

Muddy Brook



ELEMENTARY

a community of learners

Student & Family Handbook

2024-2025

BERKSHIRE HILLS REGIONAL SCHOOL DISTRICT

Great Barrington Stockbridge West Stockbridge

50 Main Street, Stockbridge, MA 01262

MUDDY BROOK REGIONAL ELEMENTARY SCHOOL

318 Monument Valley Road, Great Barrington, MA 01230

413-644-2350

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

GREEK:

γραφείο.

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

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

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

CHINESE: 如果你需要這本手冊翻譯成中文，請聯繫主要辦公室。

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

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

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

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

GUJARATI: તમે આ ઉપદેશિકા ગુજરાતી અનુવાદ જરૂર હોય તો, મુખ્ય

KHMER: ប្រសិនបើអ្នកត្រូវបានបកប្រែទៅជាភាសាខ្មែរសៀវភៅនេះសូមទាក់ទងការ

SOMA MANDARIN 若您需要這手冊翻譯成中文，請聯絡辦事處。

Mission Statement

Children, as a result of their time at Muddy Brook Elementary School, will:

- approach life and future challenges with joyful curiosity and the skills to succeed,
- ask good questions, seriously consider big ideas, and effectively communicate their thinking,
- develop knowledge of their strengths and challenges that will lead to a strong sense of self and increased confidence,
- care for and respect themselves and each other, and, connect with their community,
- relish learning from differences and embrace diversity.

Core Values

Be Kind

Be Responsible

Work Hard

Table of Contents

Muddy Brook Mission Statement and Core Values	1
Table of Contents	2-5

- Contact Information 5
- Muddy Brook Communication & Communication Routines 6
- Muddy Brook School Community (Staff List) 7-8
- Muddy Brook Elementary School Information
 - Admission and Transfer of Students 9
 - McKinney-Vento Homeless Education Act 9
 - Equal Educational Opportunities 10
 - Students’ Rights 10
 - Arrivals and Departures 11-12
 - Absence, Tardy and Early Dismissal Information 12-13
 - Attendance Procedures 14
 - Assignment to Classes 14
 - Assemblies 15
 - Berkshire Hills Technology Fund 15
 - Breakfast and Lunch Program 15-16
 - Curriculum and State Standards 16
 - District Policy on Homework 16-17
 - Delayed School Opening and School Closing 17
 - Dress Code 17-18
 - Early Release Days 18
 - Emergency Closing of School 18
 - Emergency Drills 18
 - Evacuation Procedures 18
 - Field Trips 19
 - Fundraising 19
 - Gifts 19
 - Kindergarten Screening and Early Childhood Program 19
 - MCAS (Massachusetts Comprehensive Assessment System)..... 19
 - Parent-School Communication 20
 - Parent-Teacher/Staff Communication & Conferences 20
 - Parking and Prohibition of Idling 20-21
 - Parental Support & Fundraising Groups 21
 - Parent Teacher Association (PTA) 21
 - Physical Restraint of Students in Public Schools 21-22
 - Promotion & Retention of Elementary Students 22
 - Recess Periods 22
 - School Council 22
 - School Materials & Property 23
 - School Pictures 23
 - Special Education Referral 23
 - Section 504 23-24

- Homebound Instruction 24
- Service Animals 24
- Assistive Technology 24
- Equal Access to all Aspects of K-12 Program 24
- NonDiscrimination 24-25
- Vertical Acceleration of Students 25
- Standard Based Report Cards 26
- Student Emergency Release Procedure 26
- Student Name 26
- Student Records
 - Family Educational Rights and Privacy Act 26-28
 - Right of Access, Inspection, and Request for Amendment of Records
By Custodial Parents and Eligible Students 28
 - Non-Custodial Parental Request for Student Records 28-29
 - Protection of Pupil Rights Amendment 29-30
 - Student Health Records 30
 - Medical and Dental Needs 30
 - Students with Special Feeding Needs 31
 - Students with Diapering Needs 31
- Toys, Electronic Devices, Money & Other Valuables 31
- Transportation – Massini Bus Company 31-32
- Visitors 32-33
- Volunteers 33
- Social Media Guidelines 33
 - Digital Resources 33

Muddy Brook Classroom Information

- Academic Support 34
- Assessment Training for Teachers 34
- Homework 34
 - Building a Reading Life 34-35
 - Furthering Projects Taking Place at School 35
 - Math Fluency Benchmarks 35
- Lost & Found 35
- Party Invitations 35
- Telephone Use 36

Muddy Brook Instructional Programming

- General Overview 36
- English Language Education (ELE) 36-37

- Literacy Instruction 37
- Mathematics 37
- Science 37
- Social Studies 37
- Art 37-38
- Physical Education 38
- Library 38
- STEM (Science, Technology, Engineering and Math) 38
- General Music 38
- Group Ensembles 38
- Head Start 38
- Integrated Preschool 38
- Nursing Services 39
- Social and Emotional Learning and Teaching 39-41
 - Mission 39
 - Responsive Classroom 39
 - Lives in the Balance - Ross Greene 39-40
 - Restorative Justice 40
 - Social Thinking Curriculum 40
 - PBIS 40
 - Muddy Brook I- Chart 41
- Muddy Brook Bullying Prevention and Intervention Plan
 - Definitions 42
 - Prohibition of Bullying 43
 - Reporting Incidents 43-44
 - Academic Instruction 44
 - Discipline for Students with Disabilities 44-46
 - Harassment and Non-Discrimination Procedures 46-48
 - Procedures for Filing a Complaint 48-51
 - Dealing with Non-Harassment, Non-Bullying Based Complaints 51
 - Hazing 51-52
 - Due Process
 - Procedures for Short-Term Suspension 53
 - Procedure for Emergency Removal 53
 - Exclusion from Privileges 53-54
 - Procedures for Long-Term Suspension 54
 - Procedures for Expulsions 55
 - Other Exclusion from Class 55
 - Detention 55
 - Reporting Requirements 56
- Parental Notification Law 56

- Project Connection 56
- Response to Intervention (RtI) 57
- School Adjustment Counselor & School-Based Clinician 57
- School Psychologist 57
- Speech & Language Therapy 57
- Technology 58
- Letter from the Principal 59
- Appendix: Sample Attendance Letters 60-63

Berkshire Hills Regional School District Information

● BHRSD School Committee Contact Information	64
● BHRSD Administrators & District Office Staff	65
● Asbestos Hazard Emergency Response Act	65
● BHRSD Mission & Strategic Plan	66-67
● District Wellness Policy	68-70
● District Substance Abuse Policy and Procedures	71-77
○ Nicotine Regulations	74
○ Administrative Action in Cases Involving Drugs etc.	75-76
○ Administrative Action in Cases Involving Felony Charges	76-77
● District Policies Link	78
● Distribution of Medicine Letter	79
● Concussion Management and Return to Play Requirements	80-83

Contact Information

Muddy Brook Regional Elementary School:

Front Office	413-644-2350, FAX - 413-644-2395
Principal, Cynthia Carey	cynthia.carey@bhrsd.org
Assistant Principal, Betsy D'Agostino	betsydagostino@bhrsd.org
Administrative Assistant, Kortney Shimmon	kortney.shimmon@bhrsd.org
Administrative Assistant to the Principal, TBD	
Nurse, Rebecca Touponce	413-644-2373
Food Service	413-644-2376
Massini Bus Company	413-229-7962, FAX - 413-229-8286
PTA President, Lindsay Tillou	muddybrookpto@gmail.com
Project Connection Program Director, JP Okin	jp.okin@bhrsd.org
Head Start	413-644-2350 ext.1356 413-644-0005 (classroom)

District Telephone Contact Information:

District Office	413-298-4017
Special Education/Student Services	413-298-4017 ext. 14

W.E.B. DuBois Regional Middle School
Monument Mountain Regional High School

413-644-2300
413-528-3346

Muddy Brook Communication

Muddy Brook Regional Elementary School is committed to creating an environment that promotes family and community engagement through strong communication. We believe that good communication is essential to a strong partnership and supports learning and achievement for all.

We strive to keep parents informed and to make our community aware of the many events and happenings at Muddy Brook Elementary School. We welcome feedback and suggestions. If you are not receiving our weekly Friday email, please contact the school for help signing up.

Communication Routines

<u>FROM</u>	<u>CONTENT</u>	<u>FREQUENCY</u>
District	Newsletter - programmatic, building level, budget, grants, students SchoolMessenger - phone communication of emergency information and school closing	Occasionally Ongoing
Muddy Brook Elementary	Muddy Brook Week-at-a-Glance Newsletter - note from the principal, calendar for the upcoming week and community flyers Website - community resources & partnership, calendar events, curriculum links Open House - meet teachers, see classrooms, get pacing guides and information about development, make connections Emails/Phone Messages - two-way conversation; administrators and teachers read and respond to phone messages and email in a timely manner. Paraprofessionals working with teachers and families share daily logs with teachers who then email information home to ensure effective teaming. <i>We discourage</i> texting between paraprofessionals and families in order to keep the main office and teachers up to date and teaming effectively with all. All School Assemblies - Student-focused	Weekly Ongoing One Time Ongoing Monthly
Classroom Teachers	Parent/Teacher Conference - goal setting and relationship building Standard-Based Report Cards - standards-based reporting in all content areas, including a narrative review of progress Student-Led Conference - students share portfolios and discuss goals and progress toward these goals Newsletters/Web pages - multi-disciplinary information highlighting past, present and future learning; connections and strategies for families to support their child; encourages family involvement	October Term 1 - January Term 2 - June March Ongoing

Muddy Brook School Community

Administration:

Principal: Cynthia Carey

Assistant Principal: Betsy D'Agostino

Office/Secretarial Staff:

Administrative Assistant to the Principal:

Front Office Administrative Assistant: Kortney Shimon

Classroom Teachers:

Grade	Teacher	Grade	Teacher
Integrated Pre-Kdg	Jill Topham	Grade Two	Madeleine Albano
Integrated Pre-Kdg	Brittany Bertelli	Grade Two	Virginia Ardouin
Early Kindergarten	Olivia Hagen	Grade Two	Kristin Finnerty
Early Kindergarten	Kaitlin Scarbro	Grade Two	Abigail Walto
Kindergarten	Sarah Martin	Grade Three	Dianna Lupiani
Kindergarten	TBD	Grade Three	Rich Montano
Kindergarten	Amy Salinetti	Grade Three	Stephanie Kluka
Kindergarten	Lynn Webster	Grade Three	Maegan Warner
Grade One	Jennifer Annand	Grade Four	John Broderick
Grade One	Glen Chamberlin	Grade Four	Molly Cosel
Grade One	Shannon Foster	Grade Four	Bonnie Groeber
Grade One	Emma Haskell	Grade Four	Kerry Manzolini

Special Educators, Learning Specialists (Tier II) and Related Service Providers:

Title	Teacher	Title	Teacher
Evaluation Team Leader	Leanna Pegorari	School Adjustment Counselor	Melinda Olds
Special Education	Sharon Connolly	Clinician	Colleen Meaney
Special Education	Susan Teigen	COTA	Mary Jo Danis
Special Education	TBD	Occupational Therapist	Pamela Hassett
Special Education	Jason Palmieri	Physical Therapist	Heidi Cooper
Special Education	Allison Schneider	School Nurse	Rebecca Touponce
Special Education/Learning Specialist	Meredith Ward	ELL Teacher	Kelley Holt

Learning Specialist	Lily Silk	ELL Teacher	Christine Martin
Learning Specialist	Laura Dupont	Speech	Sheila Wheeler
BCBA	Megan Anello	Speech	Colleen Korte
School Psychologist	Evie Waldron		

Specialists

Specialty	Teacher	Specialty	Teacher
Art	Alexandra Boudreau	Band (Gr. 4)	
Computer Technology	Roger Burr	Library	Dan Weston
Music	Kim Chirichella	Physical Education	Jessica Pleu
Physical Education	Tina Soule	Strings	Matthew Schneider

Paraprofessionals

Special Education Paraprofessionals

Grade Level	Paraprofessional Name	Paraprofessional Name
Integrated Pre-K	Helen Hinckley	Todd Coach
Integrated Pre-K	Jeanne Parsons	Alyssa Cox
Integrated Pre-K	Robin DelGrande	Katherine Favro
Integrated Pre-K	June Powell	Janie LaBrasca
Early Kindergarten	Kirsten Fredsall	Kim Ostellino
Early Kindergarten	TBA	Angela Pevzner
Kindergarten	Pam Caiolo	Kerry Pickert
Kindergarten	TBA	Sandy Scapin
Kindergarten	TBA	Cheryle Houle
Grade One	Maureen Brazie	Alex Citron
Grade Two	TBA	
Grade Three	Suzanne Wool	
Grade Four	TBA	

Cafeteria/Food Service:

Director: Kathy Sullivan

Lead Cook: Vickie Petersoli

Assistant Cook: Sue McCarroll

Kitchen Helper: Jean Jaquins

Custodial Staff

Supervisor: Jean Daigle
Adam Morelli
Jeffrey Jennison
Dylan Buffoni

Please note: All staff may be reached through email by typing: firstname.lastname@bhrsd.org

Muddy Brook Elementary School Information

ADMISSION & TRANSFER OF STUDENTS

Integrated Pre-Kindergarten: Our Integrated Pre-Kindergarten program is for children ages 3 to 5 years. In this program there are students with Individualized Education Plans (IEPs) and peer partners who enter the program through a lottery. Residents of Great Barrington, Housatonic, Stockbridge and West Stockbridge may apply for the peer partner lottery if their child turns three on or before September 1 of the year of enrollment. Prior to entering the lottery, children attend a screening.

Early Kindergarten: Children must be four years of age on or before September 1 to enter Early Kindergarten.

Kindergarten: Children must be five years of age on or before September 1 to enter Kindergarten.

All children enrolling in Muddy Brook Elementary School must register with the front office. Registration requires the following documents: proof of residency, evidence of birth date, DPT shots, immunization against polio, measles, rubella, and mumps, proof of one lead test, and immunization against Hepatitis B. Before enrolling, proof of immunization must be reviewed by the school nurse. Children not successfully immunized are excluded from school in accordance with Chapter 76, Section 15 of the Massachusetts General Laws, except as specifically provided for by law. The school nurse will make recommendations for exclusion to the principal.

Pupils will ordinarily be placed with other children of the same grade level but may be placed in another group by the principal with the approval of the superintendent. Students transferring from other school systems are asked to bring records, including proof of immunization, from the school they last attended, however, there are certain exemptions from this requirement as provided by state and federal law.

If you are planning to move from the BHRSD, please notify the principal or front office as soon as possible by phone or by written note. The school office needs to know the exit date, your new address, and your child's new school. The school requires a parent's signature for permission to send your child's school records to his/her new school.

MCKINNEY-VENTO HOMELESS EDUCATION ACT/TITLE I FOSTER CARE

According to the Federal McKinney-Vento Homeless Education Assistance Act, schools are required to immediately enroll homeless students in school, even if they do not have the documents usually required for enrollment, such as school records, medical records or proof of residency. There are similar protections under Title I of the Every Student Succeeds Act for foster care students. For additional information regarding the education of homeless students, please contact the homeless liaison coordinator, Kate Burdsall at kate.burdsall@bhrsd.org or 413-298-4017 ext 14. For information regarding foster care students, please contact the DCF Berkshire Area Office @ 413-236-1800.

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

EQUAL EDUCATIONAL OPPORTUNITIES

In recognition of the diversified characteristics and needs of our students and with the keen desire to be responsive to them, the School Committee will make every effort to protect the dignity of the students as individuals. It also will offer careful consideration and sympathetic understanding of their personal feelings, particularly with reference to their race, color, creed, sex, religion, nationality, and physical and intellectual differences.

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

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

This will mean that every student will be given equal opportunity in school admission, admissions to courses, course content, guidance, and extracurricular and athletic activities. All implementing provisions issued by the Board of Education in compliance with this law will be followed.

(See Section J, Policy JB of the BHRSD Policy Book for more information)

STUDENTS' RIGHTS

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

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

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

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

The specific statutes are available at:

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

ARRIVALS/DEPARTURES

Pre-kindergarten:

Begins at 8:35 a.m. and ends at 2:00 p.m.

Students using specialized transportation will be escorted to and from vans by a paraprofessional. Those who do not qualify for specialized transportation enter and exit through the front doors of the school.

Grades K - 4:

Begin at 8:35 a.m. and ends at 3:18 p.m.

ARRIVALS

Early Arrival – (8:00-8:30 a.m.)

Children arriving anytime before 8:30 a.m., must be escorted by an adult to check in with a school employee in the front foyer. Children in grades K-4 may participate in our early morning programs. Students going to activities at 8:00 a.m. must also sign in **as they enter the building** and we will get them to their activity. Clubs can include unicycle, chess, music lessons, and the early morning child care program beginning at 8:00 a.m. Your child may not sign in alone.

Bus & Van

Students arriving by van or bus will be met by a paraprofessional and released from the van or bus starting at 8:35 a.m. Children arriving on buses or vans will enter through the North entrance (by the playground) and proceed to their neighborhood. Breakfast is available for all students starting at 8:30 a.m. Students may enter their classrooms at 8:35 a.m.

Car

Student arrival is from 8:35-8:45 a.m. For your child's safety we ask that students being dropped off between 8:35 and 8:45 a.m. enter the building and walk directly to their classroom. Paraprofessionals in pre-kindergarten and kindergarten will meet students at the front entrance. All other students are expected to walk themselves to their classroom, although adults will be available to support if necessary.

Tardy Arrival

Children who arrive after 8:45 a.m are considered tardy and must report to staff waiting in the foyer. Those adults who are dropping off later than 8:45 a.m. should walk the student(s) into the atrium and signal the office staff using the provided intercom system to your right. Children may not be dropped off alone after 8:50 a.m.

DEPARTURES

End of Day Routines: Any change in the regular routine requires a note. Please send a note every time there is a change in the regular routine. Include all necessary details of this change. We have End-of- Day-Routine-Change forms at school if you would like a form, let your child's classroom teacher know, or ask Kortney Shimmon in the office.

Early Dismissal

Any child being dismissed early must be signed out in the office at the time of dismissal. Please send your child to school with a note indicating the change of routine, or use our “End-of-Day- Routine-Change” form notifying the classroom teacher of the exact time and reason for the dismissal.

Please remember that **three unexcused early dismissals count as one unexcused absence.** (For more information see the attendance section of this handbook.)

Regular Dismissal

Walkers/Pick up dismissal is at 3:18 p.m. Bus and van dismissal is at 3:19 p.m.

Pick-up

We offer curbside valet pick up. Students will be dismissed from classrooms at 3:18 p.m. A staff member will be at the sidewalk at the front of the building greeting those picking up. Staff will bring students to cars. Those picking up must be listed as an approved person on the contact information sheet. If your child is being picked up by someone who is *not* on the contact information sheet, please notify Kortney Shimmon and be prepared if asked for identification.

Vans or Buses

Students will be dismissed at 3:19 p.m. Teachers will walk students to the vans and bus lines.

If there is a change of plans during the day, please contact the front office to let them know of this change. Please **DO NOT email your child’s classroom teacher for this communication. Teachers are present for students during the school day and we cannot guarantee they will have the chance to read email prior to dismissal.**

Building Security and Access

Doors are locked all the time. To enter the atrium you must press the buzzer on the brick wall on the right inside the atrium and identify yourself. Front and back entrances are monitored with video surveillance twenty-four hours a day.

ABSENCE, TARDY AND EARLY DISMISSAL INFORMATION

Notification of Absence

A parent or guardian should notify the school by telephone each time his/her child is going to be absent or tardy, and a note should come to school if a child is going to be dismissed early. We have a 24-hour answering service, so you may leave a message anytime during off hours 413-644-2350. If we have not received notification, we will email the parent and/or call the phone numbers on file to confirm absence.

If you email your child’s teacher regarding attendance or dismissal, **you must also contact the main office. Never leave attendance/dismissal information on a teacher phone message. All attendance/dismissal information must go directly to the main office. (413-644-2350 or kortney.shimmon@bhrsd.org)**

Late Arrival

A child is considered late for school if he/she is not in the classroom by 8:45. Students arriving late to school must report to the main office accompanied by an adult to sign in. If your child's bus or van arrives late, we do not count this as tardy.

Early Dismissal

A child is considered to be leaving early if he or she leaves before the announced dismissal time. **We dismiss walkers at 3:18 p.m.** Adults picking students up early must report to the office. Office personnel will notify the classroom teacher and then the child will come to the office for dismissal. The adult can sign the student out in the office at the time of dismissal. The best way to communicate with us for a smooth dismissal is to send your child to school with a note indicating the early pick-up of the exact time and reason for the dismissal. Note three unexcused early dismissals count as one unexcused absence. (See below.)

Excused Absence, Tardy or Early Dismissal*

Includes:

- Documented illness or injury
- Documented medical or dental appointment
- Documented court or legal commitment
- Bereavement
- Religious observance
- Field trips
- Disability-related reasons approved by the student's IEP or 504 Team • Extenuating circumstances approved by the school administration

*Teachers are **not** authorized to excuse an absence, tardy or an early dismissal.

Unexcused Absence, Tardy or Early Dismissal

May include, but is not limited to:

- Repetitive or chronic absence, tardy or early dismissal due to illness or injury not documented by a doctor or other medical professional
- Truancy
- An undocumented absence, tardy or early dismissal
- Non-emergency family situation
- An activity which should be conducted outside the school day, such as a hair appointment, shopping, sleeping, doing homework, etc.
- An activity more appropriately related to the parent or guardian, such as providing care for siblings or a transportation situation.

Students under the age of sixteen are allowed up to six unexcused absences in a six-month time period as stated by the Massachusetts State Law. Chronic absenteeism is defined as absences in excess of fifteen (15) unexcused days. Parents/guardians are required under the law to ensure regular school attendance of their children and are subject to a fine or other legal action if they fail to comply with the law.

Unexcused Tardy or Early Dismissal

The Berkshire Hills Regional School District equates three partial unexcused missed days (late arrival or early dismissal) with one unexcused absence.

ATTENDANCE PROCEDURES

Muddy Brook Elementary School is committed to engaging students in outstanding educational opportunities every day. Students benefit from multiple educational opportunities including model lessons, discussions, presentations, interactive activities, and teacher/peer participation in the dynamic dialog of coaching, questioning and learning. These shared academic and social experiences are integral to the learning process and cannot be re-created or replicated. Experiences also build on each other. Regular attendance is critical to student success.

Massachusetts law requires compulsory attendance for all students. Chapter 76, section 1 of the Massachusetts General Law states that all children between the ages of six and sixteen must attend school. Parents or guardians have a legal responsibility to ensure their child is in attendance each day school is in session.

Within a six (6) month period, the following steps will be taken:

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

- Letter home reminding parents of the attendance policy

Step 2 Seven (7) days of unexcused absence:

- Letter home reminding parents of the attendance policy stating that further unexcused school absences may result in the filing of a CRA (Child Requiring Assistance).

Step 3 Ten (10) days of unexcused absence:

- Letter home indicating that the child has exceeded the legal limit and requesting that the parent/guardian schedule a meeting to resolve the unacceptable number of unexcused school absences.
- In the event that parent fails to appear for the formal meeting within a two-week period, the District will initiate truancy/negligence procedures as described below.

Step 4 Fifteen (15) days of unexcused absence:

- District initiates a CRA (Children Requiring Assistance) filing for truancy or a Failure to Send Petition against the parents in Juvenile Court, and/ or a 51A filing for educational neglect with the Department of Children and Families (DCF)
- Written notification sent to parents

To see examples of letters we send home, See Appendix A. Please see the BHRSD Attendance Policy for more information.

ASSIGNMENT TO CLASSES

Classroom teachers, specialists, related service staff, and the administrative team, place students in classes with thought and care. Parent information related to class placement is appreciated. Families are invited to submit thoughts in writing in the spring of each year but we do not take specific teacher requests. We use a holistic approach and carefully consider fair distribution of girls and boys, individual health necessities, specific academic needs, student relationships and learning styles.

ASSEMBLIES

Assemblies and concerts will be determined as the year progresses and will be announced in the Muddy Brook Week-at-a-Glance newsletter.

BERKSHIRE HILLS TECHNOLOGY FUND

The Berkshire Hills Technology Fund has made an ongoing commitment to assist BHRSD families in obtaining affordable bank financing for a technology purchase or, depending on need, even borrowing a computer at no charge for as long as the student is enrolled in the district. The goal of this project has been to close the "digital divide" - the gap between technological "haves" and "have-nots" - in our school community. Call Chip Elitzer at 413-528-4693 for more information.

BREAKFAST & LUNCH PROGRAM

The District offers a breakfast program at Muddy Brook beginning at 8:35 a.m. Lunch runs from 11:05 a.m. to 1:30 p.m. Menus are posted online, distributed through the weekly newsletter and are available in the front office.

All breakfasts and lunches are free to all students this year.

Berkshire Hills is now a Community Eligibility Provision (CEP) school district, which means that all students now receive meals free of charge. We no longer collect applications for free and reduced lunch. There will still be a charge for a second meal and a la carte items, such as a single milk (without a meal), and additional sides. Students will need to have money on their account or bring money with them to school for these additional items.

The BHRSD has a computerized debit system for adding money to your students' account. -Payments can be made in advance via cash, check (payable to BHRSD Food Service) or online (www.MYSCHOOLBUCKS.com). Please contact the director at (413) 644-2325 for your student's ID#. If you are sending in money with your child (cash or check), we ask that you put all payments in a sealed envelope. Label the envelope, "LUNCH MONEY" and put your child's name and classroom teacher name on the outside of the envelope.

Our cafeteria software provides confidentiality of all students. It also allows us to keep accurate records of all student transactions. We encourage ALL parents to set up an account at (www.MYSCHOOLBUCKS.com.) This will allow you to view your child's account balance and/or transactions at any time. There is also a Mobile App available for your phone. **It is important that** account balances are kept current. Emails will be sent regularly to parents/guardians if your child has a NEGATIVE BALANCE (owes money). Letters will be sent home in addition to the daily emails when a student has charged more than 5 times. **We would appreciate the opportunity to work with you if you are having difficulty managing your student's account.**

If you have questions regarding the cafeteria, allergy concerns, etc., please contact the director, Katherine Sullivan at (413)644-2325 or (855)255-8666, Kathy.sullivan@bhrsd.org

CURRICULUM AND STATE STANDARDS

All families will receive a grade level curriculum overview in the first few weeks of school from the classroom teacher(s).

Our curriculum is rich and varied, and it connects students to community partners and our landscape. Additionally units of study align with the Massachusetts Common Core State Standards. To read the standards visit the Massachusetts Department of Elementary and Secondary Education website at <http://www.doe.mass.edu/>.

DISTRICT POLICY ON HOMEWORK

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

With increased maturity, learning should become an independent activity. This should be established through consistent assignments which encourage students to investigate for themselves and to work independently as well as with others.

Homework assignments should be consistent in terms of the amount given each day and the time required for each assignment so that a pattern of meaningful homework can be established by the teacher and/or the student.

The information for any homework assignment should be clear and specific so that the student can complete the assignment.

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

There are many other learning activities in the life of a student besides homework. Such things as participating in school activities, pursuing cultural interests, participating in family living, and exploring personal interests should be considered by teachers when planning consistent assignments. Homework is not to be used as a form of punishment under any circumstances.

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

DELAYED SCHOOL OPENING AND SCHOOL CLOSING

During inclement weather, the Superintendent of Schools may delay the opening of school by one or two hours, or close school. In the event of severe weather conditions, school closings or delayed openings will be communicated to families via a recorded message sent directly to the phone number on the Emergency School Closing form. The closing is posted on the district website and announced as early as possible on the following radio stations and TV stations:

Radio Stations: Great Barrington WSBS - am 860
Pittsfield WUPE - fm 100.1/94.1, WBRK - am 1340/fm 101.7, WBEC - am 1420
Albany WYJB - fm 95.5, WRVE - fm 99.5, WGY - am 810

TV Stations: Please check your local cable/satellite listings for the proper viewing channel

Springfield WWLP/TV 22
Hartford WSHM / 3
Albany WNYT /13, WRGB / 6, WTEN /10, WXXA , Capital News 9

Information is also posted on www.bhrsd.org

DRESS CODE

We ask that children come to school dressed appropriately for both the weather and in keeping with sensible standards for an educational environment. The school does not deem a particular mode of dress inappropriate unless it disrupts the learning environment, or endangers the health, welfare, or safety of an individual. Student dress is to be conducive to full participation in the educational experience without distraction. It can be expected that any style that is disruptive to the learning environment will be addressed with students and families. Our follow-up at school will include asking the student to cover the offensive clothing or change into something more appropriate. We will inform you if this happens and appreciate your support in encouraging appropriate dress.

It is expected that students who come to school will participate in all programs unless permission has been granted by the principal. During cold weather it is extremely important that students have appropriate clothing for outdoor learning. Please be sure your child has a hat, gloves or mittens, a warm coat, snow pants and boots when there is snow on the ground.

Let the classroom teacher, assistant principal, or principal know if you need help obtaining warm clothing for your child. We will help.

Please label all clothing to decrease the possibility of losing or confusing these items. (Our Lost and Found is often overflowing. Please check regularly when you are missing an item.) Also, please note that students are expected to remove hats while inside the school building.

EARLY RELEASE DAYS

Berkshire Hills Regional School District provides scheduled professional development for staff. Some professional development days are full days and some are early release half days. An early release half day necessitates an earlier bus schedule. Children are released at 12:00 noon. **Lunch is not served on these days.** The School Calendar includes these full and half days and is posted on our website.

EMERGENCY CLOSING OF SCHOOL

In the case of an emergency, we will have the closing announced on the radio and through our automated call system. We collect telephone numbers from the emergency contact forms that are distributed at the start of the year. In the event of an emergency you will receive a recorded message from school with all of the necessary information.

EMERGENCY DRILLS

BHRSD has a campus-wide emergency operations plan. At Muddy Brook we practice fire and emergency drills on a regular basis to ensure safe evacuation of everyone in the school. The alarms can be heard throughout the school and also flash repeatedly for the hearing impaired. Evacuation routes are posted in each classroom. When alarms are sounded, students are to follow the teacher's directions to exit the building in a rapid but orderly fashion. Students are to stay with a teacher throughout the entire drill.

Throughout the school year students will participate in the following emergency safety drills: Evacuation - Fire Drill, Evacuation – On Campus away from building, Evacuation – Off Campus, Lockdown and Shelter in Place. We encourage families to discuss drills with students and to emphasize that the purpose of a drill is to practice so that all are safe.

EVACUATION PROCEDURES

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

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

- The fourth option is to evacuate the building by way of dismissal for the day.

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

FIELD TRIPS AND OVERNIGHT TRAVEL

Field trips provide enrichment opportunities aligned with curricula. While all students should participate, repeated inappropriate behaviors during the school year or poor attendance may jeopardize a student's opportunity to do so. Student safety is our top priority. All parents wishing to attend a school field trip are required to complete a CORI check (paperwork may be obtained at the front office) and receive permission to attend from the classroom teacher. Advance approval by the Superintendent is required for any student trip involving late night or overnight travel. Any student or staff member planning late night or overnight travel should consult the school committee policy on late night and overnight travel prior to making any travel arrangements.

FUNDRAISING

Community and parent groups, as well as school personnel wishing to raise funds for school programs, are asked to consult with the principal. There is a School Committee policy designed to prevent undue solicitation of the community. *(See Policy GBEB of the BHRSD Policy Book for more information.)*

GIFTS

Personal gift exchanges between teachers and students are discouraged. Many families express their appreciation by making a gift to the classroom. If a family would prefer to show its appreciation personally to a teacher, according to school policy, no gift may exceed \$50.00 in value. *(See Policy GBEB of the BHRSD Policy Book for more information.)*

KINDERGARTEN SCREENING AND EARLY CHILDHOOD PROGRAM

Children entering Kindergarten will participate in a kindergarten screening so that we can better understand the learning needs of each individual. Kindergarten screenings will take place in the spring prior to the school year. At the screening the school nurse will conduct a vision and hearing test, and the team will conduct a brief assessment of the following:

1. understanding and use of spoken language
2. visual-motor skills and motor coordination
3. early childhood concepts and thinking skills
4. social behavior in the classroom

The Kindergarten Screening Team consists of the kindergarten teachers, the school psychologist, a speech therapist, and a special education teacher. These assessments do not in any way constitute a full diagnostic evaluation. Results have no impact on the lottery process for early childhood classrooms. The screening instrument is designed to provide only enough information to assist in class placement and to help identify

students who may need additional support in our early childhood programs. You will be informed of your child's screening results and you may follow-up on these findings with your child's classroom teacher in the fall. Students who miss the spring screening will be screened in September.

MCAS (Massachusetts Comprehensive Assessment System)

Students in grades 3 and 4 will participate in ELA (English Language Arts) and math MCAS assessments in April and/or May.

The MCAS assessments are designed to measure what students know and are able to do and are matched to the Massachusetts Common Core Curriculum Standards. Parents and or guardians receive detailed feedback regarding their child's progress towards state standards based on these assessments.

PARENT-SCHOOL COMMUNICATION

The front office is available to receive phone calls on school days from 8:00 a.m. until 4:00 p.m. Please call the front office or stop in during the school day if you have questions or concerns. As noted below, cell phone use is not allowed. If you would like to speak with an administrator, please arrange an appointment through the front office. The principal and assistant principal are not always available to receive phone calls during the day, but voice messages will be heard and responded to within a day. Emails will be returned in a timely manner as well.

End-of-day-routine change communication must go through the front office. Staff schedules can vary. It is not reliable to email (or text) staff about changes in routine. Changes in routines should be communicated before 3:00 p.m.

PARENT-TEACHER/STAFF COMMUNICATION AND CONFERENCES

Parents/guardians are encouraged to be active partners in our school community. Two conferences are scheduled throughout the year, October (parent/teacher) and March (student-led). You may reach out to your teacher for an additional conversation and meetings as needed. The October conference is one of goal-setting, and sharing fall assessment data, while the March conference is one where students will lead family members through a portfolio of work to demonstrate their growth through the year. It is our hope that all parents/guardians will attend these conferences. If you would like to contact your child's teacher, please call the front office at 413-644-2350. Phone calls will not be put through to teachers during instructional time (8:35 a.m. - 3:25 p.m.), but you may leave a message on voicemail and your call will be returned at the teacher's earliest convenience. Teachers may be emailed at any time and parents can expect a response within one school day. We truly value a team approach and appreciate hearing your thoughts and ideas for supporting the social, emotional and academic growth of your child. Please reach out and team with us!

Should any school-related concern arise regarding your child, please see or call the person directly related to the issue. School Committee policy BHD (*Section B, Policy BHD of the BHRSD Policy Book*) outlines the steps for resolving problems. Difficulties should be addressed at the level at which they occur. For example, issues with homework, tests, extra help, classroom discipline, and class relationships should be handled at the

teacher level. The principal/assistant principal is available for help if issues cannot be resolved. Issues not resolved with the principal will go to the superintendent and then, if still unresolved, the School Committee.

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

PARKING AND PROHIBITION OF IDLING

Parents and guardians must park in the front parking lot during school hours. The parking lot near the playground is closed from 8:00 a.m. to 3:40 p.m. to ensure the safety of all our students. We discourage parking on the sides of Monument Valley Road (either side) and walking students to the front door during drop off. More information will be provided concerning these changes soon.

The front circle is an idle-free zone. You are not allowed to idle, park or leave your car in the front circle while dropping off or visiting. Whenever a bus or vehicle arrives, the driver is to secure the bus or vehicle and shut the engine down as soon as possible. No bus or vehicle will be left at idle in excess of five minutes of anticipated idling time.

Please help us enforce community norms that keep all students, staff and community members safe when entering and exiting the school. Our dismissal routine for children who are being picked up allows for lining up in the front circle with car engines off from 3:10 p.m. -3:25 p.m. A Muddy Brook staff member will bring your child to your car.

PARENTAL SUPPORT AND FUNDRAISING GROUPS

The Berkshire Hills Regional School District (BHRSD) is appreciative of and grateful for the support parental groups provide for co-curricular activities. Parents participate as spectators, volunteers and fundraisers. It is important to recognize, however, that the BHRSD does not audit or provide accounting for financial records of these organizations.

To provide added credibility for parental organizations and that of the school district, the BHRSD has developed a set of financial accounting requirements. Annually each organization will submit a document of assurance to the District that they are following these recommendations. In exchange, the BHRSD will allow them to use, subject to applicable District policy, the school/district name, facilities and appropriate equipment as well as publicize their activities.

During the early fall, the School Committee will host a special informational meeting for the heads of these organizations and other interested parties to familiarize them with the procedures to be followed.

PARENT TEACHER ASSOCIATION (PTA)

Muddy Brook PTA: Mission

The Muddy Brook PTA strives to support, engage, and celebrate all families in order to build a strong school community where children can thrive and grow.

Together We Will:

- Provide support for cultural and educational programs at Muddy Brook
- Host events that heighten our sense of community, build engagement, support the Muddy Brook curriculum, and promote humanitarian and environmental efforts within our region.
- Encourage and organize volunteer support for our school, teachers and PTA events.
- Engage in fundraising efforts to support programs and events at Muddy Brook.

To find out about upcoming events and community building activities, please visit our Facebook page: <https://www.facebook.com/muddybrookelempto> or email us at: muddybrookpto@gmail.com

PHYSICAL RESTRAINT OF STUDENTS IN PUBLIC SCHOOLS

In December 2014, the Department of Elementary and Secondary Education (DESE) officially approved changes to the physical restraint regulations applicable to public education programs. The definitions of what constitutes a physical restraint have been amended substantially. Furthermore, the regulations impose additional due process, incident reporting, and data review requirements. New procedures are in place to assure that every physical restraint is reported and logged in the main office; that the principal (or designee) notifies the parents verbally and in writing of every restraint; that parents/students have the opportunity to comment on the restraint or a report of the restraint; that a principal (or designee) personally approves every restraint over 20 minutes and every time-out over 30 minutes; that the principal (or designee) has a weekly review of individual student restraint data; and that the principal (or designee) reviews school-wide restraint data on a monthly basis.

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

PROMOTION AND RETENTION OF ELEMENTARY STUDENTS

The BHRSD School Committee has a policy (IKE) addressing the promotion and retention of elementary students. Key sections are reprinted below:

The School Committee is dedicated to the best total and continuous development of each student enrolled. The professional staff is expected to place students at the grade level best suited to them

academically, socially, and emotionally. In evaluating student achievement, each teacher will make use of all available information, including results of teacher-made tests and other measures of skill and content mastery, standardized test results, and teacher observation of student performance. Students will normally progress annually from grade to grade. Exceptions may be made when, in the judgment of the professional staff, such exceptions are in the best educational interest of the students involved. Exceptions will only be made after prior notification and explanation to each student's parents, but the final decision will rest with the building principal.

RECESS PERIODS

All children have 20-25 minutes of scheduled recess before or after lunch. Individual classroom teachers are encouraged to schedule an additional recess block during the school day. During inclement weather children may have indoor recess. The school nurse, in consultation with the administration, will determine whether children will go outside. **Please be sure your child comes to school with appropriate outdoor clothing as weather conditions can change throughout the day. If we go outside it is expected that your child will join us unless you have a doctor's note or special permission from the principal.**

SCHOOL COUNCIL

The Massachusetts Education Reform Act of 1993 established School Councils in each school in the Commonwealth. The Berkshire Hills Elementary School Council is made up of parents, teachers, community representatives, and the elementary principal. The purpose of the council is to assist the principal in (1) adopting educational goals for the school that are consistent with local educational policies and statewide student performance standards, (2) identifying the educational needs of students attending the school, (3) reviewing the annual school building budget, and (4) providing input into the School Improvement Plan. Whenever there is an opening on the Council, parents will be notified and may express an interest to be a member by writing to the principal. These dates will be printed in the Muddy Brook WAAG and posted on our website. These meetings are open to the public. Parent representatives to the School Council are appointed through the Muddy Brook PTA. Please contact the principal for more information regarding the School Council.

SCHOOL MATERIALS AND PROPERTY

The School Committee through its professional staff has identified appropriate instructional materials to achieve educational objectives at each grade level. These materials are provided by the BHRSD. **Since the books and supplies are provided at public expense, it is expected that children will be responsible for replacement of any materials that are lost or damaged beyond reasonable use.** Reimbursement is also expected in the event of damage to buildings, furniture, or equipment caused by misconduct or an act which a child would reasonably be expected to avoid.

SCHOOL PICTURES

School photographs are taken in early September. Retakes are scheduled for some time in early November.

SPECIAL EDUCATION REFERRAL

A student may be referred for an evaluation by a parent or any person in a care giving or professional position concerned with the student's development, when the child is not making meaningful progress, and when it is suspected that the child has a disability. When a student is referred for an evaluation to determine eligibility for special education, the building principal will invite the parents in for a meeting to discuss the referral, within five school days of receipt of the referral. Following the meeting, should the parent decide to move forward with the evaluation, a consent for testing will be mailed to the parent from the Office of Student Services, within the required five school days. Assessments will be completed within 30 school working days of the date that we receive your signed consent form. We will ensure that evaluators are appropriately credentialed and trained to administer all assessments. Each person conducting an assessment shall summarize in writing the procedures employed, the results, and shall define the student's needs and recommendations for meeting those needs. Once the assessments are completed, a Team meeting will be held at which time the results of the assessments will be reviewed and discussed. You will receive notification of the date, time, and place of the Evaluation Team Meeting once it has been scheduled. The entire process will be completed within 45 school days of the receipt of the Evaluation Consent Form signed by you. The special education Team shall consist of all evaluators, the student's regular education teacher, a special education teacher, an administrator, the parent/guardian and anyone else relevant to the process. At that time, if there is a determination of eligibility, the Team will develop an Individualized Education Program (IEP) for your child, and determine placement for delivery of services. If you have questions or would like more information, please contact Cynthia Carey, building principal at 413-644-2350 or Kate Burdsall, Director of Student Services, at 298-4017 ext. 14.

SECTION 504

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

HOMEBOUND INSTRUCTION

(Educational Services in the Home Or Hospital)

Upon receipt of a physician's written order verifying that any student enrolled in the Berkshire Hills Regional School District or placed by the district in a private setting must remain at home or in a hospital on a day or overnight basis, or any combination of both, for medical reasons and for a period of not less than 14 school days in any school year, the principal shall arrange for provision of educational services

in the home or hospital. Such services shall be provided with sufficient frequency to allow the student to continue his or her educational program, as long as such services do not interfere with the medical needs of the student. The principal shall coordinate such services with the Director of Student Services for eligible students.

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

SERVICE ANIMALS

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

ASSISTIVE TECHNOLOGY

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

EQUAL ACCESS TO ALL ASPECTS OF K-12 PROGRAM

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

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

NONDISCRIMINATION

Berkshire Hills Regional School District does not discriminate on the basis of age, race, to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles, color, sex, age, gender identity, religion, national origin, sexual orientation, disability, pregnancy or parenting status, limited English proficiency, or homelessness.

VERTICAL ACCELERATION OF STUDENTS

It is a focus of the Berkshire Hills Regional School District to provide opportunities for its students to achieve in academics and, where possible, advance academically through both enrichment opportunities and grade/course acceleration. The enrichment process allows students not only to master grade level curricula, but to utilize this information in new, different, and challenging situations. This is the first step beyond mastery of presented curricula. Acceleration proceeds above this level and allows a student to bypass a grade, or subject area within a grade, provided total mastery and enrichment opportunities have been exhausted.

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

1. Parents, students, and/or faculty members may present a request for consideration of vertical acceleration.
2. The parent, student, and/or faculty must present a rationale for vertical advancement to another course or grade level.
3. The teacher and, where appropriate, the guidance counselor must present a thorough summary of classroom achievements and assessment of the student's academic progress.
4. The school psychologist should complete a thorough psycho-educational evaluation as appropriate.
5. The Principal will call for a team meeting involving the parents, teacher(s), school psychologist, and any other school personnel critical to the team meeting. At this meeting, all information regarding the student's academic progress and social/emotional maturity will be reviewed. The request for vertical acceleration will be based on the evaluation and achievement materials presented.
6. The team will make a recommendation to the principal regarding whether or not vertical acceleration should occur and, the team will recommend a plan of action for its implementation. The principal will make a decision with the approval of the superintendent, regarding this recommendation. If the recommendation is not approved, the parent, student, and/or faculty member may request a review after six months.
7. The classroom teacher(s) and the building Principals will implement the plan. It will be the teacher's responsibility, along with the guidance counselors, where appropriate, to monitor student progress.
8. Regular communication regarding student progress will occur. Should the student have difficulty with the vertical acceleration, another team meeting will be activated to assess the situation and recommend changes in the program. Should the student succeed in the vertical acceleration, additional team meetings may be necessary to continue developing action plans for vertical acceleration in additional academic school years. The steps will follow those outlined above.

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

STANDARD-BASED REPORT CARDS

Report cards for all students without regard to disability are sent home twice a year in January and June. These reports indicate your child's progress toward the Massachusetts Common Core Curriculum Standards in each academic area and with regard to effort and social and emotional growth. Families are encouraged to regularly contact teachers to discuss student growth and any possible opportunities and or concerns. In March we hold student-led conferences to share growth.

STUDENT EMERGENCY RELEASE PROCEDURE

In emergency situations when it is necessary for your child to leave school during the day, an authorized adult must come to the front atrium. We will call your student to the main office for dismissal.

To minimize distractions in the classroom, please do not go directly to your child's classroom.

If an unauthorized adult needs to pick up your child, an authorized adult must call the office. Authorized adults are listed on our emergency forms. We cannot release your child to an unauthorized adult without permission.

STUDENT NAME

At Muddy Brook Elementary School we refer to state guidelines regarding student name change requests.

Massachusetts' law recognizes common law name changes. It states, "An individual may adopt a name that is different from the name that appears on his or her birth certificate provided the change of name is done for an honest reason, with no fraudulent intent. Nothing more formal than usage is required. Hence, when requested, schools should accurately record the student's chosen name on all records, whether or not the student, parent, or guardian provides the school with a court order formalizing a name change. The Department has a procedure in place to update name changes and gender markers in the Student Information Management System (SIMS) upon request. The document [Assigning State Assigned Student Identifiers \(SASIDs\) to Massachusetts' Public School Students](#) guides schools through changing names and gender markers on school records. In sum, school personnel should use the student's chosen name and pronouns appropriate to a student's gender identity, regardless of the student's assigned birth sex. For those students who have been attending a school and undergo gender transition while attending the same school, it is important to develop a plan for initiating use of the chosen name and pronouns consistent with the student's gender identity."

STUDENT RECORDS

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

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

The following definitions apply to these subsections:

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

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

Legitimate Educational Interest:

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

Eligible Students:

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

Release of educational information by the school:

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

- Other schools to which a student is transferring (please note that our schools will also request and receive student records from the school of origin for students transferring into the District, and will be able to receive these records without additional consent upon receiving notice that the student will be enrolling in the District);
- Authorized School Personnel/ School Officials, when they have a legitimate educational interest in the materials.
- Administrative office staff and clerical personnel who are either employed by the school committee or are employed under a school committee service contract, and whose duties require them to have access to student records for purposes of processing information for the student record;
- Specified officials for audit, enforcement, or evaluation purposes, provided that except when collection of personally identifiable data is specifically authorized by law, any data collected by such officials shall be protected so that parties other than such officials and their authorized agents cannot personally identify such students and their parents;
- Local and state health department personnel to student health records, when such access is required in the performance of official duties;
- Appropriate parties in connection with financial aid to a student;
- Organizations conducting certain studies for or on behalf of the school;
- Accrediting organizations;
- To comply with a judicial order or lawfully issued subpoena;
- Appropriate officials in cases of health and safety emergencies; and

- State and local authorities, within a juvenile justice system, pursuant to specific State law.

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

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

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

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

The following records will be kept electronically, replacing paper files, beginning in the 2022-2023 school year:

- report cards
- transcripts
- attendance records
- discipline records
- health records
- Section 504 records
- custody documents
- records from bullying/harassment investigations

All special education documents will be on file, hard copy, in the Office of Student Services as well as electronically in PowerSchool Special Programs.

Email communication will be kept through the current school year. Parents will have 30 days to request emails at the end of a school year prior to the destruction (deletion) of the email communications.

The BHRSD administers benchmark testing in reading and math three times per year in grades 1-10 and the BHRSD administers a social emotional survey in grades K-12 two times per year. The Youth Risk Behavior Survey is completed annually in grades 7-12. The Strengths and Difficulties Screener is administered annually

to students PK-12. Additionally, the BHRSD may administer surveys to gather feedback on program efficacy and improvements. Data from all of these assessments will be kept at the schools until the student changes schools or graduates at which time the data will be destroyed.

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

Pursuant to 603 CMR 23.07, parents and eligible students shall be given access to the student record within ten days after the initial request and have the right to inspect the records. Upon request, school officials will meet with the parent/ eligible student to interpret the records. The parent/ eligible student also has a right to have the records inspected by third parties.

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

NON-CUSTODIAL PARENTAL REQUEST FOR STUDENT RECORDS

G..L. c. 71, § 34H

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

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

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

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

- A court order prohibiting contact with the student, as outlined above;

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

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

If a student is the subject of any temporary/permanent custody order, decree, or agreement, a copy of the custody order, decree or agreement – either signed by the judge of the probate court in the case of an order or decree or signed by both parents in the case of an agreement – must be provided to the main office.

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

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

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

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

PROTECTION OF PUPIL RIGHTS AMENDMENT

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

- Political affiliations or beliefs of the student or student’s parent;

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

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

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

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

(District policy regarding student records can be found on the district website.)

Student Health Records

Student Health Records are also confidential. The health record is held by the school nurse. It is immediately available upon request to administrators and teaching staff who have consent from a legal guardian to access these records, the child’s parents or legal guardians, and regulatory authorities.

Medical and Dental Needs

Advances in healthcare enable children with increasingly complex medical needs to be a part of the general school population. The incidence of chronic conditions are now being managed in the school setting, requiring school nurses to make care decisions that may include delegation where appropriate. An adult trained in any procedure will be on site whenever the child is present.

To provide for safe care BHRSD school nurses utilize the Five Rights of Delegation to guide their assessment of whether delegation is appropriate for the student and the situation.

1. Right Task
2. Right Circumstances
3. Right Person
4. Right directions and communication
5. Right supervision and evaluation

Nurses review the Five Rights of Delegation and determine when delegation is appropriate. The school nurse develops an individualized healthcare plan based on the medical orders, outlining the level of care and

healthcare needs of the student and indicating which nursing tasks can and cannot be delegated. Further, the continuous process of evaluation should be based on outcomes of care, ensuring that the delegated task is completed properly and produces the desired outcome. Where appropriate the school nurse in collaboration with the student's pediatrician and appropriate school staff develops a written safety plan.

Students with Special Feeding Needs

For children of any age with special feeding needs Muddy Brook staff:

1. Document the type and quantity of food the child consumes
2. Provide this information to the family daily.

Students with Diapering Needs

Staff check for and change wet or soiled diapers or training pants when a child wakes up from a nap.

TOYS, ELECTRONIC DEVICES, MONEY, AND OTHER VALUABLES

Toys: Toys are **only permitted** at the request of the classroom teacher in connection with learning activities or in special circumstances. In all other cases, toys should be left at home or will be kept in the front office during the school day. Toys won at High Five drawings or earned in special circumstances are to be kept in backpacks throughout the day and taken home right away.

Electronic Devices: We do not allow iPods, iPads, cell phones, cameras or other electronic devices without special permission. We cannot assume responsibility for any damage or loss that may occur to personal items. Electronic equipment and other objects identified by the principal/assistant principal as being inappropriate for school grounds will be confiscated and brought to the office where parents may pick them up.

Money: Students bringing money to school are asked to place the money in an envelope with the student's name clearly written on the front as well as a label identifying the reason for the money . We ask that children not bring large amounts of cash or other valuable objects to school.

TRANSPORTATION – Massini Bus Company

Free bus transportation is provided to all Early Kindergarten through Grade Four students living within the district and living more than one mile from the school. Bus stops are located within easy walking distance for all students. Please contact Massini Bus Company at 413-229-7962 if you have any questions.

To ensure the safety of all students who ride a bus or a van, **an adult must stand at the bus stop to meet the bus**. If the adult waits in the car, the **adult must get out of the car when the bus approaches** so that the bus driver can see the adult meeting the bus. If a parent or approved adult is not at the bus stop, the child will be returned to the elementary school and the parent will be required to pick the child up at school.

Parents may submit a note requesting their elementary child/children not be met by a parent at bus drop off. We will evaluate each case on an individual basis and consider the student's age, grade and level of maturity

as well as the physical location of the drop off. Our greatest concern is student safety and we will not approve a request that appears unsafe. As a general rule, we will only support this in 4th grade and above.

If a student is without an adult at the bus stop three times, families can expect bus privileges to be revoked for two weeks.

Bus/Van Rules

To ensure the safety of all students, the drivers will expect the following behavior:

- Be courteous - use kind, appropriate language and a calm, safe body
- Talk quietly (to those sitting with you)
- Save food and drink for when you are off the bus (eating/drinking is NOT allowed)
- Cooperate with the driver
- Remain seated at all times - face front - feet on the floor (sit as though you are buckled with a seatbelt)

Drivers will fill out a Bus Conduct Report when children are not following the rules. This report goes to the assistant principal at Muddy Brook. The principal or assistant principal will follow up with the child in an effort to change behavior so that Massini transportation is safe for everyone. If a student receives three Conduct Reports, it may be necessary to revoke transportation privileges. A student who cannot follow the rules for safe transport and endangers the health, safety, and welfare of other riders will lose transportation privileges in accordance with school discipline regulations.

Protocol and procedure when a Conduct Report has been received is as follows:

Conduct Report #1 - The principal and/or assistant principal meet with the student(s) and discuss the situation and understand the context. Together a plan for improving the behavior is made. One copy of the Conduct Report goes home in an envelope, one copy of the report goes to the BHRSD main office in Stockbridge and one copy is filed at Muddy Brook.

Conduct Report #2 - The principal and/or assistant principal meet with the student(s) and this time a phone call home is made. The child and the guardian discuss the situation and together we come up with a new plan with the idea that if behavior does not change, privileges for Massini transportation will be lost. Copies of the report are distributed - home, BHRSD main office, and Muddy Brook.

Conduct Report #3 - The principal and/or assistant principal meet with the student(s). The guardian(s) is notified of the bus suspension and the length of the suspension, which can be up to two weeks. Copies of the report are distributed - home, BHRSD main office and Muddy Brook.

Change in Bus Routine

Massini Bus Company requires that any change in routine be authorized prior to the change taking place. Please call the bus company to request a change at 413-229-7962. If you need to change bus plans during the school day it is necessary to get permission from the bus company to change buses AND call or email the administrative assistant, Kortney Shimmon at 413-644-2350 or kortney.shimmon@bhrsd.org. We will let your child know about the change.

If you email Kortney Shimmon, please include the following information:

- your child’s name
- teacher name
- date
- bus number
- phone number and address of the adult meeting your child at the bus stop

Please do not email your child’s teacher about end of day routine changes during the day as this could result in miscommunication.

VISITORS

Parents/guardians are always welcome to visit the school and their child’s classroom if COVID regulations allow. As a courtesy to the teacher and to ascertain that your visit will coincide with an activity that you would like to see, we ask that you contact the teacher in advance. If you become a consistent volunteer it is required that we receive an approved “CORI” form from you prior to volunteering.

All visitors to the school must enter through the front entrance and report to the main office to sign in and obtain a visitor’s badge.

From time to time, we receive requests to allow other visitors, who may be school-aged children, to spend a day or more with us. These requests may be granted through the approval of the Assistant Principal or Principal.

VOLUNTEERS

If state regulations allow, parents and community members are encouraged to volunteer regularly and/or share special talents and skills. All volunteers, including those chaperoning school field trips, must complete a Criminal Offender’s Record Inventory (CORI) form *in advance* of volunteering at the school. CORI forms are available from the front office. Please contact the office if you are interested in volunteering. (*Section I, Policy IIOC of the BHRSD Policy Book*). Volunteers are never alone with children.

Guidelines for Volunteers

Occasionally volunteers will observe student behavior that invites or requires adult intervention. In this event the expectation is for the volunteer to connect directly with a staff member for assistance. At no time should volunteers directly discipline students. This both protects volunteers and helps ensure consistent norms are followed. Please direct any questions with regard to this directly to the principal.

SOCIAL MEDIA GUIDELINES For Community Health and Wellness

At the beginning of each year all families have the opportunity to approve or not approve sharing of student’s images on social media and with community partners.

Out of respect for student confidentiality and safety, and to respect families, any photos or videos of Muddy Brook students at school related activities must be reviewed by the main office staff prior to posting.

When visiting school or considering school related issues at home we request that all parents and community members communicate directly with staff about concerns or celebrations before texting, posting or engaging social media broadly. Muddy Brook administrators and staff take pride in listening to parent feedback and collaborating directly with all families to support students.

Thank you for working with us to ensure a positive and respectful school climate and the safety of all children.

DIGITAL RESOURCES

<http://www.bhrsd.org/>. This is our district website. <http://mbres.bhrsd.org/>. This is a direct link to the Muddy Brook web page. These sites feature newsletters, staff pages, educational links, and useful information about the school and district. Muddy Brook PTA has a Facebook page, Muddy Brook PTA.

MUDDY BROOK CLASSROOM INFORMATION

ACADEMIC SUPPORT

Classroom teachers are available to offer academic support before or after school one day a week. The elementary school remains open after regular school hours for any student requiring extra academic help. Parents will need to contact their child's teacher to set this up. Parents must arrange their own transportation for their child to be picked up no later than 4:00 pm.

ASSESSMENT TRAINING FOR TEACHERS

Children at Muddy Brook are formally assessed at various times throughout the year. Each staff member is trained to use the assessment tool appropriate to the grade level through our mentoring program and through direct modeling by experienced teachers.

HOMEWORK

The purpose of homework at Muddy Brook is:

- to inspire conversations and connection between home and school
- to support students in building a strong reading habit and a life with books
- to collect information to further projects at school
- to provide resources for supporting facts and fluency including digital subscriptions, flash cards, and other resources for students and families to access from home to meet specific grade level goals

We encourage all families to:

- Provide a specific place to do homework that is quiet, has enough work space, and has proper lighting
- Supervise and schedule a specific time for reading practice
- Ask to see completed reading logs
- Be sure your child returns completed reading logs and his/her books back to the library
- informs the teacher when your child is frustrated by assignments or cannot do the work,
- showing interest in your child's homework and other school experiences,
- talk with, listen to, and doing things with your child,
- let your child know you care about his/her success, and
- Inform the school when another language other than English is spoken at home. We can often provide books to read in languages other than English.

Every effort will be made to ensure homework is meaningful, manageable, and relevant. If you have feedback with regard to homework please contact the classroom teacher and the principal.

Building a Reading Life

We believe in all students reading nightly to build reading skills, background knowledge and develop a love of books and learning. Documenting reading in a log helps the reader, family and teachers see progress and define and support emerging interests and passions.

All students are encouraged to read books of high interest at home. To support successful reading at home Muddy Brook staff will work with students to ensure they have a book of interest that is a “good fit” book at the student’s current independent reading level. Students are encouraged to read good fit books provided and/or other books of interest from home. Students may also sign out multiple books from the library at a time.

Required Reading includes independent reading and being read to. We also encourage students and caregivers to share in the reading and alternate pages when appropriate. Students are required to record their reading in a log which is checked regularly by the classroom teacher. Classroom teachers will share a reading log and offer optional extension projects connected to reading. Students and caregivers will fill out the reading log and return it to the classroom teacher regularly. Reading responses are encouraged.

As students advance through the grades they increase their reading time at home. Baseline reading goals at home are:

- Pre-kindergarten through first grade - ten minutes per night
- Grade 2 - twenty minutes per night (at least ten minutes independent)
- Grades 3 and 4 - thirty minutes per night (at least 15 minutes independent)

We encourage students and families to read more when possible!

Furthering Projects Taking Place at School

When students are working on a project at school that is enhanced by collecting information or practicing at home teachers will assign homework. Examples include interviewing an adult for a project about our community, collecting data or observing the landscape for math or science, or practicing reading a poem for a presentation.

Math Fluency Benchmarks

We encourage some math practice at home and recognize families appreciate a flexible approach. While every individual is different, general math fluency benchmarks for the end of each grade level are:

- **Pre-Kindergarten** - Count to ten
- Kindergarten - count to 100 by the end of the year, count with 1-to-1 correspondence up to 30, write numbers to 20
- Grade 1 - could to 120 by the end of the year, add and subtract within 20, skip count by 5s and 10s through 100, identify coins including name and value (ie. there are five pennies in a nickel).
- Grade 2 - count up to 1,000, tell time on analog clocks (clocks with faces and hands) to the nearest five minutes, master addition and subtraction facts through 20, skip count by 2s, 5s and 10s to 200, identify coins including name and value (ie. there are five pennies in a nickel).
- Grade 3 - know from memory all multiplication facts through 10 x 10, skip count by all one digit numbers, tell and write time from an analog clock to the nearest minute
- Grade 4 - know math facts through 12 x 12

LOST AND FOUND

Lost and found items are located in a bin in the school's front atrium. Parents may park and look through the lost and found at any time. Thank you for labeling all coats, hats, gloves and boots with your child's name. We periodically empty our Lost and Found and donate items to Goodwill (January, April and end of school).

PARTY INVITATIONS

We ask that invitations of any kind NOT be distributed at school. Invitations brought to school for distribution **will be returned** to the child or parent by the class teacher. Families can refer to the Student Directory for student contact information. The front office cannot release contact information for any Muddy Brook family.

CELL PHONES AND OTHER PERSONAL ELECTRONIC DEVICES

While we live in a world where cell phones and smartwatches are very common, we ask that students not bring cell phones or wear smartwatches to school. If a student is observed using a cell phone during the school day, they will be asked to turn it off and put it away. If the student is observed a second time using a cell phone or if the student refuses to comply with adult directions regarding cell phone use, the device will be taken to the front office and may be picked up in person by the student's parent or guardian. Information can be communicated to students through the front office throughout the school day. The number is 413-644-2350.

MUDDY BROOK INSTRUCTIONAL PROGRAMMING

We believe:

- 1.) All students can perform at high levels.
- 2.) Students thrive with high quality instruction in a caring community.
- 3.) All members of our community are learners.

Our Early Childhood through Grade Four classes are self-contained and heterogeneously grouped.

GENERAL

A primary goal of the instructional program is the mastery of grade level standards in the areas of English Language Arts, Mathematics, Science, and Social Studies. In the interest of the child's total development, experiences are provided to promote physical maturation and foster creative expression. Toward these ends, specialists in art, music, library, technology and physical education teach all classes on a regular basis to supplement those activities presented by the classroom teacher.

ENGLISH LANGUAGE EDUCATION (ELE)

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

All parents have the right to waive ELL services. Information on the waiver procedure is available through the principal of each school. A Language Assessment Team (LAT) will convene once a student is identified as LEP. The LAT may include, but is not limited to: parent/guardian, principal, guidance counselor and/or school psychologist, ELL coordinator, teachers, and interpreter (when possible and if necessary). During that meeting, a specific education plan and schedule for the year will be developed.

Programming options available to students are documented in the student/parent handbook. The mini-handbook (in Spanish and English) for students eligible for ELE services and their parents/guardians also provides information about ELE programming options and legislative rights. In addition, internet resources for families can be found in the ELE Parent Handbook.

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

LITERACY INSTRUCTION

Literacy instruction; reading, writing, vocabulary, spelling, and speaking, are taught within a framework, which respects and takes advantage of the interconnectedness of these skills. Every class has an extended literacy block. This time is dedicated to a variety of literacy-based activities. The Muddy Brook staff utilizes a range of instructional tools and resources including Fountas and Pinnell Guided Reading, Lucy Calkins Teaching of Writing, and Wilson Foundations phonics program to guide instruction aligned with the Massachusetts Common Core State Standards (MCCSS). Teachers prioritize integrating reading and writing instruction with social studies and science content where possible.

MATHEMATICS

We follow the Common Core State Standards in mathematics. Our priorities are for students to:

- make sense of problems and persevere in solving them,
- reason abstractly and quantitatively,
- construct viable arguments and critique the reasoning of others,
- model with mathematics,
- use appropriate tools strategically,
- tend to precision and,

- look for and make use of structure.

A primary resource is **Illustrative Math** along with other resources aligned with the MCCSS.

SCIENCE

Muddy Brook Elementary utilizes the Full Options Science System (FOSS) and Engineering is Elementary (EIE). FOSS is a research-based K–8 science program developed at the Lawrence Hall of Science with support from the National Science Foundation. The FOSS developers are dedicated to the proposition that all students learn science best by doing science. FOSS investigations provide in-depth exposure to subject matter while guaranteeing that the cognitive demands placed on students are appropriate to their cognitive abilities. We also partner with Flying Cloud to develop science instruction in connection to our landscape and integrated with the arts.

SOCIAL STUDIES

The Social Studies curriculum content is derived from the Massachusetts Common Core State Standards. Each grade level prioritizes literature based activities and use of primary sources to support instruction. Grade level scope and sequence for social studies are shared with all families in the first weeks of school.

It is a priority to partner with community groups and citizen volunteers to enrich our social studies curriculum. If you or a family member are a local history enthusiast and would like to volunteer some time with students, please connect with your classroom teacher and the principal.

ART

Each class has art instruction throughout the year under the direction of the art teacher. The art program provides an exposure to a variety of art media. Students are expected to explore various art forms applying their own level of creativity and imagination to each project or task. The emphasis is on the process of their involvement with various art media. The classroom teachers and the art teacher work to integrate art projects into the regular instructional program.

PHYSICAL EDUCATION

The children at Muddy Brook have physical education throughout the year taught by our PE teachers. The program offers each child a chance to learn fundamental fitness concepts, to participate in physical activities, to improve cardiovascular endurance; to learn social skills in cooperative and competitive settings; to develop an enjoyment of participation in sport, fitness, cooperative, and recreational activities; and to develop basic sport and recreational skills. The program is designed for children to develop strength, endurance, speed, coordination, flexibility, poise, balance, and a good sense of equilibrium.

LIBRARY

The children at Muddy Brook are allotted time to visit the library at least once a week. Teachers stay in the library with students to support children in choosing appropriate books..

STEM

Students at Muddy Brook engage in regular Science, Technology, Engineering and Math (STEM) lessons with the technology instructor.

GENERAL MUSIC

Singing, rhythm, theory, and music appreciation are taught to each class Pre-kindergarten through grade 4 by the music teacher. Our approach to music instruction is largely choral; we do, however, make use of many of the Orff instruments - exposing children to areas of speech, movement, song rhythms, and playing of percussion instruments. The classroom teachers and the music teacher often integrate music with the regular instructional program.

GROUP ENSEMBLES

Grade 3 students have the opportunity to take group lessons on a string instrument.

Grade 4 students have the opportunity to take group lessons on a band instrument.

We have an agreement with Gerry's Music Shop to offer rental instruments. Parents/guardians of students who wish to take lessons but cannot afford the rental program are invited to contact the school.

HEAD START

BHRSD collaborates with Berkshire County Head Start, which offers an enriched preschool experience for children between 2 years 9 months and five years of age. Head Start provides preschool from 9 a.m. to 12:30 p.m. free of charge to eligible families. Call 413-644-0005 if you are interested in this program. The main office number is 413-499-0137.

INTEGRATED PRESCHOOL

The BHRSD provides preschool education for 3 and 4 year olds found eligible for comprehensive special education services and for an equal number of peer partners.

The program is fully integrated and is accredited by the National Association for the Education of Young Children (NAEYC). Students are enrolled five full days per week (8:35 a.m. to 2:00 p.m.). Peer partners are chosen for the program through a lottery system. For more information, please contact Principal Cynthia Carey (Cynthia.Carey@bhrsd.org) or Student Services Director Kathryn Burdsall (Kathryn.Burdsall@bhrsd.org).

NURSING SERVICES

A registered nurse, certified by the MA Department of Education as a school nurse, is available full-time to provide the following services: Care of students/staff when they are ill or injured; mandatory screenings which include vision and hearing, height and weight, communicable disease control; immunization control; maintenance of health records; physical assessment and physical examinations; medication administration; health counseling; collaboration regarding pertinent health issues with faculty, staff and other health professionals; environmental health; health agency referrals; specialized health care plans for children with special health care needs.

Please do not send your child to school if he or she has any sign of illness, especially a child with a temperature of greater than 100°. In case of illness, the school makes necessary arrangements for the sick child to return home. Typically, the school cannot provide transportation for students who are ill or injured. Please identify on your emergency contact information the person(s) to call if your child is ill or has an accident.

Medications

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

SOCIAL AND EMOTIONAL LEARNING AND TEACHING

Mission: Muddy Brook Elementary is committed to providing all students with a safe learning environment that is free from bullying. It is our expectation that our staff, students, and community work together to create a positive climate that emphasizes kindness, responsibility, and hard work. We use multiple resources to promote social and emotional health for students including Responsive Classroom routines, Positive Behavior Intervention Supports, Ross Green's Lives in the Balance resources, and Michelle Garcia Winner's Social Thinking Curriculum.

Responsive Classroom - The *Responsive Classroom* approach emphasizes academic, social, and emotional growth in a strong school community. We believe that *how* children learn is as important as *what* they learn, and that academic success is inextricably tied to building social-emotional competencies.

<https://www.responsiveclassroom.org/about/>

Lives in the Balance resources from Ross Greene - The Lives in the Balance vision is to foster collaboration and empathy, transform lives, and inspire change for all children (especially the most vulnerable), to heighten awareness of the detrimental and counterproductive effects of punitive interventions, and to address the systemic issues that impede progress. If a student is experiencing consistent challenges at school our Lives in the Balance Team will work with the student and family to develop a positive skill building approach to support growth and success. **[LIVES IN THE BALANCE](#)**

Restorative Justice - In collaboration with W.E.B. Du Bois Middle School, we are developing a practice of Restorative Justice. The main goals are to: provide a safe space so that the victim and community have a say in

how to fix the problem and help determine appropriate consequences; put a “face” on the problem so that the offender can understand the impact of their actions; and provide an opportunity for those responsible for the problem to fix it. This restores relationships and reduces the chances of future misbehavior.

The following description of Restorative Justice is from the Boston Public Schools Code of Conduct:

Restorative Justice is a philosophy and an approach to addressing misbehavior, conflict, and offenses while keeping students in school and making them accountable for their actions. Restorative Justice asks three questions: what was the harm caused to both the individual and the community; who is responsible for causing the harm and making things right; and how can the harm be repaired and relationships restored to the greatest extent possible. Restorative Justice often involves dialogue between two or more parties or group conferencing - meetings including the victim, the offender, and the affected community.

Social Thinking Curriculum - In 2016-2017 a Muddy Brook faculty team trained staff in Marie Garcia Winner’s Social Thinking Curriculum. This is a high quality curriculum which learning specialists, our school adjustment counselor, special education teachers and speech staff are supporting school-wide.

<https://www.socialthinking.com/LandingPages/Mission>

PBIS (Positive Behavioral Intervention & Supports) - Muddy Brook embraces three core values within our PBIS framework: **Be Kind, Be Responsible & Work Hard**

PBIS is a broad range of school-wide and individualized strategies designed to prevent problem behavior with all students so that they can achieve important social and learning outcomes. Muddy Brook uses the High Five ticket to remind staff that students benefit from five positive statements for every one corrective statement. High-Five tickets are given out by staff to acknowledge students when they make positive contributions.

I – Charts: The Muddy Brook Behavioral I-Chart creates a common vocabulary between staff and students on the Independent Behavior Expectations for everyone. Each teacher will make time to teach these skills throughout the year and use them as an opportunity to reward positive independent behavior. These skills are a reflection of the current culture in our school.

Muddy Brook PBIS (Positive Behavioral Intervention & Supports) I – Chart

	Classrooms	Bathroom	Hallway	Cafeteria	Assembly	Playground	Arrival & Dismissal
Be Kind	Use polite words Listen to classmates Support one another	Respect privacy Patiently wait your turn Respectfully use bathroom time	Respect and appreciate student work Hold doors for others Yield to younger students	Practice positive table manners Use polite words and actions Invite others to sit with you	Clap appropriately Eyes watching, ears listening, body still and heart on speaker	Use polite words and actions Take turns and share Invite others to play	Greet others with politely (hello, goodbye) Yield to younger students Smile
Be Responsible	Take care of your work space and materials Follow classroom expectations Use seek help from adults	Wash hands with soap and water Let adults know if there is a problem Properly dispose of waste	Stay with your class Walk on the right side of the stairwell and hallways Walk quietly and calmly	Pick up after yourself, leave no trace Clean hands before lunch Reduce, reuse, recycle and compost	Enter and exit calmly and quietly Make good seating choices Quiet down when requested	Use equipment in a safe and fun way Be honest Let adults know if there is a problem	Be prompt and on time Support younger students Walk on the right side of the stairwell and hallways
Work Hard	Put your best effort into your	Use quiet voices	Respect personal space	Move about safely	Keep hands, feet and body to self	Make new friends	Wait patiently

	work Try new things Participate and share ideas	Help to keep the bathroom clean	Go directly to intended location Watch where you are going	Use an indoor soft voice Respond quickly to adult requests	Wait patiently Come ready to participate	Use words to stick up for yourself and others Have fun	Use calm voices Keep body calm Hands to self
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Berkshire Hills Regional School District (BHRSD)
Bullying Prevention and Intervention Plan

I. LEADERSHIP

The Bullying Prevention and Intervention Plan is a key component of the district improvement plan, which is derived from the BHRSD mission statement. Our mission ensures that all students are challenged through a wide range of experiences to become engaged and curious learners and problem solvers who effectively communicate, respect diversity, and improve themselves and their community. Our improvement plans lead us to providing professional development and curriculum integration for bullying prevention and intervention.

Teachers report and intervene in incidences of bullying as well as implement anti-bullying and social-emotional learning curriculum. District administrators track investigations of allegations, document incidences of bullying, respond and intervene to keep targets safe, and ensure support services for both targets and aggressors. When required, police are contacted to participate in investigative procedures in instances where criminal/harassment charges may apply.

1. Assessing needs and resources

- Surveys are constructed to be audience appropriate, include protected class questions, and address local concerns. Youth Risk Behavior Surveys are administered every other year at the Middle School and High School Level, which include several questions on Bullying and Cyber-Bullying. This information has helped to identify patterns of behaviors and inform decision-making for prevention strategies including, curriculum development, professional development, age-appropriate curricula, support service allocations, and parent education. Each building has a school adjustment counselor and a clinician. There are also two school psychologists in the district.
- At least once per school year, the school district will administer a student survey to assess school climate and the prevalence, nature and severity of bullying in our schools. In addition,

the school district annually will report bullying incident data to the DESE in accordance with DESE's required procedures.

- The Elementary schools will use Research Based Assessment Tools (i.e. Responsive Classroom and Second Step) in collaboration with Mental Health Staff to assess school climate.

2. Planning and oversight

- The superintendent, the director of student services, the director of learning and teaching, the wellness director, guidance counselors, and all building administrators are responsible for implementation of the plan.
- Principals and assistant principals are the designees in each school who are responsible for receiving reports, conducting investigations, contacting the parents of targets and aggressors of confirmed incidences of bullying, and inputting these into PowerSchool.
- School adjustment counselors, clinicians, and guidance counselors provide and monitor progress of individual and group support for both targets and aggressors.
- The School Committee has developed and approved a [policy](#) on Bullying Prevention and Intervention.
- School handbooks and the incident report [form](#) and investigation format have been revised and are posted to the BHRSD Website.
- Parent resources are posted to the website and provided via annual parent forums to address bullying and cyber-bullying.

II. TRAINING AND PROFESSIONAL DEVELOPMENT

1. Annual staff training on the Plan

Annual training on the Plan has taken place and will continue for all school staff and includes specific staff duties under the Plan, such as reporting and responding, 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. All staff members hired after the start of the school year will be trained regardless of prior training received in a prior district.

2. Ongoing professional development

Professional development is provided to staff in an effort to create a school climate that promotes safety, civil communication, and respect for differences. Professional development will build the skills of staff members to prevent, identify, and respond to bullying. Initiatives include:

- Administrative training for administrators on Bullying Prevention and Mandates (bi-annually);
- Annual Opening Day of school mandated training for all teachers and staff on the bullying law and procedures;
- New Teacher Orientation "Classroom Management" training;

- Ongoing professional development for all staff focused on building inclusive environments that honor students' unique and intersectional identities.

Currently the BHRSD has trained or is in the process of training staff in the following programs that promote and model the use of respectful language; foster an understanding of and respect for diversity and difference; build relationships and communication with families; constructively manage classroom behaviors; employ positive behavioral intervention and constructive disciplinary practices; teach students explicit skills for positive communication, anger management, and empathy for others; engage students in school or classroom planning and decision-making; and maintain a safe and caring classroom for all students:

- Responsive Classroom
- K-5 – Second Step
- 5-8 - Comprehensive Health
- K-12 – Social Media – Cyber Bullying Curriculum
- Grade 9 -10 - Comprehensive Health Program
- Gr. 5-12 – Advisory Classes

3. Written notice to staff

The district provides all staff with annual notice of the Plan at the beginning of each school year and posts it on the website here, along with the form families can use to report incidences of bullying. This information is also included in the New Teacher Handbook, including sections relating to staff duties and bullying of students by school staff. Sections relating to students are included in student handbooks.

III. ACCESS TO RESOURCES AND SERVICES

1. Current Resources identified in the BHRSD:

At each level age-appropriate interventions are provided for all students, targets and student aggressors, and their families where appropriate:

- Social workers are hired at each elementary school provide groups and counseling for identified targets and student aggressors.
- Middle school counselors and social workers meet individually and lead groups for targets and student aggressors as identified.
- At the high school level, social workers, guidance counselors, and administrators are available to meet with students and follow up on reports.
- Parents are supported by the administration at each level. Resources for parents include, but are not limited to annual:
 - Parent Forums on bullying legislation, cyber-bullying and other anti bullying programs
 - Essential information will be translated for parents in home languages other than English

- Personnel resources include: teachers, guidance counselors, clinicians – general education and special education, school psychologists, school nurses, administrators, coaches, in school and outside resources, school-based safety teams, collaboration with English Language Learners Department, and collaboration with other town agencies.

2. Students with disabilities

If the IEP Team determines that a student’s disability adversely affects social skills development and/or the student may be found to be participating in or is vulnerable to bullying, harassment, or teasing because of his/her disability, the Team considers what should be included in the IEP to develop the student’s skills and proficiencies to avoid and respond to bullying, harassment, or teasing. With the expansion of available social workers within the system, we have been able to expand training on social competency programs such as “Second Step”, “Responsive Classroom” and “Social Thinking.”

IV. ACADEMIC AND NON-ACADEMIC ACTIVITIES

The BHRSD includes bullying prevention and social competency as part of its comprehensive health programming and school wide cross-curricular initiatives. Our goal is to develop school cultures that support teachers to create classroom and school environments that are conducive to building positive relationships. A variety of approaches are taken at the different levels. Currently we are using the following programs and teaching approaches for students -

1. Anti-bullying programs currently in place:

Second Step, Social Thinking, Responsive Classroom, Comprehensive Health classes, Developmental Guidance Programs, and middle and high school advisory groups include the following skills and approaches for students:

- 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 online 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.

General teaching approaches that support bullying prevention efforts include:

- Setting clear expectations for students in regards to behavior, classroom routines, and safety.
- Modeling, teaching, and rewarding pro-social, healthy, and respectful student behavior

- Creating safe school and classroom environments that incorporate an appreciation of differences for all students, 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. This happens through implementation of programs listed above as well as special assemblies put on by the system and groups such as the Gay Straight Alliance, the Drama Department, The Human Rights Commission, and the Anti-Defamation League, etc.;
- Responding immediately to derogatory remarks and reporting all suspected incidences of bullying;
- Using appropriate and positive responses and reinforcement, even when students require discipline, with assistance from guidance counselors and social workers;
- Implementing techniques that promote positive student-teacher relationships;
- Reinforcing positive approaches to behavior, such as collaborative problem-solving, conflict resolution, teamwork, and opportunities to practice positive behavior and healthy social and emotional development in Second Step, Second Step, Responsive Classroom, Social Thinking, middle and high school Advisory groups, and health classes;
- Providing students with media and Internet safety information and authentic dilemmas to discuss in guidance, health, advisory, and other disciplines;
- Supporting students' interest and participation in non-academic and extracurricular activities, particularly in their areas of interest and strength in:
 - After School Programs
 - Clubs
 - Recreation Programs

The District recognizes that certain students may be more vulnerable to becoming a target of bullying or harassment 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 1 or more of these characteristics. The above education and additional resources described herein in support vulnerable students and provide all students with the skills, knowledge and strategies needed to prevent or respond to bullying or harassment.

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

The BHRSD's administration and staff have developed a common plan for procedures on reporting and responding to bullying within the district. The Policies and Procedures subcommittee of the School Committee, in collaboration with the administration, developed a Bullying Prevention [Policy](#). We educate staff, students and parents annually on procedures for reporting and responding when bullying occurs.

1. Reporting bullying or retaliation

- All school and district staff members are required to immediately report to the principal (or other school official as provided below) any instances of bullying or retaliation, about which the staff member becomes aware or witnesses. This includes bullying of a student by another student or by a staff member;
- Staff, students, parents or guardians, and others may report bullying or retaliation orally or by voicemail and/or in writing or by email. Oral reports will be recorded. Students, parents or guardians, and others may request assistance from a staff member to complete a written report. Students are 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;
- Reports made by students, parents or guardians, or other individuals who are not school or district staff members may be made anonymously, orally or in writing, and will also be recorded. However, no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report;
- Reports by school staff, parents or guardians and others should generally be made to the principal or designee. However, if the principal is the alleged aggressor, the report should be made to the Superintendent. In such circumstances, the Superintendent or 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 victim. If the Superintendent is the alleged aggressor, the report should be made to the School Committee, which shall then 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 victim;
- The Incident Report Form is [posted on the website](#) for parents, staff, and students; submissions to this form are sent directly to the Principal and/or the Deputy Superintendent's office.
- The Incident Report Form is not required as a condition of making a report.
- A link to the copy of The Bullying Prevention Plan and The Incident Report Form, including reporting procedures is provided to staff and sent home in the beginning of the year for parents or guardians. Hard copies will be mailed home for those requesting. Report forms and the BHRSD's Bullying Prevention Plan are also available in the school's main office, the counseling office and the school nurse's office.
- The Incident Report Form is made available in other languages upon request.
- A description of the reporting procedures and resources, including the contact information of the principal or designee, will be incorporated in student and staff handbooks, on school and district websites, and be available to parents or guardians, all staff, and all students.

2. Responding to Allegations of Bullying or Retaliation by Students

- a. **Safety:** Before fully investigating the allegations of bullying or retaliation, the principal or designee takes 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 alleged target and/or student 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 takes additional steps to promote safety during the course of and after the investigation as necessary. The principal or designee implements appropriate strategies to protect from bullying or retaliation any student who has reported bullying or retaliation, witnessed bullying or retaliation, provided information during an investigation, or who has reliable information about a reported act of bullying or retaliation.

b. Obligations to Notify Others

- i. ***Notice to parents or guardians.*** Upon determining that bullying or retaliation has occurred, the principal or designee promptly notifies the parents or guardians of the target and the student aggressor of this and of the procedures for responding to it. If bullying is substantiated, the parents or guardians of a victim shall also be notified of the action taken to prevent any further acts of bullying or retaliation. There may be circumstances in which the principal or designee contacts parents or guardians prior to any investigation.
- ii. ***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 promptly notifies by telephone the principal or designee of the other school(s) of the incident so that each school may take appropriate action.
- iii. ***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 notifies the School Resource Officer or 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 contacts the School Resource Officer or 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 consults with the school resource officer, and other individuals the principal or designee deem appropriate, consistent with the Plan and with applicable school or district policies and procedures.

c. Investigation

- i. The principal or designee investigates 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.

- ii. During the investigation the principal or designee may interview students, staff, witnesses, parents or guardians, and others as necessary. The principal or designee reminds the alleged student aggressor, target, and witnesses that retaliation is strictly prohibited and will result in disciplinary action.
- iii. To the extent practicable given his/her obligation to investigate and address the matter, the principal or designee and other staff maintain confidentiality during the investigative process. The principal or designee and other staff maintain a written record of the investigation. All acts of bullying by students that have been investigated and confirmed are recorded in PowerSchool and reported to DESE.
- iv. Procedures for investigating reports of bullying and retaliation are consistent with school or district policies and procedures for investigations. If necessary, the principal or designee will consult with legal counsel about the investigation.

d. Determinations

- i. The principal or designee makes a determination based upon all of the facts and circumstances. If, after an investigation, bullying or retaliation is substantiated, the principal or designee takes steps reasonably calculated to prevent recurrence and to ensure that the target is not restricted in participating in school or benefiting from school activities. The principal or designee:
 - 1. determines what remedial action is required, if any, and
 - 2. determines what corrective actions and/or disciplinary action are necessary.
- ii. Disciplinary measures are left to the administrator's discretion, within the guidelines of the school Code of Conduct and age appropriateness for students, but range from mandatory education to detentions to suspensions. Disciplinary action will balance the need for accountability with teaching appropriate behavior.
- iii. 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 support for the student.
- iv. The principal or designee promptly notifies the parents or guardians of the target and the student aggressor about the results of the investigation and, if bullying or retaliation is found, what action is being taken to prevent further acts of bullying or retaliation. All notice to parents must comply with applicable state and federal privacy laws and regulations. Because of the legal requirements regarding the confidentiality of student records, the principal or designee cannot report specific information to the target's parent or guardian

about the disciplinary action taken unless it involves a “stay away” order or other directive that the target must be aware of in order to report violations.

e. Responses to Bullying:

- i. Upon the principal or designee determining that bullying or retaliation has occurred, the principal, teacher, and school counselor works with students and relevant staff to ensure that the behavior stops. The school principal or designee follows up and monitors the behavior.
- ii. The principal contacts the school counselor, social worker, or special education teacher to determine what appropriate intervention(s) and skill building should be put in place for both the target and student aggressor.
- iii. Social workers, guidance counselors, teachers, special educators, nurses, and administrators respond to bullying incidents with a variety of individualized supports, group interventions, and techniques for students:
 1. Individual counseling with social workers/counselors
 2. Small group counseling (Lunch Bunch)
 3. Other strategies and interventions developed by teacher teams
 4. Ongoing support and consultation for students, i.e. check-ins with counselors, teachers, the nurse, and/or administrators
 5. Classroom social competency instruction
 6. Assemblies and special programs that address school climate, bullying, bystanders, etc.
 7. District and school speaker forums, educational groups, and resources on websites and in school bulletins to support parents to reinforce the skills and techniques for social and emotional development at home
 8. Further intervention(s) when deemed appropriate.
- iv. Individual Educational Plans that focus on skill development and safety and provide appropriate resources as determined by the IEP team

f. Taking Disciplinary Action

- i. If the principal or designee decides that disciplinary action is appropriate for a student, the disciplinary action is 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.
- ii. Disciplinary actions are consistent with the Plan and with the school or district’s code of conduct. If the principal or designee determines that a student knowingly made a false allegation of bullying or retaliation, that student is subject to disciplinary action as well.
- iii. The special education department has consulted to ensure compliance with the Individuals with Disabilities Education Act (IDEA), 504 ADA, and state regulations.

g. Promoting Safety for the Target and Others

- i. The principal or designee considers what adjustments, if any, are needed in the school environment to enhance the target's sense of safety and that of others.
- ii. The principal or designee increases adult supervision at transition times and in locations where bullying is known to have occurred or is likely to occur.
- iii. Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the principal or designee contacts 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 works with appropriate school staff to implement these immediately.

3. Responding to Allegations 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. School officials will develop a method to record confirmed acts of bullying by staff.

4. Problem Resolution System

Regardless of the outcome of the bullying determination, the principal or designee shall inform the parent or guardian of the target about the Massachusetts Department of Elementary and Secondary Education's problem resolution system and the process for accessing that system. Any parent wishing to file a claim/concern or seeking assistance outside of the school district may do so with the MA Department of Elementary and Secondary Education Problem Resolution System (PRS). Information about the PRS can be found at <http://www.doe.mass.edu/pga> or individuals may send emails to compliance@doe.mass.edu or may call 781-338-3700. In addition, the Superintendent's office has hard copies of information about the PRS.

VI. COLLABORATION WITH FAMILIES

The district recognizes that parent participation is a crucial component of a student's education and that no school district is able to address all students' needs and development without parental support and involvement.

- The district has school PTOs, School Councils, Special Education Parent Advisory Committee, English Language Learners Parent Advisory Committee, and other educational organizations.

Parent education and resources:

- Annually parents receive the "Parent Notification Law," which outlines the bullying prevention topics covered in health classes. School open house events each fall provide information and syllabi on health topics being covered.
- The annual Parent Notification Letter sent home includes: information about the dynamics of bullying and cyberbullying, on the reporting process and location of Suspected Bullying Incident Report Forms.
- The Bullying Prevention and Intervention Plan is posted on school and the district websites in addition to parental written notice each year about the student-related sections of the Plan and district's Internet safety policy.
- The Acceptable Use Policy references the Code of Conduct that addresses cyberbullying, both of which require sign off by the student and parent/guardian.
- Accessibility of information at a variety of locations, in the language(s) most prevalent among parents or guardians, and in multi-dimensional means such as email, hard copy, websites, cable TV, workshops, PTOs, SEPAC, and School Councils.
- Special education students receive all general education communication through their district school appropriate to their placement. They also have reports from special education service providers on the same schedule as those provided by general education providers. Additionally, IEP teams meet annually and develop communication plans related to all services as part of the annual IEP proposal.

The social workers in each building provide a conduit or specialized communication based on individual student needs.

VII. PROHIBITION AGAINST BULLYING AND RETALIATION

Acts of bullying, which include cyberbullying, are prohibited:

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

Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying is also prohibited. As stated in M.G.L. c. 71, § 37O, nothing in this Plan requires the district or school to staff any non-school related activities, functions, or programs.

VIII. DEFINITIONS

Several of the following definitions are copied directly from M.G.L. c. 71, § 37O, as noted below.

Aggressor is a student or staff member who engages in bullying, cyberbullying, or retaliation.

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

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

Cyberbullying is bullying through the use of technology or electronic devices such as telephones, cell phones, computers, and the Internet. It includes, but is not limited to, email, instant messages, text messages, and Internet postings. Cyber-bullying shall also include (i) the creation of a web page or blog in which the creator assumes the identity of another person or (ii) the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in clauses of the definition of bullying. Cyber-bullying shall also include the distribution by electronic means of a

communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in clauses inclusive, of the definition of bullying. See M.G.L. c. 71, § 37O for the legal definition of cyberbullying.

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.

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

Target/victim is a student against whom bullying, cyberbullying, or retaliation has been perpetrated.

IX. 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, sex, religion, national origin, or sexual orientation. 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 37H3/4, M.G.L. c. 71, §§ 42 or 42D, other applicable laws, or local school or district policies in response to violent, harmful, disruptive, or other inappropriate behavior by students or staff, regardless of whether the Plan covers the behavior.

REFERENCE:

File: [AD](#) – Vision, Mission, and Strategic Priorities

File: [JICFB](#) – Bullying

Academic Instruction

BHRSD shall provide age-appropriate instruction on bullying prevention in each grade. This instruction shall be incorporated into the curriculum, be evidence-based, and information about it must be made available to parents and guardians. The District will annually report bullying incident data to the Department of Elementary and Secondary Education.

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

Students not yet eligible for special education or a 504 Plan

A child who has not been determined to be eligible for special education and related services or a 504 Plan and who has engaged in behavior that violates a code of student conduct may be eligible for the protections described above if the school has reason to suspect that the child has a disability and is in need of services. Please contact the Director of Student Services, Kate Burdsall, for more information (413-298-4017 ext. 14).

File ACAB

**BERKSHIRE HILLS REGIONAL SCHOOL DISTRICT
SEXUAL HARASSMENT/ TITLE IX POLICY**

The District does not discriminate on the basis of sex and prohibits sex discrimination in any education program or activity that it operates, as required by Title IX, including in admission and employment.

Inquiries about Title IX may be referred to the District’s Title IX Coordinator, the U.S. Department of Education’s Office for Civil Rights, or both. The District’s Title IX Coordinator is Kate Burdsall, Director of Student Services; 50 Main Street, Stockbridge, MA; 413-298-4017 ext. 714; kate.burdsall@bhrsd.org. The District’s Title IX Coordinator may delegate specific duties to one or more designees as the Title IX Coordinator finds appropriate.

The District’s nondiscrimination policy and grievance procedures can be located below. The District has adopted these grievance procedures to provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating or attempting to participate in its education program or activity, or by the Title IX Coordinator, alleging any action that would be prohibited by Title IX or the Title IX regulations.

To report information about conduct that may constitute sex discrimination or make a complaint of sex discrimination under Title IX, please refer to the procedures below.

Definitions

Discrimination on the basis of sex includes discrimination on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity.

Under state law, sexual harassment is sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature constitute sexual harassment under Massachusetts law when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's advancement (quid pro quo harassment);

- Submission to or rejection of such conduct by an individual is used as the basis for employment decisions;
- Such conduct interferes with an individual's job duties; or
- The conduct creates an intimidating, hostile or offensive work environment.

Under Federal law, sex-based harassment is a form of sex discrimination and means sexual harassment and other harassment on the basis of sex, including on the basis of sex stereotypes, sex characteristics, pregnancy or related conditions, sexual orientation, and gender identity, that is:

- *Quid pro quo harassment.* An employee, agent, or other person authorized by the District to provide an aid, benefit, or service under the District's education program or activity explicitly or impliedly conditioning the provision of such an aid, benefit, or service on a person's participation in unwelcome sexual conduct;
- *Hostile environment harassment.* Unwelcome sex-based conduct that, based on the totality of the circumstances, is subjectively and objectively offensive and is so severe or pervasive that it limits or denies a person's ability to participate in or benefit from the District's education program or activity (*i.e.*, creates a hostile environment). Whether a hostile environment has been created is a fact-specific inquiry that includes consideration of the following:
 - o The degree to which the conduct affected the complainant's ability to access the District's education program or activity;
 - o The type, frequency, and duration of the conduct;
 - o The parties' ages, roles within the District's education program or activity, previous interactions, and other factors about each party that may be relevant to evaluating the effects of the conduct;
 - o The location of the conduct and the context in which the conduct occurred; and
 - o Other sex-based harassment in the District's education program or activity.
- *Specific offenses.*
 - o Sexual assault meaning an offense classified as a forcible or nonforcible sex offense under the uniform crime reporting system of the Federal Bureau of Investigation;
 - o Dating violence meaning violence committed by a person:
 - § Who is or has been in a social relationship of a romantic or intimate nature with the victim; and
 - § Where the existence of such a relationship shall be determined based on a consideration of the following factors:
 - The length of the relationship;
 - The type of relationship; and
 - The frequency of interaction between the persons involved in the relationship;
 - o Domestic violence meaning felony or misdemeanor crimes committed by a person who:
 - § Is a current or former spouse or intimate partner of the victim under the family or domestic violence laws of the jurisdiction of the District, or a person similarly situated to a spouse of the victim;
 - § Is cohabitating, or has cohabitated, with the victim as a spouse or intimate partner;

- § Shares a child in common with the victim; or
- § Commits acts against a youth or adult victim who is protected from those acts under the family or domestic violence laws of the jurisdiction; or
- Stalking meaning engaging in a course of conduct directed at a specific person that would cause a reasonable person to:
 - o Fear for the person’s safety or the safety of others; or
 - o Suffer substantial emotional distress

The following additional definitions apply:

“Complainant” means:

- A student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or its regulations; or
- A person other than a student or employee who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX or its regulations and who was participating or attempting to participate in the District’s education program or activity at the time of the alleged sex discrimination.

“Complaint” means an oral or written request to the District that objectively can be understood as a request for the District to investigate and make a determination about alleged discrimination under Title IX or its regulations. The Title IX Coordinator will file this complaint if the Title IX Coordinator determines that the conduct as alleged presents an imminent and serious threat to the health or safety of the complainant or other person, or that the conduct as alleged prevents the District from ensuring equal access on the basis of sex to its education program or activity. The following factors go into the decision by the Title IX Coordinator:

- The complainant’s request not to proceed with initiation of a complaint;
- The complainant’s reasonable safety concerns regarding initiation of a complaint;
- The risk that additional acts of sex discrimination would occur if a complaint is not initiated;
- The severity of the alleged sex discrimination, including whether the discrimination, if established, would require the removal of a respondent from campus or imposition of another disciplinary sanction to end the discrimination and prevent its recurrence;
- The age and relationship of the parties, including whether the respondent is an employee of the District;
- The scope of the alleged sex discrimination, including information suggesting a pattern, ongoing sex discrimination, or sex discrimination alleged to have impacted multiple individuals;
- The availability of evidence to assist a decisionmaker in determining whether sex discrimination occurred; and
- Whether the District could end the alleged sex discrimination and prevent its recurrence without initiating its grievance procedures.

“Disciplinary sanctions” means consequences imposed on a respondent following a determination under Title IX that the respondent violated the District’s prohibition on sex discrimination.

“Relevant” means related to the allegations of sex discrimination under investigation as part of these grievance procedures. Questions are relevant when they seek evidence that may aid in showing whether the alleged sex discrimination occurred, and evidence is relevant when it may aid a decisionmaker in determining whether the alleged sex discrimination occurred.

“Remedies” means measures provided, as appropriate, to a complainant or any other person the District identifies as having had their equal access to the District’s education program or activity limited or denied by sex discrimination. These measures are provided to restore or preserve that person’s access to the District’s education program or activity after a District determines that sex discrimination occurred.

“Respondent” means a person who is alleged to have violated the District’s prohibition on sex discrimination.

“Retaliation” means intimidation, threats, coercion, or discrimination against any person by the District, a student, or an employee or other person authorized by the District to provide aid, benefit, or service under the District’s education program or activity, for the purpose of interfering with any right or privilege secured by Title IX or its regulations, or because the person has reported information, made a complaint, testified, assisted, or participated or refused to participate in any manner in an investigation, proceeding, or hearing under the Title IX regulations.

“Respondent” means an individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

“Supportive measures” means individualized measures offered as appropriate, as reasonably available, without unreasonably burdening a complainant or respondent, not for punitive or disciplinary reasons, and without fee or charge to the complainant or respondent to:

- Restore or preserve that party’s access to the District’s education program or activity, including measures that are designed to protect the safety of the parties or the District’s educational environment; or
- Provide support during the District’s grievance procedures or during an informal resolution process.

“Parental status” means the status of a person who, with respect to another person who is under the age of 18 or who is 18 or older but is incapable of self-care because of a physical or mental disability, is:

- A biological parent;
- An adoptive parent;
- A foster parent;
- A stepparent;
- A legal custodian or guardian;

- In loco parentis with respect to such a person; or
- Actively seeking legal custody, guardianship, visitation, or adoption of such a person

“Pregnancy or related conditions” means:

- Pregnancy, childbirth, termination of pregnancy, or lactation;
- Medical conditions related to pregnancy, childbirth, termination of pregnancy, or lactation; or
- Recovery from pregnancy, childbirth, termination of pregnancy, lactation, or related medical conditions.
-

Complaints and Reports of Sexual Harassment

The following people have a right to make a complaint of sex discrimination, including complaints of sex-based harassment, requesting that the District investigate and make a determination about alleged discrimination under Title IX:

A “complainant,” which includes:

- a student or employee of the District who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX; or
- a person other than a student or employee of the District who is alleged to have been subjected to conduct that could constitute sex discrimination under Title IX at a time when that individual was participating or attempting to participate in the District’s education program or activity;
- A parent, guardian, or other authorized legal representative with the legal right to act on behalf of a complainant; or
- the District’s Title IX Coordinator

Note that a person is entitled to make a complaint of sex-based harassment only if they themselves are alleged to have been subjected to the sex-based harassment, if they have a legal right to act on behalf of such person, or if the Title IX Coordinator initiates a complaint consistent with the requirements of 34 C.F.R. § 106.44(f)(1)(v).

With respect to complaints of sex discrimination other than sex-based harassment, in addition to the people listed above, the following persons have a right to make a complaint:

- Any student or employee of the District; or
- Any person other than a student or employee who was participating or attempting to participate in the District’s education program or activity at the time of the alleged sex discrimination.

The District may consolidate complaints of sex discrimination against more than one respondent, or by more than one complainant against one or more respondents, or by one party against another party, when the allegations of sex discrimination arise out of the same facts or circumstances. The District cannot consolidate if it would violate FERPA. Consolidation would not violate FERPA when a District obtains prior written consent from the parents or eligible students to the disclosure of their education records.

The District will address a sex- based hostile environment allegation under its education program or activity, even when some conduct alleged to be contributing to the hostile environment occurred outside the District’s education program or activity or outside the United States.

Obligation to Report

All employees must notify the building principal or the Title IX Coordinator when the employee has information about conduct that reasonably may constitute sex discrimination under Title IX.

Informal Resolution

In lieu of resolving a complaint through the District’s Title IX grievance procedures, the parties may instead elect to participate in an informal resolution process. The District does not offer informal resolution to resolve a complaint that includes allegations that an employee engaged in sex-based harassment of an elementary school or secondary school student, or when such a process would conflict with Federal, State, or local law.

Facilitators of informal resolution will be designated by the Title IX Coordinator and must not be biased against any of the parties. Prior to beginning informal resolution, the Title IX Coordinator will send notice to the parties of the process and their rights.

Informal resolution is entirely voluntary. Parties may elect to pursue formal procedures at any step in the process of making their complaint, including prior to filing one.

If the complainant and the respondent feel that their grievances have been sufficiently addressed via informal resolution, then no further action needs to be taken. This voluntary conversation must occur within thirty (30) school days after receiving the allegations, unless both parties agree otherwise. The results of an informal resolution shall be maintained by the facilitator, in writing.

Supportive Measures

Upon receiving actual notice of alleged sexual harassment without a formal complaint, staff members must notify the Title IX Coordinator. The Title IX Coordinator must then contact the complainant within five school days of receiving the complaint and do the following:

- Discuss and offer supportive measures;
- Consider the complainant’s wishes with respect to supportive measures;
- Explain that supportive measures may be received with or without filing a complaint;
- Determine whether the complainant wishes to file a complaint; and
- Explain to the complainant the purpose of filing a complaint.

The Title IX Coordinator must document in writing the supportive measures offered/provided or why no supportive measures were offered/provided.

A respondent will be offered supportive measures if the District has initiated a Title IX complaint or if the District has offered informal resolution. If the Title IX Coordinator is initiating the complaint, the Title IX Coordinator will notify the complainant prior to doing so and appropriately address reasonable concerns about the complainant's safety or the safety of others, including by providing supportive measures.

Supportive measures may include counseling, extensions of deadlines or other course-related adjustments, modifications of work or class schedules, campus escort services, mutual restrictions on contact between the parties, changes in work or housing locations, leaves of absence, increased security and monitoring of certain areas of the campus, and other similar measures. The district must maintain as confidential any supportive measures provided to the complainant or respondent, to the extent that maintaining such confidentiality would not impair the ability of the District to provide the supportive measures.

If the complainant or respondent is a student with a disability, the Title IX Coordinator will consult with one or more members, as appropriate, of the student's IEP or 504 Team to determine how to comply with the requirements of the Individuals with Disabilities Education Act, 20 U.S.C. 1400 *et seq.*, and Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, in the implementation of supportive measures.

Grievance Process Overview

During the grievance process, the District will treat complainants and respondents equally. The District requires that any Title IX Coordinator, investigator, or decisionmaker not have a conflict of interest or bias for or against complainants or respondents generally or an individual complainant or respondent. A decisionmaker may be the same person as the Title IX Coordinator or investigator.

The District presumes that the respondent is not responsible for the alleged sex discrimination until a determination is made at the conclusion of its grievance procedures.

The District has established the following timeframes for the major stages of the grievance procedures:

- Within five business days, the District will decide whether to dismiss or investigate a complaint.
- Within sixty business days, the District will investigate and decide on the complaint.
- The parties will have ten calendar days to appeal a decision from the decision-maker or of a decision to dismiss the complaint. The District will decide an appeal within thirty calendar days of receipt.

The District will provide all parties with a reasonable extension of timeframes on a case-by-case basis for good cause with notice to the parties that includes the reason for the delay. If a party is seeking an extension, they should request an extension from the Title IX Coordinator in writing, explaining the reasons for the requested extension. The Title IX Coordinator will rule on the extension in writing to all parties. If the District requires an extension for good cause, it will notify all the parties of the reasons.

The District will take reasonable steps to protect the privacy of the parties and witnesses during its grievance procedures. These steps will not restrict the ability of the parties to obtain and present evidence, including by speaking to witnesses; consult with their family members, confidential resources, or advisors; or otherwise prepare for or participate in the grievance procedures. The parties cannot engage in retaliation, including against witnesses.

The District will objectively evaluate all evidence that is relevant and not otherwise impermissible—including both inculpatory and exculpatory evidence. Credibility determinations will not be based on a person's status as a complainant, respondent, or witness.

The following types of evidence, and questions seeking that evidence, are impermissible (*i.e.*, will not be accessed or considered, except by the District to determine whether one of the exceptions listed below applies; will not be disclosed; and will not otherwise be used), regardless of whether they are relevant:

- Evidence that is protected under a privilege recognized by Federal or State law unless the person to whom the privilege or confidentiality is owed has voluntarily waived the privilege or confidentiality;
- A party's or witness's records that are made or maintained by a physician, psychologist, or other recognized professional or paraprofessional in connection with the provision of treatment to the party or witness, unless the District obtains that party's or witness's voluntary, written consent for use in its grievance procedures; and
- Evidence that relates to the complainant's sexual interests or prior sexual conduct, unless evidence about the complainant's prior sexual conduct is offered to prove that someone other than the respondent committed the alleged conduct or is evidence about specific incidents of the complainant's prior sexual conduct with the respondent that is offered to prove consent to the alleged sex-based harassment. The fact of prior consensual sexual conduct between the complainant and respondent does not by itself demonstrate or imply the complainant's consent to the alleged sex-based harassment or preclude determination that sex-based harassment occurred.

Notice of Allegations:

Upon initiation of the District's Title IX grievance procedures, the District will notify the parties of the following:

- the District's Title IX grievance procedures and any informal resolution process;
- Sufficient information available at the time to allow the parties to respond to the allegations, including the identities of the parties involved in the incident(s), the conduct alleged to constitute sex discrimination, and the date(s) and location(s) of the alleged incident(s);
- Retaliation is prohibited; and
- The parties are entitled to an equal opportunity to access the relevant and not otherwise impermissible evidence.

If, in the course of an investigation, the District decides to investigate additional allegations of sex discrimination by the respondent toward the complainant that are not included in the notice provided or that are included in a complaint that is consolidated, the District will notify the parties of the additional allegations.

Dismissal of a Complaint:

The District may dismiss a complaint of sex discrimination if:

- the District is unable to identify the respondent after taking reasonable steps to do so;
- The respondent is not participating in the District's education program or activity and is not employed by the District;
- The complainant voluntarily withdraws any or all of the allegations in the complaint, the Title IX Coordinator declines to initiate a complaint, and the District determines that, without the complainant's withdrawn allegations, the conduct that remains alleged in the complaint, if any, would not constitute sex discrimination under Title IX even if proven; or
- the District determines the conduct alleged in the complaint, even if proven, would not constitute sex discrimination under Title IX. Before dismissing the complaint, the District will make reasonable efforts to clarify the allegations with the complainant.

Upon dismissal, the District will promptly notify the complainant of the basis for the dismissal. If the dismissal occurs after the respondent has been notified of the allegations, then the District will also notify the respondent of the dismissal and the basis for the dismissal promptly following notification to the complainant, or simultaneously if notification is in writing.

The District will notify the complainant that a dismissal may be appealed and will provide the complainant with an opportunity to appeal the dismissal of a complaint. If the dismissal occurs after the respondent has been notified of the allegations, then the District will also notify the respondent that the dismissal may be appealed. Dismissals may be appealed on the following bases:

- Procedural irregularity that would change the outcome;
- New evidence that would change the outcome and that was not reasonably available when the dismissal was made; and
- The Title IX Coordinator, investigator, or decisionmaker had a conflict of interest or bias for or against complainants or respondents generally or the individual complainant or respondent that would change the outcome.

If the dismissal is appealed, the District will:

- Notify the parties of any appeal, including notice of the allegations, if notice was not previously provided to the respondent;
- Implement appeal procedures equally for the parties;

- Ensure that the decisionmaker for the appeal did not take part in an investigation of the allegations or dismissal of the complaint;
- Ensure that the decisionmaker for the appeal has been trained consistent with the Title IX regulations;
- Provide the parties a reasonable and equal opportunity to make a statement in support of, or challenging, the outcome; and
- Notify the parties of the result of the appeal and the rationale for the result.

When a complaint is dismissed, the District will, at a minimum:

- Offer supportive measures to the complainant as appropriate;
- If the respondent has been notified of the allegations, offer supportive measures to the respondent as appropriate; and
- Take other prompt and effective steps, as appropriate, through the Title IX Coordinator to ensure that sex discrimination does not continue or recur within the District’s education program or activity.

Investigation:

The District will provide for adequate, reliable, and impartial investigation of complaints.

The burden is on the District—not on the parties—to conduct an investigation that gathers sufficient evidence to determine whether sex discrimination occurred.

The District uses a single investigator/decision-maker.

The District will provide an equal opportunity for the parties to present fact witnesses and other inculpatory and exculpatory evidence that are relevant and not otherwise impermissible.

The District will review all evidence gathered through the investigation and determine what evidence is relevant and what evidence is impermissible regardless of relevance.

The District will provide each party with an equal opportunity to access the evidence that is relevant to the allegations of sex discrimination and not otherwise impermissible, in the following manner:

- the District will provide an equal opportunity to access either the relevant and not otherwise impermissible evidence;
- the District will provide a reasonable opportunity to respond to the evidence; and
- the District will take reasonable steps to prevent and address the parties’ unauthorized disclosure of information and evidence obtained solely through the grievance procedures. Disclosures of such information and evidence for purposes of administrative proceedings or litigation related to the complaint of sex discrimination are authorized.

Questioning the Parties and Witnesses:

The District will require the decisionmaker to question parties and witnesses to adequately assess a party's or witness's credibility to the extent credibility is both in dispute and relevant to evaluating one or more allegations of sex discrimination. The decisionmaker will question witnesses and parties directly to make this determination.

Determination Whether Sex Discrimination Occurred:

Following an investigation and evaluation of all relevant and not otherwise impermissible evidence, the District will:

Use the preponderance of the evidence standard of proof to determine whether sex discrimination occurred. The standard of proof requires the decisionmaker to evaluate relevant and not otherwise impermissible evidence for its persuasiveness. If the decisionmaker is not persuaded under the applicable standard by the evidence that sex discrimination occurred, whatever the quantity of the evidence is, the decisionmaker will not determine that sex discrimination occurred.

The decision maker will:

- Notify the parties in writing of the determination whether sex discrimination occurred under Title IX including the rationale for such determination, and the procedures and permissible bases for the complainant and respondent to appeal, if applicable;
- Not impose discipline on a respondent for sex discrimination prohibited by Title IX unless there is a determination at the conclusion of the grievance procedures that the respondent engaged in prohibited sex discrimination.
- If there is a determination that sex discrimination occurred, the Title IX Coordinator will, as appropriate:
 - o Coordinate the provision and implementation of remedies to a complainant and other people the District identifies as having had equal access to the District's education program or activity limited or denied by sex discrimination;
 - o Coordinate the imposition of any disciplinary sanctions on a respondent, including notification to the complainant of any such disciplinary sanctions; and
 - o Take other appropriate prompt and effective steps to ensure that sex discrimination does not continue or recur within the District's education program or activity.
 - o Comply with the grievance procedures before the imposition of any disciplinary sanctions against a respondent; and
 - o Not discipline a party, witness, or others participating in the grievance procedures for making a false statement or for engaging in consensual sexual conduct based solely on the determination whether sex discrimination occurred.

Following a determination that sex-based harassment occurred, the District may impose disciplinary sanctions, which may include revocation of privileges, detentions, suspensions or expulsions. the District may also

provide remedies, which may include supportive measures, counseling, stay away orders, class switches or any additional measures that are appropriate.

After the grievance process, the District may as appropriate, modify or terminate supportive measures. If the District does so, it will provide the parties to timely seek from an appropriate and impartial employee, modification or reversal of the District's decision to provide, deny, modify, or terminate supportive measures applicable to them. The impartial employee will be someone other than the employee who made the challenged decision and must have authority to modify or reverse the decision, if the impartial employee determines that the decision to provide, deny, modify, or terminate the supportive measure was inconsistent with the definition of supportive measures. The District will also provide a party with the opportunity to seek additional modification or termination of a supportive measure applicable to them if circumstances change materially.

Appeal

The District offers the following process for appeals from a determination whether sex discrimination occurred:

- Any party may appeal the decision in writing to the Superintendent within ten (10) school days of receipt of the findings of the formal procedure.
- The school district will notify the other party in writing when an appeal is filed and implement appeal procedures equally for both parties. Both parties will have a reasonable, equal opportunity to submit a written statement in support of, or challenging, the outcome.
- The Superintendent or designee, as a further impartial decision-maker, will review the comprehensiveness and accuracy of the investigation and the conclusions, and issue written findings to both the complainant and respondent within thirty (30) school days of the appeal.

Contact information for the Superintendent:

Dr. Peter Dillon, Superintendent
Berkshire Hills Regional School District
50 Main Street - P. O. Box 617
Stockbridge, MA 01262
413-298-4017, 719
peter.dillon@bhrsd.org

Training

All employees will be trained annually and upon hire on:

- the District's obligation to address sex discrimination in its education program or activity;

- The scope of conduct that constitutes sex discrimination, including the definition of sex-based harassment; and
- All applicable notice and information requirements.

All investigators, facilitators of informal resolution, decisionmakers and other persons responsible for supportive measures/Title IX process will have additional training on:

- The District's grievance procedures;
- How to serve impartially, including by avoiding prejudgment of the facts at issue, conflicts of interest, and bias;
- The meaning and application of the term "relevant" in relation to questions and evidence, and the types of evidence that are impermissible regardless of relevance; and
- rules and practices associated with the district's informal resolution process and on how to serve impartially, including by avoiding conflicts of interest and bias.

In addition, the Title IX Coordinator and designees will receive training on their specific responsibilities, recordkeeping and any other training necessary to implement Title IX.

Records

A record will be maintained for a period of seven years of any actions, including supportive measures or informal resolution, taken in response to a report or complaint and district staff will document the basis for the district's conclusion that its response was not deliberately indifferent.

External Grievance Procedure

Any student, parent or employee who chooses not to use the District's internal grievance procedures or who is not satisfied with the District's internal grievance procedures may file a complaint of discrimination or harassment with an appropriate state or federal agency.

For complaints related to discrimination/harassment of students:

The Office for Civil Rights, US Department of Education

5 Post Office Square, 8th Floor

Boston, MA 02109-3921

Telephone: 617-289-0111, FAX: 617-289-0150, TDD: 877-521-2172

OR

The Massachusetts Commission Against Discrimination

One Ashburton Place

Sixth Floor, Room 601

Boston, MA 02108

Phone 617-994-6000, TTY: 617-994-6196

For complaints related to discrimination/harassment of parents:

The Office for Civil Rights, US Department of Education
5 Post Office Square, 8th Floor
Boston, MA 02109-3921
Telephone: 617-289-0111, FAX: 617-289-0150, TDD: 877-521-2172

For complaints related to discrimination/harassment of employees:

The Office for Civil Rights, US Department of Education
5 Post Office Square, 8th Floor
Boston, MA 02109-3921
Telephone: 617-289-0111, FAX: 617-289-0150, TDD: 877-521-2172

OR

The Massachusetts Commission Against Discrimination

One Ashburton Place
Sixth Floor, Room 601
Boston, MA 02108
Phone 617-994-6000, TTY: 617-994-6196

OR

The Equal Employment Opportunities Commission

John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
Phone: 1-800-669-4000

Referral to Law Enforcement, Other Agencies

Some alleged conduct may constitute both a violation of District policies and criminal activity. The building Principal, coordinator, Superintendent, or designee will refer matters to law enforcement and other agencies as appropriate under the law or District policy, and inform the complainant/ alleged victim of the right to file a criminal complaint.

Retaliation

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

DUE PROCESS FOR SUSPENSIONS

ALTERNATIVE REMEDIES FOR DISCIPLINARY CONSEQUENCES

Prior to issuing any disciplinary consequences pursuant to G.L. c. 71, § 37H ¾ and not subject to G.L. c. 71, §§ 37H and 37H ½, as discussed below, the Principal or designee will consider alternative remedies to such consequences. This policy applies only to short-term or long-term suspensions, emergency removals or in-school suspensions, or expulsions that are not issued under G.L. c. 71, §§ 37H and 37H ½. This policy does not apply to disciplinary consequences issued under G.L. c. 71, §§ 37H and 37H ½, which include: assault of educational staff, possession of controlled substances or a dangerous weapon on school grounds, and felony charges or conviction.

The Principal or designee will consider methods to re-engage the student in the learning process when deciding disciplinary consequences for the student. Specifically, the Principal or designee will consider and use alternative remedies including but not limited to mediation, conflict resolution, restorative justice, and collaborative problem solving. The use and results of such alternative remedies will be documented in writing. The Principal or designee will consider, use to the extent possible, and document in writing such alternative remedies before the Principal or designee may suspend or expel a student. The Principal will also implement school or district models to re-engage students in the learning process, including positive behavioral intervention and support models and trauma sensitive learning models. The Principal or designee will not implement such models in direct response to a specific incident.

The Principal or designee will document specific reasons where alternative remedies are unsuitable or counter-productive, and/or where the student's continued presence in school would pose a specific, documentable concern about the infliction of serious bodily injury or other serious harm on another while in school.

NOTICE OF PROPOSED SUSPENSION

Except in the case of an emergency removal or disciplinary offense defined under M.G.L. c. 71, §§37H or 37H1/2 or an in-school suspension as defined by 603 CMR 53.02(6), the school shall provide the student and parent/guardian with written and oral notice of the proposed out-of-school suspension, an opportunity to be heard at hearing, and the opportunity to participate at the hearing.

Notice shall set forth in plain language:

1. the disciplinary offense;
2. the basis for the charge;
3. the potential consequences, including the potential length of the student's suspension;
4. the opportunity for the student to have a hearing with the principal concerning the
5. proposed suspension, including the opportunity to dispute the charges and to present
6. the student's explanation of the alleged incident, and for the parent/guardian to attend
7. the hearing;

8. the date, time, and location of the hearing;
9. the right of the student and student's parent/guardian to interpreter services at the
10. hearing if needed to participate;

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

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

SHORT-TERM SUSPENSIONS: HEARING AND PRINCIPAL DETERMINATION

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

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

Based on the available information, including mitigating circumstances, the principal will make a determination whether the student committed the disciplinary offense, and if so, the consequence. The principal will provide notification in writing of his/her determination in the form of an update to the student and parent/guardian, and provide reasons for the determination. If the student is suspended, the principal shall inform the parent/guardian of the type and duration of the suspension, and shall provide an opportunity for the student to make up assignments and other school work as needed to make academic progress during the period of removal. If the student is in grades pre-k through 3, the principal shall send his/her determination to the superintendent and explain the reasons prior to imposing an out-of-school suspension, before the short-term suspension takes effect. All written communications regarding the hearing and principal determination shall be either hand delivery or delivered by first-class mail, certified mail, or email to the address provided by the parent/guardian for school communications (or other method agreed to by the

principal and parent/guardian) in English, and in the primary language in the home if other than English, or other means of communication where appropriate.

LONG-TERM SUSPENSIONS: HEARING AND PRINCIPAL DETERMINATION

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

Additionally, the student shall have the following additional rights:

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

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

1. Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing;
2. Set out key facts and conclusions reached by the principal;
3. Identify the length and effective date of the suspension, as well as a date of return to school;

4. Include notice of the student's opportunity to receive a specific list of education services to make academic progress during removal, and the contact information of a school member who can provide more detailed information.
5. Inform the student of the right to appeal the principal's decision to the superintendent or his/her designee (only if a long-term suspension has been imposed) within five (5) calendar days, which may be extended by parent/guardian request in writing an additional seven (7) calendar days.

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

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

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

APPEAL OF LONG-TERM SUSPENSION

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

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

EMERGENCY REMOVAL

A student may be temporarily removed prior to notice and hearing when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school and, in the principal's judgment, there is no alternative available to alleviate the danger or disruption. The temporary removal shall not exceed two (2) school days, following the day of the emergency removal. During the emergency removal the principal shall make immediate and reasonable efforts to orally notify the student and student's parent/guardian of the emergency removal and the reason for the emergency removal. The principal may not remove a student from school on an emergency basis for a disciplinary offense until

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

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

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

In-school suspension is defined as the removal of a student from regular classroom activities, but not the school premises, for not more than ten (10) consecutive school days, or no more than ten (10) school days cumulatively for multiple infractions over the course of the school year. An in-school suspension may be used as an alternative to short-term suspension.

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

The principal shall inform the student of the disciplinary offense charged and the basis for the charge, and provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident. If the principal determines that the student committed the disciplinary offense, the principal shall inform the student of the length of the student's in-school suspension, which shall not exceed ten (10) days, cumulatively or consecutively, in a school year. On the same day as the in-school suspension decision, the principal shall make reasonable efforts to notify the parent orally of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension. The principal shall also invite the parent to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. Such meeting shall be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the principal is unable to reach the parent after making and documenting at least two (2) attempts to do so, such attempts shall constitute reasonable efforts for purposes of orally informing the parent of the in-school suspension.

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

SUSPENSION OR EXPULSION FOR DISCIPLINARY OFFENSES UNDER M.G.L. 71 §§37H and 37H1/2

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

- Possession of a dangerous weapon, possession of a controlled substance, or assault of staff. A student may be subject to expulsion if found in possession of a dangerous weapon, possession of a controlled substance, or the student assaults a member of educational staff.

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

- Felony complaint or issuance of felony delinquency complaint

Upon the issuance of a criminal complaint charging a student with a felony, or the issuance of a felony delinquency complaint against a student, the Principal may suspend a student for a period of time determined appropriate by the Principal if the Principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The Principal shall notify the student in writing of the charges, the reasons for the suspension (prior to such suspension taking effect), and the right to appeal. The Principal will also provide the student and parent(s)/guardian(s) the process for appealing the suspension to the Superintendent. The request for appeal must be made in writing within five (5) calendar days. The hearing shall be held within three (3) days of the request. The suspension shall remain in effect prior to any appeal hearing before the Superintendent. At the hearing, the student shall have the right to present oral and written testimony, and the right to counsel. The Superintendent has the authority to overturn or alter the decision of the Principal. The Superintendent shall render a decision on the appeal within five (5) calendar days of the hearing.

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

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

The student shall receive written notification of the charges and reasons for the proposed expulsion. The student shall also receive written notification of his right to appeal the

decision to the Superintendent, as well as the appeal process. The expulsion shall remain in effect prior to any appeal hearing conducted by the Superintendent.

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

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

SCHOOL-WIDE EDUCATION SERVICE PLAN FOR STUDENTS ON SHORT- OR LONG-TERM SUSPENSION

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

(2) Any student who is expelled or suspended from school for more than ten consecutive days, whether in school or out of school, shall have an opportunity to receive education services and to make academic progress toward meeting state and local requirements, through the school-wide education service plan.

(3) Each school has a process for developing school-wide education service plans for education services that the school district will make available to students who are expelled or suspended from school for more than ten consecutive days.

(4) Notice of Education Services for Students in Long-Term Suspension and Expulsion; Enrollment Reporting.

1. The principal shall notify the parent and student of the opportunity to receive education services at the time the student is expelled or placed on long-term suspension. Notice shall be provided in English and in the primary language spoken in the student's home if other than English, or other means of communication where appropriate. The notice shall include a list of the specific education services that are available to the student and contact information for a school district staff member who can provide more detailed information.
2. For each student expelled or suspended from school for more than ten consecutive days, whether in school or out of school, the school district shall document the student's enrollment in education services. For data reporting purposes, the school shall track and report attendance, academic progress, and such other data as directed by the Department.

DISCIPLINE OF STUDENTS WITH DISABILITIES (IEP/504)

Procedures for suspensions of students with disabilities when suspensions exceed 10 consecutive school days or a pattern has developed for suspensions exceeding 10 cumulative days; responsibilities of the Team; responsibilities of the district.

1. A suspension of longer than 10 consecutive days or a series of suspensions that are shorter than 10 consecutive days but constitute a pattern are considered to represent a change in placement.
2. When a suspension constitutes a change of placement of a student with disabilities, district personnel, the parent, and other relevant members of the Team, as determined by the parent and the district, convene within 10 days of the decision to suspend to review all relevant information in the student's file, including the IEP or 504 Plan, any teacher observations, and any relevant information from the parents, to determine whether the behavior was caused by or had a direct and substantial relationship to the disability or was the direct result of the district's failure to implement the IEP or 504 Plan— "a manifestation determination."
3. If district personnel, the parent, and other relevant members of the Team determine that the behavior is NOT a manifestation of the disability, then the suspension or expulsion may go forward consistent with policies applied to any student without disabilities, except that the district must still offer: a. services to enable the student, although in another setting, to continue to participate in the general education curriculum and to progress toward IEP goals; and b. as appropriate, a functional behavioral assessment and behavioral intervention services and modifications, to address the behavior so that it does not recur.
4. Interim alternative educational setting. Regardless of the manifestation determination, the district may place the student in an interim alternative educational setting (as determined by the Team) for up to 45 school days a. on its own authority if the behavior involves weapons or illegal drugs or another controlled substance or the infliction of serious bodily injury on another person while at school or a school function or, considered case by case, unique circumstances; or b. on the authority of a hearing officer if the officer orders the alternative placement after the district provides evidence that the student is "substantially likely" to injure him/herself or others. Characteristics. In either case, the interim alternative education setting enables the student to continue in the general curriculum and to continue receiving services identified on the IEP, and provides services to address the problem behavior.
5. If district personnel, the parent, and other relevant members of the Team determine that the behavior IS a manifestation of the disability, then the team completes a functional behavioral assessment and behavioral intervention plan if it has not already done so. If a behavioral intervention plan is already in place, the Team reviews and modifies it, as necessary, to address the behavior. Except when he or she has been placed in an interim alternative educational setting in accordance with part 4, the student returns to the original placement unless the parents and district agree otherwise or the hearing officer orders a new placement.
6. Not later than the date of the decision to take disciplinary action, the school district notifies the parents of that decision and provides them with the written notice of procedural safeguards. If the parent chooses to appeal or the school district requests a hearing because it believes that maintaining the student's current placement is substantially likely to result in injury to the student or others, the student remains in the disciplinary placement, if any, until the decision of the hearing officer or the end of the time period for the disciplinary action, whichever comes first, unless the parent and the school district agree otherwise.

Procedural requirements applied to students not yet determined to be eligible for special education.

1. If, prior to the disciplinary action, a district had knowledge that the student may be a student with a disability, then the district makes all protections available to the student until and unless the student is subsequently determined not to be eligible. The district may be considered to have prior knowledge if:
 1. The parent had expressed concern in writing; or
 2. The parent had requested an evaluation; or
 3. District staff had expressed directly to the special education director or other supervisory personnel specific concerns about a pattern of behavior demonstrated by the student. The district may not be considered to have had prior knowledge if the parent has not consented to evaluation of the student or has refused special education services, or if an evaluation of the student has resulted in a determination of ineligibility.
2. If the district had no reason to consider the student disabled, and the parent requests an evaluation subsequent to the disciplinary action, the district must have procedures consistent with federal requirements to conduct an expedited evaluation to determine eligibility.
3. If the student is found eligible, then he/she receives all procedural protections subsequent to the finding of eligibility

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

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

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

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

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

PARENTAL NOTIFICATION LAW

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

PROJECT CONNECTION

Project Connection is an after school and summer program that is funded by a grant from the 21st Century Community Learning Center. This is a federal grant distributed to the states through the, “No Child Left Behind Act” of 2001. Project Connection focuses on students, based on grant requirements, and develops after school programming with academic enrichment opportunities along with other activities designed to complement the student’s regular academic programming. We partner with local community groups, agencies, and individuals to provide creative and experiential learning opportunities. Local partners include Berkshire United Way; IS.183, www.is183.org; Flying Cloud Institute, www.flyingcloudinstitute.org, Multicultural Bridge, www.multiculturalbridge.org; Berkshire South, www.berkshiresouth.org; and the Berkshire Botanical Garden, the Brien Center, the Jewish Federation of the Berkshires, Fairview Hospital, The Stockbridge Congregational Church and others. Programs run throughout the year starting in late September and continuing through the spring. If you have any questions, the director Tom Kelly can be reached at 413-644-2300, ext. 3306 or by email at projectconnection@bhrsd.org.

RESPONSE TO INTERVENTION (RTI)

Muddy Brook uses the Response to Intervention (RTI) approach with students. RTI is a process for assessing and maximizing the ‘opportunity to learn’ for students who are struggling in any content area. RTI emphasizes the importance of effective, culturally responsive instruction and early intervening service for all students prior to making a referral to Special Education.

The features of RTI focus on “accountability for results.” This includes:

- High-quality, culturally-responsive classroom instruction
- Universal screening
- Continuous progress monitoring
- Early implementation of research-based interventions
- Frequent progress monitoring for measuring growth

SCHOOL ADJUSTMENT COUNSELOR (SAC) AND SCHOOL-BASED CLINICIAN

The school adjustment counselor and our school-based clinician are licensed mental health providers who coordinate services with the student, educational staff, parents, and community resources to support the social/emotional wellbeing of the child and a positive climate school wide. In addition to providing short term individual and group counseling, parent consultation, crisis management, and home visits, the counselors support teachers with the trauma informed prosocial curriculum offered to students in every classroom. SAC services are data-based enhancing collaboration and integration between home, school, and the community to promote mental health and success in school. Services include individual and group *Second Step* and *Social Thinking* lessons, group counseling, social skills groups, crisis management, bullying

prevention lessons, and parent consultation. Our SAC helps coordinate community-based services and supports teaming with all related service personnel and school staff.

A student may be referred for services by a parent, school personnel, or a student may self-refer. The SAC may meet with a student and consult with teachers or school staff to assess the situation. If short-term counseling is deemed appropriate, the counselor will contact the family to discuss concerns and goals, or to discuss other recommendations or referrals. Our counselor will also support families in connecting with community resources including individual and/or family therapy, home based mentors, medical referrals and any wraparound services that may be helpful. Reasons to contact the school counselor may include: changes at home, divorce or trauma, loss, grief, anxiety, and/or addiction.

SCHOOL PSYCHOLOGIST

The school psychologist conducts individual psychological evaluations of students referred by the Director of Student Services. The school psychologist may participate in Special Education team meetings, 504 evaluation meetings, Kindergarten Screenings, and Student Support Teams (SST). In addition, the school psychologist provides intervention services as determined by a child's Team.

SPEECH AND LANGUAGE THERAPY

The speech and language program provides speech and language instruction by a licensed speech language pathologist. This program helps children who have difficulties in the areas of articulation, language, rhythm, and voice. After diagnosis, appropriate therapy is prescribed. Instruction, treatment, and drill take place in an individual, small group or a classroom setting.

TECHNOLOGY

Children at Muddy Brook receive STEM (Science, Technology, Engineering and Math) instruction from the technology teacher in grades PK-4.

Curriculum: During STEM class students explore the following topics/activities: Lego robotics, digital citizenship, application of digital tools and technology basics, word processing, age appropriate keyboarding, presentation software, introduction to coding/computer programming, and online learning sites. All students in grades PK-4 have the opportunity to come to "open lab" throughout the year to work on special projects with their teacher.

Digital Citizenship:

Our comprehensive curriculum is designed to empower students to think critically, behave safely, and participate responsibly in our digital world. Units focus on internet safety, privacy and security, information literacy, and relationships & communication. Each designed to be developmentally appropriate for each grade. Units consist of formal lesson plans, videos, student interactive lessons, and assessments, as well as family outreach materials. A primary resource for this work is Common Sense Media.

Chromebooks

All third and fourth graders have a chromebook assigned for their personal use at school. Students will learn how to use the Google platform in computer class, and they will use their computers as a tool to access materials across subject areas, to create content and receive feedback. It is expected that all students go to assigned sites only. Any student visiting a site that has not been assigned, may have a consequence and could lose use of the chromebook for the day. If this problem persists this student may lose chromebook privileges for an extended time.

MUDDY BROOK REGIONAL ELEMENTARY SCHOOL

Berkshire Hills Regional School District

Great Barrington

Stockbridge

West Stockbridge

Dear Parent/Guardian:

August, 2023

Every school district in Massachusetts is required to report to the Massachusetts Department of Education each year student data by race and ethnicity categories that are set by the federal government. The Department of Education does not report individual student data to the federal government, but does report the total number of students in various categories in each school. These reports help us keep track of changes in student enrollments and ensure that all students receive the educational programs and services to which they are entitled.

The federal government recently changed the reporting categories for student data. As a result, you have the opportunity to update student data on your child, if you wish to do so. With the new reporting categories, you may now identify your child by ethnic group (either Hispanic/Latino or not Hispanic/Latino) **and** by *one or more* racial groups (American Indian/Alaska Native, Asian, Black/African-American, Native Hawaiian/Other Pacific Islander, White). Starting with the 2005-2006 school year, all schools in Massachusetts report student data to the Department of Education using these categories.

If you would like to update the student data for your child, please contact the school office. To check the student data currently on file for your child, please speak with Kortney Shimmon in the office. If we do not hear back from you, we will continue to report based on the student data we currently have. For more information about the student data reporting categories, please see: http://www.doe.mass.edu/infoservices/data/guides/race_faq.html.

Sincerely,

Cynthia Carey, Principal



Cynthia Carey– Principal
Betsy D’Agostino – Assistant Principal
Berkshire Hills Regional School District
318 Monument Valley Road
Great Barrington, MA 01230
413.644.2350

Attendance Letter #1

Date
Adult Name
Address
City, MA 01230

Re: Child’s Name

We at Muddy Brook Regional Elementary School believe that attendance is an integral part of a student’s total educational experience. Regular school attendance enables a student to benefit from multiple educational opportunities that exist within a day; model lessons, discussions, presentations, and interactive activities. We urge you to stress the importance of punctuality and good attendance. The development of good habits in these areas will be invaluable to future success in life.

It has been brought to my attention that your child’s attendance is of concern. According to our records your child’s attendance is as follows:

- Unexcused Days Absent ____
- Unexcused Days Tardy ____
- Unexcused Early Dismissal ____

Our Attendance Policy and Procedure is outlined in our Student & Family Handbook. It states that when a student has accrued 5 unexcused absences, tardies or early dismissals, we send a letter home reminding you of the importance of good attendance. We hope your child’s attendance can improve.

Please call the office if you would like to speak with me regarding the policy or any questions you may have. (413-644-2350)

Sincerely,

Betsy D’Agostino, Assistant Principal



Cynthia Carey – Principal
Betsy D’Agostino – Assistant Principal
Berkshire Hills Regional School District
318 Monument Valley Road
Great Barrington, MA 01230
413.644.2350

Attendance letter #2

Date

Parent Name

Address

City, MA 01230

Re: Child’s Name

We at Muddy Brook Regional Elementary School believe that attendance is an integral part of a student’s total educational experience. We urge you to stress the importance of punctuality and good attendance. The development of good habits in these areas will be invaluable to future success in life.

It has been brought to my attention that your child’s attendance is of concern. According to our records your child’s attendance is as follows:

- Unexcused Days Absent ____
- Unexcused Days Tardy ____
- Unexcused Early Dismissal ____

According to our Attendance Policy and Procedure as outlined in our Student & Family Handbook, when a student has accrued 7 unexcused absences, tardies or early dismissals, we send a second letter home reminding you of the importance of good attendance. We invite you to call and set up an appointment to discuss the situation so that we can better support you in improving your child’s attendance. Please be advised that if attendance does not improve, we may need to file a CRA (Children Requiring Assistance), a Failure to Send Petition, and/ or a 51A Report of educational neglect. (413-644-2350)

We hope your child’s attendance record can improve. Please be in touch.

Sincerely,

Betsy D’Agostino, Assistant Principal



Cynthia Carey – Principal
Betsy D’Agostino – Assistant Principal
Berkshire Hills Regional School District
318 Monument Valley Road
Great Barrington, MA 01230
413.644.2350

Attendance Letter # 3

Date

Parent Name

Address

Town, MA

Re: Child’s Name

In **month** and in **month** I sent you a letter emphasizing the importance of good attendance because I was concerned about your child’s attendance record. Today I write because your child’s attendance has exceeded the legal limit.

According to our records your child’s attendance is as follows:

- Unexcused Days Absent ____
- Unexcused Days Tardy ____
- Unexcused Days Dismissed Early ____

The Massachusetts State Law requires compulsory attendance for all students. Chapter 76, section 1 of the Massachusetts General Law states that all children between the ages of six and sixteen must attend school. Parents or guardians have a legal responsibility to ensure their child is in attendance each day school is in session. The school day at Muddy Brook begins at 8:40 and ends at 3:20. We expect your children to come to school on time and leave at dismissal. I am requesting a formal meeting to discuss the situation. At this point in time excellent attendance is critical. If your child’s attendance is not excellent, we will file a CRA (Children Requiring Assistance) , a Failure to Send Petition, and/ or a 51A Report of educational neglect, and a Preliminary Hearing will be set in court.

Please contact the school to schedule a meeting with me as soon as possible - 413-644-2350.

Sincerely,

Betsy D’Agostino, Assistant Principal



Cynthia Carey – Principal
Betsy D’Agostino– Assistant Principal
Berkshire Hills Regional School District
318 Monument Valley Road
Great Barrington, MA 01230
413.644.2350

Attendance Letter # 4

Date

Parent Name

Address

Town, MA

Re: **Child’s Name**

In **month, month** and in **month** I sent you letters emphasizing the importance of good attendance and reiterated the point that your child’s attendance has exceeded the legal limit. I informed you of the fact that if your child did not demonstrate excellent attendance, I would file a CRA (Children Requiring Assistance) , a Failure to Send Petition, and/ or a 51A Report of educational neglect.

The Massachusetts State Law requires compulsory attendance for all students. Chapter 76, section 1 of the Massachusetts General Law states that all children between the ages of six and sixteen must attend school. Parents or guardians have a legal responsibility to ensure their child is in attendance each day school is in session. The school day at Muddy Brook begins at 8:35 and ends at 3:17. Children are expected to come to school on time and leave at dismissal. Where your child has been consistently absent or tardy it is our legal obligation to inform the court.

On **date** I filed a (CHOOSE ONE OR MORE) CRA (Children Requiring Assistance) , a Failure to Send Petition, and/ or a 51A Report of educational neglect. A Preliminary Hearing date will be set in court.

Sincerely,

Betsy D’Agostino, Assistant Principal

BERKSHIRE HILLS REGIONAL SCHOOL DISTRICT INFORMATION

BERKSHIRE HILLS REGIONAL SCHOOL DISTRICT
 Great Barrington Stockbridge West Stockbridge

<u>NAME</u>	<u>EMAIL ADDRESS</u>	<u>REPRESENTS</u>	<u>TERM EXP.</u>
Name	E-Mail Address	Represents	Term Exp.
Stephen Bannon, Chair	scbannon@gmail.com	Great Barrington	2026
Richard Dohoney, Vice-Chair	rich.dohoney@gmail.com	Great Barrington	2024
Corey Sprague, Asst. Treasurer	csprague.sc@gmail.com	Stockbridge	2024
Diane Singer, Secretary	dsingermd@gmail.com	Great Barrington	2024
William Fields	fieldswil@gmail.com	Great Barrington	2026
Sarah Bourla	sarah.bourla.sc@gmail.com	West Stockbridge	2026
Bonnie Bonn-Buffoni	bbonn.buffoni.sc@gmail.com	West Stockbridge	2024
Jason St. Peter	jstpetersc@gmail.com	Stockbridge	2026
Anne Hutchinson	ahutchinsonbhrrsd@gmail.com	Great Barrington	2024
William Vogt (appt. 1/12/23 thru next election – 11/2024)	williamhvogt@gmail.com	Stockbridge	2024

Massachusetts Association of School Committees (MASC) 1-800-392-6023 Fax – 617-742-4152

Website: www.masc.org

(MASC is very informative for both new & veteran school committee members. Feel free to browse their website or contact a MASC representative at any time with questions).

Legal Counsel:

Alisia St. Florian, Esq. 1-617-479-5000
 Murphy, Hesse, Toomey & Lehane, LLP 1-617-479-6469 (Fax)
 300 Crown Colony Drive
 Quincy, MA 02169

School Committee Recorder:

Christine Kelly

cmmkelly4@gmail.com or christine.kelly@bhrs.org

District Treasurer

Richard Jette

richard.jette@bhrs.org or r.jette@verizon.net

Berkshire Hills Administrators and Central Office Staff

Superintendent of Schools: Dr. Peter Dillon

Administrative Secretary: Doreen Twiss

Business Administrator: Sharon Harrison

Director of Operations: Steven Soule

Business Office Staff:

Payroll: Heidi Alibozek

Accounts Payable: Vonda Amstead

Office Accountant: Marianne Conklin

Director of Student Services: Kathryn Burdsall

Secretary: [Betsy Baczek](#)

Director of Learning and Teaching: [Colin Shebar](#)

Berkshire Hills School Administration:

Muddy Brook Regional Elementary School:

Cynthia Carey, Principal

Betsy D'Agostino, Assistant Principal

W.E.B. Du Bois Regional Middle School:

Jake McCandless, Principal

Ellie Rizzo, Assistant Principal

Monument Mountain Regional High School

Christopher Barnes, Principal

Pete Lurgio, Assistant Principal

Ian Brown, Assistant Principal CVTE

ASBESTOS HAZARD EMERGENCY RESPONSE ACT (AHERA)

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

Berkshire Hills Regional School District Strategic Plan

BHRSD Mission:

To ensure all students are challenged through a wide range of experiences to become engaged and curious learners and problem solvers who effectively communicate, respect diversity, and improve themselves and their community.

- **Student Achievement/Growth/Enlightenment**

- Foster an intellectually challenging and supportive education that expands academic and career opportunities for all.
- Expand learning beyond the school walls to include nature, the community and with partners.
- Excite and engage students in learning
- Problem solving shall be used as an educational tool in and across disciplines
- Students will demonstrate their achievement and growth in a variety of ways and the data will be used effectively in the evaluation and revision of curriculum and instruction.
- Use of a flexible schedule to meet varied student needs: pre-test, post-test, in order to allocate resources efficiently.
- Use personal relationships to maximize a social-emotional safety net.
- Explicitly make curricular connections between and across grades, schools and districts.
- The school experience is engaging, verdant and empowering.
- Challenge our expectations and approaches to working with the underserved.

- **Human Infrastructure**

- Focus on an unrelenting commitment to success for all students and all staff.
- Foster leadership opportunities for both young people and adults including a partial rotating administration position.
- Make decisions that are good for students first and adults second (these don't need to be mutually exclusive).
- Use evaluation to set standards, recognize excellence and/or challenges, provide support when necessary after providing feedback, and support to dismiss ineffective staff.
- Study and potentially pilot incentive pay programs to encourage excellence and innovation.
- Take true advantage of our sacred professional development time.

- **Resources/Financial Planning/Infrastructure Maintenance**

- Increase revenue through adding new K and 1 sections while maintaining class size.
- Generate other income through reworking contracts, writing grants and individual solicitations.
- Collaborate additionally to increase opportunities and potentially realize savings.
- Revisit how we allocate resources: funds, space and time in support of our goals.
- Rework how we use time including reconsidering the length of the school day.
- Rethink roles.

- Shift from a culture of advocacy for individual programs to one of problem solving for all students.
- Work to improve food offerings, including additional healthy choices and realize efficiencies.

- **Communication/Collaboration**

- Be clear and transparent.
- Be explicit about the work in schools
- Ensure that each student is well known by multiple adults.
- Ensure that adults are collectively responsible for small groups of students.
- Make schools more community oriented.
- Redefine existing roles (Role clarification: SC, Supt., Dept chairs/dept liaison, student and families).
- Looks past building to campus, past campus to district and community, past district to collaborating districts.
- Tap into and enhance the role of alumni.

WELLNESS POLICY

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

Wellness Committee

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

Nutrition Guidelines

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

- Establish separate guidelines for foods and beverages in the following categories:
 - Foods and beverages included in a la carte sales in the food service program on school campuses
 - Foods and beverages sold in vending machines, snack bars, school stores and concession stands
 - Foods and beverages sold as part of school-sponsored fundraising activities
 - Refreshments served at parties, celebrations and meetings during the school daySpecify that its guidelines will be based on nutrition goals, not profit motives
- Participate, to the maximum extent possible, in federal school meals programs (including the School Breakfast Program, National School Lunch Program – www.fns.usda.gov).
 - Provide to all children who participate in subsidized food programs the ability to obtain food in a non-stigmatizing manner.
 - Provide students with access to a variety of affordable nutritious, appealing and fresh foods that meet and exceed health and nutritional needs of students as outlined by the Nutrition Standards and U.S. Dietary Guidelines. (www.nal.usda.gov/fnic/dga)
 - Develop guidelines for maximizing nutritional value by decreasing fat and added sugars, increasing nutrition density and moderating portion size of each individual food or beverage sold within the school environment.
- Provide adequate time, with a minimum of 20 minutes sit down time, for students to eat lunch at

appropriate times, no earlier than 10:45 and no later than 1:10 pm, in the school schedule in clean, safe, and pleasant settings.

- Food may not be used as a reward or a punishment. This is not meant to exclude foods for celebration and special events.

Nutrition and Physical Education

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

Nutrition Education

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

Physical Education Activities

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

Social/Emotional Activities

- Students will be provided sequential, interdisciplinary social-emotional education to foster healthy lifelong habits and promote comprehensive wellness learning in each grade from pre-kindergarten to grade twelve.

- Students will understand the benefit of adequate sleep as it relates to readiness for learning and overall health and will learn to identify patterns of behavior that promote healthy sleep cycles, including types and timing of activities prior to sleep and nutritional relationships to sleep.
- Students shall learn to define relaxation and be able to understand its relationship to overall health and well-being. Additionally, students will be able to identify what type(s) of activities may encourage relaxation and will learn methods for promoting it in their own lives.

Other Wellness Activities

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

Evaluation:

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

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

SUBSTANCE ABUSE POLICY AND PROCEDURES

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

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

The following procedures have been established to inform students of their rights and responsibilities as well as the actions to be taken regarding drug and alcoholic beverage possession, use, distribution or sale. In addition to the following procedures, any student who unlawfully uses, possesses, sells or otherwise distributes a drug, synthetic drug, alcoholic beverage or drug paraphernalia while on school property, during an off-school site activity, or at a school-sponsored activity, may be subject to suspension or expulsion based on the outcome of an investigation. See also G. L. c. 71, § 37H, below.

DEFINITION OF TERMS

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

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

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

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

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

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

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

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

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

SUBSTANCE ABUSE PROCEDURES

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

School Procedure

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

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

School Procedure

- A. The administration shall be immediately notified.
- B. The administration, in cooperation with the school's nurse, will assess the student and situation to determine if further evaluation or care is necessary.
 - *If further evaluation or care is not necessary*, administration will investigate the claim and report all findings to parents and school counselors to determine next steps.
 - *If further evaluation or care is necessary*, administration will work with the nurse to determine the severity of the impairment so that emergency care can be sought if necessary.

- C. If no emergency care is necessary, the student will be supervised by the school nurse until they can be returned to the care of their parent or guardian.
- D. School consequences, specific to the incident, will be issued at this time. Local law enforcement may be notified of the incident at this stage.
- E. Once the student is ready to return to school, a meeting will be scheduled, and a support plan, designed to prevent a recurrence of the behavior, will be created. A designated school official will follow up with students and families at dates, times, and at a frequency agreed upon by all involved parties.

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

School Procedure

- A. The administration shall be immediately notified.
- B. The administration, in cooperation with the school's nurse, will assess the situation according to section II (student use).
- C. The parent/guardian shall be notified and the student will be removed from school property for the remainder of the day.
- D. School administration will conduct a full investigation in order to determine appropriate school action including logical next steps to support the involved student. Investigators will consider the following circumstances when reaching a decision:
 - The student's engagement, or willingness to engage, in treatment programs related to substance use and abuse or behaviors that may be contributing to substance abuse
 - The number of prior incidents involving drugs, alcohol, or nicotine
 - Whether or not the student possessed the substance for the purpose of selling it to others
 - Specific factors related to the type and quantity of the substance
 - Other specific factors related to the present incident
- E. School consequences, specific to the incident, will be issued at this time. Local law enforcement is notified of the incident at this stage, and any confiscated contraband may be turned over to police.
- F. Once the student is ready to return to school, a meeting will be scheduled, and a support plan, designed to prevent a recurrence of the behavior, will be created. A designated school official will follow up with students and families at dates, times, and at a frequency agreed upon by all involved parties.

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

School Procedure

- A. The administration shall immediately be notified.

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

School appropriate disciplinary actions increase with subsequent offenses.

NICOTINE REGULATIONS

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

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

1. The student will be allowed due process.
2. School administration will meet with the student and their guardian either in person or via telephone to discuss the circumstances of the infraction and to determine a school appropriate response.
3. A school appropriate response to nicotine use can include any combination of the following:
 - student assignment to a school sponsored substance abuse cessation program
 - an agreement between the family and school on an appropriate outside program to address nicotine abuse or the behaviors that manifest the abuse.
 - a school appropriate step designed to repair the harm done to the school community.
 - a school consequence appropriate to the specific details of the offense and the number of prior offenses incurred by the student.

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

1. The student will be allowed due process.
2. School administration will meet with the student and their guardian either in person or via telephone to discuss the circumstances of the infraction and to determine a school appropriate response.
3. A school appropriate response to nicotine use can include any combination of the following:
 - student assignment to a school sponsored substance abuse cessation program
 - an agreement between the family and school on an appropriate outside program to address nicotine abuse or the behaviors that manifest the abuse.
 - a school appropriate step designed to repair the harm done to the school community.

- a school consequence appropriate to the specific details of the offense and the number of prior offenses incurred by the student.

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

The superintendent of every school district shall publish the district's policies pertaining to the conduct of teachers and students. Said policies shall prohibit the use of any tobacco products within the school buildings, the school facilities or on the school grounds or on school buses by any individual, including school personnel. Said policies shall further restrict operators of school buses and personal motor vehicles, including students, faculty, staff and visitors, from idling such vehicles on school grounds, consistent with section 16B of chapter 90 and regulations adopted pursuant thereto and by the department. The policies shall also prohibit bullying as defined in section 370 and shall include the student-related sections of the bullying prevention and intervention plan required by said section 370. Copies of these policies shall be provided to any person upon request and without cost by the principal of every school within the district.

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

In each school building containing the grades nine to twelve, inclusive, the principal, in consultation with the school council, shall prepare and distribute to each student a student handbook setting forth the rules pertaining to the conduct of students. The student handbook shall include an age-appropriate summary of the student-related sections of the bullying prevention and intervention plan required by section 370. The school council shall review the student handbook each spring to consider changes in disciplinary policy to take effect in September of the following school year, but may consider policy changes at any time. The annual review shall cover all areas of student conduct, including but not limited to those outlined in this section.

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

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

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

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

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

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

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

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

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

(1) Upon the issuance of a criminal complaint charging a student with a felony or upon the issuance of a felony delinquency complaint against a student, the principal or headmaster of a school in which the student is enrolled may suspend such student for a period of time determined appropriate by said principal or headmaster if said principal or headmaster determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written

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

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

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

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

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

DISTRICT POLICIES LINK

All District policies are available for review on our website: <https://www.bhrsd.org/school-committee-policy-manual/>

DISTRIBUTION OF MEDICINE LETTER

August 2022

Dear Parents and Guardians:

We would like to inform you of the policies that have been put in place to ensure the health and safety of children needing medication during the school day.

Our school district requires that the following forms must be on file in your child's health record before we begin to give any medicine (including over the counter medications) at school:

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

Medicines should be delivered to the school in a pharmacy or manufacture-labeled container by you or a responsible adult whom you designate. Please ask your pharmacy to provide separate bottles for school and home. No more than a thirty day supply of the medicine should be delivered to the school. The number of doses will be verified in writing by school staff at time of delivery.

When your child needs a medicine to be given during the school day, please act quickly to follow these policies so we may begin to give the medicine as soon as possible. Thank you for your help.

Rebecca Trouponce, RN

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

CONCUSSION MANAGEMENT AND RETURN TO PLAY REQUIREMENTS

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

Assumption of Risk

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

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

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

Part I: Signs and Symptoms of a Concussion

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

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

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

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

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

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

Additionally, coaches, licensed athletic trainers, trainers, volunteers, school and team physicians, school nurses, athletic directors, marching band directors, students engaged in athletic activities and their parents must annually read, sign, and acknowledge understanding and receipt of DPH approved concussion education materials provided by the school. While this information provides a useful reference regarding indicators of concussion in student/ athletes, it is not a substitute for reading, signing, and acknowledging receipt of those materials.

Part II: Return to Participation (RTP)

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

Concussion management requirements:

1. No student/ athlete SHALL return to participation (RTP) on the same day of concussion.
2. The coach shall communicate the nature of the injury directly to the parent in person or by phone and the licensed athletic trainer immediately after the practice or competition in which a student/ athlete has been removed from play for a head injury, suspected concussion, signs and symptoms of a concussion, or loss of consciousness. The coach or licensed athletic trainer also must provide this

information to the parent in writing in English and in the language of the home on the Report of Head Injury during Sports Season Form, whether paper or electronic format, by the end of the next business day. If the athlete is injured during the season but not while involved in any school athletic or extra-curricular activity, the parent must complete the Report of Head Injury during Sports Season Form and provide it to the student/ athlete's licensed athletic trainer/ coach.

3. The licensed athletic trainer/coach shall communicate, prior to the next school day with the Athletic Director and school nurse that the student/ athlete has been removed from practice or competition for a head injury, suspected concussion, signs and symptoms of a concussion, or loss of consciousness. The licensed athletic trainer/coach will provide the Report of Head Injury during Sports Season Form to the nurse and Director of Athletics. The school nurse will contact the student's teacher and guidance counselors.
4. If a student/ athlete is suspected of having a head injury or concussion, the student/ athlete will be referred immediately to their primary care physician or the emergency room and will be given a symptom checklist for review by medical personnel. Any loss of consciousness, vomiting or seizures the student/ athlete MUST be immediately transported to the hospital. Any student/ athlete with signs or symptoms related to a concussion MUST be evaluated from a licensed health care professional (Physician or the following individuals in consultation with a licensed physician: Nurse Practitioner, Physician Assistant, Neuropsychologist or Athletic Trainer). These individuals must have received the appropriate training to make certifications.
5. Each student/ athlete who is removed from practice or a competition and subsequently diagnosed with a concussion must have a graduated reentry plan to return to full academic and extracurricular activities. The plan will be developed by teachers, guidance counselor, school nurse, licensed athletic trainer if on staff, parent and the child's treating medical provider.
6. Close observation of a student/ athlete MUST continue following a concussion. This should be monitored for an appropriate amount of time following the injury to ensure that there is no escalation of symptoms.
7. Schools will follow the primary care physician's written orders concerning return to school and physical activity.
8. The student/ athlete MUST obtain written clearance from one of the licensed health care professionals mentioned above directing them into a well-defined RTP stepped protocol similar to one outlined below. If at any time signs or symptoms should return during the RTP progression the student/ athlete should cease activity*.
9. After the RTP protocol has been successfully administered (no longer exhibits any signs or symptoms or behaviors consistent with concussions), final written medical clearance is required by one of the licensed health care professionals mentioned above for them to fully return to unrestricted participation in practices and competitions. This clearance may be provided via a DPH Post Sports-Related Head Injury Medical Clearance Form or school-based equivalent.
10. The student/ athlete diagnosed with a concussion must be completely symptom free at rest in order to begin graduated reentry to extracurricular athletic activities. The student/ athlete must be symptom free at rest, during exertion, and with cognitive activity in order to complete the graduated re-entry plan and be medically cleared to play.

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

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

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

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

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