

CENTRAL ADMINISTRATION

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Mrs. Heather D. Larkin, Asst. Superintendent/Student Services
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SCHOOL COMMITTEE

Honorable Scott W. Lang, Chairman Ex-Officio
Dr. John J. Fletcher, Vice-Chairman
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Mr. Joaquim Nobrega
Ms. Marlene Pollock
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John B. DeValles School
120 Katherine Street
New Bedford, MA. 02770

508-997-4511 x 2237

Cynthia Trinidad, Principal

Dear Parents,

A school is a good school when parents, teachers and children work together.

This happens when:

Parents supervise their children's reading and homework

Parents share in their children's learning

Teachers provide instruction to meet the needs of the children

Teachers inspire children to be the best they can be

Children respect the needs of others

Children grow with self esteem

Please review the school handbook with your child. With your cooperation and support your child will have a successful year.

Sincerely,

Cynthia Trinidad
Principal

JOHN B. DeVALLES SCHOOL

120 Katherine St.
New Bedford, MA 02744
(508) 997-4511 Ext. 2237

SCHOOL'S HISTORY

The DeValles School was erected in 1912-1913 under Mayor Charles S. Ashley. It was originally named the Katherine Street School. The name changed to the John B. DeValles School when it was rededicated on October 12, 1920.

DeValles School is named for Father John B. DeValles. Reverend John B. DeValles was a man of peace in a time of war. He was known as the "Angel of the Trenches", for his valiant deeds in caring for the wounded and dying on the battle fields in France during World War I.

He was born in St. Miguel, Azores of Azorean and Cape Verdean heritage and was brought to New Bedford by his family when he was two years old. Father DeValles attended local schools before studying for the priesthood.

In New Bedford he served at Our Lady of Mt. Carmel Church and was later pastor of St. John the Baptist Church. A master of six languages, Father DeValles opened the first Portuguese parochial school at Espirito Santo Church in Fall River. He was known for his interest in education and radiated human kindness in all his endeavors.

In 1917 he was appointed as a Knights of Columbus Chaplain attached to the 104th Regiment of the 26th Division of the United States Infantry. In 1918 he was appointed a chaplain in the regular army with the rank of First Lieutenant.

Chaplain DeValles served eighteen months in the war and spent much of that time in "No-Man's Land" searching for wounded and dying soldiers. He administered to the needs of both Allied and German soldiers. Father John, as he was known to the troops, risked his life many times. His exploits became legendary with many published accounts of his deeds.

When he did not return to the trenches on one occasion searchers found him next to a dead soldier he was trying to help. He was unconscious, the effect of a mustard gas attack. Father DeValles continued to serve well even though his injuries caused his health to deteriorate. In 1919 Father John returned to the United States and spent the remaining months of his life in and out of hospitals until his death in May of 1920 at the age of 41. Father DeValles earned the France's Croux de Guerre and the Legion of Honor as well as United States Army's Distinguished Service Cross among other awards. Father John was given full military honors at his funeral with an outpouring of tributes from national leaders and local people who were touched by his presence.

John B. DeValles School

Guiding Principles

Mission:

We are committed to developing a community of learners who are academically proficient, demonstrate strong character and exhibit self-confidence.

Vision:

Like the Chaplain John B. DeValles, whom the school is named for, the students at John B. DeValles will be committed to be life long learners, servants to their community and altruistic resources to their city and the world.

Beliefs:

1. All children can learn to their fullest potential.
2. We deal with the whole child; not just academic needs, but social/emotional needs as well.
3. All children are accepted and treated equally.
4. Children should learn the importance of diversity; financially, academically and culturally.
5. Children should have the opportunity to take part in family social events sponsored by the school.
6. Children should be treated with and treat others with respect.

SCHOOL HOURS

School starts at 8:15 A.M.. The first dismissal is 2:30 P.M.. Dismissal on Friday's at 1:00 P.M.. **No afternoon Kindergarten classes on Friday's** for schools with morning and afternoon classes. Children who have completed their daily assignments, have followed school rules, and are not in need of any extra help will be dismissed at this time.

Parents should be aware that any pupil may be required to remain up to an *additional one-half (1/2) hour after the first dismissal*. Pupils may be kept for disciplinary reasons or for any extra help needed in their academic subjects. In effect, the elementary school day ends at 3:00 P.M. in order that our children can receive the full benefit of all the services provided.

INCLEMENT WEATHER

When "EARLY DISMISSAL" is announced the following schedule will be followed:

Students – 11:30 AM; Teachers – 12:00 PM; Paraprofessionals – 12:00 PM.

"DELAYED START TIMES", when the weather conditions warrant it; and the schedule will be as follows:

Students – 9:15 AM - 2:30 PM; Faculty – 9:10 AM - 2:30 PM.

"CANCELLATIONS", "EARLY DISMISSALS", and/or "DELAYED START TIMES" will be posted/broadcasted at the following:

New Bedford Public Schools' web site: www.newbedfordschools.org

Local Cable Channel 17

Standard-Times' web site: www.s-t.com

Channel 4 WBZ-TV/1030 AM

Channel 5 WCVB-TV

Channel 7 WHDH-TV

Channel 12 WPRI-TV

Radio Station WRKO-AM

Radio Station WBSM

Channel 6 WLNE

Channel 10 WJAR

FOX 25 WFXT

Radio Station WSAR

Radio Station FUN 107

We will try to make these decisions as early as possible to accommodate our working families.

ARRIVAL AND DISMISSAL ROUTINES:

ENTRANCE

Please be advised that school officially begins at **8:15 a.m.** If a child comes in after that time, they are considered late. There is no adult supervision on the playground until 8:00.

PLEASE DO NOT SEND YUR CHILDREN TO SCHOOL BEFORE THAT TIME.

BEFORE SCHOOL

All children are expected to line up on the playground when the bell rings. During inclement weather, all children are expected to come into the school. Grades K and one and three will wait the Cabral-Pitts Center. Grades two and four and five will wait in the cafeteria.

DISMISSAL

The Bonney Street and Orchard Street side doors will be used for walkers. Parents are asked to stay at the corners and wait for a teacher or staff member to bring the children in a line to the corner where they will be relinquished to you. English Shelter Immersion students and special needs students riding a bus will be dismissed at the Katherine Street door to their respective busses.

School officially ends at 3:00. Children who have completed their assignments, follow all rules and are not in need of extra help are allowed to leave at 2:30. Any appointments should be made after 3:00pm.

Academic/Behavioral Expectations

No child may interfere with the safety or education of another child. Therefore, the following shall not be allowed on school grounds:

Fighting, harassment, threats
Toys or electronic devices including cell phones and IPODS
Weapons or dangerous objects
Gum
Obscene gestures or language
Disrespectable behaviors
Vandalizing

Any child who breaks the above rules may be suspended.

No child may leave the school yard or school building without permission. This includes running from the playground to catch a ball.

Children will cross streets at the crosswalk.

LUNCH EXPECTATIONS

Children will use good table manners.
Children will leave their area clean.
Children will refrain from bringing glass bottles to school.
Children will eat all food served during lunch time in the cafeteria.

LIBRARY

The Library at DeValles School is named in memory of a former student and local businessman Gabriel “Gabe” Moura. Mr. Moura was born in New Bedford, attended DeValles School and was very proud of his Portuguese heritage. He went on to own several restaurants in the local area and was one of the founders of the New Bedford Chapter of the Prince Henry Society.

ANIMALS ON SCHOOL GROUNDS

In accordance with City of New Bedford ordinance, all animals are to be kept on a lease and off the school grounds at all times.

PARENT INVOLVEMENT

A school is a good school when parents, teachers and children work together. This happens when:

Parents supervise their children’s reading and homework.
Parents share their in children’s learning.
Parents provide a quiet area in the home for children to study and complete homework.
Parents volunteer when possible at school sponsored events.
Correspondence between school and home such as absent and tardy notes and report cards are returned to school in a reasonable amount of time. One to three days is reasonable.
Parents refrain from parking in the school parking lot at arrival and dismissal times for the safety of our children.

SCHOOL COUNCIL

The school will have a school council whose membership will consist of school administration, staff members, parents and community members. Parents will be elected by an established voting procedure. The school council will discuss and be apprised of school functions and procedures.

PARENT TEACHER ORGANIZATION (PTO)

The Parent Teacher organization (PTO) meets once a month. A meeting scheduled will be sent home with students in September, The PTO is involved with school fund raisers and other activities to secure funds for field trips and school-related activities. All parents/guardians are welcome to attend meetings.

ATTENDANCE REGULATIONS & PROCEDURES

It is the belief of the faculty and administration of the New Bedford Public Schools that regular and punctual attendance is essential for every student. Active participation in the learning process is an important component to successful achievement, and regular attendance at school will help our students to become productive and responsible citizens. In light of this, the NBPS has instituted a 95% quota on attendance. All students are expected to meet this quota.

ABSENCES: Written documentation is required from a parent or guardian for any and all absences. The note must list the date(s) of absence(s); the student's full name; and it must clearly state the reason for the absence. The reason must be one of those listed below or the absence will be counted as inexcusable. The student will show each classroom teacher the documentation indicating his/her absence. The note will then be given to the homeroom teacher who will keep it on file for further reference. Homeroom teachers should follow disciplinary procedures to insure that notes are returned in a timely fashion.

Teachers and administrators realize that there are reasons for a student's absence from school. Only the following instances, all of which require official written verification or documentation, would constitute an excusable absence/tardy:

- Medical appointments/illness verified in writing by a professional health-care provider or the school nurse
- Death of a family member
- Observance of a major religious holiday
- School-related absence (i.e.: dismissals for field trips, suspensions, ASA, sports events, etc.)
- Legal obligation
- Verified post-high school visitation
- Absence approved by the school principal

If a student is absent for one of the above reasons, he/she will provide each classroom teacher with the appropriate notification.

Please note: Family vacations do not constitute an excused absence.

ATTENDANCE REQUIREMENT: When a student exceeds the following:

- 9 inexcusable absences in a class that meets daily
or
- 5 inexcusable absences in a class that meets on alternating days

the student will not receive the Unit or portion thereof normally granted upon successful completion of that class. This, in turn, may place the student in jeopardy of attaining the required Units necessary for promotion.

PARENTAL NOTIFICATION: Parents or guardians will be notified that a student is in danger of not receiving credit through a documented Notice of Absenteeism. (A teacher may choose to follow up with a telephone call.) Communication will occur on the following days:

- Class that meets daily – on/after the 7th day of absence
- Class that meets on alternating days – on/after the 3rd absence

TEACHER OPTION FOR CREDIT: Once a student has exceeded the minimum absentee days as stated above, the classroom teacher has the option of awarding credit only if the student has made up all the work missed to the teacher's satisfaction and in accordance with the standards set forth in the curriculum. It is strongly urged that the student make up the work as soon as possible. Should the student violate the attendance requirement, without making up work to the teacher's satisfaction, then – even if the student attained a passing grade for the class – the student's report card will indicate:

- No units earned toward promotion for that year
- The mandatory teacher comments: Exceeds minimum attendance/no credit

HEARING PROCESS: Students and parents will have the opportunity to request a hearing within five school days of issuance of the report card. The hearing will include a meeting with the parent or guardian, the student, classroom teacher(s), and the principal (where appropriate.) The parent or guardian may appeal the decision to the principal.

TARDINESS: If a student is not present in his/her classroom/homeroom at the bell, the student is marked tardy; a student attending less than half a day is marked absent. A written excuse (as described above) is required. The first three occurrences of tardiness will result in an after-school period. A detention period will be assigned for further tardiness. If a student is tardy more than 5 times, a conference will be held with the parent or guardian and the principal. Three instances of significant tardiness (approximately one third of the class missed in each case) will count as one absence.

DISMISSAL: A student wishing to be dismissed during a session must present a signed note from the parent or guardian to a principal. It must include the student's full name, reason, date and time for dismissal, and a telephone number where the principal can reach the parent or guardian for verification and approval.

TRUANCY: Truancy is defined as being absent from school without the permission of a parent or guardian. Any student who is found to be truant may be required to return to school accompanied by a parent or guardian.

RETENTION: A student will be retained in Grades 1-6 if he/she is not present for the full school day at least 171 days of the 180 days in a school year (Massachusetts General Laws, Chapter 76, Section 2.) The principal will retain full authority to determine, for each student, the number of days that count toward the 171 day minimum requirement and his/her grade placement. A medical certificate is not reflected in the 9-day excused absence requirement.

Adopted:

New Bedford Public Schools, New Bedford, MA

New Bedford Public Schools Elementary Promotion Policy

The New Bedford Public Schools' *mission* states that *we are committed to developing a community of learners, who are academically proficient, demonstrate strong character and exhibit self confidence.*

The *Massachusetts Curriculum Frameworks* set forth the strict guidelines, curriculum objectives and standards for each grade level, therefore, the New Bedford Public Schools has set high expectations at each grade level for all students. Every teacher, administrator, parent and other adult involved in the lives of our students shares in the responsibility to ensure that all students meet these expectations.

This policy:

- further defines the expectations we hold for all students and the support strategies we need to employ to ensure their success.
- ensures promotions are earned and based on academic achievement.
- diminishes grade retentions to the greatest extent possible.
- ensures students will enter classrooms with the skill and knowledge necessary to do grade-level work.
- ensures students are prepared to pass the Massachusetts Comprehensive Assessments (MCAS).
- recognizes that promotion decisions for Special Education students shall be based on each student's progress toward attainment of measurable annual goals and objectives as specified in his/her Individual Educational Plan (IEP).
- recognizes that teachers will recommend each student for promotion based upon the criteria outlined in this policy and the teacher's professional assessment that the student's classroom performance indicates the ability to succeed at the next grade level. The intent is for all students to have the academic skills and habits to be successful.

Elementary School Promotion Requirements

Students must fulfill several requirements to be promoted to the next grade. Students must:

- in Kindergarten through Grade 5, consistently meet grade level standards to exhibit growth in the following content areas:
 - Reading
 - Language Arts
 - Mathematics
 - Science
 - Social Studies

- attain passing scores on the New Bedford Public School’s performance indicators, which are used to evaluate overall school performance. Assessments include, but are not limited to:
 - DRA (Developmental Reading Assessment) in Grades K-5
 - ELA Benchmarks in Grade K-5
 - Mathematics Benchmarks in Grades K-5

- maintain a 95% attendance requirement (172 out of 181 school days) for the school year to meet the federal mandate put forth by No child Left Behind (NCLB) and the district’s attendance goal.
 - The principal will retain full authority to determine, for each student, the number of days that count toward the 172 minimum requirement;
 - Excused absences include student illness, medical appointment, death of an immediate family member, observance of a religious holiday and court appearance,

Grade Level Promotion Requirements

DRA Promotion Requirements Determining Proficiency

An **at-risk student** must be able to score within the following DRA (May/June) benchmark levels for promotion to the following grade:

Grade	Time of year	DRA Benchmark Level
Kindergarten	January	1
	May/June	3
Grade 1	September	3-6
	May/June	16-18
Grade 2	September	16-20
	May/June	28
Grade 3	September	28-34
	May/June	38
Grade 4		40
Grade 5		50

CHANGE IN GRADE PLACEMENT DURING A SCHOOL YEAR

Throughout the school year, a recommendation *may* be made by a building team to the principal to change the grade level placement of a student. In making such a recommendation, consideration will be given to the student’s age, maturity, attendance, effort, and the student’s academic potential. The principal will notify the superintendent or his/her designee of the team’s decision.

Adopted:
New Bedford Public Schools, New Bedford, MA

HOMEWORK POLICY

The responsibility of the school district to educate the student is carried out by the teachers through effective classroom instruction and the careful delegation of independent study. It is important for the student to be taught the concepts related to the content area and how to study in school before he/she is given assignments to complete at home. There is, therefore, a progressive increase in the amount of homework expected of students from the elementary grades through high school.

Purposeful homework benefits students. Homework should be an extension of the class lesson, be clearly understood by students, be well planned and meaningful. Homework can be evaluated in multiple ways through review, classroom or small group discussion, and/or direct assessment. Completion of homework will count towards students' cumulative grade for the content area.

The immediate purpose of a specific homework assignment may be to:

1. Strengthen basic skills
2. Extend classroom learning
3. Stimulate and further interests
4. Reinforce independent study skills
5. Develop initiative, responsibility, and self-direction/reflection
6. Stimulate use of leisure time that increases understanding and love of learning
7. Acquaint parents with the content/concepts studied in school

Homework assignments shall be planned in accordance with the following principles:

1. If homework is to have value, its purpose and relation to what has been learned in the classroom must be clearly understood by the student.
2. Students should understand not only what to do, but also how to do it.
3. Homework should grow from classroom discussions, problems, projects, and concerns.
4. The student's age, need for play time, and out-of-school responsibilities must be considered when deciding upon length of any assignment. The student must bear responsibility for managing his/her time in a way that homework can be completed and submitted on time.
5. Assignments should make use of a variety of skills and prior knowledge.
6. Every homework assignment must be properly corrected and/or evaluated in keeping with the purpose of the assignment. To the extent possible, such corrections/evaluations shall be shared with the students involved in a timely fashion.

7. When a student’s grade or learning expectation are being adversely affected by poor homework performance or non-completion of assignments, the teacher shall communicate orally, or in writing, in a timely fashion with parents/guardians concerning the problem.
8. All homework assigned will be reflected in the child’s cumulative grade or learning expectation at the end of the term.

The School Committee encourages the administration to assist teachers in planning homework assignments in keeping with the above guidelines. Additionally:

1. the Committee expects that Principals (or directors/instructional supervisors where appropriate) will monitor the implementation of this homework policy through various approaches such as review of lesson plans, observation of classes, conferences with teachers, examination of student papers and/or other related activities.
2. The Committee expects that each content Director will clearly define the homework policy of his/her department. All such departmental policies must keep with this School Committee homework policy.
3. The Committee expects parents to provide a suitable place for students to do their homework and to monitor their children by questioning them upon the completion of their assignments.

Level	Average Time (minutes per week)
K	(45 minutes)
1-3	(150 minutes)
4-5	(175 minutes)
6-7-8	(300 minutes)
9-12	(600 minutes)

Adopted: 8/10/09
 New Bedford Public Schools, New Bedford, MA

PARENT CONFERENCES

If any parent wishes to meet with a teacher, kindly make arrangements in advance either through a note or a phone call.

FIELD TRIPS

The School Committee recognizes the educational value of field trips, tours and excursions, when an adjunct to an approved program and designed to attain specific program objectives. The School Committee feels that field trips are a privilege and not an entitlement. To the extent that budgetary resources permit, the Committee encourages and sanctions student trips and other out-of-district school activities, including participation in community civic projects and international travel which are of value in helping achieve each participating student's educational objectives.

All field trips require both the Principal and the Superintendent's administrative approval. Requests for overnight trips must be approved by the Superintendent or designee, with attention paid to the specific instructional objectives and the overall educational value of the trip. All out of state or extended (overnight) trips and excursions, except those required for student participation in tournament competition or contests, must have advance approval of the School Committee. Fund-raising activities for such trips shall be subject to approval by the Superintendent. All Committee policies and administrative regulations concerning students will be in effect for all approved field trips, excursions and travel experiences.

Adopted: 8/10/09

New Bedford Public Schools, New Bedford, MA

DRESS CODE

By law, bizarre and indecent items of attire may be banned. It is expected that students be dressed neatly and appropriately at all times. Appropriate footwear must be worn at all times. Fad clothing will not be allowed if the teacher finds that it interferes with educational process or presents a danger to any child.

DISTRICT, STATE, AND FEDERAL GUIDELINES

DISCIPLINARY DUE PROCESS

1. **EMERGENCY SUSPENSION:** A student may be given an emergency suspension by the Principal if the Principal has reasonable cause to believe that:

a. The physical safety of the student or of others is substantially endangered and will continue to be endangered;

or

b. The student is causing and will continue to cause substantial interference with classroom instruction.

As soon as practicable following the imposition of an Emergency Suspension, the student shall be provided with an opportunity to respond to the charge on which the suspension is based.

2. **SHORT TERM DISCIPLINARY SANCTIONS:** Except where an Emergency Suspension is warranted, a student will be given oral notice of the offense with which he/she is charged and an opportunity to respond prior to the imposition of any disciplinary sanction that might result in the student's suspension from school for ten (10) consecutive school days or less. In the event that the Principal determines that the student will be suspended from school, the student's parent(s)/guardian(s) will be notified by telephone and in writing.

3. **LONG TERM DISCIPLINARY SANCTIONS:** Prior to the imposition of any disciplinary sanction that might result in a student's suspension for more than ten (10) consecutive school days or expulsion, the parent(s)/guardian(s) will be given written notice of a hearing at which they may be represented by an attorney at their expense and may examine and present witnesses and documentary evidence. Following this hearing, the decision maker (Principal/School Committee) will issue a written decision. The parent(s)/guardian(s) will have the right to appeal any decision imposing a long-term exclusion from school. Where the student is excluded in accordance with M.G.L. c. 71 §37H, the student shall have ten (10) days from the effective date of the exclusion to file a written appeal with the Superintendent of Schools. For exclusions imposed pursuant to M.G.L. c.71 §37H1/2, the student shall have five (5) days from the effective date of the exclusion to file a written appeal with the Superintendent. For exclusions imposed by the School Committee in accordance with M.G.L. c.76 §17, the student shall have the right to file a written request for reconsideration by the Committee within ten (10) days of the effective date of the exclusion. Pending the outcome of any such appeal, the disciplinary sanction imposed shall remain in effect. M.G.L. c. 76 §17, M.G.L. c. 71 §37H, M.G.L. c. 71 §37H1/2.

4. **STUDENTS WITH DISABILITIES:** Students who have been identified as students with disabilities in accordance with the Individuals with Disabilities Education Act or Section 504 of the Rehabilitation Act or who the school has reason to believe might be eligible for special education services are entitled to additional procedural protections when a disciplinary exclusion is considered. In many cases, a student with a disability will be entitled to services identified by the student's Team as necessary to provide the student with a free appropriate public education during periods of disciplinary exclusion exceeding ten (10) school days in a given year. For additional information regarding the rights of students with disabilities in the context of school discipline, please contact the Principal or the Director of Special Education.

DISCIPLINE AND STUDENTS WITH DISABILITIES

All students are expected to meet the requirements for behavior as set forth in this handbook. In addition to those due process protections afforded to all students, the Individuals with Disabilities Education Act and related regulations require that additional provisions be made for students who have been found eligible for special education services or who the school district knows or has reason to know might be eligible for such services.

Students who have been found to have a disability that impacts upon a major life activity, as defined under §504 of the Rehabilitation Act, are, generally, also entitled to increased procedural protections prior to imposing discipline that will result in the student's removal for more than ten (10) consecutive school days or where there is a pattern of short term removals exceeding ten (10) school days in a given year.

The following additional requirements apply to the discipline of students with disabilities:

- (1) The IEP for every student eligible for special education or related services shall indicate whether the student can be expected to meet the regular discipline code of the school or whether the code should be modified to address the student's individual needs.
- (2) Students with disabilities may be excluded from their programs for up to ten (10) school days to the extent that such sanctions would be applied to all students. Before a student with a disability can be excluded from his/her program for more than ten (10) consecutive school days in a given school year or subjected to a pattern of removal constituting a "change of placement", building administrators, the parent(s)/guardian(s) and relevant members of the student's IEP or 504 Team will meet to determine the relationship between the student's disability and behavior (Manifestation Determination). In most instances, during disciplinary exclusions exceeding ten (10) school days in a single school year, the student shall have the right to receive services identified as necessary by the Team to provide him/her with a free appropriate public education during the period of exclusion.
- (3) If building administrators, the parent(s)/guardian(s) and relevant members of the student's IEP or 504 Team determine that the student's conduct was not a manifestation of the student's disability, the school may discipline the student in accordance with the procedures and penalties applicable to all students but will continue to provide a free appropriate public education to those students with IEPs. The student's Team will identify the services necessary to provide a free appropriate public education during the period of exclusion, review any existing behavior intervention plan or, where appropriate, conduct a functional behavioral assessment.
- (4) If building administrators, the parent(s)/guardian(s) and relevant members of the student's IEP or 504 Team determine that the conduct giving rise to disciplinary action was a manifestation of the student's disability, the student will not be subjected to further disciplinary removal or exclusion from the student's current educational program based on that conduct (except for conduct involving weapons, drugs, or resulting in serious bodily injury to others) until the IEP or 504 Team develops, and the parent(s)/guardian(s) consent to a new placement or until the District obtains an order from a court or from the Bureau of Special Education Appeals (BSEA) authorizing a change in the student's placement. The student's Team shall also review, and modify as appropriate, any existing behavior intervention plan or arrange for a functional behavioral assessment.
- (5) If a student with a disability possesses or uses illegal drugs, sells or solicits a controlled substance, possesses a weapon, or causes serious bodily injury to another on school grounds or at a school function, the District may place the student in an interim alternative educational setting (IAES) for up to forty-five (45) school days. A court or BSEA Hearing Officer may also order the placement of a student who presents a substantial likelihood of injury to self or others in an appropriate interim setting for up to forty-five (45) school days.

NON-DISCRIMINATION NOTICE

The New Bedford Public Schools provides equal education and employment opportunity without regard to race, color, national origin, religion, sex, disability, or sexual orientation.

The New Bedford Public Schools complies with all applicable State and Federal Laws, including but not limited to, Title VI, Title VII, Title IX, the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973, and Massachusetts General Laws, c.151B, c.151C, c.76, §5, and c.71B.

The New Bedford Public Schools has duly appointed individuals responsible for the overall monitoring, auditing, and ensuring compliance with this policy. For compliance issues regarding educational activities, contact the District's Title IX and Section 504 Coordinators: Dr. Mary Louise Francis, 455 County Street - Room 141, New Bedford, Massachusetts, (508) 997-4511 x-3201. For compliance issues regarding employment activities, contact: Dr. Ronald F. Souza, 455 County Street, New Bedford, Massachusetts, (508) 997-4511. Individuals who believe they have been discriminated against in any of the District's educational or employment activities can file a written grievance with the appropriate officer.

HARASSMENT

The New Bedford Public Schools is committed to the principle of diversity in its community and seeks to create an environment in which all people can thrive. It is essential that all individuals recognize certain guidelines for appropriate behavior — that which allows each person the freedom to learn and work without fear of intimidation or humiliation. Behavior that disregards the rights of others is unacceptable and the person engaging in such behavior will be subject to disciplinary action including, but not limited to, suspension or expulsion from school. In addition, anyone who retaliates against an individual who has brought a complaint of harassment to the attention of the school or who has cooperated in an investigation of a complaint of harassment will also be subject to disciplinary action.

An individual, who believes he/she has been harassed or who has witnessed or learned of the harassment of another person in the school environment, should inform the Principal. If the individual does not wish to speak to the Principal or if the Principal does not address the problem in an effective manner, the individual should contact the Director of Special Education or the Superintendent of the New Bedford Public Schools, 455 County Street, New Bedford, Massachusetts, (508) 997-4511.

The New Bedford Public Schools will promptly investigate complaints of harassment. Confidentiality will be maintained to the extent consistent with the school district's obligations under law and under applicable collective bargaining agreements. The school district will comply with legal requirements governing the reporting of suspected cases of child abuse and will report suspected criminal activity to the appropriate law enforcement authorities.

When an investigation has been completed, school personnel will inform the complainant of the results and will file a report with the district's appropriate compliance officer.

HARASSMENT / DISCRIMINATION GRIEVANCE PROCEDURE

1. As soon as possible following the occurrence of an act alleging a violation of Section 504, the ADA, c.151B, c.151C, Title IX, G.L. c.76 §5, the aggrieved party shall submit, in writing, to his/her Principal a statement describing the circumstances and specifying the nature of the alleged discrimination. The Principal will send a copy of the grievance to either the Student Affairs Officer or Personnel Officer. Within a reasonable time, not to exceed ten (10) days, the Principal shall investigate the circumstances and reply in writing to the aggrieved.
2. If the grievance has not been satisfactorily addressed at that level, the aggrieved party may submit the matter in writing to the Student Affairs Officer or Personnel Officer who will meet with the parties involved to review all facts in the case. Within ten (10) days following this meeting, the Student Affairs Officer or Personnel Officer shall submit a written answer to the aggrieved party.
3. If the matter is still not resolved, the aggrieved party shall submit in writing, the circumstances of the grievance to the appropriate Assistant Superintendent. The Assistant Superintendent will conduct a hearing at a time convenient to all parties as soon as possible. The Assistant Superintendent will give a written response to the matter ten (10) days following this hearing.
4. If the case has still not been resolved satisfactorily, then the matter may be submitted in writing to the Superintendent who will give written notice of the action to the aggrieved within ten (10) days following a meeting at which the grievance is considered.
5. At any time during the process, a hearing may be requested at the Bureau of Special Education Appeals (BSEA) for a matter regarding a student, or a complaint filed with the Office of Civil Rights (OCR) for matters regarding either students or employees.

JFCK-SEXUAL HARASSMENT POLICY AND PROCEDURES FOR STUDENTS

Sexual harassment is a form of behavior which adversely affects the learning experience. It is prohibited by State and Federal law. The New Bedford School Department also condemns and prohibits sexual harassment by any student or employee.

Sexual harassment does not refer to purely voluntary social activities. It refers to behavior which is not welcomed by the student, which is personally offensive to him or her, and/or which undermines morale and/or interferes with the ability of the student to learn effectively. It is, therefore, against the policies of the New Bedford School Department for any employee or student, male or female, to harass another student sexually, that is, by making unwelcome sexual advances, requests for sexual favors, or other uninvited verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either implicitly or explicitly a term or condition of obtaining an education;
2. Submission to, or rejection of, such conduct by a student is made the basis for educational decision affecting the student;
3. Such conduct has the purpose or effect of interfering with a student's educational performance;
4. Retaliation is threatened or undertaken against a student who complains that such conduct is interfering with his or her education; or
5. A hostile or intimidating learning environment is created for the student. Any student violating this policy will be subject to appropriate discipline, including possible exclusion by the New Bedford School Department. Any student wishing to file charges should do so through the house office.

Complaint Procedure:

1. Any member of the school community who believes that he or she has been subject-ed to sexual harassment will report the incident(s) to the Principal.
2. The Principal will attempt to resolve the problem in an informal manner through the following process:
 - a. Within two (2) school days, the Principal will confer with the charging party in order to obtain a clear understanding of that party's statement of the facts.
 - b. The Principal will then attempt to meet with the charged party in order to obtain his or her response to the complaint.
 - c. The Principal will hold as many meetings with the parties as is necessary to gather facts.
 - d. On the basis of the Principal's perception of the situation he or she may:
 - i. Attempt to resolve the matter informally through reconciliation; or
 - ii. Report the incident and transfer the record to the Assistant Superintendent or his/her designee, and so notify the parties by certified mail.

The Principal may attempt to gather any more evidence necessary to decide the case, and thereafter impose any sanctions deemed appropriate, including a recommendation to the School Committee for termination or expulsion. All matters involving sexual harassment complaints will remain confidential to the extent possible.

STUDENT RECORDS

In accordance with Massachusetts regulations, an eligible student and his/her parent(s)/guardian(s) shall have access to the student record. In no event shall such access be delayed more than ten (10) days after the initial request, unless the requesting party consents to a delay. Upon such request for access, the entire student record regardless of the physical location of its parts shall be made available. Upon request, copies of any information contained in the student record shall be furnished to the eligible student or his/her parent. A reasonable fee not to exceed the cost of reproduction may be charged.

Destruction of Records: The school system will maintain a copy of a student's transcript for at least 60 years after the student leaves the school system. Temporary records will be destroyed within seven (7) years after a student leaves the system. Before any records are destroyed, the student and his/her parent(s)/guardian(s) will be given notice and an opportunity to obtain a copy of any records to be destroyed.

Non-custodial Parents: Massachusetts regulations establish a mandatory process for responding to student record requests from non-custodial parents. When a parent who does not have physical custody of the child/student (non-custodial parent) requests access to the student's student record or other information regarding the student, the non-custodial parent is required to submit a written request to the building principal for the student record with a certified court order indicating that the non-custodial parent is eligible to access information regarding the student and an affidavit verifying that the order provided remains in effect and that the non-custodial parent is not subject to a temporary or permanent protective order.

Immediately upon receipt of this documentation the school shall notify the custodial parent that the school will provide the non-custodial parent with access to the student record information after twenty-one (21) days unless the custodial parent provides the principal with documentation establishing that the non-custodial parent is not eligible to access information regarding the student. When student record information is provided to a non-custodial parent in accordance with the above procedures, the school will delete the address and telephone number

of the student and custodial parent from all records provided to the non-custodial parent. Any such records provided to the non-custodial parent shall be marked to indicate that they may not be used to enroll the student in another school.

Non-custodial parents are required by law to submit a written request for access to their child's student record information each year stating that the parent continues to be entitled to unsupervised visitation with the student and remains eligible to access information regarding the student.

MASSACHUSETTS GENERAL LAWS. C.71 §37H

(a) Any student who is found on school premises or at school-sponsored or school-related events, including athletic games, in possession of a dangerous weapon, including, but not limited to, a gun or a knife; or a controlled substance as defined in chapter ninety-four C, including, but not limited to, marijuana, cocaine, and heroin, may be subject to expulsion from the school or school district by the principal.

(b) Any student, who assaults a principal, assistant principal, teacher, teacher's aide or other educational staff on school premises or at school-sponsored or school-related events, including athletic games, may be subject to expulsion from the school or school district by the principal.

(c) Any student who is charged with a violation of either paragraph (a) or (b) shall be notified in writing of an opportunity for a hearing; provided, however, that the student may have representation, along with the opportunity to present evidence and witnesses at said hearing before the principal. After said hearing, a principal may, in his discretion, decide to suspend rather than expel a student who has been determined by the principal to have violated either paragraph (a) or (b).

(d) Any student who has been expelled from a school district pursuant to these provisions shall have the right to appeal to the Superintendent.

The expelled student shall have ten days from the date of the expulsion in which to notify the Superintendent of his appeal. The student has the right to counsel at a hearing before the Superintendent. The subject matter of the appeal shall not be limited solely to a factual determination of whether the student has violated any provisions of this section.

(e) When a student is expelled under the provisions of this section, no school or school district within the commonwealth shall be required to admit such student or to provide educational services to said student. If said student does apply for admission to another school or school district, the Superintendent of the school district to which the application is made may request and shall receive from the Superintendent of the school expelling said student a written statement of the reasons for said expulsion."

Massachusetts General Laws c.71 §37H1/2

(1) Upon the issuance of a criminal complaint charging a student with a felony or upon the issuance of a felony delinquency complaint against a student, the principal or Principal of a school in which the student is enrolled may suspend such student for a period of time determined appropriate by said principal or Principal if said principal or Principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and the reasons for such suspension prior to such suspension taking effect. The student shall also receive written notification of his right to appeal and the process for appealing such suspension; provided, however, that such suspension shall remain in

effect prior to any appeal hearing conducted by the superintendent.

The student shall have the right to appeal the suspension to the superintendent. The student shall notify the superintendent in writing of his request for an appeal no later than five calendar days following the effective date of the suspension. The superintendent shall hold a hearing with the student and the student's parent or guardian within three calendar days of the student's request for an appeal. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The superintendent shall have the authority to overturn or alter the decision of the principal or Principal, including recommending an alternate educational program for the student. The superintendent shall render a decision on the appeal within five calendar days of the hearing. Such decision shall be the final decision of the city, town or regional school district with regard to the suspension.

(2) Upon a student being convicted of a felony or upon an adjudication or admission in court of guilt with respect to such a felony or felony delinquency, the principal or Principal of a school in which the student is enrolled may expel said student if such principal or Principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school. The student shall receive written notification of the charges and reasons for such expulsion prior to such expulsion taking effect. The student shall also receive written notification of his right to appeal and the process for appealing such expulsion; provided, however, that the expulsion shall remain in effect prior to any appeal hearing conducted by the superintendent. The student shall have the right to appeal the expulsion to the superintendent. The student shall notify the superintendent, in writing, of his request for an appeal no later than five calendar days following the effective date of the expulsion. The superintendent shall hold a hearing with the student and the student's parent or guardian within three (3) calendar days of the expulsion. At the hearing, the student shall have the right to present oral and written testimony on his behalf, and shall have the right to counsel. The superintendent shall have the authority to overturn or alter the decision of the principal or Principal, including recommending an alternate educational program for the student. The superintendent shall render a decision on the appeal within five (5) calendar days of the hearing. Such decision shall be the final decision of the city, town or regional school district with regard to the expulsion.

SERVICES AND ACCOMODATIONS FOR STUDENTS WITH DISABILITIES

Some students with disabilities require specialized instruction and/or supportive services to help them make effective progress in school. These services can include, but are not limited to, speech therapy, physical therapy, occupational therapy, specialized instruction, or placement in a special classroom. Parents or other people in a care-giving or professional position may refer a student to the Special Education Department for an evaluation of the student's eligibility for special education. Within five (5) school days of such a referral, a consent form authorizing an evaluation of the student will be forwarded to the parent(s)/guardian(s). Upon receipt of the parent(s)/guardian(s) consent, an evaluation will be conducted and a TEAM meeting will be held to determine if the student is eligible for special education services. If the student is found eligible for special education services, the Team will develop an Individualized Education Program (IEP) identifying the necessary services. In some cases, the evaluation Team determines that a student with a disability may require only individual accommodations as opposed to specialized instruction and /or related services. Such students are then referred for an evaluation of their eligibility for an individual accommodation plan in accordance with Section 504 of the Rehabilitation Act.

For more information regarding the services available to students with disabilities please contact the school guidance counselor, Principal, or the New Bedford Public Schools' Director of Special Education.

NOTIFICATION TO PARENTS OF TEACHER QUALIFICATIONS

The Federal *No Child Left Behind* Act of 2001 requires school districts that receive federal Title I funding to notify parents of their right to know the professional qualifications of the classroom teachers who instruct their child.

As a recipient of these funds, the New Bedford Public Schools will provide you with this information in a timely manner if you request it. Specifically, you have the right to request the following information about each of your child's classroom teachers:

- Whether the teacher meets the state qualifications and licensing criteria for the grades and subjects he or she teaches.
- Whether the teacher is teaching under emergency or provisional status because of special circumstances.
- The teacher's college major, whether the teacher has any advanced degrees, and the field of discipline of the certification or degree.
- Whether paraprofessionals provide services to your child and, if so, their qualifications.

BULLYING AND CYBER-BULLYING

“Bullying”, the repeated use by one or more students of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a victim that: (i) causes physical or emotional harm to the victim or damage to the victim's property; (ii) places the victim in reasonable fear of harm to himself or of damage to his property; (iii) creates a hostile environment at school for the victim; (iv) infringes on the rights of the victim at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school.

“Cyber-bullying”, bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photo electronic or photo optical system, including, but not limited to, electronic mail, internet communications, instant messages or facsimile communications. Cyber-bullying shall also include (i) the creation of a web page or blog in which the creator assumes the identity of another person or (ii) the knowing impersonation of another person as the author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying. Cyber-bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in clauses (i) to (v), inclusive, of the definition of bullying.

If a student notifies a teacher that they have been bullied, the teacher will immediately respond to the child's concern by contacting the child's parents within 24 hours to inform the parent of the action they will take to investigate and resolve the situation. The teacher will inform the assistant principal on their floor in writing of what was reported to them and the action they took to resolve the issue. If the bullying continues, the teacher may then refer the matter to the assistant principal for further investigation.

If the Assistant Principal receives a referral regarding the bullying incident, the Assistant Principal will work with the Guidance Counselor to conduct an investigation to determine the validity of the referral. The student (s) will be asked to sign a detailed statement, including the perceived bullying incident, the time/location and the alleged perpetrator. However, if a student decides to file an anonymous complaint, the school cannot take action against the alleged perpetrator(s) with the evidence alone.

If the written statement meets bullying designation under Massachusetts General Law, the assistant principal will immediately contact the parents of the student (s) being victimized and the perpetrator (s) to inform them of the situation and of the investigation process.

If the assistant principal or principal determines that a student has been participating in bullying in the school building, or on school property, including riding the bus to and from school, actions may be taken. The actions can include, but are not limited to, assigning the consequences listed below, arranging counseling sessions with the Guidance Counselor or Adjustment Counselor to focus on understanding bullying and developing appropriate social behaviors, and setting up a meeting with School Resource Officer to file charges.

Any student, who is deemed to be a co-conspirator either through hindering the process of reporting bullying incidents or intimidating a victim, may also be subject to the consequences as well.

Please sign and return this page only.

I have received, read and understand this student/parent handbook, school rules and District policies for the John B. DeValles School.

Parent/Guardian Signature _____ Date _____

Student's Name _____

Grade _____ Room _____

