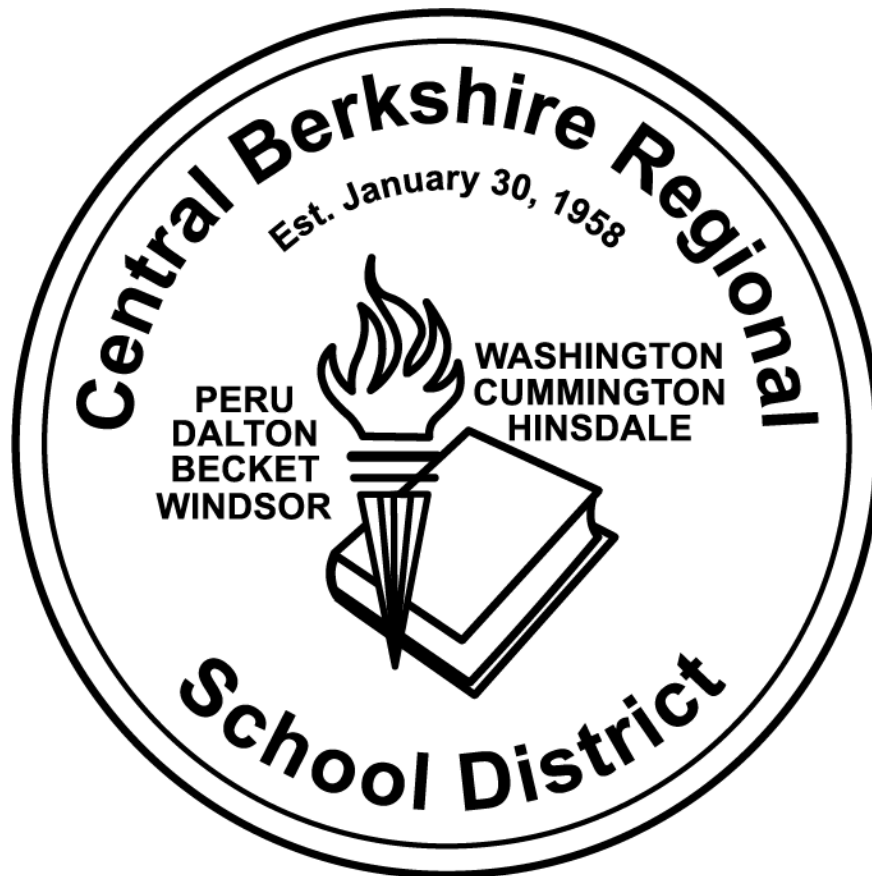


CENTRAL BERKSHIRE REGIONAL SD
CODE OF CONDUCT



NESSACUS REGIONAL MIDDLE SCHOOL
WAHCONAH REGIONAL HIGH SCHOOL

2025 - 2026

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INTRODUCTION

The Central Berkshire Regional School District (CBRSD) believes that all students deserve a safe, predictable, and supportive school environment that is anchored by clear expectations. We strive to support all students in their academic, behavioral, and social emotional success by holding high expectations and having clear consequences and interventions when expectations are not met. We believe that it is important that our disciplinary practices hold students accountable, restore our sense of community when it is negatively impacted, and limit the need to resort to exclusionary practices.

This Code of Conduct is a document that anchors our practices to our school policies through outlining stakeholder rights and responsibilities and establishing clear and consistent responses to behavioral infractions. The Code of Conduct is structured as a progressive document that outlines our responses, interventions, and supports to address student behavior concerns in a way that starts with prevention efforts, transitions to accountable consequences and interventions that limit the need for suspension and ends with removal as a last resort.

We feel this Code of Conduct aligns directly with our stated mission and vision and when enacted will help support the values that are important to our community.

The CBRSD Code of Conduct applies to all situations involving our students on school grounds, during school sponsored events, activities, or programs, while engaged in any form of virtual learning, while waiting for or riding on school-provided transportation, while walking to and from school, while using social media that caused, or is likely to cause, substantial disruption or material interference with school activities or parties.

MISSION

Through the implementation of the Strategic Plan, the CBRSD will provide a high-quality educational experience for all learners that leads to academic achievement and forms a foundation for success in 21st Century society.

VISION

CBRSD will provide an inclusive education that supports the academic and social and emotional knowledge and skills to be successful community members in a pluralistic society.

VALUES

Between 2021-2023 CBRSD embarked on a community-wide campaign to create a Portrait of a Graduate that represents our district's vision for acquiring the 21st century skills that our students will need to succeed beyond Central Berkshire to include character traits, habits of mind, and social-emotional competencies. The essential question we asked ourselves in order to identify important attributes is: "As a community and a district, what are our aspirations for our children?"

- Curious and Invested **Learners**
- Courageous and Compassionate **Collaborators**
- Resilient and Persistent **Problem Solvers**
- Ethical and Community-minded **Leaders**
- Innovative and Future-Ready **Citizens**

Establishing safe and supportive learning environments throughout the CBRSD depends on the quality of the interactions between students, parents/guardians/caregivers, teachers, administrators and CBRSD staff. Therefore, while it is impossible to list exhaustively all of the rights and responsibilities of our stakeholders, it is important to highlight those that we feel are paramount to students having access to a safe, supportive school community. This list may not be used to deny a student a right that they are otherwise entitled to solely because it is not listed here.

STUDENTS

STUDENTS RIGHTS

All CBRSD students have the right to

1. A rigorous, high-quality education in an environment that is safe, predictable, engaging and based on the standards outlined by the MA Department of Elementary and Secondary Education.
2. Under state and federal law, no student shall be excluded from, or be discriminated against, based on their actual or perceived race, color, ethnicity, national origin, religion, sex, sexual orientation, gender identity, handicap, disability, age, socioeconomic status, active military status, or genetics.
3. Be respected as an individual and treated with dignity by other members of the school community.
4. Personal privacy, including the right to determine their own appearance and select their own style of hair and clothing, subject to reasonable rules.
5. Respectfully express one's opinions verbally and in writing, and exercise their rights to free speech, assembly, press, and association, which are both granted to them and limited by state and federal law.
6. Be afforded due process when allegations result in disciplinary investigations.

STUDENT RESPONSIBILITIES

All CBRSD students have the responsibility to

1. Respect the rights of others.
2. Contribute to a safe and supportive educational environment by attending school regularly, being on time, prepared to learn, and accepting the direction, reasonable requests, and feedback of respectful adults.
3. Apply their abilities and interests to the improvement of their education and advocate for positive change.
4. Exercise the highest degree of self-agency, to the best of their ability, in following the Code of Conduct while meaningfully and positively participating in building the school community.

CBRSD ANTI-BULLYING STATEMENT

CBRSD will not tolerate bullying or cyberbullying, in any form and type, towards others, whether online or in person. CBRSD will promptly investigate all reports and complaints of bullying, and take prompt, effective action to end that behavior and prevent its recurrence. CBRSD developed and adopted an Anti-Bullying Policy (#5770) that is embedded in district-wide approaches to promoting a positive, pro-social culture for all students and staff. Bullying, including cyber-bullying, and retaliation are not acceptable conduct and are prohibited with CBRSD. Leadership and other staff will endeavor to maintain learning and working environments free of bullying. Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information is prohibited. Any student or staff member who engages in conduct that constitutes bullying or retaliation shall be subject to a range of disciplinary consequences. Students who are concerned or want to report bullying may confidently talk to a trusted staff member. Additional resources and support can be found [here](#).

PARENTS, GUARDIANS, AND CAREGIVERS

Parents and Caregivers are essential partners in ensuring that students are able to reach their full potential and engage fully in a CBRSD education. The education of your child(ren) is a joint responsibility between the CBRSD and families.

PARENT, GUARDIAN, AND CAREGIVER RIGHTS

All CBRSD parents, guardians, caregivers have the right to

1. A free public education for their students in a safe and supportive learning environment.
2. Consult with their child's teacher or school administrator.
3. Access information about their student's educational records, which includes disciplinary records as authorized by law.
4. Regularly receive school-based communications translated into the preferred language of the home.
5. Participate in the decision-making process affecting school policies and procedures by joining the school council or the district parent advisory council.

PARENT, GUARDIAN, CAREGIVER RESPONSIBILITIES

All CBRSD parents, guardians, caregivers have the responsibility to

1. Support and encourage positive behavior of their student(s) in school, at school-sponsored activities, and on the way to and from school.
2. Support the student to attend school and exercise appropriate self-agency.
3. Communicate with school personnel about their student(s).
4. Recognize that the school staff has the right to enforce the policies, rules, and regulations of our schools, the CBRSD School Committee, and MA state law.
5. Engage in a positive, non-disruptive manner when visiting school(s) or school sponsored events.

STAFF

Teachers, administrators, and all other school personnel are vital to the successful operation of our schools.

CBRSD STAFF RIGHTS

All CBRSD teachers, administrators, and school personnel have the right to

1. Work in a safe and orderly environment that is focused on the education of all students.
2. Be treated respectfully by students, parents, and other school staff.
3. Communicate concerns or suggestions about our schools to the building principal or central office.
4. Be supported through relevant and purposeful professional development and training.

CBRSD STAFF RESPONSIBILITIES

All CBRSD teachers, administrators, and school personnel have the responsibility to

1. Supervise students in their charge while maintaining a safe and supportive learning environment.
2. Model qualities of competency, creativity, self-management, and promote self-agency of students.
3. Respect each student as a person and maintain professional ethics in relationships with fellow teachers and administrators, and school personnel to support students.
4. Demonstrate understanding and concern for the individual students and his or her needs, including referring students for special education evaluations in compliance with the requirements of state and federal special education law.

PREVENTION AND INTERVENTION

In order to foster a safe, healthy, school community that allows all students to thrive schools must provide three levels of support. These are often categorized as promotion, prevention, and intervention.

PROMOTION

Promotion involves school-wide approaches to support positive behavioral expectations for all students. CBRSD schools have clear, building-based expectations that are explicitly taught to all students throughout the year.

PREVENTION

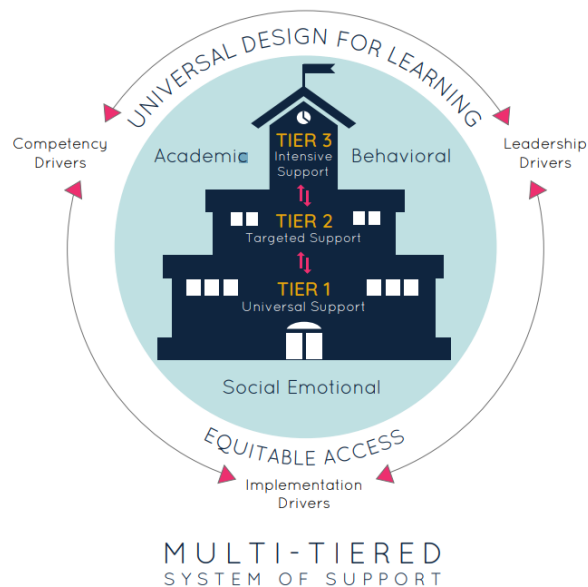
Prevention involves early, targeted support for students who are at risk of school discipline. These supports are implemented to minimize the risk of escalation of consequences and help reteach prosocial behavior that fits within school expectations.

INTERVENTION

Intervention is used for a smaller number of students who need more intensive, structured support in order to meet building expectations.

MULTI TIERED SYSTEMS OF SUPPORT

All CBRSD schools promote school-wide expectations and have preventative measures in place that match the school community. Interventions have been developed that will be applied consistently and matched appropriately based on student needs. The district uses a Multi-Tiered System of Support (MTSS), an evidence-based framework that relies on using data to address all student's well-being including academic, behavioral, and social emotional needs to ensure that all students are getting what they need from our schools.



DISCIPLINARY RESPONSES

LEVELS OF RESPONSE

UNDERSTANDING CBRSD RESPONSES TO BEHAVIOR INFRACTIONS

When students engage in unskillful, inappropriate, unacceptable, or unsafe behavior accountable consequences intensify as violations become more serious. Multiple violations for the same behavior may warrant more intensive consequences, depending on administrator discretion. **All consequences aim to treat students equitably and with respect, while simultaneously ensuring a safe learning community.**

We have worked to make sure that **consequences are also aligned with restorative and accountable interventions** that aim to teach students about the impact of their behavior while also providing the tools to make changes in their behavior.

In-school suspension (ISS) and out-of-school suspension (OSS) will still be used when necessary to allow our school community to restore safety, create plans for intervention, and coordinate a meaningful reentry.

Any parent or caregiver of a student who has been suspended, especially when a student has engaged in highly disruptive, aggressive, or otherwise dangerous behavior are expected to participate in the intervention planning and reentry process.

ACCOUNTABLE CONSEQUENCES

Consequences signal that a student's actions are deemed to be inappropriate, unacceptable, unsafe, or unskillful. Consequences must be timely, predictable, standardized and fair given the severity and frequency of the behavior. Consistency in consequences ensures that students, families, and staff know "what will happen when..."

RESTORATIVE AND ACCOUNTABLE INTERVENTIONS

Restorative and accountable interventions involve practices and processes that enable students to restore relationships, restore self, and restore community. The student is accountable to own what they have said or done, reflect on the impact of their behavior, take responsibility to self-correct, problem-solve, and repair harm. Students explicitly learn and demonstrate target behaviors, and restore their good standing in the community.

EXAMPLES OF ACCOUNTABLE CONSEQUENCES AND INTERVENTIONS

While the following list is not exhaustive, it provides a representative sample of what we consider to be examples of accountable consequences and restorative and accountable interventions.

ACCOUNTABLE CONSEQUENCES	RESTORATIVE/ACCOUNTABLE INTERVENTIONS
● Conference ● Verbal Warning ● Parent Contact ● Detention (morning, lunch, office, period detention, afterschool) ● Suspension of privileges (athletics, dances, concerts, etc., phones/technology) ● ISS ● Emergency Removal ● OSS ● Exclusion	● Individual and Group Conferencing ● Skill-based lunch groups ● Mediation ● Individual skill building ● Restorative conferencing ● Restorative circles ● School Connect Lessons ● Parent meeting ● Student Support Center ● Safety Plan ● Wellness Check ● Substance Abuse Counseling

LEVEL I

Level I infractions are the least serious incidents but are important to address promptly and properly. Responses to Level I infractions include restorative and accountable interventions/consequences (up to detentions). When repeated, level I infractions become more serious and will be treated as a Level II infraction.

LEVEL I BEHAVIOR INFRACTIONS

Cell phone policy violation
Dress Code Violation
Minor Physical Altercation
 Horseplay
 Physical altercation that does not result in injury
Peer Conflict
Classroom misbehavior
Use of profanity
 General use in conversation
 Student directed at student
Skipping class (MS)
Tardiness
Truancy and Chronic Absenteeism
Inappropriate use of school technology
Other rules violation
Cheating or other violation of Academic integrity

LEVEL I CONSEQUENCES AND INTERVENTIONS

Adjustment of student schedule
After school detention
Peer or adult mentor
Behavior plan
Community service
Conference (student, teacher, parent, etc.)
Extracurricular suspension (suspension of privileges athletics, dances, etc.)
Lunch detention
Parent/guardian contact
Restorative practice (circle, formal mediation, conferencing, letter of apology, reflective assignment, restorative agreement)
Review of rules/expectations and education
Use of Yondr Pouch
Verbal warning

LEVEL II

Level II infractions are serious and have accountable consequences as well as appropriate interventions (up to 2 days ISS). When repeated, level II infractions are treated as Level III.

LEVEL II BEHAVIOR INFRACTIONS

Any Repeated Level I infraction

Tobacco or nicotine related offense (possession, or use, including vaping)
Disorderly Conduct (Disruptive Behavior)
Harassment
Insubordination
Obscene electronic communication
Obscene gesture (Student directed at adult)
Skipping accountable consequence
Forging absences excuse
Skipping class (MS)
Obscene written message
Drawing obscene pictures
Obscene electronic communication

LEVEL II ACCOUNTABLE INTERVENTIONS/CONSEQUENCES

Adjustment of student schedule
After school detention
Peer or adult mentor
Behavior plan
Alternative Cell Phone Storage
Community service (in-school)
Conference (student, teacher, parent, etc.)
Extracurricular suspension
Lunch detention
Parent/guardian contact
Restorative practice (circle, formal mediation, conferencing, letter of apology, reflective assignment, restorative agreement)
Review of rules/expectations/education
Substance Abuse Counselor
Verbal warning
Temporary suspension of digital account(s)
Internal suspension (up to 2 days)
Temporary loss of bus privileges

LEVEL III

Level III infractions are more serious as determined by their severity and frequency. Response to level III infractions include short term in-school or out of school suspensions and mandatory parent / caregiver reentry meetings to determine appropriate interventions.

LEVEL III BEHAVIOR INFRACTIONS

Any repeated Level II infraction

Bullying
Fighting (Mutual Altercation)
Battery (Physical Attack/Harm)
Alcohol related offense (possession, drinking alcohol)
Tobacco related offense (possession, or use, including vaping)
Marijuana related offense (possession, or use, including vaping)
Sexual harassment
Nonsexual harassment
Theft
Verbal Threat / Intimidation
Vandalism
Use of profanity (Student directed at adult)
Use of hate speech including racial, ethnic or gender slurs
School-wide disorderly conduct (defined as any act that disrupts the orderly conduct of the school or classroom environment, which requires a high level of administrative response or support to return the situation to calm, or involves a student attempting to exert control/power)
Other Major infraction

LEVEL III ACCOUNTABLE INTERVENTIONS/CONSEQUENCES

Adjustment of student schedule
After school detention
Peer or adult mentor
Behavior plan
Community service (in-school)
Conference (student, teacher, parent, etc.)
Extracurricular suspension
Lunch detention
Parent/guardian contact
Restorative practice (circle, formal mediation, conferencing, letter of apology, reflective assignment, restorative agreement)
Review of rules/expectations
Scheduled time with Substance Abuse Counselor
Suspension of digital account(s)
Verbal warning

Phone prohibition or alternative storage

Internal suspension up to (2 days)

Temporary loss of bus privileges

3-5 days ISS

OSS 1-5 days

LEVEL IV

Level IV infractions are the most serious infractions that threaten or harm the safety and order of the school community, including repetitive or high impact behaviors. Responses to Level IV infractions include those listed above along with long term removal from the school setting (ranging from 5 days or more OSS, exclusion, or expulsion).

LEVEL IV BEHAVIOR INFRACTIONS

Repeated Level III infraction

Arson (Setting a Fire)
Bomb threat
Burglary/Breaking and Entering
Chemical/biological threat
Distribution of alcohol
Distribution of medication
Felony conviction outside of school
Fire alarm
Hazing
Homicide (Murder or Manslaughter)
Other school threat
Possession or use of a weapon or look alike weapon
Possess. of illegal drugs w/intent to sell
Robbery (Taking of Things by Force)
Sale of medication, drugs, look alike drugs, vaping devices, weapons or look alike weapons
Sexual Battery (Sexual Assault)
Sexual Offenses (Lewd Behavior, Exposure)
Terroristic threat
Use of medication against school rules

LEVEL IV ACCOUNTABLE INTERVENTIONS/CONSEQUENCES

Level I-III interventions and consequences may be considered.

1-10 days OSS

Exclusion (up to 45 days)

Expulsion

PROCEDURES

SCHOOL DISCIPLINE PROCEDURES

The district's discipline procedures are designed to do the following:

- limit the use of long-term suspension as a consequence for student misconduct until other consequences have been considered and tried as appropriate
- promote engagement of a student's parent in discussion of the student's misconduct, and options for responding to it
- encourage principals to implement procedures to address the impact of disciplinary action on selected student populations and to modify disciplinary actions as needed
- assure that every student who is expelled or suspended, regardless of the reason for suspension or expulsion, has the opportunity to receive education services to make academic progress during the period of suspension or expulsion
- keep schools safe and supportive for all students while ensuring fair and effective disciplinary practices.

To the extent appropriate, progressive discipline will be used by all schools in the Central Berkshire Regional School District. Progressive discipline is a system in which the penalties increase upon repeated occurrences. The consequence for a particular infraction will depend on a variety of factors that include the severity and nature of the infraction and previous discipline history of the student.

While the district promotes the use of a variety of alternatives to suspension, when suspension is deemed necessary all students who have been suspended, in-school or out-of-school, or expelled, regardless of the type of offense, have an opportunity to make academic progress during their period of suspension, expulsion, or removal from regular classroom activities.

ALTERNATIVES TO SUSPENSION UNDER M.G.L. c. 71, § 37H½:

In every case of student misconduct for which suspension may be imposed, a principal shall exercise discretion in deciding the consequence for the offense; consider ways to re-engage the student in learning; and avoid using long-term suspension from school as a consequence until alternatives have been tried. Alternatives may include the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and positive interventions and supports.

NOTICE OF SUSPENSION AND HEARING UNDER M.G.L. c. 71, § 37H½:

1. Except as provided in 603 CMR 53.07 and 603 CMR 53.10, a principal will not impose a suspension as a consequence for a disciplinary offense without first providing the student and the parent oral and written notice, and providing the student an

opportunity for a hearing on the charge and the parent an opportunity to participate in such hearing.

2. The principal shall provide oral and written notice to the student and the parent in English and in the primary language of the home if other than English, or other means of communication where appropriate. The 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 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 to attend the hearing;
 - e. (e) the date, time, and location of the hearing;
 - f. the right of the student and the student's parent to interpreter services at the hearing if needed to participate;
 - g. if the student may be placed on long-term suspension following the hearing with the principal:
 - i. the rights set forth in 603 CMR 53.08 (3)(b); and
 - ii. the right to appeal the principal's decision to the superintendent.
3. The principal shall make reasonable efforts to notify the parent orally of the opportunity to attend the hearing.

EMERGENCY REMOVAL UNDER M.G.L. c. 71, § 37H^{3/4}:

1. A principal may remove a student from school temporarily when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially 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 school days following the day of the emergency removal, during which time the principal shall:
 - a. Make immediate and reasonable efforts to orally notify the student and the student's parent of the emergency removal, the reason for the need for emergency removal, and the other matters set forth in 603 CMR 53.06(2);
 - b. Provide written notice to the student and parent as provided in 603 CMR 53.06(2);
 - c. Provide the student an opportunity for a hearing with the Principal that complies with 603 CMR 53.08(2) or (3), as applicable, and the parent an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the principal, student, and parent.
 - d. Render a decision orally on the same day as the hearing, and in writing no later than the following school day, which meets the requirements of 603 CMR 53.08(2)(c) and (d) or (3)(c) and (d), as applicable.

2. A principal will 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.

PRINCIPAL'S HEARING UNDER M.G.L. c. 71, § 37H^{3/4}:

1. The principal shall determine the extent of the rights to be afforded the student at a disciplinary hearing based on the anticipated consequences for the disciplinary offense. If the consequence may be long-term suspension from school, the principal shall afford the student, at a minimum, all the rights set forth in 603 CMR 53.08(3) in addition to those rights afforded to students who may face a short-term suspension from school.
2. Principal Hearing - Short-term Suspension
 - a. 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 committed the disciplinary offense, and if so, the consequences for the infraction. At a minimum, the principal shall discuss the disciplinary offense, the basis for the charge, and any other pertinent information. The student also shall have an opportunity to present information, including mitigating facts, that the principal should consider in determining whether other remedies and consequences may be appropriate as set forth in 603 CMR 53.05. The principal shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the principal should consider in determining consequences for the student.
 - b. Based on the available information, including mitigating circumstances, the principal shall determine whether the student committed the disciplinary offense, and, if so, what remedy or consequence will be imposed.
 - c. The principal shall notify the student and parent of the determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal, as provided in 603 CMR 53.13(1). The determination shall be in writing and may be in the form of an update to the original written notice.
 - d. If the student is in a preschool program or in grades K through 3, the principal shall send a copy of the written determination to the superintendent and explain the reasons for imposing an out-of-school suspension, before the short-term suspension takes effect.
3. Principal Hearing - Long-term Suspension

- a. The purpose of the hearing is the same as the purpose of a short-term suspension hearing.
- b. At a minimum, in addition to the rights afforded a student in a short-term suspension hearing, the student shall have the following rights:
 - i. In advance of the hearing, the opportunity to review the student's record and the documents upon which the principal may rely in making a determination to suspend the student or not;
 - ii. the right to be represented by counsel or a lay person of the student's choice, at the student's/parent's expense;
 - iii. the right to produce witnesses on his or her behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so; and
 - iv. the right to cross-examine witnesses presented by the school district;
 - v. the right to request that the hearing be recorded by the principal, and to receive a copy of the audio recording provided to the student or parent upon request. If the student or parent requests an audio recording, the principal shall inform all participants before the hearing that an audio record will be made and a copy will be provided to the student and parent upon request.
- c. The principal shall provide the parent, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the principal should consider in determining consequences for the student.
- d. Based on the evidence, the principal shall determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension as set forth in 603 CMR 53.05, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension. The principal shall send the written determination to the student and parent. If the principal decides to suspend the student, the written determination shall:
 - i. Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing;
 - ii. Set out the key facts and conclusions reached by the Principal;
 - iii. Identify the length and effective date of the suspension, as well as a date of return to school;
 - iv. Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school as provided in 603 CMR 53.13(4)(a);
 - v. Inform the student of the right to appeal the principal's decision to the superintendent or designee, but only if the principal has imposed a long term suspension. Notice of the right of appeal shall be in English and the primary language of the home if other than English, or other means of communication where appropriate, and shall include the following information stated in plain language:

1. the process for appealing the decision, including that the student or parent must file a written notice of appeal with the superintendent within five calendar days of the effective date of the long-term suspension; provided that within the five calendar days, the student or parent may request and receive from the superintendent an extension of time for filing the written notice for up to seven additional calendar days; and that
 2. the long-term suspension will remain in effect unless and until the superintendent decides to reverse the principal's determination on appeal.
- e. If the student is in a public preschool program or in grades K through 3, the principal shall send a copy of the written determination to the superintendent and explain the reasons for imposing an out-of-school suspension, whether short-term or long-term, before the suspension takes effect.

SUPERINTENDENT'S HEARING UNDER M.G.L. c. 71, § 37H¾

1. A student who is placed on long-term suspension following a hearing with the principal shall have the right to appeal the principal's decision to the superintendent.
2. The student or parent shall file a notice of appeal with the superintendent within the time period set forth 603 CMR 53.08 (3) (d) 5.a. If the appeal is not timely filed, the superintendent may deny the appeal, or may allow the appeal in his or her discretion, for good cause.
3. The superintendent shall hold the hearing within three school days of the student's request, unless the student or parent requests an extension of up to seven additional calendar days, in which case the superintendent shall grant the extension.
4. The superintendent shall make a good faith effort to include the parent in the hearing. The superintendent shall be presumed to have made a good faith effort if he or she has made efforts to find a day and time for the hearing that would allow the parent and superintendent to participate. The superintendent shall send written notice to the parent of the date, time, and location of the hearing.
5. The superintendent shall conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence shall be. The superintendent shall arrange for an audio recording of the hearing, a copy of which shall be provided to the student or parent upon request. The superintendent shall inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent upon request.
6. The student shall have all the rights afforded the student at the principal's hearing for long-term suspension under 603 CMR 53.08(3)(b)
7. The superintendent shall issue a written decision within five calendar days of the hearing which meets the requirements of 603 CMR 53.08(3)(d)1. through 4. If the superintendent determines that the student committed the disciplinary offense, the

superintendent may impose the same or a lesser consequence than the principal, but shall not impose a suspension greater than that imposed by the principal's decision.

8. The decision of the superintendent shall be the final decision of the school district, with regard to the suspension.

IN-SCHOOL SUSPENSION UNDER M.G.L. c. 71, § 37H¾

1. The principal may use in-school suspension as an alternative to short-term suspension for disciplinary offenses.
2. 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 days, cumulatively or consecutively, in a school year.
3. On the same day as the in-school suspension decision, the principal shall make reasonable efforts to notify the parent orally as soon as possible of the disciplinary offense, the reasons 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 attempts to do so, such attempts shall constitute reasonable efforts for purposes of orally informing the parent of the in-school suspension.
4. 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 in 603 CMR 53.10(4), if such meeting has not already occurred.

EXCLUSION FROM EXTRACURRICULAR ACTIVITIES AND SCHOOL-SPONSORED EVENTS

The principal may remove a student from privileges, such as extracurricular activities and attendance at school-sponsored events, based on the student's misconduct. Such a removal is not subject to the procedures in M.G.L. c. 71, § 37H¾ or 603 CMR 53.00.

DISCIPLINARY OFFENSES UNDER M.G.L. c. 71, § 37H OR 37H½

1. School districts shall adopt disciplinary policies and procedures applicable to a student who is accused of a disciplinary offense under M.G.L. c. 71, § 37H or 37H½. Such policies and procedures shall be consistent with the applicable statute and provide due process of law.

2. The principal may remove a student who has committed a disciplinary offense under M.G.L. c. 71, § 37H or 37H½ from school for more than 90 days in a school year.
3. Any student who is removed from school for a disciplinary offense under M.G.L. c. 71, § 37H or § 37H½ shall have an opportunity to receive education services and make academic progress during the period of removal, as provided in 603 CMR 53.13.

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

1. Any student who is serving an in-school suspension, short-term suspension, long-term suspension, or expulsion shall have the opportunity to earn credits, as applicable, make up assignments, tests, papers, and other school work as needed to make academic progress during the period of his or her removal from the classroom or school. The principal shall inform the student and parent of this opportunity in writing when such suspension or expulsion is imposed.
2. Any student who is expelled or suspended from school for more than ten consecutive days, whether in school or out of school, shall have an opportunity to receive education services and to make academic progress toward meeting state and local requirements, through the school-wide education service plan.
3. Each school has a process for developing school-wide education service plans for education services that the school district will make available to students who are expelled or suspended from school for more than ten consecutive days. Each plan is individualized to the needs of each student and is developed in collaboration with the guidance department, special education department, and classroom teachers, as applicable. Students and their parents will be notified of the process for developing and arranging such services at the time of suspension/expulsion. Education services shall be based on, and be provided in a manner consistent with, the academic standards and curriculum frameworks established for all students under M.G.L. c 69, §§ 1D and 1F.
4. Notice of Education Services for Students in Long-Term Suspension and Expulsion; Enrollment Reporting.
 - a. The principal shall notify the parent and student of the opportunity to receive education services at the time the student is expelled or placed on long-term suspension. Notice shall be provided in English and in the primary language spoken in the student's home if other than English, or other means of communication where appropriate. The notice shall include a list of the specific education services that are available to the student and contact information for a school district staff member who can provide more detailed information.
 - b. For each student expelled or suspended from school for more than ten consecutive days, whether in school or out of school, the school district shall document the student's enrollment in education services. For data reporting purposes, the school shall track and report attendance, academic progress, and such other data as directed by the Department.

Students have the right to fair and consistent disciplinary actions by teachers and administrators. Students have the right to due process in disciplinary proceedings; that is, students shall be informed of the specific policy or regulation which has been violated and shall be given an opportunity to present his or her side of the issue before being proceeded against. In cases where serious penalties are recommended, the Principal or Superintendent of Schools may invoke more formalized hearing procedures.

Students are held accountable by school officials for any behavior outside school time or off school property, including during school sponsored activities or as indicated in the Athletic Training Code or when under the jurisdiction of the school as noted in this booklet.

Students have the right to make up work missed during absences while under a short-term suspension. Students excluded from school will only be allowed to make up work missed as determined by the principal. Nothing contained in the statement on Due Process will interfere with the authority vested by law in the School Committee or delegate that authority to others.

DRUG AND ALCOHOL ASSISTANCE, PREVENTION AND DISCIPLINARY PROCEDURES

CBRSD Policy #6730

6730.1 The Central Regional School District is committed to an environment for students to reach their maximum potential. To this end, it is necessary for each school and each student to remain alcohol and drug free.

6730.2 The use and possession of drugs, alcohol or look-alike drugs by any student on school property, in schools, or at school functions is prohibited. Students shall be barred from any school sponsored event if they have been using alcohol, drugs, or look-alike drugs prior to their attendance at or participation in said school sponsored activity.

6730.3 Along with the above strong prohibition, the School Committee recognizes that use of alcohol and drugs is a concern affecting the mental, emotional, and physical health of students. Therefore, it is the Committee's belief that educational programs should be planned, designed, and evaluated in order to afford students opportunities in making positive choices regarding their health.

6730.4 The School Committee also recognizes that alcohol and drug abuse are part of broader scope of problems involving the individual and society. These problems include a breakdown in confidence and communication between young people and adults. The Committee has a responsibility to strengthen, promote and protect trust between people.

6730.5 Along with the educational programming for students, staff will be informed of district policies, procedures and protocols for prevention intervention and follow-up in preventing and responding to substance use and abuse. Specific training will be provided to staff members responding to substance use and abuse. Specific training will be provided to staff members responsible for screening for substance abuse.

6730.6 Parents and Guardians will be notified of the policy through provision of school handbooks and posting of the policy on the district website.

6730.7 Should there be breaches of conduct concerning alcohol and drugs, the school committee supports the administration, principals and superintendent, in effecting the following procedures for disciplinary action to ensure a positive and productive learning environment in its schools.

PROCEDURES FOR SCREENING FOR RISK OF SUBSTANCE USE RELATED PROBLEMS:

1. The district will use a verbal screening tool to screen students annually at two different grade levels for substance use related problems.
2. Qualified staff will be identified and trained to do the screening.
3. Any statement, response, or disclosure made by a pupil during a verbal substance use disorder screening shall be considered confidential information and shall not be disclosed by a person receiving the statement, response or disclosure to any other person without the prior written consent of the pupil, parent/guardian, except in cases of immediate medical emergency or where a disclosure is otherwise required by law.
4. The District will maintain a resource list for the network of services available through agencies in the area.
5. Parents will be notified in advance of the screening and of the right to opt out.
6. Students in treatment or absent as part of their recovery will be supported in reintegrating to school.

PROCEDURES FOR DISCIPLINARY ACTION

1. If a student is suspended for being under the influence of an alcoholic beverage or in possession of or under the influence of a look-alike-drug:
 1. The principal and superintendent shall immediately be notified.
 2. The student shall be immediately examined by a school nurse if available. In addition, if deemed appropriate by the administrator, any one or more of the following may be undertaken.
 1. The student may be sent to a physician for an examination.
 2. The school will notify the student's parents/guardians.
 3. The administration will assist the student in arranging for a community-based substance abuse educator or counseling service.
 4. The administration will notify the local police.
2. If a student is found to be using or in possession of an alcoholic beverage, drug or a look-alike-drug:

1. First Offense: The student will be suspended from the school, generally for a period of up to three days. In addition:
 1. The parent will be notified of the offense.
 2. The local police department will be notified of the offense. Any contraband will be turned over to the police.
 3. The principal will refer the student to a community-based substance abuse educator or treatment agency and the school guidance department.
 4. A follow-up plan will be recommended for the individual student by the substance abuse educator and/or the school-based mental health provider.
2. Second Offense: The student will be suspended from school, generally for a period of not less than three days. In addition:
 1. The parent will be notified that the student has committed a second offense.
 2. The local police department will be notified of the offense. Any contraband will be turned over to the police department.
 3. The principal will refer the student to a community-based substance abuse educator or treatment agency and the school guidance department. A plan will be revisited for the student.
3. Third and subsequent offenses - The student will be suspended from school and long term suspension may be considered. In addition, the course of action outlined for a second offense may be invoked.
3. A student who is found *distributing or selling* alcohol or a look-alike drugs or in *possession of a quantity of alcohol or a look-alike-drug*:
 1. First and subsequent offenses - The student shall be suspended from school for a period of up to ten days. In addition -
 1. The parent shall be notified.
 2. The local police will be notified of the offense. Any contraband will be turned over to the police.
 3. The principal will refer the student to a community-based substance abuse educator or treatment agency and the school guidance department.

DRUG FREE SCHOOL ZONE

"An Act Providing For Drug-Free School Zones" (Chapter 227 of the General Laws of the Commonwealth of Massachusetts).

Effective July 11, 1989, anyone convicted of dealing drugs within one thousand (1000) feet of an elementary, vocational or secondary school, will face a two-year mandatory prison sentence. It will not matter whether the dealer knew he/she was near a school, whether it is a public or private school, or whether the school is in session. The law will pertain to drug distributors,

manufacturers, or persons possessing a controlled substance with the intent to distribute it. A fine of up to ten thousand dollars may also be imposed, but not in lieu of the two-year term of imprisonment.

SELECTED POLICIES

BULLYING

DEFINITION OF BULLYING:

The repeated use by one or more students or staff members of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at a target that causes physical or emotional harm to the target or damage to the target's property; that places the target in reasonable fear of harm to himself/herself or of damage to his/her property; that creates a hostile environment at school for the target or infringes on the rights of the target at school; or materially and substantially disrupts the education process or the orderly operation of a school. Bullying includes cyberbullying (based on MGL c.71, 370).

ANTI-BULLYING:

Bullying, including cyber-bullying, and retaliation are not acceptable conduct and are prohibited with CBRSD. Leadership and other staff will endeavor to maintain learning and working environments free of bullying. Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information is prohibited. Any student or staff member who engages in conduct that constitutes bullying or retaliation shall be subject to a range of disciplinary consequences.

CBRSD developed and adopted an Anti-Bullying Policy (#5770) that is embedded in district-wide approaches to promoting a positive, pro-social culture for all students and staff.

To access the complete CBRSD Bullying and Prevention Plan please [click here](#).

REPORTING BULLYING OR RETALIATION

Reports of bullying or retaliation may be made by staff, students, parents or guardians, or others, and may be oral or written. Oral reports made by or to a staff member shall be recorded in writing. A school or district staff member is required to report immediately to the principal or designee any instance of bullying or retaliation the staff member becomes aware of or witnesses. Reports made by students, parents or guardians, or other individuals who are not school or district staff members, may be made anonymously. The school or district has made a

variety of reporting resources available to the school community including, but not limited to, the CBRSD Incident Reporting Form available here:

[Click Here to Report a Bullying Incident](#)

OBLIGATIONS TO NOTIFY OTHERS

1. Notice to parents or guardians: Upon an allegation of bullying or retaliation has occurred, the principal or designee will promptly notify the parents or guardians of the target and the aggressor of this, and of the procedures for responding to it. There may be circumstances in which the principal or designee contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.
2. Notice to Another School or District: If the reported incident involves students from more than one school district, charter school, non-public school, approved private special education day or residential school, or collaborative school, the principal or designee first informed of the incident will promptly notify by telephone the principal or designee of the other school(s) of the incident so that each school may take appropriate action. All communications will be in accordance with state and federal privacy laws and regulations, and 603 CMR 49.00.
3. Notice to Law Enforcement: At any point after receiving a report of bullying or retaliation, including after an investigation, if the principal or designee has a reasonable basis to believe that criminal charges may be pursued against the aggressor, the principal will notify the local law enforcement agency. Notice will be consistent with the requirements of 603 CMR 49.00 and locally established agreements with the local law enforcement agency. Also, if an incident occurs on school grounds and involves a former student under the age of 21 who is no longer enrolled in school, the principal or designee shall contact the local law enforcement agency if he or she has a reasonable basis to believe that criminal charges may be pursued against the aggressor.

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

INVESTIGATION

The principal or designee will promptly investigate all reports of bullying or retaliation and, in doing so, will consider all available information known, including the nature of the allegation(s) and the ages of the students involved.

During the investigation the principal or designee will, among other things, interview students, staff, witnesses, parents or guardians, and others as necessary. The principal or designee (or whoever is conducting the investigation) will remind the alleged aggressor, target, and witnesses that retaliation is strictly prohibited and will result in disciplinary action.

Interviews may be conducted by the principal or designee, other staff members as determined by the principal or designee, and in consultation with the school counselor, as appropriate. To the extent practicable, and given his/her obligation to investigate and address the matter, the principal or designee will maintain confidentiality during the investigative process. The principal or designee will maintain a written record of the investigation.

Procedures for investigating reports of bullying and retaliation will be consistent with school or district policies and procedures for investigations. If necessary, the principal or designee will consult with legal counsel about the investigation.

DETERMINATIONS

The principal or designee will make a determination based upon all of the facts and circumstances. If, after investigation, bullying or retaliation is substantiated, the principal or designee will take steps reasonably calculated to prevent recurrence and to ensure that the target is not restricted in participating in school or in benefiting from school activities. The principal or designee will: 1) determine what remedial action is required, if any, and 2) determine what responsive actions and/or disciplinary action is necessary.

Depending upon the circumstances, the principal or designee may choose to consult with the students' teacher(s) and/or school counselor, and the target's or aggressor's parents or guardians, to identify any underlying social or emotional issue(s) that may have contributed to the bullying behavior and to assess the level of need for additional social skills development.

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

TAKING DISCIPLINARY ACTION

If the principal or designee decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the principal or designee, including the nature of the conduct, the age of the student(s) involved, and the need to balance accountability with the teaching of appropriate behavior. Discipline will be consistent with the Plan and with the school's or district's code of conduct.

Discipline procedures for students with disabilities are governed by the federal Individuals with Disabilities Education Improvement Act (IDEA), which should be read in cooperation with state laws regarding student discipline.

If the principal or designee determines that a student knowingly made a false allegation of bullying or retaliation, that student may be subject to disciplinary action.

PROMOTING SAFETY FOR THE TARGET AND OTHERS

The principal or designee will consider what adjustments, if any, are needed in the school environment to enhance the target's sense of safety and that of others as well. An example of a support plan for the target is presented in Appendix E. The plan includes various options and strategies including but not limited to increasing adult supervision at transition times and in locations where bullying is known to have occurred or is likely to occur.

Within a reasonable period of time following the determination and the ordering of remedial and/or disciplinary action, the principal or designee will contact the target to determine whether there has been a recurrence of the prohibited conduct and whether additional supportive measures are needed. If so, the principal or designee will work with appropriate school staff to implement them immediately.

TITLE IX

Title IX and Chapter 622 are Federal and State laws which guarantee access to all public schools and public-school programs, courses, advantages, and privileges, without regard to race, color, sex, religion, or national origin.

All courses, programs and extracurricular activities must be open to all students. This includes physical education, industrial arts, vocational and career education, home economics, advanced placement courses, athletic programs and school-sponsored clubs.

The "advantages and privileges" of public education include being taught by teachers whose instructional practices are free of sex-role and minority group stereotyping, however unintended or unconscious it might be.

Any parent, guardian, student or other person or group who believes that Title IX and Chapter 622 regulations have been violated, may grieve that violation. All grievances or questions should be made known to Chapter 622 Coordinator, Michael Henault, Assistant Superintendent by emailing arobb@cbrsd.org or in writing to PO Box 299, Dalton, MA 01227.

All grievances will be kept confidential and every effort will be made to reduce sensitive issues discreetly and without embarrassment or harassment. If the grievance is not resolved satisfactorily, it will be brought to the School Committee. A copy of the grievance will also be sent to the Bureau of Equal Education Opportunity. The School Committee will have thirty (30)

days to respond in writing to the complaining party. A copy of this response will be sent to the Bureau of Equal Education Opportunity.

Students having questions about any of the above information should please contact the School Administration, Administrator of Personnel Services, the Athletic Director, or Deborah White about your particular concerns.

CELL PHONE POLICY

The purpose of this policy is to ensure that student and staff use of cell phones and other electronic devices does not interfere with the education program or school activities within the CBRSD. Cell phones are defined in general as current and emerging technologies that are wireless units that send and/or receive electronic communications in an analog or digital data transmission. Other types of electronic devices include any mechanical or electrical device that is capable of playing, recording, storing, or transmitting sounds, images, or data and that are not provided as part of the educational process by the schools.

Central Berkshire is not responsible for any lost, stolen or damaged cell phones or electronic devices. Students or staff who bring these items to school do so at their own risk.

STUDENT CELL PHONE POLICY

CBRSD recognizes the value of instructional time and establishes that the use and possession of cell phones and electronic devices at school or on school property is a privilege, not a right.

Therefore, students who choose to bring cell phones and electronic devices to school or onto school property, including buses, agree to the following policy:

1. The use of cell phones by students is prohibited during school hours.
2. To accomplish a “cell-free” learning environment, CBRSD will utilize a pouch system at the middle and high schools.
3. Each student will be issued a pouch that they will be responsible for bringing to school each day and keeping in good condition. All students will be required to place their phone in their pouch upon entering the building. School staff will supervise the entry of students into the building and the placement of phones into the pouch. If a student forgets their pouch, the phone will be turned over to main office staff and secured until the end of the school day. At the end of the school day, students will retrieve their phone by showing their school ID.
4. This pouch will make the cell phone inaccessible to the student, but allows them to keep their phone.
5. Any student who destroys, breaks open, alters, or otherwise tampers with their pouch will be responsible for replacing the pouch at the student’s cost. Students may carry

their pouches on them throughout the day but are encouraged to keep them in their academic lockers for safekeeping.

6. If a student violates this cell phone policy consequences will follow the Code of Conduct.
7. Earbuds and headphones may only be used with prior permission from a teacher or administrator and can also be stored in the pouch.
8. Any allowable use of cell phones and electronic devices must not violate existing school policies including but not limited to policies regarding: bullying, intimidating, and harassing behaviors via texting and social networking sites; academic integrity (e.g. sharing of assessment or assignment information); safety protocols (e.g. fire drill procedures, hallway passing, etc.); acts that may interfere with the learning opportunities of other students or the orderly operation of the school; and use of a cell phone or electronic device with camera, video or voice recording function in a way or under circumstances which infringe the privacy rights of others (e.g. recording the voice or image of any individual without his/her consent is strictly prohibited).

STAFF CELL PHONE POLICY

CBRSD recognizes the value of instructional time and therefore staff has a responsibility to model appropriate use of technology by refraining from the use of cell phones and other personal electronic devices during instructional time and in our instructional spaces.

STUDENT DRESS CODE POLICY

At CBRSD we are committed to reconcile an appropriate balance between our students' freedom of expression and a safe and respectful school environment. With this general principle in mind, a dress code should serve to enhance our educational interests.

Personal appearance should not disrupt the education process, violate federal, state or local health and obscenity laws, or affect the welfare and safety of the students or staff. Therefore, students shall not wear the following:

- Clothing items that contain messages that are vulgar, offensive, obscene.
- Clothing that denigrates others on the basis of race, color, religion, creed, national origin, gender, sexual orientation, or disability.
- Clothing that promotes alcohol, drug use or violence.
- Hoods, baseball hats, or any headgear that covers the head that impedes the ability to identify a student (exceptions will be made for religious, cultural, and medical considerations)

Additionally:

- Hoods, baseball hats, or winter caps *any* headgear that covers the head, including, but not limited to, hoods, visors, bandanas, sweatband, and ski bands must be removed upon entering the classroom.
- Chains and studded jewelry (that could be construed by administration to be used as a weapon) are not allowed. Additionally, studded jewelry (including, but not limited to) bracelets and necklaces are illegal in Massachusetts.
- Sunglasses are not to be worn in school.
- Backpacks/duffel bags, or other similar "tote" bags will not be allowed in classrooms. They must be left in the lockers between 7:52 and 2:21.
- Coats/jackets may not be worn to class unless extenuating circumstances occur. Students should expect to keep outdoor apparel in their lockers.

FREE EXPRESSION STATEMENT

Students have the right to express themselves and to disseminate their views through speech, writing, artwork, publications, pictures, posters, buttons, insignias, armbands and all other media or communication, subject to reasonable regulations as to the use of school materials and equipment and the time and manner of distribution of materials, to refrain from libel and slander, to refrain from incitements to crime or violations of law or lawful regulations and to refrain from the use of obscenities or obscene material.

CIRCULATION OF PETITIONS, CIRCULARS, NEWSPAPERS, & OTHER PRINTED MATTER

- a. Time - the time of distribution shall be agreed to by the Principal so as to prevent interference with individual class programs.
- b. Manner - the manner of distribution shall be such that: coercion is not used to induce students to accept printed matter or to sign petitions; funds or donations shall not be collected for the material distributed; leaflets and printed material to be distributed shall be submitted to the Principal prior to such distribution (approval or disapproval of such distribution shall be given within a reasonable time and the Principal may limit the number of students or groups of students who may distribute materials in any one day - as in similar circumstances an appeal of the Principal's negative decision may be made to the Superintendent).

Materials are not left undistributed or stacked for pick-up while unattended at any place in school or on school grounds; the distributor must be a student of the school involved (a non-student must have the Principal's written permission); student distributors have the responsibility of cleaning up any litter that may result; the distribution of materials shall not hinder the normal flow of traffic within the school.

LIMITATIONS ON RIGHT TO EXERCISE FREE EXPRESSION

In the exercise of the student rights described above, no person shall speak or distribute materials, wear buttons, or make other displays or post notices or other materials which are obscene according to current legal definitions; or advocate racial, ethnic or religious prejudice; incite students so as to create a clear and present danger of the imminent commission of unlawful acts on school premises or of the disruption of the orderly operation of the school.

In January, 1988, the Supreme Court decision in the case of Hazelwood School District vs. Kuhlmeier, the Court concluded that:

School authorities do not violate First Amendment rights of students exercising control over the style and content of student speech in school-sponsored expressive activities, as long as their actions are reasonably related to legitimate educational concerns.