Athol-Royalston Regional School District
1062 Pleasant Street Athol, MA 01331

Telephone: (978) 249-2400 Fax: (978) 249-2402
Website: www.arrsd.org

2021-2022 Student and Family Handbook
Main Body - Section I

Section 1

Dear Students and Parents/Guardians of the Athol-Royalston Regional School District:

The Administrators, Teachers and Staff of the Athol-Royalston Regional School District are pleased to welcome you back to school. It is the hope and expectation of the district that all students have a welcoming, safe, positive, and productive year ahead. We are looking forward to establishing our schools as part of the greater Athol-Royalston community and celebrating our community as a whole.

Our goal is to help each student reach the high standards they should expect in their educational experience. This handbook will aid our school community to work together to provide quality educational programs for all of our students. The handbook contains important information about our schools and can serve as a valuable reference for you. Please read over the handbook and refer to it from time to time. You will want to use it as a continued reference source throughout the school year.

It is the District's view that information and expectations outlined in this handbook will foster the appropriate school environment for students and their families, as well as teachers and administrators.

Handbooks are reviewed yearly and are ultimately approved by the Athol-Royalston Regional School Committee. This publication summarizes many laws, policies, regulations, and practices that are important to the Athol-Royalston Regional School District, students, and their parents and guardians. This handbook is not intended to be a complete directory of all laws and policies relating to students and parents but should present information on many of the laws, regulations, and supports that are very much part of the public school environment. Where applicable, coordinating district policies are referenced for further exploration. Federal and state laws, PPS policies, regulations, and practices at the system-wide and school building levels are subject to change. This handbook is not intended to be an exhaustive resource for district policies, but those can be found at www.arrsd.org, under the About tab.

This handbook is divided into two sections:

- This segment, referred to as Section I, includes descriptions of district-wide policies, procedures, and subcategories which apply to all schools

- Additional segments provide school-specific information for:
  Section 2 - Elementary (ACES and RCS)
  Section 3 - Middle School (ARMS)
  Section 4 - High School (AHS)

Sincerely,
The A.R.R.S.D. Administrative Team

TRANSLATION INFORMATION: If you need assistance reading this document or other school publications, please contact the principal to obtain translation services.

Spanish Si usted necesita ayuda para leer este documento u otras publicaciones de la escuela, por favor póngase en contacto con el director del edificio para obtener servicios de traducción.

Portuguese Se você necessitar o auxílio que lê este original ou outras publicações da escola, contate por favor o principal do edifício
para obter serviços de tradução.

French Si vous avez besoin de l'aide pour lire ce document ou des autres publications de l'école, svp entrez en contact avec le principal du bâtiment pour obtenir les services de traduction.

Italian Se avete bisogno dell'assistenza che leggete questo documento o altre pubblicazioni della scuola, mettasi in contatto con prego il principale della costruzione per ottenere i servizi di traduzione.

German Wenn Sie Unterstützung dieses Dokument oder andere Schulepublikationen lesend benötigen, treten Sie bitte mit der Gebäudedirektion in Verbindung, um Übersetzungsdienste zu erhalten.

Russian Если Иам нужна помощь в прочтении этого документа или других публикаций школы, пожалуйста, свяжитесь с директором Вашей школы для получения перевода.

The A.R.R.S.D. Administrative Team:

Matthew Ehrenworth, Superintendent
Christie Fontaine, Director of Pupil Services
Karin Patenaude, Curriculum Director and Title IX Coordinator
Nancy Konisky, Director of Finance
TJ Mallett, Directof of Facilities
David King, High School Principal and Title IX Coordinator
Jason Webster, Middle School Principal
Anthony Colannino, ACES Principal
Carrie Charette, RCS Principal
Shirley Mitchell, Director of Community and Family Center

Mission
The Athol-Royalston Regional School District is committed to providing challenging educational experiences that inspire students to acquire the knowledge and skills to become responsible citizens in a global community.

Vision
The Athol-Royalston Regional School District, in partnership with the community, provides a safe, innovative, and vibrant learning environment for all students. We foster academic excellence by implementing best practices, improving facilities, appreciating diversity, and requiring accountability. Our graduates are life-long learners and discerning users of technology who exercise social and civic responsibility and adapt to an ever-changing world.

DISTRICT-WIDE POLICIES AND PROCEDURES
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1.A. General Rules and Procedures

GENERAL RULES: School Rules apply and are enforced at all times when students are on school grounds, all ARRSD property, on school buses, during all athletic events, field trips, and during all school sponsored activities.

In all matters, the Principal/Administration reserves the right to exercise his/her discretion.

PLEDGE OF ALLEGIANCE: Students and staff recite the Pledge of Allegiance daily.

BUS RULES (District Policy JICC): Students will be entitled to transportation to and from school at the expense of the public schools when such transportation conforms to applicable provisions of the Massachusetts General Laws. Reimbursement to the school system for transportation costs is given by the Commonwealth only for:

(a) students living at least one and one half miles from school,
(b) students who live more than one mile from the nearest bus stop, and
(c) students with special needs for whom transportation must be provided.

Additionally, the Committee will provide transportation for students as follows:

- Kindergarten: All students, except those living in immediate proximity to the school, as determined by the Superintendent.
- Grades 1-3: Students living more than one mile from school.
- Grades 4-6: Students living more than one and one-half miles from school.
- Grades 7-12: Students living more than two miles from school.

Exceptions to these guidelines may be made at the discretion of the Superintendent. This will apply particularly to any student who must travel in a hazardous area to and from school. These students will be transported regardless of the mileage limits listed.

PERSONAL/RECREATIONAL ITEMS: Personal/recreational items such as skateboards/scooters/hoverboards must be stored during the school day, specific to the procedures at your child's school.

CHANGE OF ADDRESS/STATUS: Please be sure to inform the Main Office of the school your child or children attend if there is a change of residence including custody, address, or telephone number during the school year. This is necessary for permanent records, as well as for the report cards, newsletters, and other mailings. An accurate record of your child's information is essential to communicate with you and those who the custodial parent chooses in the event they cannot be reached.

VISITORS, GENERAL PROCEDURES: Doors to the school will be locked during school hours. Visitors must ring the bell to be admitted into the school. Upon entering the school, all visitors must sign in at the main office and will be issued a visitor's pass. Parents/ guardians are encouraged to visit the school and should contact the school to arrange details. Students from other schools will not be permitted into the building during school hours unless given permission by an administrator.

STUDENT SPECTATORS: Students are welcome to attend athletic competitions, but must leave school at dismissal time and return for the start of the game. Appropriate school behavior is expected at all athletic events. School rules apply at these events, whether on or off school grounds.

DELAYED OPENING AND SCHOOL CLOSURES: In the event of a storm, hazardous road conditions or other emergencies requiring schools to be closed, families will be alerted by the One Call System. School closings or delayed openings will also be given over radio stations: Eagle (99.9 FM) in Orange, WJDF (97.3 FM) in Orange, WWLP (TV 22) in Springfield, WGGB (TV 40) in Springfield, WCVB (TV 5), WBZ (TV 4) in Boston, Fox Channel (TV 25), and CBS (TV 7).

PROPERTY DAMAGE: It is against the law to deface or damage public school property or the property of others. Parents and students will be held accountable for damage costs.

SMOKING/TOBACCO/E-CIGARETTE PRODUCTS (District Policy ADC): Smoking or the use of any tobacco and tobacco products within the school buildings, school facilities, or on school grounds or school buses by any individual, including school personnel and students, is prohibited at all times.

For the purpose of this policy, “smoking” will mean all uses of tobacco products and devices (including but not limited to chewing tobacco, cigars, cigarettes, vapes and pipes) and the use of electronic, “vapes”, or other substitute forms of cigarettes and nicotine products.

A student determined to be in violation of this policy shall be subject to disciplinary action pursuant to the student discipline code, as stated in the Student Handbook.

FIRE SAFETY RULES: Students may not possess or ignite matches, lighters, or other flaming devices. Students may not ignite any material except under supervised conditions, as, for example, in a laboratory experiment. Setting fire to any material or property will be considered arson. Students may not ignite or possess any incendiary device, firecracker, sparkler, stink bomb, etc. Setting off a false fire alarm will be considered a criminal act as well as a violation of school rules.

DRESS CODE (District Policy JICA): Students are expected to dress appropriately while attending school. Appropriate attire is that which is safe, does not cause a disturbance in the school, does not promote or seem to promote the use of alcohol, tobacco, or illegal substances, and is not vulgar or profane.

If any item of clothing is viewed as inappropriate, students will be asked to fix the problem immediately. If necessary, parents will be contacted to bring a change of clothes. Students will not be allowed to return to class until the clothing issue has been remedied and may face disciplinary action.

DRUGS, ALCOHOL, AND INTOXICANTS (District Policy JICH): Students may not possess alcohol, drugs or other intoxicants. Students may not be under the influence of alcohol, drugs or other intoxicants. All pills or other forms of prescription and non-prescription drugs are banned. Any substance used as an intoxicant is banned. All medicines and drugs prescribed by a physician must be dispensed only under the supervision of the school health office.

The school building and grounds may be searched by trained police dogs if deemed necessary by the school administration.

LOCKERS AND BELONGINGS: Student lockers are the property of the Athol-Royalston Regional School District and remain under the control of the school. Students should have no expectation of privacy of their contents stored in their assigned locker. The school reserves the right to inspect any locker at any time without student consent and without a search warrant. When it is possible, the search will be conducted in the student's presence. Students are expected to assume full responsibility for the locker and its contents. Locker combinations are to be kept confidential and students must not share combinations with other students. Students are cautioned not to bring large amounts of money or other valuables to school, and if they wear glasses or watches, to keep track of them at all times. The students are responsible for their personal property. The school is not responsible for lost or stolen items.

WEAPONS, BANNED ITEMS: Squirt guns, toy guns or knives, or other distracting items, are not permitted on campus at any time without prior permission of administrators. A student violating the rule may face disciplinary action. Matches and lighters are not allowed for safety reasons. If any are found in a student's possession, it will result in disciplinary consequences as determined by the administration. All weapons, including but not limited to knives or any kind of guns, are banned from school. This includes penknives, exacto-knives, laser pointers or any other dangerous objects that could be used as weapons.

1.B. Student Health and Well-being

ATTENDANCE LAWS: School is compulsory for students under the age of sixteen. A student may be considered truant and court proceedings initiated when the student accumulates seven unexcused absences in a six-month period. (See MGL Ch. 76, S. 2).

STUDENT ABSENCES AND EXCUSES (District Policy JH): While there are a number of reasons that a student may be absent from school, the principal has legal responsibilities when the number of absences exceeds a certain limit. A student may be considered truant and court proceedings may be initiated when the student accumulates seven unexcused absences in a six-month period (Massachusetts General Laws, Chapter 76, Sec. 2). The decision whether an absence is determined to be excused is made by the principal, not by the parent/guardian. Diligent attention is given to attendance: all students need to attend school on a regular and consistent basis.

Therefore, students may be excused temporarily from school attendance for the following reasons:

1. Illness or quarantine.
2. Bereavement or serious illness in the family.
3. Weather so inclement as to endanger the health of the child.
4. Observance of major religious holidays.

A child may also be excused for other exceptional reasons with approval of the school administrator.

A student's understanding of the importance of day-to-day schoolwork is an important factor in the shaping of his/her character. Parents can help their children by refusing to allow them to

miss school needlessly. Accordingly, parents will provide a written explanation for the absence and tardiness of a child. This will be required in advance for types of absences where advance notice is possible.

In instances of **chronic or irregular absence** reportedly due to illness, the school administration may request a physician's statement certifying such absences to be justifiable. In the case of a student missing more than 3 consecutive days of school, the principal may require documentation from the doctor or team treating the student for the specific illness or illnesses related to the school absence.

LUNCH: Currently, under US guidelines, breakfast and lunch are free for everyone (CEP). Should that change, the district will revert to applications for free/reduced lunch and our meals would fall under income guidelines (paid, free and reduced). At no time would any child be denied a complete meal if money were owed.

UNDERSTANDING CHILD ABUSE & NEGLECT/MANDATED REPORTING: Under General Laws Chapter 119, Section 51A for purposes of reporting child abuse and neglect to the Department of Children and Families. Under MGL 119, Sec. 51A, a school staff member who has reasonable cause to believe that a student under the age of 18 is suffering physical, sexual, or emotional abuse or neglect by a parent, guardian, school staff member or other caretaker must immediately report the abuse or neglect either directly to the Department of Children and Families (DCF) or to the person designated by the school to accept those reports, who then promptly reports it to DCF.

The Principal and/or Superintendent will report to local police certain forms of harassment and conduct that may constitute a crime. The Principal and/or Superintendent may report physical injury, destruction of public property, potential hate crimes and other acts of a serious criminal nature to local police for investigation.

If a staff member is found to be the cause of abuse or neglect, the District will implement safe and supportive measures while DCF goes through the investigation.

HOME/HOSPITAL TUTORING: The school Principal will provide Parent/Guardian with the Physician Statement (28R/3) form to be completed and signed by the student's physician. The person signing this form must be a medical doctor, not a psychologist. Once this has been returned to the Principal, s/he will initiate contact with a home tutor to plan services or contract with a hospital-assigned tutor and inform the parent of the plan for tutoring. There is no waiting period (required absence days) for services to begin. The school Principal will direct the Guidance Counselor, or other designee, to contact each of the student's classroom teachers and assist the tutor in contacting teachers for materials, transferring grades, etc. and to change attendance status. The completed Physician Statement will remain on file in the school nurse's office.

In the case of students attending private school at parent expense, Home/Hospital services are available if the child has been found to be a student with special educational needs. In cases where a child is not a child in need of special educational services, the District will consider the Physician's Statement and the impact of that statement on the child's status. Services can be provided or a determination to make a referral for testing or additional information may be requested depending on the circumstances. Each request will be considered on an individual basis. The Physician's Statement must be completed and sent to the office of Pupil Services.

HOMELESS STUDENTS RIGHTS (McKinney Vento Act): The McKinney-Vento Homeless Assistance Act ("Act"), 42 U.S.C. 11431 et seq., is a federal law that is designed to ensure that homeless children and youth have the same access as other children to public education, including public preschool programs.

Who is protected under McKinney-Vento?

Massachusetts has adopted Section 725(2) of the Act which defines homeless children and youth as individuals who lack a "fixed, regular and adequate nighttime residence. This includes children who:

- Share the housing of other persons due to loss of housing, economic hardship, or similar Conditions. Live in motels, hotels, trailers or camping grounds due to lack of alternative housing. Live in shelters.
- Have been abandoned in hospitals.
- Have been placed out of their home into temporary, transitional or emergency living placement, including STARR programs, and are waiting for a foster care placement.
- Have a primary nighttime residence that is not meant for regular sleeping accommodations.
- Live in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations or similar settings, and have been "thrown out" or have run away and as a result are not in the physical custody of a parent or guardian and are living in a shelter, on the street, with friends or relatives, or are moving around from one place to another.
- Also included are migratory children who qualify as homeless because they live in any of the circumstances described above. Mass. Dept. of Elementary and Secondary Education Homeless Education Advisory 2002-1, 2004-9, 2007-9A 61

What rights do students have under McKinney-Vento?

- The right to immediate enrollment. DESE Homeless Education Advisory 2002-2. A school must immediately enroll a homeless student, even if the student does not have documents normally required for enrollment, such as academic and medical/immunization records or proof of residency. Once enrolled, the Homeless Education Liaison of the school must help the family obtain the necessary records and/or immunizations.
- The right to choose what school to attend. DESE Homeless Education Advisories 2002-1, 2002-2, 2003-3. Students have the right to continue attending their "school of origin". The "school of origin" is the school where the child or youth was last enrolled or the school the child or youth was attending when s/he became homeless. The school District shall keep a student in the "school of origin" unless it goes against the wishes of the parent. The student also has the option of enrolling in school where he is currently living.
- If the school District sends a student to a school other than the school of origin or a school requested by the parent, the District must provide the parent with a written explanation of the decision, which includes the right to appeal the decision to the Department of Elementary and Secondary Education (DESE).
- The school District must make placement decisions based on the best interests of the student.
- If a student obtains permanent housing during the school year, the student has the right to stay in their current school until the end of the school year.
- The right to transportation. DESE Homeless Education Advisory 2002-3, 2007-10.

- The parent or guardian or, in the case of an unaccompanied youth, may request that transportation be provided to and from school. If the student is still in the same District as the school of origin, the school District must provide transportation. If the student is not living within the District of the school of origin, the District of origin and the District where the student is living must determine how to share transportation costs and responsibility. If the districts cannot come to an agreement, then the responsibility and costs must be shared equally. In general, transportation time should be limited to one hour or less in each direction. ** Please note, the transportation provisions of McKinney-Vento only apply to students who are currently homeless. If a student obtains permanent housing and continues to attend his/her school of origin until the end of the school year, the continued provision of transportation is at the discretion of the District of origin.
- The right to participate in the same programs and activities as other students.
- Homeless students have the same rights as all other students to participate in School Nutrition, after school and special education programs.
- In order to determine the eligibility for free or reduced price meals, school officials must accept documentation that the student is homeless from the local Homeless Education Liaison or the director of the homeless shelter where the student resides. If a student is temporarily residing with another household, the household size and income of the host family are not taken into consideration when determining the free meal eligibility for the homeless student. However, the host family may include the homeless family as household members if the host family is providing financial support to the family. DESE homeless Education Advisory 2002-4.
- Homeless students who qualify for special education services must be provided appropriate services based on the information that is available to the school. A school may not delay providing such services based on the non-receipt of school records. DESE Homeless Education Advisory 2003-6, 2004-8, 2004-9, 2007-10, Homeless children are also included under child find requirements in the Individuals with Disabilities Education Act 20 U.S.C. 1412(a)(3). Under the Act, every school District is required to have a Homeless Education Liaison. It is the job of the Liaison to ensure that homeless students have the same opportunities as all other students, which includes ensuring that homeless students are able to attend school, arranging for transportation in a timely manner, keeping the school staff informed of the rights of homeless students and providing appropriate referrals to service providers.

What if the school District challenges enrollment or there is a disagreement about school placement?

- The Massachusetts McKinney-Vento dispute resolution process can be found in DESE Homeless Education Advisory 2003-7.

If a school District challenges the right of a homeless student to attend a District school, the school District must continue to provide transportation and other services to the student until the dispute is resolved.

The dispute resolution process begins when the school District challenges the student's enrollment/continued enrollment in school. The same day the school District challenges the enrollment of the student, the District must notify the Homeless Liaison and the parent/guardian or unaccompanied youth in writing. This notice must include the right of the parent/guardian or unaccompanied youth to appeal the decision. The District must also notify the DESE the same

day and provide the DESE with copies of all notices provided to the parent/guardian or unaccompanied youth.

The Liaison must then provide the parent/youth with a clear, easy-to-understand, written explanation of the dispute resolution process and include the contact information for Massachusetts Advocates for Homeless Children and Youths (MAEHCY).

The school District then has two working days to determine whether it will continue to challenge the right of the student to be enrolled in school. During this time, DESE may provide technical assistance to the school on the requirements of McKinney-Vento.

The final decision by the school District must be made in writing by the Superintendent and must state all factual reasons and the legal basis for the decision.

If the final decision of the school District is adverse to the student, the District must provide the DESE and homeless liaison (who then notifies the parent) with a copy of Children's Issues Series: Rights of Homeless Students under the McKinney-Vento Act the written decision that same day. The parent/youth then has the right to appeal the decision to the DESE.

Once the DESE has received the appeal, the Commissioner has two working days to make a decision. The decision made by the Commissioner is final.

Helpful Resources
Homeless Education State Coordinator: 781-338-6330
All advisories referenced above can be found on the DESE page on McKinney-Vento:
http://www.doe.mass.edu/mv/

AVAILABILITY OF IN-SCHOOL PROGRAMMING FOR PREGNANT STUDENTS: Pregnant students are permitted and encouraged to remain in regular classes and participate in extracurricular activities with non-pregnant students throughout their pregnancy. After giving birth, students are encouraged to return to the same academic and extracurricular program as before the leave.

The District does not require a pregnant student to obtain the certification of a physician that the student is physically and emotionally able to continue in school.

FIRE DRILLS/EVACUATION: Depending on the circumstances, it may be necessary to quickly evacuate the building. In this event the fire alarm will sound in all corridors. When the fire alarm sounds everyone should promptly clear the building by the posted route as quickly as possible. The teacher in each classroom will give the students instructions. These procedures should be posted in each room and will be reviewed and practiced periodically through drills.

LOCKDOWN/SHELTER-IN-PLACE: Depending on the circumstances, it may be necessary to have all students remain in the classroom for their safety. In this event either the "lockdown" or "stay in place" command will be given over the intercom.

Lockdown – When lockdown is called there is an immediate threat and all students should follow the lockdown procedures and attempt to conceal their location.

Shelter-in-place – When shelter-in-place is called there is not an immediate threat, but students should not be in the common areas of the building. Students should remain in their classroom but the class should continue as usual.

These procedures should be posted in each room and will be reviewed and practiced periodically through drills.

1.C. Non-discrimination

NON-DISCRIMINATION (District Policy AC): The School Committee, in accordance with Title IX of the Education Amendments of 1972, declares that the school system does not and will not discriminate on the basis of sex in the educational programs and activities of the public schools. Public schools have the responsibility to overcome, insofar as possible, any barriers that prevent children from achieving their potential. The public school system will do its part. This commitment to the community is affirmed by the following statements that the School Committee intends to:

- Promote the rights and responsibilities of all individuals as set forth in the State and Federal Constitutions, pertinent legislation, and applicable judicial interpretations.

- Encourage positive experiences in human values for children, youth and adults, all of whom have different personal and family characteristics and who come from various socioeconomic, racial and ethnic groups.
- Work toward a more integrated society and to enlist the support of individuals as well as groups and agencies, both private and governmental, in such an effort.
- Use all appropriate communication and action techniques to air and reduce the grievances of individuals and groups.
- Carefully consider, in all the decisions made within the school system, the potential benefits or adverse consequences that those decisions might have on the human relations aspects of all segments of society.
- Initiate a process of reviewing policies and practices of the school system in order to achieve to the greatest extent possible the objectives of this statement.

The Committee's policy of nondiscrimination will extend to students, staff, the general public, and individuals with whom it does business; No person shall be excluded from or discriminated against in admission to a public school of any town or in obtaining the advantages, privileges, and courses of study of such public school on account of race, color, sex, gender identity, religion, national origin, sexual orientation, pregnancy or pregnancy related conditions, or disability. If someone has a complaint or feels that they have been discriminated against because of their race, color, sex, gender identity, religion, national origin, sexual orientation or disability, their complaint should be registered with the Title IX compliance officer.

NON-DISCRIMINATION: In compliance with the requirements by the federal government (Title IX - See Section IX - of the education Amendments of 1972, and the implementing regulations) and the Massachusetts state government (Chapter 622 of the Acts of 1971, and the implementing regulations) the Athol-Royalston Regional School District shall prohibit discrimination on the basis of race, color, national origin, religion, sex, age, disability, handicap and sexual orientation, gender identity, in regard to hiring practices by any and all schools and departments and also in regard to pupil admission to schools, courses of study, activities and

any other opportunities for pupils made available within the School System. Please see the procedures to have a complaint or concern about harassment or discrimination investigated. Any concerns or complaints regarding discrimination, please contact the Title IX Coordinator, Molly Superchi, 978-249-2430, msuperchi@arrsd.org

In addition, under Section 504 of the federal Rehabilitation Act of 1973, and other relevant law no otherwise qualified handicapped individual shall, solely by reason of a handicap, be excluded from the participation in, be denied the benefits of, or subjected to discrimination under any program or activity.

Any student or employee of the Athol-Royalston School District who believes they have been discriminated against, denied a benefit, or excluded from participation in any district education program or activity on the basis of sex, sexual orientation, disability, race, color, religion, gender identity, or national origin in violation of this policy, may file a written complaint.

A local complaint procedure has been established and any such complaint should be addressed to your student's building principal.

The principal/assistant principal shall begin a review of the written complaint within ten working days after receipt of the written complaint. If the complaint is not resolved, it can then be appealed to the District Administration, the District's Equal Opportunity/Title IX Coordinator, Molly Superchi, or the Director of Pupil Services, John Salovardos, for matters pertaining to Section 504 or IDEA.

This appeal must be in writing, describe the circumstances, and the relief you seek. This appeal should be taken within one week after receipt of the principal's decision. Both the Title IX Coordinator and the Director of Pupil Services can be reached at the District Central Office, 1062 Pleasant Street, Athol MA 01331 or call 978-249-2400. The appropriate school administrator will meet with you within a reasonable time. Following a review of the materials presented to the principal and any additional investigation, which will be conducted promptly, the Coordinator or Director of Pupil Services will make a final determination on whether there has been a violation of the district's policy within ten (10) days after the conclusion of any additional investigation. If there has been a violation, the Coordinator or Director will indicate the steps to be taken to correct it.

The District's Equal Opportunity/Title IX Coordinator (See separate section on Title IX) has been designated to respond to any questions about the district's policy, and is part of the review process for complaints or concerns about discrimination. Central office can be reached at 1062 Pleasant Street, or by phone at 978- 249-2400.

If the complainant is not satisfied with such a response, they may submit a written appeal to the School Committee indicating with specifics the nature of the disagreement, stating his/her reasons for such disagreement. A copy of the written complaint shall then be provided to each member of the School Committee. The School Committee shall consider the appeal which will be listed for action by the School Committee on the next regularly scheduled School Committee agenda. The School Committee shall permit the complainant to address the School Committee in public or in closed session, as appropriate and lawful. Any individual has the right at any time to address inquiries regarding their civil rights to the Office of Civil Rights, Boston, MA. Inquiries concerning the application of nondiscrimination policies may also be referred to the Regional Director, Office for Civil Rights, U.S. Department of Education, J.W. McCormack POCH, Room 222, Boston, MA 02109-4557.

Title IX Coordinators:
Molly Superchi and John Salovardos Ed.D.
1062 Pleasant Street
978-249-2400
msuperci@arrsd.org
jsalovardos@arrsd.org

MALICIOUS PHYSICAL ABUSE OR ASSAULT: A student who abuses others and with whom normal school disciplinary action is not effective may be subject to a complaint filed by school officials with District Court or local police. A student who clearly assaults another may be subject to a complaint filed with District Court or local police. Any intentional act, which results in the serious abuse or injury of another individual may be considered an assault or assault and battery and treated accordingly by notifying police.

HATE CRIMES: As a student, you have the right to attend school without being the victim of physical violence, threats of harm, intimidation or damage to your personal property. A hate crime occurs when you or a fellow student is targeted for physical assault, threat of bodily harm or intimidation, at least in part because you are a member of a different race, color, religion, ethnic background, national origin, gender, gender identity, or sexual orientation from the offender or because you have a disability.

Certain types of language or conduct may indicate that a hate crime has occurred. Some indicators that a crime was hate-motivated include: Use of racial, ethnic, religious, sexual or anti-gay slurs; Use of symbols of hate, such as a swastika or a burning cross; Similar behavior by the wrongdoer towards other students from the same racial, ethnic or religious group or against students of the same sexual orientation, gender identity, or gender; and the incident occurs while the victim was participating in an activity promoting a racial, religious, ethnic/national origin, disability, gender or sexual orientation group, such as attending a meeting of the National Association for the Advancement of Colored People (NAACP), a students' gay rights alliance, or a disability rights demonstration.

Hate crimes most frequently occur in the following ways: A physical attack or a threat of bodily harm, on the basis of a student's race, color, religion, national origin, ethnic background, gender, gender identity, sexual orientation or disability; Intimidating or threatening language based on a student's race, color, religion, national origin, ethnicity, gender, gender identity, sexual orientation or disability; Damage to a student's personal property or belongings because of the student's race, color, religion, national origin, ethnic background, gender, gender identity, sexual orientation or disability. Appropriate disciplinary action will be taken when there is a violation of the hate crime policy/rules. All disciplinary actions are at the discretion of the administration. These may range from a warning, to lunch suspension, to in-school suspension, to out of school suspension.

RESOURCES FOR STUDENTS AND FAMILIES

Erasing Hate A Guide to Your Civil Rights in School: Your Right to be Free From Discrimination, Harassment, and Hate-Motivated Violence

Attorney General Maura Healy One Ashburton Place Boston, MA 02108 617-727-2200
www.ago.state.ma.us

“By joining together, we can erase hatred in our schools. All of us – students, teachers, school administrators, and law enforcement officials – share the responsibility to create a safe, diverse, and positive learning environment that prepares young people for the world of the 21st century. We must celebrate our differences and applaud our diversity.

You have the right to learn in an environment that is free from hate-motivated violence, harassment, and discrimination based on race, color, religion, national origin, ethnic background, gender, gender identity, sexual orientation, or disability.

This guidance is designed to inform you of the laws protecting you against hate based crimes, as well as the resources available for reporting bias-motivated harassment, discrimination, or violence. I am confident that, working together, we can ensure that all students in Massachusetts have access to an educational experience free from harassment and victimization by hate crimes.”

Sincerely, Martha Coakley, former MA Attorney General

WHERE ELSE CAN YOU TURN FOR HELP?

A schools’ obligations under Massachusetts’s anti-bullying and anti-discrimination laws, details required affirmative steps to help create a positive school climate to prevent hate and bias incidents from happening. Your school should take appropriate action to protect you from physical harm and to stop hate motivated harassment, bias, or intimidation and prevent it from happening again. If it does not, you should report the incident to one or more of the agencies listed below:

Massachusetts Department of Elementary and Secondary Education (DESE) 350 Main Street Malden, MA 02148 (617) 388-3000 The state DESE’s Problem Resolution System allows you, your parents and others to file a complaint if you believe you have been harassed or discriminated against.

Massachusetts Office of the Attorney General, Civil Rights Division One Ashburton Place Boston, MA 02108 (617) 727-2200 The Attorney General’s Civil Rights Division reviews complaints of harassment, intimidation and discrimination in schools and determines appropriate legal action, including obtaining a restraining order.
United States Department of Education, Office for Civil Rights John W. McCormack Building Post Office and Courthouse, Room 701 Boston, MA 02109 (617) 223-9662 The Office for Civil Rights receives and investigates complaints of discrimination and harassment.

Massachusetts Commission Against Discrimination (MCAD) One Ashburton Place Boston, MA 02108 (617) 727-3990 or (413) 739-2145
The MCAD investigates complaints about discrimination in any public school program or course of study. Filing must occur within 6 months of the alleged discriminatory educational practice or harassment incident.

Massachusetts Department of Social Services (DSS) 1-800-KIDS-508: Statewide Child Abuse/Neglect Reporting Line 1-800-792-5200:
Child at Risk Hotline/evenings, nights and weekends DSS investigates reports involving a student under 18 years old who suffers physical or emotional injury from abuse (including sexual abuse) or severe neglect (including malnutrition).

United States Department of Justice Community Relations Service (CRS) 99 Summer Street, Suite 1820 Boston, MA 02110 (617) 424-5715 CRS is a specialized federal conciliation service that assists school districts to manage and prevent racial and ethnic conflicts and disruptions in schools.

OTHER RESOURCES TO AID IN ADDRESSING DISCRIMINATION

American Civil Liberties Union (ACLU) of Massachusetts (617) 482-3170. The ACLU provides free legal advice and advocacy to students and educates students on issues of discrimination, harassment, civil rights and civil liberties.

Anti-Defamation League (ADL) (617) 457-8800. The ADL provides advocacy, support and legal referral services to victims of hate crimes, harassment and discrimination. The ADL's "World of Difference" Program works with schools to fight anti-Semitism, prejudice, bigotry and racism.

Asian American Resource Workshop: SafetyNet Hate Violence Prevention Project (617) 426-5313. SafetyNet assists Asian Americans in reporting hate crimes and obtaining access to police, prosecutors and the court system, and provides free and confidential support and referral services. Interpretive services are available.

Boston Alliance of Gay & Lesbian Youth (BAGLY) 1-800-42-BAGLY or (617) 227-4313 (Main Office). BAGLY is a youth-run, adult-advised social support group to discuss issues of concern to gay, lesbian, bisexual and transgender (GLBT) youth. BAGLY also offers a peer counseling program and referrals to professional services.

Boston Asian: Youth Essential Services (YES) (617) 482-4243. Boston Asian YES provides violence prevention, counseling, crisis intervention, gang prevention and substance abuse services for Asian youth in the Greater Boston area.

Boston Gay and Lesbian Adolescent Social Services (GLASS) (617) 266-3349. Boston GLASS provides social services, peer support, educational opportunities and health promotion activities for LGBT and questioning young adults ages 25 and under.

Childhelp USA National Child Abuse Hotline 1-800-4-A-CHILD. The Child Abuse Hotline provides crisis counseling and referral to any caller in an abuse-related situation.

Children's Law Center of Massachusetts (781) 581-1977. The Children's Law Center represents students and provides advocacy and training on issues affecting the civil and legal rights of students and their education.

Coalition for Asian Pacific American Youth (CAPAY) (617) 287-5689. CAPAY is a youth-run organization that focuses on improving race relations, providing peer support and developing leadership skills for Asian Pacific-American youth.

Domestic Violence Ended (DOVE) Youth Hotline (617) 773-HURT or (617) 471-1235. DOVE's Youth Hotline provides a safe, confidential and anonymous place for young adults to talk about domestic violence issues and receive support and referral services.

Fenway Community Health Center (617) 267-2535 (Gay and Lesbian Peer Listening Line) (617) 267-0900, ext. 6250 (Violence Recovery Program). The Peer Listening Line is staffed by volunteers who provide support to callers with questions regarding their sexual orientation and

access to community services. The Violence Recovery Program provides support and referral services to victims of hate crimes and harassment.

Gang Peace (617) 989-1285. Gang Peace provides peer-based education and training to youth ages 9 through 25, with an emphasis on rehabilitating gang members and youth at risk, providing programs in violence prevention and intervention, crisis management, mediation and HIV education.

Gay & Lesbian Advocates & Defenders (GLAD) 1-800-455-GLAD or (617) 426-1350. GLAD provides legal information, referrals and may provide direct legal representation to students and their families to assist students who have been harassed or discriminated against on the basis of sexual orientation and/ or HIV status.

Governor's Commission on Gay and Lesbian Youth (617) 727-7200, ext. 312. The Commission provides information about how to start a Gay/Straight Alliance (GSA) and how to find out about existing GSAs and other GLBT support services.

Governor's Task Force on Hate Crimes, Student Civil Rights Project of the Governor's Task Force on Hate Crimes (617) 727-6300, ext. 25339 Website: http://www.StoptheHate.org. The Student Civil Rights Project receives reports of hate incidents and provides assistance and referrals for civil rights issues in schools.

La Alianza Hispana - Youth Outreach Program (617) 427-7175. La Alianza Hispana provides programs and services to the Latino community of Greater Boston, including intervention and referral services to victims of violence and harassment.

Lawyers' Committee for Civil Rights - Project to Combat Racial Hate (617) 482-114.5 The Lawyers' Committee provides free legal services to children and their families who have been harassed or discriminated against on the basis of race or national origin.

Massachusetts Advocacy Center (617) 357-8431. The Advocacy Center provides legal representation to income-eligible youth with special needs or disabilities and who face suspension or expulsion from school due to disciplinary concerns.

Massachusetts Office on Disability (MOD) 1-800-322-2020 or (617) 727-7440 (Voice and TDD). MOD sponsors recreational and educational programs for youth with disabilities to share concerns about day-to- day issues and coping strategies, independence and self-care.

National Association for the Advancement of Colored People (NAACP) Boston (617) 427-9494 New Bedford (508) 991-4416 Springfield (413) 734-2765 South Middlesex (508) 879-7612 Merrimack Valley (978) 975-5177 Cambridge (617) 661-9223. The NAACP provides counseling and legal referral services to African-American youth and empowers youth to resolve problems relating to violence, harassment and discrimination.

National Coalition of Advocates for Students (NCAS) (617) 357-8507. NCAS seeks equal access to quality public education for children of vulnerable groups, including children of color, children recently immigrated to the United States and children with disabilities.

National Conference for Community and Justice (617) 451-5010. The National Conference trains youth from diverse racial, ethnic and religious groups to develop leadership skills to address prejudice and intolerance and develop strategies for inclusion.

Samariteens 1-800-252-TEEN. Samariteens provides a free and confidential service staffed by teenage volunteers dedicated to assisting teenagers in need and also provides suicide prevention and intervention strategies.

Sociedad Latina (617) 442-4299. Sociedad Latina offers treatment and counseling services to Latino youth and programs designed to prevent HIV/ AIDS transmission, substance abuse, teen pregnancy and domestic violence.

Urban League Eastern Massachusetts Office (617) 442-4519 Springfield Office (413) 739-7211. The Urban League provides services and advocacy programs relating to education for people of color, with a focus on poor and low-income urban areas**.**

1.D. Student Records Regulations

STUDENT RECORDS (District Policies JRA and JRA-R) Individual student records are on file in the school. They are open to parental review upon written request. The Principal will act on this request within 2 school days of the written request.

As set forth in the amended regulation, 603 CMR 23.07(5), non-custodial parents are eligible to obtain access to their children's student records unless the school or district has been given documentation that:

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

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

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA): The Family Educational Rights and Privacy Act (FERPA) specify rights related to educational records.

This Act gives the parent or guardian the right to:

- Inspect and review his/her child's educational records.
- Make copies of these records,
- Receive a list of all individuals having access to these records.
- Ask for an explanation of any item in the records.

- Ask for an amendment to any report on the grounds that it is inaccurate, or violates the child's rights.
- A hearing on the issue if the school refuses to make an amendment If there are any questions, please feel free to contact Darcy Fernandes, Superintendent or John Salovardos, Director of Pupil Services for the Athol-Royalston Regional School District at (978) 249-2400.

The following sections identify the Commonwealth of Massachusetts Regulations (CMR) section 603 pertaining to access of student records as they are presented in the regulations.

23.01: Application of Rights

603 CMR 23.00 is promulgated to insure parents and students' rights of confidentiality, inspection of records, amendment, and destruction of student records, and to assist local school systems in adhering to the law. 603 CMR 23.00 should be liberally construed for these purposes.

- Students over 14 years old have access to their files. These rights shall be the rights of the student upon reaching 14 years of age or upon entering the ninth grade, whichever comes first. If a student is under the age of 14 and has not yet entered the ninth grade, these rights shall belong to the student's parent.
- If a student is from 14 through 17 years of age or has entered the ninth grade, both the student and his/her parent, or either one acting alone, shall exercise these rights in accessing files.
- If a student is 18 years of age or older, they alone shall exercise these rights, subject to the following. The parent may continue to exercise the rights until expressly limited by such a student. Such a student may limit the rights and provisions of 603 CMR 23.00 which extend to his/her parents, except the right to inspect the student record, by making such a request in writing to the school principal or superintendent of schools who shall honor such request and retain a copy of it in the student record. Pursuant to M.G.L. c. 71, section 34E, the parent of a student may inspect the student record regardless of the student's age.
- Notwithstanding 603 CMR 23.01(1) and 23.01(2), nothing shall be construed to mean that a school committee cannot extend the provisions of 603 CMR 23.00 to students under the age of 14 or to students who have not yet entered the ninth grade.

23.02: Definition of Terms

The various terms as used in 603 CMR 23.00 are defined below:

Access shall mean inspection or copying of a student record, in whole or in part.

Authorized school personnel shall consist of three groups:

School administrators, teachers, counselors 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. Any such personnel who are not employed directly by the school committee shall have access only to the student record information that is required for them to perform their duties.

Administrative office staff and clerical personnel, including operators of data processing equipment or equipment that produces microfilm/microfiche, 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. Such personnel shall have access only to the student record information that is required for them to perform their duties.

The **Evaluation Team** which evaluates a student. **Evaluation Team** shall mean the team which evaluates school-age children pursuant to M.G.L. c. 71B (St. 1972, c. 766) and 603 CMR 28.00.

Eligible student shall mean any student who is 14 years of age or older or who has entered 9th grade, unless the school committee 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 9th grade.

Parent shall mean a student's father or mother, or guardian, or person or agency legally authorized to act on behalf of the student in place of or in conjunction with the father, mother, or guardian. Any parent who by court order does not have physical custody of the student, is considered a non-custodial parent for purposes of M.G.L. c. 71, § 34H and 603 CMR 23.00. This includes parents who by court order do not reside with or supervise the student, even for short periods of time.

Release shall mean the oral or written disclosure, in whole or in part, of information in a student record.

School-age children with special needs shall have the same definition as that given in M.G.L. c. 71B (St. 1972, c. 766) and 603 CMR 28.00.

School committee shall include a school committee, a board of trustees of a charter school, a board of trustees of a vocational-technical school, a board of directors of an educational collaborative and the governing body of an M.G.L. c. 71B (Chapter 766) approved private school.

Student shall mean any person enrolled or formerly enrolled in a public elementary or secondary school or any person age three or older about whom a school committee maintains information. The term as used in 603, CMR 23.00 shall not include a person about whom a school committee maintains information relative only to that person's employment by the school committee.

The **student record** shall consist of the transcript and the temporary record, including all information recording and computer tapes, microfilm, microfiche, or any other materials regardless of physical form or characteristics concerning a student that is organized on the basis of the student's name or in a way that such student may be individually identified, and that is kept by the public schools of the Commonwealth. The term as used in 603 CMR 23.00 shall mean all such information and materials regardless of where they are located, except for the information and materials specifically exempted by 603 CMR 23.04.

The **temporary record** shall consist of all the information in the student record, which is not contained in the transcript. This information clearly shall be of importance to the educational process. Such information may include standardized test results, class rank (when applicable), extracurricular activities, and evaluations by teachers, counselors, and other school staff.

Third party shall mean any person or private or public agency, authority, or organization other than the eligible student, his/her parent, or authorized school personnel.

The **transcript** shall contain administrative records that constitute the minimum data necessary to reflect the student's educational progress and to operate the educational system. These data shall be limited to the name, address, and phone number of the student; his/ her birth date;

name, address, and phone number of the parent or guardian; course titles, grades (or the equivalent when grades are not applicable), course credit, grade level completed, and the year completed.

23.03: Collection of Data: Limitations and Requirements

All information and data contained in or added to the student record shall be limited to information relevant to the educational needs of the student. Information and data added to the temporary record shall include the name, signature, and position of the person who is the source of the information, and the date of entry into the record. Standardized group test results that are added to the temporary record need only include the name of the test and/ or publisher, and date of testing.

23.04: Personal Files of School Employees

The term student record does not include notes, memory aids and other similar information that is maintained in the personal files of a school employee and is not accessible or revealed to authorized school personnel or any third party. Such information may be shared with the student, parent or a temporary substitute of the maker of the record, but if it is released to authorized school personnel it becomes part of the student record subject to all the provisions of 603 CMR 23.00**.**

23.05: Privacy and Security of Student Records

The school principal or his/her designee shall be responsible for the privacy and security of all student records maintained in the school.

The superintendent of schools or his/her designee shall be responsible for the privacy and security of all student records that are not under the supervision of a school principal, for example, former students' transcripts stored in the school department's central administrative offices or student records of school-age children with special needs who have not been enrolled in a public school.

The principal and superintendent of schools shall ensure that student records under their supervision are kept physically secure, that authorized school personnel are informed of the provisions of 603 CMR 23.00 and M.G.L. c. 71, § 34H and are educated as to the importance of information privacy and confidentiality; and that any computerized systems employed are electronically secure.

23.06: Destruction of Student Records

The student's transcript shall be maintained by the school department and may only be destroyed 60 years following his/her graduation, transfer, or withdrawal from the school system.

During the time a student is enrolled in a school, the principal or his/her designee shall periodically review and destroy misleading, outdated, or irrelevant information contained in the temporary record provided that the eligible student and his/her parent are notified in writing and are given the opportunity to receive the information or a copy of it prior to its destruction. A copy of such notice shall be placed in the temporary record.

The temporary record of any student enrolled on or after the effective date of 603 CMR 23.00 shall be destroyed no later than seven years after the student transfers, graduates, or withdraws from the school system. Written notice to the eligible student and his/her parent of the approximate date of destruction of the record and their right to receive the information in whole or in part, shall be made at the time of such transfer, graduation, or withdrawal. Such notice shall be in addition to the routine information letter required by 603 CMR 23.10.

In accordance with M.G.L. c 71, section 87, the score of any group intelligence test administered to a student enrolled in a public school shall be removed from the record of said student at the end of the school year in which such test was administered.

23.07: Access to Student Records

Log of Access. A log shall be kept as part of each student's record. If parts of the student record are separately located, a separate log shall be kept with each part. The log shall indicate all persons who have obtained access to the student record, stating: the name, position and signature of the person releasing the information; the name, position and, if a third party, affiliation if any, of the person who is to receive the information; the date of access; the parts of the record to which access was obtained; and the purpose of such access. Unless student record information is to be deleted or released, this log requirement shall not apply to:

- (a) authorized school personnel under 603 CMR 23.02(9) (a) who inspect the student record;
- (b) administrative office staff and clerical personnel under 603 CMR 23.02(9) (b), who add information to or obtain access to the student record; and
- (c) school nurses who inspect the student health record.

Access for Eligible Students and Parents. The eligible student or the parent, subject to the provisions of 603 CMR 23.07 (5), shall have access to the student record. Access shall be provided as soon as practicable and within ten days after the initial request, except in the case of non-custodial parents as provided in 603 CMR 23.07 (5). Upon request for access, the entire student record regardless of the physical location of its parts shall be made available.

- Upon request, copies of any information contained in the student record shall be furnished to the eligible student or the parent. A reasonable fee, not to exceed the cost of reproduction, may be charged. However, a fee may not be charged if doing so would effectively prevent the parents or eligible student from exercising their right, under federal law, to inspect and review the records.
- Any student, regardless of age, shall have the right pursuant to M.G.L. c. 71, section 34A to receive a copy of his/her transcript.
- The eligible student or the parent shall have the right upon request to meet with professionally qualified school personnel and to have any of the contents of the student record interpreted.
- The eligible student or the parent may have the student record inspected or interpreted by a third party of their choice. Such third parties shall present specific written consent of the eligible student or parent, prior to gaining access to the student record. (3) Access of **Authorized School Personnel**. Subject to 603 CMR 23.00, authorized school personnel shall have access to the student records of students to whom they are providing services, when such access is required in the performance of their official duties. The consent of the eligible student or parent shall not be necessary.

Access of Third Parties. Except for the provisions of 603 CMR 23.07(4)(a) through 23.07(4)(h), no third party shall have access to information in or from a student record without the specific, informed written consent of the eligible student or the parent. When granting consent, the eligible student or parent shall have the right to designate which parts of the student record shall be released to the third party. A copy of such consent shall be retained by the eligible student or parent and a duplicate placed in the temporary record. Except for information described in 603 CMR 23.07(4)(a), personally identifiable information from a student record shall only be released to a third party on the condition that they will not permit any other third party to have access to such information without the written consent of the eligible student or parent.

- A school may release the following directory information: 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 without the consent of the eligible student or parent; provided that the school gives public notice of the types of information it may release under 603 CMR 23.07 and allows eligible students and parents a reasonable time after such notice to request that this information not be released without the prior consent of the eligible student or parent. Such notice may be included in the routine information letter required under 603 CMR 23.10.
- Upon receipt of a court order or lawfully issued subpoena the school shall comply, provided that the school makes a reasonable effort to notify the parent or eligible student of the order or subpoena in advance of compliance.
- A school may release information regarding a student upon receipt of a request from the Department of Social Services, a probation officer, a justice of any court, or the Department of Youth Services under the provisions of M.G.L. c. 119, sections 51B, 57, 69 and 69A respectively.

- Federal, state and local education officials, and their authorized agents shall have access to student records as necessary in connection with the audit, evaluation or enforcement of federal and state education laws, or programs; 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; and such personally identifiable data shall be destroyed when no longer needed for the audit, evaluation or enforcement of federal and state education laws.
- A school may disclose information regarding a student to appropriate parties in connection with a health or safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. This includes, but is not limited to, disclosures to the local police department and the Department of Social Services under the provisions of M.G.L. c. 71; section 37L and M.G.L. c. 119, section 51A.
- Upon notification by law enforcement authorities that a student, or former student, has been reported missing, a mark shall be placed in the student record of such student. The school shall report any request concerning the records of such child to the appropriate law enforcement authority pursuant to the provisions of M.G.L. c. 22A, section 9.
- Authorized school personnel of the school to which a student seeks or intends to transfer may have access to such student's record without the consent of the eligible student or parent, provided that the school the student is leaving, or has left, gives notice that it

forwards student records to schools in which the student seeks or intends to enroll. Such notice may be included in the routine information letter required under 603 CMR 23.10.
- School health personnel and local and state health department personnel shall have access to student health records, including but not limited to immunization records, when such access is required in the performance of official duties, without the consent of the eligible student or parent.

Access Procedures for Non-Custodial Parents. As required by M.G.L. c. 71, § 34H, a non-custodial parent may have access to the student record in accordance with the following provisions.

A non-custodial parent is eligible to obtain access to the student record unless:

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

In order to obtain access, the non-custodial parent must submit a written request for the student record to the principal annually.

The initial request must include the following:

- 1. A certified copy of the court order or judgment relative to the custody of the student that either indicates that the requesting parent is eligible to receive access as set forth in 603 CMR 23.07 (5) (a), or a certified copy of a court order specifically ordering that the student records be made available to the non-custodial parent, and an affidavit from the non-custodial parent that said court order or judgment remains in effect and that there is no temporary or permanent order restricting access to the custodial parent or any child in the custodial parent's custody.

The non-custodial parent must submit a written request for access each year stating that said parent continues to be entitled to unsupervised visitation with the student and is eligible to obtain access as set forth in 603 CMR 23.07 (5) (a).

- Upon receipt of the request (initial and annual) the school must immediately notify the custodial parent by certified and first class mail, in English and the primary language of the custodial parent, that it will provide the non-custodial parent with access after 21 days, unless the custodial parent provides the principal with documentation that the non-custodial parent is not eligible to obtain access as set forth in 603 CMR 23.07 (5) (a).
- The school must delete the address and telephone number of the student and custodial parent from student records provided to non-custodial parents. In addition, such records must be marked to indicate that they shall not be used to enroll the student in another school.
- Upon receipt of a court order which prohibits the distribution of information pursuant to G.L. c. 71, §34H, the school shall notify the non-custodial parent that it shall cease to provide access to the student record to the non-custodial parent.

23.08: Amending the Student Record

The eligible student or the parent shall have the right to add information, comments, data, or any other relevant written material to the student record.

The eligible student or the parent shall have the right to request in writing deletion or amendment of any information contained in the student record, except for information, which was inserted into that record by an Evaluation Team. Such information inserted by an Evaluation Team shall not be subject to such a request until after the acceptance of the Evaluation Team Educational Plan, or, if the Evaluation Team Educational Plan is rejected, after the completion of the special education appeal process. Any deletion or amendment shall be made in accordance with the procedure described below:

- If such student or parent is of the opinion that adding information is not sufficient to explain, clarify or correct objectionable material in the student record, either student or parent shall present the objection in writing and/or have the right to have a conference with the principal or his/her designee to make the objections known.
- The principal or his/her designee shall within one week after the conference or receipt of the objection, if no conference was requested, render to such student or parent a decision in writing, stating the reason or reasons for the decision. If the decision is in favor of the student or parent, the principal or his/her designee shall promptly take such steps as may be necessary to put the decision into effect.

23.09: Appeals

In the event that any decision of a principal or his/her designee regarding any of the provisions contained in 603 CMR 23.00 is not satisfactory in whole or in part to the eligible student or parent, they shall have the right of appeal to the superintendent of schools.

Requests for such appeal shall be in writing to the superintendent of schools. The superintendent of schools or his/her designee shall within two weeks after being notified of such appeal (longer should the appellant request a delay) review the issues presented and render a written decision to the appellant, stating the reason or reasons for the decision. If the decision is in favor of the appellant, the superintendent of schools or his/her designee shall promptly take such steps as may be necessary to put the decision into effect.

In the event that the decision of the superintendent of schools or his/her designee is not satisfactory to the appellant in whole or in part, the appellant shall have the right of appeal to the school committee. Requests for such appeal shall be in writing to the chairperson of the school committee.

The school committee shall within four weeks after being notified of such appeal (longer should the appellant request a delay) conduct a fair hearing to decide the issues presented by the appellant.

- School officials shall have the burden of proof on issues presented by the appellant.
- The appellant shall have the right to be represented by an advocate of his/her choosing, to cross- examine witnesses, to present evidence, to make a tape or other recording of the proceedings, and to receive a written decision within two weeks after the hearing.

- If the appeal concerns statements by an employee of the school committee, such person(s) shall have the right to be present and to have an advocate of his/her own choosing.
- Nothing in 603 CMR 23.00 shall abridge or limit any right of an eligible student or parent to seek enforcement of 603 CMR 23.00 or the statutes regarding student records, in any court or administrative agency of competent jurisdiction.

23.10: Notification

At least once during every school year, the school shall publish and distribute to students and their parents in their primary language a routine information letter informing them of the following:

- The standardized testing programs and research studies to be conducted during the year and other routine information to be collected or solicited from the student during the year.
- The general provisions of 603 CMR 23.00 regarding parent and student rights and those copies of 603 CMR 23.00 are available to them from the school.

In those school systems required under M.G.L. c. 71A to conduct a bilingual program, all forms, regulations, or other documents regarding 603 CMR 23.00 that a parent receives or is required to receive shall be in the language spoken in the home of the student, provided that it is a language for which the school system is required to provide a bilingual program.

23.11: Monitoring

The Department of Education may, pursuant to a request by an eligible student or parent or on its own initiative, conduct reviews to insure compliance with 603 CMR 23.00. The school committee and the specific school(s) involved shall cooperate to the fullest extent with such review.

23.12: Severance Clause

The provisions of 603 CMR 23.00 is severable and should any section be found upon judicial review to exceed the authority of the State Board of Education, the remaining sections should not be affected.

1.E. Equal Access

EQUAL EDUCATIONAL OPPORTUNITIES: In recognition of the diverse characteristics and needs of our students and with the keen desire to be responsive to them, the committee will make every effort to protect the dignity of the students as individuals. It also will offer careful consideration and sympathetic understanding of their personal feelings, particularly with reference to their race, creed, sex, sexual orientation, religion, nationality, gender identity, and disability.

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 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 advantage, privileges and course of study of such public school on account of race, color, sex, disability, religion, gender identity, 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.

MULTI-TIERED SYSTEM OF SUPPORT: ARRSD provides systematic support across all schools and classrooms to meet the academic and nonacademic needs of students. Within a system of high-quality core instruction for all students, targeted supports and interventions are provided in a safe and supportive learning environment.

Using data-driven decision making, school teams implement supports, interventions or extensions as needed for individual students. A cycle of benchmark assessments, progress monitoring and data analysis is completed every six weeks in order to systematically monitor and address student needs.

CHILD STUDY TEAM: To successfully implement a tiered system of support, schools must cultivate a collaborative school culture in which all staff take responsibility for the success of all students. As part of this collaborative culture, it is important that staff have time, a place, and a process for engaging in collaborative problem-solving. The Child Study Process creates this place, time and process. The Child Study team is tasked with looking at the whole child, taking into consideration a student’s academic and non-academic needs, including family needs and medical needs where applicable and helping to connect students to services within the school and develop interventions to help families and students.

Examples of issues that may be brought to the Child Study Process

- Academic struggles
- Poor attendance
- Discipline problems
- Health-related issues
- Potential for retention
- Need for enrichment

Teachers, administrators or staff members may submit concerns to the Assistant Principal and begin the Child Study process. Detailed information regarding the concern and student progress are brought before the team and an intervention plan is implemented and monitored. Parents are an integral part of the process and are included in all aspects of the process.

The following is an example of the types of data that may be reviewed:

- General concerns about the student
- NWEA
- Current grades in all classes
- Social-emotional concerns
- Attendance
- Title 1 data
- Wonders data
- Applicable behavioral data

- MCAS data
- Any other applicable data

SECTION 504 OF THE REHABILITATION ACT OF 1973: Section 504 of the Rehabilitation Act of l973 is a broad civil rights law that protects the handicapped or disabled individuals in programs that receive federal funds.

Under the Americans with Disabilities Act, a qualified disabled person is “one who has had a physical or mental disability which substantially limits a major life activity or, has a record of such, or is regarded as disabled by professionals.” Major life activities include the ability to care for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working. A disability need only limit one major life activity for an individual to be eligible.

Typically, students with disabilities who do not qualify for special education under IDEA may qualify under Section 504. These disabilities might include students with Attention Deficit Disorder (ADD or ADHD), students with AIDS, heart conditions, and other physical disabilities such as severe asthma, juvenile diabetes, severe arthritis, cerebral palsy, etc. All of these conditions under 504 allow a student to receive the necessary related services to access the curriculum and make their education comparable to non-disabled students. If you are a student that has disabilities in this category, you and your family should reach out to the Pupil Services Department to discuss options and assistance.

Services given to students under section 504 are considered the responsibility of regular education, as they are not in need of specialized instruction and can function with adjustments in the regular classroom.

Many of the specific regulations found in special education law identified under Federal IDEA law do not apply to Section 504. However, the due process rights of students and parents, or guardians are protected and a specific grievance procedure must be in place, including the right to mediation or an impartial hearing and the right to be represented by an attorney. If students are thought to have a disability under Section 504, they have a right to an evaluation. A team knowledgeable about the student will make recommendations regarding modifications and/or placement in the least restrictive environment. A written plan must be developed documenting the presence of a disability which limits a major life activity, and a statement of the adjustments that will be made.

The **principal, or designee, of the building is responsible for compliance for Section 504** for the Athol-Royalston Regional School District and has the complete support of management in the implementation of this program.

Any person having inquiries concerning The Athol-Royalston Regional School District’s compliance with Section 504 is directed to contact:

Darcy Fernandes, Superintendent of Schools or John Salovardos, Director of Pupil Services 1062 Pleasant Street 1062 Pleasant Street Athol, MA 01331 Athol, MA 01331 (978) 249-2400 (978) 249-2403

SPECIAL EDUCATION SERVICES UNDER I.D.E.A.: For students and families, the Individuals with Disabilities Education Act provides guidance and regulations governing the identification, planning, and application of services for students found eligible for special education services.

Some students with disabilities require specialized instruction and/or supportive services to help them make effective progress in school. These services can include, but are not limited to, speech therapy, physical therapy, occupational therapy, specialized instruction, or placement in a special classroom.

Parent(s)/guardian(s) or teachers may refer students they are concerned about to the Special Education Department. The department will then contact the school to implement the CST process, and process the referral paperwork and obtain consent to evaluate.

Within five (5) school days of such a referral, a consent form authorizing an evaluation of the student will be forwarded to the parent(s)/guardian(s). Following receipt of the parent(s)'/guardian(s)' consent, an evaluation will be conducted and a TEAM meeting will be held to determine if the student is eligible for special education services. If the student is found eligible for special education services, the Team will develop an Individualized Education Program (IEP) identifying the necessary services.

In some cases, the evaluation Team determines that a student with a disability may require only individual accommodations as opposed to specialized instruction and/or related services. Such students are then referred for an evaluation or review of their eligibility for an individual accommodation plan in accordance with Section 504 of the Rehabilitation Act. Students may also be referred for an evaluation of their eligibility under Section 504 even where they have not been referred for a special education evaluation.

For more information regarding the services available to students with disabilities please contact your school principal or team chairperson.

SPECIAL EDUCATION PARENT/GUARDIAN ADVISORY COUNCIL (SEPAC): The SEPAC is a state mandated Parent/Guardian Advisory Council whose goal is to give parents/guardians the opportunity to participate in educational programming in a more informed way. The PAC acts as a support group for parents/ guardians who wish to discuss special needs issues. The PAC will assist in providing information about the availability of special education services, procedures to obtain these services and the rights and responsibilities of parents/guardians under State and Federal special education laws. Membership is open to parents/guardians of children with or without special needs, educators, human service agency representatives, school committee members, and any caring member of the community. Connections with the SEPAC can be made at: atholroyalstonsepac@gmail.com

CHILD FIND: The Athol-Royalston Regional School District is required to identify all children, ages three years through twenty-one years, who reside within the District, have not yet graduated from high school, and who are in need of special education and related services. Any child suspected of having a disability and believed to be in need of special education and related services may be referred to the Director of Pupil Services and the Pupil Services Department, (978) 249-2403.

The district uses the Child Study Teams as part of this internal child find process at each school.

Further information may be obtained from your school's principal or the Director of Pupil Services, the District's Section 504 Coordinator (978) 249-2403.

TITLE I PROGRAM: The mission of the Title I Program is to help our students gain the reading, writing, and math skills they will need to use in their daily lives. We provide support to students,

parents, and teachers to help students achieve their highest potential, feel confident in their abilities, and take responsibility for their success.

Title I is the largest federally funded education program. It provides resources to eligible school districts based on the number of students qualifying for free and reduced lunch. Title I staff assist schools in providing services that address identified student needs to help all students achieve state learning standards. In the ARRSD, we use Title I funds to support students in reading, writing, and math in schools eligible for title I services.

Students are chosen to participate in Title I reading and math services based on a combination of assessment tests from the beginning of the year, the previous year's performance, RTI progress monitoring data, MCAS scores, and teacher referrals.

For more information regarding Title I programming, please contact your school's principal.

ELL (English Language Learner) SERVICES: In accordance with Department of Elementary and Secondary Education guidelines, students who may be English learners are identified and assessed with regard to their level of English proficiency upon their entrance into the district.

Parents should be sure to indicate the possible need for ELL services upon registration. The school district provides a variety of services, both direct and consultative, to students who are English language learners. Translation of important documents or interpretation during important meetings is available when parents or guardians of students have limited English language skills. Further information may be obtained from your school's principal or the Director of Pupil Services.

1.F. Technology Policies and Procedures

COMPUTER USE POLICIES (District Policies IJND, IJNEB, IJNDB-E Overview): Students shall not: Attempt to access or send email unless created by the school district. Attempt to access chat rooms or personal gathering websites deemed inappropriate like Facebook, Snapchat, Instagram,etc. Access or type in any Internet address (URL) unless directed to do so by their teacher. Reveal their account password or permit or authorize any other person to use their name or login password.

Students may not attempt or gain unauthorized entry into a file, either to read or change information or transfer files. Use another individual's account or vandalize another user's data. Degrading, damaging, or disrupting equipment or system performance is prohibited as is gaining unauthorized access to network resources.

It is prohibited for students to download, install or load programs or disks onto a specific school computer. Also prohibited is the use of the network to access and/or transmit material in violation of any U.S. law, Commonwealth law, or school policy, including copyrighted material. It is further prohibited to access, download, display, transmit, produce, generate, copy or propagate any material that is obscene or pornographic material; that advocates illegal acts, that contains ethnic slurs, or racial epithets; or that discriminates on the basis of gender, gender identity, national origin, sexual orientation, race, housing status, religion, ethnicity, disability or age. Use of the Internet for personal commercial activities, product advertisement or political lobbying.

Refer also to the Internet Use Policy.

ATHOL-ROYALSTON REGIONAL SCHOOL DISTRICT INTERNET USE POLICY
OVERVIEW: The Internet is an electronic communications network which provides vast, diverse and unique resources. Our goal in providing this service to teachers, staff and students, is to promote educational excellence in the Athol- Royalston Regional School District by facilitating resource sharing, innovation and communication.

With access to computers and people all over the world also comes the availability of material that may not be considered to be of educational value in the context of the school setting. There may be some material or individual communications which are not suitable for school-aged children. The Athol-Royalston Regional School District views information gathered from the Internet in the same manner as information gathered from other reference materials identified by the schools. Specifically, the district supports resources that will enhance the learning environment with directed guidance from the faculty and staff. Exploration and utilization of resources is encouraged. However, it is impossible to control all materials on a global network and an industrious user may discover inappropriate information.

In the schools, student access to, and use of, the Internet will be available through a school designated account and will be carried out at teacher direction and monitored as any other classroom activity. Training will be provided. Every school complies with the CIPA (Children's Internet Protection Act. The school district, however, cannot prevent the possibility that some users may access material that is not consistent with the educational mission, goals and policies of the school district.

GUIDELINES: Internet access is coordinated through a complex association of government agencies and regional networks. The operation of the Internet relies heavily on the proper conduct of the users, who must adhere to strict guidelines. The district staff has the right and obligation to monitor student Internet activities. Internet access is a privilege, not a right. It shall be the policy of the Athol-Royalston Regional School District that every student who uses the District's internet connection shall have on file, at each school that the student attends, the official "Athol-Royalston Regional School District Contract Regarding the Use of the Internet" which is signed and dated by both the student and a parent/guardian. The Principal of each school shall be responsible for adherence to this policy and place such contracts in the student's temporary file. If a district user violates any of the acceptable use provisions outlined in this document, his/her account will be terminated and future access will be denied. Some violations may also constitute a criminal offense and may result in legal action. Any use violating these provisions, applicable state and federal laws, or posted classroom and district policies, is subject to loss of access privileges and any other district disciplinary options.

1) Acceptable Use
- Student use must be in support of education and research consistent with curriculum
- Student use must be consistent with the rules appropriate to any network being used/accessed.

2) Unacceptable Use
- Unauthorized use of copyrighted material is prohibited.
- Threatening or obscene material is prohibited.
- Distribution of material protected by trade secrets is prohibited.
- Use for commercial activities is not acceptable.
- Product advertisement or political lobbying is prohibited.

- Plagiarism is prohibited.

3) Netiquette
- Do not watch when others type in their passwords.
- Be polite.
- Do not use vulgar or obscene language.
- Do not reveal your own home address, telephone #, or telephone # of others.
- Use caution when revealing your school address or e-mail number (or those of others).
- Electronic mail is not guaranteed to be private.
- Do not intentionally disrupt the network or other users.
- Abide by the generally accepted rules of network etiquette.

4) Security
- If you identify a security problem, notify a teacher/administrator immediately.
- Do not show or identify a security problem to others.
- Do not reveal your account password or allow another person to use your account.
- Do not use another individual's account.
- Attempts to log on as another user will result in cancellation of your privileges.
- Any user identified as a security risk or having a history of problems with other computer systems may be denied access.
- The student user must notify their teacher/administrator of any change in account information.
- The student user may be occasionally required to update registration, password and account information in order to continue Internet access.
- The student user must use school accounts on school grounds.

5) Vandalism/Harassment
- Vandalism is defined as any malicious attempt to harm or destroy data or another user, the Internet or other networks and is prohibited. This includes, but is not limited to, creating and/or uploading computer viruses. Harassment is defined as the persistent annoyance of another user or the interference in another user's work. This includes, but is not limited to, the sending of unwanted e-mail.
- Vandalism and/or harassment will result in the cancellation of privileges.

6) Penalties
- Any user violating these provisions, applicable state and federal laws or posted classroom and district rules is subject to loss of privileges and any other district disciplinary options, including criminal prosecution.
- School and district administrators will make the determination as to what constitutes unacceptable use and their decision will be final.

The Athol-Royalston Regional School District makes no warranties of any kind, whether expressed or implied, for the service it is providing. The Athol-Royalston Regional School District will not be responsible for any damages a user may suffer, including loss of data. The District will not be responsible for the accuracy or quality of information obtained through this Internet connection.

All terms and conditions as stated in this document are applicable to all users of the Internet. These provisions reflect an agreement of the parties and shall be governed by and interpreted in accordance with the laws of the state of Massachusetts and the United States of America.

1.G. PHYSICAL RESTRAINTS

PROCEDURES RELATING TO RESTRAINT USE and PREVENTION, BEHAVIOR SUPPORT, and THE LIMITATIONS OF PHYSICAL RESTRAINT:

In accordance with 603 CMR 46.00 and The Athol-Royalston Regional School District's Restraint Prevention Policy, the District has developed and implemented the following specific procedures relating to restraint prevention, behavior support, and the use of physical restraint.

OVERVIEW: The Athol-Royalston Regional School District seeks to ensure that every student is free from the use of physical restraint that is inconsistent with the requirements of 603 C.M.R. 46.00. Physical restraint is an emergency measure of last resort. It may be administered only when necessary to protect a student and/or school community member from assault or imminent, serious physical harm. When, based on this standard, physical restraint is necessary, staff will strive to prevent or minimize any harm to the student as a result of the use of physical restraint.

DEFINITIONS:

Mechanical Restraint: the use of any device or equipment to restrict a student's freedom of movement. The term does not include devices implemented by trained school personnel, or utilized by a student that has been prescribed by an appropriate medical or related service professional, and are used for specific and approved positioning or protective purposes for which such devices were designed.

Examples of such devices include:

- Adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports.
- Vehicle safety restraints when used as intended during the transport of a student in a moving vehicle; restraints for medical immobilization; or orthopedically prescribed devices that permit a student to participate in activities without risk of harm.
- Medication Restraint: the administration of medication for the purpose of temporarily controlling behavior. Medication prescribed by a licensed physician and authorized by the parent for administration in the school setting is not medication restraint.
- Physical Escort: a temporary touching or holding, without the use of force, of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is agitated to walk to a safe location.
- Physical Restraint: direct physical contact that prevents or significantly restricts a student's freedom of movement. Physical restraint does not include: brief physical contact to promote student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing comfort, or a physical escort.

Principal: instructional leader of a public school education program or his or her designee.

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

Seclusion: involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. Seclusion does not include a time-out as defined below.

Time-Out: a behavioral support strategy, developed pursuant to 603 CMR 46.04(1), in which a student temporarily separates from the learning activity or the classroom, either by choice or by direction from staff, for the purpose of calming. During time-out, a student must be continuously observed by a staff member. Staff shall be with the student or immediately available to the student at all times (See additional guidance below). The space used for time-out must be clean, safe, sanitary, and appropriate for the purpose of calming. Time-out shall cease as soon as the student has calmed.

INTERVENTIONS AND ALTERNATIVES TO PHYSICAL RESTRAINT: Staff will implement behavior interventions and supports to assist students and minimize the use of physical restraint. Behavioral interventions and supports are those taught through the Safety Care Program.

Each school will provide school-wide professional development focused on identifying and preventing student violence, self-injurious behavior and suicide, including individual behavior crisis planning and de-escalation of potentially dangerous behavior occurring among groups of students or with an individual student. In addition, the school-level crisis team will participate in professional development focused on preventative measures to prevent student violence, self-injurious behavior and suicide, including individual behavior crisis planning and de-escalation of potentially dangerous behavior occurring among groups of students or with an individual student. The crisis team along with teachers and other school personnel will identify students who are potentially at-risk and review student social, emotional and behavior progress monthly at the Child Study Team Meeting or student review meetings to plan interventions and support for students. The monthly meetings will include mental health professionals as a resource to plan appropriate interventions and support for the students.

Each school should have a Crisis Team. All members of the school's crisis team are trained in Safety Care and other non-violent intervention techniques.

For any student with a history of significant emotional/ behavioral issues including at risk behavior (harm to self and/or others) and/or a student who has required a physical restraint, the Team should develop a safety intervention plan. The plan should include strategies and supports which may include specific de-escalation strategies, counseling services, monitoring protocol, data collection, and review meetings during the Child Study or student review meeting format for the purpose of assessing progress and making necessary adjustments. Teams can request a functional behavioral assessment (FBA) or Safety/Risk Assessment and can collaborate and refer to outside agencies with consent.

Each school should have a functioning Child Study Team or process, which meets regularly to discuss individual students and/or groups of students demonstrating problem behavior and mental health concerns. The team may include an administrator, school counselor, SRO, school nurse, and school psychologist, and, if necessary, may also include an outside agency representative, consulting or service delivery outpatient support.

School staff should utilize the school district's various tools to help students who are exhibiting dysregulation, self-injurious behavior, and/or aggressive behavior. More specifically, school staff should ensure that behavior planning and expectations are aligned and based on programs in the district. These include but are not limited to the following:

- PBIS (Positive Behaviors Interventions and Support)
- Second Step
- Restorative practice
- Zones of Regulation
- SOS/Lifelines

Students and families should be aware that there are a variety of appropriate responses to student behavior that may require immediate intervention. The Department of Elementary and Secondary Education (DESE) encourages districts to promote alternatives to families in the handbook. These alternative methods should be used first when seeking to prevent student violence, self-injurious behavior and/or de-escalating potentially dangerous behavior occurring among groups of students or with an individual student. Physical restraints should only be used as a last resort in emergency situations after these other, less intrusive, alternatives have failed or been deemed inappropriate.

Examples of interventions and less intrusive methods that may preclude the need for the use of physical restraint, include but are not limited to, the following:

- Active listening.
- Use of a low non-threatening voice.
- Be mindful of physical proximity, do not crowd the personal space of the student.
- Limiting the number of adults providing direction to the student.
- Offering the student a choice.
- Make sure the student has a way to save face so that they don't feel that they are backed into a corner because of their actions.
- Help the student to connect with an appropriate supportive service.
- Not blocking the student's access to an escape route.
- Suggesting possible resolutions to the student.
- Avoid dramatic gestures (waving arms, pointing, blocking motions, etc.)
- Verbal prompt - A verbal prompt is communicating what is expected behavior by clearly stating instructions and expectations.
- Full or partial physical cue - A full or partial physical cue is anytime an adult needs to temporarily place their hands on a student or physically redirects a student without force. These are used at increasing levels as needed to return a student safely back to task. See - Physical Redirection and Physical Escort below.
- Physical Escort – A physical escort is a temporary touching or holding, without the use of force, of the hand, wrist, arm, shoulder or back, for the purpose of inducing a student who is agitated to walk to a safe location.
- Physical Redirection –A physical redirection is done by temporarily placing a hand on each of the student's shoulders, or elbow without force, and redirecting the student to the learning activity, classroom or safe location.
- Time-out or Time-to-Regroup – A Regroup Time-out is a behavioral support strategy in which a student temporarily separates from the learning activity or classroom, either by choice or by direction from staff, for the purpose of calming. During time-out a student must be continuously observed by a staff member. Staff shall be with the student or immediately available to the student at all times. The space used for time-out must be clean, safe, sanitary and appropriate for the purpose of calming. Time-out shall cease as soon as the student is calmed. Staff should be mindful to not block the egress of the

time-out area. At no time should the student think or feel that they are being secluded, isolated, and/or confined.

GENERAL DE-ESCALATION GUIDELINES: It is important for students and families to note that district staff will promote de-escalation strategies in their schools. General guidelines for de-escalating potentially dangerous behavior occurring among groups of students or with an individual student include the following:

- Remain calm –To possibly help prevent the likelihood of a student experiencing distress from escalating his/her behavior, use a neutral and level tone of voice, control one's facial expressions and use a supportive non-threatening body language.
- Obtain Assistance – Whenever possible, school personnel should immediately take steps to notify school administrators, the school's administrative response team and/or other school personnel of a potentially dangerous situation and to obtain additional assistance.
- One Person Speaks - In order to minimize the likelihood of confusion and/or the likelihood of a student experiencing distress from escalating his/her behavior, have one person provide overall direction to the response and the follow up procedures is advisable. This often may be either the first trained staff person on the scene or the staff person with the most information about the particular situation.
- Students may be asked to leave the classroom to prevent escalation and to give the student a chance to regroup. If removing a student is not possible, staff may leave an area if a student shows signs of distress. If a student leaves with staff, the goal will be to move to another more private and safe area in order to de-escalate.
- Remove Other Students – If it is not feasible to have a student experiencing distress move to a more private and safe area in order to de-escalate, consider the feasibility of having other staff assist and monitor the removal of other students to another area within the school until the student de-escalates.

Methods for Prevention of Self-Injurious Behavior: Self-injury may also act as an unhealthy function and method of managing or releasing tension and emotion. Students who engage in this behavior should understand that there are alternatives to this behavior. DESE encourages districts to address these options with students.

- Staff serve as models for students in showing healthy emotional control, conflict-resolution and problem-solving skills.
- Students need dependable, structured and predictable (schedules, individual sessions, group time, consequences and/or expectations).
- Consistency in responses in that staff remains neutral: rules, rewards and consequences are the same each day. Further, staff members display a consistent "personality" each day.
- Confidential and private. Staff will refrain from discussing students when others are around and refrain from discussing sensitive issues with students (i.e., diagnosis, family conflict, etc.) in public (i.e., hallways, classrooms).
- Staff will attempt to aid students by trying to determine what purpose the self-injurious behavior (SIB) serves. School staff may engage in a series of interviews and data collection techniques to develop a Functional Behavior Assessment. Common functions of SIB are self-stimulation, communication, escape/avoidance from negative stimuli and to get attention.
- Staff will encourage the student to express emotions in more positive ways.

- Help the student create a feeling vocabulary bank and encourage him or her to describe their feelings before, during, and after the self-harming act.
- Attempts will be made to modify the student's physical environment, when appropriate. Items to be changed include setting, lighting, smells and sounds, especially if they influence the occurrence of the behavior.
- Students should realize that self-injury often occurs in response to distressing feelings; let the student know that you understand they are dealing with difficult emotions and that those emotions are valid, but there are healthy ways to cope and communicate without injury.
- Focus on replacement behaviors that are healthy, but will serve the same function.
- Share information to parents and staff that may be general and/or tailored towards seeking help from a trusted resource. Students should be encouraged to tell an adult if they think a friend is in crisis or needs support.

METHODS FOR ENGAGING PARENTS IN DISCUSSION ABOUT RESTRAINT PREVENTION AND USE: DESE encourages continued collaboration and communication between home and school. The following are possible strategies and steps used in this process.

- The Principal shall verbally inform the student's parents or guardians of the restraint as soon as possible and by written report postmarked no later than three school/ working days following the use of restraint.
- If the school customarily provides the parent or guardian with report cards and other necessary school-related information in a language other than English, the written restraint report shall be provided to the parent or guardian in that language.
- In accordance with the Regulations, the Athol-Royalston Regional School District shall engage parents and youth in discussions about restraint prevention and the use of restraint solely as an emergency procedure.

- Information on restraints and alternatives will be shared on the district's web site.

PROHIBITIONS and NON-PROHIBITIONS IN USE OF RESTRAINTS: In Massachusetts, certain types of restraints such as chemical restraint, medication restraint, mechanical restraint, and seclusion are prohibited.
Specific Rights 603 C.M.R. 46.00 does not prohibit:

- Any teacher, employee or agent of the District from using reasonable force to protect students, others or themselves from imminent, serious, physical harm is not prohibited;
- Any individual from reporting to appropriate authorities a crime committed by a student or other individual is not prohibited;
- Law enforcement, judicial authorities or school security personnel from exercising their responsibilities, including the physical detainment of a student or person alleged to have committed a crime or posing a security risk; or (4) an individual from reporting neglect or abuse to the appropriate state agency, pursuant to M.G.L. c. 119 § 51A is not prohibited.

DESE TECHNICAL ASSISTANCE ON USE OF TIME-OUT: DESE's Technical Assistance Advisory SPED 2016-1 explains the differences between inclusionary time-out and exclusionary time-out as follows:

Inclusionary time-out: when a student is removed from positive reinforcement or full participation in classroom activities while remaining in the classroom.

Inclusionary time-out includes practices used by teachers as part of their classroom behavior support tools such as, planned ignoring, asking students to put their heads down, or placing a student in a different location within the classroom. These strategies are used to reduce external stimuli in the student's environment while keeping the student physically present and involved in learning, and have proven to be useful tools for classroom management.

For a student who remains both physically present in the classroom and fully aware of the learning activities, the requirements that govern the use of exclusionary time-out, listed below, do not apply.

Inclusionary time-out does not include walled off time-out rooms located within the classroom; use of those areas considered to be exclusionary time-out.

Exclusionary time-out: the separation of a student from the rest of the class either through complete visual separation or from actual physical separation.

The following requirements apply to the use of "exclusionary time-out":

- May be used only for the purpose of calming.
- The space used must be clean, safe, sanitary and appropriate for calming and the student must never be locked in a room and must be continuously observed by a staff member.
- Staff members must either be with the student or immediately available to the student at all times, unless it poses a safety risk. A staff member must be physically present with the student who is in an exclusionary time-out setting. If it is not safe for the staff member to be present with the student, the student may be left in the time-out setting with the door closed. However, in order to ensure that the student is receiving appropriate support, a school counselor or other behavioral support professional must be immediately available outside of the time-out setting where the individual can continuously observe and communicate with the student as appropriate to determine when the student has calmed.
- For students displaying self-injurious behavior, a staff member must be physically present in the same area/setting with the student.
- Any time-out must be terminated as soon as the student has calmed.
- May not extend beyond thirty (30) minutes without the approval of the Principal; and
- The Principal may grant an extension beyond thirty (30) minutes based only on the individual student's continuing agitation.

USE OF PHYSICAL RESTRAINT, LEGAL STANDARD FOR USE: Physical restraint is considered an emergency procedure of last resort. This means that it may be used only when the student's behavior poses a threat of assault or imminent, serious, physical harm to self and/or others:

- And the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions.
- Such interventions are deemed to be inappropriate under the circumstances.
- Also, brief physical contact to promote safety is not considered a restraint.

For further information on the last bullet in the above information, DESE's Question and Answer Guide to Implementation of 603 CMR 46.00, The Regulations for the Prevention of Physical Restraint and Requirements if Used, July 31, 2015, states that;

"brief physical contact to promote safety refers to measures taken by school personnel consisting of physical contact with a student for a short period of time solely to prevent imminent harm to a student, for example, physically redirecting a student about to wander on to a busy road, grabbing a student who is about to fall, or breaking up a fight between students."

It is important for students, families, and staff to know that physical restraint may never be used for punishment. Physical restraint may not be used as a response to a student engaged in property damage, disruption of school order, refusal to comply with rules/directions, or verbal threats, unless the above harm standard is also met.

Physical restraint may not be used as a standard response for any student. No IEP or written behavioral plan may include physical restraint as a standard response to any behavior.

PHYSICAL RESTRAINT METHODS: When physical restraint is necessary, the methods of physical restraint are those taught explicitly through QBS/Safety Care methods. This includes two levels of training for staff that act as part of the restraint process and include the following:

> **General Training:** The Principal will ensure that all staff members receive training on the District's Restraint Prevention and Behavior Support Policy and Procedures and the requirements for the use of restraint. General information is provided to all staff members annually through its on-line training. Staff members are expected to sign off following completion. This training will comply with the requirements of 603 C.M.R. 46.04(2).
>
> **In-Depth Training:** The Principal will identify and authorize certain staff to serve as a school-wide resource to assist in ensuring the proper administration of physical restraint. These identified staff will participate in an in-depth training that complies with the requirements of 603 C.M.R. 46.04(3) and 603 C.M.R.46.04(4).

As stated, the District has chosen Safety Care as a restraint and prevention program. Safety Care is a set of procedures designed to:

- avoid physical confrontation
- de-escalate physical confrontation if avoidance procedures are not effective;
- manage crises in the safest way possible, and
- use of specific procedures

SAFETY: To ensure student safety, staff will review and consider a student's medical and psychological limitations, known or suspected trauma history, and/or behavior intervention plans. It is important for families to feel comfortable sharing background history that might help staff to avoid escalation and restraint. Physical restraint will not be used when it is medically contraindicated for reasons including, but not limited to, communication-related disorders, asthma, seizures, cardiac conditions, obesity, bronchitis, or risk of vomiting.

During a physical restraint, staff will continuously monitor the student's physical status, including skin temperature, color and respiration, and make certain that the student is able to breathe and

speak. Staff will use the safest physical restraint method available and appropriate for the situation, and will use only the amount of force necessary to protect the student or others from physical injury or harm. Whenever possible, another adult who is not a participant in the restraint will witness the administration of the restraint.

DURATION: A physical restraint must be terminated as soon as the student is no longer an immediate danger to himself or others, or the student demonstrates or expresses significant physical distress (e.g., difficulty breathing, sustained or prolonged crying, sustained or prolonged coughing). If a student demonstrates or expresses significant physical distress, staff will release the restraint and seek medical assistance immediately. For any student to be restrained for more than twenty (20) minutes, staff must obtain the Principal's approval. This approval must be based on the student's continued agitation justifying the need for continued restraint**.**

RESTRICTIONS ON PRONE AND FLOOR RESTRAINTS: Prone restraints are prohibited, except on an individual basis and when all of the following conditions, which require specific documentation, are met:

- The student has a documented history of repeatedly causing serious self-injuries and/or injuries to other students or staff.
- All other forms of physical restraint have failed to ensure the safety of the student and/or others.
- There are no medical contraindications, as documented by a licensed physician.
- There is a psychological or behavioral justification for the use of prone restraint and no psychological or behavioral contraindications, as documented by a licensed mental health professional.
- The program has obtained consent to use prone restraint in an emergency as set out in 603 CMR 46.03(1)(b), and the use of prone restraint is approved in writing by the Principal, and
- The program has documented all of the above before using prone restraint and maintains the documentation. The only staff authorized to administer a prone restraint are staff who have received in-depth restraint training in accordance with 603 C.M.R. 46.04(3).

Floor restraints are prohibited unless the staff administering the restraint have received in-depth training in accordance with 603 C.M.R. 46.04(3), and these trained staff members determine that such method of restraint is required to provide safety for the student or others.

PROCEDURE AFTER A RESTRAINT: Follow-up procedures will be implemented after the release of the student from physical restraint. This will include reviewing the incident with the student to address the precipitating behavior, reviewing the incident with staff who administered the restraint to discuss whether proper restraint procedures were followed, and considering whether any follow-up is appropriate for students who witnessed the incident.

REPORTING PHYSICAL RESTRAINT USE: All physical restraints, regardless of duration, will be reported. Reporting within the school restraint reporting process and to Parents is mandatory.

The reporting process within the school and to the student's parents is as follows: The staff will immediately verbally inform the Principal, and the Principal will make reasonable efforts to verbally inform the student's parents within 24 hours of the restraint. The staff will file a detailed

written report no later than the next school day, and the Principal will email or mail the written report to the parents within three (3) school days of the restraint. No individual waivers are permitted for these reporting requirements.

REPORT CONTENTS: Parents should know that the report will include: names and job titles of those involved, including observers; date and time the restraint began and ended; the name of the administrator who was verbally informed; the name of the Principal or designee who approved extending the restraint beyond twenty (20) minutes, when such approval was obtained; what was happening before the restraint; the efforts staff used to prevent escalation of the student's behavior, including the specific de-escalation strategies that the staff used; the alternatives to restraint that staff attempted; the justification for initiating the restraint; a description of the holds used and why they were necessary; a description of the student's behavior and reaction during the restraint, and any medical care given; information regarding any further actions the school has taken or may take; and information regarding opportunities for the student's parents to discuss the restraint with the school.

REPORTING TO THE DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION: The reporting process to the Department of Elementary and Secondary Education (DESE) is as follows: The District will report to DESE all restraints that result in injury to either a student or a staff member within three (3) working days of the restraint. Additionally, the District will provide DESE with an annual report of its physical restraint use. Reports for individual restraints are kept for each incident a restraint is used.

ADMINISTRATIVE REVIEWS OF PHYSICAL RESTRAINT USE: Two types of administrative reviews will be conducted by the Principal:

- Weekly Individual Student Review - A Weekly Individual Student Review will be conducted in regards to any student who has been restrained multiple times during the week. The Principal will convene a review team to assess the progress and needs of any such student, with the goal of reducing or eliminating future restraint. This team will review and discuss the written restraint reports, analyze the factors that led to the restraint, consider the factors that may have contributed to the escalation of the student's behavior, and develop a written action plan.
- Monthly School-Wide Review - The Principal will also conduct a Monthly School-Wide Review. In this review, the Principal will consider patterns of restraints, number of restraints, duration of restraints and any injuries caused by restraints. The Principal will assess whether the restraint prevention and management policy needs to be modified and/or whether there is a need for additional staff training on restraint reduction and restraint prevention strategies.

RESTRAINT COMPLAINT PROCEDURE: Any individual who wishes to file a complaint regarding a physical restraint practice should immediately report his/her concerns to the Principal of the building in which the restraint took place. The Principal or designee will promptly investigate the complaint and will notify the complainant of the outcome within a reasonable time period.

Parents are encouraged to review these Procedures and the District's Physical Restraint Policy, and may request a meeting with the Principal of the building their child attends if they have any questions about restraint prevention practices and/or the use of physical restraint. For concerns about a specific physical restraint, the formal Complaint Procedure noted above is also available to parents.

Legal Authority: 603 C.M.R. § 46.00 DESE Technical Assistance Advisory SPED 2016-1, July 31, 2015.

1.H. Student Discipline

The District assumes the responsibility to provide every student with an opportunity to make academic progress during the period of suspension whether in-school, out-of-school or expulsion.

Parents should know the procedures of due process and disciplinary action that apply except in the case of an emergency removal, or disciplinary offense defined under M.G.L. c. 71, §§37H or 37H½ or an in-school suspension as defined by 603 CMR 53.02(6). As part of the due process procedure 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:

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

In all cases, the principal shall make reasonable efforts to notify the parent/guardian orally and in writing of the opportunity to attend the hearing. In cases where the parent cannot be reached and 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.

Parents and guardians should know that 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 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.

Each school has developed discipline policies in keeping with individual school culture, in accordance with district policies and state and federal regulations. Most of the situations which require disciplinary action can be resolved within the confines of the classroom or as they occur by reasonable but firm reprimand, and/or by teacher conferences with the student and/or parents or guardians. The focus is on student education and changing behavior whenever possible and/or appropriate.

Schools will also be required to review discipline data to look more closely at trends and address any questions or concerns that arise regarding equity.

APPEALS TO THE SUPERINTENDENT: A student who has been subjected to a long-term suspension or expelled from school for more than 10 school days for a single infraction shall have the right to appeal the suspension or expulsion to the superintendent.

The student, parent(s)/guardian(s) shall have five (5) calendar days following the effective date of the suspension or expulsion to submit a written request for an appeal to the Superintendent but may be granted an extension of time of up to seven (7) additional calendar days.

If the appeal is not timely filed, the Superintendent or his/her designee may deny the appeal, or may allow the appeal in his or her discretion, for good cause. The Superintendent or his/her designee will hold a hearing with the student and the parent(s)/guardian(s) within three (3) school days of the student's request for an appeal. The time may be extended up to seven (7) additional calendar days if requested by the student, parent(s)/guardian(s).

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. At the hearing, the student shall have the right to present oral and written testimony, and cross-examine witnesses.

The Superintendent's hearing may proceed without the parent(s)/guardian(s) if a good faith effort was made to include parent(s)/guardian(s). The Superintendent or his/her designee shall be presumed to have made a good faith effort if he or she has made efforts to find a day and time for the hearing that would allow the parent and Superintendent to participate. The Superintendent or his/her designee shall send written notice to the parent of the date, time, and location of the hearing. Upon request of the parent(s), guardian(s) and/or the student, arrangements will be made by the Superintendent for an audio recording of the hearing, a copy of which will be provided to the student and the parent(s) upon request.

At the hearing, the Superintendent or his/her designee shall determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence shall be. The Superintendent or his/her designee will issue a written decision within five (5) calendar days of the hearing.

If the Superintendent/designee determines that the student committed the disciplinary offense, the Superintendent/designee may impose the same or a lesser consequence than the principal/ designee, but shall not impose a suspension greater than that imposed by the principal/ designee decision.

Pending the outcome of any such appeal, the disciplinary sanction imposed shall remain in effect. Superintendent's decision is the final decision of the district.

TYPES OF SUSPENSIONS

In-School Suspension is assigned to a student when a disciplinary offense warrants action more severe than detention but less severe than one that warrants an out-of-school suspension. When appropriate, in-school suspension will be imposed as an alternative to short-term out-of-school suspension. Students assigned to in-school suspension must complete work sent to them. Those who refuse to work productively may remain in in-school suspension until work is completed or may be assigned to a Saturday detention (high school only). Those who

are assigned to a full-day of in-school suspension will not be allowed to participate in extracurricular

outlines the opportunities available for students to make up academic work during the period of removal.

The principal/designee will send written notice of his/her determination to the parent/guardian, outlining the reasons for the out-of-school suspension. In the case of PreK-grade 3 students, the principal will send a copy of this written determination to the Superintendent before the short-term suspension takes place.

Suspensions in Excess of Ten Days - Long-Term Suspension: For cases involving suspensions in excess of ten days or indefinite suspensions based upon the issuance of a felony criminal complaint, the following procedure will be followed:

The student will be allowed an informal hearing, as set forth in Section I. for “Suspensions of Ten Days or Fewer,” prior to the suspension taking effect except where circumstances make it necessary to impose the suspension prior to such a hearing. (Such circumstances may include, but are not limited to, incarceration of students, refusal of students to attend the hearing, or where the student poses an unreasonable danger to the welfare of the school). In cases involving a felony criminal complaint, the principal/designee may decide to take action without a hearing. If the parent/guardian is present during this informal hearing, the principal/designee will allow the parent/guardian an opportunity to discuss the student’ conduct and offer information, including mitigating circumstances for the principal’s consideration.

The principal/designee will notify the student and parent or guardian in writing of the reasons for a suspension in excess of ten days. The notice will include the information set forth in Section I. for “Suspensions of Ten Days or Fewer,” as well as the following additional student rights: notice of the student’s right to receive education services during removal; the opportunity to review the student's record and the documents upon which, the principal/designee may rely in making a determination to suspend the student or not in advance of the hearing; the right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense; 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; the right to cross-examine witnesses presented by the school district; and the right to request that the hearing be recorded by the principal/designee, and to receive a copy of the audio recording provided to the student or parent/guardian upon request. If the student or parent requests an audio recording, the principal/designee shall inform all participants before the hearing that an audio record will be made and a copy will be provided to the student and parent upon request.

The principal/designee will issue a prompt written decision to the student and parent/guardian, setting forth findings on whether the student committed an offense and if so, the penalty awarded. This written notice/decision will outline the reasons for the action.Suspensions will be of a definite duration, except when based upon a pending felony criminal complaint. For suspensions in excess of ten days, educational services will be provided.

In the case of PreK-grade 3 students, the principal/designee will send a copy of this written determination to the Superintendent before any short-term suspension takes place.

The student may appeal the suspension to the superintendent by forwarding a written request for an appeal to the Superintendent within five days of the effective date of the suspension, or request an extension for filing up to seven days. Notice of appeal must be in English and the primary language of the home. In the event of an appeal, the long-term suspension remains in effect unless reversed by the Superintendent. During the appeal, the student may request a

hearing, at which the student will have the right to present evidence and be represented by counsel. The Superintendent will issue a decision within five days of the hearing.

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/designee'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. A student will not be removed from school until adequate provisions are made for the student's safety and transportation.

During the emergency removal the principal/designee 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/designee shall also provide the due process requirements of written notice for suspensions and provide for a hearing which meets the due process requirements of a long-term suspension or short-term suspension, as applicable, within the two (2) school day time period, unless an extension of time for the hearing is otherwise agreed to by the principal, student, and parent/guardian.

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

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

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

The principal/designee 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/designee determines that the student committed the disciplinary offense, the principal/designee 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/designee 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/designee 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 a meeting shall be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the principal/designee 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/designee 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/designee for the purpose set forth above, if such a meeting has not already occurred. The principal/designee 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/designee and the parent.

Disciplinary Offenses Under M.G.L. 71 §§37H and 37H½: The due process notification and hearing requirements in the preceding sections do not apply to the following disciplinary offenses: Possession of a dangerous weapon; possession of a controlled substance; or assault of staff on school premises or at school-sponsored or school-related event.

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

The Principal/designee 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/designee may, in their 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 their 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 A 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/designee may suspend a student for a period of time determined appropriate by the Principal/designee if the Principal/designee determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

The Principal/designee 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/designee 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/designee. The Superintendent shall render a decision on the appeal within five (5) calendar days of the hearing.

The Principal may expel a student convicted of a felony, or who 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/her 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 their request for an appeal of 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.

Any student found guilty of a felony and who is not removed from school, may be placed on academic probation and may not participate in any extracurricular activities, i.e., sports, student council, class offices, NHS, plays, dances. When a student is placed on academic probation they will have the right to attend school during the academic day only. The duration of the academic probation will be determined by the principal. (Refer to MGL Chapter 71, Section 37H1/2).

As stated, the District assumes the responsibility to provide every student with an opportunity to make academic progress during the period of suspension whether in-school, out-of-school, or expulsion.

DISCIPLINING STUDENTS WITH SPECIAL NEEDS: All students are expected to meet the requirements for behavior as set forth in this handbook. However, students eligible for special education are entitled to certain additional protections under state and federal law.

The underlying principle of Chapter 71B and I.D.E.A. is that students with special needs must be treated in a manner that most closely resembles their peers in regular education and at the same time considers their unique programming needs.

The District shall make appropriate procedures for the discipline of students with disabilities and students with Section 504 Accommodation Plans. Specifically, these laws include M.G.L. c. 71B and its implementing regulations (603 CMR 28.00) and 20 USC 1401 et.seq. (“I.D.E.A.”) and its implementing regulations (34 CFR 300 et. seq.).

Students eligible for special education who violate school rules are subject to removal from their current educational placement for up to ten (10) school days per school year, to the extent that such removal would be applied to students without disabilities, without prior determination as to whether the misconduct is related to the student’s disability.

The U. S. Supreme Court has determined that suspensions of more than ten (10) consecutive days, or a series of suspensions that are shorter than 10 consecutive days, but constitute a pattern, are considered to repreesent a change in placement under the Education for Handicapped Children Act [Honig v. Doe 108 S. Ct. 582 (1988)]. This action invokes certain procedural rights including but not limited to a review by the IEP Team within ten days of the decision to suspend to review all relevant information in the students’ file, including the IEP and of the relationship

between the student's disability and the behavior subject to the disciplinary action, which is referred to as a Manifestation Determination.

In addition, the following provisions shall apply when a suspension of ANY duration is proposed for a special needs student and the following shall apply:

- The IEP of every student with special needs shall indicate whether the student can be expected to meet the school's discipline code or if a modification is required.
- If a modified discipline code is required, it must be written into the student's IEP.
- If no such modification is required, the special needs student shall conform to the discipline code established by the school they attend.
- When any disciplinary measures are taken to modify the inappropriate behavior of a special needs student in accordance with the school's code of discipline, the special education administrator in charge of that student's educational program shall be consulted and a discipline report shall be filed in the student's IEP folder until the succeeding IEP is implemented.
- Suspension of a special needs student shall be defined as any action which results in the removal of that student from the program which is prescribed in his or her IEP. This includes in-school suspensions as well as any exclusion from transportation services which prohibits the student's participation in their prescribed program.
- The Director of Pupil Services or their designee shall be notified of the misconduct for which a suspension is proposed.
- The student's parent(s) or guardian(s) will be notified in writing of the student's offense no later than the date of the disciplinary action.
- A special education staff member shall be present at the suspension hearing.
- The number and duration of suspensions of that student is recorded and maintained in the student's IEP folder until the succeeding IEP is implemented.

THREE FACTORS FOR REVIEW DURING THE MANIFESTATION PROCESS: There are three factors to be reviewed at a manifestation meeting that include:

The review team shall determine whether the student's behavior is related to the student's disability**,** the result of an inappropriate special education program or placement, or the result of an IEP that was not fully implemented.

If the student's behavior is associated with any of the three factors, the student may not be suspended for more than ten (10) cumulative days in the school year and the student's IEP must be amended to reflect a new program/plan designed to meet the student's needs more effectively. If the conduct resulted from an appropriate IEP that was not fully implemented, all necessary steps must be taken by the school to ensure that the IEP is fully implemented.

If the behavior is a manifestation of the student's disability the student's team will conduct a functional behavior assessment and develop a behavior intervention plan, provided that such an assessment was not conducted before the behavior occurred. In the situation where an assessment was already conducted and a behavior intervention plan is already in place, the Team will review the plan and revise it accordingly. The student will also be returned to his educational placement unless the parent and the school agree otherwise.

If an amendment of the IEP is written to address behavioral challenges, the parent(s)/guardian(s) must approve the new IEP/Amendment. If there is a dispute, the parties must seek mediation to resolve the dispute, or the steps outlined in Section 40I.0 of the Chapter

71B Regulations must be followed (the District or the parent/guardian requests a hearing before the Bureau of Special Education Appeals to determine appropriateness). The student shall remain in the placement in effect when the dispute arises until another placement is approved under the section above or until the District obtains a court order to change the student's placement under section D.5 below.

If the behavior is not a manifestation of the student's disability, then the student may be removed from his educational placement to the same extent that a regular education student would be removed, provided that the special education student must continue to receive educational services to enable the child to continue to receive his special education services in order to participate in the general education curriculum, although in another setting, and to continue to progress toward meeting the goals set out in the student's IEP. Additionally, the student should receive, as appropriate, a functional behavioral assessment and behavior intervention plan to prevent the behavior from happening again.

If the student's behavior is not associated with any of the three factors, the student MAY BE suspended provided that the school complies with the procedures in the school's Discipline Code and the student's IEP is amended to provide for special education services to the student during the period of suspension ("the alternative plan"). Approval of the alternative plan must be secured from the Regional Office of the Division of Special Education in accordance with the procedures set forth in the Board of Education's Policy. That is, the student's parent(s) or guardian(s) are notified in writing that the student will be suspended for a defined period with special education services provided for said period through the alternative plan AND no hearing is requested AND all other requirements of the Board of Education's Policy Section III.E.1.c have been met. As well, the student remains in the placement in effect when the dispute arises until another placement is approved under the section above or until the school system obtains a court order to change the student's placement under the section below.

There are certain situations in which school personnel may order a change in placement of a special education student without regard to whether the student's behavior is determined to be a manifestation of the student's disability. These situations include when a special education student:

- Carries or possesses a weapon to or at school, on school premises, or to or at a school function under the jurisdiction of a State or local educational agency.
- Knowingly possesses or uses illegal drugs, or sells or solicits the sale of a controlled substance, while at school, on school premises, or at a school function under the jurisdiction of a State or local educational agency.
- Has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of a State or local educational agency.

In these situations, school personnel may remove the special education student to an appropriate Interim Alternative Educational Setting (IAES) for not more than forty-five (45) school days without regard to whether the student's behavior is determined to be a manifestation of the student's disability. A student may also be placed in such a setting 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.

If a special education student commits an offense, which causes the student to be expelled from school, the school district continues to be responsible for providing the student with a free appropriate public education in another educational setting.

For more information regarding the rights of special education students see the Massachusetts Department of Education's Procedural Safeguards Notice, which is available in many languages, at https://www.doe.mass.edu/specialeducation/families/prb/. Additionally, copies of the state and federal special education laws are available online at the Massachusetts Bureau of Special Education Appeals website, at https://www.doe.mass.edu/lawsregs/603cmr28.html?section=all/ or can be requested from the Pupil Services Department at 978-249-2403.

DISCIPLINE OF STUDENTS NOT YET ELIGIBLE FOR SPECIAL EDUCATION: A child who has not been determined to be eligible for special education and related services and who has engaged in behavior that violates the Student Code of Conduct, may assert any of the protections provided for special education students if the school had knowledge (as determined by the IDEA) that the child was a child with a disability before the behavior that precipitated the disciplinary action occurred. The school district may be considered to have prior knowledge if, before the behavior that resulted in the disciplinary action occurred:

- The parent of the student expressed concern in writing to supervisory or administrative personnel of the student's school or to a teacher of the student that the student is in need of special education and related services.
- The parent requested an evaluation of the student.
- District staff 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 deemed to have had knowledge if the parent has not consented to an evaluation of the student or has refused special education services, or if an evaluation of the student was completed and resulted in a determination of ineligibility. If the district had no knowledge that the student is a student with a disability prior to taking disciplinary action, the student may be subjected to disciplinary measures applied to students without disabilities. However, if an evaluation is requested during the time period in which the student is subjected to these disciplinary measures, the district must conduct the evaluation in an expedited manner. If a student is found eligible through the evaluation process, then the student will receive all procedural protections subsequent to the finding of eligibility.

DISCIPLINE OF STUDENTS ON 504 PLAN: School personnel may not suspend a student on a 504 plan for more than ten consecutive school days without a manifestation determination. Procedural protections for eligible 504 students are the same as those afforded to special education students. Please contact the principal of the School for additional information if needed.

STUDENT DISTURBANCES OF ASSEMBLY: The school committee recognizes the authority of the school administrator to provide the best possible education for the student or students in his/her school.

Any student who deliberately disrupts the orderly process of education, no matter the pretext, will be subject to immediate suspension from school, and the principal of the school will make any recommendations as to the final disposition of this disciplinary action.

This includes any organized disturbance, sit-down strike, walkout, bomb scare, false alarm, or any serious vandalism. In the event a large number of students leave the premises or disturb the premises, the principal and other staff members in conjunction with the local police, will

disperse this gathering, attempt to make identification of those participating and immediately suspend those students involved. The leader of the organized disturbance will be recommended for immediate expulsion.

DISRUPTION AND HARASSMENT OF STUDENTS OR SCHOOL ACTIVITIES: Any student or group of students who disturb or harass students and school activities will be subject to immediate suspension from school and possible exclusion by the building principal, or may be expelled by the school committee.

CHAPTER 722 - AN ACT INCREASING THE PENALTIES FOR DEFACING OR DESTROYING STATE, COUNTY OR MUNICIPAL PROPERTY: Please understand that students that engage in the following behavior may be subject to disciplinary actions. This includes an understanding of Section 96: Whoever willfully, intentionally and without right defaces, marks or injuries the walls, wainscoting or any other part of any building belonging to the Commonwealth, or the appurtenances thereof, by cutting, writing or otherwise, shall be punished by a fine of not less than one hundred thousand dollars or by imprisonment for not more than two years. Any person convicted under the provisions of this section shall, in addition to any fine assessed, reimburse the Commonwealth for the total amount of damages incurred.

SMOKING ON SCHOOL PREMISES: Smoking or the use of any tobacco and tobacco products within the school buildings, school facilities, or on school grounds or school buses by any individual, including school personnel and students, is prohibited at all times.

For purposes of this process, smoking will mean all uses of tobacco products and devices (including but not limited to chewing tobacco, cigars, cigarettes and pipes) and the use of electronic, vapor, vape or other substitute forms of cigarettes and nicotine products.

Restrictions of smoking on school properties apply to all individuals.

A student determined to be in violation of this policy shall be subject to disciplinary action pursuant to the student discipline code, as stated in the Student Handbook.

A visitor observed smoking or using tobacco products as described, on school property will be asked to refrain from smoking and the use of tobacco products while on school property and s/he will be reminded that the District is required by law to keep school premises tobacco free. If the individual fails to comply with the request, it may be deemed necessary to call upon the local law enforcement agency to enforce this policy.

The possession, and/or use, of any tobacco product within the school building, the school facilities, on the school grounds, or on the school bus is prohibited. Parents/guardians of any student found in possession of tobacco products, as set forth above, will be contacted by a school administrator. School grounds include parking lots, athletic fields, other school facilities, and adjacent roads/sidewalks around the school property. Subsequent possession offenses may result in suspension from school. Any student using tobacco products, including vaporizers and e-cigarettes, as set forth above, will be subject to a range of consequences:

- In school discussion with administrator, school counselor, student, parent/guardian.
- One (1) or more detentions.
- In school suspension (1-3 days).
- Out of school suspension (1-3 days).

In addition to the district policy and consequences described above, the M.I.A.A Chemical Health Rule is applicable to students who participate in school athletics.

LIST OF TIERED OFFENSES and POSSIBLE OUTCOMES: The following is a list of possible Tier I, II, and III offenses and management strategies. Lists and strategies may vary by school.

TIER 1: Tier 1 offenses include student behavior which impedes orderly classroom procedures or interferes with the orderly operation of the school. An adult or staff member in the classroom manages these behaviors.

Actions (not limited to)	**Behavior**	**Management**	**Possible Behavioral Interventions/Consequences**
1. Not following classroom/school expectations 2. Violation of the dress code 3. Tardy 4. Cell phone usage 5. General derogatory comments 6. General profanity and gesture 7. Inappropriate drug/alcohol references language, conversations, talking, joking, drawings, etc.) 8. Failure to identify self when asked 9. Inappropriate display of affection	1. Refusal 2. Refusal 3. Refusal 4. Refusal 5. Disruption 6. Disruption 7. Disruption 8. Refusal 9. Refusal	- Tier 1 Student behaviors are managed in the Classroom. - The staff member maintains a proper, accurate record of the offenses and disciplinary action.	- Verbal redirection - Alternative assignment - Withdrawal of classroom privileges - Student Success Center (SSC) - Conference with the teacher privately - Teacher detention - Parent contact - Referral to School Counselor - Contact Advisory Teacher - Contact Coach, Class Advisor, etc.

TIER 2: Tier 2 offenses include student behaviors of such frequency or seriousness that the learning climate of the classroom is disruptive. These infractions, which usually result from the continuation of Tier 1 behaviors, require the intervention of personnel on the administrative level because the application of Tier 1 consequences/ interventions have failed to correct the situation. Also limited in this level are behaviors, which do not represent a direct threat to the health and safety of others, but the educational consequences are serious enough to require corrective action on the part of the administrative team.

Actions (not limited to)	**Behavior**	**Management**	**Possible Behavioral Interventions/Consequences**
1. Continuation/ repetition/escalation of Tier 1 behaviors that impacts instruction 2. Excessive tardiness to school or class 3. Derogatory comments directed towards another individual 4. Profanity or gesture directed towards another individual 5. Cutting class/ detentions 6. Leaving an assigned area without permission or being in an unassigned area of the building 7. Violation of the Honor Code 8. Violation of the Internet Use Policy 9. Truancy, falsely calling in or forging notes of any kind 10. Parking lot or driving violations 11. Bus conduct 12. Refusal to comply with administrative search 13. Failure to cooperate during an emergency drill or situation 14. Insubordination/	1. Refusal 2. Refusal 3. Disrespect 4. Disrespect 5. Refusal 6. Refusal 7. Refusal 8. Refusal 9. Refusal 10. Refusal 11. Refusal 12. Refusal 13. Refusal 14. Refusal	- Staff member completes X2 referral form documenting the incident. - The administration meets with the student and/or teacher and affects the appropriate response. - The Administration and Administrative Assistant maintains a proper and accurate record of the offenses and the referral form action. - The Administrator provides notification of action taken to the student, parent/guardian, and staff member.	- Parent contact by teacher - Conferences - Lunch detention - Office detention - Extended office detention - Saturday detention - In-School suspension - Loss of privileges - Cell phone registration - Cell phone restriction - Bus suspension - Parking suspension - Referral to School Counselor -Restoration/restitution made by student - Parent conference - Referral to Student Success Team - Referral to Child StudyTeam - Behavior contract - Referral to outside agency - Referral to school resource officer - SSC (indicate tier 2) - No contact order Violation of the Honor Code (Academic Integrity Policy) may also include: - Zero on the assignment

Refusal to obey a reasonable request of Staff For the following, the student remains in class and the teacher immediately calls the Front Office 15. Vandalism 16. Theft	 15. Refusal 16. Refusal		- Saturday School - Notification to National Honor Society - Notification to Class Advisor/ Student Council Advisor Violation of the Internet Use Policy: -Loss of computer and/or other technology privileges -Possible criminal prosecution

TIER 3: Tier 3 offenses are student acts that are directed against persons or acts that warrant immediate intervention. These acts may require assistance from outside agencies including law enforcement. All Tier 3 behaviors/actions require staff to immediately contact the Front Office to report the incident.

Actions (not limited to)	**Behavior**	**Management**	**Possible Behavioral Interventions/Consequences**
1. Continuation/ repetition/escalation of Tier 2 behaviors that impacts instruction 2. Possession and/or use of controlled substances (see specifics under heading 'Substance Use/ Possession') 3. Possession of incendiary device (lighter, matches) 4. Leaving campus without permission 5. Unauthorized access 6. Fighting 7. Pulling a false fire alarm 8. Bullying, cyber-bullying, threats, harassment, intimidation, taunting 9. Inciting a violation of the code of conduct 10. Assault 11. Possession of a weapon 12. Arson 13. Threats to the safety of the school 14. Disturbance of school or assembly 15. Hazing	1. Refusal 2. Safety 3. Safety 4. Safety 5. Safety 6. Safety 7. Safety 8. Safety 9. Safety 10. Safety 11. Safety 12. Safety 13. Safety 14. Disruption 15. Safety	The staff member immediately notifies the Front Office. - The Administrator determines the most appropriate response. - If contraband is involved, it will be confiscated. - Law enforcement/SRO is notified. - An investigation is conducted. - A search is conducted (if needed). - The parent/guardian is notified. - Emergency removal (if needed). - The Front Office or Administrator maintains a proper and accurate record of the offense and the X2 referral process. - Hearing for proposed suspension is held. - The Administrator provides notification of action taken to the student, parent/guardian, and staff member. - Re-entry meeting (if needed)	-Temporary removal from class - Office detention - Extended office detention - Saturday detention - In-School suspension - Out-of-School suspension - Alternative School placement - Bus suspension - Referral to School Counselor - Restoration/restitution made by student - Cell phone restriction - Behavior contact - Social probation - Referral to Child Study Team - Referral to Student Success Team - Referral to school resource officer - Re-entry meeting (may include one or more of the following: administration, school counselor, parent, student, teacher(s) - Suspension from co-curricular activities - Expulsion - No Contact Order

1.I. Title IX, Discrimination & Harassment

SEXUAL HARASSMENT, DISCRIMINATION AND HARRASSMENT: The Athol-Royalston Regional School District is committed to creating a study environment free of sexual harassment, harassment and discriminations and safeguarding the right of all persons associated with the Athol-Royalston Regional School District, including students, employees, school committee members and volunteers to a work and educational environment that is free from all forms of sexual harassment, harassment and/or discrimination. Therefore, the AtholRoyalston Regional School District condemns and prohibits all sexual harassment, harassment, gender-based discrimination and/or discrimination on its premises, in all school activities, including education programs, employment opportunities and athletics.

All individuals associated with the District, but not necessarily limited to the School Committee, the administration, the staff, students and members of the public while on campus, are expected to conduct themselves at all times so as to provide an atmosphere free from sexual harassment, harassment and/or discrimination. Any person who engages in sexual harassment, harassment and/or discrimination while acting as a member of the school community or while on school property will be in violation of this policy.

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

If the sexual harassment, harassment and/or discrimination is criminal in nature, the offense shall be reported to the police department. All complaints will be reported to the Title IX Coordinator unless the Title IX Coordinator is the alleged harasser. If the complaint requires the intervention of State social service or protective agencies, the proper authorities will be contacted. In these circumstances, the School's attorney will be immediately contacted to give advice and guidance on how to process these actions with the appropriate authorities. Any student who believes that he or she has been subjected to sexual harassment, harassment and/or discrimination should make a complaint to any administrator, the Title IX Coordinator, or directly to the Superintendent, so that appropriate action may be taken at once.

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

The Title IX Coordinator will investigate complaints promptly, and corrective action will be taken where appropriate. No person will suffer retaliation or intimidation as a result of using the internal complaint procedure. A copy of the policy and its accompanying regulations are posted in appropriate places, and made available to individuals upon request.

The district will have in place a way to report and address harassment and sexual harassment, which includes:

- Any person may report sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. The Final Rule defines "formal complaint" as a document filed by a complainant or signed by the Title IX Coordinator alleging sexual harassment against a respondent and requesting that the school investigate the allegation of sexual harassment.
- USDOE guidance recognizes the legal rights of parents and guardians to act on behalf of parties (including by filing formal complaints) in Title IX matters.
- Both the complainant and the accused must have equal access to written allegations of the alleged offense and evidence gathered in the investigation. The district has ten days to review the information before proceeding with the investigation.

Grievance Process for Title IX Complaints

Title IX Coordinators:

David King, Title IX Coordinator
dking@arrsd.org
2363 Main Street
Athol, MA 01331
978-249-2435

Karin Patenaude, Title IX Coordinator
kpatenaude@arrsd.org
1062 Pleasant Street
Athol, MA 01331
978-249-2400

GENERAL INFORMATION:

- Practices within these grievance procedures will be applied equally to both complainants and respondents.
- The respondent is presumed innocent and can only be found responsible for the alleged conduct at the conclusion of this grievance process.
- All parties are entitled to an advisor of their choice to assist them in this process. The advisor may, but does not have to be, an attorney.
- Schools may, in their discretion, consolidate formal complaints where the allegations arise out of the same facts.

IMPORTANT TERMS

Complainant – An individual who is alleged to be the victim of conduct that could constitute sexual harassment.
Respondent – An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.
Title IX Coordinator – The person who oversees the grievance process and coordinates communication between the school and the parties.
Investigator – The person conducting the investigation into the allegations of sex discrimination and/or harassment. This person is not the Title IX Coordinator in order that the Title IX Coordinator remains a neutral participant.
Decision Maker – The person who reviews all the information/evidence gathered by the investigator and decides whether or not the sex discrimination and/or harassment

occurred. This person is not the Title IX Coordinator or the Investigator.
Appeals Decision Maker – The person who makes the final determination in the event an appeal is filed. This person is not the Title IX Coordinator, the Investigator, or the original Decision Maker.

Designated Role	ARRSD Staff Assigned to Role
Title IX Coordinator	Director of Curriculum and High School Principal
Investigator	Assistant Principal or Dean
Decision Maker	Principal
Mandatory Appeals	Superintendent of Schools

SUPPORTIVE MEASURES: Supportive measures are individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party while designed to ensure equal educational access, protect safety, or deter sexual harassment.

When the school becomes aware of alleged sexual harassment, the Title IX Coordinator must inform the victim to their right of supportive measures even if no formal complaint is filed. The school must consider the alleged victim's wishes with respect to supportive measures. Supportive measures for those involved in the sexual harassment complaint process may include but are not limited to: counseling, extending deadlines, modifications of work and/or class schedules, school escort services, increased school security and/or monitoring, and mutual restrictions on contact between the individuals involved through a safety plan.

Supportive measures will be kept confidential to the extent the confidentiality will not interfere with the supportive measure offered.

DISMISSALS of COMPLAINTS:

- **Mandatory Dismissals of Complaints**

The School must dismiss a complaint of harassment on the basis of sex when:

1. The conduct in the complaint does not meet the definition of sexual harassment;
2. The alleged sexual harassment did not occur within the school's education program or a school activity;
3. The alleged sexual harassment did not occur in the United States at all.

Complaints falling into these categories can still be processed under the school's code of conduct.

- **Discretionary Dismissals of Complaints:**

The School may dismiss a complaint of harassment on the basis of sex when:

1. The Complainant notifies the Title IX Coordinator in writing that the complainant wishes to withdrawal some or all of the allegations within the formal complaint;

2. If the respondent no longer is enrolled in the school, or employed by the school; or
3. If specific circumstances prevent the school from gathering evidence sufficient to reach a determination about the allegations.

Whenever a dismissal occurs, the Title IX investigator will send written notice of the dismissal to the parties outlining the reason for the dismissal. Both parties have the right to appeal the dismissal decision as outlined in the appeals process below.

THE PROCESS:

Step One: Filing a Complaint

Any person may file a report of sex discrimination, including sexual harassment (whether or not the person reporting is the person alleged to be the victim of conduct that could constitute sex discrimination or sexual harassment), at any time either in person, by mail, by telephone, or by electronic mail, using the contact information listed for the Title IX Coordinator, or by any other means that results in the Title IX Coordinator receiving the person's verbal or written report. There is no time limit or statute of limitations on a complainant's decision to file a formal complaint. However, if a person files a false complaint in bad faith, knowingly and intentionally, they will be subject to discipline. Where the Title IX Coordinator signs a formal complaint, the Title IX Coordinator is not a complainant or otherwise a party during a grievance process, and must comply with requirements for all Title IX personnel to be free from conflicts and bias.
At the time of filing a formal complaint, a complainant must be participating in or attempting to participate in the education program or activity of the school with which the formal complaint is filed.

Step Two: Initial Notice

Upon the filing of a formal complaint, both parties will be provided with written notice of the complaint. The notice will include key details of the alleged sexual harassment incident. Such details will include but not be limited to: who was involved, when and where the alleged incident occurred, and the alleged misconduct that constitutes sexual harassment. Any known possible violation of the code of conduct along with potential consequences must be included in the initial notice. A copy of this grievance process must also be included with the notice.

This written notice will be sent to the parties within three business days of the filing of a formal complaint.

*Interviews with a respondent may not occur until this notice has been provided and the respondent is provided reasonable time to prepare before an initial interview.

Step Three (Optional): Informal Resolution

If both parties wish to proceed through the informal resolution process and provide informed, voluntary, written consent, this process may be pursued. This process may not be used when the allegation of sexual harassment involves an employee of the school. **At any time prior to agreeing to a resolution, any party has the right to withdraw from informal resolution and resume the grievance process with respect to the formal complaint.** The facilitator of the informal process will be free from conflicts of interest or bias and will have received special training regarding how to conduct this informal process.

Parties who wish to proceed using informal resolution can withdrawal from this process by notifying the Title IX Coordinator in writing either via mail, email, or providing a written document to the Title IX Coordinator in person. A party can inform the Title IX Coordinator they wish to withdrawal from the process verbally, but written withdrawal will be needed as well. Parties may withdrawal from the informal process at any time before a decision has been reached.

The Informal Resolution Process

In the Athol-Royalston Regional School District, if an informal resolution process is supported by the Title IX Coordinator, both parties must agree to voluntarily participate and give written consent to engage in the process. Involvement in the informal resolution process cannot be mandated by the district as part of the process. By agreeing to participate in the informal resolution process, no condition can be placed on either party in exchange for their consent. This voluntary conversation must occur within five (5) school days after receiving the complaint of discrimination or harassment, unless both parties agree otherwise.

If both parties agree, the Title IX Coordinator will notify them again in writing, of the allegations made in the formal complaint, the requirements of the informal resolution process, and assign a mediator to conduct the informal resolution process.

The mediator chosen must not be biased and must not have any conflict of interest with any party involved in the process. The mediator will decide how to conduct the informal resolution sessions by either choosing to shuttle between both parties, or facilitate a face-to-face or virtual discussions between them using accepted norms to regulate equitable and appropriate interactions. Whichever method is chosen, the format should allow both sides to be heard and hear the other side. If the informal resolution process does not prove to be effective at any point, the Mediator can stop the process and notify the Title IX Coordinator. Once the informal process is stopped, the process will revert back to the formal grievance procedure.

At any time prior to agreeing to a resolution, any party has the right to withdraw from the informal resolution process. 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. The results of an informal resolution shall be maintained by the Mediator and Title IX Coordinator in writing.

Step Four: Gathering Evidence

During the collection of evidence, the school is not allowed to access a party's personal records if they are maintained by a physician, attorney, psychologist, psychiatrist or other professional with whom the student shares privileged information unless the student provides written consent.

Equal opportunity will be provided for all parties to provide witnesses and evidence, including written expert testimony and inculpatory and exculpatory evidence. Parties cannot be prevented from discussing the allegations or collecting relevant evidence. The school will use the preponderance of the evidence standard for all complaints of harassment on the basis of sex, regardless of whether the complaint is against students or school employees.

- **Interviews**

  Students will be provided with written notice prior to any interviews or meeting involving the Title IX complaint. The notice will include the date, time, location, participants, and purpose of the interview/meeting and will allow the respondent/complainant enough time to properly prepare for the meeting.
- **Inspection of Evidence**

The school must send the parties, and their advisors, evidence directly related to the allegations, in electronic format or hard copy, with at least 10 days for the parties to inspect, review, and respond to the evidence.
- **Opportunity to Respond**

The parties will have the opportunity to provide a response to the evidence if they desire.
- **Opportunity to Ask Questions**

The parties will have the opportunity to provide relevant written questions to each other before the decision maker reaches a determination. In the event the decision maker decides not to allow a particular question, the decision maker must explain to the parties why the question is not relevant to the determination. * Questions and evidence about the complainant's sexual predisposition or prior sexual behavior are not relevant, unless such questions and evidence about the complainant's prior sexual behavior are offered to prove that someone other than the respondent committed the conduct alleged by the complainant, or if the questions and evidence concern specific incidents of the complainant's prior sexual behavior with respect to the respondent and are offered to prove consent.

The investigator will attempt to conclude the evidentiary process within three weeks. This may be extended if the investigator finds that more time is necessary to appropriately investigate the matter. The Title IX Coordinator will have to approve the investigators request to extend the timeline in order to assure all investigations are processed in a timely manner as to prevent evidence from becoming stale or unobtainable.

Step Five: The Investigative Report

After the evidence is collected, and the parties have been provided with ten days to respond to the evidence in writing, the investigator will prepare an investigative report regarding the allegations in the complaint. If a party submits a response to the evidence, the school must consider that response before finalizing the investigative report. The investigative report will fairly summarize the evidence the school gathered about the alleged incident. The report, once finalized, must be submitted to the parties in electronic form, or a hard copy. The parties then have another 10 days to provide additional information before a determination is made.

Step Six: The Determination

The decision maker will objectively review the relevant evidence and reach conclusions about whether the respondent engaged in the alleged harassment. The decision maker must use independent judgment, so the decision maker is not the same person who conducted the investigation and cannot be the school's Title IX Coordinator.

- The determination must be written. It must include at a minimum, the following Information:

1. The school's policy/policies that were alleged to be violated;
2. A description of the procedural steps that were taken (including notices sent, interviews conducted, evidence gathered);
3. A section detailing the findings of fact;
4. A conclusion section that applies the facts to the relevant policy/policies;
5. A statement and rational regarding the ultimate determination of responsibility;
6. Any disciplinary sanctions the school will impose and any remedies to the complainant if applicable;
7. A statement of the rational for the remedies to the complaint and how those remedies will restore or preserve equal access;
8. A statement of the school's procedures and a statement regarding the parties' rights to appeal the initial determination of responsibility and the permissible basis for an appeal.

The determination will be sent to the parties simultaneously along with the appeals Information.

Step Seven: The Appeals Process

Parties may appeal after a dismissal occurs, or a determination is issued. Parties will have five (5) days to appeal the dismissal or determination.

Grounds for Appeals

1. If a party believes that procedural irregularity altered the outcome of the determination or dismissal.
2. New evidence has been discovered that was not reasonably available at the time of the determination or dismissal. *An appeal for this reason may occur after the five day appeal requirement but not after one year.
3. A conflict of interest on the part of a Title IX Coordinator, investigator who compiled evidence, or the decision maker existed, and that conflict of interest affected the determination or dismissal.

To file an appeal, a party must notify the Title IX Coordinator in writing that they wish to appeal the determination. All parties will have an equal opportunity to submit a written statement supporting or challenging the determination. The Title IX Coordinator will inform the parties that they have 7 days to submit their written statements.

The person who will decide the appeal cannot be the decision maker, the investigator, or the Title IX Coordinator. Upon review of the parties' written statements (if they so choose to provide them), and review the determination, the appeals decision maker will issue a written decision and send it to the parties simultaneously. The determination becomes final after the appeals process.

Remedies:

If the school makes a determination that sex discrimination/harassment did occur, the school will help effectively implement remedies for a complainant.

Retaliation is prohibited.

Any person who experiences retaliation for exercising their rights under Title IX can file a retaliation complaint with the Title IX Coordinator. The school will keep the names/identity of parties and witnesses confidential unless such disclosure is required

under another law, or is necessary to conduct a thorough grievance procedure.

If the Grievance Process may Result in Discipline:
If upon the conclusion of this grievance process, discipline appears warranted, the school will follow the usual disciplinary process for students outlined within the student handbook. The school will also follow the required disciplinary process for school employees.

1.J. BULLYING

The Athol-Royalston Regional School District is committed to creating and sustaining a safe, caring, respectful learning environment for all students. We will treat all members of our community with civility and respect in an inclusive environment. Keywords that represent our actions and our words are kindness, dignity, responsibility, courage and honesty. Our schools strictly enforce a prohibition against bullying of any students or staff by any student or member of the school staff. The School Committee expects that in collaboration with teachers, families and community members, each school will develop and implement a plan for education and discipline, including curriculum, to prevent bullying and to help adults and students to respond effectively to reports and observations of bullying.

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

Bullying or harassment of any type, including cyber-bullying, will not be tolerated and may result in suspension or exclusion.. Bullying that occurs outside of school may result in disciplinary action if the behavior causes problems at school.

BULLYING PROHIBITED: Bullying is prohibited on school grounds, property immediately adjacent to school grounds, at school-sponsored or school-related activities, functions or programs whether on or off school grounds, at school bus stops, on school buses or other vehicles owned, leased or used by the district, or through the use of technology or an electronic device owned, leased or used by the school district.

Bullying is also prohibited at a location, activity, function or program that is not school-related or through the use of technology or an electronic device that is not owned, leased or used by the district, if the act or acts in question create a hostile environment at school for the target, infringe on the rights of the target at school, or materially and substantially disrupts the education process or the orderly operation of a school.

The School Committee expects administrators to make clear to students and staff that bullying will not be tolerated and will be grounds for disciplinary action up to and including suspension and expulsion for students, and termination for employees.

All staff members are required to report any bullying or harassment they see or learn about. The District will promptly and reasonably investigate all allegations of harassment, including bullying. The principal of each building will be responsible for handling all complaints alleging harassment or bullying. Retaliation against a person who reports bullying, who provides information during an investigation of bullying, or who is a witness to or has reliable information about bullying, is prohibited and will be grounds for disciplinary action up to and including suspension and expulsion for students, and termination for employees.

BULLYING PROCEDURES RELATED TO ACTS OF RETALIATION: Retaliation against a student who reports or witnesses bullying will also be treated as a form of bullying. When a student is alleged to have retaliated against another student, administrators will follow the same procedures that are used for investigation of bullying incidents. In responding to bullying incidents, including acts of retaliation, administrators will warn aggressors that retaliation will lead to disciplinary action, up to and including the possibility of expulsion. Depending on circumstances, an administrator may assign a staff member to monitor the activities of a potential retaliator or to protect a target from further harassment and/or retaliation by an aggressor.

Availability of the Bullying Incident Reporting Form

- Schools will inform staff about the availability of the Bullying Incident Reporting Form for their use during opening-of-school meetings and then periodically throughout the school year.
- Schools will inform students about the availability of the form and its use during orientation sessions and periodically throughout the school year.
- Samples of the form, as well as a description of the form's availability (as described below) will be included in the faculty and student/parent handbooks.
- Forms will be available in the school's main office, counselor's office, library, and other locations as determined by the individual schools. Electronic versions of the form will be available on the District and individual school websites.

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

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

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

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

Some student misconduct that falls under Athol-Royalston Regional Schools' bullying prevention policy may also fall under one or more of the federal anti-discrimination laws that prohibit harassment on the basis of race, color, national origin, disability, gender identity or sex.

Harassment on the basis of these enumerated categories is discrimination and a federal civil rights violation that schools are obligated to address.

BULLYING DEFINITIONS:

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

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

- Causes physical or emotional harm to the target or damage to the target's property.
- Places the target 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.
- Materially and substantially disrupts the education process or the orderly operation of a school.

Cyber-Bullying is bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by any of the following: wire, radio, electromagnetic, photo-electronic or photo-optical system including, but not limited to, electronic mail, internet communications, instant messages, facsimile communications, cell phone, texting, internet postings, or social media. See M.G.L. c. 71, § 37O for the legal definition of cyberbullying.

Students and families should be aware that Cyber–bullying shall also include the creation of a webpage or blog in which the creator assumes the identity of another person or knowingly impersonates another person as author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying.

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

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

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, bus drivers, athletic coaches, advisors to extracurricular activities, support staff, or paraprofessionals. In the context of bullying prevention and intervention, school staff is defined as including, but is not limited to, administrators, advisors to extracurricular activities, athletic coaches, bus drivers, cafeteria workers, clerical employees, custodians, educators, paraprofessionals, and school nurses. School staff may be named the “aggressor” or “perpetrator” in a bullying report.

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

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

The district will develop administrative guidelines and procedures for implementation of the bullying prevention policy, including a student complaint process that will include:

- A reporting process for staff.
- An investigation process.
- A process for communication with parents/guardians.
- Record keeping and reporting, and
- Annual report of bullying incidents to the School Committee.

RESPONDING TO A REPORT OF BULLYING OR RETALIATION:

Safety:

- Before fully investigating the allegations of bullying or retaliation, the principal or designee will take steps to assess the need to restore a sense of safety to the alleged target and/or to protect the alleged from a reported act of bullying or retaliation.

Obligations to Notify Others:

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

other school(s) of the incident so that each school may take appropriate action. All communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR 49.00.

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

  In making this determination, the principal will, consistent with the Plan and with applicable school or district policies and procedures, consult with the school resource officer, if any, and other individuals the principal or designee deems appropriate.

Investigation:

- The principal or designee will promptly investigate all reports of bullying or retaliation and, in doing so, will consider all available information known, including the nature of the allegation(s) and the ages of the students involved.
- During the investigation the principal, or designee will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The principal or designee will remind the alleged aggressor, target, and witnesses that retaliation is strictly prohibited and will result in disciplinary action.
- Interviews may be conducted by the principal, designee, or other staff members as determined by the principal or designee, and in consultation with the school counselor, as appropriate. To the extent practicable, and given his/her obligation to investigate and address the matter, the principal or designee will maintain confidentiality during the investigative process. The principal or designee will maintain a written record of the investigation.
- Procedures for investigating reports of bullying and retaliation will be consistent with school or district policies and procedures for investigations. If necessary, the principal or designee will consult with legal counsel about the investigation.

Determinations:

- The principal or designee will make a determination based upon all of the facts and circumstances. If, after the investigation, bullying or retaliation is substantiated, the principal or designee will take steps reasonably calculated to prevent recurrence and to ensure that the target is not restricted in participating in school or in benefiting from school activities. The principal or designee will: 1) determine what remedial action is required, if any, and 2) determine what responsive actions and/or disciplinary action is necessary.
- Depending upon the circumstances, the principal or designee may choose to consult with the student's teacher(s) and/or school counselor, and the target's or aggressor's parents or guardians, to identify any underlying social or emotional issue(s) that may have contributed to the bullying behavior and to assess the level of need for additional social skills development.

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

RELATIONSHIP OF BULLYING LAW 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 37H1⁄2, other applicable laws, or local school or district policies in response to violent, harmful, or disruptive behavior, regardless of whether the Plan specifically covers the behavior.

SPECIAL EDUCATION AND IEPs: If your child has an IEP and she has been bullied, or you are concerned she may be bullied in the future, you may ask for a team meeting to modify her IEP to address bullying issues.

If a special education student's disability affects her social skills or makes the child vulnerable, as a target or aggressor, to bullying, harassment, or teasing, the child's Individualized Education Program (IEP) shall address the skills and proficiencies needed to avoid and respond to bullying, harassment or teasing. M.G.L. ch. 71B s.

BULLYING, CRIMINAL HARASSMENT, PUNISHMENT

Criminal charges may be involved for anyone who willfully and maliciously engages in a knowing pattern of conduct or series of acts over a period of time directed at a specific person. The law considers acts of bullying which seriously alarms a person and would cause a reasonable person to suffer substantial emotional distress could be found guilty of the crime of criminal harassment. Such conduct or acts described in this paragraph shall include but not be limited to, conduct or acts conducted by mail or by use of a telephonic or telecommunication device including, but not limited to, electronic mail, internet communications or facsimile communications.

Whoever, after having been convicted of the crime of criminal harassment, commits a second or subsequent such crime, or whoever commits the crime of criminal harassment having previously been convicted of a violation of section 43, can face additional criminal charges.

CHAPTER 536 - AN ACT PROHIBITING THE ACT OF HAZING: Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows: Chapter 269 of the General Laws is hereby amended by adding the following three sections:

Section 17: Whoever is a principal organizer or participant in the crime of hazing as defined herein shall be punished by a fine of not more than three thousand dollars ($3,000.00) or by imprisonment in a house of correction for not more than one hundred days or by both such fine and imprisonment.

The term hazing as used in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

Section 18: Whoever knows that another person is the victim of hazing as defined in section seventeen and is at the scene of such a crime shall, to the extent that such person can do so without danger or peril to himself or others, report such a crime to the appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of no more than one thousand dollars ($1,000.00).

Section 19: Each secondary school and each public and private school or college shall issue to every group or organization under its authority or operating on or in conjunction with its campus or school, and to every member, plebe, pledges or applicant for membership in such group or organization, a copy of this section and sections seventeen and eighteen.

An officer of each such group or organization, and each individual receiving a copy of said sections seventeen and eighteen shall sign an acknowledgment, stating that such group, organization or individual has received a copy of said sections seventeen and eighteen.

Each secondary school and each public or private school or college shall file, at least annually, a report with the regents of higher education and in the case of secondary schools, the board of education, certifying that such institution has complied with the provisions of this section and also certifying that said school has adopted a disciplinary policy with regards to the organizers and participants of hazing. The board of regents and in the case of secondary schools, the board of education shall promulgate regulations governing the content and frequency of such institutions, which fails to make such a report.

1.K. Public Complaints

PUBLIC COMPLAINTS ABOUT SCHOOL PERSONNEL: The following procedures are established to ensure that a citizen's complaint is given respectful attention and that the integrity of the educational program is upheld. "Complaint" in this regulation will be restricted in meaning to that criticism of particular school employees by a citizen of the school district, which includes or implies a demand for action by school authorities. Other comments, suggestions, and/or concerns will be promptly referred informally to affected personnel.

- If a complaint comes first to the person against whom it is directed, they will listen courteously and may try to resolve the difficulty by explaining the background and educational purpose involved. If the complaint remains unresolved, either party may

move the complaint to the building principal or other immediate supervisor to have their views considered further. Whether the complaint terminates with the individual staff member involved or seems likely to go further, the staff member will inform their supervisor of the complaint.

- If a complaint comes first to the principal or other supervisor of the person criticized, they should listen courteously or acknowledge a letter promptly and politely, but should make no judgments whatsoever. If the complaint involves a particular employee, the supervisor will promptly inform that person of the complaint and will arrange a conference between the complainant, the person criticized, and supervisor (if necessary). At the Superintendent's level, supervisor refers to the Chair of the School Committee. If the complainant has already met with the person criticized and remains unsatisfied, the supervisor should invite the complainant to file his/her complaint in writing and return it.
- No further action on the complaint should be taken unless the complainant submits the complaint in writing.
- When a written complaint is received, the principal or other supervisor will promptly schedule a conference with himself/herself, the complainant, the person criticized, and if advisable, the department chairman or other person that either the supervisor, the person criticized or the complainant feels could contribute to the resolution of the problem.
- If the complainant is not satisfied with the results of the conference above, they should then be referred to the Superintendent, who will promptly handle the complaint personally or refer it to his/her designee.

Should dissatisfaction remain after the above steps have been taken, the matter will be placed on the agenda for the next regularly scheduled school committee meeting. The decision of the committee will be communicated in writing to all interested persons.

1.L. District Curriculum Accommodation Plan (DCAP)

Massachusetts General Law, Chapter 71, Section 38 Q ½: *"A school district shall adopt and implement a curriculum accommodation plan to assist principals in ensuring that all efforts have been made to meet the students' needs in regular education. The plan shall be designed to assist the regular education teacher in analyzing and accommodating diverse learning styles of all children in the regular classroom and in providing appropriate services and support within the regular education programming, including, but not limited to, direct and systematic instruction in reading and provision of services to address the needs of children whose behavior may interfere with learning, or who do not qualify for special education services under chapter 71 B. The curriculum accommodation plan shall include provisions encouraging teacher mentoring and parental involvement."*

The DCAP (District Curriculum Accommodation Plan) is available for review on the district's website.

The DCAP is a plan that is adopted by the District, and although it does not require individual written plans, the intent is to increase the general education capacity to meet the individual needs of diverse student learners. School principals can develop a more specific DCAP at the school building level. The DCAP is considered an educational activity for the general education program.

DISTRICT CURRICULUM ACCOMMODATION PLAN FOCUS AREAS: The curriculum accommodation plan was developed to provide guidelines for helping all Athol Royalston Public School students meet Massachusetts' standards and demonstrate success on assessments. It has been prepared for principals, classroom teachers and the Student Support Teams to use as a resource. The plan is designed to assist principals in ensuring that all efforts have been made to meet students' needs in regular education and to assist regular classroom teachers in analyzing and accommodating diverse learning styles of all children in the regular classroom and in providing appropriate services and support within the regular education program including, but not limited to, direct systematic instruction in reading, and provision of services to address the needs of children whose behavior may interfere with learning.

The purpose of this planning is to continually strengthen and improve the general education program, for the benefit of all students. Each school is working toward accommodating the needs of diverse learners in all classroom settings. This will be achieved through on-going professional development, support services through general education settings, direct and systematic instruction to all students, encouragement of teacher mentoring and collaboration, and encouragement of parental involvement in their children's.

CLASSROOM PRACTICES: Students and families should be aware of the following classroom practices and the range of instructional practices and strategies that are employed to assist students to learn. These include, but are not limited to: time, space, modality, grouping, presentation, classroom organization, behavior management, materials, equipment, technology, and environment.

With the needs of diverse learners in mind students and families should expect that educators will promote:

- Student Self-Management - Use strategies designed to promote student self-management and independence. Provide consistency, structure, and clear expectations. Provide appropriate positive learning reinforcement, feedback, and recognition for student accomplishment.
- Setting for Instruction and Learning - Promote supportive and responsive climates that facilitate social and cultural learning and allow students to take risks and learn from failure. Provide opportunities and environments for meaningful participation of all students in instructional and social activities. Adapt physical environments to match the learning needs of students.
- Instructional Practice - Incorporate life skills, social and affective skills, and skills in self-advocacy throughout the curriculum. Choose teaching and learning methods that match the learning needs and styles of the student. Incorporate direct instruction in problem-solving and critical thinking skills, and in research and technological skills throughout the curriculum. Make sure the language of instruction effectively communicates and promotes student understanding for all students. Use methods to promote active learning, including hands-on learning, realworld and experiential learning, community-based learning, and learning involving student choice. Use learning materials, equipment, and media tailored to the unique learning needs of students. Design and implement specific opportunities for students to apply and transfer learning to a variety of situations, both familiar and novel. Use varied and flexible grouping strategies for instructional purposes. Use flexibility in pacing of instruction, scheduling, and time-usage based on the needs of individual students. Communicate and collaborate with other teachers, specialists, students, families, and appropriate agencies in planning and implementing effective instruction.

SERVICE OPTIONS: This section implies systems of organizing people and materials to supply and deliver educational opportunities, accommodations and supports in order for all students to be successful learners.

For students to have adequate opportunities to learn, schools will:

- Involve families, community members, and peers in the design and implementation of educational services for all children and youth.
- Use shared and flexible resources, including personnel, fiscal, facility, program, time, and administrative process to meet student's needs and offer appropriate services by providers with specific expertise.
- Offer curriculum and instruction that is diversified through a variety of modifications using alternative scheduling, accessibility, optimal learning environments, grouping, accommodation of multiple learning styles, setting appropriate expectations, student-teacher ratios, and using a variety of instructional techniques.
- Support collaborative planning with individual students, teachers, support staff, team members, family members, the community, and other agencies with the management of time and resources.
- Design support services for students to help them with life management including safety, health, wellness, social relationships, and learning.
- Assure students the opportunity to plan and prepare for successful life adjustment after high school including career development, community involvement, post-secondary education, recreation and leisure choices, and daily living activities.
- Maximize the use of technology as a tool for learning.
- Provide information regarding educational opportunities to students, families, and school personnel for continuous improvement of services to students.
- Offer support services to assist students in managing behavior, expressing needs, developing friendships, resolving conflicts, and making choices and planning their lives

DCAP Resources

Elementary Resources	Middle School Resources	High School Resources
Reading Specialist Title 1 Support ELL Teacher Nurse Child Study Team School Psychologist /Guidance Grade Level Team Leaders Literary and Math Coaches Curriculum Director	Team Structure Reading Teacher After school help (all disciplines) Intervention block ELL Teacher Child Study Team Guidance Counselors School Psychologist Nurse Curriculum Director	English Language Learners (ELL) Teacher After school help (all disciplines) Advisory program Guidance Counselors Child Study Team Social Worker School Psychologist Nurse Curriculum Director