents may appeal the Principal’s decision to the Superintendent within five (5) days after receiving the Principal’s decision. The Superintendent will also convene an informal hearing within ten (10) days of the appeal request. The Superintendent will issue written findings of whether to uphold or overturn the Principal’s decision. The Superintendent’s decision will be the final decision of the school district.

Middle school students will have pick-ups and drop offs at designated bus stops.

Exceptions to these guidelines may be made at the discretion of the Superintendent with the assistance of the Somerset Police Department and the transportation provider.

RESPONSIBILITIES OF PARENTS/GUARDIANS/STUDENTS

The responsibility of transporting students safely to and from school each school day requires the cooperation of the parents/guardians of the students transported. A complete understanding of the school transportation policy is essential in aiding the School Administration and the School Committee to maintain a successful transportation program.

1. The purpose of school transportation is to provide safe, comfortable and economical transportation for our students. It is not intended to be door to door service for children, parents/guardians or unauthorized persons.
2. Parents/Guardians can make suggestions in writing to the School Administration and the Bus Company for the improvement of school transportation.
3. Parents/Guardians must cooperate with school authorities and bus drivers in promoting efficient service.

4. Parents/Guardians will have children at the bus stop on time and ensure proper conduct of their children going to the bus stop, at the bus stop and going to and from bus stop.
5. Parents/Guardians will insure the cooperation of children with the authorities responsible for transportation. Parents/Guardians should understand that children riding on school buses must obey all regulations governing school transportation or shall be subject to disciplinary action by the School Principal or designee and may forfeit their right to ride on the bus.
6. Students shall be picked up and returned to their designated bus stops
7. Discipline problems will be reported to the Building Principal or designee in writing.
8. Eligibility for bus transportation inquiries should be referred to the Building Principal or designee.

GUIDELINES FOR SAFE TRANSPORTATION SERVICE

1. For safety reasons, it is imperative that the School has control of where children are picked up and dropped off after school. Please do not ask drivers to change pick up or drop off times or locations. If you have questions or concerns, contact your child's school. This will assist in processing your request, school's safety and security measures.
2. If your child will need to ride a bus other than the one to which he/she is assigned, give your child a note for their principal at least one day before your request. The teacher/principal will initial the note and notify the driver. Following this procedure helps school staff members know where your child is in case of an emergency.
3. If a child needs to be picked up at school every attempt should be made by the parent/guardian to notify the school administration by 2pm.
4. Take time periodically to go over bus conduct rules for safe ridership.
5. When you see a school bus turn on overhead red flashing lights and the bus is stopped, remember that you must stop your vehicle. When the overhead amber lights or hazard lights are flashing, you may proceed very cautiously, if safe to do so.

RULES FOR STUDENTS RIDING SCHOOL BUSES

Bus riding is a privilege extended to students as a means of transportation to and from school. Bus regulations apply from the time a student arrives at the bus stop. They remain in effect until the student leaves the bus stop on the return ride home. Any student who fails to follow bus regulations or who endangers the safety of other pupils renders themselves liable for suspension of bus riding privileges. Referrals by bus driver will be given to the principal or designee and consequences will be given out by the principal. (Warning, assigned seat, taken off the bus for a certain amount of days, indoor recess, lunch detention)

1. Students must not stand or play in the roadway while waiting for the bus. Students should leave home early enough to arrive at the bus stop five minutes before the bus is due.
2. There will be no pushing or shoving while boarding the bus. While waiting for buses, pupils are to wait at designated pick-up points. Be courteous of private property.
3. Parents/Guardians are not allowed to board a school bus without the expressed permission of the bus company.
4. Be seated promptly without disturbing others, and remain seated at all times. No student shall sit in the driver's seat at any time.
5. Keep head, arms, and hands inside the bus.
6. Outside of ordinary conversation, classroom conduct must be observed at all times.
7. Shouting, making loud noises, or using vulgar language are not allowed.
8. Aisles are to be kept clear of backpacks, books, sports equipment, and musical instruments. Objects of any kind are not to be thrown either from or on the bus.

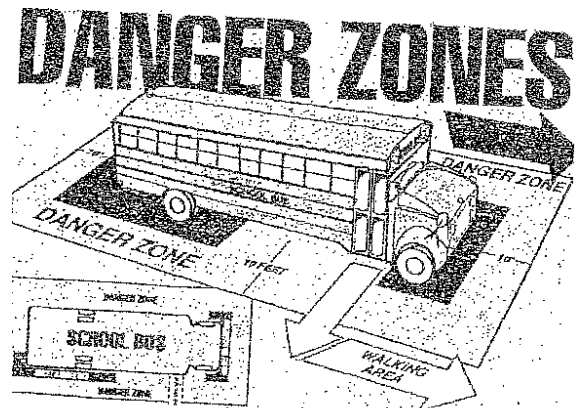
9. Any inappropriate conduct that distracts the driver and/or endangers the safety of self or others is prohibited. When it is necessary to cross the road, cross in front of the bus and use extreme caution to be sure no traffic is approaching from either direction.
10. Students are to take only the bus designated for them by the school department. Parents/Guardians may obtain permission from the school's main office for a student to ride another bus.
11. No student shall be permitted to leave the bus except at their designated stop.
12. Each student may be assigned a seat in which they will be seated at all times, unless permission to change is given by the school principal and/or driver.
13. The bus driver is in charge of the bus and is responsible for the safety of all bus riders. Students are to follow instructions promptly and without question.
14. State law (M.G.L. Chapter 90, Section 78 as amended by Chapter 250 of the Act of 1973) prohibits the use of any tobacco products on school buses.
15. Students are expected to help maintain the cleanliness of the bus-no papers or other articles should be thrown on the floor. Food of any kind may not be eaten on the school buses.
16. Students shall not open or close bus windows without the permission of the driver. Students will report any accident or unsatisfactory conditions to the bus driver and/or Principal. Parents/Guardians of students damaging school buses will be responsible for proper reimbursement to the District.
17. Concerns or complaints should be addressed through the School Principal or designee.
18. When the bus approaches take at least 10 feet (5 giant steps) from the road while waiting for the bus. Younger children should practice taking 5 giant steps to become familiar with 10 feet.
19. Please stand still and in a line as the bus approaches
20. Parents/Guardians may approach the bus only after the driver has opened the door.
21. When required to cross, always cross in front of the bus, and only at the driver's signal.

RULES FOR STUDENTS CROSSING THE STREET

1. If you have to cross the street after exiting the bus, always cross in front of it. Make sure the bus driver is able to see you. Walk along the side of the road at least 10 feet in front of the bus until you can see the bus driver, before crossing the street. If you cannot see the bus driver, the driver is not able to see you.
2. Wait for the bus driver to give you a signal that it is safe to cross the street. Even with the signal from the bus driver pay attention to the traffic in the road. Make sure to look in both directions before walking across the street.
3. If you drop something in the street do not go back to get it. The bus driver will not be able to see you if you are close to the front of the bus
4. Do not cross the street behind the school bus. The bus driver cannot see you
5. Never go near the back wheels of a school bus.
6. If you meet your child at the bus stop after school, wait on the side where the child will be dropped off, not across the street. Children can be so excited at seeing you after school that they may dash across the street and forget the safety rules.

SCHOOL BUS DANGER ZONE

The "Danger Zone" is the area on all sides of the bus where children are in the most danger of not being seen by the driver (ten feet in front of the driver where the driver may be too high to see a child, ten feet on either side due to possible driver's blind spot, and the area behind the bus).



SCHOOL BUS LAW HIGHLIGHTS

M.G.L. ch. 90, §14 (¶1) A motor vehicle or trackless trolley operator approaching a stopped school bus must stop and not proceed until the flashing red lights are deactivated, unless directed to the contrary by a police officer duly authorized to control the movement of traffic.

§7B (¶1) clause (7) Red lights must flash when school pupils are entering or leaving the bus but not at any other time.

§14 (¶1) Traffic approaching from the opposite direction on a divided highway need not stop.

§14 (¶1) Fine 100 ~ 200; 2nd offense within 2 years: fine 300 ~ 400 and revoke license for 30 days; 3rd offense within 4 years: fine 500 ~ 1000 and revoke license for 1 year

VIDEO SURVEILLANCE: The Somerset Public Schools maintains the use of video cameras on school buses and on school grounds for the purpose of enhancing security and safety, maintaining order, and undertaking disciplinary investigations. Video cameras are installed in public areas only and no sound will be monitored or recorded in connection with these video cameras.

Any video recordings on school buses, in school buildings or school grounds are the sole property of the Somerset Public Schools. Consistent with applicable law, authorized school officials may access and use recorded information as necessary. Release of video recordings to non-school officials are generally prohibited and, in limited circumstances, will be released only as permissible pursuant to applicable law and with the advance permission of the Superintendent or his/her designee.

CRISIS EMERGENCY DRILLS:

From time to time, schools will practice mock responses to potential crisis situations such as bomb threats, intruders, missing children, etc. Drills may require practice in school evacuations and lockdowns.

Questions regarding bus issues should be directed to the building principal.

GENERAL INFORMATION

A. SCHOOL INSURANCE

The Somerset School Committee has authorized the expenditure of funds for the purpose of insuring all students enrolled in the Somerset Public Schools. This insurance is designed to supplement any other accidental insurance plan parents may have and will provide coverage for every student during the school year. This school-time plan will provide coverage for interscholastic athletics, intramurals, field trips, and other school-related activities under the supervision of a teacher.

There will also be a 24-hour Accidental Protection Plan available (for a fee to be announced) for any parent desiring coverage above and beyond school-related activities.

B. PARENT-TEACHER ORGANIZATION (PTO)

A Parent-Teacher Organization operates for parents/guardians of students in grades Pre-K-5. Information about the Parent-Teacher Organization will be made available at the beginning of the school year. Board meetings are held periodically and are attended by any interested parents, teacher representatives, and administration.

The goals of the PTO include improving communication and support for student activities. The organization aids the school to facilitate the educational goals of the school. All parents are encouraged to participate in PTO functions.

C. FIELD TRIPS/SCHOOL SPONSORED ACTIVITIES

A field trip is an extension of the classroom environment and, as such, all school rules and policies apply. A signed permission slip is required for participation in any school-sponsored field trip. Students are supervised on these trips, and parent chaperones may be requested. Anyone chaperoning children will be expected to pass a criminal records background check (CORI check) and complete the "Agreement to Maintain Student Confidentiality".

Field Trip Protocol Regarding Chaperones:

1. The teacher(s) determines the number of chaperones needed for each field trip based on the site requirements, distance of the trip, and safety issues.
2. **If more parents/guardians wish to chaperone than needed, a lottery will be held. Parents/Guardians not selected in the lottery should not drive to the site on their own to meet their child at the site, as this disrupts the supervision plans that have been established and is not following the field trip protocol.**
3. Chaperones must ride on the bus, unless other arrangements have been made by the principal and must follow the bus rules (ex. No beverages or food when riding the bus).
4. Chaperones must stay with their assigned student group. Chaperoned groups are discouraged from joining with other chaperoned groups because larger groups may increase supervisory concerns and affect safety and security.
5. Chaperones may not bring anything from home for students nor buy any treats for students at the site.
6. **Siblings and/or other children may not accompany a chaperone on a field trip.**
7. **A nurse will attend each field trip if needed.**
8. **Students who don't display being respectful, responsible and safe may lose their privilege to attend certain school based activities. (ie. school assemblies, field day, off-site activities) Parents will be notified prior to activity if they cannot attend.**

Parents/Guardians who violate the field trip policy, will not be permitted to chaperone future trips.

D. LOST AND FOUND

All unidentified articles go to the lost and found box/area located in each school. Parents/Guardians and children should check on a regular basis for items that have been lost. Unclaimed items after an extended period of time will be donated. It is strongly recommended that names be put on articles of clothing and lunch boxes.

When you send money to school, please put it in an envelope and label it with the name of the child, the amount of money, name of the teacher, and purpose.

E. SCHOOL PICTURES

Students will be given the opportunity to have school pictures taken in the fall. The purchase of pictures is voluntary. Parents/ Guardians will be notified before the photographer is scheduled for each school. Pre-payment is required to order pictures. Make-up days are arranged for those students who were absent or had forgotten their money.

F. TRANSFERS/WITHDRAWALS

Education is provided for students living in Somerset. If a move out-of-town is planned, parents/guardians are requested to visit the respective school office to obtain transfer forms and to sign a release of school records for the new school. Please be prepared to provide the name and address of the new school to which your child will be attending and your new place of residence. Students will then be issued a transfer card, immunization records, academic grades up to the point of withdrawal/transfer, a current IEP if applicable, etc. If it is found that a student has moved from the district without notifying the Somerset Public Schools, the student's records may be forwarded to their new school without written consent.

G. PARTY INVITATIONS

It is requested that party invitations be mailed from home and not passed out during school time unless the whole class is invited to a party outside school. We understand that you must limit the numbers of children in your home; however, the children who do not receive an invitation feel left out. This puts students who are not invited (and many times the student doing the inviting) into unnecessarily uncomfortable situations.

The school cannot give out addresses or phone numbers of other students, so please do not request them from any of the school staff. Your cooperation in this matter is appreciated.

H. CLASS ASSIGNMENT

We would like to remind parents/guardians of the process the staff utilizes to assign students to the next grade. Much articulation takes place when students are assigned to particular teachers. The staff uses its experience, knowledge of children and their developmental processes, and understanding of educational fundamentals to develop successful class placements and to make sure each student is placed in the most supportive classroom that meets his/her needs. The assignment of next year's classes is accomplished through grade level meetings with teachers, the principal, and other appropriate school personnel. Many factors are considered, including individual needs and strengths, whole class needs, learning styles, academic levels, peer relationships, leadership qualities, behavioral factors and gender balance. Therefore, requests for classroom placement will not be honored.

I. VISITORS TO THE SCHOOL

Parents/ Guardians are welcome to visit the school occasionally to observe classes and tour the building. To ensure the safety of the children and to avoid disrupting the educational process, visits must be arranged through the principal's office. All visitors must report to the office. All parents/guardians volunteering/observing will be expected to pass a criminal records background check (CORI check) and to complete the form Agreement to Maintain Student Confidentiality. Forms are available from building principals.

Parents/ Guardians bringing lunches or other items to the children are asked to leave them in the school office for distribution.

Parents/Guardians who attend school programs are strongly discouraged from dismissing their child prior to 3:00.

J. OBSERVATIONS OF SPECIAL EDUCATION PROGRAMS: Pursuant to M.G.L. c.71B &3, upon request by a parent/guardian, the school will provide timely access to parents/guardians and parent/guardian designated independent evaluators and educational consultants for observations of a child's current or proposed special education program, including both academic and non-academic components of any such program.

The District's policy (KI) for such observations, including the steps to follow in requesting such an observation, is available on the district website or at the main office of the school.

K. RETENTION POLICY:

Report cards, grades, and parent conferences should reflect the academic difficulties of a student considered for retention. When a student is experiencing difficulty developmentally or academically the following procedure will take place:

- a. During and/or at the end of the first trimester, the teacher will arrange a conference with the child's parents/guardians to explain the student's strengths and weaknesses that they have observed.
- b. At the end of the second trimester, the teacher will arrange a conference with the parents/guardians to inform them of the possibility of retention. At this conference, the principal, Title I, or other support personnel may be asked to participate.
- c. Before the end of the third trimester, a conference will be arranged with the parents/guardians. At this time the teacher will update the parents/guardians about the progress of the student. If it is deemed necessary, the principal will be involved in the conference. The principal should be notified if the parents/guardians are not in agreement with the recommendation of retention.
- d. If the teacher and the principal agree that the student is to be retained, the parents/guardians shall be notified before June 5. A letter from the principal recommending retention will be sent no later than June 10 and will be filed in the student's permanent record folder at the close of the school year.

L. BACK TO SCHOOL NIGHT

Parents have the opportunity to visit schools sometime in the fall to meet teachers and see the classrooms. Back to School Night will be in September. (Please see school calendar) At this time, parents/guardians will be introduced to curriculum, school programs, and other expectations for the school year.

M. PUBLICATION OF STUDENT INFORMATION

Under DESE's regulations, the school may release for publication certain information concerning your child from time to time without first obtaining your consent, unless you indicate that we should not do so. The information which may be released for publication includes only the student's name, class, participation in officially recognized activities and sports, degrees, honors, and awards, and post-high school plans.

N. SCHOOL COUNCILS

Each school has a school council composed of the principal, parents, teachers and community members who meet on a regular basis. The number of parent/guardian representatives is equal to the number of teachers who serve on the council plus the principal. School parents/guardians select those members that represent them on the council. Councils are an integral feature of Education Reform and are the main instrument for practicing the participatory site-based management that is called for in the Education Reform Act. This law outlines four major areas of responsibility for councils to assist principals:

- Adopting educational goals for the school that are consistent with local educational policies and statewide student performance standards.
- Identifying educational needs of students attending the school.
- Reviewing the annual school building budget.
- Formulating the school improvement plan.

(Additional information can be found at www.doe.mass.edu/lawregs/advisory/schoolcouncils/)

O. STUDENT RECORDS, RIGHTS, CONFIDENTIALITY

Both Massachusetts and the federal government have laws that exist to insure parents’/guardians’ and students’ rights of confidentiality, inspection, amendment, and destruction of student records, and to assist school authorities in their responsibilities for the maintenance of school records. In Massachusetts those laws are found at M.G.L.c.71 sections 34A, 34D, 34E and 34F and at 603 CMR23.00. The federal student records law is called the Family Educational Rights and Privacy Act (FERPA) and is found at 30 U.S.C. section 1232g.

P. ACCESS TO STUDENT RECORDS: The student record contains all information concerning a student that is kept by the school district and which personally identifies the student. It consists of the temporary record and the transcript. For purposes of these procedures, custodial parent refers to a divorced or separated parent who has physical custody of the child, and the non-custodial parent is the parent who does not have physical custody of the child. Non-custodial parents may not be eligible to access their child’s student record or may have to follow certain procedures in order to access the student record. See below and policy KBBA.

Access by the Eligible Student or Parent (Except Non-Custodial Parents): The parent (except non-custodial parents) may request access to the student record and shall have access within ten days after the initial request. Upon request, copies of any information contained in the student record shall be provided to the eligible student or the parent. A reasonable fee, not to exceed the cost of reproduction, may be charged. If an eligible parent would like access to the student’s record, please contact the school’s main office.

Any student, regardless of age, shall have the right pursuant to M.G.L. c. 71, section 34A to receive a copy of their transcript. The eligible student or the parent shall have the right, upon request, to meet with professionally qualified school personnel and to have any of the contents of the student record interpreted.

Access by Third Parties: A parent may have the student record inspected or interpreted by a third party of their choice. Such third party shall present specific written consent of the eligible student or parent prior to gaining access to the student record.

Access by Non-Custodial Parents: It is necessary for non-custodial parents to submit a copy of the custody agreement or order, and any subsequent changes made thereto, to the District so that district personnel may identify which of the parents has physical custody of the child. The non-custodial parent may access their child’s record unless:

1. the parent has been denied legal custody or has been ordered to supervised visitation, based on a threat to the safety of the student, and the threat is specifically noted in the order pertaining to custody or supervised visitation, or
2. the parent has been denied visitation, or
3. the parent's access to the student or to the custodial parent has been restricted by a temporary or permanent protective order, unless the protective order (or any subsequent order modifying the protective order) specifically allows access to the information contained in the student record, or

4. there is an order of a probate and family court judge which prohibits the distribution of student records to the parent.

In the case of a non-custodial parent who is eligible to access the student record, i.e., does not fit any of the four (4) categories under 1-4 above, the non-custodial parent must submit a written request for the student record to the school principal. Upon receipt of the request, the principal and/or their designee shall immediately notify the custodial parent by certified and first-class mail, in English and the primary language of the custodial parent, that it will provide the non-custodial parent with access after 21 days, unless the custodial parent provides the principal with documentation that the non-custodial parent is not eligible to obtain access as set forth under 1-4 above.

When the student record is released to the non-custodial parent, the school will delete all electronic and postal address and telephone number information relating to either work or home locations of the custodial parent from student records provided to non-custodial parents. In addition, such records will be marked to indicate that they shall not be used to enroll the student in another school.

If you have any questions regarding the student record's policy or desire more detailed information concerning the state regulations, please contact the Main Office. Upon request, a copy of the state regulations can be provided to you.

Q. SOMERSET PACE (Parent Advisory Council for Education)

PACE is an information organization, and a resource for support and networking for parents/guardians in Somerset whose children have a disability (ies). The mission of the Somerset PACE is to work towards the understanding, respect, and support for all children with special needs in the community. Workshops and/or meetings are held throughout the school year. All parents/guardians of children with special needs or other interested parties are invited to attend. Specific information concerning dates and other announcements are distributed throughout the school year.

R. TOYS AND VALUABLES

Students will not bring toys or valuables (all electronic devices) to school. The school is not responsible for breakage or loss of any of these items.

S. COMMUNICATION OF ISSUES/CONCERNS

If parents have any concerns about their child in relation to the school, they should:

1. Initially, contact the classroom teacher.
2. If the concern remains, they should contact the building principal.
3. If still unresolved, contact central office.

T. SOCIAL MEDIA

When schools and families work together it maintains a positive school environment for students, families and staff. Social media can be a truly powerful tool for creating positive change and awareness. Our students are provided education on how to use the internet and how to be digitally responsible when using technology. We encourage our students and families to practice digital citizenship when using social media and commenting on our schools. We have experienced instances of parents using social media to write disparaging, hurtful comments about teachers and other faculty members. Some of these comments have been perceived as threats

and create an unsafe feeling for teachers in a time when incidents of school-related violence are happening more frequently.

Parents/Guardians/Students should refrain from derogatory comments about students/staff on social media. Defamation towards a teacher, administrator, staff or students will not be tolerated and may have ramifications. Parents and guardians should contact a teacher directly whenever a concern arises. After discussing a matter with a teacher, if a parent feels the situation is not resolved then the parent should contact the principal. A parent can always request a meeting to further discuss a matter if they feel it is not resolved. Much more can be accomplished when parents and teachers work together and communicate concerns appropriately and professionally rather than turning to social media and writing potentially defaming or threatening statements.

T.1 POSTING PICUTURES AND VIDEOS

Throughout the school year, families are invited to attend school wide/classroom presentations/events. Please be mindful that not all parents, for many different reasons, do not want their child photographed or videotaped. The Somerset Public Schools hopes that parents/guardians will use caution when uploading and posting pictures of other students to a public website.

U. FAMILY LIFE EDUCATION

Family Life Education is provided in Grades 4 and 5.

1. We strongly recommend that all students participate fully in our family life classes.
2. Parents/Guardians will be notified every year regarding the instruction of the Family Life units.
3. Parents/Guardians will be given the opportunity to exempt their child/children from any portion of the said curriculum.
4. No student shall be penalized by reason of such exemption.
5. Each year parents/guardians will be informed of such policy.
6. Any student who is exempted by request of the parents/guardians under this policy (IHAM-1) may be given an alternate assignment.
7. Program instruction materials for said curriculum shall be made reasonably accessible to parents, guardians, educators, school administrators, and others for inspection and review.
8. The department of education shall promulgate regulations for adjudicatory proceedings to resolve any and all disputes arising under this section.

V. ELEMENTARY SCHOOL DRESS CODE (Amended by School Committee 3-17-2020)

1. Shirts, blouses, and dresses must completely cover the abdomen, back and shoulders. Shoulder straps need to be at least 2 inches. Shirts or tops must cover the waistband of pants, shorts or skirts with no midriff visible.
2. Shorts and skirts should adhere to the “fingertip” rule. Shorts or skirts should reach or exceed the tips of the fingers when standing with arms to the side. When necessary, the principal’s discretion may be used.
3. Head apparel is not to be worn inside the school building, with exceptions for religious or medical purposes or on designated spirit days.
4. Footwear must be safe and appropriate for indoor or outdoor physical activity, as well as prompt exits from school for emergency purposes. Flip-flops, footwear without backs, platforms, and higher heeled footwear are examples of inappropriate footwear for school.
5. Clothing or accessories may not display suggestive, profane, violent or vulgar language or images and may not display products which students may not legally purchase.
6. Spandex and skin-tight outfits of any type or material are deemed inappropriate attire.
7. Jewelry or chains which present a safety risk are not appropriate.

For the safety of students, the use of “heelies” (sneakers with wheels in them) is strongly discouraged.

The responsibility for the dress and appearance of the students will rest with individual students and parents/guardians.

They have the right to determine how the student will dress providing that attire is not destructive to school property, complies with requirements for health and safety, and does not cause disorder or disruption. The administration is authorized to take action in instances where individual dress does not meet the stated requirements.

This does not mean that student, faculty, or parent groups may not recommend appropriate dress for school or special occasions. It means that a student will not be prevented from attending school or a school function, or otherwise be discriminated against, so long as his/her dress and appearance meet the requirements set forth above.

Specific guidelines for dress are contained within student handbooks and will be reviewed annually.

If a student is in violation of the dress code policy, a parent/guardian will be notified to bring in alternative clothing.

Principals will determine appropriateness of school attire in the event solutions to situations not covered in these guidelines are necessary.

W. GIFTS TO PUBLIC SCHOOL TEACHERS AND STAFF

(From the Official Website of the Massachusetts State Ethics Commission)

“In general, a public employee may not accept any gift worth \$50 or more that is given because of the position he or she holds...”

The law prohibits gifts to public employees, not gifts to public agencies. You may give a gift to a public school, or a particular classroom, and the \$50 limit does not apply...

The Ethics Commission created an exemption to permit class gifts to teachers. A teacher may accept a gift, or several gifts during the school year, from public school students and/or their parents and guardians, with an aggregated value up to \$150, if the gift is identified only as being from the class, and the identity of the givers and the individual amounts given are not identified to the recipient...”

X. CAFETERIA

The school lunch program is organized to provide students’ meals. Students may participate in the school lunch program or bring an appropriate lunch from home. It is strongly recommended that lunch money be in a sealed enclosure (i.e., envelope, Ziploc bag, or change purse), labeled with the child’s name and teacher’s name.

Students are required to conduct themselves in an orderly manner to and from the cafeteria. Once in the cafeteria, good manners, courtesy, and proper eating habits are expected. Students generally sit within the class groups at assigned tables. However, some seating arrangements may be different, depending on the individual grade level.

Hot lunches and milk are available daily under the direction of the food service manager. The cost of school lunch will be available on the school website. Food and/or drinks are not to be removed from or consumed outside of the cafeteria.

Students are unable to heat food that is brought from home, unless the student has a specific health issue.

The cafeteria utilizes a “point of sale” system. Parents/Guardians may go online to www.myschoolbucks.com at any time to view their child’s balance, add money to their account, or to view what their child has been purchasing during lunchtime.

X1. FOOD IN THE CLASSROOMS AND SCHOOL

In order to minimize the incidence of life-threatening allergic reactions, the Somerset Public Schools has implemented procedures and guidelines from our Life-Threatening Allergy Policy (JLC-1). One of these guidelines is that there is a ‘**No Food/Utensil sharing or Trading**’ practice at the elementary level. **This includes holiday and birthday celebrations.** Children are only allowed to consume food items provided by their own families/guardians or our food service to ensure full disclosure of food items and their ingredients.

In the classroom, we ask that ALL snacks are free from peanuts and all tree nuts. Surfaces in classrooms are shared by many different students and eating snacks with nuts may be life-threatening to students with this type of allergy. This does not include lunch. During lunch, reasonable efforts are made to have tables “free” of tree nuts for those students who require that accommodation.

For safety reasons, no glass containers are permitted at school. Soda and candy are not allowed in school. As long as students are able to be responsible and respectful of classroom materials and proper usage, plastic water bottles will be allowed in the classroom and should only contain water to minimize cleanup for accidents.

Y. LUNCH LOANS:

The loan is made only when a student has lost or forgotten their lunch money. The loan is for one lunch or milk and must be repaid on the next day of school. The parents/guardians of habitual borrowers may be contacted to devise a plan to remediate the issue. Students may not borrow money for snacks.

* If a student needs to borrow money for lunch, they may do so as long as the money is promptly returned the next day.

** For safety reasons, no glass containers are permitted at school.

*** Soda or candy is not allowed at school.

Z. BREAKFAST PROGRAM:

All elementary schools serve breakfast beginning at 8:40am. Monthly lunch/breakfast menus are distributed to students at the end of the previous month and are also available online at each school’s website. Parents are invited to pre-pay their child’s account by personal check (checks to be made out to Somerset School Lunch). The cafeteria also utilizes a “point of sale” system. Parents/Guardians may go online to www.myschoolbucks.com at any time to view their child’s balance, add money to their account, or to view what their child has been purchasing during lunchtime. A healthy breakfast is invaluable to academic success.

Z1. FREE/REDUCED LUNCH:

Parents/Guardians must correctly fill out the free and reduced lunch form in order for their child to qualify for free or reduced lunch. Please note: If a parent/guardian has one child in the elementary school, and one child in the middle school and/or at the high school (or more than one in each), a separate form does not need to be filled out for each child.

Upon receiving a child's free and reduced lunch form, a school administrator will determine if the child is eligible for free or reduced lunch. A student will qualify for the program if the parents/guardians receive food stamps or TANF, if the student is a foster child, or if the parents/guardians meet the income eligibility guidelines published every year by the federal government.

If your child received free or reduced lunch the previous school year, this does not automatically make him/her eligible to receive free or reduced lunch the following year, as the federal income eligibility guidelines change annually. You must fill out a new form every year.

Z2. SUPPLIES & MATERIALS:

Students are expected to come to school with the tools necessary to do their work. Students should have a supply of pencils, pens, notebooks, book covers, and other general supplies that may be needed. Students are also responsible for materials needed to complete home projects, reports, or other projects which are assigned as part of their classroom curriculum. Refer to the schools website for specific grade level school supplies.

Z3. LOST OR DAMAGED SCHOOLBOOKS:

Examples of schoolbooks include: library books, textbooks, and any other book for use in school. Students are expected to be prepared for class by bringing all materials expected of them including books. Students are responsible for the care and protection of each schoolbook issued. Parents/Guardians of students who damage or lose a schoolbook must pay the school to have it replaced. An administrator will take into consideration the initial cost of the item, condition of the item when issued, and the copyright/purchase date, when determining the cost of repayment. A letter will be sent from the school to any student who has lost or damaged a school textbook or book. Charges for lost or damaged books must be paid in full within thirty (30) days of the mailing of the letter.

Somerset Public Schools
580 Whetstone Hill Road
SOMERSET, MA 02726
508-324-3100

Internet Acceptable Use Policy (IJNDB, IJNDB-R-1, IJNBB-R-2)

In order for students to use the Somerset Public Schools' Internet connection directly, they must read these guidelines and sign the contract. The contract must be returned signed by a parent or guardian. These same guidelines are the expectations for all those using this connection as guests via connections from other Internet providers

Internet --Guidelines for Use

The Internet is a vast, global network, linking computers at universities, high schools, science labs, and other sites. Through the Internet, one can communicate with people all over the world through a number of discussion forums, as well as through electronic mail. In addition, many files are available for downloading on the Internet, many of which are of educational value. Because of its enormous size, the Internet's potential is boundless. It is possible to speak with everyone from prominent scientists to world leaders to a friend at college. However, with such great potential for education also comes some potential for abuse. It is the purpose of this list of guidelines, as well as the contract for Internet use, to make sure that all who use the Internet, both students and faculty, use this valuable resource in an appropriate manner.

The most important prerequisite for someone to receive an Internet account is that they take full responsibility for their own actions. The Somerset Public School system, along with the other organizations sponsoring this Internet link-up, will not be liable for the actions connecting to Internet. All users shall assume full liability, legal, financial, or otherwise, for their actions.

In addition, the Somerset Public School system takes no responsibility for any information or materials that are transferred through Internet.

Because of the size of the Internet, many kinds of materials eventually find their way onto the system. Should any user happen to find materials which may be deemed inappropriate while using the Somerset Public Schools Internet account, they shall refrain from downloading this material, and shall not identify or share the location of this material. Be aware that the transfer of certain kinds of materials is illegal, and punishable by fine or jail sentence. Downloading of music is forbidden and will not be tolerated. Playing of computer games is not authorized.

The Somerset Public Schools system makes no guarantees, implied or otherwise, regarding the reliability of the data connection. Neither Somerset Public Schools, nor the sponsor organizations, shall be liable for any loss or corruption of data resulting while using the Internet connection. The Somerset Public Schools system reserves the right to examine all data stored in the machines involved in the Internet link to make sure that all users are in compliance with these regulations. No student shall use this Internet link to perform any act that may be construed as illegal or unethical, including the use of the link to gain unauthorized access to other systems on the network.

The Somerset Public School administration reserves the right to change these rules at any time without notice.

The Somerset Public School system strongly condemns the illegal distribution of software, otherwise known as pirating. Any students caught transferring such files through Internet, and any whose account are found to contain

such illegal files, shall immediately have their accounts permanently revoked. In addition, all users shall be aware that software piracy is a federal offense and is punishable by fine or imprisonment.

Finally, all users shall keep in mind that when they use the Internet, they are entering a global community, and any actions taken by them will reflect upon the school system as a whole. As such, all users must behave in an ethical and legal manner.

Before individuals gain access to the Internet, they need to familiarize themselves with the following rules of conduct:

- * Adhere to copyright agreements.
- * Avoid the deliberate or inadvertent spread of computer viruses.
- * Do not use another person's files without permission.
- * Do not destroy, abuse, or modify in any way the school's hardware or software.
- * Do not place unlawful information on the Internet.
- * Do not use the Internet for commercial purposes, product advertisement, or political lobbying.
- * Do not download, store, or print files that are profane or obscene.
- * Do not post personal information. This includes yours or another student's home phone number and address.

**FYI:
For Your Information**

The following supplement to the Elementary Handbook contains documents for general reference which may change on an annual basis. It is provided for your information.



Somerset Public Schools
580 Whetstone Hill Rd.
Somerset, Massachusetts 02726
508-324-3100

Chace Street School. 508-324-3160
 North Elementary.....508-324-3170
 South Elementary.....508-324-3180
 Middle School.....508-324-3140

Dear Parent/Guardian:

The following materials are being forwarded in accordance with regulations in support of laws affecting the rights of students, their parents or guardians and of the school department employees relative to the 2022-2023 school year.

It is our hope that you will review these notices and become familiar with the information provided.

Should you have any questions, please call your child’s principal.



<u>School</u>	<u>Location</u>	<u>Principal</u>	<u>Telephone</u>
Chace Street School	538 Chace Street	Mr. Timothy Plante	508-324-3160
North Elementary School	580 Whetstone Hill Rd.	Dr. Paula Manchester	508-324-3170
South School	700 Read St.	Mrs. Stephanie Brown	508-324-3180
Somerset Middle School	1141 Brayton Avenue	Dr. Pauline Camara	508-324-3140



Sincerely,

Mr. Jeffrey Schoonover
 Superintendent

Somerset Public Schools
580 Whetstone Hill Road
Somerset, MA 02726
508-324-3100

NON-DISCRIMINATION STATEMENT

The Somerset Public Schools and Somerset Berkley Regional School District do not discriminate in admission to, access to, treatment in, or employment in its services, programs and activities:

- on the basis of race, color or national origin (Title VI of the Civil Right Act of 1964);
- on the basis of sex (Title IX of the Education Amendments of 1972);
- on the basis of age (Age Discrimination in Employment Act of 1975);
- on the basis of homelessness (Title VIIB of the McKinney-Vento Homeless Assistance Act of 2001);
- on the basis of native language (No Child Left Behind Act of 2001);
- on the basis of disability (Section 504 of the Rehabilitation Act of 1973 (Section 504) and Title II of the Americans with Disabilities Act of 1990 (ADA), as amended by the ADA Amendments Act (ADAAA) of 2008);
- on the basis of sexual orientation or religion (M.G.L., Chapter 71 and 151B); or
- on the basis of gender identity (M.G.L., Chapter 4, Section 7).
- Genetic Information, active military/veteran status, marital status, familial status, pregnancy or pregnancy-related conditions, ancestry, ethnic background or any other category protected by state or federal law.

COMPLIANCE OFFICERS AND REPORTING

The following individuals have been designated and are available to address questions or concerns regarding the districts' non-discrimination policies with respect to educational activities.

Section 504 Compliance Officer

To file a complaint alleging discrimination or harassment by Somerset Public Schools or Somerset Berkley Regional School District on the basis of disability, or to make an inquiry concerning the application of Section 504 and the ADA/ADAAA and their respective implementing regulations, please contact:

Megan Ashton
Director of Special Education
Somerset Public Schools
Somerset Berkley Regional School District
580 Whetstone Hill Road
Somerset, MA 02726
Telephone: (508) 324-3100 – Ext: 2

Civil Rights Compliance Officer

To file a complaint alleging discrimination or harassment by the Somerset Public Schools or Somerset Berkley Regional School District on the basis of race, color, sex, disability, national origin, age, genetic information, active military/veteran status, marital status, familial status, pregnancy or pregnancy-related conditions, homelessness, ancestry, ethnic background, sexual orientation, religion, gender identity or any other category protected by state and federal law or to make inquiry concerning the application of any of the above laws or regulations, please contact:

Megan Ashton
Director of Special Education
Somerset Public Schools
Somerset Berkley Regional School District
580 Whetstone Hill Road
Somerset, MA 02726
(508) 324-3100, ext. 2

All written complaints should state in detail the basis of the complaint, the names of the persons involved and any dates relevant to the specific complaint.

These inquiries may also be referred to:

U.S. Department of Education
Office of Civil Rights (OCR)
5 Post Office Square, 8th Floor
Boston, MA 021109
(617) 289-0111

SOMERSET PUBLIC SCHOOLS SEXUAL HARASSMENT

The Somerset School Committee, Somerset Berkley Regional School Committee, Somerset Public Schools and Somerset Berkley Regional School District are committed to maintaining an education and work environment for all school community members. that is free from all forms of harassment, including sexual harassment. The members of the school community include the School Committee, employees, administration, faculty, staff, students, volunteers in the schools, and parties contracted to perform work for the Somerset Public Schools and/or Somerset Berkley Regional School District.

Sexual harassment is unwelcome conduct of a sexual nature. The definition includes unwelcome conduct on the basis of sex that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity. It also includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment includes conduct by an employee conditioning an educational benefit or service upon a person's participation in unwelcome sexual conduct, often called quid pro quo harassment and, sexual assault as the Federal Clery Act defines that crime.

Sexual violence is a form of sexual harassment. Sexual violence, as the Office of Civil Rights (OCR) uses the term, refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse and sexual coercion. Massachusetts General Laws Ch. 119, Section 51 A, requires that public schools report cases of suspected child abuse, immediately orally and file a report within 48 hours detailing the suspected abuse to the Department of Children and Families. For the category of sexual violence, in addition to Section 51A referrals these offences and any other serious matters shall be referred to local law enforcement. Schools must treat seriously all reports of sexual harassment that meet the definition of sexual harassment and the conditions of actual notice and jurisdiction as noted above. Holding a school liable under Title IX can occur only when the school knows of sexual harassment allegations and responds in a way that is deliberately indifferent (clearly unreasonable in light of known circumstance).

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct, which if unwelcome, may constitute sexual harassment, depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances—whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences; and,
- Discussion of one's sexual activities.

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating an environment that is hostile, offensive, intimidating, to male, female, or gender non-conforming students or employees may also constitute sexual harassment.

Because the District takes allegations of harassment, including sexual harassment, seriously, we will respond promptly to complaints of harassment including sexual harassment, and following an investigation where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose corrective action as is necessary, including disciplinary action where appropriate.

Please note that while this policy sets forth our goals of promoting an environment that is free of harassment including sexual harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of harassment or sexual harassment.

Retaliation against a complainant, because they have filed a harassment or sexual harassment complaint or assisted or participated in a harassment or sexual harassment investigation or proceeding, is also prohibited. A student or employee who is found to have retaliated against another in violation of this policy will be subject to disciplinary action up to and including student suspension and expulsion or employee termination.

The complainant does not have to be the person at whom the unwelcome sexual conduct is directed. The complainant, regardless of gender, may be a witness to and personally offended by such conduct.

NOTICE OF SEXUAL HARASSMENT

The regulations require a school district to respond when the district has actual notice of sexual harassment. School districts have actual notice when an allegation is made known to any school employee. Schools must treat seriously all reports of sexual harassment that meet the definition of harassment and the conditions of actual notice

and jurisdiction as noted whether or not the complainant files a formal complaint. Holding a school liable under Title IX can occur only when the school knows of sexual harassment allegations and responds in a way that is deliberately indifferent (clearly unreasonable in light of known circumstances). Schools are required to investigate every formal complaint and respond meaningfully to every known report of sexual harassment.

The regulation highlights the importance of supportive measures designed to preserve or restore access to the school's education program or activity, with or without a formal complaint. Where there has been a finding of responsibility, the regulation would require remedies designed to restore or preserve access to the school's education program or activity.

DUE PROCESS PROTECTIONS

Due process protections include the following:

- 1) A presumption of innocence throughout the grievance process, with the burden of proof on the school;
- 2) A prohibition of the single investigator model, instead requiring a decision-maker separate from the Title IX Coordinator or investigator;
- 3) The preponderance of the evidence, subject to limitations;
- 4) The opportunity to test the credibility of parties and witnesses through cross examination, subject to "rape shield" protections;
- 5) Written notice of allegations and an equal opportunity to review the evidence;
- 6) Title IX Coordinators, investigators, and decision-makers must be free from bias or conflict of interest;
- 7) Equal opportunity for parties to appeal, where schools offer appeals;
- 8) Upon filing a formal complaint, the school must give written notice to the parties containing sufficient details to permit a party to prepare for any initial interview and proceed with a factual investigation. For K-12 schools a hearing is optional but the parties must be allowed to submit written questions to challenge each other's credibility before the decision-maker makes a determination. After the investigation, a written determination must be sent to both parties explaining each allegation, whether the respondent is responsible or not responsible, including the facts and evidence on which the conclusion was based by applying the preponderance of the evidence standard. **The preponderance of the evidence shall be the standard of evidence applied for all conduct code violations whether or not the allegations involve sexual harassment but carry the same maximum disciplinary sanctions, including but not limited to conduct violations arising under policies ACAB (Harassment), JIC (Student Conduct), JICFB (Bullying Prevention) and JK (Student Discipline)**

A district may establish an informal investigation process that may, upon the request of the complainant be followed by a formal process.

The Superintendent in consultation with the Title IX Coordinator shall designate the principal of each school in the district, or their designee (or some other appropriate employee(s)) as the initial entity to receive the sexual harassment complaint. Also, in a matter of sexual harassment, the district shall require that the Title IX Coordinator be informed, as soon as possible, of the filing of the complaint. Nothing in this policy shall prevent any person from reporting the prohibited conduct to someone other than those above designated complaint recipients. The investigating officer may receive the complaint orally or in writing, and the investigation shall be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances and in compliance with applicable law. The investigation will be prompt, thorough, and impartial, and will include, at least, a private interview with the person filing the complaint and with witnesses. Also, the alleged harasser will be interviewed. When the investigation is completed, the complaint recipient will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

RECORD KEEPING REQUIREMENTS

Schools must create and maintain records documenting every Title IX sexual harassment complaint. This could include mediation, restorative justice, or other models of alternative dispute resolution. Schools must keep records regarding the school's response to every report of sexual harassment of which it becomes aware even if no formal complaint was filed, including documentation of supportive matters offered and implemented for the complainant.

This policy, or a summary thereof that contain the essential policy elements shall be distributed by the Somerset Public Schools and Somerset Berkley Regional School District to its students and employees and each parent or guardian shall sign that they have received and understand the policy.

The following individual is designated as the District ADA, Title VI, Title IX, and Sexual Harassment and Civil Rights Coordinator for students in the Somerset Public Schools and Somerset Berkley Regional School District. In addition, the Special Education Director is the District 504 Coordinator, and can be reached at:

Megan Ashton, Director of Special Education
580 Whetstone Hill Road, Somerset, MA 02726
508.324.3100 extension 2

Complaints should be directed to the Human Resources Coordinator.
Jessie-Ann Welch
580 Whetstone Hill Road, Somerset, MA 02726
508.321.3100 extension 3211

Please note that the following entities have specified time limits for filing a claim.

The Complainant may also file a complaint with:

- The Mass. Commission Against Discrimination, 1 Ashburton Place, Room 601
Boston, MA 02108.
Phone: 617-994-6000.
- Office for Civil Rights (U.S. Department of Education)
5 Post Office Square, 8th Floor
Boston, MA 02109.
Phone: 617-289-0111.
- The United States Equal Employment Opportunity Commission,
John F. Kennedy Bldg.
475 Government Center
Boston, MA 02203.

LEGAL REF.: M.G.L. 151B:3A
Title IX of the Education Amendments of 1972
BESE 603 CMR 26:00
34 CFR 106.44 (a), (a)-(b)
34 CFR 106.45 (a)-(b) (1)
34 CFR 106.45 (b)(2)-(b)(3,4,5,6,7) as revised through June 2020



Somerset Public Schools

The Somerset Public School District recognizes the right of each student and employee to perform in an atmosphere free of harassment, intimidation, ridicule, hostility or offensiveness. The Somerset Public School District extends its policy of non-discrimination to students, staff, the general public, and individuals with whom it does business. No person shall be excluded or discriminated against on the basis of race, color, national origin, sex, gender identity, age, domicile, native language, disability, sexual orientation, or religion.

This policy does not deny the right of the complaining party to file formal complaints at any time with the U.S. Department of Education, Office for Civil Rights or to seek private counsel for complaints alleging discrimination.

GENERAL POLICIES

- a. Retaliation against any student, family member or other third party for processing a grievance or participating in any way in the grievance procedure is strictly prohibited.
- b. Whenever possible, conferences should be scheduled during a mutually convenient time that does not conflict with regularly scheduled school programs.
- c. The filing of a complaint shall not be construed as reflecting unfavorably on a student, family or other third party's good standing, performance, loyalty, or desirability to the Somerset Public Schools/Somerset Berkley Regional School District.
- d. Personal information regarding the complainant, the alleged harasser, and the witnesses will be protected from disclosure to the extent permitted by the investigative process and the nature of the complaint.
- e. In determining whether alleged conduct constitutes discrimination or harassment, the Superintendent or his or her designee will consider the surrounding circumstances, the nature of the behavior, the relationships between the parties involved and the context in which the alleged incidents occurred. Whether a particular action or incident constitutes a violation of this policy requires a determination based on all of the facts and surrounding circumstances.

Students and employees are encouraged but not required to directly object to acts or behavior felt to be discriminatory. If they feel uncomfortable in doing so, or if the issue is unresolved after direct discussion, (s)he should inform the school principal and/or Civil Rights Compliance Coordinator.

The Civil Rights Compliance Coordinator may advise the aggrieved of various options:

- Formal or informal implementation of the grievance process;
- Filing a complaint with the Massachusetts Department of Elementary and Secondary Education (DESE)
- Filing a complaint with the Massachusetts Commission Against Discrimination
- Filing a complaint with the U.S. Department of Education Office of Civil Rights
- Filing a private lawsuit

I. INFORMAL PROCESS

Once the grievance is brought to the attention of the Civil Rights Compliance Coordinator, they shall attempt to resolve the matter through fact finding.

If the Civil Rights Compliance Coordinator is unable to resolve the complaint, the complainant may move to the formal grievance procedure. The Civil Rights Compliance Coordinator then becomes a resource to all parties.

II. FORMAL PROCESS

A. For any employee who is covered by a collective bargaining agreement, they would access the formal grievance process that is outlined in their respective collective bargaining agreements.

B. For students, parents, guardians, employees not covered by a collective bargaining agreement and any other aggrieved party the following formal procedure will be followed:

1. The complainant may file a formal grievance with the principal or supervisor within 30 (thirty) working days (school days for students and school year employees) of the date that the complaint was made to the Civil Rights Compliance Coordinator. If all of the parties involved in the complaint process desire to extend the formal process, the thirty (30)-day requirement may be waived. If the complainant does not file a written complaint to the principal or supervisor, the principal or supervisor will record the complaint in writing. If the complaint process begins with the principal, then the formal process ensues.
2. Within fourteen (14) days (school days for students or school year employees) from receipt of the complaint, the principal/supervisor must investigate and respond in writing with her/his review of the incident and of any action taken or decision made. The principal/supervisor may notify the parent/guardian in accordance with established school policy if a student under eighteen (18) years of age is involved. The investigation may include but is not limited to the following:
 - meeting with the person charged to obtain a response to the complaint;
 - conducting interviews of possible witnesses to any alleged events;
 - report the matter to local police if criminal activity is involved (see M.G.L. Chapter 265 section 43, which prohibits stalking, and chapter 269 section 17 which prohibits hazing) and/or suspected child abuse to the Department of Children and Families as required by M.G.L. 119 section 51A;
 - subject to the requirements of due process, take disciplinary action against the person charged pursuant to any collective bargaining agreement, student handbook, and state and federal law, including without limitation, a letter of reprimand or warning or a suspension of one (1) to ten (10) (ten) days;
 - Superintendent and/or his/her designee may impose further disciplinary action.
3. The written report must contain the following information:
 - All facts and circumstances of the incident;
 - Verification of parent or guardian notification if a student under eighteen (18) years of age is involved;
 - A summary of the investigation of all allegations which will include interviews with all individuals reasonably believed to have relevant information: the complainant, the person charged, and if either is under the age of eighteen (18), their parent(s)/guardian(s), witnesses, and anyone who may have been the victim of similar conduct.

4. If the complainant is dissatisfied with the response of the principal or supervisor, (s) he may submit a written request for review to the Superintendent of Schools within thirty (30) days (school days for students and school year employees). The Superintendent of Schools or designee must respond, in writing, within fourteen (14) working days.
5. An employee, student or parent/guardian acting on behalf of a student may at any time file a grievance with the following agencies:

United States Department of Education Office of Civil Rights
Region 1, John W. McCormack Building, C.H. Room 222
Boston, MA 02109-4557 Telephone: (617) 223-9317

Massachusetts Human Rights Commission
51 Inman St. Second Floor
Cambridge, MA 02139 Telephone: (617) 349-4396



Somerset Public Schools

NOTIFICATION OF SECTION 504 AND TITLE IX

COMPLIANCE OFFICERS

Section 504 of the Rehabilitation Act of 1973 and its accompanying regulations prohibit the discrimination towards any individual on the basis of his/her disability. Accordingly, all employees of the Somerset Public Schools are expected to adhere to School Committee policy which prohibits discrimination on the basis of disability. Any employee or parent who feels that he/she or his/her child has been discriminated against on the basis of a disability should file a written complaint with the school department's compliance officer. The written complaint should state in detail the basis of the complaint, the names of the persons involved and the dates of the specific complaint.

The school department's compliance officer for Section 504 of the Rehabilitation Act and the address is as follows:

Megan Ashton
Director of Special Education
Somerset Public Schools
580 Whetstone Hill Road
Somerset, MA 02726
(508) 324-3100 ext. 2

It is the policy of the Somerset Public School District to maintain a working and learning environment for all its employees and students by providing fair and equitable treatment including freedom from sexual discrimination and sexual harassment. Any employee or parent who feels that they or their child has been subjected to sexual discrimination or sexual harassment should file a written complaint of the alleged act to the Title IX Compliance Officer. The written complaint should state in detail the basis of the complaint, the names of the persons involved and the dates of the specific complaint. The Title IX Compliance Officer for the Somerset Public Schools and the address is as follows:

Megan Ashton
Director of Special Education
Somerset Public Schools
580 Whetstone Hill Road
Somerset, MA 02726
(508) 324-3100 ext. 2

PLEASE SIGN, AND RETURN THIS PAGE TO YOUR CHILD'S TEACHER

Please sign below to indicate that you and your child have read the rules, regulations, and policies that pertain to the Somerset Elementary Schools and that you and your child agree to abide by the regulations and policies set forth herein.

Thank you.

Parent/Guardian Signature

Date

Student Signature

Date

Printed Student's Name

Grade Level

Homeroom

English: If you need this, or any other document, translated into a different language please notify the building principal.

Spanish: Si necesita una traduccion de este documento u otros documentos, por favor notifique Ud, al director de la escuela.

Portuguese: Se necessita isto, ou qualquer outro documento tradiziu numa linguagem diferente, por favor notifica o director de escola.
