



**DENNIS-YARMOUTH REGIONAL SCHOOL DISTRICT
SCHOOL COMMITTEE MEETING
AGENDA**

Monday, April 11, 2022

**Dennis-Yarmouth Regional High School Library
210 Station Avenue
South Yarmouth, Massachusetts 02664**

6:30 p.m.

THIS MEETING WILL ALSO BE ACCESSIBLE TO VIEW REMOTELY:

Channel 22 Live: <https://bit.ly/3IV5MVh>

YouTube Live: <https://bit.ly/3CGdOXR>

Members Present:

Ms. Jeni Landers, Chairperson
Mr. Joseph Tierney, Vice Chairperson
Ms. Jennifer Rose, Secretary
Mr. Phillip Morris, Treasurer
Mr. Joe Glynn
Ms. Marilyn Bemis
Mr. Tomas Tolentino

Administration

Mrs. Carol Woodbury, Superintendent of Schools
Mr. David Flynn, Assistant Superintendent for Finance and Operations
Mrs. Maria Lopes, Assistant Superintendent of Student Services and Instruction
Grace LePain and Kristen Stagg, Student Representatives to the School Committee

I. Open the Meeting (6:30 p.m.)

II. Reports

- A. D-YRSD School Committee Student Representatives – Grace LePain and Kristen Stagg
- B. Superintendent Report – Carol Woodbury
1. Meaghan McDonnell – EL Presentation
 2. Policy Review Subcommittee
The Superintendent recommends the School Committee adopt the following policies as presented.
 - a. JKAA–Physical Restraint of Students–Update (3rd Reading) (Enc. B2a)
 - b. AC–Non-Discrimination–Update (3rd Reading) (Enc. B2b)

- c. AC-R–Non-Discrimination Policy Including Harassment and Retaliation-Update (3rd Reading) (Enc. B2c)
 - d. ACAB–Sexual Harassment–Update (3rd Reading) (Enc. B2d)
 - e. JICK–Harassment of Students–Update (3rd Reading) (Enc. B2e)
 - f. EEA–Transportation of Students–Update (3rd Reading) (Enc. B2f)
3. 2023-2024 School Year Calendar (Enc. B3)
- C. School Building Committee Report – Joseph Tierney
 - D. School Committee Liaisons to the Boards of Selectmen
 - E. Assistant Superintendent Report – David Flynn

III. Bills, Requisitions and Payroll

IV. Calendars

V. Information Item

William Spratt Award for Excellence for Teaching Middle School Social Studies
Nominee Brian Monroe

VI. Public Comment

VII. Adjournment

**The items listed to be discussed are those reasonably anticipated by the Chair. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.*

***Please note: The timeframes listed above are intended to guide the School Committee in their work. It should be understood that the times are approximate, and therefore may occur earlier than noted; and may be taken out of order at the request of the Chair and a vote of the School Committee.*

Should there be a need for clarification on any of the aforementioned, please contact me prior to the meeting to allow sufficient time for further research if necessitated. Thank you. Carol A. Woodbury, Superintendent

2022 EL Comparison Report

2021 State Report	2022 State report
Total # EI's 314 Mid Incidence	Total # EI's 363 High Incidence <small>*390 EI's as of 3/15/22</small>
State defined mid incidence 100- 349 EL's	State defined high incidence 350 and up

3 yr comparison	2020	2021	2022
DYRSD	10.9% total population	11.5% total population	13.0% total population
State	10.8%	10.5%	11.0%

October SIMS District		March SIMS District	
362 EI's	79 recent arrivals	390 EI's	116 Recent Arrivals

*March 2022 #'s not indicated in State report yet

October Numbers by School			March Numbers by School	
DYHS	84 EIs	17 recent arrivals	92 EI's	34 recent arrivals
MMS	45 EIs	4 recent arrivals	39 EI's	9 recent arrivals
Wixon	62 EI's	8 recent arrivals	72 EI's	16 recent arrivals
Baker	50 EI's	15 recent arrivals	57 EI's	20 recent arrivals
MES	67 EI's	21 recent arrivals	70 EI's	16 recent arrivals
SAE	54 EI's	14 recent arrivals	60 EI's	21 recent arrivals

Of note

DYRHS	100% increase in recent arrivals EL enrollment from Oct SIMS to March SIMS
Wixon	96.6% increase in recent arrivals EL enrollment from Oct SIMS to March SIMS

****Ellevation**

March 2022 - 493 EL's (including FEL)
March 2021 - 423 EL's (including FEL)

2022 EL Comparison Report (3-18-22)

2021 State Report	2022 State report
Total # EL's 314 Mid Incidence	Total # EL's 363 High Incidence <small>*390 EL's as of 3/16/22</small>
State defined mid incidence 100- 349 EL's	State defined high incidence 350 and up

3 yr comparison	2020	2021	2022
DYRSD	10.9% total population	11.5% total population	13.0% total population
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ENC
B2a

PHYSICAL RESTRAINT PREVENTION AND BEHAVIOR SUPPORT POLICY AND PROCEDURES

I. GENERAL INFORMATION (46.01)

Dennis Yarmouth Regional School District shall abide by the provisions of 603 CMR 46.00, which regulates the use of physical restraint on students in publicly funded elementary and secondary education programs. Dennis Yarmouth Regional School District has developed restraint prevention and behavior support procedures, in compliance with 603 CMR 46.04, which shall be annually reviewed, provided to school staff, and made available to parents.

Physical restraint shall be used only in emergency situations of last resort, after other lawful and less intrusive alternatives have failed or been deemed inappropriate, and with extreme caution. School personnel shall use physical restraint with two goals in mind:

- (a) To administer a physical restraint only when needed to protect a student and/or a member of the school community from assault or imminent, serious, physical harm; and
- (b) To prevent or minimize any harm to the student as a result of the use of physical restraint.

603 C.M.R. 46.01(3)(a) & (b).

Further nothing in 603 C.M.R. 46.00, Dennis Yarmouth Regional School District Physical Restraint Policy and/or Administrative Procedures and Guidelines shall be construed to limit the protection afforded to publicly funded students under other federal and state laws, including those laws that provide for the rights of students who have been found eligible to receive special education services. Additionally, nothing in 603 C.M.R. 46.00, Public Schools/Charter School Policy and/or Administrative Procedures and Guidelines precludes any teacher, employee or agent of a public education program from using reasonable force to protect students, other persons, or themselves from assault or imminent, serious, physical harm. 603C.M.R. 46.01(4).

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

II. DEFINITIONS (46.02)

As used in 603 CMR 46.00, the following terms shall have the following meanings:

Commissioner shall mean the commissioner of the Department of Elementary and Secondary Education appointed in accordance with G.L. c.15, §1F, or his or her designee.

Consent shall mean agreement by a parent who has been fully informed of all information relevant to the activity for which agreement is sought, in his or her native language or other mode of communication, that the parent understands and agrees in writing to carrying out of the activity, and understands that the agreement is voluntary and may be revoked at any time. The agreement describes the activity and lists the records (if any) which will be released and to whom. In seeking parental consent, a public education program shall not condition admission or continued enrollment upon agreement to the proposed use of any restraint.

Department shall mean the Department of Elementary and Secondary Education.

Mechanical restraint shall mean the use of any device or equipment to restrict a student's freedom of movement. The term does not include devices implemented by trained school personnel, or utilized by a student that have been prescribed by an appropriate medical or related services professional, and are used for the specific and approved positioning or protective purposes for which such devices were designed. Examples of such devices include: adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; vehicle safety restraints when used as intended during the transport of a student in a moving vehicle; restraints for medical immobilization; or orthopedically prescribed devices that permit a student to participate in activities without risk of harm.

Medication restraint shall mean the administration of medication for the purpose of temporarily controlling behavior. Medication prescribed by a licensed physician and authorized by the parent for administration in the school setting is not medication restraint.

Parent shall mean a student's father, mother, or legal guardian or person or agency legally authorized to act on behalf of the student in place of or in conjunction with the father, mother, or legal guardian.

Physical escort shall mean a temporary touching or holding, without the use of force, of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is agitated to walk to a safe location.

Physical restraint shall mean direct physical contact that prevents or significantly restricts a student's freedom of movement. Physical restraint does not include: brief physical contact to promote student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing comfort, or a physical escort.

Principal shall mean the instructional leader or headmaster of a public education school program or his or her designee. The board of directors of a charter school or virtual school, or special education school or program approved under 603 CMR 28.09, shall designate in the restraint prevention and behavior support policy who will serve as principal for purposes of 603 CMR 46.00.

Prone restraint shall mean a physical restraint in which a student is placed face down on the floor or another surface, and physical pressure is applied to the student's body to keep the student in the face-down position.

Public education programs shall mean public schools, including charter schools, virtual schools, collaborative education programs, and the school day of special education schools approved under 603 CMR 28.09, as provided in 603 CMR 18.05(5)(h), and school events and activities sponsored by such programs. The term "programs" may be used in 603 CMR 46.00 to refer to "public education programs." For purposes of 603 CMR 46.00, public education programs shall not include the educational services provided within the Department of Youth Services, Department of Mental Health, Department of Public Health, and County Houses of Correction operated or contracted facilities.

School Working Day shall mean a day or partial day that students are in attendance at the public education program for instructional purposes.

Seclusion shall mean the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. Seclusion does not include a time-out as defined in 603 CMR 46.02.

Time-out shall mean a behavioral support strategy developed pursuant to 603 CMR 46.04(1) in which a student temporarily separates from the learning activity or the classroom, either by choice or by direction from staff, for the purpose of calming. During time-out, a student must be continuously observed by a staff member. Staff shall be with the student or immediately available to the student at all times. The

space used for time-out must be clean, safe, sanitary, and appropriate for the purpose of calming. Time-out shall cease as soon as the student has calmed.

III. USE OF RESTRAINT (46.03)

(1) Prohibition.

(a) Mechanical restraint, medication restraint, and seclusion shall be prohibited in public education programs.

(b) Prone restraint shall be prohibited in public education programs except on an individual student basis, and only under the following circumstances:

1. The student has a documented history of repeatedly causing serious self-injuries and/or injuries to other students or staff;
2. All other forms of physical restraints have failed to ensure the safety of the student and/or the safety of others;
3. There are no medical contraindications as documented by a licensed physician;
4. There is psychological or behavioral justification for the use of prone restraint and there are no psychological or behavioral contraindications, as documented by a licensed mental health professional;
5. The program has obtained consent to use prone restraint in an emergency as set out in 603 CMR 46.03(1)(b), and such use has been approved in writing by the principal; and,
6. The program has documented 603 CMR 46.03(1)(b) 1 - 5 in advance of the use of prone restraint and maintains the documentation.

(c) Physical restraint, including prone restraint where permitted, shall be considered an emergency procedure of last resort and shall be prohibited in public education programs except when a student's behavior poses a threat of assault, or imminent, serious, physical harm to self or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions, or such interventions are deemed to be inappropriate under the circumstances.

(d) All physical restraints, including prone restraint where permitted, shall be administered in compliance with 603 CMR 46.05.

(2) Physical restraint shall not be used:

(a) As a means of discipline or punishment;

(b) When the student cannot be safely restrained because it is medically contraindicated for reasons including, but not limited to, asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting;

(c) As a response to property destruction, disruption of school order, a student's refusal to comply with a public education program rule or staff directive, or verbal threats when those actions do not constitute a threat of assault, or imminent, serious, physical harm; or

(d) As a standard response for any individual student. No written individual behavior plan or individualized education program (IEP) may include use of physical restraint as a standard response to any behavior. Physical restraint is an emergency procedure of last resort.

(3) Limitations on use of restraint. Physical restraint in a public education program shall be limited to the use of such reasonable force as is necessary to protect a student or another member of the school community from assault or imminent, serious, physical harm.

(4) Referral to law enforcement or other state agencies. Nothing in these regulations prohibits:

(a) The right of any individual to report to appropriate authorities a crime committed by a student or other individual;

(b) Law enforcement, judicial authorities or school security personnel from exercising their responsibilities, including the physical detainment of a student or other person alleged to have committed a crime or posing a security risk; or

(c) The exercise of an individual's responsibilities as a mandated reporter pursuant to G.L. c. 119, § 51A. 603 CMR 46.00 shall not be used to deter any individual from reporting neglect or abuse to the appropriate state agency.

IV. USE OF RESTRAINT (46.04)

(1) Procedures

A. METHODS FOR PREVENTING STUDENT VIOLENCE, SELF-INJURIOUS BEHAVIOR, AND SUICIDE, INCLUDING INDIVIDUAL CRISIS PLANNING AND DE-ESCALATION OF POTENTIALLY DANGEROUS BEHAVIOR OCCURRING AMONG GROUPS OF STUDENTS OR WITH AN INDIVIDUAL STUDENT.

School-Level Supports

The school will provide school-wide professional development focused on identifying and preventing student violence, self-injurious behavior and suicide, including individual behavior crisis planning and de-escalation of potentially dangerous behavior occurring among groups of students or with an individual student. In addition, the school-level crisis team will participate in professional development focused on preventative measures to prevent student violence, self-injurious behavior and suicide, including individual behavior crisis planning and de-escalation of potentially dangerous behavior occurring among groups of students or with an individual student. The crisis team along with teachers and other school personnel will identify students who are potentially at-risk and review student social, emotional and behavior progress monthly at the Student Support Team Meeting (SST) and/or leadership team meeting to plan interventions and supports for students. The monthly meetings will include school counselors, school nurse, administration and if necessary the school psychologist as a resource to plan appropriate interventions and supports for the students.

Each school has a crisis team/TES-School Wide Administrative Team (SWAT), which includes the administrative team, school counselors, nurse(s) and school psychologist when necessary. All members of the school's crisis team are trained in Crisis Prevention Intervention (CPI).

For any student with a history of significant emotional/ behavior including at risk behavior (harm to self and/or others) and/or a student who requires physical restraint, the Team should develop a safety behavior intervention plan or crisis plan. The plan should include strategies and supports which may include specific de-escalation strategies, counseling services, monitoring protocol, data collection, and frequent review meetings (at least 2x monthly), etc. for the purpose of assessing progress and making necessary adjustments. Teams can request a functional behavioral assessment (FBA) or Safety Assessment and can refer to outside agencies if needed. Each school has a functioning SST, which meets monthly (or more as needed) to discuss individual students and/or groups of students demonstrating problem behavior and

mental health concerns. The team should include an administrator, teachers, school counselor, school psychologist, and, if necessary, may include an outside agency representative.

School staff should utilize the school district's various tools to help students who are exhibiting aggressive behavior.

General De-Escalation Guidelines

General guidelines for de-escalating potentially dangerous behavior occurring among groups of students or with an individual student include the following:

1. Remain calm - To possibly help prevent the likelihood of a student experiencing distress from escalating his/her behavior use a neutral and level tone of voice, control one's facial expressions and use a supportive non-threatening body language.
2. Obtain Assistance - Whenever possible, school personnel should immediately take steps to notify school administrators, the school's administrative response team and/or other school personnel of a potentially dangerous situation and to obtain additional assistance.
3. One Person Speaks - In order to minimize the likelihood of confusion and/or the likelihood of a student experiencing distress from escalating his/her behavior having one person providing overall direction to the response and the follow up procedures is advisable. This often may be either the first trained staff person on the scene or the staff person with the most information about the particular situation.
4. Remove Student If Possible - The feasibility of having a student experiencing distress leave an area with other students and move to another more private and safe area in order to de-escalate should be considered.
5. Remove Other Students - If it is not feasible to have a student experiencing distress move to a more private and safe area in order to de-escalate, consider the feasibility of having other staff assist and monitor the removal of other students to another area within the school until the student de-escalates.

B. METHODS FOR ENGAGING PARENTS/GUARDIANS AND YOUTH IN DISCUSSIONS ABOUT RESTRAINT PREVENTION AND USE OF RESTRAINT SOLELY AS AN EMERGENCY PROCEDURE.

The Principal should provide all families and students with information about behavioral supports and restraint prevention efforts that are utilized within their school annually. Additionally, the Principal is expected to follow these administrative procedures with respect to identifying students who may be at risk of restraint and work with the student and their family along with the school counselor to identify and work on behavioral supports to prevent restraint from occurring. If a student is restrained, the Principal is expected to follow these administrative procedures with respect to engaging the student and their family about the use of the restraint, the report regarding the restraint, any disciplinary sanctions that may be imposed and/or any other related matters. Additionally, the school counselor also should follow up with the student and their family regarding behavioral supports.

C. DESCRIPTION AND EXPLANATION OF THE PROGRAM'S ALTERNATIVES TO PHYSICAL RESTRAINT AND METHOD OF RESTRAINT IN EMERGENCY SITUATIONS.

There are a variety of appropriate responses to student behavior that may require immediate intervention. These alternative methods should be used first when seeking to prevent student violence, self-injurious behavior and/or de-escalating potentially dangerous behavior occurring among groups of

students or with an individual student. Physical restraints only should be used as a last resort in emergency situations after these other less intrusive alternatives have failed or been deemed inappropriate.

Examples of interventions and less intrusive methods that may preclude the need for the use of physical restraint include but are not limited to, the following:

1. Active listening
2. Use of a low non-threatening voice
3. Limiting the number of adults providing direction to the student
4. Offering the student a choice
5. Not blocking the student's access to an escape route
6. Suggesting possible resolutions to the student
7. Avoiding dramatic gestures (waving arms, pointing, blocking motions, etc.)
8. Verbal prompt - A verbal prompt is communicating what is expected behavior by clearly stating instructions and expectations.
9. Full or partial physical cue - A full or partial physical cue is anytime an adult needs to temporarily place their hands on a student or physically redirects a student without force. These are used at increasing levels as needed to return a student safely back to task. See Physical Redirection and Physical Escort below.
10. Physical Escort - A physical escort is a temporary touching or holding, without the use of force, of the hand, wrist, arm, shoulder or back, for the purpose of inducing a student who is agitated to walk to a safe location.
11. Physical Redirection - A physical redirection is done by temporarily placing one hand on each of the student's shoulders, without force, and redirecting the student to the learning activity, classroom or safe location.
12. Time-Out - A time-out is a behavioral support strategy in which a student temporarily separates from the learning activity or classroom, either by choice or by direction from staff, for the purpose of calming. During time-out a staff member must continuously observe a student. Staff shall be with the student or immediately available to the student at all times. The space used for time-out must be clean, safe, sanitary and appropriate for the purpose of calming. Time-out shall cease as soon as the student is calmed.

D. STATEMENT PROHIBITING: MEDICATION RESTRAINT, MECHANICAL RESTRAINT, PRONE RESTRAINT UNLESS PERMITTED PURSUANT OT 603 CMR 46.03 (1)(B), SECLUSION, AND THE USE ON PHYSICAL RESTRAINT IN A MANNER INCONSISTENT WITH 603 CMR 46.00.

- a. See page three, section III "Use of Restraint", part one: "Prohibition"

E. DISTRICT TRAINING REQUIREMENTS, REPORTING REQUIREMENTS, AND FOLLOW-UP PROCEDURES

For Training Requirements: see page nine, section IV "Use of Restraint," part two: "Required training for all staff"

a. For Reporting Requirements: see page 11, Section VI "Reporting Requirements"

F. A PROCEDURE FOR RECEIVING AND INVESTIGATING COMPLAINTS REGARDING RESTRAINT PRACTICES

a. See page 13, Section VII "Complaint Procedures"

G. A PROCEDURE FOR CONDUCTING PERIODIC REVIEW OF DATA AND DOCUMENTATION ON THE USE OF PHYSICAL RESTRAINTS AS DESCRIBED IN 603 CMR 46.06(5) AND (6).

a. See page 11, Section VI "Reporting Requirements," part five: "Individual Student review," part six: "Administrative Review"

H. A PROCEDURE FOR IMPLEMENTING THE REPORTING REQUIREMENTS AS DESCRIBED IN 603 CMR 46.06.

a. See page 11, Section VI "Reporting Requirements"

I. A PROCEDURE FOR MAKING REASONABLE EFFORTS TO ORALLY NOTIFY A PARENT ON THE USE OF RESTRAINT ON A STUDENT WITHIN 24 HOURS OF THE RESTRAINT AND FOR SENDING WRITTEN NOTIFICATION TO THE PARENT WITHIN THREE SCHOOL WORKING DAYS FOLLOWING THE USE OF RESTRAINT TO AN EMAIL ADDRESS PROVIDED BY THE PARENT FOR THE PURPOSE OF COMMUNICATING ABOUT THE STUDENT, OR BY REGULAR MAIL TO THE PARENT POSTMARKED WITHIN THREE WORKING DAYS OF THE RESTRAINT.

a. See page 11, Section VI "Reporting Requirements, part 3: "Informing Parents."

J. IF THE PROGRAM USES TIME OUT AS A BEHAVIORAL SUPPORT STRATEGY, A PROCEDURE FOR THE USE OF TIME-OUT THAT INCLUDES A PROCESS FOR OBTAINING PRINCIPAL APPROVAL FOR A TIME-OUT OF MORE THAN 30 MINUTES BASED ON THE INDIVIDUAL STUDENT'S CONTINUED AGITATION.

Time out is a behavioral support strategy in which a student temporarily separates from the learning activity or the classroom, either by choice or by direction from staff, for the purpose of calming. During time-out, a student must be continuously observed by a staff member. Staff shall be with the student or immediately available to the student at all times. The space used for time-out must be clean, safe, sanitary, and appropriate for the purpose of calming. Time-out shall cease as soon as the student has calmed.

1. The use of inclusionary time-out as a behavioral support strategy

The definition of time-out includes the practice of inclusionary time-out, i.e., when the student is removed from positive reinforcement or full participation in classroom activities while remaining in the classroom,

and exclusionary time-out (see #2 below), i.e., the separation of students from the rest of the class either through complete visual separation or from actual physical separation. The use of inclusionary time-out functions well as a behavior support strategy while allowing the student to remain fully aware of the learning activities of the classroom. Inclusionary time-out includes practices used by teachers as part of their classroom behavior support tools, such as "planned ignoring," asking students to put their heads down, or placing a student in a different location within the classroom (this does not include walled off "time-out" rooms located within the classroom; use of those is considered to be an exclusionary time-out - see #2 below). These strategies, used to reduce external stimuli in the student's environment while keeping the student physically present and involved in learning, have proven to be useful tools for classroom management.

2. The use of exclusionary time-out in educational settings

Exclusionary time-out as a staff-directed behavioral support should only be used when the student is displaying behaviors which present, or potentially present, an unsafe or overly disruptive situation in the classroom. Staff-directed exclusionary time-out should not be used as a method of punishment for noncompliance, or for incidents of misbehavior that are no longer occurring.

During an exclusionary time-out:

- The student must be continuously observed by a staff member;
- Staff must be with the student or immediately available to the student at all times;
- The space used for exclusionary time-out must be clean, safe, sanitary, and appropriate for the purpose of calming;

Exclusionary time-out must cease as soon as the student has calmed.

When a student is separated from the learning environment in an exclusionary time-out, s/he must be in a safe and calming environment. For any exclusionary time-out that may last longer than 30 minutes, programs must seek approval from the principal for the continued use of time-out. The principal may not routinely approve such requests but must consider the individual circumstances, specifically whether the student continues to be agitated to determine whether time-out beyond 30 minutes is justified. If it appears that the use of exclusionary time-out exacerbates the student's behavior, or the continuation of the exclusionary time-out beyond 30 minutes has not helped the student to calm, then other behavioral support strategies should be attempted.

Exclusionary time-out is an intervention that should be reserved for use only when students are displaying behaviors which present, or potentially present, an unsafe or overly disruptive situation in the classroom. In such circumstances, the student may either ask to leave the classroom, or the student may be directed to a separate setting for the purpose of helping the student to calm down. Unless it poses a safety risk, a staff member must be physically present with the student who is in an exclusionary time-out setting. If it is not safe for the staff member to be present with the student, the student may be left in the time-out setting with the door closed. However, in order to ensure that the student is receiving appropriate support, a school counselor or other behavioral support professional must be immediately available outside of the time-out setting where the individual can continuously observe and communicate with the student as appropriate to determine when the student has calmed. Students must never be locked in a room. For students displaying self-injurious behavior, a staff member must be physically present in the same setting with the student. Exclusionary time-out must end when the student has calmed.

3. Seclusion

603 CMR 46.02 defines seclusion as: The involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving.

The key elements of this definition are two factors considered together, (1) the student is alone with no staff present or immediately available; and (2) the student is prevented from leaving the area. The use of seclusion is prohibited in Massachusetts.

(2) Required training for all staff.

Required training is described in this section. For Reporting Requirements (46.06), see Follow-Up Procedures, Required training for all staff. Each principal or director shall determine a time and method to provide all program staff with training regarding the program's restraint prevention and behavior support policy and requirements when restraint is used. Such training shall occur within the first month of each school year and, for employees hired after the school year begins, within a month of their employment. Training shall include information on the following:

- (a) The role of the student, family, and staff in preventing restraint;
- (b) The program's restraint prevention and behavior support policy and procedures, including use of time-out as a behavior support strategy distinct from seclusion;
- (c) Interventions that may preclude the need for restraint, including de-escalation of problematic behaviors and other alternatives to restraint in emergency circumstances;
- (d) When behavior presents an emergency that requires physical restraint, the types of permitted physical restraints and related safety considerations, including information regarding the increased risk of injury to a student when any restraint is used, in particular a restraint of extended duration;
- (e) Administering physical restraint in accordance with medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans applicable to an individual student; and
- (f) Identification of program staff who have received in-depth training pursuant to 603 CMR 46.03(3) in the use of physical restraint.

(3) In-depth staff training in the use of physical restraint. At the beginning of each school year, the principal of each public education program or his or her designee shall identify program staff who are authorized to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. Such staff shall participate in in-depth training in the use of physical restraint. The Department recommends that such training be competency-based and be at least sixteen (16) hours in length with at least one refresher training occurring annually thereafter.

(4) Content of in-depth training. In-depth training in the proper administration of physical restraint shall include, but not be limited to:

- (a) Appropriate procedures for preventing the use of physical restraint, including the de-escalation of problematic behavior, relationship building and the use of alternatives to restraint;

(b) A description and identification of specific dangerous behaviors on the part of students that may lead to the use of 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;

(e) Demonstration by participants of proficiency in administering physical restraint; and,

(f) Instruction regarding the impact of physical restraint on the student and family, recognizing the act of restraint has impact, including but not limited to psychological, physiological, and social-emotional effects.

V. PROPER ADMINISTRATION OF PHYSICAL RESTRAINT

All physical restraints, including prone restraint, where permitted, shall be administered in compliance with 603 CMR 46.05.

(1) Trained personnel. Only public education program personnel who have received training pursuant to 603 CMR 46.04(2) or 603 CMR 46.04(3) shall administer physical restraint on students. Whenever possible, the administration of a restraint shall be witnessed by at least one adult who does not participate in the restraint. The training requirements contained in 603 CMR 46.00 shall not preclude a teacher, employee or agent of a public education program from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.

(2) Use of force. A person administering a physical restraint shall use only the amount of force necessary to protect the student or others from physical injury or harm.

(3) Safest method. A person administering physical restraint shall use the safest method available and appropriate to the situation subject to the safety requirements set forth in 603 CMR 46.05(5). Floor restraints, including prone restraints otherwise permitted under 603 CMR 46.03(1)(b), shall be prohibited unless the staff members administering the restraint have received in-depth training according to the requirements of 603 CMR 46.043(3) and, in the judgment of the trained staff members, such method is required to provide safety for the student or others present.

(4) Duration of restraint. All physical restraint must be terminated as soon as the student is no longer an immediate danger to himself or others, or the student indicates that he or she cannot breathe, or if the student is observed to be in severe distress, such as having difficulty breathing, or sustained or prolonged crying or coughing.

(5) Safety requirements. Additional requirements for the use of physical restraint:

(a) No restraint shall be administered in such a way that the student is prevented from breathing or speaking. During the administration of a restraint, a staff member shall continuously monitor the physical status of the student, including skin temperature and color, and respiration.

(b) Restraint shall be administered in such a way so as to prevent or minimize physical harm. If, at any time during a physical restraint, the student expresses or demonstrates significant physical

distress including, but not limited to, difficulty breathing, the student shall be released from the restraint immediately, and school staff shall take steps to seek medical assistance.

(c) If a student is restrained for a period longer than 20 minutes, program staff shall obtain the approval of the principal. The approval shall be based upon the student's continued agitation during the restraint justifying the need for continued restraint.

(d) Program staff shall review and consider any known medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans regarding the use of physical restraint on an individual student.

(e) After the release of a student from a restraint, the public education program shall implement follow-up procedures. These procedures shall include reviewing the incident with the student to address the behavior that precipitated the restraint, reviewing the incident with the staff person(s) who administered the restraint to discuss whether proper restraint procedures were followed, and consideration of whether any follow-up is appropriate for students who witnessed the incident.

VI. REPORTING REQUIREMENTS

(1) Circumstances under which a physical restraint must be reported. Program staff shall report the use of any physical restraint as specified in 603 CMR 46.06(2).

(2) Informing the principal. The program staff member who administered the restraint shall verbally inform the principal of the restraint as soon as possible, and by written report no later than the next school working day. The written report shall be provided to the principal for review of the use of the restraint. If the principal has administered the restraint, the principal shall prepare the report and submit it to an individual or team designated by the superintendent or board of trustees for review. The principal or director or his/her designee shall maintain an on-going record of all reported instances of physical restraint, which shall be made available for review by the parent or the Department upon request.

(3) Informing parents. The principal or director of the program or his/her designee shall make reasonable efforts to verbally inform the student's parent of the restraint within 24 hours of the event, and shall notify the parent by written report sent either within three school working days of the restraint to an email address provided by the parent for communications about the student, or by regular mail postmarked no later than three school working days of the restraint. If the school or program customarily provides a parent of a student with report cards and other necessary school-related information in a language other than English, the written restraint report shall be provided to the parent in that language. The principal shall provide the student and the parent an opportunity to comment orally and in writing on the use of the restraint and on information in the written report.

(4) Contents of report. The written report required by 603 CMR 46.06(2) and (3) shall include:

(a) The name of the student; the names and job titles of the staff who administered the restraint, and observers, if any; the date of the restraint; the time the restraint began and ended; and the name of the principal or designee who was verbally informed following the restraint; and, as applicable, the name of the principal or designee who approved continuation of the restraint beyond 20 minutes pursuant to 603 CMR 46.05(5)(c).

(b) A description of the activity in which the restrained student and other students and staff in the same room or vicinity were engaged immediately preceding the use of physical restraint; the behavior that prompted the restraint; the efforts made to prevent escalation of behavior, including

the specific de-escalation strategies used; alternatives to restraint that were attempted; and the justification for initiating physical restraint.

(c) A description of the administration of the restraint including the holds used and reasons such holds were necessary; the student's behavior and reactions during the restraint; how the restraint ended; and documentation of injury to the student and/or staff, if any, during the restraint and any medical care provided.

(d) Information regarding any further action(s) that the school has taken or may take, including any consequences that may be imposed on the student.

(e) Information regarding opportunities for the student's parents to discuss with school officials the administration of the restraint, any consequences that may be imposed on the student, and any other related matter.

(5) Individual student review. The principal shall conduct a weekly review of restraint data to identify students who have been restrained multiple times during the week. If such students are identified, the principal shall convene one or more review teams as the principal deems appropriate to assess each student's progress and needs. The assessment shall include at least the following:

(a) review and discussion of the written reports submitted in accordance with 603 CMR 46.06 and any comments provided by the student and parent about such reports and the use of the restraints;

(b) analysis of the circumstances leading up to each restraint, including factors such as time of day, day of the week, antecedent events, and individuals involved;

(c) consideration of factors that may have contributed to escalation of behaviors, consideration of alternatives to restraint, including de-escalation techniques and possible interventions, and such other strategies and decisions as appropriate, with the goal of reducing or eliminating the use of restraint in the future;

(d) agreement on a written plan of action by the program.

If the principal directly participated in the restraint, a duly qualified individual designated by the superintendent or board of trustees shall lead the review team's discussion. The principal shall ensure that a record of each individual student review is maintained and made available for review by the Department or the parent, upon request.

(6) Administrative review. The principal shall conduct a monthly review of school-wide restraint data. This review shall consider patterns of use of restraints by similarities in the time of day, day of the week, or individuals involved; the number and duration of physical restraints school-wide and for individual students; the duration of restraints; and the number and type of injuries, if any, resulting from the use of restraint. The principal shall determine whether it is necessary or appropriate to modify the school's restraint prevention and management policy, conduct additional staff training on restraint reduction/prevention strategies, such as training on positive behavioral interventions and supports, or take such other action as necessary or appropriate to reduce or eliminate restraints.

(7) Report all restraint-related injuries to the Department. When a physical restraint has resulted in an injury to a student or program staff member, the program shall send a copy of the written report required by 603 CMR 46.06(4) to the Department postmarked no later than three school working days of the

administration of the restraint. The program shall also send the Department a copy of the record of physical restraints maintained by the principal pursuant to 603 CMR 46.06(2) for the 30-day period prior to the date of the reported restraint. The Department shall determine if additional action by the program is warranted and, if so, shall notify the program of any required actions within 30 calendar days of receipt of the required written report(s).

(8) Report all physical restraints to the Department. Every program shall collect and annually report data to the Department regarding the use of physical restraints. Such data shall be reported in a manner and form directed by the Department.

VII. COMPLAINT PROCEDURES

A. Informal Resolution of Concern about Use of Physical Restraint

Before initiating a formal complaint procedure, a student or his/her parent/guardian who has concerns regarding a specific use of a physical restraint, may seek to resolve his/her concerns regarding a specific use of a physical restraint by raising the issue with the principal of the school. The student and/or his/her parent/guardian should direct their concerns regarding a specific use of a physical restraint to the principal within ten (10) days of the parent/guardian's receipt of the written report from the school detailed above in Section IV (F)(2). The principal shall attempt, within his/her authority, to work with the individual to resolve the complaint fairly and expeditiously. If the student and/or his/her parent/guardian are not satisfied with the resolution, or if the student and/or his/her parent/guardian does not choose informal resolution, then the student and/or his/her parent/guardian may proceed with the formal complaint process detailed below in Section VI (B).

B. Formal Resolution of Concern about Use of Physical Restraint

A student or his/her parent/guardian, who has concerns regarding a specific use of a physical restraint, may seek to resolve his/her concerns regarding a specific use of a physical restraint by submitting a written complaint to the Office of the Superintendent. The student and/or his/her parent/guardian should submit this letter to the Office of the Superintendent within twenty (20) days of the parent/guardian's receipt of the written report from the school detailed above in Section IV (F)(2). The written complaint shall include (a) the name of the student; (b) the name of the school where the physical restraint allegedly occurred; (c) the name of the individuals involved in the alleged physical restraint; (d) the basis of the complaint or concern; and (e) the corrective action being sought.

The Office of the Superintendent, through its designees, shall conduct an investigation into the complaint promptly after receiving the complaint. In the course of its investigation, the Office of the Superintendent and/or its designees shall contact those individuals that have been referred to as having pertinent information related to the complaint. Strict timelines cannot be set for conducting the investigation because each set of circumstances is different. The Office of the Superintendent and/or its designees will make sure that the complaint is handled as quickly as is feasible. After completing the formal investigation, the Office of the Superintendent shall contact the individual who filed the complaint regarding the outcome of its investigation and its determination as to whether any corrective action is warranted.

C. Other Complaint Processes also Available

It should be noted that the provisions of this section does not preclude a student from using the complaint process set forth in the districts Anti-Harassment and Sexual Harassment Policies to seek resolution of any complaints of discrimination or harassment that is based on a characteristic protected by law such as sex, race, color, gender, ancestry, national origin, ethnicity, religion, age, disability, marital status, sexual orientation, homelessness, gender identity or genetic information. It also should be noted that the

provisions of this section does not preclude a student from using the complaint process set forth in the Dennis Yarmouth Regional School District Student Handbook to seek resolution of any complaints regarding a student's deprivation of rights set forth in the school handbook.

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File: AC

NON-DISCRIMINATION POLICY INCLUDING HARASSMENT AND RETALIATION

The Dennis-Yarmouth Regional School Committee and Dennis-Yarmouth Regional School District are committed to maintaining an education and work environment for all school community members. that is free from all forms of discrimination, including harassment and retaliation. The members of the school community include the School Committee, employees, administration, faculty, staff, students, volunteers in the schools, and parties contracted to perform work for the Dennis-Yarmouth Regional School District.

The Dennis-Yarmouth Regional School District does not exclude from participation, deny the benefits of The Dennis-Yarmouth Regional School District from or otherwise discriminate against, individuals on the basis of race, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy, or pregnancy-related condition, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law in the administration of its educational and employment policies, or in its programs and activities.

This commitment to the community is affirmed by the following statements. The School Committee commits to:

1. Promoting the rights and responsibilities of all individuals as set forth in the State and Federal Constitutions, pertinent legislation, and applicable judicial interpretations.
2. Encouraging positive experiences in human values for children, youth and adults, all of whom have differing personal and family characteristics and who come from various socioeconomic, racial and ethnic groups.
3. Working toward a more integrated society and enlisting the support of individuals as well as groups and agencies, both private and governmental, in such an effort.
4. Using all appropriate communication and action techniques to air and address the grievances of individuals and groups.
5. Carefully consider, in all the decisions made within the school district, the potential benefits or adverse consequences that those decisions might have on the human relations.
6. Initiating a process of reviewing policies and practices of the school district in order to achieve to the greatest extent possible the objectives of this statement.

The Dennis-Yarmouth Regional School District requires all members of the school community to conduct themselves in accordance with this policy. It shall be a violation of this policy for any member of the school community to engage in any form of discrimination, including harassment and retaliation, or to violate any other civil right of any member of the school community. We recognize that discrimination can take a range of forms and can be targeted or unintentional; however, discrimination in any form, including harassment and retaliation, will not be tolerated.

It shall also be a violation of this policy for any school community member to subject any other member of the school community to any form of retaliation, including, but not limited to, coercion, intimidation, interference, punishment, discrimination, or harassment, for reporting or filing a complaint of discrimination, cooperating in an investigation, aiding or encouraging another member of the school community to report such conduct or file a complaint, or opposing any act or practice reasonably

believed to be prohibited by this policy.

LEGAL REFS:

Title VI, Civil Rights Act of 1964
Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972 Executive Order 11246, as amended by E.O. 11375
Equal Pay Act, as amended by the Education Amendments of 1972 Title IX, Education Amendments of 1972
Rehabilitation Act of 1973
Education for All Handicapped Children Act of 1975
No Child Left Behind Act of 2001, 20 U.S.C. § 7905 (The Boy Scouts of America Equal Access Act)
M.G.L. 71B:1 et seq. (Chapter 766 of the Acts of 1972)

CROSS REF:

ACE, Non-Discrimination on the Basis of Disability
ACAB, Sexual Harassment
GBA, Equal Employment Opportunity
IJ, Instructional Materials
JB, Equal Educational Opportunities

SOURCE: MASC December 2021

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File: AC-R

NON-DISCRIMINATION POLICY INCLUDING HARASSMENT AND RETALIATION

The Dennis-Yarmouth Regional School District will respond promptly to any reports or complaints of discrimination, including harassment and retaliation, or other violations of civil rights, pursuant to our detailed response protocol. Where it is determined that discrimination or harassment has occurred, The Dennis-Yarmouth Regional School District will act promptly to eliminate the conduct and will impose developmentally- appropriate disciplinary, restorative, and/or corrective action.

Any member of the school community who is found, after investigation, to have engaged in any form of discrimination, including harassment or retaliation, against another member of the school community, will be subject to consequences determined appropriate by the administration. Such consequences may include restorative measures and corrective action, and/or student discipline or staff disciplinary action, up to and including termination of employment.

Definitions

"Discrimination" and "Harassment" are defined as unwelcome conduct, whether verbal or physical, that is based on any individual's actual or perceived race, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy or pregnancy-related conditions, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law. Discrimination and/or harassment includes, but is not limited to:

- Display or circulation of written materials or pictures that are degrading to a person or group described above.
- Verbal abuse or insults about, directed at, or made in the presence of, an individual or group described above.
- Any action or speech that contributes to, promotes or results in a hostile or discriminatory environment to an individual or group described above.
- Any action or speech that is sufficiently severe, pervasive or persistent that it either (i) interferes with or limits the ability of an individual or group described above to participate in or benefit from employment or a program or activity of The Dennis-Yarmouth Regional School District; or (ii) creates an intimidating, threatening or abusive educational or working environment.

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

"Title IX Sexual Harassment" (effective August 14, 2020) means verbal, physical or other conduct that targets a person based on their sex, and that satisfies one or more of the following:

- A school employee conditioning educational benefits or services on participation in unwelcome sexual conduct (i.e., quid pro quo);

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

Allegations of Title IX Sexual Harassment shall be reported and investigated pursuant to the Dennis-Yarmouth Regional School District Protocol for Investigating Sexual Harassment and Retaliation Pursuant to Title IX.

Resources

The following individual is designated as the District ADA, Title VI, Title IX, and Sexual Harassment Coordinator, and Grievance Officer for the School Committee, administration, faculty, staff, volunteers in the schools, and for parties who are contracted to perform work for the Dennis-Yarmouth Regional School District, and can be reached at:

Director of Pupil Services
 Dennis-Yarmouth Regional School District
 296 Station Avenue
 South Yarmouth, Massachusetts 02664
 508-398-7600

The following individual is designated as the District ADA, Title VI, Title IX, and Sexual Harassment and Civil Rights Coordinator for students in the Dennis-Yarmouth Regional School District. In addition, the following individual is the District 504 Coordinator, and can be reached at:

Director of Pupil Services
 Dennis-Yarmouth Regional School District
 296 Station Avenue
 South Yarmouth, Massachusetts 02664
 508-398-7600

Inquiries concerning the Dennis-Yarmouth Regional School District policies and protocols, compliance with applicable laws, statutes, and regulations, and complaints may also be directed to the Director of Human Resources. Inquiries about laws, statutes, regulations and compliance may also be directed to the Massachusetts Department of Elementary and Secondary Education or the Office for Civil Rights, U.S. Department of Education, 5 Post Office Square, 8th Floor, Suite 900, Boston, MA 02109; (617) 289-0111; Email: OCR.Boston@ed.gov; Website: www.ed.gov/ocr

LEGAL REFS.: Title VI, Civil Rights Act of 1964
 Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972 Executive Order 11246, as amended by E.O. 11375
 Equal Pay Act, as amended by the Education Amendments of 1972 Title IX, Education Amendments of 1972
 Rehabilitation Act of 1973
 Education for All Handicapped Children Act of 1975
 No Child Left Behind Act of 2001, 20 U.S.C. § 7905 (The Boy Scouts of America

Equal Access Act)
M.G.L. 71B:1 et seq. (Chapter 766 of the Acts of 1972)

CROSS REF:

ACE, Non-Discrimination on the Basis of Disability
ACAB, Sexual Harassment
GBA, Equal Employment Opportunity
IJ, Instructional Materials
JB, Equal Educational Opportunities

Title IX Sexual Harassment Grievance Procedure
Civil Rights Grievance Procedure

SOURCE: MASC December 2021

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File: ACAB

SEXUAL HARASSMENT

The Dennis-Yarmouth Regional School Committee and Dennis-Yarmouth Regional School District are committed to maintaining an education and work environment for all school community members that is free from all forms of harassment, including sexual harassment. The members of the school community include the School Committee, employees, administration, faculty, staff, students, volunteers in the schools, and parties contracted to perform work for the Dennis-Yarmouth Regional School District.

Sexual harassment is unwelcome conduct of a sexual nature. The definition includes unwelcome conduct on the basis of sex that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the school's education program or activity it also, includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature. Sexual harassment includes conduct by an employee conditioning an educational benefit or service upon a person's participation in unwelcome sexual conduct, often called quid pro quo harassment and, sexual assault as the Federal Clery Act defines that crime. Sexual violence is a form of sexual harassment. Sexual violence, as the Office of Civil Rights (OCR) uses the term, refers to physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the student's age or use of drugs or alcohol, or because an intellectual or other disability prevents the student from having the capacity to give consent). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse and sexual coercion. Massachusetts General Laws Ch. 119, Section 51 A, requires that public schools report cases of suspected child abuse, immediately orally and file a report within 48 hours detailing the suspected abuse to the Department of Children and Families. For the category of sexual violence, in addition to Section 51A referrals these offenses and any other serious matters shall be referred to local law enforcement. Schools must treat seriously all reports of sexual harassment that meet the definition of sexual harassment and the conditions of actual notice and jurisdiction as noted above. Holding a school liable under Title IX can occur only when the school knows of sexual harassment allegations and responds in a way that is deliberately indifferent (clearly unreasonable in light of known circumstance).

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct, which if unwelcome, may constitute sexual harassment, depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

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

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating an

environment that is hostile, offensive, intimidating, to male, female, or gender non-conforming students or employees may also constitute sexual harassment.

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

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

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

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

NOTICE OF SEXUAL HARASSMENT

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

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

DUE PROCESS PROTECTIONS

Due process protections include the following:

- 1) A presumption of innocence throughout the grievance process, with the burden of proof on the school;
- 2) A prohibition of the single investigator model, instead requiring a decision-maker separate from the Title IX Coordinator or investigator;
- 3) The clear and convincing evidence or preponderance of the evidence, subject to limitations;

- 4) The opportunity to test the credibility of parties and witnesses through cross examination, subject to "rape shield" protections;
- 5) Written notice of allegations and an equal opportunity to review the evidence;
- 6) Title IX Coordinators, investigators, and decision-makers must be free from bias or conflict of interest;
- 7) Equal opportunity for parties to appeal, where schools offer appeals;
- 8) Upon filing a formal complaint the school must give written notice to the parties containing sufficient details to permit a party to prepare for any initial interview and proceed with a factual investigation. For K-12 schools a hearing is optional but the parties must be allowed to submit written questions to challenge each other's credibility before the decision-maker makes a determination. After the investigation, a written determination must be sent to both parties explaining each allegation, whether the respondent is responsible or not responsible, including the facts and evidence on which the conclusion was based by applying either the preponderance of the evidence or the clear and convincing standard; however, a school can use the lower preponderance standards only if it uses that standard for conduct code violations that do not involve sexual harassment but carry the same maximum disciplinary sanction. As long as the process is voluntary for all parties, after being fully informed and written consent is provided by both parties, a school may facilitate informal resolution of a sexual complaint.

A district may establish an informal investigation process that may, upon the request of the complainant be followed by a formal process.

The Superintendent in consultation with the Title IX Coordinator shall designate the principal of each school in the district, or their designee (or some other appropriate employee(s)) as the initial entity to receive the sexual harassment complaint. Also, in a matter of sexual harassment, the district shall require that the Title IX Coordinator be informed, as soon as possible, of the filing of the complaint. Nothing in this policy shall prevent any person from reporting the prohibited conduct to someone other than those above designated complaint recipients. The investigating officer may receive the complaint orally or in writing, and the investigation shall be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances and in compliance with applicable law. The investigation will be prompt, thorough, and impartial, and will include, at least, a private interview with the person filing the complaint and with witnesses. Also, the alleged harasser will be interviewed. When the investigation is completed, the complaint recipient will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

RECORD KEEPING REQUIREMENTS

Schools must create and maintain records documenting every Title IX sexual harassment complaint. This could include mediation, restorative justice, or other models of alternative dispute resolution. Schools must keep records regarding the school's response to every report of sexual harassment of which it becomes aware even if no formal complaint was filed, including documentation of supportive matters offered and implemented for the complainant.

This policy, or a summary thereof that contain the essential policy elements shall be distributed by the Dennis-Yarmouth Regional School District to its students and employees and each parent or guardian shall sign that they have received and understand the policy.

The District's Title IX Coordinator is:
Director of Pupil Services

Dennis-Yarmouth Regional School District
296 Station Avenue
South Yarmouth, MA 02664
508-398-7624

Contact information for the Superintendent and the building Principals is:

Superintendent: 508-398-7604
D-Y Regional High School Principal: 508-398-7630
Nathaniel H. Wixon Middle School Principal: 508-398-7695
Mattacheese Middle School Principal: 508-778-7979
M. E. Small Elementary School Principal: 508-778-7975
Station Avenue Elementary School Principal: 508-760-5600
Ezra H. Baker Innovation School Principal: 508-398-7690

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

The Complainant may also file a complaint with:

- The Mass. Commission Against Discrimination, 1 Ashburton Place, Room 601
Boston, MA 02108.
Phone: 617-994-6000.
- Office for Civil Rights (U.S. Department of Education)
5 Post Office Square, 8th Floor
Boston, MA 02109.
Phone: 617-289-0111.
- The United States Equal Employment Opportunity Commission,
John F. Kennedy Bldg.
475 Government Center
Boston, MA 02203.

LEGAL REF.: M.G.L. 151B:3A
Title IX of the Education Amendments of 1972
BESE 603 CMR 26:00
34 CFR 106.44 (a), (a)-(b)
34 CFR 106.45 (a)-(b) (1)
34 CFR 106.45 (b)(2)-(b)(3,4,5,6,7) as revised through June 2020

Note: A summary of the attached Policy, as adopted, must be sent to parents/guardians, students, employees, unions, and prospective employees of the school district including Title IX Coordinator(s), investigator(s) and the decision-maker. The above referenced employees must attend training sessions on the implementation of the Policy.

SOURCE: MASC December 2021

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File: JICK

HARASSMENT OF STUDENTS

Harassment of students by other students, employees, vendors and other third parties will not be tolerated in the Dennis-Yarmouth Regional School District. The alleged harassment must involve conduct that occurred within the school's own program or activity, such as whether the harassment occurred at a location or under circumstances where the school owned, or substantially controlled the premises, exercised oversight, supervision or discipline over the location or participants, or funded, sponsored, promoted or endorsed the event where the alleged harassment occurred, against a person in the United States. This policy is in effect while students are on school grounds, School District property or property within the jurisdiction of the School District, school buses, or attending or engaging in school sponsored activities.

Harassment prohibited by the District includes, but is not limited to, harassment on the basis race, color, sex, sexual orientation, gender identity, religion, disability, age, genetic information, active military/veteran status, marital status, familial status, pregnancy, or pregnancy-related condition, homelessness, ancestry, ethnic background, national origin, or any other category protected by state or federal law. Students whose behavior is found to be in violation of this policy will be subject to disciplinary action up to and including suspension or expulsion pursuant to disciplinary codes. Employees who have been found to violate this policy will be subject to discipline up to and including, termination of employment, subject to contractual disciplinary obligations.

Employee-to-Student Harassment means conduct of a written, verbal or physical nature that is designed to embarrass, distress, agitate, disturb or trouble students when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of a student's education or of a student's participation in school programs or activities; or
- Submission to or rejection of such conduct by a student is used as the basis for decisions affecting the student.

Student-to-Student Harassment means conduct of a written, verbal, or physical nature that is designed to embarrass, distress, agitate, disturb or trouble students, when:

- Such conduct has the purpose or effect of unreasonably interfering with a student's performance or creating an intimidating or hostile learning environment.

Harassment as described above may include, but is not limited to:

- Written, verbal, or physical (including texting, blogging, or other technological methods) harassment or abuse;
- Repeated remarks of a demeaning nature;
- Implied or explicit threats concerning one's grades, achievements, or other school matter.
- Demeaning jokes, stories, or activities directed at the student.

By law, what constitutes harassment is determined from the perspective of a reasonable person with the characteristic on which the harassment is based. Individuals should consider how their words and actions might reasonably be viewed by others.

The District will promptly and reasonably investigate allegations of harassment through designation of Title IX Coordinator or building based employees, who may include principals or their designees. The superintendent will recommend, in consultation with the principals, opportunities to the designated recipients for appropriate training. Where it is determined that discrimination or harassment has occurred, the District will act promptly to eliminate the conduct and will impose developmentally appropriate disciplinary, restorative and/or corrective action.

The District will respond promptly and reasonably investigate allegations of sexual harassment through designation of the Title IX Coordinator or building based employees to any reports or complaints of discrimination, including harassment and retaliation, or other violations of civil rights, pursuant to our detailed response protocol. Where it is determined that discrimination or harassment has occurred, the District will act promptly to eliminate the conduct and will impose developmentally- appropriate disciplinary, restorative, and/or corrective action.

LEGAL REF.: M.G.L. 151B:3A
Title IX of the Education Amendments of 1972
BESE 603 CMR 26:00
34 CFR 106.44 (a), (a)-(b)
34 CFR 106.45 (a)-(b) (1)
34 CFR 106.45 (b)(2)-(b)(3,4,5,6,7) as revised through June 2020

CROSS REF.: AC, Non-Discrimination Policy Including Harassment and Retaliation

SOURCE: MASC – December 2021

DRAFT

ENC
Baf

File: EEA

TRANSPORTATION OF STUDENTS

1. Students will be entitled to transportation to and from school at the expense of the public schools when such transportation conforms with applicable provisions of the Massachusetts General Laws. Reimbursement to the school system for transportation costs is given by the Commonwealth only for (a) students living at least one and one half miles from school, (b) students who live more than one mile from the nearest bus stop, and (c) students with special needs for whom transportation must be provided.
2. Students living more than the following distances from school shall be provided free transportation.
 - a) Kindergarten - Grade 3 - All students are transported. (The parent or adult designee of K-3 students must be present at the bus stop when the child is transported home in the afternoon, or the child will be brought back to school.)
 - b) Grade 4 - Grade 7- 1 1/2 miles
 - c) Grade 8 - Grade 12 - 1 3/4 miles

The maximum preferred walking distances from home to the bus stop are as follows. These may be exceeded in unusual cases:

- a) Kindergarten - Grade 3- 1/4 mile
 - b) Grade 4 - Grade 12- 3/4 mile
3. Exceptions to these guidelines may be made at the discretion of the Superintendent. This will apply particularly to any student who must travel in a hazardous area to and from school. These students will be transported regardless of the mileage limits listed. Students living less than the prescribed distance may be provided transportation when deemed necessary for safety reasons after consultation with the school safety officer.
 4. Parents concerned about a safety condition relating to children traveling between home and school, such as the need for bus transportation below 1 1/2 miles, change of a bus stop, etc., may petition the Director of Finance and Operations, who will, in consultation with the safety officer, investigate the matter and will recommend a solution to the Superintendent.
 5. Students may lose their bus privilege due to misbehavior. Such decisions will be made by the Principal.
 6. Detailed instructions relating to safety, discipline, and driver responsibility will be promulgated by the Director of Finance and Operations after consulting with principals and with the approval of the Superintendent of Schools. Those relating to discipline shall be filed with the Department of Education.

LEGAL REF.: M.G.L. 40:5; 71:7A; 71:68; 71B:5

CROSS REF.: EEAA, Walkers and Riders



Dennis-Yarmouth Regional School District

2023-2024 School Calendar

DRAFT

ENC B3

August							September (18 days)							October (20 days)							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	
		1	2	3	4	5		3	4	5	6	7	8	9	1	2	3	4	5	6	7
6	7	8	9	10	11	12	10	11	12	13	14	15	16	8	9	10	11	12	13	14	
13	14	15	16	17	18	19	17	18	19	20	21	22	23	15	16	17	18	19	20	21	
20	21	22	23	24	25	26	24	25	26	27	28	29	30	22	23	24	25	26	27	28	
27	28	29	30	31										29	30	31					
November (18 days)							December (16 days)							January (21 days)							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	
			1	2	3	4						1	2		1	2	3	4	5	6	
5	6	7	8	9	10	11	3	4	5	6	7	8	9	7	8	9	10	11	12	13	
12	13	14	15	16	17	18	10	11	12	13	14	15	16	14	15	16	17	18	19	20	
19	20	21	22	23	24	25	17	18	19	20	21	22	23	21	22	23	24	25	26	27	
26	27	28	29	30			24	25	26	27	28	29	30	28	29	30	31				
							31														
February (16 days)							March (20 days)							April (17 days)							
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S	
				1	2	3						1	2		1	2	3	4	5	6	
4	5	6	7	8	9	10	3	4	5	6	7	8	9	7	8	9	10	11	12	13	
11	12	13	14	15	16	17	10	11	12	13	14	15	16	14	15	16	17	18	19	20	
18	19	20	21	22	23	24	17	18	19	20	21	22	23	21	22	23	24	25	26	27	
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May (22 days)							June (12 days)							First and last days of school Holiday/Vacation - no school Tea. Prof. Day - no school 1/2 day of sch. - students 1.5 hr. early rel.-students							
S	M	T	W	T	F	S	S	M	T	W	T	F	S								
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8/29/23	Teacher Professional Day - No School	Administration Office	508-398-7600
8/30/23	Teacher Professional Day - No School	Dennis-Yarmouth High School	508-398-7630
8/31/23	Teacher Professional Day - No School	Dennis-Yarmouth Middle School	TBD
9/4/2023	Labor Day	Dennis-Yarmouth Intermediate School	TBD
9/5/2023	Teacher Professional Day - No School	E.H. Baker Innovation School	508-398-7690
9/6/23	First Day of School	M.E. Small Elementary School	508-778-7975
10/6/23	Teacher Professional Day - No School	Station Avenue Elementary School	508-760-5600
10/9/23	Columbus Day	Early Learning	508-778-7988
11/10/23	Veterans' Day - Observance	District Website: www.dy-regional.k12.ma.us	
11/22-11/24	Thanksgiving Break	Conference Days: 10/17,10/19,3/5,3/7	
12/25-1/1	December Vacation	(Early Release All Grades)	
1/2/24	School Resumes	1.5 Hour Early Release Days All Grades:	
1/15/24	Martin Luther King, Jr. Day	9/27,10/25,11/29,1/24,3/27,5/22	
2/19-2/23	February Vacation	Trimesters: 9/6-12/1,12/4,3/15,3/18-last day of school	
3/29/2024	Good Friday	HS Quarterly Term Dates: 9/6-11/9,11/13-1/26,1/29-4/9	
4/1/24	Kindergarten Registration	4/10-last day	
4/15-4/19	April Vacation	Report Card Target Dates:	
5/27/24	Memorial Day	K-7-12/13,3/27,last day of school	
6/8/24	D-YRHS Graduation	HS: 11/16,2/5,4/16,6/27	
6/19/2024	Juneteenth Day - No School		
6/25/2024	Last day including 5 snow days		

District Open House Dates			
9/12	SAE	9/20	DYI
9/14	DYH	9/21	EHB
9/19	DYM	9/26	MES



Dennis-Yarmouth Regional School District 2022-2023 School Calendar

Approved 3-28-22

(updated 4-11-22 to reflect revised high school term dates)

August							September (19 days)							October (19 days)																																																																																						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S																																																																																
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District Open House Dates 9/8 SAE 9/20 MES 9/13 MMS 9/22 EHB 9/15 DYH 9/29 NHW																																																																																																				

April 2022

March '22

S M T W T F S
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 27 28 29 30 31

May '22

S M T W T F S
 1 2 3 4 5 6 7
 8 9 10 11 12 13 14
 15 16 17 18 19 20 21
 22 23 24 25 26 27 28
 29 30 31

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
27	28	29	30	31	1	2
3	4	5	6	7 School Building Committee Meeting 4:30 p.m.	8	9
10	11 School Committee D-Y High School 6:30 p.m.	12	13	14	15	16
17	18 Patriot's Day April Vacation	19	20	21	22 Good Friday No School	23
24	25 School Committee D-Y High School 6:30 p.m.	26	27 Community Forum Dr. Kalise Wornum D-Y High School 6:30 p.m.	28	29	30
1	2	Notes				

May 2022

April '22

S M T W T F S
 3 4 5 6 7 8 9
 10 11 12 13 14 15 16
 17 18 19 20 21 22 23
 24 25 26 27 28 29 30

June '22

S M T W T F S
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 19 20 21 22 23 24 25
 26 27 28 29 30

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2	3	4	5 School Building Committee Meeting 4:30 p.m.	6	7
8	9 School Committee D-Y High School 6:30 p.m.	10	11	12	13	14
15	16	17	18	19	20	21
22	23 School Committee D-Y High School 6:30 p.m.	24	25	26	27	28
29	30 Memorial Day	31	1	2	3	4
5	6	Notes				

June 2022

May '22							July '22						
S	M	T	W	T	F	S	S	M	T	W	T	F	S
1	2	3	4	5	6	7	3	4	5	6	7	8	9
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22	23	24	25	26	27	28	24	25	26	27	28	29	30
29	30	31					31						

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
29	30	31	1	2	3	4
5	6	7	8	9 School Building Committee Meeting 4:30 p.m.	10	11
12	13 School Committee D-Y High School 6:30 p.m.	14	15	16	17	18
19	20 Juneteenth Day	21	22	23	24	25
26	27 School Committee D-Y High School 6:30 p.m.	28	29	30	1	2
3	4	Notes				

Graduation
11:00 a.m.



Michael Bovino
Principal

Mattacheese Middle School
400 Higgins Crowell Road
West Yarmouth, MA 02673

Telephone: 508-778-7979 Fax: 508-778-7987

<https://www.dy-regional.k12.ma.us/mattacheese-middle-school>



Elijah Switzer
Holly Burns
Assistant Principals

Dear Selection Committee,

I am thrilled to recommend **Mr. Brian Monroe** as a candidate for the **William Spratt Award for Excellence for Teaching Middle School Social Studies**. He should be strongly considered to receive this award. Mr. Monroe exhibits every trait and quality of a fantastic middle school social studies educator.

I have had the pleasure to see Mr. Monroe helped countless students and families of Mattacheese Middle School. As a colleague, Mr. Monroe is someone I can trust with any important task. He is prompt in his communication both electronically and personally. He strikes a great balance between meeting deadlines and understanding what is timely, while also taking the necessary time to ensure that tasks are completed with accuracy. His positive attitude and calm demeanor enables him to handle high stress situations very well. He has been a privilege to work alongside.

The description of the award matches everything that Mr. Monroe exhibits at school on a daily basis. He develops and uses instruction creatively to engage students. Mr. Monroe, along with his colleagues have designed a comprehensive model United Nations unit that has become well known in our community. Students look forward all year to participating in this event at the conclusion of sixth grade.

Mr. Monroe also finds effective ways to incorporate current events into teaching grade level standards. Students are often discussing conversation from his class after class has ended in the hallways or in the lunchroom. He utilizes age appropriate media such as CNN 10 to ignite student's interest. Students are always creating projects in his class such as stone age weapons out of things they find in the garage, and cave paintings on parched paper they make. I can honestly say that all of the learning in Mr. Monroe's class happens at the top of Bloom's Taxonomy. He demonstrates expertise in subject matter and the pedagogy it requires by engaging all students in learning experiences that enable them to synthesize complex knowledge and skills in the subject. He is able to model this element for other staff in all content areas.

Students always come first for Mr. Monroe, and he looks out for their well being. He consistently uses instructional practices that typically motivate and engage most students both during the lesson and during independent work and home work. He also clearly communicates and consistently enforces specific standards for student work, effort, and behavior so that most students are able to describe them

and take ownership of meeting them. Students are able to learn in his classroom, because they are engaged and interested in the activities he creates and the content he teaches. Student's trust Mr. Monroe, and he has helped numerous students who have been struggling. Last year, a student was in need of support and identified Mr. Monroe as an adult he trusted. Without hesitation, Mr. Monroe agreed to check in with the student at the start and end of every school day. The students' behavior drastically improved. He truly puts students first.

Colleagues enjoy working with Mr. Monroe, and he is the ultimate teammate. He listens to everyone's thoughts in PLC meetings and shares his ideas. The other sixth grade social studies teachers and him are always exchanging ideas and trying each other's ideas. They offer each other feedback in an open and trusting reflection. Recently, I needed technologically savvy and good teammates to help implement a new program to benefit the entire school called eHallpass, I specifically sought out Mr. Monroe to join the team, because I knew he would be a crucial person to have as a leader for this project. Mr. Monroe accepted and offered great suggestions to me, while also teaching his colleagues how to use the program. The staff members in his group are noticeably prepared to use the new program and felt very confident in doing so. The science, math, and ELA teachers on his team that share the same group of students see him as a leader and respect his opinion greatly.

Mr. Monroe deserves to be recognized as an exceptional middle school social studies teacher. I hope he is selected to receive this award. If you have any further questions please do not hesitate to reach out to me at switzere@dy-regional.k12.ma.us or by phone at 508-778-7979.

Best regards,

Elijah Switzer

Elijah Switzer

Assistant Principal

Mattacheese Middle School