



# EMMA L. MILLER ELEMENTARY SCHOOL

**STUDENT HANDBOOK**  
**Updated September 2018**

**Our mission is to create an environment where each child may reach his/her full potential and see education as a lifelong process.**

**26 Chapel Road  
413-743-1992  
Fax 413-743-1114**

## **Staff**

Mr. John Franzoni-Superintendent  
Mrs. Tracey Tierney-Principal  
Ms. Jessica Badorini- Fourth and Fifth Grade Teacher  
Ms. Kimberly Wells- Second and Third Grade Teacher  
Ms. Christina Engwer-Kindergarten and First Grade Teacher  
Ms. Erica Varieur - Preschool Teacher  
Ms. Sandra LaBonte-Instructional Aide  
Ms. Brenda Clairmont-Instructional Aide/Principal's Administrative Assistant  
Ms. Amber Will- Instructional Aide  
Ms. Meagheanne Donahue - Instructional Aide  
Ms. Jane O'Riordan-Art, Music, and Computer Specialist  
Mr. Leo Curtain-Custodian  
Ms. Laura Martelle-Head Nurse  
Mr. Doug Wentworth-School Adjustment Counselor  
Ms. Jamie Boucher -Speech Pathologist  
Mrs. Christin George-Occupational Therapist  
Mr. Josh Arico- Technology Expert

## **Philosophy:**

In order to help each student reach his/her full potential, we believe that:

- ...students need a safe, pleasant learning environment.
- ...students will be more successful when a partnership exists between school, home, and the community.
- ...each student's learning style should be appreciated and encouraged.
- ...students and staff should work together to create a positive learning experience based upon the various learning styles in our school.
- ...the school environment should foster respect and tolerance for the cultural diversity of our global community.
- ...staff members should strive to implement a program of new ideas and positive change.

## **Joint Responsibility:**

The home and the school share a joint responsibility. As parents and teachers, we undertake the responsibility to develop to the utmost this nation's most valuable asset-children.

Good communication is essential to the success of our combined efforts to offer the best possible educational program. Therefore, please do not hesitate to call your child's teacher or the principal at 743-1992 to discuss matters of mutual concern.

## **Homework**

Some of the student's responsibilities in relation to homework are:

- \*To do his/her homework the best s/he can
- \*To pass the homework in on time
- \*To let the teacher know when s/he is having problems

Some of the responsibilities of parents in regards to homework are:

- \*Provide a suitable place for you child to study and work
- \*Encourage and insist that homework be completed
- \*Check to see that s/he is doing his/her assignments

- \*Assist the child with balancing work with playtime
- \*Be supportive of the teacher
- \*Encourage your child to inform the teacher when help is needed

Each class has agreed upon consequences for missing homework.

### **Attendance Policy:**

By law, students are expected to be at school everyday. Regular school attendance is very important. Not only does attendance reinforce and enrich the learning process, it also establishes patterns and attitudes that will carry forward into adult work habits. Regular, consistent attendance is a prerequisite to successful school life. Children should be absent only in cases of illness or emergency.

Parents should notify the school office on the morning of your child's absence. When your child is ready to return to school, send a note (required by law) to the teacher explaining the absence. Upon return, it is the student's responsibility to make up all assignments, projects, and tests that were missed during his/her absence.

If a student has.....

- Three (3) or more consecutive days absent, parents must obtain a doctor's note and submit it to the school.
- Seven (7) absences (excused or unexcused), a letter of warning will be issued to parents reminding them of the school's attendance policy, and that they will be contacted to schedule a meeting should absences approach 10 days.
- Ten (10) absences (excused or unexcused), a parent conference will be scheduled to discuss the attendance policy and to develop a proactive attendance plan.
- Fifteen (15) absences (in disregard of the personal attendance plan), an attendance hearing will be held with the parents, Principal, and Superintendent.
- Twenty (20) absences (in disregard of the personal attendance plan), a 51A (neglect) or CHINS (child in need of services) may be filed.
- Twenty-five (25) absences or more, it could result in retention.

### **Enrollment/Transfer Students**

All students will be enrolled as expeditiously as possible. The transition works best when all records and required documents are in place. To enroll in Emma L Miller Elementary School a student must have a birth certificate, up to date immunizations, documentation of a recent physical examination by a pediatrician (within six months) , and proof of residency.

A student transferring into Emma L Miller Elementary School must provide a complete copy of his/her school record. The record shall include, but not be limited to, any incidents involving suspension or violation of criminal acts or any incident reports in which such student was charged with any suspendable act. At registration, parents/guardians will complete a registration packet which includes essential personal and emergency information, permissions to request school records from the prior school, a home language survey, and various permissions to participate in school activities. It is requested that parents/guardians inform the school office of any special programs or needs that their child has at the time of enrollment to facilitate appropriate classroom placement and programming (especially for IEP, 504, participation in Title I, or ELL/ESL programs) Families are encouraged to bring their children to school prior to their first day so that they can have a tour and familiarize themselves with the new school environment.

### **Kindergarten/First Grade**

The entrance age for Kindergarten is 5 years old by August 31. Families interested in enrolling their children in first grade, but whose children are not 6 by August 31, will need documentation of successful completion of

kindergarten and must meet with the principal to discuss appropriateness of first grade placement. **\*This was accepted by the Emma L Miller Elementary School Committee 2/27/89.**

### **Withdrawal**

Parents/guardians who are moving their families out of Emma L Miller Elementary School during the school year are requested to inform the school office of the intent to withdraw and complete a withdrawal form and permission to forward school records. A written request for records must be signed by the parent or guardian at the new school and sent to the former school. That school will then send the records to the new school. Records will not be released to parents or guardians.

Student records consist of anything a child does. **At the end of the year, teachers will dispose of all student work if not requested by June 30.**

### **School Day**

Classes begin at 8:30 a.m.

Lunch and Recess 12:00-1:00 p.m.

Dismissal is at 2:55 p.m.

### **Late Arrivals**

Any child who arrives at school after 8:30 a.m. is considered tardy. Students arriving late should report to the office before going to class.

### **Releasing Students Early**

Any student dismissed before 2:55 p.m. will be marked as an early dismissal. Students will not be allowed to leave the building with any other person other than their parents or guardians, unless the school receives written permission. Please try to schedule appointments for your child after school hours if at all possible.

### **School Cancellation**

If school is cancelled due to inclement weather, families will receive a robo-call. This is the primary method of communication regarding inclement weather. Our closings are posted via the School Closing Network and are listed on 19 radio and T.V. stations. An announcement will also be posted on our Facebook page. Lastly, the outgoing message on the school phone will indicate if school will be closed for the day.

### **Early Dismissal**

If school is ever dismissed early because of inclement weather, power failure, etc., no student will be allowed to leave the building until each parent, guardian, or responsible person listed on the emergency card is notified by telephone. Please make sure that your child's emergency card is kept up to date.

### **Expected Behaviors & Logical Consequences**

Each individual classroom establishes a list of classroom expected behaviors and logical consequences. When you visit your child's classroom either during our Open House or during parent conferences, your child's teacher will be glad to share these expected behaviors with you. In the handbook you will find the school policy for dealing with specific behaviors. They are found in the following sections.

### **Aggressive & Threatening Behavior**

In order to eliminate aggressive and/or threatening behavior that may occur in school the problem will be addressed in two ways. The first involves a meeting that includes staff and students where the issues are discussed and where students are able to learn how these behaviors harm the entire learning process. The second

involves the implementation of consistent consequences for students who exhibit threatening or aggressive behavior at school. It should also be clear that we mean by aggression those behaviors that involve fighting, pushing, shoving, and violence, not behaviors that come with healthy competition among students.

**Consequences will be as follows:**

**A. Fighting**

1. First Offense: Parent notification and immediate assignment of detention (after school or loss of recess) for all involved
2. Second Offense: Parent meeting and two detentions (after school or loss of recess)
3. Third Offense: In-School Suspension
4. Fourth Offense: Two days of In-School Suspension and loss of field trip and special event privileges

**B. Verbal/Physical Threats**

1. First Offense: Parent notification and immediate assignment of detention (after school or loss of recess) for the student making the threat
2. Second - Fourth Offenses: Same as for fighting

**C. Racial Slurs, Including References to a Person's Ethnicity, Heritage, or Country of Origin**

1. First Offense: Parent notification and immediate assignment of detention (after school or loss of recess) for the student using the offending language.
2. Second-Fourth Offenses: same as above infractions.

**Disorderly Conduct on the Bus or at the Bus Stop**

Students transported in the school buses are under the authority of, and directly responsible to, the bus driver. Continual disorderly conduct or persistent refusal to obey the authority of the bus driver is sufficient reason for the pupil to be denied transportation to the school on the bus. The following consequence of action pertains:

- 1<sup>st</sup> Offense: Driver warns student, notifies Principal and parents are informed.
- 2<sup>nd</sup> Offense: Driver warns student, notifies Principal, and parents are informed.
- 3<sup>rd</sup> Offense: Student is denied transportation for two days.
- 4<sup>th</sup> Offense: Student is denied transportation for one week.
- 5<sup>th</sup> Offense: Student is denied transportation for the remainder of school year.

**Behavior**

All students will behave in a manner that does not disturb or interfere with every student's right to receive an education. Generally, the classroom teacher handles discipline for misbehavior. In addition to classroom rules, certain general rules must be adhered to by the students. Non compliance to these rules will be handled in accordance with the suggested disciplinary action whenever possible. Parents will be notified of the disciplinary action taken, on a case by case basis.

**After School Detention**

Any behavior classified as misconduct may result in an after school detention. When a student is given an after school detention, the teacher giving the detention notifies the parent or guardian. The detention is served that day under the supervision of the teacher giving the detention.

**Suspension**

"When a student is suspended, the following procedures, and any other procedure required by law, will be followed:

- A. Students will be suspended only to the custody of the parent(s)/ guardian(s) or another person designated by the parent(s)/ guardian(s).

- B. Prior to suspension, an informal hearing before the principal or designee will be held. At this hearing, the student will be informed of the reason(s) for the suspension, and will be given an opportunity to respond. In an emergency situation, which requires the immediate removal of a student, the informal hearing will be held as soon after the suspension as possible.
- C. The principal or designee will make every attempt to notify parent(s) or guardian(s) of the student of the suspension and state the cause(s) leading to it. If the suspension is imposed during the school day, the parent(s) or guardian(s) may be required to transport the student home. A conference with the parent(s) or guardian(s) may be required for readmission.
- D. The principal or designee will send a letter to the parent(s) or guardian(s) confirming the suspension. The notification shall contain:
  - 1) the reason(s) for the suspension
  - 2) the number of days of the suspension
  - 3) the re-admittance date
- E) The student will be given an opportunity to complete any class work including examinations that may be missed during the period of the suspension. A time limit equal to the number of days of the suspension will be allowed for the completion of the work.
- F) A suspended student may not participate in any school sponsored activities or events during the period of suspension.
- G) After suspension, students may be referred to the school adjustment counselor for follow-up counseling. The student may be required to meet with the principal before re-entering school.

### **Appeals Procedure for Suspension**

Parents/guardians have the right to appeal student suspensions to the building principal. Appeals must be put in writing by the parent/guardian and must be given to the principal before the date of the suspension or before the school day begins on the day of the suspension. The appeal letter must include the reason for appeal. The student will be allowed to attend class until the principal has rendered a decision. If safety is deemed an issue resulting in disciplinary action, the student will be suspended immediately with the appeal to be filed before the end of the suspension. The student will not be allowed to attend school until the suspension ends or the principal makes a decision. The principal's decision may be appealed to the Superintendent within five (5) days of the principal's decision. The appeal to the Superintendent shall only be on the basis that the hearing was not in accord with the outlined procedures set forth in this document.

### **Student Expulsion**

Please refer to *Massachusetts General Laws Chapter 71, Section 37H* and *Chapter 71, Section 371/2 H* for grounds and procedures regarding student expulsion from a public school.

### **Special Education Information**

603 CMR 28.00, the *Massachusetts Special Education Law* (previously Chapter 766), requires that additional provisions be made for students who have been found by an evaluation team to have special needs and whose program is described in an Individual Educational Plan.

The IEP for every special needs student will indicate whether the student can be expected to meet the regular discipline code or disciplinary measures are required, it will be written into the IEP.

When a special needs student approaches ten (10) or more days of suspension in a school year, a review of the IEP will be held to determine the appropriateness of the student's program. The student's TEAM will be reconvened and will conduct a Manifestation Determination Hearing. If the Manifestation Determination does not find that the student's disability is related to his/her misconduct then the student will be disciplined in accordance with the foregoing discipline policies while being provided Free Appropriate Public Education as determined by the TEAM. If the Team determines that the disability is related to the student's misconduct, then the TEAM will take appropriate steps to ensure the IEP is fully implemented and address possible changes to the student's IEP.

If the suspension will result in more than ten (10) days in a school year, all of the above steps will be followed; and, in addition, written notification and request for approval of an alternative plan will be filed with the Division of Special Education of the Massachusetts Department of Education and a copy will be given to the student's parents/guardians.

## **POLICIES OF EMMA L MILLER ELEMENTARY SCHOOL**

### **Non-discrimination Policy - Chapter 622**

The Emma L Miller Elementary School does not discriminate or exclude a student from any course, activity, service or resource available in our school on the basis of race, color, national origin, age, sex, religion or disability, in admission to, access to, treatment in or employment in its programs and activities.

Emma L Miller Elementary School has a designated person to handle inquiries regarding the nondiscrimination policies. The Chapter 622/Title IX Coordinator, the Superintendent, for Emma L Miller Elementary School can be reached at 413-664-9292.

### **Sexual Harassment Policy Policy Statement**

- A. It is the policy of the Emma L Miller Elementary School to maintain a learning and working environment free from sexual harassment. No employee or student of the school shall be subjected to sexual harassment.
- B. It shall be a violation of this policy for any member of the Emma L Miller Elementary School staff or student body to engage in sexual harassment as that term is defined in Section II.
- C. Each administrator shall be responsible for promoting understanding and acceptance of, and assuring compliance with, state and federal laws and school department policy and procedures governing sexual harassment within her or his school or office.
- D. Violations of this policy or procedure will be cause for disciplinary action

### **Definition**

- A. Sexual Harassment means unwelcome sexual advances, requests of sexual favors, and other verbal or physical conduct of a sexual nature when:
  - 1. submission to such conduct is made, either explicitly or implicitly, a term or condition of a person's employment or advancement, or of a student's participation in school programs or activities; or
  - 2. submission to or rejection of such conduct by an employee or student is used as the basis for decisions affecting the employee or student; or
  - 3. such conduct has the purpose or effect of unreasonably interfering with an employee's/student's performance, or creating an intimidating, hostile, humiliating or sexually offensive work or learning environment
- B. Sexual harassment as set forth in Section II - It may include, but is not limited to:
  - 1. unwelcome or hostile verbal or physical conduct of a sexual nature
  - 2. overt or subtle pressure for sexual activity

3. sexual insults, leering, and name-calling
  4. unwelcome touching, pinching, and patting
  5. sexual joke, posters, etc.
  6. unwanted sexual flirtation
  7. suggesting or demanding sexual involvement, accompanied by implied or explicit threats concerning one's grades, job, etc.
  8. attempted rape or rape
  9. other forms of sexual harassment including, but not limited to stalking
- C. Sexual harassment may involve behavior which is student-to-student, student-to-staff, staff-to-student, staff-to-staff, male-to-male, male-to female, female-to-female, and female-to-male.

### **Sexual Harassment Reporting/Grievance Procedures**

- A. Any other person alleging sexual harassment may contact the Title IX/Chapter 622 Coordinator, the Superintendent, John Franzoni at 413-664-9292
- B. The school district will endeavor to maintain the confidentiality of both the accuser and the accused consistent with the school district's legal obligations and with the necessity to investigate allegations of misconduct and to take corrective action when this conduct has occurred. All reports will be referred to the Title IX/Chapter 622 Coordinator who will conduct the investigation.

### **Disciplinary Action**

- A. A substantiated charge against a staff member in the school district shall subject that staff member to such disciplinary action as is appropriate if applicable, any other disciplinary provisions applicable to the staff member, and with applicable law.
- B. A substantiated charge against a student in the school district shall subject that student to disciplinary action consistent with the procedures and actions outlined in the Student Handbook and Code of Conduct and may include suspension or expulsion.
- C. Recommended courses of action in substantiated claims may include, but are not limited to, the following:
  1. removal of any offending materials, graffiti, or other objects with notice to all personnel of the reason for the removal and a prohibition against such items in the workplace/school in the future
  2. informal counseling of an offending party with a verbal warning as to the consequences of a repeat offense
  3. enrollment of an offending party in an appropriate training program

### **Notification**

- A. Notice of this policy shall be circulated to all members of the Emma L Miller Elementary School community and incorporated in student handbooks. Training sessions on this policy and the prevention of sexual harassment shall be held for school department employees and students in all schools on an annual basis.
- B. Reports of sexual harassment (alleged and/or substantiated) will be kept on file in the office of the Title IX/Chapter 622 Coordinator, the Superintendent at 413-664-9292.

### **English Language Learners**

In November 5, 2002 a ballot initiative (known as "Question 2") was approved by voters in Massachusetts. Question 2 amended in its entirety the Transitional Bilingual Education statute, *G.L. c. 71A*, and is the new Massachusetts law governing the education of students who are English learners. Under *G.L. c. 71A*, the terms "sheltered English immersion" and "structured English immersion" are used interchangeably. Both terms describe an English language acquisition process for young children in which nearly all classroom instruction is in English but with the curriculum and presentation designed for children who are learning the language. Title VI requires that English learners be provided language support services until they are proficient enough in English to participate meaningfully in the district's education program. Some English learners will reach this level of English proficiency within one year, but some will not. Since students acquire proficiency in English at different rates, districts cannot limit to one year

the provision of language support services to English learners who are not yet able to participate meaningfully in the district's programs in English, and all reading, writing, and subject matter is taught in English.

• **Sheltered Immersion (ELL)**

Under G.L. c. 71A, all textbooks and other instructional materials are to be in English, no subject matter shall be taught in any language other than English, and students learn to read and write solely in English. However, teachers may use an English learner's native language when necessary for clarification purposes.

**Request for Interpretation, Translation or Support Services**

If you would like any forms or other communications from school translated into your first language, then please fill out this form and submit it to contact person listed on form.

Title VI; EEOA: 20 U.S.C. 1703(f); M.G.L. c. 76, s. 5; 603 CMR 26.02(2)

**Emma L Miller Elementary School**

**Request for Interpretation, Translation or Support Services\***

Date of request\_\_\_\_\_

Student Name \_\_\_\_\_ Grade\_\_\_\_\_

Person making request\_\_\_\_\_

Request for:

\_\_\_\_\_ translation

language(s)\_\_\_\_\_

\_\_\_\_\_ interpretation

\_\_\_\_\_ support service(s)

If this request is for translation, please attach English text.

If this request is for interpretation or support services, please attach date, time, purpose, and location of meeting or service.

Title VI; EEOA: 20 U.S.C. 1703(f); M.G.L. c. 76, s. 5; 603 CMR 26.02(2)

*\* including, but not limited to: guidance, and other counseling*

Send to:

Principal Tracey Tierney

Principal

413-743-1992

FAX 413-743-1114

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Response and notes:

## **Special Education**

In Massachusetts, the special education system is based on the federal special education law, the Individuals with Disabilities Education Act (IDEA), in combination with the state's special education law (MGL c. 71B). These laws protect students with disabilities who are eligible for special education and guarantee them an Individualized Education Program (IEP) designed to meet their unique needs. Students ages 3-21 suspected of having a disability affecting her/his ability to progress effectively in education can be referred for a full evaluation to determine eligibility for special education services. The referral can be made by school personnel, a parent/guardian, pediatrician, nurse and/or therapist. Prior to a referral all efforts must be made to provide reasonable accommodations and modifications for the needs of a student within the regular education setting, utilizing regular education services such as Title I, ELL/ESL and before/after school enhanced instruction. In addition, a parent/guardian has the right to request the services of the building based pre-referral support team in each school. If a school refers a student for a special education evaluation, parent/guardians will be notified in writing and written parent/guardian consent for an evaluation will be obtained. Evaluations will be completed by qualified staff.

The Emma L Miller Elementary School is committed to providing Special Education services to students in the least restrictive environment. This means that, to the maximum extent possible, children with disabilities must be educated with children who do not have disabilities. Special Education services will be provided to the child with a disability in the regular classroom when appropriate. Special classes, separate schooling or other removal of a child from the regular education environment will occur only when the nature or severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be satisfactorily achieved. If a parent/guardian feels his/her child may be eligible for services under Special Education, a referral can be made directly to the school principal. Further explanation of parental/guardian rights under IDEA and/or Special Education programs which are available in Emma L Miller Elementary School can be obtained from either the school principal or the Special education Director at 413-664-4655.

## **504**

The federal Americans with Disabilities Act provide protections for the civil rights of students with diagnosed disabilities that substantially limit their ability to access an education without specific specialized accommodations. The purpose of the law is to ensure that all students have equal access to an education regardless of a disability. Unlike special education eligibility, a student does not have to demonstrate failure to make adequate academic progress to access classroom and school accommodations and services. Student eligibility is determined through evaluation by a specialist (i.e., pediatrician, speech therapist, psychiatrist) or through the special education core evaluation process.

## **Firearms**

In compliance with Section 10 of Chapter 71, Chapter 150 of the Acts of 1987, it is the policy of the Emma L Miller Elementary School Committee that bringing firearms or other dangerous weapons to school, on school grounds, or on the bus is prohibited and punishable by fine, imprisonment or both.

## **No Smoking**

In compliance with Section 37H of Chapter 71 of the Massachusetts General Laws, it is the policy of the Emma L Miller Elementary School Committee that the use of any and all tobacco products is prohibited within the school buildings, the school facilities, or on the school grounds or on the school buses by any individual including school personnel.

## **Hazing**

In compliance with Section 17 of Chapter 269 of the Massachusetts General Laws hazing is prohibited at the Emma L Miller Elementary School, on the school grounds, or on the bus. It is punishable by fine, imprisonment or both.

## **RIGHTS OF NON-CUSTODIAL PARENTS**

If notified of a pending or actual divorce or separation between parents of a school-age child, the following policy and procedure shall apply:

A natural parent who is separated or divorced from the parent with legal custody of their child shall have the same rights as custodial parents in the following areas, unless these rights have been limited by court action:

Access to their child's records;

Visitation to observe their child, in accordance with the school's visiting policy.

Conference with teacher to discuss their child's educational progress.

Custodial parents who wish to limit the above rights must provide the school with a copy of the relevant court document.

To save children, parents, and the school from embarrassment and anguish, the following matters -if not already classified by a legal document - should be spelled out in writing by the custodial parent:

Opportunity for the non-custodial parent to meet privately with a child in school;

Opportunity for the non-custodial parent to take a child away from the school.

Lacking specific instructions in writing from the custodial parent or a court document on the matters in the above, school principals will assume non-custodial parents do not have these opportunities.

"Under **Massachusetts law**, a parent without legal custody of their child must submit to the child's school principal a court order which proves the parent has not been denied custody "based on a threat to the safety of the child or the custodial parent." Only then can the noncustodial parent be granted access by the principal, and must reapply for access each year. However, federal law dictates that both parents have equal access to their child's records unless the school is shown a court order specifically revoking the noncustodial parent's access for reasons such as abuse of the child or custodial parent. " The Department of Education adopted emergency regulations, **Access by Non-Custodial Parents, 603 CMR 23.07(5)**, to bring the state into compliance with the federal law until the state law is amended. More information is available at **Mass. Law About Education**.

### **Child Abuse and Neglect**

Under *Massachusetts General Laws Chapter 119, § 51A*, any public or private school teacher, educational administrator, guidance or family counselor, nurse, social worker, or member of certain other professions who in his/her professional capacity shall have reasonable cause to believe that a child under eighteen years of age is suffering physical or emotional injury resulting from abuse inflicted upon him/her which causes harm or substantial risk of harm to the child's health or welfare including sexual abuse, or from neglect, including malnutrition, shall immediately report such conditions to the Department of Social Services. School employees meet their responsibilities for reporting by informing the school principal. A written report to DSS must then be filed within 48 hours. The Emma L. Miller Memorial Elementary School affirms its responsibility to provide for the safety and well-being of students. This responsibility extends to fully complying with the *Massachusetts Mandatory Child Abuse and Neglect Reporting Statute, Chapter 119, Section 51A*. It is expected then, that when any staff member in his/her professional capacity, has reasonable cause to believe that a child under the age of eighteen years is suffering from the effects of any form of child abuse and neglect, that the staff member will report his/her concerns to the building principal for consideration of reporting to the Department of Social Services.

## **Communication: Compliments and Criticisms**

Communication between home and school is essential to a student's successful education. Students need to be aware that their parents are supportive of education in general, and of their specific accomplishments. It is also important for teachers to hear from parents when they are pleased with what is happening in their child's class.

The Savoy Public School District welcomes constructive criticism concerning the operation of the Emma L Miller Elementary School. The Emma L Miller Elementary School Committee believes that complaints are best handled and resolved as close to their origin as possible. Therefore, the proper channeling of complaints involving instruction, discipline, or learning materials will be as follows:

1. **Teacher**
2. **Principal**
3. **Superintendent**
4. **School Committee**

# **Emma L Miller Elementary School Bully Prevention Plan**

## **BULLYING, RETALIATION, AND HARASSMENT**

At the Emma L Miller Elementary School, we will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyber bullying, or retaliation. Bullying is defined as the repeated use of a written, verbal, or electronic communication, or a physical act or gesture, or any combination thereof, by one or more students directed at another student that has the effect of:

- causing physical or emotional harm to the other student or damage to his or her property;
- placing the other student in reasonable fear of harm to him or herself or of damage to his or her property;
- creating a hostile environment at school for the bullied student;
- infringing on the rights of the other student at school; or
- materially and substantially disrupting the education process or the orderly operation of a school

Retaliation is any form of intimidation, reprisal, or harassment directed against a student who reports bullying, provides information during an investigation of bullying, witnesses, or has reliable information about bullying.

Cyber-Bullying is bullying through the use of technology or any electronic means, and includes the distribution of electronic communications or the posting of electronic material that may be accessed by one or more persons.

In accordance with Massachusetts Law Chapter 92 of the Acts of 2010, An Act Relative to Bullying in Schools, bullying and retaliation is prohibited in any form:

- at school and at all school facilities.

- at school-sponsored or school-related functions, whether on or off school grounds.
- on school buses and at school bus stops.
- through the use of technology or an electronic device owned, licensed or used by a school.
- at non-school-related locations and through non-school technology or electronic devices, if the bullying or retaliation affects the school environment.

## **Staff Training**

Topics will include:

- Responsibility of all staff on reporting observed bullying and/or retaliation
- Review of steps that staff will need to take when witnessing bullying and/or retaliation
- Protocols and procedures to be followed by administration upon request of a report of bullying and/or retaliation
- Overview of bullying prevention curricula offered at each grade level: Second Steps

Second Step, a violence prevention social curriculum, is used at all grade levels Pre-K through 5<sup>th</sup>. In addition, the following resources may be available from our District Attorney's office.

## **Grades K – 2**

### *A Safer School, A Safer You: Bullying: Using Children's Literature to Foster Empathy, Friendship and Respect*

Trainings engage students in age-appropriate stories encouraging kindness, friendship, respect, and positive behavior. The interactive hands-on presentations raise students' awareness about bullying and teasing and use role play to demonstrate how words and actions can hurt others. A creative arts activity is used to reinforce the lesson. The following is a sample list of the children's books used for these lessons: Aesop's fable *The Lion and the Mouse*; *Have You Filled a Bucket Today? A Guide to Happiness for Kids* by Carol McCloud; *Chrysanthemum* by Kevin Henkes; *The Rat and the Tiger* by Keiko Kasza; *The Bully Blockers Club* by Teresa Bateman; *Howard B. Wigglebottom Learns About Bullies* by Howard Binkow; *The Kindness Quilt* by Nancy Elizabeth Wallace; *Browser the Mouse and his internet adventure* by Barbara C. Trolley, Constance Hanel, and Linda L. Shields; *Bullies Never Win* by Margery Cuyler; and *Bee Nice! The Bee Story* by Isabella Tobiason.

### *A Safer School, A Safer You: Student Mentor Internet Safety Program*

This workshop for early learners uses age-appropriate, 3-D activities to teach children how to be safer when using the internet. High school student mentors co-present with Clicky, the NetSmartz<sup>®</sup> spokesrobot, to teach children about the importance of internet safety using a 20-minute interactive video and creative arts activities.

## **Grade 3**

### *A Safer School, A Safer You: Promoting Positive Behavior*

Training uses literature and interactive discussion to focus on the importance of respect for self and others and raises students' awareness of the hurtful effects of bullying. A craft activity allows students to creatively brainstorm an action plan to promote positive behavior.

## **Grade 4**

### *A Safer School, A Safer You: Say No to Bullying*

Training uses media, discussion and role play to explore the forms of bullying behavior and the powerful role of the bystander and gives students the tools they need to confidently take action if they experience or witness the behavior. A group art project provides student with the opportunity to showcase their ideas to promote positive behavior.

## **Grades 5 - 6**

### *A Safer School, A Safer You: Bullying, Cyberbullying & Internet Safety*

Training highlights the importance of safe and respectful interpersonal behaviors and helps build the students' awareness of the key elements of bullying and cyberbullying and the negative impact of these behaviors. The presentation offers concrete examples of positive behavior strategies for students who bully.

Finally, we are presently searching for an additional curriculum piece which addresses positive classroom environments. Currently we are looking into Responsive Classroom to determine if it has the components we are looking for. Professional Development money will be used during the 2011/12 school year to train the teachers in the caring classroom curriculum the committee chooses.

## **EDUCATION OF PARENTS/GUARDIANS, STAFF, AND OTHER COMMUNITY MEMBERS**

It is crucial to the overall effectiveness of the plan to engage and collaborate with families to increase capacity of the school in its mission to prevent and respond to bullying and/or retaliation. The plan includes measures by which parents and guardians gain information about how to support the curriculum, what bullying, retaliation, and/or online safety and cyberbullying looks and feels like, and what steps to take if they feel their child is bullying or being bullied.

Included in the Student Handbook is our policy concerning bullying and/or retaliation and overall acceptable school behaviors and consequences. Parents and students are required to go through the handbook together. The parent/guardian and child sign and return an attached sheet that says they agree to follow the rules set out in the handbook.

The District Attorney's Office offers the following workshop for parents and guardians.

### *A Safer School, A Safer You: Bullying and Harassment*

This presentation reviews the significant role of parents/guardians in supporting school prevention and intervention plans. The training provides information on the dynamics of bullying, recognizing the signs and symptoms that a child may be a bully or the target of a bully and how to respond appropriately. The powerful role of the bystander and the importance of changing our culture around the acceptance of bullying and/or retaliation will be discussed and resources will be offered for both children and parents/guardians.

## **BULLYING AND HARRASSMENT POLICY**

To stop bullying and/or retaliation as soon as it occurs, all school staff are required to promptly report bullying and/or retaliation when they witness or become aware of it. The school principal or teacher in charge must immediately investigate and take appropriate disciplinary action. The attached policy provides more specific information to guide students, staff, administrators, and parents on reporting, investigating, and responding to complaints of bullying and/or retaliation and harassment.

### **I. Policy**

A. It is the policy of the Emma L Miller Elementary School District to take pro-active, reasonable measures designed to provide a safe learning and working atmosphere for students free from bullying and/or retaliation, sexual harassment, and intimidation. These terms are referenced herein as “bullying”, which is more particularly defined below. Savoy, in the strongest possible terms, condemns bullying, whether based on race, color, religion, national origin, age, gender, sexual orientation, or disability.

B. It is a violation of policy for any administrator, teacher or other employee, or any student or other member of the school community, to engage in or condone bullying in school, on the bus, on school grounds or at or in a school-related function, activity, communication or contact, or to fail to report or otherwise take reasonable corrective measures when they become aware of an incident of bullying.

C. Reports of bullying and/or retaliation, including but not limited to cyber-bullying by electronic or other means, occurring in or out of school will be reviewed, and, if a sufficient connection to school or school-related work exists, will result in discipline.

D. It is the responsibility of every employee, student and parent to recognize acts of bullying and/or retaliation and take reasonable action to see that the applicable policies and procedures of this school are implemented. All members of the school community are and must act as partners in such efforts if we are to have any reasonable chance of success in preventing or minimizing activity of this type, which is harmful to both the victim and the perpetrator.

E. Any student who believes that s/he has been subjected to bullying and/or retaliation has the right to file a complaint and to receive reasonably prompt and appropriate handling of the complaint. Further, all reasonable efforts shall be made to maintain the confidentiality and protect the privacy of all parties, but proper enforcement of this policy may require disclosure of any or all information received.

F. The principal or teacher in charge shall be responsible for assisting employees and students seeking guidance or support in addressing matters relating to any form of bullying and/or retaliation.

### **II. Prohibition and Definitions**

Bullying and/or retaliation may take a variety of forms. Bullying and/or retaliation is unacceptable in a school or work environment. As a result, no student shall be subjected to bullying and/or retaliation, intimidation, or cyber-bullying in any public educational institution.

A. “Bullying”, including “cyberbullying”, as used in this policy means an unwelcome written, electronic, verbal or physical communication, act or gesture which: (1) reasonably causes a student to feel coerced, intimidated, harassed or threatened and (2) under the circumstances may cause: (a) a reasonable person to suffer physical or emotional harm, or (b) damage to a student’s property, or (c) a disruptive or hostile school environment. The behavior must interfere with a student’s academic

performance or ability to learn, or interfere with a student's ability to participate in or benefit from services, activities, or privileges:

- that are being offered by or through the school; or
- during any school related educational program or activity; or
- while in school, on or using school property or equipment, in a school vehicle, on a school bus, at school-designated bus stops, at school-sponsored activities, at school-sanctioned events; or
- through the use of data, telephone or computer software that is accessed through a computer, computer system, or computer network; or
- in circumstances otherwise having a sufficient connection with the school.

B. "Electronic communication" as used in this policy means any communication through an electronic device, including but not limited to a telephone, cellular phone, computer or pager that are associated with the school.

#### C. Definitions – Sexual Harassment Prohibited

"Sexual Harassment" means unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal, written, electronically transmitted, or physical conduct of a sexual nature, including but not limited to unwelcome comments, touching, written notes, pictures/cartoons or other inappropriate conduct, such as leering, whistling, brushing up against the body, commenting on sexual activity or body parts. Harassment has the effect of creating an intimidating, hostile, or offensive work or learning environment that takes place under any of the following circumstances:

- When submission to such conduct is made, explicitly or implicitly, a term or condition of employment, instruction, or participation in school activities or programs;
- When submission to or rejection of such conduct by an individual is used by the offender as the basis for making personal or academic decisions affecting the individual subjected to sexual advances;
- When such conduct has the effect of unreasonably interfering with the individual's work, attendance at school or participation in academic or curricular activities, or
- When such conduct has the effect of creating an intimidating, hostile, or offensive work or learning environment.

### **III. Guidelines and Procedures for Investigating and Processing Bullying and/or Retaliation Claims**

Bullying and/or retaliation may take many forms. It could involve an instance of staff member to staff member, staff member to student, student to staff member, or student to student. It conceivably could also include parent to a student other than the parent's child, staff member to parent, or parent to staff member. This listing is illustrative and the procedures set forth are not intended to limit the definition

of bullying and/or retaliation, or the school's authority to take appropriate action as to same except to the extent that specific subject matter is expressly addressed herein.

Guidelines and procedures for dealing with any charge of bullying and/or retaliation are as follows:

A. By law, bullying is defined by the victim's perception in combination with objective standards or expectations. What one person may consider acceptable behavior may be viewed as bullying by another person. Therefore, in order to protect the rights of both parties, it is important that the victim make it clear to the harasser that the behavior is objectionable.

B. In all charges of bullying and/or retaliation, the victim should complete an **Emma L Miller Elementary School Bullying Incident Report Form** which is available in the principal's office, the specifics of the complaint to ensure that the subsequent investigation is focused on the relevant facts. If possible, the victim and/or parent/guardian should sign the complaint. Oral and anonymous complaints will be reviewed but are inherently difficult to investigate and may not be procedurally fair; as a result, no disciplinary action shall be taken on anonymous complaints unless verified by what the administration in the good faith exercise of its reasonable discretion deems to be clear and convincing evidence. To file an anonymous report, reporters can leave a completed report in the sealed envelope in the principal's mailbox, or leave it in the nurse's office on the desk. All other complaints will be reviewed based on evidence standard, namely whether the administration in the exercise of its aforementioned discretion, taking into account all material information and circumstances, concludes that a violation of this policy more likely than not has occurred.

C. Any school employee who has information that would lead a reasonable person to suspect that a person may be a target of bullying and/or retaliation or intimidation shall immediately, as a condition of employment report in writing by completing an **Emma L Miller Elementary School Bullying Incident Report Form** which is available in the principal's office. The school shall document each prohibited incident that is reported and confirmed, and report each such incident and the resulting consequences, including discipline and referrals if any, to the Superintendent's office in timely fashion and without any avoidable delay.

D. A good faith report from a staff member is not grounds for any legal liability and, since such reports are a condition of the staff member's employment, is considered to have been made for purposes of the Municipal Tort Claims Act, M.G.L. c. 258. As a result, the employee would not be subject to damages simply by reason of making such a report, and in the event of a suit based solely thereon would be covered by the school district's insurance policy which provides defense of such suits.

E. If an instance of student to student bullying and/or retaliation is reported to a staff member other than an administrator, the staff member must inform the principal or teacher in charge in timely fashion in writing by completing an **Emma L Miller Elementary School Bullying Incident Report Form** which is available in the principal's office.

F. If a situation involving a charge of staff member to student bullying and/or retaliation, or staff member to staff member bullying and/or retaliation, as defined in Sec. II. above, is brought to the attention of any staff member, the staff member should notify the principal or teacher in charge immediately in writing by completing a **Emma L Miller Elementary School Bullying Incident Report Form** which is available in the principal's office.

G. Once a charge of bullying and/or retaliation has been made, the following course of action should be taken.

- Before fully investigating the allegations of bullying and/or retaliation, the principal or teacher in charge will take steps to assess the need to restore a sense of safety to the alleged target and/or to protect the alleged target from possible further incidents. The following responses may also be used to protect the aggressor, any witness, and appropriate family members. Responses to promote safety may include, but not be limited to creating a personal safety plan, promptly notify target's parents/guardians, counseling or referral, pre-determining seating arrangements for the target and/or the aggressor in the classroom, at lunch, or on the bus, identifying a staff member who will act as a "safe person" for the target and altering the aggressor's schedule and access to the target. The principal or teacher in charge will take additional steps to promote safety during the course of and after the investigation, as necessary.
- The principal or teacher in charge upon determining that bullying and/or retaliation has occurred, 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 teacher in charge contacts parents or guardians prior to any investigation. Notice will be consistent with state regulations at 603 CMR 49.00.
- The principal or teacher in charge should conduct a reasonable, factual investigation by means of discussions with the individuals involved, other witnesses if any, review of any documents and other, written or electronic materials, etc.
- If the principal or teacher in charge does not conduct the investigation, s/he should review the designee's report and supporting documentation (by way of example only, any written, signed statements by the complainant setting forth the allegations, any such statement by the accused and witnesses, and any other materials such as those mentioned above), as appropriate to the current stage of the investigation. The principal or teacher in charge may deem it necessary or advisable to conduct direct interviews before making a determination.
- In situations involving allegations against an employee, the employee should be accorded all rights provided by any applicable statute and/or collective bargaining agreement, including but not limited to being informed of his/her right to have a third party present at the time of the discussion if apt, and in the case of a teacher of the right to counsel if any discussion could conceivably lead to a suspension.
- In situations involving bullying and/or retaliation of students, the principal or teacher in charge should conduct an investigation with the appropriate classroom or special subject area teacher. Parents will be informed of the situation and invited to participate in resolution discussions if warranted.
- Parents of students alleged to have engaged in bullying and/or retaliation for whom suspension is imposed shall be notified that they must attend a meeting at which the behavior, words or images giving rise to the complaint may be reviewed. Before any final decision is made as to whether to impose discipline exceeding ten (10) school days, and the nature of such discipline, the student and her or his parent(s) will be informed in reasonable detail of the factual allegations underlying the complaint and given an opportunity to respond to and provide any information material to same.
- In the school administration's discretion, depending on its preliminary assessment of the seriousness of a reported incident of alleged bullying and/or retaliation, a student accused of bullying and/or retaliation may be suspended from school under the procedures for suspension

set forth in the student handbook and not readmitted to the regular school program until the student and his or her parent(s) attend such meeting. A ten (10) school day suspension if deemed reasonably necessary by the administration may be imposed prior to such a meeting, but before any such consequence were imposed the student shall be informed of the ground(s) for such possible suspension in sufficient detail to allow the student to respond to the charge(s). A satisfactory conference with the student and his or her parent(s) or legal guardian(s) must occur prior to the student's readmission.

- It is important that each situation be resolved as confidentially and as quickly as circumstances reasonably permit.
- At any stage of the proceedings the alleged harasser and the victim may discuss the matter at a resolution meeting in the presence of the principal or teacher in charge, Superintendent, and/or parent when appropriate.
- During this discussion, the offending behavior should be described by the victim and the administration. If warranted, a request for a change in behavior should be made, and a promise should be made that the described behavior will stop and not recur.
- If circumstances do not permit a face to face meeting the administration will present the victim's position. Follow-up verification procedures will be explained. Failure to comply after a resolution, if any, is voluntarily reached at such a meeting will result in appropriate discipline. The principal or teacher in charge at the close of the meeting shall prepare a written summary of the discussion held at the meeting and of any resolution, if any, agreed to at same, and shall ask the parties attending the meeting to review, date and sign the agreement. The administrator shall sign the summary, and if any party to the meeting refuses to sign shall note that fact thereon. No such memorandum must be included in a student's school record or an employee's personnel file unless otherwise required by law, but the principal or teacher in charge shall keep a copy of same in her or his records.

H. If after a resolution meeting with the involved parties, the principal or teacher in charge determines that further disciplinary action must be taken, the following may occur:

- In instances involving student to student or student to staff member bullying and/or retaliation, subject to applicable law and the disciplinary procedures set forth in the student parent handbook, the student may be subject to discipline, including but not limited to counseling, suspension or expulsion
- In instances involving staff member to student and staff member to staff member bullying and/or retaliation, findings will be reported to the Superintendent of Schools for further action. Personnel action, up to and including discharge from employment, may also be initiated at this point, consistent with applicable law and collective bargaining agreement
- In all cases where in the good faith judgment of the Principal or Superintendent if the circumstances so warrant, a referral to law enforcement will be made. School officials will coordinate with the Police Department to identify a police liaison for bullying and/or retaliation cases.

## I. Responses to Bullying

- Teaching Appropriate Behavior Through Skills-building: Upon the principal or teacher in charge determining that bullying or retaliation has occurred, the law requires that we use a range of responses that balance the need for accountability with the need to teach appropriate behavior. M.G.L.c. 71 370 (d) (v). Skill-building approaches that the principal or teacher in charge may consider include:
  - Offering individualized skill-building sessions with the school counselor based on the Emma L Miller Elementary School anti-bullying curricula.
  - Providing relevant educational activities for individual students or groups of students, with school counselor.
  - Implementing a range of academic and nonacademic positive behavioral supports to help students understand pro-social ways to achieve their goals
  - Meeting with parents and guardians to engage parental support and to reinforce the Emma L Miller Elementary School anti-bullying curricula and social skills building activities at home
  - Adopting behavioral plans to include a focus on developing specific social skills
  - Making a referral for evaluation
  
- Taking Disciplinary Action
  - If the principal or teacher in charge decides that disciplinary action is appropriate, the disciplinary action will be determined on the basis of facts found by the principal or teacher in charge, 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 Emma L Miller Elementary School Bullying Plan and with the school 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 teacher in charge determines that a student knowingly made a false allegation of bullying or retaliation, that student may be subject to disciplinary action.
  
- Promoting Safety for Targets and Others
  - As needed, adjustments in the school environment will be made to ensure safety for any target, reporter, information providers, or witness. Adult supervision may be increased in areas where bullying and/or retaliation is likely or known to occur. The principal or teacher in charge will check in with the students and staff after a reasonable amount of time to determine if any recurrence has transpired and if additional supportive measures or actions are needed.

## IV. Retaliation:

In the event of retaliation in any form against any person who has made, filed, or provided any information as to a complaint relating to bullying, any employee or student found to have engaged in retaliation shall be subject to discipline in accordance with applicable law. For an employee, consequences will be given which may include dismissal from employment. In the case of a student, consequences will be given which may include expulsion. If warranted, a referral to law enforcement shall also be made.

**V. Confidentiality:**

Reports of bullying and/or retaliation should be kept completely confidential to the extent consistent with necessary investigation procedures, with the goal of protecting the victim and stopping the behavior.

For further information about these guidelines or help with sexual harassment problems or any other form of harassment, consult the Emma L Miller Elementary School District

**EMMA L MILLER ELEMENTARY SCHOOL BULLYING INCIDENT REPORTING FORM**

1. Name of Person Filing Report \_\_\_\_\_

2. Check appropriate boxes for the next two questions

3.  I was the target of the behavior       I am a reporter but not the target

4. I am     a student       Staff member (specify role)       Parent  
           Administrator       Other (specify)

5. The best way to reach me is \_\_\_\_\_ .

6. If you are a student please write what grade you are in \_\_\_\_\_ .

7. Information about the Incident

Name of Target \_\_\_\_\_

Name of Aggressor \_\_\_\_\_

Date of Incident \_\_\_\_\_

Time of Incident \_\_\_\_\_

Location of Incident \_\_\_\_\_

How did this incident come to your attention?

Witnesses

Name \_\_\_\_\_  Student       Staff       Other

Name \_\_\_\_\_  Student       Staff       Other

Name \_\_\_\_\_  Student       Staff       Other

7. Describe the details of the incident including names of people involved, what occurred, and what each person did and said (be as specific as possible). Please use additional space on back of sheet if necessary

**FOR ADMINISTRATIVE USE ONLY**

Signature of person filing report \_\_\_\_\_

(Reports may be filed anonymously, but no disciplinary action will be taken against an alleged aggressor solely on the basis of an anonymous report)

Form Given to: \_\_\_\_\_ Position \_\_\_\_\_ Date \_\_\_\_\_

Signature of person RECEIVING report \_\_\_\_\_ Date Received \_\_\_\_\_