

**MOHAWK TRAIL REGIONAL SCHOOL DISTRICT
HAWLEMONT REGIONAL SCHOOL DISTRICT
COMMON POLICIES AND PROCEDURES**

There are certain laws and policies applicable to all schools in the Mohawk Trail and Hawlemont Regional School Districts. This section of the student handbook contains those policies and procedures. The complete online policy manuals are available at:

<https://sites.google.com/a/mohawkschools.org/mohawk-school-committee/policies>

<https://sites.google.com/a/mohawkschools.org/hawlemont-school-committee/policies>

TABLE OF CONTENTS

I.	SAFE SCHOOLS	Page 2
II.	STUDENT RIGHTS AND RESPONSIBILITIES	Page 3
III.	BULLYING PREVENTION POLICY	Page 11
IV.	HEALTH SERVICES	Page 16
V.	SAFE STUDENT TRANSPORTATION POLICY AND PROCEDURES	Page 21
VI.	SPECIAL EDUCATION: IDEA	Page 24
VII.	NON-DISCRIMINATION POLICY INCLUDING HARASSMENT AND RETALIATION	Page 28
VIII.	SEXUAL HARASSMENT POLICY	Page 31
IX.	PROHIBITION OF TOBACCO AND TOBACCO-RELATED PRODUCTS ON SCHOOL PROPERTY	Page 35
X.	DANGEROUS WEAPONS ON SCHOOL PROPERTY	Page 35
XI.	ACCEPTABLE INTERNET USE PROCEDURE	Page 36
XII.	NON-CUSTODIAL PARENT LAW	Page 38
XIII.	PUBLIC CONCERNS AND COMPLAINTS	Page 39
XIV.	PUBLIC COMPLAINTS ABOUT SCHOOL PERSONNEL	Page 40
XV.	COMMUNITY USE OF SCHOOL FACILITIES	Page 40
XVI.	STUDENT RECORDS/ FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT (FERPA)	Page 41
XVII.	EMERGENCY CLOSINGS	Page 42
XVIII.	MOTOR VEHICLE IDLING ON SCHOOL GROUNDS	Page 43
XIX.	DRUG AND ALCOHOL POLICY	Page 44
XX.	VANDALISM	Page 45
XXI.	PARENTAL NOTIFICATION RELATIVE TO SEX EDUCATION	Page 45
XXII.	PHYSICAL RESTRAINT OF STUDENTS	Page 46

A sign-off sheet showing that parents/guardians have read this complete handbook and reviewed it with their student is at the end. Please return it to the school office as soon as possible.

I. SAFE SCHOOLS

A. Statement Of Purpose and Compliance

The Mohawk Trail and Hawlemont Regional School Districts are committed to ensuring a safe school environment for all students, parents, staff and community members. The District has in place safety standards and procedures that conform with the standards of classroom safety adopted by the Massachusetts Board of Education pursuant to M.G.L. c. 69, sec.1B and that meet the requirements set forth by M.G.L. c. 71, sec. 37H. These standards and procedures address such events as building emergencies, intruders, bomb threats and natural disasters.

B. Standards Of Safety

1. The School Committees, administration and staff of the Mohawk Trail and Hawlemont Regional School Districts shall encourage the creation and maintenance of a safe, secure learning environment in every school building and at school-sponsored events. The creation of a safe learning environment will be enhanced by the provision of sufficient resources, expert consultation, adequate staff training, established protocols and procedures, and ongoing support for the procurement and maintenance of appropriate safety devices.
2. Administration, staff and students in each building shall strive to create an educational environment that is safe and secure in order to facilitate learning and teaching. The School Safety Plan will include strategies for the prevention of injuries and violence.

C. Procedures To Meet Standards

1. Administrative Action
 - a. The Superintendent will assess current safety standards and procedures annually. The assessment of current standards and procedures will be accomplished by the Superintendent, building Principals and other District personnel who shall review and update current practices with representatives of the police and fire departments in each town, the District's insurance carrier, and the District's legal counsel, in addition to other parties whom the Superintendent and Principals determine to be critical to the process.
 - b. The Superintendent or a designee shall collect, review and disseminate the assessment report to the District Safety Committee, building-based safety committees and the School Committees.
 - c. Those groups and individuals receiving the assessment report will promptly review it. The District Safety Committee and each building-based safety committee will subsequently meet and make recommendations to the Superintendent and the School Committees for the purpose of making the necessary improvements to the existing safety and security practices.
 - d. The Superintendent and each building Principal shall annually, as part of the budget process, identify safety and security needs and request appropriations for security personnel, devices, equipment and updated training for all staff.

- e. Building Principals in consultation with the Superintendent will provide pertinent safety information to parents/guardians based upon a careful review of each circumstance.
2. School Committee Actions
- a. The School Committees shall review the Superintendent's annual report and discuss its content with the Superintendent and other district administrators prior to making any changes to existing policies or procedures.
 - b. Prior to adopting recommendations for changes to the existing policies, the Committees shall receive from the Superintendent estimated costs associated with the implementation of any recommendations.
 - c. Upon adoption of amended or new safety policies, the School Committees shall forward a copy of the policies and standards to the Massachusetts Board of Education and local law enforcement and safety officials.

II. STUDENT RIGHTS AND RESPONSIBILITIES

A. Student Conduct

Good citizenship is based on respect and consideration for the rights of others. Students are expected to conduct themselves in a way that does not violate the rights and privileges of others. Students will be required to respect constituted authority, to conform to school rules and to those provisions of the law that apply to their conduct.

B. Anti-discrimination

State and federal law guarantees that no student may be excluded from or discriminated against in any school program because of their race (including traits historically associated with race, including, but not limited to, hair texture, hair type, hair length, and protective hairstyles), color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, familial status, pregnancy, or pregnancy-related condition, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law. All students have the responsibility to respect others' civil rights.

C. Freedom of Speech

There are several ways in which students may express their opinions. They may express their views through speech and symbols (arm bands, buttons, etc.) as long as such expression does not cause disruption in the school and there is no clear and present danger to the well-being of students and staff. Students may petition the Administration at any time. Students may assemble peaceably on school property in order to express their views, although the Administration may restrict the time and place of assemblies and the distribution of written opinions during regularly scheduled school hours. All students have the responsibility to ensure that their speech and actions do not affect the rights or sense of safety of others.

D. Suspension and Expulsion

1. Notice of Proposed Suspension

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

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

The Principal shall make reasonable efforts to notify the parent/guardian orally of the opportunity to attend the hearing. In order to conduct a hearing without the parent/guardian present, the Principal must be able to document reasonable efforts to include the parent/guardian. Reasonable effort is presumed if the Principal sent written notice and documented at least two attempts to contact the parent/guardian in the manner specified by the parent/guardian for emergency situations. All written communications regarding notice of proposed suspension shall be either by hand delivery or delivered by first-class mail, certified mail, or email to address provided by the parent/guardian for school communications (or other method agreed to by the Principal and parent/guardian) in English, and in the primary language in the home if other than English, or other means of communication where appropriate.

2. Short-Term Suspensions: Hearing and Principal Determination

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

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

present at the hearing shall have the opportunity to discuss the student's conduct and offer information, including mitigating circumstances.

Based on the available information, including mitigating circumstances, the Principal will make a determination whether the student committed the disciplinary offense, and if so, the consequence. The Principal will provide notification of the determination in writing in the form of an update to the student and parent/guardian and provide reasons for the determination. If the student is suspended, the Principal shall inform the parent/guardian of the type and duration of the suspension, and shall provide an opportunity for the student to make up assignments and other school work as needed to make academic progress during the period of removal. If the student is in grades pre-k through 3, the Principal shall send the determination to the Superintendent and explain the reasons prior to imposing an out-of-school suspension, before the short-term suspension takes effect.

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

3. Long-Term Suspensions: Hearing and Principal Determination

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

Additionally, the student shall have the following rights:

- a. In advance of the hearing, the opportunity to review the student's record and the documents upon which the Principal may rely in making a determination to suspend the student or not;
- b. The right to be represented by counsel or a lay person of the student's choice at the student's and or parent's/guardian's expense;
- c. The right to produce witnesses on the student's behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so;
- d. The right to cross-examine witnesses presented by the school district; and

- e. The right to request that the hearing be recorded by the Principal. All participants shall be informed that the hearing is being recorded by audio. A copy of the audio recording will be provided to the student or parent/guardian upon request.

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

- a. Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing;
- b. Set out key facts and conclusions reached by the Principal;
- c. Identify the length and effective date of the suspension, as well as a date of return to school;
- d. Include notice of the student's opportunity to receive a specific list of education services to make academic progress during removal, and the contact information of a school member who can provide more detailed information.
- e. Inform the student of the right to appeal the Principal's decision to the Superintendent or a designee (only if a long-term suspension has been imposed) within five (5) calendar days, which may be extended by parent/guardian request in writing an additional seven (7) calendar days. The long-term suspension will remain in effect unless and until the Superintendent decides to reverse the Principal's determination on appeal. If the student is in grades pre-k through grade 3, the Principal shall send the determination to the Superintendent and explain the reasons prior to imposing an out-of-school suspension, whether short-term or long-term, before the suspension takes effect.

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

4. Appeal of Long-Term Suspension

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

Within five (5) calendar days of the hearing the Superintendent shall issue a written decision which meets the criteria required of the Principal's determination. If the Superintendent determines the student committed the disciplinary offense, the Superintendent may impose the same or a lesser consequence than that of the Principal. The Superintendent's decision shall be final. Students suspended for more than ten (10) days shall be afforded an opportunity to receive educational services and make academic progress.

5. *Emergency Removal*

A student may be temporarily removed prior to notice and hearing when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school and, in the Principal's judgment, there is no alternative available to alleviate the danger or disruption. The temporary removal shall not exceed two (2) school day, following the day of the emergency removal. A Principal may not remove a student from school on an emergency basis for a disciplinary offense until adequate provisions have been made for the student's safety and transportation.

During the emergency removal the Principal shall make immediate and reasonable efforts to orally notify the student and student's parent/guardian of the emergency removal and the reason for the emergency removal. The Principal shall also provide the due process requirements of written notice for suspensions and provide for a hearing which meets the due process requirements of a long-term suspension or short-term suspension, as applicable, within the two (2) school day time period, unless an extension of time for the hearing is otherwise agreed to by the Principal, student, and parent/guardian. A decision shall be rendered orally on the same day as the hearing, and in writing no later than the following school day. The decision shall meet all of the due process requirements of a Principal's determination in a long-term suspension or short-term suspension, as applicable.

6. *In-School Suspension under 603 CMR 53:02(6) & 603 CMR 53.10*

In-school suspension is defined as the removal of a student from regular classroom activities, but not the school premises, for not more than ten (10) consecutive school days, or no more than ten (10) school days cumulatively for multiple infractions over the course of the school year. Removal solely from participation in extracurricular activities or school-sponsored events, or both, shall not count as removal in calculating school days.

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

- The Principal shall inform the student of the disciplinary offense charged and the basis for the charge, and provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident.

- If the Principal determines that the student committed the disciplinary offense, the Principal shall inform the student of the length of the student's in-school suspension, which shall not exceed ten (10) days, cumulatively or consecutively, in a school year.
- On the same day as the in-school suspension decision, the Principal shall make reasonable efforts to notify the parent orally of the disciplinary offense, the reasons for concluding that the student committed the infraction, and the length of the in-school suspension. The Principal shall also invite the parent to a meeting to discuss the student's academic performance and behavior, strategies for student engagement, and possible responses to the behavior. Such meeting shall be scheduled on the day of the suspension if possible, and if not, as soon thereafter as possible. If the Principal is unable to reach the parent after making and documenting at least two (2) attempts to do so, such attempts shall constitute reasonable efforts for purposes of orally informing the parent of the in-school suspension.
- The Principal shall send written notice to the student and parent about the in-school suspension, including the reason and the length of the in-school suspension, and inviting the parent to a meeting with the Principal for the purpose set forth above, if such meeting has not already occurred. The Principal shall deliver such notice on the day of the suspension by hand-delivery, certified mail, first-class mail, email to an address provided by the parent for school communications, or by other method of delivery agreed to by the Principal and the parent.

7. *Suspension or Expulsion for Disciplinary Reasons under M.G.L. c.71 sec.37H and 37H1/2*

The due process notification and hearing requirements in the preceding sections do not apply to the following offenses: **Possession of a dangerous weapon, possession of a controlled substance, or assault of staff.** A student may be subject to expulsion if found in possession of a dangerous weapon, possession of a controlled substance, or the student assaults a member of educational staff on school premises or at school-sponsored or school-related events, including athletic games, and the Principal determines the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

The Principal shall notify the student and parent(s)/guardian(s) in writing of the opportunity for a hearing, and the right to have representation at the hearing, along with the opportunity to present evidence and witnesses. After said hearing, a Principal may, in the Principal's 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 such an 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.

8. *Felony complaint or issuance of felony delinquency complaint*

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

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

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

The Principal may expel a student convicted of a felony, or 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 the 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 such a request for an appeal of the decision no later than five (5) calendar days following the date of the expulsion. The 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.

E. Student Records

1. Definitions:

- a. Transcript: 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.

- b. Temporary record: 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.
 - c. Student record: The student record shall consist of the transcript, the temporary record, and any other material 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.
2. The school Principal or a designee shall be responsible for the privacy and security of all student records maintained in the school. Eligible students and their parents or guardians shall have access to the student record. In no event, shall such access be delayed more than two consecutive school days after the request for a review has been made, unless the requesting party consents to a delay.
 3. Students 18 years of age or over may limit the right of access of their parents or guardians by making such a request in writing to the school Principal, who shall honor such a request and retain a copy of it in the student record.
 4. The student transcript will be kept for 60 years following the student's graduation, transfer or withdrawal from the school system. The temporary record will be kept no more than five years after the student transfers, graduates or withdraws from the school system.
 5. A copy of the Student Records Regulation is on file in the Principal's office and is accessible to any student, parent, or guardian upon request.
 6. Except for the student, parent and/or guardian as specified above, authorized school personnel, and certain exceptions detailed in the governing state regulation, no third party shall have access to information in or from the student record without the specific, informed written consent of the eligible student or parent or guardian. When granting consent, the eligible student or parent or guardian shall have the right to designate which parts of the student record shall be released to a third party.

F. Resolving Concerns about Rights and Responsibilities

There are a variety of avenues available to students who feel their rights are being denied:

1. First, the student should try to talk the problem out with the individual administrator, teacher, coach or club advisor. If the problem cannot be solved in this way, the student's parents or guardian should set up a conference with the individual staff member. If the student and parents or guardian are still not satisfied, they should set up a second conference with the individual staff member and that person's supervisor (generally the building Principal). If necessary, this process of conferences may be continued to the Superintendent and School Committee.
2. There are many ways to express student opinions and many individuals (e.g., advisory teacher or guidance counselor) within the school to help a student resolve problems. The basic student right is to a good education, and all of our efforts are directed toward that goal. Students who sit down in good faith and work towards harmonious solutions to problems will find the entire staff willing and ready to work with them to reach those solutions.

III. BULLYING PREVENTION POLICY

The Mohawk Trail and Hawlemont Regional School Districts is committed to providing a safe, positive, and productive educational environment where students can achieve their highest academic potential. No student shall be subjected to harassment, intimidation, bullying, or cyberbullying.

While the Districts strongly believe that bullying is completely unacceptable, it is important to note that not all behavior issues between students fall under the term “bullying.” The Districts are committed to helping students learn interpersonal skills, appropriate language, and self-regulation skills that allow them to get their needs met in a positive way. Social Emotional Learning – through programs like Second Step, Responsive Classroom, PBIS (Positive Behavioral Interventions and Supports), Restorative Practices and others – is an essential part of the curriculum that helps to reduce incidences of bullying.

“Bullying” is the repeated use by any member of the school community of a written, visual (including images), 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 personal harm or property damage;
- creates a hostile environment at school for the target;
- infringes on the rights of the target at school; or
- materially and substantially disrupts the education process or the orderly operation of a school.

“Cyber-bullying” means bullying using 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. Cyber-bullying shall also include the creation of an electronic medium in which the creator assumes the identity of another person or knowingly impersonates another person as author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying. Cyber-bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

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

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

Bullying is prohibited:

- On school grounds;

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

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

- Create a hostile environment at school for the target;
- Infringe on the rights of the target at school; and/or
- Materially and substantially disrupt the education process or the orderly operation of a school.

A. Reporting

Students, who believe that they are a target of bullying, observe an act of bullying, or who have reasonable grounds to believe that these behaviors are taking place, should report incidents to a member of the school staff or use this form:

https://docs.google.com/forms/d/e/1FAIpQLSeQHRT8MOsPXXAx6QsItuYSRr2Rg9D_m-XFddCwhTtBDuJQ2Q/viewform

B. Investigation Procedures

School Principals or a designee shall:

- promptly investigate the report of bullying;
- promptly contact the parents or guardians of a student who has been the alleged target or alleged perpetrator of bullying;
- notify parents or guardians upon completion of the investigation and inform them of the results.

C. Retaliation

Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying is prohibited. Safety plans for those who report shall be provided as necessary.

D. Target Assistance

The Mohawk Trail or Hawlemont Regional School District shall provide counseling or referral to appropriate services, including guidance, academic intervention, and protection to students, including targets, witnesses, and perpetrators, affected by bullying, as necessary.

E. Training and Assessment

Annual training shall be provided for school employees and volunteers who have significant contact with students in preventing, identifying, responding to, and reporting incidents of

bullying. Age-appropriate, evidence-based instruction on bullying prevention shall be incorporated into the curriculum for all K to 12 students.

HAZING – LEGAL REF: M.G.L. c. 269 sec. 17 – 19

Section 17:

Whoever is a principal organizer or participant in the crime of hazing, as defined herein, shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or both such fine and imprisonment.

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

Notwithstanding any other provisions of this section to the contrary, consent shall not be available as a defense to any prosecution under this action.

Section 18:

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

Section 19:

1. Each institution of secondary education and each public and private institution of post-secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections seventeen and eighteen; provided, however, that an institution's compliance with this section's requirements that an institution issue copies of this section and sections seventeen and eighteen to unaffiliated student groups, teams or organizations shall not constitute evidence of the institution's recognition or endorsement of said unaffiliated student groups, teams or organizations.
2. Each such group, team or organization shall distribute a copy of this section and sections seventeen and eighteen to each of its members, plebes, pledges or applicants for membership. It shall be the duty of each such group, team or organization, acting through its

designated officer, to deliver annually, to the institution an attested acknowledgement stating that such group, team or organization has received a copy of this section and said sections seventeen and eighteen, that each of its members, plebes, pledges, or applicants has received a copy of sections seventeen and eighteen, and that such group, team or organization understands and agrees to comply with the provisions of this section and sections seventeen and eighteen.

3. Each institution of secondary education and each public or private institution of post-secondary education shall, at least annually, before or at the start of enrollment, deliver to each person who enrolls as a full time student in such institution a copy of this section and sections seventeen and eighteen.
4. Each institution of secondary education and each public or private institution of post-secondary education shall file, at least annually, a report with the board of higher education and in the case of secondary institutions, the board of education, certifying that such institution has complied with its responsibility to inform student groups, teams or organizations and to notify each full time student enrolled by it of the provisions of this section and sections seventeen and eighteen and also certifying that said institution has adopted a disciplinary policy with regard to the organizers and participants of hazing, and that such policy has been set forth with appropriate emphasis in the student handbook or similar means of communicating the institution's policies to its Students. The board of higher education and, in the case of secondary institutions, the board of education shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general any such institution which fails to make such report.

MOHAWK TRAIL REGIONAL SCHOOL DISTRICT
Incident Report for Bullying, Cyber Bullying, Harassment or Hazing

Date of Report: _____

Student/s being targeted: _____

Reporter (Student, Staff, Parent/Community):* _____

Student/s participating in the bullying, cyberbullying, or harassment (please provide as much descriptive information as possible):

Date and time of the incident(s): _____

Provide a detailed summary of your concerns:

(Please consider these questions: What happened? When did it happen? Where? How often? Who else knows? Has it happened before?)

*Confidential reports can also be submitted at:

https://docs.google.com/forms/d/e/1FAIpQLSeQHRT8MOsPXXAx6QsItuYSRr2Rg9D_m-XFddCwhTtBDuJQ2Q/viewform

IV. HEALTH SERVICES

The Health Office is staffed by a nurse daily from 7:30 a.m.- 2:30 p.m. at MTRS and 8:30 a.m.- 3:30 p.m. at all the elementary schools. There is ALWAYS a Registered Nurse on call whenever there is not a Registered Nurse covering the health office.

The nurse is available to do the following:

- Provide first aid and illness assessment.
- Provide initial emergency care.
- Administer medications.
- Perform treatments and procedures.
- Perform mandated screenings.
- Act as a health resource for students, caregivers, and staff.
- Maintain the health records, which include at a minimum medical history, immunizations, physical examinations, screening results, and emergency information.
- Help to identify healthcare needs, make appropriate referrals, attend IEP and 504 meetings if a health issue is involved.
- Coordinate with families, healthcare professionals, students, and staff, to develop and implement comprehensive individualized healthcare plans (IHP) for students with significant health concerns.
- Monitor any students with concussions and their return to academics and physical activity, and provide baseline screenings for student athletes at MTRS.

*****ALL HEALTH-RELATED SERVICES ARE FULLY CONFIDENTIAL*****

A. Health Office Procedures

1. The Health Office is called when a student requests to see the nurse or reports any health concern.
2. The nurse in the Health Office will triage students; students are usually seen on a “first come, first served basis” except when presenting with an emergency situation in which case they are seen immediately.
3. Students are expected to wait quietly in class and act appropriately while waiting to be called down by the nurse.
4. If the nurse determines that a student needs to be dismissed, the nurse will call the parent/guardian or emergency contact to notify them and to arrange transportation home. The nurse will inform the front office that the dismissal is for medical reasons.

B. When Should a Child Stay Home From School?

1. If the child has a fever of 100 degrees or higher, they need to remain home until the fever is gone for a full 24 hours without the use of fever-reducing medication.
2. If the child is experiencing vomiting and/or diarrhea, they should be kept at home until symptoms have resolved for at least 24 hours and they are able to keep down food and liquid.

3. If the white part of the child's eye appears red and there is a noticeable green or yellow discharge from the eye, their healthcare provider should be called. The child may have conjunctivitis ("pink eye"), a common but contagious eye infection. If the child is diagnosed with "pink eye," they will need antibiotic eye drops/ointment which will need to be administered for 24 hours before they can return to school.
4. If the child has an unusual rash or a rash associated with a fever, have your child evaluated by a healthcare professional. A rash may be a sign of a bacterial or viral illness, an allergic reaction to a medication, food, or something in the environment (plants, chemicals, detergents). Please provide the school nurse with any paperwork from the healthcare provider.
5. If the child has a contagious illness such as strep throat, flu, or chicken pox, they need to remain at home. Contact the school nurse for further guidance on when they can return.

C. Parent/Guardian Responsibilities with regards to Health Services:

1. If your child is sick or has an accident of sufficient seriousness to warrant it, the school will get in touch with the Parent/Guardian to pick the child up in a timely manner and arrange for needed medical attention if needed.
2. If your child will be absent, it is your responsibility to call or email and inform the school.
3. Please notify the school nurse if there are any changes in your child's health, if your child will be out of school for an extended period of time, or if your child has a contagious disease (we may need to take precautions to protect the health of others). The Health Office may require a letter from the healthcare professional before a child may return to school depending on the situation.
4. Please complete and return the Annual Medical Update/Emergency form that is sent home at the beginning of each school year. It is extremely important that this form be completed fully and returned to the school nurse. This information is essential to school nurses so that they have an accurate and current picture of each child's health status and so that they can contact parents/guardians or a designated caregiver in the event that a child is ill or injured.

D. Medication Policy

1. Prescription medications can be given during school hours if the school nurse has a healthcare provider's order and a signed parental permission form. Please ask the school nurse for the appropriate forms.
2. Medication must be delivered to the school in a pharmacy- or sealed manufacturer-labeled container by a parent/guardian or responsible adult. Students are not allowed to bring medication to school.
3. Medications are kept in the nurse's office unless a student is authorized by the school nurse to "self-administer" and carry medication on their person. The only exception to this is with epinephrine autoinjectors prescribed to a student for a life-threatening allergic reaction, which will be kept in a safe but convenient place for easy access in the case of anaphylaxis.
4. In order for a Student to "self-administer" medication at school the following conditions must be met:

- a. The parent/guardian signs a consent to self-administer in school, **AND**
- b. The student agrees to inform the nurse after use of the medication and to act responsibly with regards to having the medication, **AND**
- c. The nurse agrees that it is safe for the Student to self-administer.

The final decision rests with the nurse*

E. Motion Sickness

If your child has a history of motion sickness, is going on a school field trip, and you would like them to have Dramamine (dimenhydrinate), you will need to provide a manufacturer-sealed container of Dramamine (dimenhydrinate) with your child's name written on it and sign a permission slip to the nurse for administration of this medication.

F. Zinc Oxide

If your child has a history of heat/diaper rash and you would like them to use Zinc Oxide, you will need to provide a manufacturer-sealed container/tub of Zinc Oxide with your child's name written on it and sign a permission slip to the nurse for administration of the Zinc Oxide.

G. State-Mandated Health Screenings

Massachusetts mandates that all public schools provide the following health screenings:

- Distance Vision: annually for grades PK-5, once in grades 6-8, and once in grades 9-12.
- Near Vision: annually grades PreK-3 and Stereopsis: Grades K-3
- Hearing: annually grades K-3, once in grades 6-8, and once in grades 9-12.
- Height, weight (BMI): Grades 1, 4, 7 and 10
- Postural: Grades 5-9
- Screening, Brief Intervention and Referral to Treatment (SBIRT): Grades 7 & 10

Screenings are provided by school nurses and are not as comprehensive as exams by healthcare providers. Therefore, they should not be considered a replacement. The purpose of the screening is to identify students who need additional testing and then inform the parents/guardians through a referral. If a parent/guardian chooses to opt out of any of the Mandated Health Screenings, please notify the Health Office in writing.

H. Physical Examination, Immunization, and Lead Requirements

1. Physical exams and updated immunizations are required annually in preschool and kindergarten, as well as in grade 4, 7 and 10. Physical exams are also required for new students entering into any District school. For grades 4, 7, and 10, an exam is considered "valid" if it was completed July 1st one year prior to the start of the school year to the last day before entry into the next grade. Example: If a student is entering Grade 4, a physical exam is valid if it was done anytime between July 1st entering into third grade year to the last day before entry into Grade 5. Physical exam forms are available from the school nurse.
2. Students without complete documentation of the required immunizations and physical exam will be excluded from the start of school unless there is a legal exemption.

3. All students participating in extracurricular sports at MTRS need an annual physical, as required by the Massachusetts Interscholastic Athletic Association (MIAA).
4. All students between the ages of one and six years must have a lead screening on file in the Health Office prior to beginning preschool or kindergarten per Massachusetts 105CMR: 460.050

I. Hand Sanitizer

To prevent the spread of germs, including COVID-19, the CDC recommends washing hands with soap and water whenever possible because it reduces the amount of many types of germs and chemicals on hands. But if soap and water are not readily available, using a hand sanitizer with at least 60% alcohol can help you avoid getting sick and spreading germs to others.

1. Choose only FDA-approved hand sanitizers with at least 60% alcohol (often listed on the label as ethanol, ethyl alcohol, isopropanol, or 2-propanol).
2. Rub the gel over all the surfaces of your hands and fingers until your hands are dry.
3. Keep alcohol-based hand sanitizer out of your eyes.
4. DO NOT rinse or wipe off the alcohol-based hand sanitizer before it's dry
5. Hand sanitizer stations will be available throughout the school in areas of high visibility of staff, in classrooms that do not have a sink, and at entrances to buildings.

If caregivers do not wish for their student to use the hand sanitizer provided by the school, please send in an opt-out letter to the nurses' office to have on file. Students with this letter will be expected to wash their hands using soap and water throughout the day.

J. Concussions

The Mohawk Trail and Hawlemont Regional School Districts' concussion policies provide information and standardized procedures for people involved in the prevention, training, management and return-to-activity decisions regarding students who incur head injuries. The Districts believe in the importance of monitoring ALL concussed students in order to safely reintegrate them into academics and assist them in returning to normal activity. Students who are diagnosed with a concussion may appear to be "fine" on the outside, when in actuality they have a brain injury and are not able to return to cognitive and/or physical activities. Having ALL athletes at MTRS do a Baseline Test, a neuropsychological evaluation done online, helps in monitoring a concussed student to make sure the student's brain is improving prior to allowing them to participate in activities that could be detrimental if a second concussion happens prior to the first being healed. Incurring a concussion can be traumatic, but a second concussion prior to the first one's healing can have potential catastrophic implications.

All District nurses participate in ongoing concussion training in order to have the most up-to-date knowledge regarding the prevention, protocols and monitoring of students with a concussion. When a student is diagnosed with a concussion, the school nurse will review

the policies and procedures with that student's parent(s)/guardian(s). The nurse will also have ongoing communication with the student's parent(s)/guardian(s), as well as staff that work with that student, in order to have everyone following the same guidelines to keep that student as safe as possible.

Since school nurses will see concussed students on a daily basis to monitor progress, they have the information necessary to assist in progressing students through the return to academics and then to increasing physical activities in the safest way possible. Concussed students must be able to do all academic work prior to returning to physical activities. The Return to Academics Protocol consists of five steps through which the nurse can progress the concussed student to allow for more academic work as the symptoms improve, until the student is symptom-free and able to complete all academic work. At that point the five-step Return to Play (or General Activity) Protocol will begin so that the student safely returns to physical activities after a concussion.

The information obtained by the nurses can also be printed out and provided for review by either Primary Care Providers or Sports Clinics so that they can get a better picture of how the student is doing. This can also assist the overseeing clinician with the information necessary to clear the student from the concussion.

If you have any questions regarding the policy or procedure regarding concussions or you would like a copy, please reach out to the District Nurse Leader, Donna Weber, at dweber@mtrsd.org

K. Clothing Helpful Tips:

1. All students should wear shoes appropriate for multiple activities throughout the school day. Take into consideration that outdoor activity is a part of the daily schedule. Flip flops are not appropriate footwear for outdoor activities.
2. Remember: students are outside as much as possible, light rain or shine.
3. Our buildings can change temperatures throughout the day. Your student may be cool when they arrive, but warm up as the day progresses. We suggest light layers for maximum comfort.
4. Perfume and cologne are not allowed at school.
5. Sunglasses are not to be worn indoors unless there is a medical need.
6. Winter wear: All students are expected to participate in outside activities; therefore, students should come prepared with a hat, gloves, coat, snow pants and boots on a daily basis. In addition, students must have a second pair of shoes for inside wear other than outside boots.
7. Sneakers are required for gym class.
8. If you foresee your child needing a change of clothes, please have them keep a set in their backpack/cubby/locker.

In the event that a student forgets the necessary clothing, there is a limited supply/sizes in the health offices at the elementary schools and the “Sharing is Caring Room” at MTRS. This is a short-term/emergency solution for that day only. If you are in need of clothing and unable to obtain it, please contact the school nurse so they may assist in getting you what the child needs.

L. School Health Insurance

Lefebvre Insurance, Inc. provides school insurance. Information is sent home at the beginning of the school year.

V. SAFE STUDENT TRANSPORTATION POLICY AND PROCEDURES

A. Responsibility

The School Committees of the Mohawk Trail and Hawlemont Regional School Districts will send representatives to a Two-District Transportation Committee, which will be responsible for contracting for transportation services, monitoring those services, and making recommendations relative to transportation. Management of transportation services will be handled through the office of the Superintendent by the Director of Transportation. The Districts have the responsibility to provide eligible K-12 students with safe and efficient transportation. Parents/caregivers have the responsibility to help students get to bus stops.

B. Routing and Location of Bus Stops

1. Bus routes will be established with consideration given to the concentration of students, road conditions, location of schools, safety and economy of operation, and overall efficiency. Elementary Students will ride the bus no longer than one hour. MTRS students will ride no longer than 1-1/4 hours. All bus routes will follow public roads.
2. The Districts will comply with all applicable state laws for minimal standards of service. Students living more than 1.5 miles from a school, as measured by commonly traveled roads, will be provided service. The Districts have the right to establish bus stops up to one mile from a student’s residence.
3. In some cases, the Districts may contract with parents/guardians to provide transportation for their students.
4. Students will ride their assigned bus unless they provide permission slips from a parental/guardian to the school office enabling them to ride a different bus. They may only ride another bus when seats are available. Students may not stand on the bus.

C. Resolving Concerns about Transportation Services

Parents/guardians/students dissatisfied with transportation service may appeal to the Director of Transportation. If still dissatisfied, they may appeal to the Superintendent of Schools. Finally, if the concern stems from District policy, further appeal may be made to the School Committee’s Two-District Transportation Subcommittee.

D. Student Conduct

Parents/guardians and students will sign an annual agreement regarding rules for bus riding, which will be kept on file in the schools. See regulations below (Section J.) for safety and student conduct.

E. Transportation for Students with Special Needs

Children with special needs will be transported in separate vehicles in accordance with their Individualized Education Plans when special transportation requirements are specified in the IEP.

F. Service on Major Highways

When embarking or disembarking from a bus on a state highway or other heavily traveled road, elementary students will not be required to cross the road.

G. Time of Arrival

Bus transportation will be arranged so that students arrive in time for school. However, supervision at school is not provided for students until fifteen minutes before the start of the school day. Elementary students should not arrive earlier than fifteen minutes before the start of school unless enrolled in a before-school program.

H. Transportation of Students Off Campus

Students participating in off-campus curricular and extracurricular activities under the direction and supervision of school personnel shall be transported to and from such activities by vehicles operating under contract with School Committees or by volunteers.

I. Transportation of Choice Students

Transportation for choice students is at the discretion of the District and is not required by law. The School Committees will be responsible for formulating and administering policies regarding access of transportation by choice students. Consideration will be given to the following:

1. There must be sufficient room.
2. It will not cause a bus to deviate from its existing route.
3. It does not result in additional cost to the District.

J. School Bus Regulations

Bus operators are in charge of the bus and the passengers. They are responsible for the safety of the pupils and for conduct on the bus. Riding the bus is a privilege that can be denied temporarily or permanently, if a pupil's behavior warrants it. The operator reports to the bus company all violations of rules, and pupils may become ineligible for transportation if their behavior creates a problem on the school bus. It is necessary for students to observe the rules listed below. Any parent having concerns about school bus safety is encouraged to contact the bus contractor (F.M. Kuzmeskis, 413-863-2595). If the concern is not resolved, contact the Director Transportation, Robin Pease (413-625-0192 ext. 1021).

1. Be at the stopping places on time and ready to get into the bus with the least possible delay, in order to keep the bus on schedule.
2. Do not stand or play in the roadway while waiting for the bus.
3. Remain at least ten feet from the bus when it stops, and move toward the bus only when the door opens and the driver gives the THUMBS UP signal.
4. Students having to cross the road when boarding or leaving are to cross the road in front of the bus, NOT THE REAR, upon the driver's THUMBS UP sign. Students should cross far enough in front of the bus that the driver can see them even if they drop something. Students should make eye contact with the bus driver and use extreme caution by looking at traffic both ways before crossing the road. Students should be alert to the danger signal, HORN, as a warning that it is not safe to cross and they should return to a safe place on the side of the road they started from.
5. After boarding the bus, take a seat as quickly as possible. The driver may assign you a specific seat.
6. No students will be allowed to board or leave the bus at any place other than their regular stop without written consent from their parent(s)/guardian(s). Students 18 years of age or older can write their own note but need all notes signed by authorized school staff.
7. All students must provide the driver with written authorization in order to ride any bus other than that to which they are regularly assigned. Students 18 years of age or older may write their own note but they will need to have them signed by authorized school staff.
8. Students must obey the bus driver at all times when under the driver's supervision.
9. Students are encouraged to keep papers, books, extra clothing, *etc.*, in a book bag or backpack to decrease the chance of dropping items when boarding or leaving the bus.
10. Students and families should be aware of the danger of straps, strings, and other items dangling from clothing or backpacks becoming entangled and try to eliminate this danger.
11. Animals, firearms, weapons, explosives, and/or any other objects prohibited from school grounds are prohibited on the bus.
12. Maintain an acceptable manner of conduct at all times. Smoking, vulgarity, and loud, boisterous or other improper conduct will not be permitted.
13. Remain seated while the bus is in motion.
14. Do not extend arms or head out of the bus windows at any time.
15. Keep aisles clear of lunch boxes, backpacks, musical instruments, books, *etc.*
16. Assist the bus driver in keeping the bus clean by not eating or drinking while on the bus and taking all trash off the bus with you.
17. Remain absolutely quiet when approaching a railroad crossing.
18. Do not play any electronic devices without headphones on the bus.
19. Do not tamper with the operating mechanism on the emergency door.
20. Do not operate the service (front) door; this is the responsibility of the driver.
21. Do not damage or deface any part of the bus. Parents can be held responsible for the cost of repairs.

K. School Bus Safety Rules and Procedures

1. Use crosswalks if they are available.
2. When walking on the road, walk on the left side of the road (so that you will face the oncoming traffic).
3. Remain seated if the bus is delayed on the road.
4. Use the emergency door only if there is an emergency.
5. Be helpful and of assistance to children who are younger or smaller than you are.
6. When you leave the bus, do not stop in the roadway, and NEVER try to pick up anything that is under the bus.
7. Go home promptly after you leave the bus.

L. Warning Ticket System

1st Ticket – Warning.

2nd Ticket – Riding privilege suspended for three (3) school days.

3rd Ticket – Riding privilege suspended for five (5) school days.

4th Ticket – Riding privilege suspended indefinitely.

If it is deemed necessary by the Superintendent of Schools, riding privileges may be suspended without using the above system.

If a ticket is issued, the Student must do the following in order to ride on the bus:

1. Have the ticket signed by the parent(s)/guardian(s)
2. Give the signed ticket to the bus driver:
 - If a warning, the next morning the student rides the bus
 - If a suspension, on the morning riding privileges are reinstated (note date on the ticket)
3. If the ticket has not been signed, the student's first attempt to ride the bus will be allowed. However, the student will be brought to the Principal's office for parent/guardian notification. If the student does not return the signed ticket the following school day, the student will not be allowed to ride the bus.
4. If a student refuses a ticket(s) the student must report to the Principal or the bus company for a new one before being allowed to ride the bus again.
5. If a student rips up, loses, or in any way destroys a ticket issued to the student, the student must report to the Principal or the bus company for a new one before being allowed to ride the bus again.
6. A parent/guardian or student may appeal to the school administration for a hearing if they have any questions.

VI. SPECIAL EDUCATION: IDEA

A. The Individuals with Disabilities Education Act (IDEA).

The Individuals with Disabilities Education Act (IDEA) is a federal law ensuring services to children with disabilities throughout the nation. IDEA governs how states and public agencies provide early intervention, special education and related services to eligible

infants, toddlers, children and youth with disabilities. Infants and toddlers with disabilities (birth-2) and their families receive early intervention services under IDEA Part C. Children and youth (ages 3-21) receive special education and related services under IDEA Part B. The schools in the District have programs for children ranging from those who need a minimum of support services to those who require the full-time service of a special needs teacher. For further information, please contact the school Principal or the District's Director of Pupil Services Leann Loomis at (413) 625-0192.

B. Discipline for Students with an Individual Education Plan (IEP) or 504 Accommodation Plan

The District shall follow appropriate procedures with regard to the discipline of students with disabilities, which includes students on IEPs and Section 504 Accommodation Plans. All discipline of special education students shall be in accordance with the provisions of 20 U.S.C. sec. 1415(k) and 34 CFR sec. 300.530-300.536.

C. Suspension of Special Education Students

1. Students are expected to meet the requirements for behavior as set forth in this handbook. M.G.L. c. 71B requires that additional provisions be made for students who have been found by an evaluation team to have special needs and those whose program is described in an Individual Education Plan (IEP).
2. The following additional requirements apply to the discipline of special needs students:
 - a. The IEP for every special needs student will indicate whether the student can be expected to meet the regular discipline code or if the student's disability requires a modification. Any modification will be described in the IEP.
 - b. The Principal (or designee) will notify the Director of Pupil and Personnel Services of the suspendable offense of a special needs Student and a record will be kept of such notices.
 - c. When it is known that the suspension(s) of a special needs Student will accumulate to ten days in a school year, a review of the IEP will be held to determine the appropriateness of the Student's placement or program. The team will make a finding (a Manifestation Determination) as to the relationship between the Student's misconduct and the related disability and:
 - (i) If the team finds that the misconduct was not a manifestation of the student's disability, then the student may be disciplined according to the discipline policy in this handbook. The student will receive educational services during this period of suspension or exclusion.
 - (ii) If the team finds that the misconduct was a manifestation of the student's disability, then the school may still be able to implement an Interim Alternative Educational Setting (IAES). If an IAES is not possible, then the student will remain in the current placement, and the team will arrange for a functional behavioral assessment (if one has not been conducted on the student) and the development or modification of a behavior intervention plan. The Principal or designee will notify the Director of Pupil and Personnel Services of the suspension offense of a special needs student and a record will be kept of such notices.

- d. If necessary, a modified program will be designed for the Student, or an amendment will be made to the IEP to provide for the delivery of special education services during the suspension and to make needed changes relative to discipline code expectations.
3. 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:
 - a. 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;
 - b. 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; or
 - c. 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 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 themselves 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.

VII. NON-DISCRIMINATION POLICY INCLUDING HARASSMENT AND RETALIATION

The Mohawk Trail and Hawlemont Regional School Districts are committed to maintaining and promoting an educational environment free from all forms of discrimination, including harassment. The civil rights of all school community members are guaranteed by law, and the protection of those rights is of utmost importance and priority to the Districts. The members of the school community include the students, employees, administration, faculty, staff, volunteers in the schools, School Committees, and parties contracted to perform work for either District.

The Districts do not exclude from participation, deny the benefits of either District from or otherwise discriminate against, individuals on the basis of race (including traits historically associated with race, including, but not limited to, hair texture, hair type, hair length, and protective hairstyles), color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy, or pregnancy-related condition, homelessness, ancestry, ethnic background, national origin, or any

other category protected by state or federal law in the administration of its educational and employment policies, or in its programs and activities. Such discrimination will not be tolerated.

Retaliation against any student or other individual who has complained of discrimination, including harassment, or individuals who have cooperated with an investigation of such a complaint, is also unlawful and will not be tolerated. The Districts will promptly investigate, remedy any harm, seek to prevent recurrence of such conduct, and will also develop procedures to accomplish these ends. This policy applies to conduct directed toward persons associated with the educational community by all other persons associated with the educational community including, but not limited to, students, District employees, members of School Committees, school volunteers, and independent contractors.

A. What Is Discrimination, including Harassment?

Definitions

1. "Discrimination" and "harassment" are defined as unwelcome conduct, whether verbal or physical, that is based on any individual's actual or perceived race, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy or pregnancy-related conditions, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law. Discrimination and/or harassment includes, but is not limited to:
 - a. Display or circulation of written materials or pictures that are degrading to a person or group described above.
 - b. Verbal abuse or insults about, directed at, or made in the presence of, an individual or group described above.
 - c. Any action or speech that contributes to, promotes or results in a hostile or discriminatory environment to an individual or group described above.
 - d. Any action or speech that is sufficiently severe, pervasive or persistent that it either
 - (i) interferes with or limits the ability of an individual or group described above to participate in or benefit from employment or a program or activity of MTRSD; or
 - (ii) creates an intimidating, threatening or abusive educational or working environment.

Harassment may include, but is not limited to, any unwelcome, inappropriate, or illegal physical, written, verbal, graphic, or electronic conduct, and that has the intent or effect of creating a hostile education or work environment by limiting the ability of an individual to participate in or benefit from the district's programs and activities or by unreasonably interfering with that individual's education or work environment or, if the conduct were to persist, would likely create a hostile educational or work environment.

2. "Title IX Sexual Harassment" (effective August 14, 2020) means verbal, physical or other conduct that targets a person based on their sex, and that satisfies one or more of the following:
 - a. A school employee conditioning educational benefits or services on participation in unwelcome sexual conduct (*i.e.*, quid pro quo).

- b. Any unwelcome conduct that a reasonable person would find so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's educational program or activity.
- c. Any instance of "sexual assault," "dating violence," "domestic violence," or "stalking," as those terms are defined by the Clery Act (20 U.S.C. 1092(f)(6)(A)(v)) and the Violence Against Women Act (34 U.S.C. 12291(a)(8), (10) & (30)).

Allegations of Title IX Sexual Harassment shall be reported and investigated pursuant to the Districts' Protocol for Investigating Sexual Harassment and Retaliation Pursuant to Title IX. Please also see Policy ACAB.

B. Responsibilities of all Persons Associated with Educational Community

All members of the educational community are personally responsible for ensuring that their conduct does not in any way harass or discriminate against any other person that they have contact with in the performance of their duties or studies or while acting as a member of the school community. In addition, each member of the educational community is required to fully cooperate in any investigation of alleged discrimination, including harassment. Further, District employees are obligated to intervene and stop any discrimination, including harassment, that they witness and to immediately report to the appropriate party instances of discrimination, including harassment, that are reported to them or of which they otherwise learn.

C. Designated Officials for Addressing Discrimination and Harassment Complaints

The Civil Rights Coordinator is responsible for receiving reports and complaints of violations of this policy. Individuals may file a report or complaint of discrimination, including harassment, with the Civil Rights Coordinator and/or Title IX Coordinators if the complaint involves sexual harassment. If the complaint involves allegations of discrimination based on disability, the person filing the complainant also has the option to file their complaint with the 504 coordinator. A report or complaint of a violation involving the Civil Rights Coordinator(s) and/or Title IX Coordinators should be filed with the Superintendent. A report or complaint of violation involving the Superintendent should be filed with the School Committee.

The Civil Rights and Title VI Coordinator:

Leann Loomis, Director of Pupil Personnel Services, 24 Ashfield Road, Shelburne Falls, MA 01370, 413-625- 0192, lloomis@mtrsd.org

Title IX Coordinators:

Leann Loomis, Director of Pupil Personnel Services, 24 Ashfield Road, Shelburne Falls, MA 01370, 413-625-0192, lloomis@mtrsd.org

William Lataille, Business Administrator, 24 Ashfield Road, Shelburne Falls, MA 01370, 413-625-0192, wlataille@mtrsd.org

Section 504/Title II Coordinator:

Leann Loomis, Director of Pupil Personnel Services, 24 Ashfield Road, Shelburne Falls, MA 01370, 413-625-0192, lloomis@mtrsd.org

An individual can contact any of the above listed Coordinators to file a report/complaint as well as to seek assistance in the filing of a report/complaint. If a report/complaint is filed, the person should provide the Coordinator(s) with any documentation (emails, notes, pictures, etc.) or other information in support of the allegation of discrimination, including harassment. A form for reporting discrimination or harassment is available on page 15 of these Common Policies and Procedures and at:

https://docs.google.com/forms/d/e/1FAIpQLSeQHRT8MOsPXXAx6QsltuYSRr2Rq9D_m-XFddCwhTtBDuJQ2Q/viewform

D. Investigation of Complaints

Upon receipt of a report or complaint of discrimination and/or harassment, the relevant Coordinator(s) should conduct a prompt investigation. The investigation must allow for the complainant, the subject of the complaint, the alleged harasser, and any other appropriate party to provide information, including witnesses or other evidence, relevant to the consideration and resolution of the complaint. The Coordinator(s) will also endeavor to promptly interview and obtain detailed written statements from potential witnesses. If further documentation or information is necessary, the Coordinator(s) will notify the appropriate party, asking that the information be provided within ten (10) school/working days. The Civil Rights Coordinator may also assign a designee to conduct the investigation in consultation with the Civil Rights Coordinator.

The District will take interim steps, as necessary, to ensure the safety and well-being of the complainant and the alleged harasser while the investigation is being conducted. Interim measures are available even if the complainant does not file or continue to pursue a complaint. The Civil Rights Coordinator(s) shall notify the complainant and the alleged harasser of specific types of interim measures available, which may include measures to avoid contact with the other party, allowing employees to change work situations as appropriate, or prohibiting contact between the parties pending the results of the District's investigation. At any time, a complainant or the alleged harasser may request either orally or in writing to the Civil Rights Coordinator that specific interim measures be taken pending the outcome of the investigation.

A written determination regarding the complaint and any resolution will be provided by the Civil Rights Coordinator to the complainant and the alleged harasser once the investigation is complete. The determination of whether the District's antidiscrimination policy has been violated will be based upon a preponderance of the evidence standard. The complainant or the alleged harasser may request reconsideration of the determination and/or resolution of a complaint by notifying the Superintendent in writing or verbally within seven (7) school/working days of receipt of the written determination of the Civil Rights Coordinator. The Superintendent or a designee will respond to such request with notice to both parties within (30) thirty school/working days of receipt of the request for reconsideration; their decision is final.

If a violation is found to have occurred, the District will take steps to prevent recurrence of the violation and correct its discriminatory effect on the person(s) affected. Such steps may include appropriate disciplinary action, counseling, development of a safety plan and other remedies, as appropriate.

E. Consequences of Violating Policy - Discipline & Discharge

Any employee who violates this policy will be subject to disciplinary action consistent with the contractual provisions governing their employment. In appropriate circumstances, the District may also refer the matter to law enforcement officials for possible prosecution. Any student who violates this policy will be subject to disciplinary action, which may range from detention, suspension from schools, or expulsion from school. (Note: students with disabilities will be subject to the applicable disciplinary procedures set forth in the Students' Rights and Responsibilities District portion of this handbook, which adhere to the Individuals with Disabilities Education Act and Section 504 of Rehabilitation Act of 1973.) In appropriate circumstances, the District may also refer the matter to law enforcement officials for possible prosecution.

F. Confidentiality

Investigations of discrimination, including harassment complaints shall be conducted in such a manner as to disclose information only to those with a need to know or those who may have information pertinent to the investigation. Please note, some level of disclosure may be necessary in the course of conducting interviews in connection with investigation of any complaint under this policy. The Districts shall endeavor to keep such information as confidential as it can without compromising the thoroughness of the investigation.

G. State and Federal Authorities

In addition to the process described above, the complainant may, at any time, file a complaint with the U.S. Department of Education Office for Civil Rights, the Massachusetts Commission Against Discrimination, the Massachusetts Department of Elementary and Secondary Education, or other appropriate federal or state agency charged with enforcement of state and federal laws prohibiting discrimination, including harassment, based on membership in a protected class.

Massachusetts Commission Against Discrimination
436 Dwight St., 2nd Floor, Rm. 220
Springfield, MA 01103
Telephone: (413) 739-2145
Massachusetts Department of
Elementary and Secondary Education
75 Pleasant Street
Malden, MA 02148-4906
Telephone: (781) 338-3000

Inquiries about laws, statutes, regulations and compliance may also be directed to the Massachusetts Department of Elementary and Secondary Education or the Office for Civil

Rights, U.S. Department of Education, 5 Post Office Square, 8th Floor, Suite 900, Boston, MA 02109; (617) 289-0111; Email: OCR.Boston@ed.gov; Website: www.ed.gov/ocr.

VIII. SEXUAL HARASSMENT POLICY

The Mohawk Trail and Hawlemont Regional School Districts and their School Committees are committed to maintaining an education and work environment for all school community members that is free from all forms of harassment, including sexual harassment. The members of the school community include members of the School Committees, employees, administration, faculty, staff, students, volunteers in the schools, and parties contracted to perform work for MTRSD. Sexual harassment is unwelcome conduct of a sexual nature. The definition includes unwelcome conduct on the basis of sex that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity it also, includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment includes conduct by an employee conditioning an educational benefit or service upon a person's participation in unwelcome sexual conduct, often called quid pro quo harassment and, sexual assault as the Federal Clery Act defines that crime. Sexual violence is a form of sexual harassment. Sexual violence, as the Office of Civil Rights (OCR) uses the term, refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse and sexual coercion.

Massachusetts General Laws Ch. 119, Section 51 A, requires that public schools orally report cases of suspected child abuse immediately and file a report within 48 hours detailing the suspected abuse to the Department of Children and Families. For the category of sexual violence, in addition to Section 51A referrals these offences and any other serious matters shall be referred to local law enforcement. While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct which, if unwelcome, may constitute sexual harassment, depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

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

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

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

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

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

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

A. Notice of Sexual Harassment

The regulations require a school district to respond when the district has actual notice of sexual harassment. School districts have actual notice when an allegation is made known to any school employee. Schools must treat seriously all reports of sexual harassment that meet the definition of harassment and the conditions of actual notice and jurisdiction as noted whether or not the complainant files a formal complaint. Holding a school liable under Title IX can occur only when the school knows of sexual harassment allegations and responds in a way that is deliberately indifferent (clearly unreasonable in light of known circumstances). Schools are required to investigate every formal complaint and respond meaningfully to every known report of sexual harassment.

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

B. Reporting

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 Coordinators, or by any other means that results in the Title IX Coordinators receiving the person's verbal or written report. However, if a person files a false complaint in bad faith, knowingly and intentionally, they will be subject to discipline.

Title IX Coordinators:

Leann Loomis, Director of Pupil Personnel Services, 24 Ashfield Road, Shelburne Falls, MA 01370, 413-625-0192 lloomis@mtrsd.org

William Lataille, Business Administrator, 24 Ashfield Road, Shelburne Falls, MA 01370, 413-625-0192 wlataille@mtrsd.org

The contact information for the Title IX Coordinators will always be prominently displayed on the school's website. A form for reporting sexual harassment can be found on page 15 of this Common Policies and Procedures section and at:

https://docs.google.com/forms/d/e/1FAIpQLSeQHRT8MOsPXXAx6QsItuYSRr2Rg9D_m-XFddCwhTtBDuJQ2Q/viewform

C. Investigations

The Districts will investigate and adjudicate formal complaints of sexual harassment using a grievance process that incorporates due process principles, treats all parties fairly, and reaches reliable responsibility determinations. The Districts' grievance process will:

- Give both parties written notice of the allegations, an equal opportunity to select an advisor of the party's choice at the party's own expense (who may be, but does not need to be, an attorney), and an equal opportunity to submit and review evidence throughout the investigation.
- Use trained Title IX personnel to objectively evaluate all relevant evidence without prejudice of the facts at issue and free from conflicts of interest or bias for or against either party.
- Protect parties' privacy by requiring a party's written consent before using the party's medical, psychological, or similar treatment records during a grievance process.
- Obtain the parties' voluntary, written consent before using any kind of "informal resolution" process, such as mediation or restorative justice, and not use an informal process where an employee allegedly sexually harassed a student.
- Apply a presumption that the respondent is not responsible during the grievance process (often called a "presumption of innocence"), so that the school bears the burden of proof and the standard of evidence is applied correctly.
- 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 district employees.

- Ensure the decision-maker is not the same person as the investigator and/or the Title IX Coordinator (*i.e.*, no “single investigator models”).
- Allow parties to submit written questions for the other parties and witnesses to answer.
- Protect all complainants from inappropriately being asked about prior sexual history (“rape shield”).
- Send both parties a written determination regarding responsibility explaining how and why the decision- maker reached conclusions.
- Effectively implement remedies for a complainant if a respondent is found responsible for sexual harassment.
- Offer both parties an equal opportunity to appeal.
- Protect any individual, including complainants, respondents, and witnesses, from retaliation for reporting sexual harassment or participating (or refusing to participate) in any Title IX grievance process.
- Make all materials used to train Title IX personnel publicly available on the school’s website or, if the school does not maintain a website, make these materials available upon request for inspection by members of the public.
- Document and keep records of all sexual harassment reports and investigations for at least seven years.

D. Recordkeeping

Districts must create and maintain records documenting every Title IX sexual harassment complaint. Records relating to complaints of sexual harassment must be kept in accordance with the records retention schedule. Such records include: records of a district’s investigation (including complaints (formal and informal), notices, the determination, investigative report, disciplinary measures or remedies, etc.); records of any appeals and materials associated with the appeal; records of any supportive measures taken in response to a complaint of sexual harassment (even if the complainant does not file a formal complaint); records of any informal resolution process; all materials used to train Title IX Coordinators, Investigators, decision-makers, and those facilitating an informal resolution. The training materials must be kept on the School’s website.

E. Retaliation 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.

F. Supportive Measures

When alleged sexual harassment is reported, the Title IX Coordinator must inform the victim of their right to 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: counseling, extending deadlines, modifications of work and/or class schedules, school escort services, increased school security and/or monitoring, mutual restrictions on contact

between the individuals involved through a safety plan. Supportive measures will be kept confidential whether they are provided to the alleged victim or accused person to the extent the confidentiality will not interfere with the supportive measure offered.

This policy, or a summary thereof that contains the essential policy elements, shall be distributed by the Mohawk Trail and Hawlemont Regional School Districts to its students and employees and each parent or guardian shall sign that they have received and understand the policy.

The Complainant may also file a complaint with:
The Mass. Commission Against Discrimination
1 Ashburton Place, Room 601
Boston, MA 0210.
Phone: 617-994-6000

Office for Civil Rights (U.S. Department of Education)
5 Post Office Square, 8th Floor
Boston, MA 0210.
Phone: 617-289-0111

The United States Equal Employment Opportunity Commission
John F. Kennedy Bldg.
475 Government Center
Boston, MA 02203

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

IX. PROHIBITION OF TOBACCO AND TOBACCO RELATED PRODUCTS ON SCHOOL PROPERTY

Smoking and the use of tobacco products, including tobacco related products such as e-cigarettes and vaping devices by students, staff, volunteers and visitors are prohibited on all school properties at all times in accordance with M.G.L. c. 71, sec. 37H. District policy prohibits student's possession of tobacco products, including tobacco-related products including but not limited to e-cigarettes, vaping devices, or paraphernalia on school property and at school-sponsored trips or events. School property includes school buildings, school facilities, school grounds, school parking lots, school buses and any property controlled by the School Committee.

X. DANGEROUS WEAPONS ON SCHOOL PROPERTY

In accordance with M.G.L. c. 71, Sec. 37H of the Education Reform Act of 1993, it is the policy of the Mohawk Trail Regional School District to prohibit the possession of or use of firearms on

school property, including school buses, or at school-sponsored or school-related events, including athletic games, at any time. Any student who is determined to have brought a firearm to school will be automatically subject to potential expulsion for a minimum of one year subject to modification by the Superintendent on a case-by-case basis. The student will also be referred to the Police Department for further action.

Other dangerous weapons such as knives or other objects that can be construed as a weapon are not permitted. Any dangerous weapon found in the possession of a student will be confiscated.

Any student who, in the judgment of the Principal as verified by due process, is determined to be in violation of this law shall be suspended from attendance (out of school) and in the discretion of the Principal, may be referred for an expulsion hearing according to M.G.L.c. 71, Sec. 37H.

XI. ACCEPTABLE INTERNET USE PROCEDURE

The Mohawk Trail and Hawlemont Regional School Districts have established certain protocols to ensure the safety of our school communities, the security of computer networks, and compliance with applicable law. Use of the Internet is a privilege and will not be granted unless students agree and cooperate with these terms. If a student fails to comply, limited Internet access, suspended Internet access or other disciplinary action may be taken.

With access to computers and to people all over the world also comes the availability of material that may be controversial or inappropriate. However, on a global network it is impossible to control all materials, and an industrious user, or an innocent error, may uncover controversial material. We believe that the valuable information and interactions available on this worldwide network far outweigh the disadvantages. All users should be aware of the following standard practices:

A. Acceptable Use

Students and employees are expected to:

1. Use the Internet and other electronic resources only for legitimate educational purposes.
2. Respect commonly accepted practices of Internet etiquette including, but not limited to, the use of appropriate language.
3. Be aware of potential security risks at all times and take all reasonable steps to minimize risks by, at minimum, logging off the network when a computer is unattended and reporting all unauthorized use of one's account to a Principal.
4. Protect user account names and passwords and refrain from sharing them with any other users.
5. Forward any suspicious emails to the technology administrator.
6. Treat all computer areas and equipment with care and respect.
7. Accurately credit all copyrighted material.

B. Non-Acceptable Use

Students and employees shall NOT engage in any inappropriate use of technology. Any electronic communication that negatively impacts student learning or a safe learning environment will not be tolerated. Unacceptable behavior includes, but is not limited to, the following activities:

1. Access, download, display, transmit, produce, generate, copy or propagate any material that:
 - is in violation of any United States or Massachusetts law.
 - is obscene or pornographic.
 - advocates illegal acts.
 - contains ethnic slurs or racial epithets; or
 - discriminates on the basis of gender, gender identity, national origin, sexual orientation, race, religion, ethnicity, disability, age or other protected classes.
2. Use inappropriate, offensive, or abusive language.
3. Engage in cyber-bullying, which can include harassing any other party with obscene, libelous, threatening or anonymous messages, objectionable information, images or language.
4. Gain unauthorized access to network resources.
5. Permit or authorize any other person to use their name or login password.
6. Use an account of any other person or vandalize another user's data.
7. Disclose, use or disseminate electronically any personal information about others including contact information (such as a home address, telephone number or picture).
8. Use the Internet for commercial purposes, non-school related fundraising or for political lobbying.
9. Knowingly violate software-licensing agreements.
10. Engage in the practice of "hacking" or knowingly engage in any other illegal activity while using the network.

C. Monitoring and Filtering

All users should be aware of the following standard practices:

1. Network and Internet Monitoring

Our schools have software and systems in place that monitor and record all Internet usage. Given reasonable cause, we will randomly monitor Internet traffic and other usage of electronic resources, for instance, by tracking destination URLs of individual users. Users should have no expectation of privacy when browsing the web, sending or receiving email, or using other electronic resources.

2. Filtering

In accordance with the Children's Internet Protection Act (CIPA), the Districts shall employ filtering software to block access to inappropriate content on all computers with Internet access. The Districts certify that a policy of Internet safety and technology protection measures shall be enforced. Users are restricted from accessing visual depictions of subject matter that is obscene, pornographic, child pornographic or harmful

to minors. In compliance with CIPA, the Districts shall, in furtherance of this policy of Internet safety, monitor the online activities of minors. Users should be aware that filtering software will not block ALL inappropriate websites. Users shall report all inappropriate sites not blocked by filters to a technology administrator for appropriate action. The Districts cannot be held responsible for misuse of material downloaded or for inappropriate or sexually explicit material being obtained through the network.

D. Email

School and district resources for electronic communication shall be used for educational purposes. Incidental and occasional personal use of electronic mail may occur but such messages will be treated no differently from other messages on the network. Prohibited electronic communications include, but are not limited to:

1. Use of electronic communications to send copies of documents in violation of copyright laws.
2. Uses of electronic communication systems to send messages whose access is restricted by laws and regulations.
3. Use of electronic communications to intimidate others or to interfere with the ability of others to conduct school/district business.
4. Constructing electronic communications so they appear to be from someone else.
5. Obtaining access to the files or communications of others.

All staff emails are considered part of the public record, and as such should be professional in nature. All email communications are logged and stored and available for retrieval if warranted.

XII. NON-CUSTODIAL PARENT LAW

A non-custodial parent may have access to the student record in accordance with the following provisions:

1. A non-custodial parent is eligible to obtain access to the student record unless:
 - a. The non-custodial 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
 - b. The non-custodial parent has been denied visitation; or
 - c. The non-custodial 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
 - d. There is an order of a probate and family court judge which prohibits the distribution of student records to the non-custodial parent.

2. The District will place documents in the student's record indicating that a non-custodial parent's access to the student's record is limited or restricted pursuant to 603 CMR 23.07(5)(a).
3. In order to obtain access, the non-custodial parent must submit a written request for the student record to the school Principal.
4. Upon receipt of the request, the District will immediately notify the custodial parent by certified and first class mail, 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).
5. The District will delete all electronic and postal address and telephone number information relating to either work or home locations of the custodial parent from student records provided to non-custodial parents. In addition, such records will be marked to indicate that they shall not be used to enroll the student in another school.
6. Upon receipt of a court order that prohibits the distribution of information pursuant to M.G.L. c. 71, sec. 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.

XIII. PUBLIC CONCERNS AND COMPLAINTS

Although no member of the community will be denied the right to bring complaints to the School Committee, if the subject of such complaints falls under the School Committee's authority, they will be referred through the proper channels for solution before investigation or action by the Committee. Exceptions will be made only when the complaints concern School Committee action or School Committee operations. The School Committee believes that complaints are best handled and resolved as close to their origin as possible, and that the professional staff should be given every opportunity to consider the issues and attempt to resolve the problem prior to involvement by the Committee. Therefore, the proper channeling of complaints involving instruction, discipline or learning materials will be as follows:

1. Teacher
2. School building administrator
3. Superintendent
4. School Committee

Any complaint having to do with a program, a service, or the condition of the school facilities will be first presented to the Principal.

The Committee expects the professional staff to receive complaints courteously and to make a proper reply to the complainant. No employee of the School Committee shall take any retaliatory action or allow any such action to be taken in response to complaints or concerns raised by any person.

Matters referred to the Superintendent and/or School Committee must be in writing and should be specific in terms of the action desired. Whenever a complaint is made directly to the School

Committee as a whole or to a Committee member as an individual, it will be referred to the school administration for review and possible resolution.

XIV. PUBLIC COMPLAINTS ABOUT SCHOOL PERSONNEL

Complaints about school personnel will be investigated fully and fairly. However, before any such complaint is investigated, the complainant must submit the complaint in writing. Anonymous complaints will not be addressed.

The School Committee and Superintendent will develop procedures that assure prompt and fair attention to complaints against school personnel. The procedures will require that an employee who is the object of a complaint be informed within 10 school days and be afforded the opportunity to present the facts as they see them.

Whenever a complaint is made directly to the School Committee as a whole or to a Committee member as an individual, it will be referred to the school administration for review and possible resolution.

When a written complaint is received, the Principal or other supervisor will schedule a conference with the complainant, the person criticized, and any other personnel that either the supervisor or the person criticized feels could contribute to the resolution of the problem.

If the complainant is not satisfied with the results of the conference above, they may then be referred to the Superintendent, who may handle the complaint personally or refer it to other personnel, as they may see fit.

Should dissatisfaction remain after the above steps have been taken, the matter may be placed on the agenda for the next regularly scheduled School Committee meeting. The Administration, the person who made the complaint, or the employee involved may request an executive session of the School Committee for a formal hearing. The School Committee may hear the complaint. However, under the Education Reform Act of 1993, personnel actions may only be taken by school administration.

XV. COMMUNITY USE OF SCHOOL FACILITIES

The policy of the Mohawk Trail and Hawlemont Regional School Districts is to make district facilities and resources available to the community. Community groups may make application for the use of facilities to the Principal of the school or the Superintendent if the Principal is unavailable. The *Building Rental Application Contract for School Facilities* form is available in the school office. In scheduling use of facilities, school-sponsored activities have priority over non-school-sponsored functions.

Groups using school facilities must comply with the use regulations and pay any applicable rental fees. Groups wishing to use school facilities on a regular and sustained basis may negotiate a separate agreement with the Superintendent.

XVI. STUDENT RECORDS/FAMILY EDUCATIONAL RIGHTS and PRIVACY ACT (FERPA)

A. Student Records

1. Parents and students are guaranteed the right to inspect, as well as seek addition to or deletion from, all records which are kept or requested to be kept by the School Department concerning individual students. The records include the student's transcript and any other recorded information, which is identified by the student's name. A signed log is kept in each cumulative record for all students.
2. Pursuant to M.G.L. c.71, sec. 34D and 34E, and the regulations promulgated thereunder, no third party, other than authorized school or Department of Elementary and Secondary Education personnel, law enforcement personnel as may be legally allowed under state or federal law or regulations, and state or federal agencies to assist in the carrying out of their statutory or regulatory duties, shall have access to information in or from a student record without the specific informed written consent of the eligible student or the parent/guardian.
3. Upon receipt of a court order or lawfully issued subpoena, or upon receipt of a request from a Court or the Department of Youth Services for information regarding a student, the school, prior to compliance, shall notify the eligible student or parent/guardian of the order, subpoena or request in such reasonable time that efforts may be made to have the process quashed.
4. Except for certain limited and specifically defined individuals, *i.e.*, certain court officers, health officials and authorized school personnel, no individual or agency may have access to school records of the student(s) without "the specific informed written consent" of the student or parent/guardian. This means that if a parent/guardian or student wishes transcripts or records forwarded to school, colleges, or prospective employers, a written release must be delivered to the Principal of the school or appropriate custodian of the student's school records.
5. In case of a Student 14 through 17 years of age, or of one who has entered the ninth grade, both the student and the student's parent/guardian, or either one acting separately, shall exercise these rights. Any student 18 years of age or older may exercise these rights alone.
6. Schools may release for publication a student's name, class, information about participation in officially recognized activities and sports, honors, awards, and post-high

school plans without providing notice to the student and/or parent/guardian. If you do not wish for the school to release such information, please provide a letter of notification to the Superintendent's office.

7. Complete copies of the state regulations concerning parents'/guardians' and students' rights to records may be obtained in the office of the building Principal.

B. Family Educational Rights and Privacy Act (FERPA)

The Family Educational Rights and Privacy Act (FERPA), a Federal Law, requires that the Mohawk Trail and Hawlemont Regional School Districts, with certain exceptions, obtain your written consent prior to the disclosure of personal identifiable information from your child's education records. However, the District may disclose appropriately designated "directory information" without written consent, unless you have advised the District to the contrary in accordance with District procedures. The primary purpose of this directory information is to allow the District to include this type of information from your child's education records in certain publications. Examples include:

1. A playbill showing your student's role in a drama production;
2. The annual yearbook;
3. Honor roll or other recognition lists;
4. Graduation programs; and
5. Sports activity sheets, such as wrestling, showing weight and height of team members.

Directory information, which is information that is generally not considered harmful or an invasion of privacy if released, can also be disclosed to outside organizations without a parent's prior consent. Outside organizations include, but are not limited to, companies that manufacture class rings or publish yearbooks. In addition, two federal laws require local educational agencies (LEAs) receiving assistance under the Elementary and Secondary Education Act of 1965 (ESEA) to provide military recruiters, upon request, with three information categories – names, addresses and telephone listings – unless parents have advised the LEA that they do not want their student's information disclosed without prior written consent.

XVII. EMERGENCY CLOSINGS

The Superintendent or a designee may close the schools or dismiss them early in the event of hazardous weather or other emergencies that threaten the health or safety of students and personnel. It may be prudent, under certain circumstances, to excuse all students from attending school, delay the opening hour or to dismiss students early. The Superintendent has the responsibility to see that as much administrative, supervisory and operational activity is continued as may be possible. Therefore, if conditions affect a single school, only that school will be closed.

In making the decision to close schools, the Superintendent will consider many factors, including the following principal ones relating to the fundamental concern for the safety and health of the children:

1. Weather conditions, both existing and predicted;
2. Driving, traffic and parking conditions affecting public and private facilities;
3. Actual occurrence or imminent possibility of emergency conditions that would make the operation of schools difficult or dangerous;
4. Inability of teaching personnel to report for duty, which might result in inadequate supervision of students

The Superintendent or a designee will weigh these factors and take action to close schools only after consultation with public works and public safety authorities and with school officials from neighboring towns. Students, parents/guardians, and staff will be informed early in each school year of the procedures that will be used to notify them in case of emergency closings. When schools are closed for emergency reasons, staff members will comply with School Committee policy in reporting to work.

XVIII. MOTOR VEHICLE IDLING ON SCHOOL GROUNDS

No motor vehicle operators shall cause or allow any motor vehicle operated by them on school grounds to idle unnecessarily, except for any of the following reasons:

1. Traffic conditions;
2. Queuing at a school for the purpose of picking up or discharging students;
3. Turbo-charged diesel engine cool down or warm up;
4. Maintenance of appropriate temperature for school buses when accepting or discharging passengers not to exceed three minutes in any fifteen-minute period or one minute in any fifteen-minute period for other motor vehicles;
5. For circumstances involving safety or emergencies and for servicing or repairing motor vehicles;
6. And as these exceptions are more completely described in the below referenced regulations.

The term "school grounds" shall mean in, on or within 100 feet of the real property of the school whether or not it is in session, and shall include any athletic field or facility and any playground used for school purposes or functions which is owned by the school district, regardless of proximity to a school building, as well as any parking lot appurtenant to such school athletic field, facility or playground.

Reasonable efforts shall be made by the Districts to identify by signage all known and actual air intake systems, which may be within 100 feet of an idling motor vehicle.

A motor vehicle operator shall not idle a motor within 100 feet of such air intake system, unless the District has determined that alternative locations block traffic, impair student safety or are not cost-effective.

LEGAL REF: M.G.L. c. 71:37H, c. 90:16B and 540 CMR 27.00

XIX. DRUG AND ALCOHOL POLICY

The Mohawk Trail and Hawlemont Regional School Districts are committed to providing safe and healthy school environments in which our students can learn. The use of drugs and alcohol can negatively impact a student physically, emotionally, socially, academically, and legally. Scientific studies have shown that drugs and alcohol have particularly harmful effects on developing adolescent brains. Therefore, the district provides substance use education as part of its comprehensive health curriculum and has created this policy to define the district's position on drug and alcohol use on school grounds and at school-sponsored activities.

In accordance with M.G.L. c.71, sec. 37H and c. 272, sec. 40A, drug and alcohol use by students, staff and visitors is prohibited on all school properties at all times. District policy prohibits students, staff and visitors from ingesting, possessing, or distributing drugs and alcohol on school grounds or at school sponsored functions at any time. Possession or distribution of drug paraphernalia is also prohibited. School property includes school buildings, school facilities, school grounds, school parking lots and school buses and any other property controlled by the School Committee. Additionally, any student who is under the influence of drugs or alcoholic beverages prior to, or during, attendance at or participation in a school-sponsored activity, will be barred from that activity and may be subject to disciplinary action.

Definitions:

1. Ingestion - Ingestion is the eating, drinking, inhaling or absorbing of drugs or alcohol into the body. Ingestion may or may not have occurred on school property or at a school-sponsored function.
2. Possession - Possession is the unlawful custody of alcohol or a controlled substance.
3. Distribution - Distribution is the unlawful transfer of alcohol or a controlled substance from one person to another. The transfer does not require the knowledge of the receiver nor does it require a transaction by sale.
4. Drugs - The term "drug(s)" as used in this policy includes any narcotic substance, hallucinogen substance, any substance taken for the purpose of "getting high" or becoming intoxicated, and all chemical and controlled substances as defined by state or Federal law, including, but not limited to substances commonly known as marijuana, LSD, cocaine, crack, heroin, amphetamine and methamphetamine and barbiturates. The term "drug(s)" also includes all prescription medicines, except when used or possessed in accordance with the school medication administration policy.

XX. VANDALISM

The School Committee recognizes that acts of vandalism committed against public and private property are costly and require positive action through curriculum that teaches good citizenship and appropriate ways to express oneself. Consequently, the Committee will support various programs aimed at reducing vandalism and addressing students' social-emotional needs. Minor acts of vandalism should be considered a teaching opportunity and involve logical consequences.

All citizens, District staff, students, and local police departments are urged by the School Committee to report any incidents of vandalism to school property and the names of the people believed to be responsible. District staff shall report all incidents of vandalism known to them to the respective building Principal and the names of those responsible for such acts, if known. Principals will report any incidents of vandalism to the student's parents/guardians, and also to the Superintendent, if they result in damages of \$50.00 or more.

The Superintendent has the authority, should they deem it appropriate, to sign a criminal complaint and to press charges against those responsible for vandalism against school property, and is further authorized to delegate, as they see fit, authority to sign such complaints and to press charges.

Parents/guardians and students will be made aware of the legal implications involved. Reimbursement or restoration will be sought for all or part of any damages.

XXI. PARENTAL NOTIFICATION RELATIVE TO SEX EDUCATION

In accordance with M.G.L. c. 71, sec. 32A, at the beginning of each school year, all parents/guardians of students in our schools will be notified in writing of the courses we offer that primarily involve human sexual education or human sexuality issues. The Superintendent of Schools will determine the administrator(s) responsible for sending the notice(s). Parents/guardians of students who enroll in school after the start of the school year will be given the written notice at the time of enrollment. If the planned curriculum changes during the school year, to the extent practicable, parents/guardians will be notified of this fact in a timely manner before implementation.

Each such notice to parents/guardians will include a brief description of the curriculum covered by this policy and will inform parents/guardians that they may:

1. Exempt their child from any portion of the curriculum that primarily involves human sexual education or human sexuality issues, without penalty to the student, by sending a letter to the school Principal requesting an exemption. Any student who is exempted by request of the parent/guardian under this policy may be given an alternative assignment.

2. Inspect and review program instruction materials for these curricula, which will be made reasonably accessible to parents/guardians and others to the extent practicable.
Parents/guardians may arrange with the Principal to review the materials at the school.

A parent/guardian who is dissatisfied with a decision of the Principal concerning notice, access to instructional materials, or exemption for the student under this policy may send a written request to the Superintendent for review of the issue. The Superintendent or designee will review the issue and give the parent/guardian a timely written decision, preferably within two weeks of the request. A parent/guardian who is dissatisfied with the Superintendent's decision may send a written request to the School Committee for review of the issue. The School Committee will review the issue and give the parent/guardian a timely written decision, preferably within four weeks of the request. A parent/guardian who is still dissatisfied after this process may send a written request to the Commissioner of Education for review of the issue in dispute. The Superintendent of Schools will distribute a copy of this policy to each Principal by September 1 of each year.

XXII. PHYSICAL RESTRAINT OF STUDENTS

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

When an emergency situation arises, and physical restraint is the only option deemed appropriate to prevent a student from injuring himself or herself, another student or school community member, a teacher or employee or agent of the school district may use such reasonable force needed to protect students, other persons or themselves from assault or imminent, serious, physical harm.

The definitions of forms of restraint shall be as defined in 603 CMR 46.02. The use of mechanical restraint, medical restraint, and seclusion is prohibited.

The power of the School Committee or of any teacher or other employee or agent of the Committee to maintain discipline on school property shall not include the right to inflict corporal punishment upon any student.

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

The Superintendent will develop procedures identifying:

- Appropriate responses to student behavior that may require immediate intervention.
- Methods of preventing student violence, self-injurious behavior, and suicide including crisis planning and de-escalation of potentially dangerous behaviors among groups of students or individuals.
- Descriptions and explanations of alternatives to physical restraint as well as the school's method of physical restraint for use in emergency situations.
- Descriptions of the school's training and procedures to comply with reporting requirements including, but not limited to making reasonable efforts to orally notify a parent of the use of restraint within 24 hours of its imposition.
- Procedures for receiving and investigating complaints.
- Methods for engaging parents in discussions about restraint prevention and use of restraint solely as an emergency procedure.
- A statement prohibiting: medication restraint, mechanical restraint, prone restraint unless permitted by 603 CMR 46.03(1)(b), seclusion, and the use of physical restraint in a manner inconsistent with 603 CMR 46.00.
- A process for obtaining Principal approval for a time out exceeding 30 minutes.

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

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

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

Physical restraint is prohibited when it is medically contraindicated for reasons including, but not limited to, asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting.

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

This policy and its accompanying procedures shall be reviewed and disseminated to staff annually and made available to parents of enrolled students. The Superintendent shall provide a copy of the Physical Restraint regulations to each Principal, who shall sign a form acknowledging receipt thereof.

**MOHAWK TRAIL REGIONAL SCHOOL DISTRICT
Acknowledgment and Permission Form**

Student(s) Name(s) (please print):

Student(s) Grade(s):

Parent or Guardian's Name (please print):

Please complete and then sign this form. It should be returned to school within 10 days.

We have received, read and reviewed this Handbook.

We have received, read and reviewed the Bullying Prevention and Intervention Plan contained in this Handbook.

We have received, read and reviewed the Transportation Policy contained in this Handbook.

We have received, read and reviewed the Internet Acceptable Use and Safety Policy contained in this Handbook.

We have received, read and reviewed the Sexual Harassment Policy contained in this Handbook.

We have received, read and reviewed the Drug and Alcohol Policy contained in this Handbook.

Yes No I give permission for my child(ren) to use the Internet at School.

Yes No I give permission for my child(ren)'s picture(s) and first name(s) only to be posted on district web pages and social media platforms.

Yes No I give permission for samples of my child(ren)'s school work and first name(s) only to be posted on school web pages.

Yes No I give permission for my child(ren)'s picture(s) and first name(s) only to be included in press releases.

Yes No I give permission for my family's telephone number to be included in a School Telephone Directory.

Parent or Guardian's Signature _____

Date _____