

Rights & Responsibilities
for
Students & Employees
Westport Community Schools

The Westport Community Schools is an exemplary 21st Century learning community whose graduates are empowered through an engaging, inspiring, and personalized curriculum to meet the challenges of a global, complex, and changing world.

Our Vision

Westport Community Schools' mission is to ensure that our children achieve academic and personal excellence, become lifelong learners, and responsible, productive, and engaged citizens of the world.

Our Mission

If we provide a safe learning environment, develop, coordinate, and implement a rigorous curriculum through quality instruction, and create an environment where educational innovation and best practices are valued, practiced, and evaluated, then our students will be prepared for college and career readiness.

Our Theory of Action

- PRIDE – We will be passionate champions for the Westport Community Schools.
- INTEGRITY – We will be sincere in our adherence to ethical principles and do what is in the best interest of all we serve.
- RESPECT – We will demonstrate an appreciation for the value of all. We will foster an environment that is safe and nurturing for students and staff.

Core Values

RESPONSIBILITY – We will take ownership for following through with our mission. We will expect staff, parents, students, and community members to be accountable for their contribution to the educational process.

ACHIEVEMENT – We will continually improve

COMMUNICATION – We will seek the input of all our stakeholders; sharing information openly and honestly, and expect the same of all stakeholders.

Core Values

Training is IMPORTANT Because:

- A safe school environment is better able to promote effective teaching and learning.
- Preparing appropriate responses to potentially dangerous circumstances helps to eliminate or minimize negative consequences.

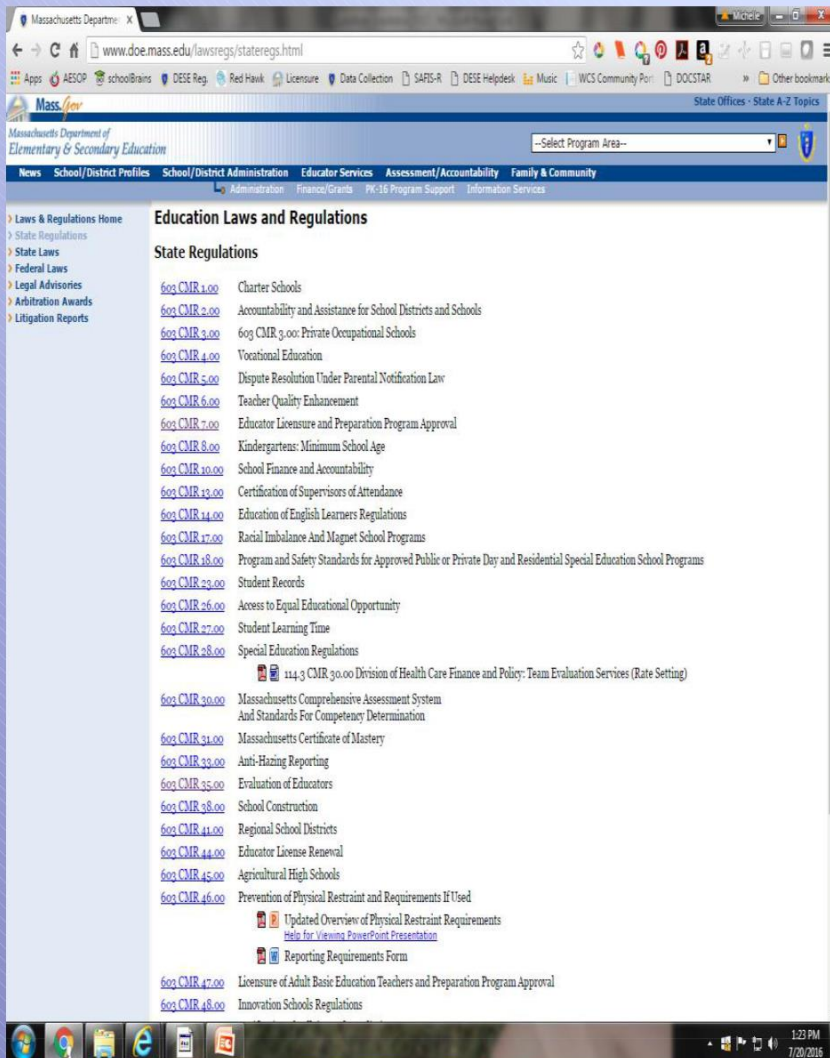


Why Mandatory Yearly Training?

- Annual training is mandated by Department of Elementary and Secondary Education (DESE).
- All employees are required to participate.
- This training protects individuals and the system and ensures that all employees know their rights and responsibilities.

MA DESE Regulations

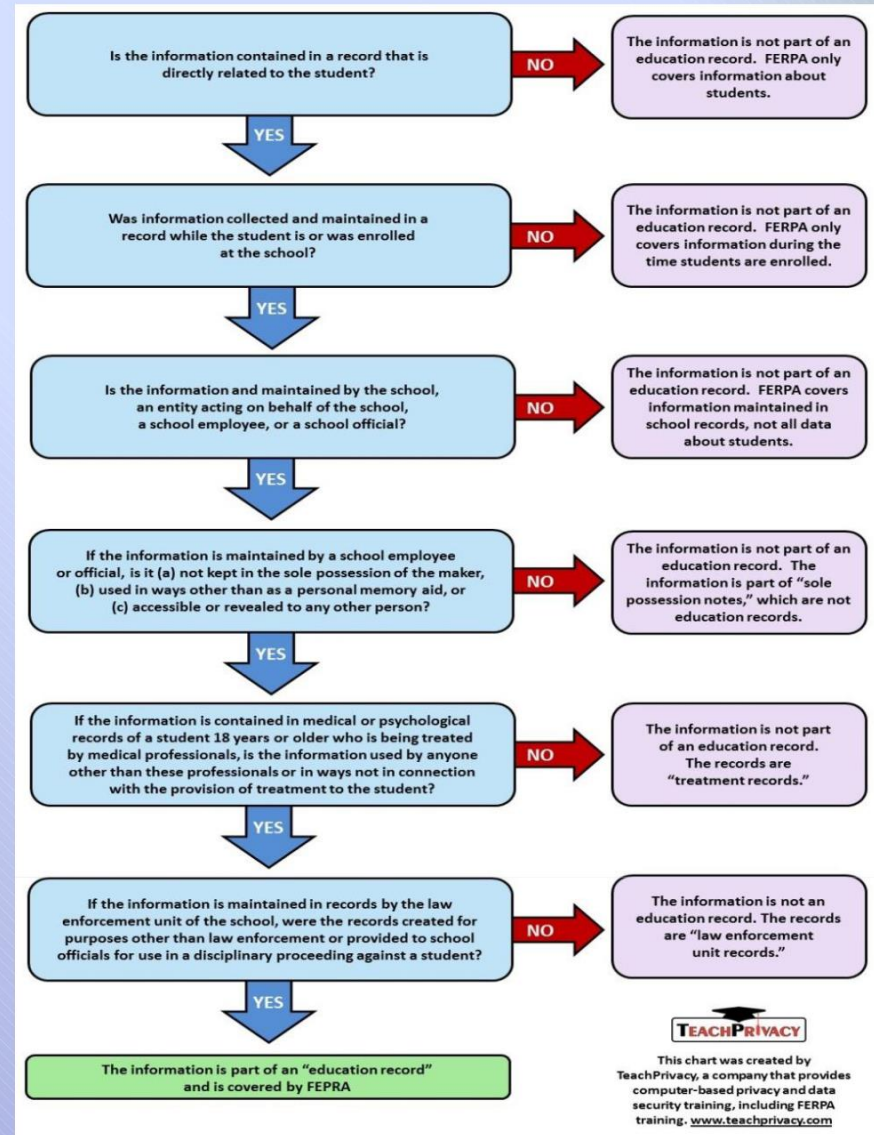
- 603 CMR 46.00 – these regulations apply directly to all public education programs including school events and school sponsored activities.
- Lack of knowledge of the law will not protect you or your students from the consequences of inappropriate actions.



Confidentiality and Privacy

Federal and state law (20 U.S.C. 1232f; M.G.L.c.71 § 34D; and 603 C.M.R. 23.07) as well as the Massachusetts freedom of information law (M.G.L. c. 66 § 10) speak to the handling of confidential information.

School employees regularly encounter or are privy to confidential information regarding students, employees, and the public at large. **Unless prior authorization is provided by a supervisor, the disclosure or dissemination of confidential information is prohibited.**



Student Confidentiality

The Family Educational Rights and Privacy Act (FERPA) or the “Buckley Amendment” allows the government to withdraw federal funding from educational institutions that release information, written or verbal, about a student to an unauthorized individual without a parent’s consent.



Student Confidentiality

- Even if a person is genuinely invested in a student's well-being, such as social workers, scout leaders, clergy, nurses/physicians, even if part of the student's family, as an employee, you cannot share information with them. Instead, you should refer any questions to either the student's teacher or principal.
- This includes information on a student's academic progress or standing, school experience, or classroom.



Student Confidentiality

- The only time that you may share information about a student is during a grave medical emergency where confidential information may be necessary for a student's care.



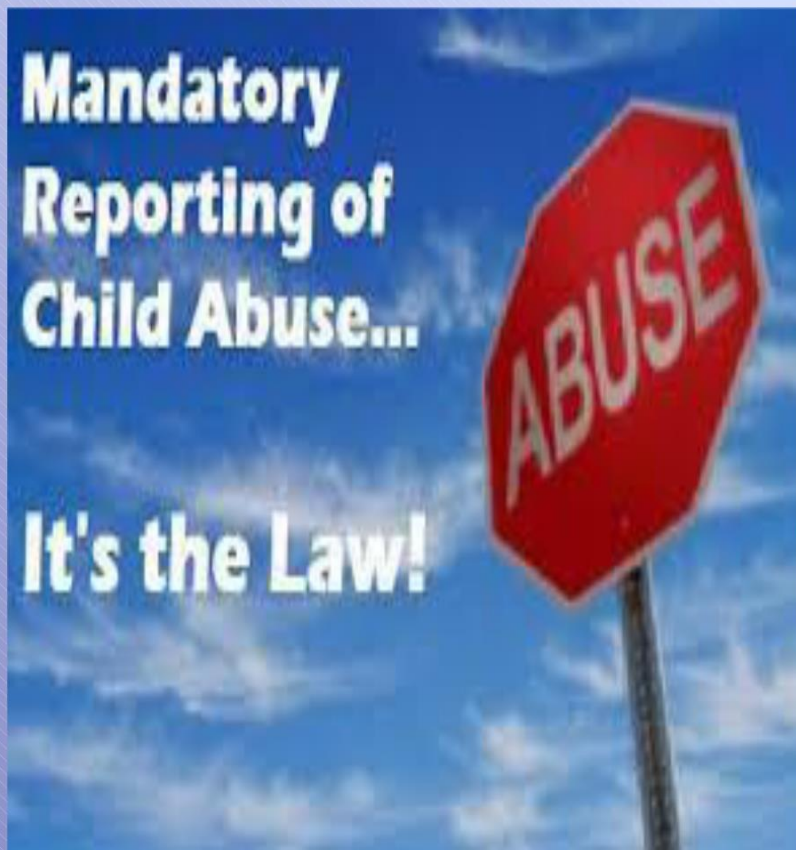
Mandated Reporter

Visit

<http://www.mass.gov/dppc/abuse-report/>

For FAQ

YOU are a Mandated Reporter!



The General Laws of Massachusetts (c.71, s.37L) require school departments to *inform staff of reporting requirements for child abuse and neglect as specified in sections 51A to 51F, inclusive, of chapter one hundred and nineteen.*

Care and Protection of Children Under 18 (51A Report)

- School personnel are mandated reporters legally obligated to contact the Massachusetts Department of Children and Families (DCF).
- If school personnel have reasonable cause to suspect physical or emotional abuse or substantial risk of harm/neglect they must follow DCF 51A reporting requirements.
- Please consult with school principals/assistant principals, school nurses, or the Superintendent for assistance if abuse or neglect is suspected.
- **Abuse** is defined as "the non-accidental commission of any act by a caretaker upon a child under age 18 which causes, or creates a substantial risk of, physical or emotional injury; or constitutes a sexual offense under the laws of the Commonwealth; or any sexual contact between a caretaker and a child under the care of that individual."
- **Neglect** is defined as: "failure by a caretaker, either deliberately or through negligence or inability, to take those actions necessary to provide a child with minimally adequate food, clothing, shelter, medical care, supervision, emotional stability and growth, or other essential care; provided, however, that such inability is not due solely to inadequate economic resources or solely to the existence of a handicapping condition."
- **Physical injury** is defined as: "Death; or fracture of a bone, a subdural hematoma, burns, impairment of any organ, and any other such nontrivial injury; or soft tissue swelling or skin bruising, depending upon such factors as the child's age, the circumstances under which the injury occurred and the number and location of bruises; or addiction to a drug or drugs at birth; or failure to thrive."
- **Emotional injury** is defined as: "an impairment to or disorder of the intellectual or psychological capacity of a child as evidenced by observable and substantial reduction in the child's ability to function within a normal range of performance and behavior."

Harassment

Please report allegations of Harassment to: Nancy Tavares

- The District condemns any acts in its work environments that create the potential for illegal harassment, both in terms of individual employee morale and in violation of applicable federal, state, and local laws.
- The district will not tolerate harassment of any employee because of that employee's race, color, religion, national origin, pregnancy, gender identity, sexual orientation, marital/civil union status, ancestry, place of birth, age, citizenship status, veteran status or active military status, mental illness, political affiliation, genetic information or disability.

Reporting Requirements

- Any employee or student who believes he/she has been the victim of harassment or discrimination should report it to a building administrator, counselor, or a teacher.
- Active investigations will result from the report, as applicable and may result in sanctions up to termination or expulsion.
- If the conduct violates the law, appropriate authorities will be notified.

Anti-Bullying Legislation

The state's Anti-Bullying law was passed in May 2010

The law bans bullying on all school grounds, buses and during activities, and it further requires any report of bullying to be investigated by school officials and reported to the parents of the students involved.

- **School districts must have a bullying prevention plan.**
- The components of this plan must include:
 - A clear definition of bullying, cyber-bullying, and retaliation.
 - A prohibition of bullying behaviors.
 - Mandated training for all students, staff, and parents.
 - Identified resources to address the needs of the victim, as well as the aggressor.
 - An Internet safety plan (Acceptable Use Agreement).
 - Must be presented annually to parents, staff, and students in language that is developmentally appropriate for each child.



Priority Statement – We will not tolerate any unlawful or disruptive behavior, including any form of bullying, cyber bullying, or retaliation, in our school buildings, on school grounds, or in school-related activities. We will investigate promptly all reports and complaints of bullying, cyber bullying, and retaliation, and take prompt action to end that behavior and restore the target's sense of safety. We will support this commitment in all aspects of our school community, including curricula, instructional programs, staff development, extracurricular activities, and parent or guardian involvement.



BULLYING PREVENTION PLAN

State Definition of 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:

- Causes physical or emotional harm to the victim or damage to the victim's property;
- Places the victim in reasonable fear of harm to himself or of damage to his property;
- Creates a hostile environment at school for the victim,
- Infringes on the rights of the victim at school; or
- Materially and substantially disrupts the education process or the orderly operation of a school. For the purposes of this section, bullying shall include cyber-bullying.

Anti-Bullying Plan

The Westport Community School District has created a [Bullying Prevention and Intervention Plan](#) as required by the Massachusetts Department of Elementary and Secondary Education under M.G.L. c. 71 370. This plan has been created in consultation with school personnel, advocacy organizations, parents, students and other interested parties.

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Please check out the plan:

<https://sites.google.com/a/westportschools.org/main-site/district/anti-bullying-plan>

PROCEDURES FOR REPORTING

- Each school in the District will publicize to students, staff, volunteers, and parents, how a report of bullying may be filed and what actions may be taken.
- All complaints regarding bullying shall be documented to ensure an appropriate and timely response.
- At each school, the principal/designee is responsible for receiving oral or written complaints alleging violations of this policy.
- Students may report complaints of bullying to any school district employee, faculty or staff.
- All District employees, faculty and staff are required to report allegations of bullying.
- Any other members of the school community may file a report of alleged bullying.
- Anonymous reports may be made using the Westport Community Schools anonymous reporting form found on the district website.



State Ethics Commission Mandatory Education/Training Requirements for all Public Employees

On July 1, 2009 Governor Patrick signed into law *Chapter 28 of the Acts of 2009, An Act to Improve the Laws Relating to Campaign Finance, Ethics and Lobbying*. A component of this bill speaks to employee ethics. In order to ensure understanding and compliance with the law, all public employees must complete the mandatory ethics training.

For more information you may visit the Massachusetts State Ethics Commission website:

<http://www.mass.gov/ethics/>



Ethical Behavior

The Westport Community Schools expects its employees to embrace the highest standards in terms of moral, legal, and ethical workplace conduct. Employees questioning the appropriateness of a situation or facing an ethical dilemma should take the following test developed by Nortel Networks to determine if an action is ethical. *If you don't feel good about the answers you're giving to the following questions, that's a sign your proposed action may not be appropriate.*

The Values Test: Does the action reflect our shared values? Is it honest and truthful? Would I like to see my action become a general industry practice?

The Legal Test: Is the action legal? Will it break any law?

The Impact Test: How will the action affect others? How will I feel about that?

The Policy Test: Is the action in line with policies and procedures?

The Media Test: How would I feel if my action were reported on the front page of the local newspaper? Would I be comfortable explaining my action to my manager? My spouse? My parents? My children?



Ethical Behavior as a Municipal Employee

- **Municipal employee**, a person performing services for or holding an office, position, employment or membership in a municipal agency, whether by election, appointment, contract of hire or engagement, whether serving with or without compensation, on a full, regular, part-time, intermittent, or consultant basis, but excluding (1) elected members of a town meeting and (2) members of a charter commission established under Article LXXXIX of the Amendments to the Constitution.
- **Section 23(b)(2) Improper Use of Public Position**, Section 23(b)(2) provides that a public employee may not knowingly, or with reason to know, use his official position to secure unwarranted privileges or exemptions of substantial value for himself or others. Under section 23(b)(2), the Commission has consistently prohibited public employees from using their titles, public time and public resources to promote private interests.
- **Section 23(b)(3) Appearances of a Conflict of Interest**, Section 23(b)(3) prohibits a public employee from knowingly, or with reason to know, engaging in conduct which would cause a reasonable person to conclude that any person or entity can improperly influence the employee or unduly enjoy his favor in the performance of his official duties, or that he is likely to act or fail to act as a result of kinship, rank, or position of any person.
- **Section 23(c) Use of Confidential Information**, Section 23(c) prohibits a current or former public employee from accepting other employment or engaging in any business or professional activity which will require him to disclose confidential information which he has gained by reason of his official position or authority and from improperly disclosing such confidential materials or using such information to further his private interests. *See EC-COI-83-154; 84-9.*
- **UNWARRANTED PRIVILEGES (G.L. c. 268A, § 23(b)(2))**, Public employees are prohibited from, knowingly or with reason to know, using or attempting to use their official positions to secure for themselves or others unwarranted privileges of substantial value that are not properly available to similarly situated individuals. "Substantial value" has been set at \$50 or more by the courts and the Ethics Commission. In some instances, "substantial value" may not be readily ascertainable, such as when a public employee uses his or her position to get preferential treatment, to secure a special benefit or to retaliate against someone. In such cases, the Ethics Commission will view the totality of the circumstances to determine whether the substantial value threshold has been met. "Similarly situated individuals" can mean, in various situations, other people, businesses or entities in the city, town, state or county who are not necessarily public employees.
- Using public equipment and resources for personal business is using an official position to obtain an unwarranted privilege of substantial value not properly available to others. Thus, the use of public resources valued at \$50 or more for personal, private or political purposes violates the conflict of interest law. In addition, public employees may not use the "inherently coercive authority" of their position to seek anything of substantial value.

Civil Rights

- All programs, activities and employment opportunities provided by the Westport Community Schools are offered without regard to race, color, religion, national origin, pregnancy, gender identity, sexual orientation, marital/civil union status, ancestry, place of birth, age, citizenship status, veteran status or active military status, mental illness, political affiliation, genetic information or disability.
- Questions regarding implementation of these practices should be addressed to Human Resources.

Civil Rights Act, 1964

The Civil Rights Act declared:

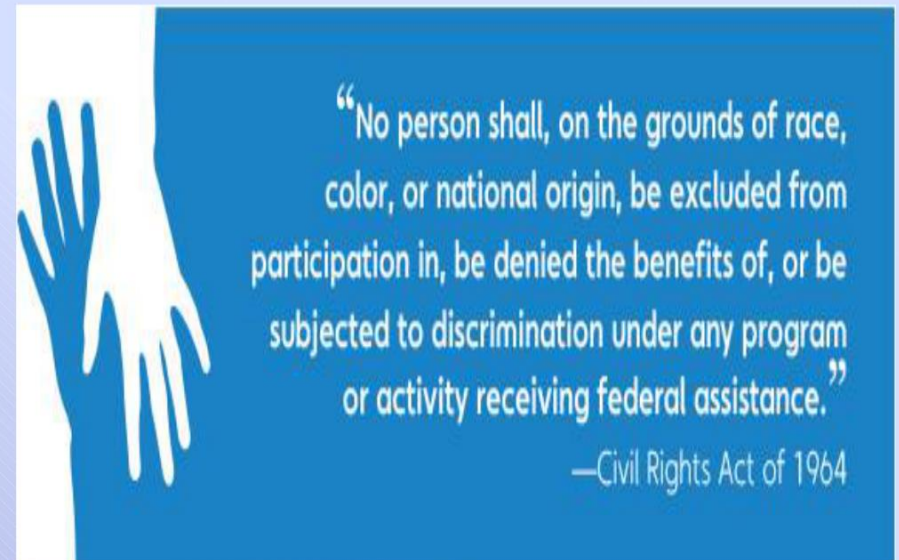
- no segregation in public places
- no discrimination in employment based on race, gender, or national origin



Pres. Lyndon Johnson signing the Act in 1964.

Title VI of the Civil Rights Act of 1964

Statute prohibits discrimination on the grounds of race, color or national origin by recipients of federal financial assistance. This statute ensures that individuals are not excluded from participation in programs or activities receiving federal funds (or the benefits of) on account of their membership in one of these protected categories (42 USC §2000d). This statute has been interpreted to prohibit the denial of equal access to education because of a language minority student's limited proficiency in English.



Compliance Officer: Lisa Kaminski

Equal Opportunity Employer

- Westport Community Schools is committed to maintaining a work and learning environment free from discrimination on the basis of race, color, religion, national origin, pregnancy, gender identity, sexual orientation, marital/civil union status, ancestry, place of birth, age, citizenship status, veteran status or active military status, mental illness, political affiliation, genetic information or disability, as defined and required by state and federal laws.
- Additionally, we prohibit retaliation against individuals who oppose such discrimination and harassment or who participate in an equal opportunity investigation.



Equal Educational Opportunities Act of 1974



This federal statute prohibits states from denying equal educational opportunities to an individual based on certain protected classifications including national origin. It specifically prohibits denying equal educational opportunities by failing to take appropriate action to overcome language barriers that impede equal participation by its students in its instructional programs. (20 USC S1203(f))

Compliance Officer: Wendy
Miranda/Nancy Tavares

Title IX of the Education Amendments of 1972



No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.

Title IX of the Education Amendments of 1972 provides that no individual may be discriminated against on the basis of sex in any education program or activity receiving federal financial assistance. Title IX requires that schools adopt and publish a policy against sex discrimination and have a grievance procedure through which students can complain of alleged sex discrimination, including sexual harassment. State law requires Massachusetts employers have a policy against sexual harassment. (M.G.L. Ch.151B, S3A)

Compliance Officer: Nancy
Tavares

MA General Laws Chapter 76, Section 5

This state law provides that: Every person shall have a right to attend the public schools of the town where he actually resides. No person shall be excluded from or discriminated against in admission to a public schools of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of belonging to any of the protected categories listed earlier.

Compliance Officers: Wendy Miranda
Nancy Tavares



Title I of the Elementary and Secondary Education Act of 1965

- Title I is designed to help disadvantaged children meet challenging content and student performance standards. Staff should know that special education students are not deemed ineligible for Title I services because they receive special education services. Also, school districts must ensure that Title I funds are not being misused (e.g. referring an ESL student to a Title I program in order to meet the student's language needs rather than providing an ESL program/class).
- Compliance Officer: Lisa Kaminski



American with Disabilities Act of 1990

- The regulations implementing the ADA provide that: "A public entity that employs 50 or more persons shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under this part, including any investigation of any complaint communicated to it alleging its noncompliance with this part or alleging any actions that would be prohibited by this part. The public entity must make available to all interested individuals the name, office address, and telephone number of the employee(s) designated pursuant to this paragraph." (34 CFR 35.107 (a))
- Employers with 15 or more employees are prohibited from discriminating against people with disabilities by Title I of the Americans with Disabilities Act (ADA). In general, the employment provisions of the ADA require:
 - equal opportunity in selecting, testing, and hiring qualified applicants with disabilities; job accommodation for applicants and workers with disabilities when such accommodations would not impose "undue hardship;" and equal opportunity in promotion and benefits.
- Compliance Officer: Wendy Miranda



Section 504 of the Rehabilitation Act of 1973

Section 504 provides that no otherwise qualified individual with a disability shall solely by reason of his/her disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. The regulations implementing Section 504 require that public schools provide a free appropriate public education to each qualified handicapped person who is in the recipient's jurisdiction, regardless of the nature or severity of the person's handicap. (34 CFR 104.33)



Computer Usage Policies



- The WCS Digital Technology Acceptable Use Policy (WCS Education Policy Code: IJKA)
- Access to the Internet is to be used for the educational goals of the school system.
- Only the technology department may install programs or software on school computers.
- Comply with the district's Copyright Compliance policy.
- Violations of the Electronic Communications Acceptable Use Policy carry serious consequences and may result in the immediate suspension of the user's privileges. Further disciplinary action may be taken by the administration of the Westport Community Schools and/or town, state, or federal authorities.

The Westport Community Schools will not be responsible for any damages suffered by any users and cannot guarantee that network services will be error-free.

The Westport Community Schools will not be held liable for the actions of anyone who connects to the Internet through the district connection. All users shall assume full liability, legal, financial, or otherwise, for their actions.

Computer Usage Policies

- Do not reveal personal information such as home addresses or telephone numbers.
- Do not post or reveal identifying information about students.
- Personal digital technology is the owner's responsibility, not the district's.
- Do not download software, files, or documents which may compromise the system.

Computer Usage Policies

Social Media Policies

- The WCS Social Networking Policy (WCS Education Policy Code: IJNDD)
- Improper fraternization with students using Facebook and similar internet sites or social networks, or via cell phone, texting, or telephone.
- Employees may not list students as “friends” on networking sites.
- All e-contacts with students should be through the district’s computer and telephone system, except emergency situations.
- All contact and messages by coaches with team members shall be sent to all team members, except for messages concerning medical or academic privacy matters, in which case the messages will be copied to the athletic director and the school principal.
- Employees will not give out their private cell phone or home phone numbers without prior approval of the district.
- Inappropriate contact via e-mail or phone is prohibited.



Emergency Drills & ALICE

A.L.I.C.E.

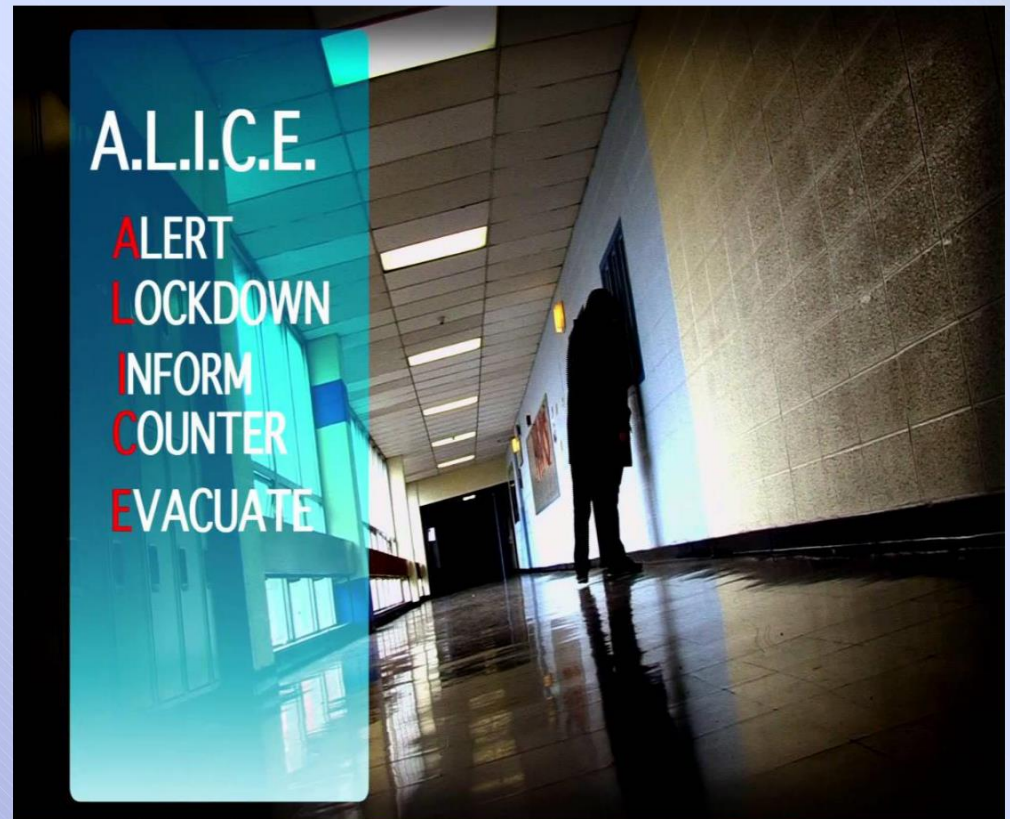
Fire Drills

Medical Emergencies

Lock Downs

Where to find information
in the classroom? ~

Check now!

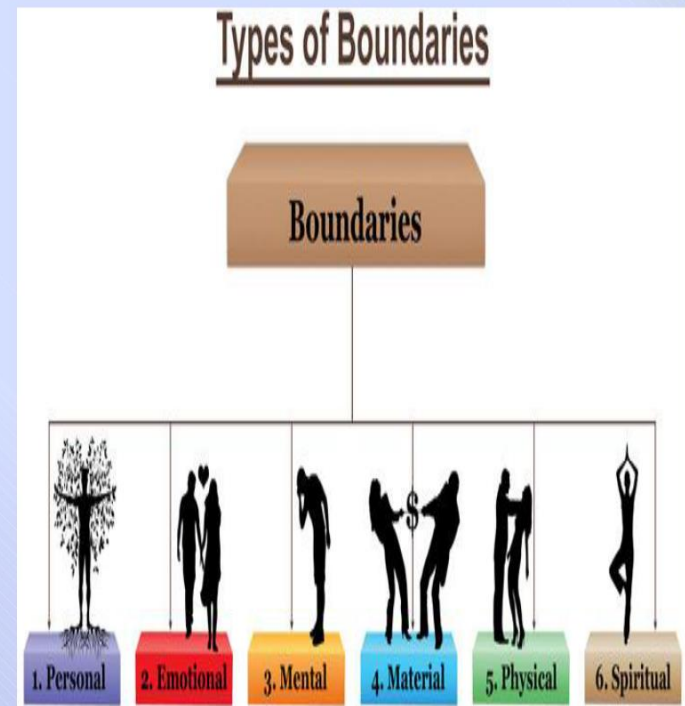


District Compliance Officer: Sean Persico

See Building Administrator for building information

Know Your Boundaries!

- No matter how old they are, school-aged students are children. Student teachers, tutors, coaches, and all staff are adults. Boundaries between students (no matter what their age) and adults should be clear and maintained. Adults should speak like, dress like, and respond like adults. And, there are boundaries that should not be crossed. This slide is intended as a guide for you in your regular work environment and in your planned and spontaneous interactions with our children.
- Talk-back from a student? Don't escalate! Take a breath – walk away – and, think of 10 other things you can do but: Don't hit - push - "sit" - or physically "escort" students.
- Do not use inappropriate or hurtful comments or state anything that could resemble a sexually provocative or degrading comment. Do not tell risqué jokes. Do not bully anyone.
- You may think the kids understand sarcasm, but whether intended or not, it can create an unsettled feeling like public humiliation. They may laugh, but that's only on the outside. And, never humiliate a student publicly or privately, never tell the class to "shut up," or yell at kids.
- Don't give students aspirin, medicines, or any drug or herbal remedy.
- Classrooms are captive audiences. Adults should not use the classroom as a soap box. Let students figure things out on their own and come up with their own opinions. And, some topics are adult topics and adult language is adult language no matter how adult the students are or think they are.
- Movies and video clips are to be educational - time is limited enough - we don't need to entertain or 'buy time' before vacations or the end of the year with movies. "Show the movie" is not a lesson plan. The last days of the school year are still school days.



Best of luck this school year!

For additional information, please refer to
our website: westportschools.org