



Clarke Schools
for Hearing and Speech

STUDENT HANDBOOK

2016-2017

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THE CLARKE SCHOOLS FOR HEARING AND SPEECH HANDBOOK

INTRODUCTION

This handbook has been prepared as an informational guide regarding Clarke School policies and procedures. It is an important reference to save. You are requested to review and discuss its contents with your son or daughter, especially sections dealing with student responsibilities and behavioral expectations. The Clarke School Handbook was revised in response to suggestions from parents and staff while still meeting regulations of the Commonwealth of Massachusetts under which Clarke School operates. Clarke School is a private school which accepts students from public sources. As such, it retains autonomy over admissions and sets high standards and expectations which can result in dismissal if not met. It is important that parents read and understand the information in this handbook.

The chief administrator of the school is the Educational Administrator, who reports to the President. The President is responsible to the Board of Trustees.

Please sign and return the enclosed Signature Page to the Educational Administrator's Office indicating that you, as a member of the Clarke School Community, understand and agree to abide by these policies and procedures. The school must have on file the completed signature page as a requirement for admission.



Clarke Schools for Hearing and Speech

STUDENT HANDBOOK SIGNATURE PAGE

I/we have read the Clarke School Handbook, including the Code of Conduct, Disciplinary Policy, Physical Restraint Policy, Anti-Bullying Policy, and Anti-Hazing Policy. I/we agree to abide by the policies written within.

Parent or Legal Guardian

Student (Grades 5-8)

Date

MISSION STATEMENT

Clarke's mission is to provide deaf and hard of hearing children with the listening, spoken language and literacy skills they need to succeed.

PROGRAM GOALS

- To provide a curriculum that meets each student's educational needs and prepares them for competition in the mainstream;
- To develop age-appropriate social skills, decision making skills, and problem solving skills;
- To encourage and support opportunities which require the use of these skills in a variety of settings; and
- To maximize time on task in small group settings with specialized equipment in order to facilitate the development of speech, language and listening skills.

NON-DISCRIMINATION STATEMENT

No student is denied access to any educational program or other activity of the Clarke School on the basis of race, color, ethnic background, national origin, religion, gender, sexual orientation or handicapping condition that does not preclude learning in an auditory/oral environment. Parents may request written materials in their primary language.

ELIGIBILITY AND ADMISSIONS

Eligibility for Admissions

Clarke School admits only those students whose needs can be met by an academic, auditory/oral education, i.e., those students with a primary handicapping condition of deafness who evidence good potential for auditory/oral learning and communication.

Each student to be enrolled in the full-time school program must:

- have reached a minimum age of 5 for the school program
- have a hearing impairment as the primary disability
- have a hearing loss and language deficit significant enough to warrant a specialized education
- display potential for speech and auditory/oral communication skills
- be committed to auditory/oral and written language competence
- possess no other physical, intellectual, or emotional impairment to the extent that it interferes with auditory/oral instruction. Students with diagnosed behavioral disorders are not considered to be good candidates for placement at Clarke School
- be socially and educationally able to fit into a beginning group or into an existing class where there is a vacancy
- be fully able to abide by Clarke School's rules, policies, and procedures.

Students are admitted upon final written consent of parent(s) having custody of the child, a legal guardian, or upon a court order, or a written agreement with a placement agency.

Procedures for Admission

Clarke School conducts a pre-admission review of referrals. Parents of the child applying for enrollment are required to complete a Statement of Information and to submit school records for review.

The Statement of Information solicits medical information which helps determine if the child is a viable candidate. If so, an admissions interview is conducted. This includes:

- an audiological screening determining the extent of the child's hearing, the function of his/her hearing aids, or cochlear implant, and any consideration or problem noted at the time concerning the child's hearing
- a psychological screening conducted by a qualified psychologist familiar with hearing-impaired children to determine the student's intellectual level, perceptual ability, social-emotional status, and general interests
- an educational screening to determine the child's abilities and achievements
- a communication screening to determine the child's speech and language abilities and his/her ability to communicate orally

Admission is contingent upon a satisfactory admissions interview, availability of an appropriate placement in class.

No fees are charged for admission tests and interviews.

If a child is admitted to Clarke School, medical forms must be completed prior to enrollment. These include: required immunizations; results of physical, dental, and eye examinations by qualified doctors; information concerning any abnormality the child may have; specific descriptions of any medication the child requires; and notations of any details such as allergies, dietary, or sleep habits, etc. Hospitalization and health insurance information are also requested and kept on file. Consent forms for emergency medical or dental treatment or for surgery or anesthesia, and for authorization to administer medications and treatments are also obtained and kept on file.

Placement Preparations

The prospective student and his/her parents have the opportunity to visit classes prior to admission.

Placement Agreements and School Contracts

Clarke School includes in the student's records a "Placement Agreement", which is an agreement between Clarke School and the parent. The "School Contract", which is maintained in the Business Office, is an agreement between Clarke School and the Local Educational Agency (LEA). Included in these agreements/contracts are some or all of the following:

- Clarke School's agreement to participate in TEAM meetings and to work with the LEA in developing an appropriate IEP;
- Clarke School's agreement to provide routine social, medical, and psychological services to the extent of Clarke School's capability and cooperation in arranging for outside referrals for social and counseling services;
- Clarke School's agreement to provide preventive health care including arrangements for annual physical and dental examinations, routine lab work and vision/hearing screening;
- except in an emergency, Clarke School's agreement not to administer or arrange for the prescription and/or administration of anti-psychotic medication unless informed written consent is obtained from the parent or guardian;
- Clarke School's agreement to maintain a clearly defined policy for managing the behavioral problems of physical aggression, chronic non-compliance, self-abuse, and other maladaptive behaviors;

- Clarke School’s agreement to maintain specific policies to address when discharge or termination of a student (for any reason) is being considered by Clarke School, the LEA or the parents;
- the parents or legal guardian’s responsibility to consent to the IEP and the educational program of Clarke School; to pay incidental expenses and/or other expenses which are explicitly and voluntarily assumed; notify Clarke School of any change including, but not limited to, address or residence, divorce, guardianship and custody; consent to emergency medical care service and to provide access to a health insurance plan for routine or emergency medical and dental care including a prescription drug benefit. Clarke School is not responsible for the cost of medical and/or dental care including prescription drugs;
- responsibility for follow-up services after leaving Clarke School is that of the parents in conjunction with the LEA;
- transportation to and from Clarke School is the responsibility of the LEA. Routine transportation to athletic events, shopping trips, etc. will be provided by Clarke School;
- the LEA’s responsibility to pay Clarke School the current rates or any new rate promulgated by the Operational Services Division (OSD) of the Commonwealth;
- Clarke School’s agreement to provide the services on the IEP for the student in compliance with the law and the elements of the IEP;
- Clarke School’s completion and issuance of written student progress reports;
- the school district’s access to any or all records necessary to ensure appropriate monitoring and evaluation of the education of the student in Clarke School;
- Clarke School’s agreement to abide by the Massachusetts Student Record Regulations;
- Clarke School’s agreement to provide access to the school district and/or the Department of Education to conduct announced and unannounced site visits and to review any or all documents relating to the provision of special education services at public expense;
- Clarke School’s agreement to ensure provision of all the substantive and procedural rights held by eligible students;
- Clarke School’s assurance that it is and will be in compliance with all other applicable requirements of Massachusetts Special Education Regulations and applicable policy statements and directives issued by the Department of Education;
- Clarke School’s assurance that it does not discriminate on the basis of race, color, religion, sexual orientation, and national origin and does not discriminate against persons with disabilities.

Individual Education Plans

An Individualized Educational Plan (IEP) is written for all publicly funded students at Clarke School as is required by federal and state law. An Individualized Service Plan (ISP), is written for all privately funded students. An IEP/ISP is written for new students within six weeks of their admittance. The IEP is generally revised yearly.

Transitioning from Clarke School

Typically, students leave Clarke School after completing the 8th grade. Whenever a child is recommended for placement at another school, it is the responsibility of the TEAM to arrange for the new program and placement. The following, with the exception of an emergency discharge, is completed thirty working days prior to a child’s leaving:

- The exit meeting for “graduates” or others leaving is coordinated by Mainstream Services. All required TEAM members are included.
- Mainstream Services prepares a packet for accepting schools that includes any or all of the following reports: psychological assessment, audiological report, academic assessment, language assessment, speech assessment, medical health history, and IEP. These reports typically provide recommendations for the student. The student’s records are sent to the receiving school. Mainstream Services works with receiving schools prior to transfer to help in placement of the student and to aid the school in addressing the special needs of the student.

- The parents and students are actively involved in the transition process. Upon request by the parents or the LEA, the student and parents are accompanied by a staff person from Mainstream Services for a site visit to the school district of the referral source.
- In cases of unplanned dismissal, a TEAM is convened. This TEAM includes Clarke School, the parents, the referral source for public student, and in some cases the student. TEAM notes identify the reasons for discharge. If it is determined that Clarke School is no longer an appropriate placement, new goals and objectives are written. These goals determine the new placement. The referral source and parents may participate in the writing of new goals and in the determination of new placement.
- (See page 19 for additional information about student records.)

CLARKE SCHOOL RESERVES THE RIGHT TO DETERMINE, IN ITS SOLE DISCRETION, THAT IT IS NO LONGER AN APPROPRIATE EDUCATIONAL PLACEMENT.

DESCRIPTION OF EDUCATIONAL PROGRAM

The Clarke Schools for Hearing and Speech is a day educational program, serving auditory/oral hearing impaired students according to their special needs.

The general school program provides:

- small classes of students which are grouped according to age, social maturity, amount of residual hearing, academic ability, educational achievement, and, particularly, language competence
- certified teachers of the deaf in classrooms and in tutorial settings
- supervision by Educational Administrator and Lead Teacher who are responsible for the education and welfare of each child

The program encompasses Preschool through grade eight. Services provided include: speech and language instruction, auditory learning, and a consistent educational and social emotional learning program taught by qualified teachers of the deaf. The classroom environments provides for a low student/staff ratio, special acoustic treatments and a wide variety of services and assistive devices. The program nurtures and supports the continuous development of speech and language and use of residual hearing, speeche reading and social and emotional growth and development.

The school consists of the Preschool; Elementary (K-5), Middle School (6-8); Support Services (psychology, audiology, speech/language) and extra-curricular activities. Personnel are certified in the education of the deaf, psychology, audiology and speech/language pathology.

In addition to the Schools on the Northampton location, there is: Clarke Mainstream Services; Clarke Hearing Center; Clarke Summer Programs; Clarke Family Center; Clarke Educational Evaluations Program; Clarke Visiting Infant and Parent Program; and oversight of four other programs: Clarke's Boston area campus, Clarke's Jacksonville Florida campus; Clarke's New York campus; and Clarke's Philadelphia area campus.

DAY PROGRAM OVERVIEW

Early Intervention

Programs for children birth to three years of age and their families include parent support and education, diagnostic services, toddler groups, audiological services and family sessions in Clarke's Family Center for Parents and Young Children and/or home visits.

Preschool

The Preschool program is an integrated program for three and four year old children using the "reverse mainstream" model in which hearing children from the community attend school with deaf and hard of hearing peers. The program is designed to meet the motor, cognitive, language and social-emotional needs of all children through a small teacher/student ratio and careful attention to the physical aspects of the classroom. Auditory, speech, language and socialization skills are developed in individual and small group settings. Audiological services and parent support and education are also provided. Hearing-impaired children attend preschool four mornings per week from 8:25 am to 2:25 pm and on Fridays from 8:25 to 12:30 pm. Hearing children attend five mornings per week from 9:15 am to 11:45 am.

Elementary School (Grades K-5)

Elementary School program offers an educational program in which students are placed in a class, based primarily on their language abilities. Teachers have the flexibility of using commercially prepared materials and teacher prepared resources at mixed grade levels. Students may be regrouped during the course of a school year depending on their individual educational needs. Language competency skills are a strong predictor of the rate at which a student will move through the curriculum. Social-emotional development and chronological age are also factors which are considered. Students enter the program at different levels.

In Elementary School the use of student teachers, teachers' aides and team teaching provide opportunities for individual and small group instruction. The curriculum includes auditory-oral perception, oral language production, written language production, auditory/oral communication skills, reading, math, science, social studies, art, music, health education as part of the Science Curriculum (starting with grade 3), Benchmark Assessments (all grades), Stanford Achievement Testing (all levels), physical education, and social emotional learning. The Elementary School curriculum is closely aligned with the Massachusetts Curriculum Frameworks and the Common Core. Classes and individual students are grouped with students other than their own classmates for some activities.

Academic progress is measured by some chapter and unit testing at the 3rd and 4th grade levels in Elementary School. The Massachusetts comprehensive Assessment System (MCAS) testing is given to Massachusetts residents, as required.

Middle School (Grades 6-8)

To prepare students for high school and beyond, Clarke offers a sequential and cumulative 5th to 8th grade level curriculum using a variety of standard and adapted educational materials and instructional aids. The course of instruction, is aligned with the Massachusetts Curriculum Frameworks, and Common Core. Student progress is monitored closely through the use of periodic evaluations including unit tests, as well as standardized tests, including the Massachusetts Comprehensive Assessment System for Massachusetts state students.

In addition to the regular academic schedule, classes in physical education, health and sex education*, and transition classes are offered during the final three years.

*In accordance with General Laws Chapter 71, Section 32A, the Clarke School has adopted this policy on the rights of parents and guardians of our students in relation to curriculum that primarily involves human sexual education or human sexuality issues. At the beginning of each school year, all parents/guardians of students in our schools will be notified in writing of the curriculum we offer that primarily involve human sexual education or human sexuality issues. The Educational Administrator will determine the person(s) responsible for sending the notice(s). Parents/guardians of students who enroll in school after the start of the school year will be given the written notice at the time of enrollment. If the planned curriculum changes during the school year, to the extent practicable, parents/guardians will be notified of this fact in a timely manner before implementation. Parents have the right to exempt their child from this curriculum and/or inspect and review the materials for this curricula.

Physical Education

The Clarke School's physical education program provides exercise, increases skill level and teaches the value of teamwork. Classes will be provided by a team that will include Clarke staff and the Leeds Elementary School physical education teachers. Teachers from Clarke School emphasize speech, language and audition skills through all physical education activities. Grade 6-8 have P.E. with Clarke staff.

Leeds Elementary:

Facilities include a full-court gymnasium and athletic fields.

Both Schools are handicapped accessible.

Computer Technology Program

Clarke School has computer technology specialists. Computers will be available in both the Clarke classrooms and in a computer lab space located close to the Clarke classrooms. In addition, all of our students will also have access to iPads, which were acquired in 2011. Student computers are connected to the Internet. The computer systems used by students will have a 'net-filter' to act as an additional safeguard against access to inappropriate web sites. Students will continue to have regular access to the latest computer technologies. With that exposure comes additional responsibilities outlined in the "Computer Acceptable Use Policy." This contract is reviewed annually and serves as both a signed contract between student users and the school and as a reminder to students of their responsibilities when using the Internet. Parents/legal guardians are also expected to sign a contract indicating that they are familiar with the school's "Acceptable Use Policy" and they agree to assume some responsibility if an infraction or actual physical property damage to hardware or software were to occur from intentional misuse.

Library

The Leeds and JFK libraries bring curriculum support and greater knowledge to everyone at Clarke and ultimately help our students to succeed at higher levels.

Clarke's books will be placed into each of the classrooms, and others will be incorporated into the Leeds Elementary School library. The materials, along with the existing books in Leeds' collection will provide informational resources, curriculum support and greater knowledge to help our students to succeed at higher levels.

Students will have access to thousands of age appropriate books, magazines and audio-tapes. A book collection of over 3,000 volumes, dozens of magazine subscriptions and over 155 audio-tapes support the school curriculum and provide leisure reading for Clarke students. The library will be open during the school day for a total of 37.5 hours per week.

Clarke's Professional Library has been a source of information to teachers, teacher trainees and other professionals for over 100 years. The library's specialized collection of 4,372 volumes and 85 journals provides information on all aspects of deafness and communication disorders. A core of special education texts provides an excellent source for strategies and models for educators and parents. The Professional Library participates in the five-college library system, and will be housed at Smith College in Northampton for easy access by Clarke staff.

Extracurricular Program

Clarke School is committed to education of "the whole child". There is a recognized need for students to develop hobbies; to have a repertoire of leisure activities and interests; become involved in the community; to associate with hearing peers; and to develop social skills. The extra-curricular activities program was established to provide a broad base of required and elective courses in non-academic and recreational areas.

Students may elect to join the Cross Country team.

Day students are encouraged to make use of community recreational programs.

Snow Day Policy

Clarke School follows the closings and late openings of Northampton Public Schools. Families receive a snow policy with specific information in the late fall. A final determination of the last day of school will be made by mid-April.

Vacation Travel

The school cannot assume any responsibility when a child visits the home of a friend. These plans should be made well in advance. It may not be possible to transport unauthorized children on contracted buses, so it is important that plans be made early. This will help eliminate time-consuming phone calls.

Day students' transportation is arranged by the local educational agency.

If a child is ill or not taking the bus to or from school, it is the parents' responsibility to notify the bus company. Parents should also notify the school of any changes in transportation. If a child is invited to visit the home of another student, it will be up to the bus company to make the decision as to whether a guest can be transported on the bus.

Inspections/Searches (Day Program)

Students may be assigned desks, computers, etc. at the opening of school or thereafter. STUDENTS SHOULD NOT HAVE THE EXPECTATION OF PRIVACY IN THEIR LOCKERS, DESKS, COMPUTERS, ETC. The above mentioned are for the use of students, but remain the property of Clarke and Leeds School.

Students are advised that the above mentioned may be inspected without notice by school administrators to ensure cleanliness, safety and adherence to federal, state and local laws and regulations.

Dress Code

Please see Appendix A

Smoking/Tobacco

Clarke School is a tobacco-free campus. Smoking and chewing tobacco is prohibited on all school grounds, residence hall, and on and off campus activities

Family Visits To School

Parents and families are cordially invited to visit school whenever possible, and especially for the Parent conferences (see school calendar). Parents are welcome to visit at any time and should notify the school office in advance.

Cell Phones/Beepers/Music Players/Radios/Laser Pens

Students should not have or use, cell phones or music players during the school day.

SPECIALIZED SERVICES

Health Office

The Health Office maintains the health and well being of Clarke School students throughout the school year. Health Services include:

- annual physical screenings, if needed, to comply with the Commonwealth of Massachusetts
- annual dental screenings by the consulting orthodontist
- annual vision screenings
- twenty-four hour access to Cooley Dickinson Hospital and Emergency Services
- treatment of children with minor ailments; however, children with long term illnesses and day students that are too ill to attend classes are sent home.

Clarke School's consulting physician will treat ALL students needing to be treated unless:

- the physician orders a consult with, or refers a case to, another physician
- the Emergency Room refers a student to another physician
- the student carries a local HMO
- the parent takes the student from the school to be treated **without** the participation of the Health Services

Serious Accident/Illness

- In the event of a serious illness parents are notified as soon as possible. When applicable, the Department of Education and referral source for publicly-funded students are also notified.
- In the event of a serious accident, parents are notified immediately as well as the referral source for publicly-funded students, and Department of Education, when applicable.
- In the event of a (1) serious injury resulting in hospitalization, (2) an incident involving firearms or dangerous weapons, (3) or fire, the school would notify DESE within 24 hours. A written report would be submitted if requested.
- Some local school contracts specify that Clarke School notify them each time a student is injured in any way.

After a holiday parents should inform the Health Office of any new medications, illness, or exposure to contagious disease the child has had while away from Clarke School.

Medication

Please note: The administration of prescription and over-the counter medications is strictly regulated in Massachusetts. It is Clarke School's policy that children are not to self-administer prescription or over-the-counter drugs.

It is requested that students do not carry their own medication to or from school. Medication will not be given to students to bring home. If a child has any kind of medication, including over-the-counter medication such as cough drops, nose drops, eye drops, and antibiotic ointments, please comply with the following:

The school will need a doctor's prescription for any over the counter medication sent from home.

Parents of day students should hand-deliver all medication to the nurse.

All Medical policies can be found on the Northampton Public Schools website:
<http://healthservices.northampton-k12.us/>

Immunization Policy

If a child is found to not be in compliance with the immunization laws of Massachusetts, the parents, or guardians will be given one (1) week to submit documentation to the school, or have their child immunized. If the appropriate steps have not been taken by the one-week deadline, then the child will be excluded from school until the appropriate documentation or immunization has been obtained.

Psychological Services

The Clarke School Psychology Division is concerned with the mental health, social/emotional development and general functioning of all Clarke School students. The Clarke School school psychologist will continue to :

- observe students and works closely with classroom teachers and parents, suggesting adjustments to the student's program when appropriate
- collaborate with teaching staff on the implementation of Clarke's school-wide Social Emotional Learning (SEL) curriculum.
- conduct psychological assessments of the students on a routine basis to provide current information regarding cognitive, perceptual and social/emotional functioning for use in the ongoing planning and development of the student's educational programming
- provide group and/or individual counseling support to students when needed
- provide group and individual consultation support to parents as needed

- facilitate referrals to mental health and/or medical specialists (e.g., psychiatrists, neurologists), as appropriate and serve as liaison between the specialist and the school for requested follow up. Such referrals are made only with parental approval.

If a child is seen for psychological evaluation or treatment elsewhere, or receives treatment by any of the medical specialists mentioned above, a copy of the reports should be forwarded to this department.

Audiological Services

The Clarke Hearing Center is available to provide audiological services to all current Clarke School students during the academic year. These include:

- audiological evaluations at least annually (unaided and aided evaluations, electroacoustic analysis of hearing aids, tympanometry, and FM evaluation). Additional evaluation of hearing may be requested by a parent at any time.
- evaluation and selection of new hearing aids when requested by parents.
- fitting and maintaining FM equipment used in the school.

Additional services are available on a fee for service basis. These include:

- minor hearing aid repair.
- arranging for the shipment and repair of a student's hearing aid(s) and implant processors and accessories as needed.
- providing "loaners" for hearing aids and cochlear implant systems on an availability basis.
- ordering earmolds as needed.
- counseling students to help them further understand their hearing and hearing aids and cochlear implants.
- mapping services to students with cochlear implants. (No mapping is done without a parent's request. Our communication with the "home" implant center is also necessary in order to provide coordinated services.)

Any time a "fee for service" item is to be completed, we will seek the parents/guardians authorization before proceeding. Some services may be billable to your insurance company. We will work with you to make sure you have a clear understanding of what, if any, costs you may incur.

Auditory/Oral Communication Services (Speech, Language, Auditory Training)

The Auditory/Oral Communication Department enhances the speech and language development of Clarke School students. The program provides the following services:

- assistance to teachers and students throughout the school in teaching auditory/oral communication skills either in group or individual settings
- assistance to students and teachers practicing auditory/oral communication skills for special academic and non-academic programs and events
- opportunity for individualized speech, language, oral-motor instruction and/or auditory-verbal skills
- annual and three-year assessments which may include:
 - diagnostic testing
 - speech evaluations
 - voice evaluations
 - speech intelligibility testing and/or
 - language assessments
- maintenance of students' records
- maintenance of appropriate speech, language and auditory learning teaching resources and related equipment

- pre-service and in-service education to graduate students from local colleges and universities and to the professional staff, students from local colleges and universities may gain observation hours and/or intern in the Auditory/Oral Communication Department.

Mainstream Services

Mainstream Services assists parents and students in planning for educational placement following Clarke School. These services are available to all parents/students.

- Prior to a student's final year in the program, conferences are arranged with the student, parents, appropriate staff members at Clarke School, and members of his/her school district to discuss special needs and suitable educational programs.
- The student, parents, and Clarke School placement counselor visit schools, as necessary.
- Follow-up services are available to students once they are in the new program.

Clarke School parents, including Preschool and Elementary and Middle School parents, are encouraged to contact Mainstream personnel to discuss long and short term educational planning and to familiarize themselves with the available services.

Transitioning to another school is a lengthy and complex process. Parents are encouraged to discuss their plans and ideas with school and mainstream personnel at least one year in advance of the expected transition for their child.

STUDENT RECORDS

The Massachusetts State Board of Education has adopted regulations pertaining to student records. These regulations apply to all private schools which have state approval to provide special education services under Chapter 766, the Special Education Act. Clarke School is a Chapter 766 Approved Private School. The aforementioned regulations insure parents' and students' rights of confidentiality, inspection, amendment, and destruction of student records, and assist school authorities in maintaining student records.

The regulations apply to all information kept by a school on a student in a manner such that he or she may be individually identified. School records are divided into two sections: the Transcript and the Temporary record. The transcript includes only minimum information necessary to reflect a student's educational progress including name, address, course titles, and grades. The transcript is kept for at least sixty years after a student leaves the system.

The temporary record contains the majority of information about a student. This may include such things as standardized test results; extracurricular activities; evaluations and comments by teachers, and other persons, as well as other similar information. School authorities are allowed to destroy misleading, outdated, or irrelevant information in the record from time to time while the student is enrolled in the school. Before any such information may be destroyed, the parent and student must be notified, and have an opportunity to receive a copy of the information before its destruction. The temporary record is destroyed no later than seven years after the student leaves the school system.

The following is a summary of the major parent and student rights regarding student records as provided by the Regulations Pertaining to Student Records:

Inspection of Record

A parent, or a student who has entered the ninth grade or is at least 14 years old, has the right to inspect all portions of the student record upon request. The record must be made available to the parent or student no later than two days after the request, unless the parent or student consent to a delay.

The parent and student have the right to receive copies of any part of the record, although a reasonable fee may be charged for the cost of duplicating the materials.

Finally, the parent and student may request to have parts of the record interpreted by a qualified professional of the school, or may invite anyone else of their choosing to inspect or interpret the record.

Confidentiality of Record

With a few exceptions, no individuals or organizations but the parent, student, and school personnel working directly with the student are allowed to have access to information in the student record without the specific, informed, written consent of the parent or the student.

Amendment of Record

The parent and student have the right to add relevant comments, information, or other written materials to the student record. In addition, the parent and student have the right to request that information in the record be amended or deleted. The parent and student have a right to a conference with the Educational Administrator to make their objections known. Within a week after the conference, the Educational Administrator must render a decision in writing. If the parent and student are not satisfied with the decision, the regulations contain provisions through which the decision may be appealed to the higher authorities. At Clarke School, this would be the President.

The above is only a summary of some of the more important provisions of the Regulations Pertaining to Student Records that relate to student and parent rights. If more detailed information is desired, parents may contact the school. For further help, you may also contact the Massachusetts Department of Education, 350 Main Street, Malden, Massachusetts, 02148-5023 or visit them on-line at “<http://www.doe.mass.edu/lawsregs/603cmr23.html>”.

GRIEVANCE POLICY

Complaints and grievances from parents and students regarding students' care may be received orally or in writing. The protocol is to contact in this order:

- the person's supervisor/department head
- the Educational Administrator
- the President

THE PERSON WITH WHOM THERE IS A COMPLAINT WILL BE NOTIFIED OF THE COMPLAINT. A complaint may be resolved at any level, and in many cases this may be done simply by speaking to the party against whom the complaint is made. This should occur within 24 hours or as soon as the party involved can be contacted. The complaint will be documented as well as its resolution. The person filing the complaint will be notified of the decision/results within 24 hours of that decision. Results of the decision may be verbal and/or written to the person(s) filing the complaint.

In cases of more serious complaints or grievances, the Educational Administrator in conjunction with the department head will begin investigation of the complaint or grievance within 24 hours of its receipt. There will be written documentation of the complaint. The person against whom the complaint is made will be notified. Documentation will be kept of all conversations/interviews.

Results of the decision may be verbal and/or written to the person(s) filing the grievance. Written documentation will be maintained. Specific action regarding any Clarke employee will be kept confidential.

In all cases the President is the final arbitrator.

CODE OF CONDUCT

Conduct and discipline are functions of personal behavior that support effective learning and produce responsible persons. Both are dependent upon cooperation between home and school. Therefore, parent(s)/legal guardian(s), students and staff are asked to share the following beliefs about conduct and discipline.

Everyone has the right to expect a safe and secure school and residence hall. It is expected that members of the Clarke School community will demonstrate respect for themselves and others. Therefore, all students, parents and staff should understand the rules of the school and the consequences for breaking them. Since teaching is our primary goal, appropriate actions will be taken when unacceptable behavior interferes with teaching and learning. Self-discipline and the ability to make good decisions are part of Clarke School's expectation for all students.

DISCIPLINE POLICY

If a student who applies for entry to Clarke School cannot meet the school's regular discipline code, the child is not deemed to be an appropriate candidate for Clarke School.

Clarke School's Discipline policy is as follows:

School's Responsibilities

The school will provide an environment conducive to learning. All school staff will treat students with respect and in a positive manner. School staff will strive to model good

health and citizenship, and such a code of conduct includes: refraining from use of tobacco products on school grounds or buses and idling vehicles on school grounds (Criterion 9.2) Staff are trained in and familiar with strategies for prevention of bullying. (See Bullying Prevention Policy below).

School personnel will maintain on going communication with the home.

Subject to the circumstances of a given situation, the school will apply reasonable disciplinary measures consistently and fairly.

Interruptions to classroom time will be kept to a reasonable minimum.

Students' Rights and Responsibilities

Students have the right to an education, certain rights to privacy within an educational setting and the right to due process. Students are protected by the United States and Massachusetts Constitutions and federal and state statutes and their regulations.

Student responsibilities include regular school attendance, promptness to school and class, a conscientious effort in classroom work and conformance to school and classroom rules. Students share with the administration and faculty a responsibility to develop a climate within the school that is conducive to learning.

No student has the right to interfere with the education of other students. It is the responsibility of each student to respect the rights of all.

It is the responsibility of parent(s)/legal guardian(s) and students, whenever possible, to make appointment and plan vacations, which do not conflict with regularly scheduled classes or school activities.

Right of Student to Freedom of Expression

All students have a right to express, publish, and disseminate their opinion, and to assemble peaceably on school property for the purpose of expressing their opinion (see Massachusetts General Law, Chapter 71, Section 82)

Disciplinary Procedures in the Classroom

Teachers are responsible for establishing standards of conduct within the classroom. They should use common sense to diffuse or stop situations, which will interfere with the educational process. They need to recognize the individual differences of students. Teachers are strongly encouraged to refer students to the school psychologist, or student support team, when appropriate since there may be underlying causes for a student's disruptive behavior. At no time are regular meals withheld as a form of discipline or behavior management. No student shall be denied or unreasonably delayed a meal for any reason other than medical prescriptions.

In their attempts to affect student behavior, teachers are encouraged to utilize all school resources including the School Psychologist, nurses, teachers, the Educational Administrator and Lead Teacher.

Teachers are encouraged to contact parents(s)/legal guardian(s) when appropriate to enhance communication between home and school.

Certain areas of discipline should remain in the classroom and be handled according to the classroom teacher's discretion. These include, but are not limited to:

- Tardiness to class
- Being unprepared for class
- Talking and other minor disruptions
- Passing notes
- Minor horseplay
- Chewing gum, candy, etc.
- Non-participation in classroom activities/assignments; and
- Cheating

Procedure for Reporting/Sending Students to Administrator Due to Violation of the Discipline Code

Teachers MUST keep a log of inappropriate student behavior, which they have observed and their reactions to the same. This will be kept by the teacher until such time that it is needed by the student support team to determine further action.

Any staff member may request a meeting of the student support team to discuss a student's behavior.

Disciplinary Procedures Outside of the Classroom

All students are considered to be "Performing Students" who abide by the Clarke School Code of Conduct. Students are expected to follow the rules and regulations set forth in the Clarke School handbook.

The "Non-Performing Student" is described by, but not limited to the following:

- Inability to consistently follow the rules and regulations of the school.
- Documented non-participation in course work
- Continued suspensions
- Violation of the terms of probation
- Refusal to access recommended student services as prescribed by the Student Support Team or the school district's TEAM.

If there is a serious violation of the School's Code of Conduct one or more of the following disciplinary procedures will be instituted:

- Suspension
- Probation
- Expulsion (exclusion)

The disciplinary measures dispensed are at the discretion of the Educational Administrator and Lead Teacher, who are responsible to the President of Clarke School, with recommendations from the Student Support Team.

Disciplinary cases are reviewed on an individual basis by the Student Support Team. This team consists of the Educational Administrator and Lead Teacher, School Nurse, and the School Psychologist and when appropriate, teacher(s), and others.

Students' Emotional, Physical, and Psychological Well-Being:

The goal of behavior management is to maximize the growth and development of each student while protecting his/her group and the individuals within it. To this end, suspension is used sparingly with natural and logical consequences being first choice.

In order to be proactive and to institute preventative, safeguarding measures, Clarke School provides annual training in physical restraint (9.4) and de-escalation techniques, limit setting, shadowing, and safety circle to all staff. Point staff also receive longer training in nonviolent crisis intervention.

In addition, Clarke School provides training in team building, fostering positive relationships, building self-esteem, role modeling, managing power struggles, and determining the roots of misbehavior along with how to react if a student "gets in your face". Training may include lecture, discussions, role playing, reading, observation, documenting positive techniques, charting and goal setting.

Restitution and Rehabilitative Services

In addition, suspension or expulsion, the team may order restitution for any damage and required privately-funded rehabilitative services.

Confidentiality

Any action taken by the Clarke School in the application of this Disciplinary Policy will be documented in the student's temporary cumulative record. Disclosure of this information without the prior written consent of the student's parents(s)/Legal guardian(s) and the student if he/she is sixteen (16) or older is prohibited except as allowed by law.

Due Process

The Student Support Team reviews disciplinary cases on an individual basis as follows:

- notice of the violation will be given to the student
- the evidence against the student will be reviewed with the student
- the student will be given the opportunity to make statements in defense of his/her action or in mitigation or explanation of his/her conduct
- the Student Support Team will have the discretion to take whatever action is necessary to clarify facts during the investigation process, the student may be asked to put facts in writing
- the student will be notified of the decision of the Student Support Team

If the Student Support Team decides external suspension is appropriate, a phone call will be made to the parent(s)/legal guardian(s) informing him/her that the student is suspended immediately and that he/she is going to be sent home (no student shall be suspended and sent home unless a responsible adult is available to receive the student). If the administration is unable to reach the parent(s)/ legal guardian(s), the student will remain with the Educational Administrator and Lead Teacher until regular dismissal time, or until the parent picks up the student or until transportation is arranged. (Please Note: After reasonable efforts to contact the parent(s)/legal guardian(s) have been made by the administration, the suspension shall take effect and not be stayed)

Within 24 hours, a letter shall be mailed/delivered to the parent/legal guardian and placing public school including the following:

- a statement of the reasons for suspension
- exact term of the suspension
- a statement that provisions will be made for the student to continue school assignments during the period of suspension (but not during expulsion)

The parent(s)/legal guardian(s) may, within three (3) school days of the suspension, request a conference with the administration to review the reasons for the suspension.

If the parent(s)/legal guardian(s) wishes, further review of the action after the conference with the administration, the parent(s)/legal guardian(s) may request a review by the President within five (5) school days of the conference. The President will review the suspension and notify the parent(s)/legal guardian(s) in writing of the results of his/her review.

Definitions

Long-Term Suspension is the removal of a student from his/her educational program for more than ten (10) school days but less than thirty (30) school days.

Short-Term Suspension is the removal of a student from his/her educational program for up to 10 school days. This may be an In-School Suspension or External-At-Home-Suspension.

In-School Suspension is the separation from regularly scheduled classes (and restriction of movement within the school). Students are responsible for completion of all school work and assignments and must abide by the Discipline Policy and rules of the school.

Expulsion is the exclusion of a student from school either permanently or for thirty (30) or more school days (for example, the remainder of the school year, one semester, one calendar year, etc.)

Long-term suspensions and expulsions, while a necessary part of this Code of Conduct, are used sparingly and only in serious cases.

In the case of External Suspension or Expulsion, the parent(s)/legal guardian(s) will be responsible for the financial obligation incurred in transporting the student home. It is the responsibility of the parent/legal guardian to take in the student upon notification of the suspension/expulsion.

Within twenty-four (24) hours, the Educational Administrator and Lead Teacher or designee will send a letter to the parent or guardian and home school district confirming the suspension. This notification shall contain the:

- reason(s) for suspension
- number of days of suspension
- re-admit date
- Invitation to schedule an appointment with the Educational Administrator and Lead Teacher or designee if desired.

The student will be expected to complete any class work, including examinations that may have been missed during the period of suspension. This work will be completed at the discretion of the Educational Administrator and Lead Teacher.

After suspension, it may be necessary for students to receive follow-up counseling either in-school or through a referral to off-campus services. When a student returns to the program from suspension, the School Psychologist will monitor the student's re-entry, needs and behavior, and will confer with teachers as needed.

Grounds for In-School and Short-Term Suspension

Examples of grounds for in-school and short-term suspension may include, but are not limited to:

- Verbal, physical, or other harassment directed toward *any* member of the school community.
- Leaving school buildings without permission.
- Unauthorized absence(s) from school (truancy) or from class.
- Repeated unexcused tardiness to school, class and homeroom.
- Unexcused absence(s) from teacher's detention after two warnings or from an office detention.
- Smoking in a school building, on school grounds, in a school bus or at school functions.
- Organizing or participating in "hazing" (See Anti-Hazing Policy)
- Possession, use and/or distribution of alcohol on school premises, at school-sponsored or school-related events, including field trips and athletic games, and to and from school.
- Exhibitionism, lewd, wanton and lascivious behavior, disorderly conduct and distracting and inappropriate sexual contact between students. Depending on its severity, such an offense may result in a long-term suspension/expulsion and referral to law enforcement agencies.

- The possession, dissemination, or use of obscenity in any form, especially, speech, writing or explicit sexual pictures or drawings. The use of this language or material in an intentional, disrespectful and disruptive manner will not be tolerated in a school setting and may result in a long-term suspension/expulsion and referral to law enforcement agencies.
- Intentional acts threatening the health and safety of self and/or others (i.e., fights, false fire alarms, extortion, engaging in seriously unhealthy acts, etc.) on school premises, at school-sponsored or school-related events, including field trips and athletic games, and to and from school. A determination regarding the severity of such acts will be made by the appropriate administrator and staff member, and a long-term suspension/expulsion and referral to law enforcement agencies may be recommended.
- Lack of respect for school staff and visitors, including, but not limited to, insubordination, disobedience to a teacher, administrator or staff member, the willful disregard of expressed or implied directions by a teacher, administrator or staff member and the use of insulting and/or profane language and gestures.
- Theft or vandalism to school property or the property of others in a school setting. Reasonable proof of the offense is necessary. Restitution by the offender is required. If the offense is judged particularly severe by the appropriate administrator, a long-term suspension/expulsion and referral to law enforcement agencies may be recommended.
- Being a chronic school offender, i.e. a student who repeatedly disturbs or interrupts the educational process, refuses to work, who falsifies signatures on reports, who refuses to return signed papers to teachers or Administrator, who refuses to report to appropriate school personnel, who exhibits offensive behaviors on an ongoing basis, and/or who repeatedly violates the code of conduct.
- Violation of Civil Rights: Students have the right to be free from discrimination based upon race, color, religious creed, national origin, ancestry, gender, sexual orientation, disability or handicap. Such discrimination includes, but is not limited to, verbal and physical attacks on students directed at their racial, ethnic or religious background, or their disability, and any form of sexual harassment. See Sexual Harassment Policy (p 34)
- Violation of rules approved by the Clarke School for the Deaf.
- Violation of federal or Massachusetts law; and
- Any school related act on or off school property, which interferes with or restricts another student's ability to enjoy the educational benefits afforded or offered within, and outside of, the school. Such acts include, but are not limited to, incidents that interfere with or threaten the well-being or order of the school or their staff, students, or the general public.

In assigning short-term suspension, the Student Support Team will strive to minimize the resulting interruption of a student's educational program while still:

1. aiming to improve a student's behavior;
2. maintaining a safe and orderly school environment; and
3. providing for necessary communication between parent(s)/legal guardian(s) and school personnel.

Therefore, suspension and time out of school will usually be progressive in nature. First offenses should usually result in less loss of school time than subsequent offenses. In determining the length of a suspension, the Educational Administrator and Lead Teacher will also consider the student's prior behavior.

Once the student has been suspended for three consecutive days or five non-consecutive school days in a school year, the program, parents, and sending school district shall explore together all possible program modifications within the program in attempt to prevent a more lengthy suspension of the student from the program.

Grounds for Long-Term Suspension/Expulsion

Examples of grounds for long-term suspension/expulsion may include, but are not limited to:

- Possession of a firearm on school premises, at school-sponsored or school-related events, including field trips and athletic games, and to and from school (refer to United States Code, Section 921 of Title 18).
- Possession of a dangerous weapon, other than a firearm, on school premises, at school-sponsored or school-related events, including field trips and athletic games, and to and from school (refer to Massachusetts General Laws, Chapter 269, Section 10).
- Assault/assault and battery by means of a dangerous weapon on school premises, at school-sponsored or school-related events, including field trips and athletic games, and to and from school (refer to Massachusetts General Laws, Chapter 265, Sections 15A and 15B).
- Assault/assault and battery upon a school staff member on school premises, at school-sponsored or school-related events, including field trips and athletic games, and to and from school (refer to Massachusetts General Laws, Chapter 265, Sections 13A and 13D).
- Possession, use and/or distribution of a controlled substance as defined in Massachusetts General Laws, Chapter 94C, including, but not limited to, marijuana, cocaine, crack and heroin on school premises, at school-sponsored or school-related events, including field trips and athletic games, and to and from school (refer to Massachusetts General Laws).
- Pursuant to Massachusetts General Laws, Chapter 71, Section 37H ½, a student charged with a felony or the subject of a felony delinquency complaint may be suspended, or a student convicted, adjudicated, or admitting guilt with respect to a felony or felony delinquency may be expelled, provided that the Educational Administrator and Lead Teacher determines, after hearing, that the student's continued presence poses a substantial detrimental effect on the general welfare of the school (refer to Massachusetts General Laws).
- Serious offenses as defined under Grounds for Short-Term Suspension may become long-term suspensions or expulsion.

Procedures for Long-Term Suspension/Expulsion

- See “Due Process above”.
- After the Student Support Team conference, the Educational Administrator and Lead Teacher shall expel from school, for a period of not less than one calendar year, a student who has been determined by the Educational Administrator and Lead Teacher to have violated item one (Firearms), listed above.
- The student may return to school only upon the written approval of the Educational Administrator and Lead Teacher. Parent(s)/ legal guardian(s) are strongly urged to accompany their child upon returning to school.
- The Educational Administrator and Lead Teacher shall ensure that all school personnel report in writing to him/her an incident involving a student’s possession or use of a dangerous weapon on school premises at any time. The Educational Administrator and Lead Teacher shall file a report concerning the weapon with the President and the local Chief of Police, President, and the Department of Elementary and Secondary Education.
- When a student is expelled under the provisions of this section and applies for admission to another school, the Educational Administrator and Lead Teacher, once notified, shall inform the receiving school that the student was expelled for disciplinary reasons.
- The Educational Administrator and Lead Teacher shall notify the Northampton Police Department whenever a student has committed an assault/assault and battery upon a school staff member, an assault/assault and battery by means of a dangerous weapon, is in possession of a dangerous weapon, distributes a controlled substance including alcohol, or is in possession of a controlled substance, including alcohol, for the second/subsequent time.
- The Educational Administrator and Lead Teacher may, at his/her discretion, notify the Northampton Police Department whenever a student is in possession of a controlled substance, including alcohol, for the first time, or commits a delinquent/criminal act in violation of federal or Massachusetts law not specified in the above paragraph.
- The Student Support Team will consider a change in placement when a suspension exceeds 10 consecutive school days or a series of suspensions that constitutes a pattern, prior to a suspension that constitutes a change in placement of a student with disabilities.
- The Educational Administrator and Lead Teacher may, at his/her discretion, request to convene an IEP Team Meeting, including the student’s sending school district, prior to a suspension that constitutes a change in placement of a student with disabilities, develop or review a functional behavioral assessment of the student’s behavior and develop or modify a behavior intervention plan; identify an appropriate alternative educational setting and conduct a manifestation determination.
- If it is determined by the TEAM that the student’s behavior is not a manifestation of the disability, the program may suspend or terminate the student, consistent with policies applied to any other student in the program. The sending school district along with support from the TEAM will offer an appropriate educational program to the student that may be in some other setting.

- If it is determined by the TEAM that the student’s behavior is a manifestation of the disability the TEAM must take the appropriate steps to modify the IEP, the behavioral intervention plan, and/or the placement.

Physical Restraint Policy

PHYSICAL RESTRAINT POLICY AND PROCEDURES

Physical restraint is defined as the use of bodily force to limit a student's freedom of movement¹. Physical restraint shall only be used as a behavior management tool when other less intrusive alternatives have failed or been deemed inappropriate. In the event that physical restraint is required to protect the safety of school community members, the Clarke Schools for Hearing and Speech has enacted the following policy and procedures to ensure the proper use of restraint and to prevent or minimize any harm to the student as a result of the use of restraint. These procedures shall be annually reviewed, provided to school staff, and made available to parents of enrolled students. None of the foregoing paragraph or the policy/procedures which follow, precludes any teacher, employee or agent of the Clarke Schools for Hearing and Speech from using reasonable force to protect students, other persons or themselves from assault of imminent, serious harm.

The policy regarding physical restraint in preschool follows the criteria in the elementary and middle school programs and is also adapted for age appropriate application at the preschool level the issue of restraint is one that is reflected on frequently and carefully. Young children often require physical assistance and may even be needed to be carried to safety at times. However, the staff is reminded at yearly trainings and throughout the year that restraint is defined very differently from escorting. A child is not held or picked up and moved against their will unless they are in or causing immediate risk of danger. Children may be held at their will for comfort and care only when necessary and with consideration given to their individual developmental needs for security as well as autonomy/independence.

For students known to or predicted to require restraints in school, the use of restraint may be included in a formal behavioral intervention plan and/or in the student’s IEP.

1. STAFF TRAINING

- A. All staff/faculty will receive training regarding the school's restraint policy within the first month of each school year, and employees hired after the school year begins will receive training within one month of starting their employment.
- B. Required training for all staff will include review of the following:
 - (1) The school's restraint policy and procedures;
 - (2) Interventions which may preclude the need for restraint, including de-escalation of problematic behaviors;
 - (3) Types of restraints and related safety considerations, including information regarding the increased risk of injury to a student when an extended restraint is used;
 - (4) Administering physical restraint in accordance with known medical or psychological limitations and/or behavioral intervention plans applicable to an individual student; and
 - (5) Identification of school staff who have received in-depth training (as set forth below in section C in the use of physical restraint).

¹ Physical escort is defined as the touching or holding a student without the use of force for the purpose of directing the student. Physical escort is **not** physical restraint and is not covered by this policy/procedures.

- C. Designated staff members shall participate in an in-depth training in the use of physical restraint.
 - (1) At the beginning of the school year, the Educational Administrator will identify those staff who will participate in in-depth training and who will then be authorized to serve as school-wide resources to assist in ensuring proper administration of physical restraint.
 - (2) In-depth training will include:
 - a. Appropriate procedures for preventing the need for physical restraint, including the de-escalation of problematic behavior, relationship building, and the use of alternatives to restraint;
 - b. A description and identification of dangerous behaviors on the part of a student that may indicate the need for physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted;
 - c. The simulated experience of administering and receiving physical restraint, instruction regarding the effect(s) on the person restrained, including instruction on monitoring physical signs of distress and obtaining medical assistance;
 - d. Instruction regarding documentation and reporting requirements and investigation of injuries and complaints; and
 - e. Demonstration by participants of proficiency in administering physical restraint.
- D. Staff/faculty will review any behavior plans pertaining to special techniques for identified students.

2. ADMINISTRATION OF PHYSICAL RESTRAINT

- A. Physical restraint may only be used in the following circumstances:
 - (1) When non-physical interventions would be ineffective; and
 - (2) The student's behavior poses a threat of imminent, serious, physical harm to self and/or others.
- B. Physical restraint is prohibited in the following circumstances:
 - (1) As a means of punishment; or
 - (2) As a response to property destruction, disruption of school order, a student's refusal to comply with a school rule or staff directive, or verbal threats that do not constitute a threat of imminent, serious, physical harm. However, if the property destruction or the refusal to comply with a school rule or staff directive could escalate into, or could itself lead to serious, imminent harm to the student or to others, physical restraint is appropriate.
- C. Only school personnel who have received required training or in-depth training pursuant to this policy shall administer physical restraint on students with, whenever possible, one adult witness who does not participate in the restraint. The training requirements, however, shall not preclude a teacher, employee or agent of the school from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.
- D. Physical restraint shall be limited to the use of such reasonable force as is necessary to protect a student or others from assault of imminent, serious, physical harm.

- E. A person administering physical restraint shall use the safest method available and appropriate to the situation. Floor or prone restraints may only be administered by a staff member who has received in-depth training as specified in this policy and, when in the judgment of the trained staff member, such method is required to provide safety for the student or others.
- F. Physical restraint shall be discontinued when it is determined that the student is no longer at risk of causing imminent physical harm to self or others.
- G. Additional safety requirements:
- (1) A restrained student shall not be prevented from breathing or speaking. A staff member will continuously monitor the physical status of the student, including skin color and respiration, during the restraint.
 - (2) If at any time during a physical restraint the student demonstrates significant physical distress, as determined by the staff member, the student shall be released from the restraint immediately, and school staff shall take steps to seek medical assistance.
 - (3) School staff shall review and consider any known medical or psychological limitations and/or behavioral intervention plans regarding the use of physical restraint on an individual student.
- H. At an appropriate time after release of a student from physical restraint, a school administrator or other appropriate school staff shall:
- (1) Review the incident with the student to address the behavior that precipitated the restraint;
 - (2) Review the incident with the staff person(s) who administered the restraint to discuss whether proper restraint procedures were followed; and

Consider whether any follow-up is appropriate for students who witnessed the incident

SEXUAL HARASSMENT POLICY

General Statement

All students have the right to be free from sexual harassment. Sexual harassment, in any form, is both inappropriate and is in violation of Clarke School policy and against state and federal law. It is forbidden in school, on campus, at school-related activities and while students are in the care and oversight of the School.

Definition

Sexual harassment means unwelcome sexual advances, requests for sexual favors, sexually motivated physical conduct and/or other verbal or physical conduct or communication of a sexual nature when:

- submission to such conduct or communication is made a condition for obtaining services;
- used as a factor in decisions affecting one's education;
- such conduct or communication has the purpose or effect of substantially interfering with an individual's education, or creating an intimidating, hostile, humiliating, or sexually offensive educational environment.

Examples

There are three general types of sexual harassment: physical, verbal, and nonverbal. Examples of sexual harassment may include, but are not limited to:

- *physical*: unwelcome touching (casual, invasive, sexual); intentionally standing too close to someone; contact with any sexual part of another person's body (e.g., touching, grabbing, bumping into, brushing against, patting, or pinching); touching any non-sexual part of the body (i.e., hugging, kissing) after that person has indicated that such touching is unwanted;
- *verbal*: demanding sexual favors accompanied by threats; commenting about a person's body; sexual jokes and suggestive remarks, written and/or spoken; pressuring someone to do something of a sexual nature that he/she doesn't wish to do; creating and spreading rumors;
- *non-verbal*: leering and staring at someone's body; sexual drawings and pictures.

Sexual harassment may involve behavior that is student to student, student to staff, staff to student, male to male, male to female, female to male, and female to female.

Reporting

Any student who believes that he/she is a victim of sexual harassment should talk to the Educational Administrator, or another adult in a position of authority at the school as soon as possible. Students should avoid trying to solve problems of sexual harassment alone.

All persons should promptly report their knowledge of actual or reasonably suspected sexual harassment to the Educational Administrator, or his/her designee.

Investigation

All complaints of sexual harassment shall be thoroughly investigated by the Educational Administrator or his/her designee, including notifying the person(s) who has/have been accused of harassment and permitting a response to said allegation(s).

The investigation shall consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the alleged incident(s) or circumstances giving rise to the complaint. The investigation may also consist of any other methods deemed appropriate by the Educational Administrator in consultation with the Student Support Team.

The investigation will be conducted in such a way as to maintain as much confidentiality as is possible/practical under the specific set of circumstances involved in this investigation.

Also, the Educational Administrator or Lead Teacher may take immediate measures, at his/her discretion, to protect the complainant, students and other employees pending completion of the alleged sexual harassment investigation.

Disciplinary Action

If there are reasonable grounds to believe that some form of sexual harassment has occurred, the person accused of the sexual harassment will have a confidential disciplinary hearing before the Educational Administrator or his/her designee and the Student Support Team.

If the Educational Administrator or Lead Teacher, in consultation with the Student Support Team, determines that sexual harassment has actually occurred, disciplinary and corrective action will take place in

order to prevent any further incidents. The range of discipline and corrective action may include one or more of the following: an educational component; an apology to the victim (either in person or written or both); mandatory counseling; detention; short-term suspension; long-term suspension; or recommendation for expulsion.

If either the victim(s) or person(s) accused of sexual harassment are dissatisfied by the finding(s) or action taken as outlined above, he/she may appeal to the President of Clarke School.

The President will conduct a hearing and will indicate his/her disposition of the appeal within two (2) days, and will furnish a copy to the aggrieved.

Reprisals/Retaliation

Reprisal, threats or intimidation of the victim(s) or of a person(s) who provide(s) information regarding a claim of sexual harassment will be treated as a most serious offense, which may result in recommendation for permanent exclusion from the school.

Notification to/by Parent(s)/Legal Guardian(s)

After the investigation, if there are reasonable grounds to believe that sexual harassment has occurred, the Educational Administrator or his/her designee will notify a student's parent(s)/legal guardian(s) if the student is a victim of, or is accused of, sexual harassment.

Parent(s)/legal guardian(s) are urged to report incidents of sexual harassment to the Educational Administrator of the School.

Frivolous Complaints

When a complaint of sexual harassment is unfounded, frivolous, or maliciously fabricated, the complainant will be subject to a range of disciplinary and corrective actions. Depending upon the circumstances, the complainant may be subject to suspension/expulsion.

Police Report

Depending upon the seriousness and frequency of incidents, the Northampton or Massachusetts State Police and the Department of Social Services, the Department of Education, and/or the Office of Early Education and Care will be notified.

State and Federal Remedies

In addition to the above procedures, if a student believes that he/she has been subjected to sexual harassment, that student, the student's parent, and/or student's legal guardian may file a formal complaint with either or both of the government agencies set forth below. Using the school's process as outlined above does not prohibit the filing of a complaint with these agencies. Each of these agencies has a specific time period for filing a claim (EEOC-180 days; MCAD-6 months).

- The United States Equal Employment Opportunity Commission (EEOC)
J.F.K. Federal Building
Government Center
Boston, MA 02203
(617) 565-3200

- The Massachusetts Commission Against Discrimination (MCAD)
 Boston Office: One Ashburn Place - Room 601
 Boston, MA 02108
 Springfield Office: 436 Dwight Street

BULLYING POLICY

Introduction

Clarke Schools for Hearing and Speech is firmly committed to the prevention of bullying and to immediate intervention whenever bullying occurs or is suspected. Our program has consistently focused on respect for other students as part of our social-emotional learning instruction which emphasizes positive interactions and expected behaviors. Clarke expects all members of the school community to treat each other in a civil manner. The following plan applies to students and school staff including but not limited to educators, administrators, school audiologists, school nurses, bus drivers, athletic coaches, cafeteria workers, advisors and paraprofessionals. Our initiatives have helped to create a welcoming school climate which represents a powerful underpinning for any anti-bullying program. In addition, Clarke has developed the following prevention and intervention plan to further reduce the possibility of any bullying activity.

Definition of bullying

“Bullying” or “cyber-bullying” is the severe or repeated use by one or more aggressors of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, directed at another student that has the effect of:

- causing physical or emotional harm to the student or damage to the student’s property
- placing the student in reasonable fear of harm to himself or of damage to his property
- creating a hostile environment at school for the student
- infringing on the rights of the student at school
- materially and substantially disrupting the education process or the orderly operation of a school.

“Cyber-bullying” is defined as bullying through the use of technology or any electronic means. “Hostile environment” is a situation in which bullying causes the school environment to be permeated with intimidation, ridicule or insult that is sufficiently severe or pervasive to alter the conditions of the student’s education and create an abusive school environment.

Prohibition

Bullying is prohibited on school grounds, property immediately adjacent to school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or through the use of any personal or school technology or electronic device.

Bullying is also prohibited at any non-school location, activity, function or program and/or through the use of non-school technology or electronic device if the bullying creates a hostile environment at school for the victim, infringes on the rights of the victim

at school or materially and substantially disrupts the education process or the orderly operation of the school.

Retaliation

Retaliation against a person who reports bullying, who provides information during an investigation of bullying, or who is a witness to or has reliable information about bullying is prohibited. Retaliation includes, but is not limited to, any form of intimidation, reprisal or harassment in connection with filing a complaint or assisting with an investigation under this policy.

Bullying prevention and intervention plan

The bullying prevention and intervention plan of the Clarke Schools for Hearing and Speech:

- was developed in consultation with administrators, teachers, school staff, students, parents and guardians. The plan will be reviewed and updated every 2 years.
- includes descriptions of and statements prohibiting bullying, cyber bullying and retaliation;
- establishes clear procedures for students, staff, parents, guardians, and others to report bullying or retaliation;
- makes clear that bullying of students by a staff member will not be tolerated.
- includes a provision that reports of bullying or retaliation may be made anonymously (provided that no disciplinary action shall be taken against a student solely on the basis of an anonymous report);
- establishes clear procedures for promptly responding to and investigating reports of bullying or retaliation;
- identifies the range of disciplinary actions that may be taken against a perpetrator for bullying or retaliation;
- includes a provision when a reported bullying incident involves the lead teacher or educational administrator
- establishes clear procedures for restoring a sense of safety for a victim and assessing that student's needs for protection;
- establishes strategies for protecting from bullying or retaliation a person who reports bullying, provides information during an investigation of bullying, or is witness to or has reliable information about an act of bullying;
- establishes procedures consistent with state and federal law for promptly notifying the parents or guardians of a victim and a perpetrator. Procedures provide for immediate notification to the local law enforcement agency where criminal charges may be pursued against the perpetrator;
- includes a provision that a student who knowingly makes a false accusation of bullying shall be subject to disciplinary action;
- includes a strategy for providing counseling or referral to appropriate services for perpetrators and victims and for appropriate family members of said students.

Curriculum interventions

The Clarke Schools for Hearing and Speech will incorporate age appropriate instruction on bullying prevention into the curriculum at each grade level. Topics will

be addressed in class groups facilitated by teachers of the deaf and/or the school psychologist during Social Emotional Learning sessions. This instruction will include use of the following programs designed by Committee for Children, 568 First Avenue South, Suite 600, Seattle, Washington 98104:

- Woven Word Pre/K
- Second Step: A Violence Prevention Curriculum (preschool-8th grades)
- Steps to Respect: A Bullying Prevention Program (3rd-8th grades)

Professional development

The school's bullying prevention and intervention plan will include ongoing professional development to build the skills of all members of school staff to prevent, identify and respond to bullying. The content of such professional development will include, but not be limited to:

- developmentally appropriate strategies to prevent bullying incidents;
- developmentally appropriate strategies for immediate, effective interventions to stop bullying incidents;
- information regarding the complex interaction and power differential that can exist among the perpetrator, the victim and any witnesses to the bullying;
- to provide staff and the responsible parties for the intervention with ongoing support to distinguish acceptable positive pro-social skills to deal with misconduct and instill and establish accountability
- research findings on bullying;
- information on the incidence of bullying;
- internet safety issues as they relate to cyber-bullying.

Parents and guardians

The school's bullying prevention and intervention plan will include provisions for educating parents and guardians about the school's bullying prevention curriculum, how they can reinforce that curriculum at home, how they can support the school's prevention and intervention plan, the dynamics of bullying, and online safety and cyber-bullying.

The school will notify students and their parents/guardians annually of the relevant sections of the bullying and prevention policies including bullying of students by staff. A description of the policies will be included in the school's student and staff handbooks. In addition, a description of the policies will be included in the packet of information sent to all students at the beginning of each school year and to newly admitted students throughout the year. The school's bullying prevention and intervention policies will also be posted on the school's website.

Implementation

The lead teacher and educational administrator of the elementary and middle school and the director of the preschool, with the assistance of the school psychologist, will be responsible for the implementation and oversight of the bullying prevention and intervention plan.

Reporting

School staff, including but not limited to educators, administrators, school nurse or support staff will immediately, but no later than the end of the regular school day, report any instance of bullying or retaliation the staff member has witnessed or of which the staff member has become aware. The report should be made to the lead teacher or designee or to any other school official identified in the bullying prevention and intervention plan as responsible for receiving such reports. Failure to report may subject the staff member to disciplinary action. Staff members will use the “Bullying Incident Report Form” appended to these policies. The lead teacher or designee will be responsible for reminding all parties of the importance of the investigation, their obligation to be truthful and that retaliation towards the reporter or someone who provides information during the investigation is prohibited and will result in disciplinary action.

Any student who believes that he or she has been subjected to bullying or retaliation, or who has witnessed or learned about the bullying or retaliation of a student has the right to report the information to the Lead Teacher or designee. This may be done in writing or orally by informing the Lead Teacher or designee as soon as possible. If the individual does not wish to discuss the issue with either, the student may report to any staff member at the school with whom he or she feels comfortable.

This plan has been updated to reflect M.G.L. c.71, 37O as amended by sections 72-74 of Chapter 38 of the Acts of 2013, which changed the definition of “perpetrator” to include “a member of a school staff, including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional.” The amendment also made the plan applicable to school staff, including but not limited to, the individuals listed in the amended perpetrator definition.

Reports can be made orally, by using the “Bullying Incident Report Form”, by calling Preschool Director Marian Hartblay, or K-8 Lead Teacher Kathleen Shea at 413-584-3450, by email to mhartblay@clarkeschools.org, or kshea@clarkeschools.org or by mail to Marian Hartblay, or Kathleen Shea at Clarke Schools for Hearing and Speech, 45 Round Hill Rd., Northampton, MA 01060..

Reports of bullying may be made anonymously by students or by those not directly employed by the school; provided, however, that no disciplinary action can be taken against a student solely on the basis of an anonymous report. All reasonable efforts will be made to maintain confidentiality and protect the privacy of all parties, but proper enforcement of these policies may require disclosure of any or all information received.

Investigation

The school’s principals or designee are responsible for investigating reports of bullying and/or retaliation. The investigation shall be prompt, fair and of sufficient duration to understand the circumstances of the complaint, including the type, severity and frequency of the alleged bullying. The investigation should generally include interviews of the victim, the alleged perpetrator, witnesses, individuals whom any of the foregoing identifies as having knowledge of the situation, and anyone else the investigator believes may have such knowledge. The investigator should take notes during (or shortly after) the interviews for the purpose of maintaining accurate records.

The investigator should also review any documents that may be relevant to the allegations of bullying or retaliation whether in electronic format or otherwise and including photographs, emails, voice mails, telephone records, etc. The investigator should maintain a confidential file of interview notes and other documents pertaining to the investigation.

Resolution

If the investigator determines that bullying or retaliation has occurred, he or she will:

- take whatever action is necessary to end the bullying or retaliation;
- take disciplinary action in accordance with the school’s written Discipline Policies as stated in the Student Handbook (ranging from loss of recess privileges or detention to in school or at home suspension);
- immediately notify the local law enforcement agency if there is reason to believe that criminal charges may be pursued against the perpetrator;
- notify the parents/guardians of the perpetrator;
- notify the victim and his or her parents/guardians, to the extent allowed by state and federal law, of the action taken to prevent any further acts of bullying or retaliation;
- if indicated, provide information concerning counseling or referral to appropriate services for perpetrators, victims and parents/guardians;

- consider what adjustments, if any, are needed in the school environment to enhance the safety of the target, witnesses or any person who provides reliable information about an act of bullying (including increased adult supervision, seating and/or schedule changes and periodic checks for any recurrence of bullying or retaliation).

If the investigator determines that an individual has knowingly made a false report of bullying or retaliation, that individual will be subject to disciplinary action in accordance with the school's written Discipline Policies as stated in the Student Handbook.

APPENDIX A

DRESS CODE

ELEMENTARY SCHOOL DRESS CODE (Up to Grade 4)

Clothing for school should be chosen for comfort, health, safety and appropriateness. Outer clothing should be labeled with a student's name. Whenever possible, students should wear outer garments that can be taken on and off easily with minimal assistance. Clothing should be suited to the weather and support attitudes of respect for others and an educational environment.

Certain modes of dress are discouraged for elementary/middle school children including very high chunky or stacked heels, flip flops, tops and dresses with spaghetti straps, tops that are very tight, that expose the stomach or midriff, that contain disrespectful language or images, and jewelry and paraphernalia that imitate gang symbols, or other styles that are not appropriate for young children. There may be times when children are asked to make changes to their dress by removing a questionable item, covering up with a sweatshirt, sweater or jacket, or calling home for a change of clothes. Baseball caps, do-rags, and similar forms of headgear are not permitted in classrooms. Only headgear worn for religious purposes is permitted.

Health regulations require that footwear be worn at all times. Outdoor boots may not be worn all day in school; however slippers are permitted in classrooms with teacher permission. Sneakers are required for PE classes.

Young children can have soiling accidents at school. Parents of kindergartens may want to send children to school with a change of clothes. There is always a collection of clean useable clothes in the nurse's office in cases of emergency.

DRESS CODE **(Grades 6-8)**

To insure a positive and safe learning environment for all students, the John F. Kennedy Middle School community has established the following Dress Guidelines.

These guidelines were developed to minimize disruption, provide for real world expectations and out of concern and sensitivity to the objectification of both males and females in society.

Students are expected to dress in a manner consistent with reasonable standards of health, respect, safety, and cleanliness. Students' rights to freedom of speech and freedom of expression are given careful consideration. In keeping with the mission of the Northampton Public Schools, the following goals were considered:

- To encourage the health, safety, self-confidence, self-respect, and self-esteem of all students.
- To create a learning environment free from distraction that promotes positive student achievement.
- To develop in all students a sense of community and respect for themselves, for their teachers and for their peers.

Middle School Dress Guidelines

1. Students are encouraged to wear clothing that is neat and clean.
2. Students are expected to wear safe footwear at all times. Some footwear may not be appropriate for certain activities and teachers and/or staff will inform students of these expectations, (i.e. flip flops, sandals are not allowed in physical education or technology education) slippers are not allowed.
3. Students are expected to wear shirts or tops that fall below the belt area of the pants. Revealing clothing and exposed undergarments are not acceptable, (i.e. bare midriffs, halter-tops, low cut tops, backless shirts, muscle shirts, off-the-shoulder tops, or tube tops).
4. Students wearing dresses, shorts, or skirts are expected to wear those with lengths no shorter than measured to the end of ones thumb when their arms are extended.
5. Students should not wear clothing or accessories that create a disruption to the classroom or atmosphere of the school, such as but not limited to promoting products not legally available for teenagers, illegal substances, sex, violence, profanity, gangs, and prejudicial or racist attitudes , (i.e. again, not limited to, clothing displaying racial

slurs, alcohol advertisements or references, sexually suggestive words, violent/disruptive images, references to illegal drugs or drug use, or clothing/paraphernalia promoting gang activity).

6. Student's heads and faces should be visible at all times during the school with the expectation of those ordered by a doctor or for religious beliefs. The hoods on sweatshirts must not be worn during the school day.

When a student's attire is deemed in violation of the guidelines efforts will be made to find suitable clothing within the building or by calling home.

Notes

- Students who have questions about the appropriateness of certain styles should check with **the Educational Administrator or Lead Teacher.**

APPENDIX B

Freedom of Expression:

Pursuant to Massachusetts General Laws, “the right of students to freedom of expression in the public schools of the Commonwealth shall not be abridged, *provided that such right shall not cause any disruption or disorder within the school.* Freedom of expression shall include, without limitation, the rights and responsibilities of students, collectively and individually, (a) to express their views through speech and symbols, (b) to write, publish and disseminate their views, (c) to assemble peaceably on school property for the purpose of expressing their opinions. Any Assembly planned by students during regularly scheduled school hours shall be held only at a time and place approved in advance by the school Educational Administrator or his/her designee.”

The United States Supreme Court held that students have the right to certain minimal due process protections when school officials seek to impose short-term suspensions. The Court stated that in such cases, the student is entitled to oral or written notice of the charge(s) against him/her, an explanation of the basis for the accusation(s), and an opportunity to present his/her version of the facts. This “informal hearing” must be provided in advance of the suspension except where the student’s continued presence at school endangers persons or property or “threatens disruption of the academic process.” In the exceptional cases where immediate suspension is justified, the notice and hearing must follow as soon as practicable. Finally, the United States Supreme Court indicated that where school officials seek to suspend a student for more than ten (10) days (long-term suspension), depending on the length of the exclusion, greater due process protections may be required.

Firearms

Whoever not being a law enforcement officer, and notwithstanding any license obtained by him under the provision of chapter one hundred and forty, carries on his person a firearm as hereinafter defined, loaded or unloaded, in any building or on the grounds of any secondary school, college or university shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both. For the purpose of this paragraph, “firearm” shall mean any pistol, revolver, rifle or smoothbore arm from which a shot or pellet can be discharged by whatever means.

Substance Abuse

Conviction for a drug offense, including possession of even a small amount of an illegal drug, will result in the loss of the offender’s driver’s license for up to five years in addition to court penalties. If the offender is younger than 18, the issuance of the driver’s license may be delayed until age 21 (COMMONWEALTH OF MASSACHUSETTS LAW EFFECTIVE 9/05/89).

A conviction for selling drugs within 1000 feet of school property in Massachusetts will result in a minimum, mandatory two-year jail sentence plus a fine of up to \$10,000.

Felony

If a student is arrested or charged with a felony, the student may be suspended from school until the trial; if found guilty, the student can be expelled.

Federal Gun-Free Schools Act. The federal Gun-Free Schools Act of 1994 requires each state, as a condition of receiving of any federal funds under the ESEA, to require school districts and other local educational agencies to expel from school for a period of time not less than one year any student who is determined to have brought a firearm to school. An exception is made to permit the chief administering office (i.e., the superintendent of schools) to modify the expulsion requirement on a case-by-case basis. The law does not preclude an expelled student from receiving educational services in an alternative setting.

Property/Equipment Damages

If it is determined that a student is responsible for damage to school property or equipment, the student and/or parent(s), legal guardian(s) of the student will be liable for restitution in the amount necessary to restore the property or equipment to its original condition and any other penalty allowed by law.

Anti- HazingPolicy- M.G .L c. 269 §§ 17 through 19 and 603 CMR 33.00 *

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

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

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

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

19. Each institution of secondary education and each public and private institution of post secondary education shall issue to every student group, student team or student organization which is part of such institution or is recognized by the institution or permitted by the institution to use its name or facilities or is known by the institution to exist as an unaffiliated student group, student team or student organization, a copy of this section and sections seventeen and eighteen; provided, however, that an institution’s compliance with this section’s requirements that an institution issue copies of this section and sections seventeen and eighteen to unaffiliated student groups, teams or organizations shall not constitute evidence of the institution’s recognition or endorsement of said unaffiliated student groups, teams or organizations.

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

Each institution of secondary education and each public or private institution of post secondary education shall, at least annually, before or at the start of enrollment, deliver to each person who enrolls as a full time student in such institution a copy of this section and sections seventeen and eighteen.

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

*<http://www.malegislature.gov/Laws/GeneralLaws>

Civil Rights

All violations of a student's civil rights which are violations of constitutionally protected rights and violations of the Commonwealth's criminal laws shall be reported to the Northampton Police Department or District Attorney when there is any possibility of harm or threat to the students.

Dress and Grooming

By law, the rights of students as to personal dress and appearance may not be abridged except if school officials determine that such personal dress and appearance violate reasonable standards of health, safety, cleanliness, and propriety.

PERSONAL DRESS AND APPEARANCE WHICH IS VULGAR OR PLAINLY OFFENSIVE OR WHICH DISRUPTS OR SUBSTANTIALLY INTERFERES WITH THE EDUCATIONAL PROCESS OR WITH ANOTHER STUDENT'S ABILITY TO RECEIVE AN EDUCATION IS PROHIBITED.

Footwear, full shirts/tops and pants, shorts or dresses or skirts must be worn while a student is attending school.

In addition, a student's personal dress and appearance must comply with all OSHA and safety regulations while attending a lab or shop.

Academic Honesty

The school expects all students to be academically honest. Students have the responsibility to acknowledge the work of others, only taking credit for work that is solely their own.

CHEATING is defined in The Random House Dictionary of the English Language as the following:

1. "to take an examination or test in a dishonest way, as by improper access to answers."
2. "to defraud or to practice deceit; to violate rules or regulations."

Cheating on tests, copying assignments, or sharing work in any way not directly assigned by the teacher are forms of academic dishonesty. Giving or receiving help on tests or projects unless specifically permitted by the teacher are also forms of cheating.

PLAGIARISM is defined in The Random House Dictionary of the English Language as the following:

1. “to use the ideas or words of others without giving them credit is plagiarism.”

Cheating and plagiarism are prohibited in all areas of study, including, but not limited to, the following areas: homework, tests, quizzes, lab reports, research papers, projects, and computer discs.

This policy applies to any student who cheats or plagiarizes and/or any student who willingly assists another student in cheating or plagiarizing.

In the event that a student cheats or plagiarizes, the process will be as follows:

1. The student receives no credit for the assignment.
2. The teacher will notify the student’s parent(s)/legal guardian(s) of the incident.
3. The teacher will notify the administration who may take further disciplinary action, including a conference with the parent(s)/legal guardian(s), student, and other personnel, as well as detention, suspension, and/or expulsion if deemed necessary.

Disciplinary Action Relative to Special Needs Students for Publicly Funded Students

Federal and Massachusetts laws, regulations and policies do not prohibit the suspension of special needs students in all cases. However, when it is permitted, the removal of a student from the program which is prescribed in his/her Individualized Educational Plan (IEP) must be preceded by a more deliberate review of the causes and reasons for the proposed suspension and the development of an alternative program, consistent with federal and state law.

With the respect to the suspension of special needs students for more than ten (10) cumulative days, federal law requires parental consent, or where the parent(s)/legal guardian(s) does not consent, the securing of a judicial order authorizing the exclusion. (Note: exception in violations involving dangerous weapons or controlled substances.

With respect to the removal of students with special needs from public schools, Massachusetts General Laws states:

“No School Committee shall refuse a school age child with special needs admission to or continued attendance in public school without the prior written approval of the Department (of Education) and without complying with the department’s regulations and procedures for disciplining students with special needs, where applicable.

No child who is so refused or removed shall be denied an alternative form of education approved by the department, as provided for in section ten, through a tutoring program at home, through enrollment in an institution operated by a state agency, or through any other program which is approved for the child by the department.”

Procedures for the Suspension of Special Needs Students Pursuant To Federal and Massachusetts Regulations

Disciplining Students with Special Needs: Procedures Applicable When Suspension(s) will Accumulate to More than Ten (10) Days in the School Year.

The following provisions shall apply whenever a school administrator proposes to suspend a student with special needs for more than ten (10) cumulative days in a school year.

Definition of Suspension: Suspension shall be defined as any action which results in the removal of a student from the program prescribed in his/her Individualized Educational Plan (IEP). The term includes in-school suspension as well as any exclusion from transportation services which prohibits the student’s participation in his/her prescribed program.

General Requirements: Each school shall ensure that:

- a. It's Code of Conduct is on file with the Department of Education and all student handbooks contain the specific procedures in these regulations for the suspension of a student with special needs;
- b. It has an appropriate procedure to notify the Administrator of Special Education of the misconduct for which suspension of a student with special needs for more than ten (10) cumulative days is proposed so that the procedures required can be implemented consistently;
- c. The number and duration of suspensions of students with special needs is recorded and maintained by school administrators;
- d. The IEP of every student with special needs indicates whether the student is or is not expected to meet the school's discipline code, and, if not, what modifications of the code are required, which shall be described in the IEP, and
- e. No student with special needs may be suspended for more than ten (10) cumulative days in the school year except as provided hereunder.

Meeting to review IEP with student's special needs:

When it is known that the suspension(s) of a student with special needs will accumulate to ten (10) days in a school year, a review of the IEP will be conducted. Participants in the meeting shall include, but not be limited to, individuals who are trained in the area of the student's special needs. At the review, the review TEAM will determine whether the student's misconduct is related to the student's special needs, or results from an inappropriate special education program/placement or an IEP that was not fully implemented. Depending on the result of that determination, suspension may or may not be implemented. If the student has demonstrated repeated instances of dangerously assaultive or self-abusive behavior, an emergency evaluation and placement may be made with parental consent.

Circumstances under which the student may not be suspended for more than ten (10) cumulative days:

- a. If the TEAM concludes that the student's misconduct is related to the student's special needs or results from an inappropriate special education program or placement or an IEP that was not fully implemented, the student shall not be suspended. Instead, the student's IEP shall be revised to reflect a new program or placement designed to meet the student's needs more effectively, or, if the misconduct resulted from an appropriate IEP that was not fully implemented, all necessary steps shall be taken by the school to ensure that the IEP is fully implemented. If revision of the student's IEP is required, development of an amended or new IEP shall occur;
- b. If a new program or placement is designed for the student as a result of the review, the program or placement shall be implemented immediately following parental approval of the IEP. The parent(s)/legal guardian(s) may request a hearing to determine the appropriateness of the program. Alternatively, the parties may seek mediation to resolve the dispute. If a hearing is requested, during the pendency of the hearing, the student shall remain in the last agreed upon educational placement (the placement in effect when the dispute arose), unless another placement is agreed upon by the school and the student's parent(s)/legal guardian(s), or a court order permits the school to change the student's placement based on a showing that the student's continued presence in school presents a substantial likelihood of injury to the student or to others.

Circumstances under which suspension may be imposed for more than ten (10) cumulative days:

- a. If the school wishes to impose a suspension which results in more than ten (10) cumulative days of suspension in the school year, and the TEAM concludes that: the student's misconduct is not a manifestation to the student's special needs; is not the result of an inappropriate special education program/placement; and the current IEP was fully implemented, the school shall:
 1. Provide an interim alternative plan for the delivery of special education services to the student during the period of the suspension, which shall be referred to as "the alternative plan";
 2. Before the student is suspended for more than ten (10) cumulative days, present the interim alternative plan to the student's parent(s)/legal guardian(s) along with the required written

notice. The failure or refusal of the parent(s)/legal guardian(s) to consent to the provision of services under the alternative plan shall not prevent implementation of the suspension. However, if the parent(s)/legal guardian(s) requests a hearing, the following provisions shall apply.

- b. If the parent(s)/legal guardian(s) requests a hearing, the student shall continue in the last agreed upon educational placement (the placement in effect when the dispute arose) pending the hearing unless another placement is agreed to by the parties, or a court order permits the school to change the student's placement based on a showing that the student's continued presence in school presents a substantial likelihood of injury to the student or to others.
- c. A copy of the interim alternative plan must be included in the student's school records, which shall also include documentation which demonstrates that:
 1. The school has complied with procedures required by the school's Code of Conduct;
 2. The school has considered less restrictive disciplinary measures, including modifying the student's IEP to set out specific methods of discipline;
 3. The disciplinary action is for a stated and limited number of days;
 4. The action is necessary in light of the needs of the student and other students in the school;
 5. The school administrators have conferred with appropriate special education staff as to the disciplinary action and have followed all the procedures outlined herein including notice to the parents(s) or legal guardian(s) of their right of appeal.

Court order necessary to authorize suspension:

A school shall not suspend or exclude a student for more than ten (10) cumulative days during the pendency of a Bureau of Special Education Appeals hearing or judicial proceeding brought to challenge a suspension, proposed suspension, or any determination, above, unless the school obtains a court order authorizing a temporary change of the child's educational placement based on a showing that the student's continued presence in school presents a substantial likelihood of injury to the student or to others.

Clarke School's policies and procedures meet all standards established by State and Federal law.

Copies of applicable Massachusetts regulations can be viewed on-line at www.doe.mass.edu which include State Regulations Numbers:

- 603 CMR 18.00 - Education Laws and Regulations – Program and Safety Standards for Approved Public or Private Day Special Education School Programs,
- 603 CMR 28.00 – Special Education – Massachusetts Education Laws and Regulations
- and 603 CMR 46.00 – Physical Restraint

Federal regulations can be viewed on-line at www.ed.gov/index.jhtml which includes IDEA (Individuals with Disabilities Education Act).

APPENDIX C

Inspections/Searches

The legality of a search of a student, his/her clothing and/or possessions depends simply on the reasonableness, under all circumstances, of the search. The search by school officials is “justified at its inception” when there are reasonable grounds for suspecting that the search will turn up evidence that the student has violated either the law or the rules of the school. Such a search is permissible in its scope when the measures adopted are reasonably related to the objectives of the search and are not excessively intrusive of the age and sex of the student and the nature of the infraction.

APPENDIX D -

SAMPLE FORMS

(Name of Parent(s)/Guardian)

(Parent's Address)

Dear _____ :
(Name of Parent(s)/Guardian)

A hearing will be held at _____ on _____, _____; at
(School) (Date of Week) (Date)

_____ M. to determine whether or not to impose a long-term suspension/expulsion
(Time)

regarding your son/daughter, _____.
(Student's Name)

It is alleged that on _____, your son/daughter violated the
(Date of Incident)

following section(s) of the Code of Conduct of the _____ School:

Violation(s): _____
_____.

According to _____ your son/daughter _____
(Staff Member's Name)

(Brief Description of the Incident)

At the hearing, the following witness(es) will appear on behalf of the school:

Please be advised that all reasonable efforts will be made to protect the confidentiality of the hearing.

Please also note that the allegations against your son/daughter must be supported by a preponderance of the evidence before a long-term suspension/expulsion is imposed.

Please also note that this not a court proceeding. Evidence which is relevant, though hearsay, may be admitted.

Should you have any questions or concerns, please contact me at (413) 584-3450.

Thank you.

Very truly yours,

Educational Administrator

ATTACHMENT

During the course of the hearing, the school will first present direct and corroborative evidence from the above-named individual(s). After presentation of the school's case, you will be able to present any evidence related to the above acts allegedly committed by your son/daughter. You will then be able to present an argument concerning the information presented followed by a brief argument by the school.

AT THE HEARING, YOU AND YOUR SON/DAUGHTER HAVE THE RIGHT TO BE REPRESENTED BY COUNSEL OR AN ADVOCATE OF YOUR CHOICE. IN ADDITION, YOU MAY CROSS EXAMINE ALL SCHOOL WITNESSES, PRESENT WITNESSES ON BEHALF OF YOUR SON/DAUGHTER, AND, IF YOU SO CHOOSE, HAVE YOUR SON/DAUGHTER TESTIFY ON HIS/HER OWN BEHALF. YOU ARE ENTITLED TO A COPY OF A TAPE RECORDING OF THE HEARING IF YOU DESIRE.

IN ADDITION, YOU OR YOUR COUNSEL/ADVOCATE MAY REVIEW ANY AND ALL WRITTEN STATEMENTS BY PROPOSED SCHOOL WITNESSES PRIOR TO THE SCHEDULED HEARING, ARRANGEMENTS CAN BE MADE BY CONTACTING THE EDUCATIONAL ADMINISTRATOR AT (413) 584-3450.

FINALLY, YOU HAVE THE RIGHT TO A REASONABLY PROMPT WRITTEN DECISION, INCLUDING THE GROUNDS FOR THE DECISION, AFTER THE HEARING IS CONCLUDED, SHOULD YOU OBJECT TO THE EDUCATIONAL ADMINISTRATOR'S DECISION, YOU HAVE THE RIGHT TO APPEAL THE RESULTS OF THE DECISION TO THE PRESIDENT.

Reporting Suspected Abuse

It is necessary to follow appropriate steps for reporting child abuse. To facilitate this process, Clarke School has developed comprehensive reporting policies. Our policy includes answers to the following questions:

- If teacher/care giver suspects or has a reasonable cause to believe child abuse/neglect they should notify:
- a. Nurse
 - b. Educational Administrator
 - c. Psychologist
1. What specific information does the teacher need to know before reporting?
 2. What other school or center personnel should be involved?
 3. Who makes the report to the appropriate authorities? How?
 4. What information should be included in the report?
 5. What follow-up is expected on reported cases?
 6. What role will the school play in possible community/child protection teams?
 7. What commitment does the school have to in-service training or community programs?

Policies should be reviewed periodically with school staff (possibly during in-service training) so that everyone is aware of or reminded of school protocol.

Before Making the Report

1. Data must be documented. Information must be written down to organize it in the teacher/care giver's mind.
2. Data must be analyzed. Teacher/care giver should consider what caused the suspicion of abuse or neglect. Teacher/care giver should list the symptoms (physical or behavioral) of possible abuse.
3. Has parent/child interaction been observed by a teacher? Does the parent see the child as worthwhile, or different and/or hard to handle?
4. Teacher/care giver should speak with other school professionals if they suspect abuse and/or neglect.
5. Teacher/care giver should know the outlined procedure in the reporting policy and have all the necessary information required for the report. The Educational Administrator's Office provides the necessary forms.
6. Teacher/care giver should have all necessary telephone numbers and the address of the agency to which the reports should be made.
7. Teacher/care giver should talk with his/her administrator about the support available once the report is made especially if parents try to remove their child from the class or school.
8. Teacher/care giver should set up a support system for himself/herself with other teachers/care givers.

If the teacher/care giver cannot follow all the steps above, he/she may still need to make a report immediately. However, organizing his/her thoughts will help simplify the process. It is important to remember that even if the Educational Administrator or chief administrator does not want to report the situation to Child Protective Services, a teacher/care giver is still mandated to report his/her suspicions.