Central Berkshire Regional School District

Policy Manual

Becket · Cummington · Dalton · Hinsdale · Peru · Washington · Windsor

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SECTION A

FOUNDATIONS AND BASIC COMMITMENTS

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File: AA

REGIONAL SCHOOL DISTRICT LEGAL STATUS

The legal basis for public education in the District is vested in the will of the people as expressed in the Constitution of Massachusetts and state statutes pertaining to education.

Regional school districts are created in accordance with state law and the regional agreement approved by the member towns.

The Central Berkshire Regional School District exists through an agreement between municipalities under laws pertaining to education and under regulations of the Massachusetts Board of Education. The area served by the Central Berkshire Regional School district is identified in the Regional Agreement.

LEGAL REFS.: Constitution of Massachusetts, Part II, Chapter V, Section II
M.G.L. 71:1
M.G.L. 71:14B Regional School Districts Formation; Procedure
M.G.L. 71:16 through 17:16I

CROSS REF: BB School Committee Legal Status

File: AA-E

Agreement Between the Towns of
Becket, Cummington, Dalton, Hinsdale, Peru, Washington and
Windsor, Massachusetts
With Respect to a Regional School District

This Central Berkshire Regional Agreement is entered into pursuant to Chapter 71 of the General Laws of Massachusetts (M.G.L.), as amended, between the Towns of Becket, Cummington, Dalton, Hinsdale, Peru, Washington, Windsor, (hereinafter sometimes referred to as the member towns). This Agreement supersedes in its entirety the Agreement between the member towns forming the Central Berkshire Regional School District originally dated January 2, 1958, as amended. In consideration of the mutual promises herein contained, it is hereby agreed as follows:

SECTION I. TYPE OF REGIONAL SCHOOL DISTRICT

The Regional School District (herein after sometimes referred to as District) shall be comprised of all grades from prekindergarten through grade twelve. The Regional School District Committee (herein after sometimes referred to as Committee) is hereby authorized to establish and maintain state-aided vocational education, acting as trustees therefore, in accordance with the provisions of M.G.L. c. 74, and acts amendatory thereto or dependent thereon if the Committee deems it desirable. To the extent to which there is a conflict between the terms or provisions contained in the Agreement and Massachusetts General Laws, then Massachusetts General Laws shall control.

SECTION II. THE REGIONAL DISTRICT SCHOOL COMMITTEE

A. Composition & Election

1. The powers and duties of the District shall be vested in and exercised by the Committee. The Committee is established by this Agreement and shall have all the powers and duties conferred and imposed upon school committees by law and conferred and imposed upon it by this Agreement, and such other additional powers and duties as are specified in Sections 16 through 16 I, inclusive, of M.G.L. Chapter 71, and any amendments thereof or additions thereto now or hereafter enacted, or as may be specified in any other applicable general or special law.

   The Committee shall consist of fifteen members to be elected by all of the voters of the District, voting in a District-wide election with residency requirements to be held at the biennial state elections. The term of office of each Committee member shall be four years thereafter, until their respective successors have been duly elected and qualified.

   Seven members of the Committee shall at all times be residents of the Town of Dalton; two members of the Committee shall at all times be residents of the Town of Hinsdale; two members of the Committee shall at all times be residents of the Town of Becket; and the remaining members of the Committee shall consist of four persons, one of whom shall at all times be a resident of each of the Towns of Cummington, Peru, Washington, and Windsor. There will be staggered terms for Committee elections so that seven members will be elected in a given year and eight members will be elected in the next biennial election. In 2022, four members from Dalton, one from Becket, one from Cummington, and one from Hinsdale were elected. At the next biennial election in 2024, three members from Dalton, one from Becket, one from Hinsdale, one from Peru, one from Washington, and one from Windsor will be elected. This pattern will continue in subsequent elections.

2. Vacancies which occur on the Committee shall be filled by the remaining members of the Committee, and the appointee filling such vacancy shall serve the unexpired portion of the term. The Committee shall post the vacancy and copies shall be provided to the clerks of the appropriate member towns for posting and all member towns will receive a copy of the posting. The posting shall identify the town in which the successor member must reside and the manner in which to submit interest in the position. The Committee will interview candidates and vote to fill the vacancy as soon as possible after the posting date.

3. The members of the Committee incumbent on the effective date of this provision shall hold office until the year in which their terms would ordinarily expire and until their successors have been elected and qualified, as herein provided.

B. Nominations

Nominations for membership on the Committee shall be made in accordance with all the procedures prescribed by M.G.L. Chapter 53, Section 122, as from time to time amended, and other pertinent provisions of law.

C. Organization

Annually, at their first regular meeting following the first Tuesday next after the first Monday in November, the Committee shall organize and choose by public ballot a chair and a vice chair. The Committee shall appoint a secretary and a treasurer who may be the same person but need not be a member of the Committee.

D. Quorum

A quorum for the transaction of business shall consist of a majority of the Committee, but a lesser number may adjourn.

SECTION III. LOCATION/LEASE OF SCHOOLS

A. Location of Schools

The senior high school and the middle school shall be located in the Town of Dalton. The location of the schools referred to in Section III B is hereby confirmed so long as such schools remain open. Any new District school constructed for the purpose of accommodating pupils principally from one town shall be located in that member town. Any new District school constructed for the purpose of accommodating pupils principally from two or more, but less than all, of the member towns shall be located in one of such towns. Before determining the location of any new District school, the Committee shall determine the town or towns principally from which such school is to accommodate pupils.

B. Lease of Schools

The District is hereby authorized to lease from the member towns the respective premises and buildings listed below:

1. The Town of Becket - The Becket Washington School
2. The Town of Dalton- The Craneville School
3. The Town of Hinsdale - The Kittredge Elementary School

Each of the leases authorized above shall be for a maximum term of twenty years. Each of the leases shall contain a provision for the extension of the term thereof for an additional term not in excess of twenty years, renewable at any time during the term, at the option of the Committee. Each of the leases shall contain provisions authorizing the District to insure, repair, improve, alter, remodel, or modernize any of the leased buildings. The Committee will have general charge and superintendence of the leased schools. No rental shall be charged to the District by any of the member towns. Each lease involving a member town shall be on such other terms as may be determined by the Select Board thereof and the Committee, who shall execute the lease for the member town and the District, respectively.

SECTION IV. BUDGET

A. Proposed Maintenance and Operating Budget

The Committee shall prepare a tentative operating and maintenance budget for the ensuing fiscal year, including therein provision for any installment of principal or interest to become due in such fiscal year on any bonds, notes, or other obligations of the District and any other capital costs to be apportioned to the member towns in such fiscal year.

In February, prior to the public hearing, the District shall hold a budget roundtable meeting for the member towns. The District will hold a public hearing on the tentative budget. The proposed budget will be available for review on the District website and a copy will be available in each member town hall.

B. Final Maintenance and Operating Budget

Following the public hearing on the tentative budget, the Committee may make any such modifications to its proposed budget as it may deem necessary or desirable. The Committee shall adopt an annual maintenance and operating budget by a two-thirds vote of all of its members for the ensuing fiscal year (M.G.L. c. 71, § 16B) not later than forty-five days prior to the earliest date on which the business session of the annual town meeting in any member town is to be held, (M.G.L. c. 71 § 16 (m)) but in no event later than a date required by applicable Massachusetts Laws and Regulations, provided that said budget need not be adopted earlier than February 1. Said annual maintenance and operating budget shall include debt and interest and any other capital costs, and the said Committee shall apportion the amounts necessary to be raised in order to meet the said budget in accordance with the provisions of Sections V, D and V, E. The amounts so apportioned to each member town shall be certified by the District Treasurer to the treasurers of the member towns within thirty days from the date on which the annual maintenance and operating budget is adopted by the Committee, and each member town shall call a vote, at the next annual town meeting, to appropriate the amounts so certified to it. The District budget, as adopted by a vote of the Committee, is subject to two-thirds of the member towns voting to approve the budget (MGL Ch 71, § 16B). If a budget is not approved by the member towns, the District shall follow the process to approve a final budget as stated in M.G.L. Chapter 71, Section 16B, as amended.

SECTION V. APPORTIONMENT AND PAYMENT OF COSTS INCURRED BY THE DISTRICT

A. Classification of Costs

For the purpose of apportioning costs to be submitted by the District to the member towns for approval, costs shall be divided into two categories: capital costs and operating costs.

B. Capital Costs

Capital costs shall include all expenses in the nature of capital outlay as provided in the School Finance Regulations (603 CMR 10.00) such as the cost of acquiring land, the cost of constructing, reconstructing or adding to a school building or buildings, the cost of remodeling or making extraordinary repairs to a school building or buildings, the cost of constructing sewerage systems and sewerage treatment and disposal facilities or the cost of the purchase or use of such systems with a municipality, and any other item of capital outlay for which a regional school district may be authorized to borrow, including without limitation the cost of original equipment and furnishing for such school buildings or additions, plans, architects' and consultants' fees, grading and other costs incidental to placing school buildings and additions, sewerage systems and sewerage treatment and disposal facilities, and any premises related to the foregoing in operating condition. Capital costs shall also include payment of principal of and interest on bonds, notes or other obligations issued by the District to finance capital costs.

C. Operating Costs

Operating costs shall include all costs not included in transportation and capital costs as defined in Section V, B but including interest on temporary notes issued by the District in anticipation of revenue.

D. Apportionment of Capital Costs

Capital costs, including debt service on bonds or notes issued by the District to finance capital costs, with respect to any particular school, shall be apportioned on the basis of each member town's pupil enrollment in such school. Each member town's share shall be determined by computing the ratio which its pupil enrollment in such school on October l of the year next preceding the year for which apportionment is made bears to the pupil enrollment from all the member towns in such school on that date. If there is no enrollment in such school on the aforesaid October l, capital costs with respect thereto shall be apportioned on the basis of the last preceding apportionment thereof. Capital costs with respect to a new school in which there was no pupil enrollment on October l of the year preceding the year for which the apportionment is made or on any prior October l shall be apportioned on the basis of the number of pupils from each member town which such school is intended to accommodate as determined by the Committee prior to the time when the first apportionment of capital costs on account of such school is made.

In the event of the need to vacate a school for an extended, but temporary, period of time (e.g., due to construction, renovation, or repair) and to temporarily relocate the student population to another school or schools, no capital costs associated with the schools to which they were relocated shall be allocated to the towns whose students were relocated. Those towns will continue to pay capital costs according to Section D. for the vacated school.

E. Apportionment of Operating Costs

Operating costs, not including transportation, and not including capital costs pursuant to section V(B), or debt service, but including interest and principal on revenue anticipation notes, shall be apportioned to member towns using the statutory assessment method, as defined in 603 CMR 41.01. The operating costs to the member towns will equal the minimum local contribution and any other operating costs above the minimum local contribution. The aggregate above minimum cost is arrived at by subtracting from the operating cost the following: Chapter 70 aid, the total minimum required contribution of all member towns and other general revenue sources to the District. Each member town’s proportionate share of the above minimum contribution shall be assessed by computing the ratio which the sum of the pupil enrollment of a member town, as determined by the enrollment of students in said schools each October 1 of the current fiscal year and the preceding four years, bears to the sum of the enrollment of

students in the district schools, as determined by the students enrolled in said schools each October 1 of the current fiscal year and preceding four years.

The statutory method calculation is as follows:

Operating costs (which exclude capital, debt and transportation)
Minus Chapter 70 (as calculated by DESE)
Minus minimum combined required local contributions of all member towns (calculated by DESE)
Minus other general revenue sources to the District
Equals the total above minimum contribution for all member towns.
Distribute the above amounts to the member towns consistent with the provisions of Section V, E.

F. Apportionment of Transportation Costs

Costs for transportation shall be assessed after subtracting regional transportation reimbursement, by computing the ratio which the sum of the pupil enrollment of a member town, as determined by the enrolled students in district schools each October 1 of the current fiscal year and the preceding four years, bears to the sum of the enrolled students for the district schools, as determined by the number of students enrolled in said schools each October 1 of the current fiscal year and preceding four years.

G. Total Assessment of All Costs

The total assessment to member towns will consist of their minimum local required contribution, their proportionate share of operating costs that are above minimum required contribution, their proportionate share of transportation costs and their proportionate share of capital costs.

H. Times of Payment of Apportioned Costs

Each member town shall pay its proportionate share of the capital and operating costs to the District each year in four equal installments not later than the fifteenth day of the month in August, December, and February and the first day of June of each year. If a member town does not make payment by the due date, said town shall be liable for the full amount due plus accrued interest, at the Massachusetts Municipal Depository Trust short term bonds rate effective on the date payment was due, times the number of days delinquent, to the District.

I. Application of Massachusetts School Building Authority Grants

Any school construction grants received by the District from the Commonwealth, including reimbursement received under the provision of M.G.L. c. 70B, as amended, shall be applied only to the payment of capital costs as defined in Section V. B. of this Agreement.

SECTION VI. INCURRING OF DEBT

The Committee may vote to incur debt consistent with the terms and conditions of M.G.L. c. 71, Section 16. At the time of taking action to incur debt, and except for the incurring of debt in anticipation of revenue, the default method for the Committee will be the process that appears in subsection (d) of M.G.L. c. 71, 16. The Committee may utilize the process that appears in subsection (n) of M.G.L. c. 71, Section 16 with a two thirds (2/3) vote of approval.

SECTION VII. TUITION STUDENTS

The Committee may accept for enrollment in the District pupils from towns other than the member towns on a tuition basis and on such terms as it may determine. Income received by the District from tuition of pupils shall be deducted from the total operating costs, not including transportation costs and capital costs, in the next annual budget to be prepared after the receipt thereof, prior to apportionment under Section V. E, to the member towns.

SECTION VIII. TRANSPORTATION

Transportation to and from school shall be provided by the District to enrolled students K- 12 according to Massachusetts General Law and School Committee policy.

SECTION IX. AMENDMENTS

A. Limitation

This agreement may be amended from time to time in the manner hereinafter provided, but no amendment shall be made which shall substantially impair the rights of the holders of any bonds or notes or other evidences of indebtedness of the District then outstanding, or the rights of the District to procure the means for payment thereof, provided that nothing in this section shall prevent the admission of a new town or towns to the District and the reapportionment accordingly of capital costs of the District represented by bonds or notes of the District then outstanding and of interest thereon.

B. Procedure

A proposal for amendment may be initiated by a vote of at least three-fourths of the members of the entire Committee, or by a majority vote at an annual or special town meeting of any member town, or by a petition signed by ten percent (10%) of the registered voters of any one of the member towns.
In the latter case, said petition shall contain at the end thereof, a certification by the town clerk of such member town as to the number of registered voters in said town according to the most recent voting list and the number of signatures on the petition which appear to be the names of registered voters of said town.

Any proposal for amendment shall be presented to the Secretary of the Committee, who shall mail or deliver a notice in writing to the selectboard of each of the member towns that a proposal to amend this agreement has been received and shall enclose a copy of such proposal (without the signatures in the case of a proposal by petition).

The selectboard of each member town shall include in the warrant for the next annual or a special town meeting called for the purpose of an article stating the proposed amendment.

Such amendment shall take effect upon its acceptance by at least three-fourths of all the member towns, acceptance by each town to be by a majority vote at a town meeting as aforesaid, and the approval of the Commissioner of the Department of Elementary and Secondary Education, hereinafter sometimes referred to as Commissioner.

SECTION X. ADMISSION OF ADDITIONAL TOWNS TO THE DISTRICT

A town or towns may be admitted to the District by an amendment to this agreement adopted in the following manner.

The proposal for amendment shall be initiated by not less than three-fourths of the entire Committee and the proposed amendment shall contain all the terms upon which the town or towns shall be admitted. The proposed amendment shall specify that the new member town's responsibility for the District's Other Post Employment Benefit (OPEB) costs begins upon admission to the District. The calculation used to define OPEB costs for the member towns will be used in the same manner for the new member town, adjusted for the number of years the new town or towns are members of the District.

Further, the proposed amendment shall specify that any previous OPEB responsibilities, and any previous capital debt of the new member town shall not be assumed by the District, unless agreed to otherwise.
Such proposed amendment shall be presented to the Secretary of the Committee who shall mail or deliver a notice in writing to the selectboard of each of the member towns that a proposal to amend this agreement has been received and shall enclose a copy of the proposed amendment. The selectboard in each member town shall include in the warrant for the next annual or a special town meeting called an article stating the proposed amendment.

The town or towns seeking admission shall be admitted to the District effective at the start of the fiscal year upon (1) acceptance of the amendment by at least three-fourths of the member towns and (2) acceptance by the town or towns seeking admission of the terms of this agreement, as amended and (3) subject to the approval of the Commissioner and (4) provided that all these requisite approvals for the addition of a member town shall be obtained no later than the preceding December 31 to be effective on July 1.

SECTION XI. WITHDRAWAL

A. Withdrawal Procedure By Approval of Member Towns

Any member town may, by vote at an annual or special town meeting, petition to withdraw from the District under terms to be stipulated herein and subject to the provisions of Section IX (AMENDMENTS), except as otherwise provided herein.

Thereupon, if three-fourths of the members of the entire Committee approve the proposed withdrawal, the Committee shall draw up and initiate an amendment to the Agreement providing for the withdrawal of the petitioning town. The town seeking to withdraw shall cease to be a member town at the start of the next fiscal year if the proposed amendment is then approved by a vote of the town seeking to withdraw and by a vote of at least three-fourths of the remaining member towns at an annual or at a special meeting called for the purpose, and subject to the approval of an amendment to the Agreement by the Commissioner. An existing member may withdraw from the District provided that all requisite approvals for such withdrawal, including the Commissioner's approval, shall be obtained no later than the preceding December 31 to be effective July 1.

1. The town seeking to withdraw shall remain liable for any unpaid operating costs which have been certified by the District Treasurer to the Treasurer of the withdrawing town, including the full amount so certified for the year in which such withdrawal takes effect.

2. The town shall be obligated to the District for its share of Other Post-Employment Benefits (OPEB) and pension liabilities. In regard to OPEB, the amount owed to the District shall be calculated by an independent, licensed actuary whose appointment shall be agreed to by the District and the withdrawing town. If the parties cannot agree, then the District shall appoint an actuary. The calculation shall be done in accordance with

actuarial standards, regulations, and laws. The withdrawing town's share of the District's OPEB liability shall by computed by first calculating the ratio of the withdrawing town's enrollment to the total enrollment of all of the member towns for each of the prior twenty-five years. The withdrawing town's share of the District's liability shall be the average of its ratio of enrollment over the prior twenty-five years. The enrollment used in the calculations shall be students attending District schools on October 1 of the appropriate year.

3. Regarding outstanding capital debt, the said town shall remain liable for its share of principal and interest payments. The town's liability each year going forward is fixed at the percentage in place at the time of withdrawal. The withdrawing town also has the option to instead make a lump sum payment at withdrawal. That lump sum, depending on the amount, may either reduce or eliminate their future liability for future debt service payments.

B. Withdrawal Procedure with no Indebtedness to the District

Any member town may withdraw from the District, without a Committee vote, when its share of the District's bonded and other indebtedness has been paid in full, and it has reached an executed written agreement with the Committee regarding payment to the District for all OPEB and pension liabilities. Any member town whose share of the District's bonded and other indebtedness has been paid in full, and that has reached an agreement with the Committee regarding OPEB and pension liabilities, may withdraw from the District by a majority vote in annual town meeting of that town. If a town withdraws according to the provisions of Section XI, B, an amended regional agreement must also be approved by three fourths of the remaining member towns at an annual or special town meeting and the amended agreement must also be approved by the Commissioner of Elementary and Secondary Education. Withdrawal not only requires Commissioner approval but also that all approvals including the Commissioner's must be in place by December 31 to be effective the following July 1.

C. Membership of District Committee

Upon the effective date of withdrawal, the terms of office of all members serving on the Committee from the withdrawing town shall terminate and the total membership of the said Committee, as provided in Section II A, shall be decreased accordingly.

D. Deposit of Money Paid by Withdrawing Town

Money received by the District from the withdrawing town for payment of funded indebtedness or interest thereon and its share of OPEB costs, shall be used only for such purposes.

SECTION XII. REVIEW OF THE AGREEMENT

The Committee shall, as need arises and minimally every five years, review the need to establish an ad hoc study group composed of knowledgeable persons to study this Agreement and report to the Committee.

SECTION XIII. ANNUAL REPORT

The Committee shall submit an annual report to each of the member towns consistent with M.G.L c. 71, Section 16 (k).

SECTION XIV. EFFECTIVE DATE OF THIS AMENDED AGREEMENT

The foregoing amended Agreement was duly accepted and approved and takes effect on the date the Commissioner signs.

1. by vote of the Central Berkshire Regional School Committee, duly adopted at a meeting of said Committee, duly called and held on February 15, 2024;

2. by vote of the Town of Becket duly adopted under Article XXV of the Warrant at its Town Meeting duly called and held on May 10, 2025; and

3. by vote of the Town of Cummington duly adopted under Article III of the Warrant at its Town Meeting duly called and held on June 26, 2025; and

4. by vote of the Town of Dalton duly adopted under Article I of the Warrant at its Town Meeting duly called and held on September 17, 2025; and

5. by vote of the Town of Peru duly adopted under Article III of the Warrant at its Town Meeting duly called and held on June 7, 2025; and

6. by vote of the Town of Washington duly adopted under Article VIII of the Warrant at its Town Meeting duly called and held on May 7, 2025; and

7. by vote of the Town of Windsor duly adopted under Article V of the Warrant at its Town Meeting duly called and held on August 11, 2025.

_____ _____

Commissioner of Elementary and Secondary Education

Date

File: AC

NONDISCRIMINATION POLICY INCLUDING HARASSMENT AND RETALIATION

The Central Berkshire Regional School Committee and Central Berkshire Regional Public Schools 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 Central Berkshire Regional Public Schools.

Central Berkshire Regional Public Schools does not exclude from participation, deny the benefits of CBRPS 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 students, 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 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 Central Berkshire Regional Public Schools 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.

File: AC

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.

*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.

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)
Acts of 2022, Chapter 117 - https://malegislature.gov/Laws/SessionLaws/Acts/2022/Chapter117

CROSS REF:
ACE, Nondiscrimination on the Basis of Disability
ACAB, Sexual Harassment
GBA, Equal Employment Opportunity
IJ, Instructional Materials
JB, Equal Educational Opportunities

File: AC-R

NONDISCRIMINATION POLICY INCLUDING HARASSMENT AND RETALIATION

Central Berkshire 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, __PS 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 CBRSD; 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:

File: AC-R

- 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 Central Berkshire Public Schools 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 Central Berkshire Public Schools, and can be reached at:

Mr. Aaron Robb, CBRSD Assistant Superintendent
254 Hinsdale Road, Dalton, MA 01227
413-684-0320

The following individual is designated as the District ADA, Title VI, Title IX, and Sexual Harassment and Civil Rights Coordinator for students in the Central Berkshire Regional School District. In addition, the District 504 Coordinator contact information can be found in the Student Handbook.

Inquiries concerning the Central Berkshire Regional District Public Schools´ 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

*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.

File: AC-R

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)
Acts of 2022, Chapter 117 - https://malegislature.gov/Laws/SessionLaws/Acts/2022/Chapter117

CROSS REF: ACE, Nondiscrimination 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

File: ACA

NONDISCRIMINATION ON THE BASIS OF SEX

The School Committee, in accordance with Title IX of the Education Amendments of 1972, declares that the school district does not and will not discriminate on the basis of sex, sexual orientation or gender identity in the educational programs and activities of the public schools. This policy will extend not only to students with regard to educational opportunities, but also to employees with regard to employment opportunities.

The School Committee will continue to ensure fair and equitable educational and employment opportunities, without regard to sex, sexual orientation or gender identity, to all of its students and employees.

The Committee will designate an individual to act as the school district's Title IX compliance officer. All students and employees will be notified of the name and office address and telephone number of the compliance officer.

LEGAL REFS.: Title IX of the Education Amendments of 1972
45 CFR, Part 86, (Federal Register, 6/4/75)
M.G.L. 76:5; 76:16 (Chapter 622 of the Acts of 1971)
BESE 603 CMR 26:00

REFERENCE: USDOE Notice of Interpretation - https://www.ed.gov/news/press-releases/us-department-education-confirms-title-ix-protects-students-discrimination-based-sexual-orientation-and-gender-identity

CROSS REF.: AC, Nondiscrimination Policy Including Harassment and Retaliation

File: ACAB

SEXUAL HARASSMENT

The Central Berkshire Regional School Committee and Central Berkshire Regional Public Schools 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 Central Berkshire Regional Public Schools.

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 offences 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.

File: ACAB

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.

File: ACAB

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 Central Berkshire Regional School District to its students and employees and each parent or guardian shall sign that they have received and understand the policy.

List the name and phone number of the District's Title IX Coordinator
List the appropriate party by name and phone number to receive a complaint in each District School
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.

File: ACE

NONDISCRIMINATION ON THE BASIS OF DISABILITY

Title II of the Americans With Disabilities Act of 1992 requires that no qualified individual with a disability shall, because the District's facilities are inaccessible to or unusable by individuals with disabilities, be excluded from participation in, or be denied the benefits of the services, programs, and activities of the District or be subject to discrimination. Nor shall the District exclude or otherwise deny services, programs, or activities to an individual because of the known disability of a person with whom the individual is known to have a relationship or association.

Definition: A "qualified individual with a disability" is an individual with a disability who, with or without reasonable modification to rules, policies, or practices, the removal of architectural, communication, or transportation barriers, or the provision of auxiliary aids and services, meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the District.

Reasonable Modification: The District shall make reasonable modification in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the District can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity.

Communications: The District shall take the appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others. To this end, the District shall furnish appropriate auxiliary aids and services where necessary to afford an individual with a disability an equal opportunity to participate in, and enjoy benefits of, a service, program, or activity conducted by the District. In determining what type of auxiliary aid or service is necessary, the District shall give primary consideration to the requests of the individuals with disabilities.

Auxiliary Aids and Services: "Auxiliary aids and services" includes (1) qualified interpreters, note takers, transcription services, written materials, assisted listening systems, and other effective methods for making aurally delivered materials available to individuals with hearing impairments; (2) qualified readers, taped texts, audio recordings, Braille materials, large print materials, or other effective methods for making visually delivered materials available to individuals with visual impairments; (3) acquisition or modification of equipment or devices and (4) other similar services and actions.

Limits of Required Modification: The District is not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. Any decision that, in compliance with its responsibility to provide effective communication for individuals with disabilities, would fundamentally alter the service, program, or activity or unduly burden the District shall be made by the School Committee after considering all resources available for use in funding and operating the program, service, or activity. A written statement of the reasons for reaching that conclusion shall accompany the decision.

File: ACE

Notice: The District shall make available to applicants, participants, beneficiaries, and other interested persons information regarding the provisions of Title II of the American with Disabilities Act (ADA) and its applicability to the services, programs, or activities of the District. The information shall be made available in such a manner as the School Committee and Superintendent find necessary to apprise such persons of the protections against discrimination assured them by the ADA.

Compliance Coordinator: The District shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under Title II of ADA, including any investigation of any complaint communicated to it alleging its noncompliance or alleging any actions that would be prohibited under ADA. The District shall make available to all interested individuals the name, office address, and telephone number of the employee(s) so designated and shall adopt and publish procedures for the prompt and equitable resolution of complaints alleging any action that would be prohibited under the ADA. The school district receives federal financial assistance and must comply with the above requirements. Additionally, the School Committee is of the general view that:

1. Discrimination against a qualified disabled person solely on the basis of disability is unfair; and

2. To the extent possible, qualified disabled persons should be in the mainstream of life in the school community. Accordingly, employees of the school district will comply with the above requirements of the law and policy statements of this Committee to ensure nondiscrimination on the basis of disability.

LEGAL REFS.: Rehabilitation Act of 1973, Section 504, as amended
Education for All Disabled Children Act of 1975
M.G.L. 71B:1 et seq. (Chapter 766 of the Acts of 1972)
Title II, Americans with Disabilities Act of 1992, as amended
Board of Education Chapter 766 Regulations, adopted 10/74, as amended through 3/28/78

CROSS REFS.: IGB, Support Services Programs

File: AD

MISSION STATEMENT

In today's society our students are continuously excited by new and challenging stimuli; adaptability to change therefore becomes a paramount objective of learning.

The mastery of basic skills is essential to our students as they prepare to function as responsible individuals. Students must also know how to direct their own learning by mastering the skills of independent inquiry, because circumstances do not enable us to predict with certainty just what today's students will need to know when they become tomorrow's adults. The optimum environment should be sought so that all students can develop physically and emotionally and acquire the information, academic skills, critical judgment, and creativity needed to lead to a better understanding of themselves, each other, and the world around them.

The school district must continually strive to create, implement, and improve programs that are compatible with appropriate curricula and provide opportunities for innovation in teaching and learning. If this is accomplished, students will then come to realize more fully their own potential as individuals and be better prepared to appreciate and act responsibly in the society in which they live.

Central Berkshire Regional School District Mission Statement:

Through the implementation of the Strategic Plan, the Central Berkshire Regional School District will provide a high quality educational experience for all learners that leads to academic achievement and forms a foundation for success in 21st Century society.

CROSS REFS.: IA, Instructional Goals

File: ADC

TOBACCO PRODUCTS ON SCHOOL PREMISES PROHIBITED

Use of any tobacco products, including, but not limited to: cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco, snuff, electronic cigarettes, electronic cigars, electronic pipes or other similar products that rely on vaporization or aerosolization, within the school buildings, school facilities, on school grounds or school buses, or at school sponsored events by any individual, including school personnel and students, is prohibited at all times.

A staff member determined to be in violation of this policy shall be subject to disciplinary action.

A student determined to be in violation of this policy shall be subject to disciplinary action pursuant to the student discipline code.

This policy shall be promulgated to all staff and students in appropriate handbook(s) and publications.

Signs shall be posted in all school buildings informing the general public of the District policy and requirements of state law.

LEGAL REF: M.G.L. 71:37H; 270:6

CROSS REFS.: GBED, Tobacco use on School Property by Staff Members Prohibited
JICH, Alcohol, Tobacco and Drug Use by Students Prohibited

File: ADDA

BACKGROUND CHECKS

It shall be the policy of the Central Berkshire School District that, as required by law, a state and national fingerprint criminal background check will be conducted to determine the suitability of full or part time current and prospective school employees, who may have direct and unmonitored contact with students. School employees shall include, but not be limited to any apprentice, intern, or student teacher or individuals in similar positions, who may have direct and unmonitored contact with students. The School Committee shall only obtain a fingerprint background check for current and prospective employees for whom the School Committee has direct hiring authority. In the case of an individual directly hired by a school committee, the chair of the School Committee shall review the results of the national criminal history check. The Superintendent shall also obtain a state and national fingerprint background check for any individual who regularly provides school related transportation to students. School volunteers and subcontractors/laborers who may have direct and unmonitored contact with students must continue to submit state CORI checks.

The fee charged by the provider to the employee and educator for national fingerprint background checks will be $55.00 for school employees subject to licensure by DESE and $35.00 for other employees, which fee may from time to time be adjusted by the appropriate agency. The employer shall continue to obtain periodically, but not less than every 3 years, from the department of criminal justice information services all available Criminal Offender Record Information (CORI) for any current and prospective employee or volunteer within the school district who may have direct and unmonitored contact with students.

Direct and unmonitored contact with students is defined in DESE regulations as contact with a student when no other employee who has received a suitability determination by the school or district is present. "Contact" refers to any contact with a student that provides the individual with opportunity for physical touch or personal communication.

This policy is applicable to any fingerprint-based state and national criminal history record check made for non-criminal justice purposes and requested under applicable federal authority and/or state statute authorizing such checks for licensing or employment purposes. Where such checks are allowable by law, the following practices and procedures will be followed.

Requesting CHRI (Criminal History Record Information) checks

Fingerprint-based CHRI checks will only be conducted as authorized by state and federal law, in accordance with all applicable state and federal rules and regulations. If an applicant or employee is required to submit to a fingerprint-based state and national criminal history record check, he/she shall be informed of this requirement and instructed on how to comply with the law. Such instruction will include information on the procedure for submitting fingerprints. In addition, the applicant or employee will be provided with all information needed to successfully register for a fingerprinting appointment.

File: ADDA

Access to CHRI

All CHRI is subject to strict state and federal rules and regulations in addition to Massachusetts CORI laws and regulations. CHRI cannot be shared with any unauthorized entity for any purpose, including subsequent hiring determinations. All receiving entities are subject to audit by the Massachusetts Department of Criminal Justice Information Services (DCJIS) and the FBI, and failure to comply with such rules and regulations could lead to sanctions. Federal law and regulations provide that the exchange of records and information is subject to cancellation if dissemination is made outside of the receiving entity or related entities. Furthermore, an entity can be charged criminally for the unauthorized disclosure of CHRI.

Storage of CHRI

CHRI shall only be stored for extended periods of time when needed for the integrity and/or utility of an individual's personnel file. Administrative, technical, and physical safeguards, which are in compliance with the most recent CJIS Security Policy have been implemented to ensure the security and confidentiality of CHRI. Each individual involved in the handling of CHRI is to familiarize himself/herself with these safeguards.

In addition to the above, each individual involved in the handling of CHRI will strictly adhere to the policy on the storage, retention and destruction of CHRI.

Retention and Destruction of CHRI

Federal law prohibits the repurposing or dissemination of CHRI beyond its initial requested purpose. Once an individual's CHRI is received, it will be securely retained in internal agency documents for the following purposes only:

Historical reference and/or comparison with future CHRI requests,
Dispute of the accuracy of the record
Evidence for any subsequent proceedings based on information contained in the CHRI.

CHRI will be kept for the above purposes in a secure location in the office of the superintendent. When no longer needed, CHRI and any summary of CHRI data must be destroyed by shredding paper copies and/or by deleting all electronic copies from the electronic storage location, including any backup copies or files. The shredding of paper copies of CHRI by an outside vendor must be supervised by an employee of the district.

CHRI Training

An informed review of a criminal record requires training. Accordingly, all personnel authorized to receive and/or review CHRI at the district will review and become familiar with the educational and relevant training materials regarding SAFIS and CHRI laws and regulations made available by the appropriate agencies, including the DCJIS.

File: ADDA

Determining Suitability

In determining an individual's suitability, the following factors will be considered: these factors may include, but not necessarily be limited to: the nature and gravity of the crime and the underlying conduct, the time that has passed since the offense, conviction and/or completion of the sentence, nature of the position held or sought, age of the individual at the time of the offense, number of offenses, any relevant evidence of rehabilitation or lack thereof and any other factors deemed relevant by the district.

A record of the suitability determination will be retained. The following information will be included in the determination:

The name and date of birth of the employee or applicant;
The date on which the school employer received the national criminal history check results; and,
The suitability determination (either "suitable" or "unsuitable").

A copy of an individual's suitability determination documentation must be provided to another school employer, or to the individual, upon request of the individual for whom the school employer conducted a suitability determination.

Relying on Previous Suitability Determination.

The school employer may obtain and may rely on a favorable suitability determination from a prior employer, if the following criteria are met:

The suitability determination was made within the last seven years; and

The individual has not resided outside of Massachusetts for any period longer than three years since the suitability determination was made; and either

The individual has been employed continuously for one or more school employers or has gaps totaling no more than two years in their employment for school employers; or

If the individual works as a substitute employee, the individual is still deemed suitable for employment by the school employer who made a favorable suitability determination. Upon request of another school employer, the initial school employer shall provide documentation that the individual is still deemed suitable for employment by the initial school employer.

Adverse Decisions Based on CHRI

If inclined to make an adverse decision based on an individual's CHRI, the district will take the following steps prior to making a final adverse determination:

Provide the individual with a copy of their CHRI used in making the adverse decision;
Provide the individual with a copy of this CHRI Policy;

Provide the individual the opportunity to complete or challenge the accuracy of their CHRI; and
Provide the individual with information on the process for updating, changing, or correcting CHRI.

A final adverse decision based on an individual's CHRI will not be made until the individual has been afforded a reasonable time depending on the particular circumstances not to exceed thirty days to correct or complete the CHRI.

Secondary Dissemination of CHRI

If an individual's CHRI is released to another authorized entity, a record of that dissemination must be made in the secondary dissemination log. The secondary dissemination log is subject to audit by the DCJIS and the FBI.

The following information will be recorded in the log:

Subject Name;
Subject Date of Birth;
Date and Time of the dissemination;
Name of the individual to whom the information was provided;
Name of the agency for which the requestor works;
Contact information for the requestor; and
The specific reason for the request.

Reporting to Commissioner of Elementary and Secondary Education

Pursuant to state law and regulation, if the district dismisses, declines to renew the employment of, obtains the resignation of, or declines to hire a licensed educator or an applicant for a Massachusetts educator license because of information discovered through a state or national criminal record check, the district shall report such decision or action to the Commissioner of Elementary and Secondary Education in writing within 30 days of the employer action or educator resignation. The report shall be in a form requested by the Department and shall include the reason for the action or resignation as well as a copy of the criminal record checks results. The superintendent shall notify the employee or applicant that it has made a report pursuant to the regulations to the Commissioner.

Pursuant to state law and regulation, if the district discovers information from a state or national criminal record check about a licensed educator or an applicant for a Massachusetts educator license that implicates grounds for license action pursuant to regulations, the Superintendent shall report to the Commissioner in writing within 30 days of the discovery, regardless of whether the district retains or hires the educator as an employee. The report must include a copy of the criminal record check results. The school employer shall notify the employee or applicant that it has made a report pursuant to regulations to the Commissioner and shall also send a copy of the criminal record check results to the employee or applicant.

File: ADDA

C.O.R.I. REQUIREMENTS

It shall be the policy of the Central Berkshire Regional School District to obtain all available Criminal Offender Record Information (CORI) from the department of criminal justice information services of prospective employee(s) or volunteer(s) of the school department including any individual who regularly provides school related transportation to, who may have direct and unmonitored contact with, students prior to hiring the employee(s) or to accepting any person as a volunteer. State law requires that school districts obtain CORI data for employees of taxicab companies that have contracted with the schools to provide transportation to pupils.

The Superintendent, Principal, or their certified designees shall periodically, but not less than every three years, obtain all available Criminal Offender Record Information from the department of criminal justice informational services on all employees, individuals who regularly provide school related transportation to , including taxicab company employees, and volunteers who may have direct and unmonitored contact with , during their term of employment or volunteer service.

The Superintendent, Principal, or their certified designees may also have access to Criminal Offender Record Information for any subcontractor or laborer who performs work on school grounds, and who may have direct and unmonitored contact with , and shall notify them of this requirement and comply with the appropriate provisions of this policy.

Pursuant to a Department of Education regulation, "'Direct and unmonitored contact with' means contact with students when no other employee, for whom the employer has made a suitability determination of the school or district, is present." Contact" refers to any contact with a student that provides the individual with opportunity for physical touch or personal communication. The school employer may determine when there is potential for direct and unmonitored contact with by assessing the circumstances and specific factors including but not limited to, whether the individual will be working in proximity with students, the amount of time the individual will spend on school grounds, and whether the individual will be working independently or with others. An individual shall not be considered to have the potential for direct and unmonitored contact with students if they have only the potential for incidental unsupervised contact in commonly used areas of the school grounds."

In accordance with state law, all current and prospective employees, volunteers, and persons regularly providing school related transportation to of the school district shall sign an acknowledgement form authorizing receipt by the district of all available CORI data from the department of criminal justice information services. In the event that a current employee has a question concerning the signing of the acknowledgement form, he/she may meet with the Principal or Superintendent; however, failure to sign the CORI acknowledgement form may result in a referral to local counsel for appropriate action. Completed acknowledgement forms must be kept in secure files. The School Committee, Superintendent, Principals or their designees certified to obtain information under the policy, shall prohibit the dissemination of school information for any purpose other than to further the protection of school .

File: ADDA

CORI is not subject to the public records law and must be kept in a secure location, separate from personnel files and may be retained for not more than three years. CORI shall be shared with the individual to whom it pertains, pursuant to law, regulation and the following model policy, and in the event of an inaccurate report the individual should contact the department of criminal justice informational services.

Access to CORI material must be restricted to those individuals certified to receive such information. In the case of prospective employees or volunteers, CORI material should be obtained only where the Superintendent had determined that the applicant is qualified and may forthwith be recommended for employment or volunteer duties.

The hiring authority, subject to applicable law and the model policy, reserves the exclusive right concerning any employment decision.

The Superintendent shall ensure that on the application for employment and/or volunteer form there shall be a statement that as a condition of the employment or volunteer service the school district is required by law to obtain Criminal Offender Record Information for any employee, individual who regularly provides transportation, or volunteer who may have direct and unmonitored contact with students. Current employees, persons regularly providing school related transportation, and volunteers shall also be informed in writing by the Superintendent prior to the periodic obtaining of their Criminal Offender Record Information.

The Superintendent shall amend employment applications to include questions concerning criminal records which the Massachusetts Commission against Discrimination has determined may be legally asked of prospective employees. Any employment application which seeks information concerning prior arrests or convictions of the applicant shall include the following statement: "An applicant for employment with a sealed record on file with the commission of probation may answer 'no record' with respect to an inquiry herein relative to prior arrests or criminal court appearances. In addition, any applicant for employment may answer 'no record' with respect to any inquiry relative to prior arrests, court appearances and adjudications in all cases of delinquency or as a child in need of service which did not result in a complaint transferred to the superior court for criminal prosecution."

Records sealed pursuant to law shall not operate to disqualify a person in any examination, appointment or application for public service on behalf of the Commonwealth or any political subdivision thereof.

The Superintendent shall revise contracts with special education schools and other providers to require a signed statement that the provider has met all legal requirements of the state where it is located relative to criminal background checks for employees and others having direct and unmonitored contact with students.

LEGAL REFS.: M.G.L.6:167-178; 15D:7-8; 71:38R, 151B, 276:100A
P.L. 92-544; Title 28 U.S.C. § 534; Title 28 C.F.R. 20.33(b)
42 U.S.C. § 16962
603 CMR 51.00

803 CMR 2.00
803 CMR 3.05 (Chapter 149 of the Acts of 2004)
FBI Criminal Justice Information Services Security Policy

Procedure for correcting a criminal record
FAQ - Background Checks

File: ADDA-R

CORI POLICY

This policy is applicable to the criminal history screening of prospective and current employees, subcontractors, volunteers and interns, and professional licensing applicants.

Where Criminal Offender Record Information (CORI) and other criminal history checks may be part of a general background check for employment, volunteer work, licensing purposes, the following practices and procedures will be followed.

CONDUCTING CORI SCREENING

CORI checks will only be conducted as authorized by the DCJIS, state law, and regulation, and only after a CORI Acknowledgement Form has been completed.

If a new CORI check is to be made on a subject within a year of their signing of the CORI Acknowledgement Form, the subject shall be given seventy-two (72) hours' notice that a new CORI check will be conducted.

ACCESS TO CORI

All CORI obtained from the DCJIS is confidential, and access to the information must be limited to those individuals who have a "need to know". This may include, but not be limited to, hiring managers, staff submitting the CORI requests, and staff charged with processing job applications. The district must maintain and keep a current list of each individual authorized to have access to, or view, CORI. This list must be updated every six (6) months and is subject to inspection upon request by the DCJIS at any time.

CORI TRAINING

An informed review of a criminal record requires training. Accordingly, all district personnel authorized to review or access CORI will review, and will be thoroughly familiar with, the educational and relevant training materials regarding CORI laws and regulations made available by the DCJIS.

USE OF CRIMINAL HISTORY IN BACKGROUND SCREENING

CORI used for employment purposes shall only be accessed for applicants who are otherwise qualified for the position for which they have applied.

Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determinations of suitability based on background checks will be made consistent with this policy and any applicable law or regulations.

File: ADDA-R

VERIFYING A SUBJECT'S IDENTITY

If a criminal record is received from the DCJIS, the information is to be closely compared with the information on the CORI Acknowledgement Form and any other identifying information provided by the applicant to ensure the record belongs to the applicant.

If the information in the CORI record provided does not exactly match the identification information provided by the applicant, a determination is to be made by an individual authorized to make such determinations based on a comparison of the CORI record and documents provided by the applicant.

INQUIRING ABOUT CRIMINAL HISTORY

In connection with any decision regarding employment, volunteer opportunities, or professional licensing, the subject shall be provided with a copy of the criminal history record, whether obtained from the DCJIS or from any other source, prior to questioning the subject about their criminal history. The source(s) of the criminal history record is also to be disclosed to the subject.

DETERMINING SUITABILITY

If a determination is made, based on the verification of identity information as provided in this policy, that the criminal record belongs to the subject, and the subject does not dispute the record's accuracy, then the determination of suitability for the position or license will be made. Unless otherwise provided by law, factors considered in determining suitability may include, but not be limited to, the following:

(a) Relevance of the record to the position sought;
(b) The nature of the work to be performed;
(c) Time since the conviction;
(d) Age of the candidate at the time of the offense;
(e) Seriousness and specific circumstances of the offense;
(f) The number of offenses;
(g) Whether the applicant has pending charges;
(h) Any relevant evidence of rehabilitation or lack thereof; and
(i) Any other relevant information, including information submitted by the candidate or requested by the organization.

The applicant is to be notified of the decision and the basis for it in a timely manner.

ADVERSE DECISIONS BASED ON CORI

If an authorized official is inclined to make an adverse decision based on the results of a criminal history background check, the applicant will be notified immediately. The subject shall be provided with a copy of the organization's CORI policy and a copy of the criminal history. The source(s) of the criminal history will also be revealed. The subject will then be provided with an opportunity to dispute the accuracy of the CORI record. Subjects shall also be provided a copy of DCJIS' *Information Concerning the Process for Correcting a Criminal Record*.

File: ADDA-R

SECONDARY DISSEMINATION LOGS

All CORI obtained from the DCJIS is confidential and can only be disseminated as authorized by law and regulation. A central secondary dissemination log shall be used to record any dissemination of CORI outside this organization, including dissemination at the request of the subject.

File: ADDA-R-2

SEX OFFENDER REGISTRY INFORMATION

The Superintendent or their designee shall notify the member town police departments annually that the District wishes to be notified regarding registered sex offenders.

If an applicant for employment is selected to be hired, administration is directed to seek Sex Offender Registry Information (SORI) regarding said applicant from the local police department or by filing the appropriate information with (ESORI), at the Sex Offender Registry Board (SORB). Should the applicant's residence be a state other than Massachusetts, a SORI request shall be made to their last state of residence by using the National Sex Offender Registry. The hiring shall be contingent upon an acceptable SORI report.

The administration will also seek Sex Offender Registry Information (SORI) regarding volunteers or workers, who might have unmonitored access to students, by submitting their names through ESORI and to the National Sex Offender Registry if they reside in a state other than Massachusetts as a part of the screening process.

The Superintendent or their designee shall submit the names of all employees and volunteers to the Sex Offender Registry Information (SORI) via ESORI annually.

The Superintendent will develop appropriate procedures to evaluate any information received, and determine the appropriate course of action, if necessary.

File: ADF

SCHOOL DISTRICT WELLNESS PROGRAM

The School Committee recognizes the relationship between student well-being and student achievement as well as the importance of a comprehensive district wellness program. Therefore, the school district will provide developmentally appropriate and sequential nutrition and physical education as well as opportunities for physical activity. The wellness program will be implemented in a multidisciplinary fashion and will be evidence based.

District Safety and Wellness Committee

The school district will establish a wellness committee that consists of at least one (1): parent/guardian, student, nurse, school food service representative, School Committee member, school administrator, member of the public, and other community members as appropriate. If available, a qualified, credentialed nutrition professional will be a member of the wellness committee. The school committee designates the following individual as wellness program coordinator: District's Director of Operations. Only employees of the district who are members of the wellness committee may serve as wellness program coordinators. Wellness coordinators, in consultation with the wellness committee, will be in charge of implementation and evaluation of this policy.

Nutrition Guidelines

It is the policy of the school district that all foods and beverages made available on campus during the school day are consistent with School Lunch Program nutrition guidelines. Guidelines for reimbursable school meals will not be less restrictive than regulations and guidance issued by the Secretary of Agriculture pursuant to law. The district will create procedures that address all foods available to students throughout the school day in the following areas:

- guidelines for maximizing nutritional value by decreasing fat and added sugars, increasing nutrition density and moderating portion size of each individual food or beverage sold within the school environment;
- separate guidelines for foods and beverages in the following categories:
    1. foods and beverages included in a la carte sales in the food service program on school campuses;
    2. foods and beverages sold in vending machines, snack bars, school stores, and concession stands;
    3. foods and beverages sold as part of school-sponsored fundraising activities; and
    4. refreshments served at parties, celebrations, and meetings during the school day; and
    5. specify that its guidelines will be based on nutrition goals, not profit motives.

Nutrition and Physical Education

The school district will provide nutrition education aligned with standards established by the USDA's National School Lunch Program and the School Breakfast Program in all grades. The school district will provide physical education training aligned with the standards established by the Dept. of Elementary and Secondary Education. The wellness program coordinators, in consultation with the wellness committee, will develop procedures that address nutrition and physical education.

File: ADF

Nutrition Education

The following list contains examples of goals your school district may want to consider for inclusion in its policy. Each school district must determine its own goals and include them in its policy.

- Students receive nutrition education that teaches the skills they need to adopt and maintain healthy eating behaviors.
- Nutrition education is offered in the school cafeteria as well as in the classroom, with coordination between the foodservice staff and other school personnel, including teachers.
- Students receive consistent nutrition messages from all aspects of the school program.
- Division health education curriculum standards and guidelines address both nutrition and physical education.
- Nutrition is integrated into the health education or core curricula (e.g., math, science, language arts).
- Schools link nutrition education activities with the coordinated school health program.
- Staff who provide nutrition education have appropriate training.
- The level of student participation in the school breakfast and school lunch programs is appropriate.

Physical Education Activities

The following list contains examples of goals your school district may want to consider for inclusion in its policy. Each school district must determine its own goals and include them in its policy.

- Students are given opportunities for physical activity during the school day through physical education (PE) classes, daily recess periods for elementary school students, and the integration of physical activity into the academic curriculum where appropriate.
- Students are given opportunities for physical activity through a range of before- and/or after-school programs including, but not limited to, intramurals, interscholastic athletics, and physical activity clubs.
- Schools work with the community to create ways for students to walk, bike, rollerblade or skateboard safely to and from school.
- Schools encourage parents and guardians to support their participation in physical activity, to be physically active role models, and to include physical activity in family events.
- Schools provide training to enable staff to promote enjoyable, lifelong physical activity among students.

Other School-Based Activities

The wellness program coordinators, in consultation with the wellness committee, are charged with developing procedures addressing other school-based activities to promote wellness.

The following list contains examples of goals your school district may want to consider for inclusion in its

policy. Each school district must determine its own goals and include them in its policy.

- An adequate amount of time is allowed for students to eat meals in adequate lunchroom facilities.
- All who participate in subsidized food programs are able to obtain food in a non-stigmatizing manner.
- Environmentally-friendly practices such as the use of locally grown and seasonal foods, school gardens, and non-disposable tableware have been considered and implemented where appropriate.
- Physical activities and/or nutrition services or programs designed to benefit staff health have been considered and, to the extent practical, implemented.

Evaluation

The wellness committee will assess all education curricula and materials pertaining to wellness for accuracy, completeness, balance and consistency with the state and district's educational goals and standards. Wellness program coordinators shall be responsible for devising a plan for implementation and evaluation of the district wellness policy and are charged with operational responsibility for ensuring that schools meet the goals of the district wellness policy. Wellness program coordinators will report to the School Committee annually.

LEGAL REFS.: The Child Nutrition and WIC Reauthorization Act of 2004, Section 204, P.L. 108 -265
The Richard B. Russell National School Lunch Act, 42 U.S.C. §§ 1751 - 1769h
The Child Nutrition Act of 1966, 42 U.S.C. §§ 1771 - 1789
M.G.L. 111:223
105 CMR 201

CROSS REFS.: EFC, Free and Reduced-Cost Food Services
IHAMA, Teaching About Alcohol, Tobacco and Drugs
KI, Public Solicitations/Advertising in District Facilities

File: AE

COMMITMENT TO ACCOMPLISHMENT

The School Committee accepts ultimate responsibility for all facets of school operations. Because it is accountable to residents of the District, the School Committee will maintain a program of accountability consisting of the following elements:

- Clear statements of expectations and purpose as these relate to operations, programs, departments, and positions.

- Provisions for the staff, resources, and support necessary to achieve stated expectations and purposes, subject to financial support by residents of the District.

- Evaluation of operations and instructional and staff development programs to determine how well expectations and purposes are being met.

- Specific performance objectives to enable individuals to direct their own efforts to the goals and objectives of the District.

- Evaluation of the efforts of employees in line with stated objectives, with the first purpose of evaluation being to help each individual make a maximum contribution to the goals of the District.

Every effort will be made by the School Committee, Superintendent, and staff to fulfill the responsibilities inherent in the concept of accountability.

BOARD GOVERNANCE AND OPERATIONS

BA **SCHOOL COMMITTEE OPERATIONAL GOALS**

BAA **EVALUATION OF SCHOOL COMMITTEE**
***full committee will discuss following report out.**

BB **SCHOOL COMMITTEE LEGAL STATUS**

BBA **SCHOOL COMMITTEE POWERS AND DUTIES**

BBAA **SCHOOL COMMITTEE MEMBER AUTHORITY**

BBBA/ BBBB **SCHOOL COMMITTEE MEMBER QUALIFICATIONS/ OATH OF OFFICE**

BBBC **SCHOOL COMMITTEE MEMBER RESIGNATION**

BBBE **UNEXPIRED TERM FULFILLMENT**

BCA **CODE OF ETHICS: SCHOOL COMMITTEE MEMBERS**

BDA **SCHOOL COMMITTEE ORGANIZATIONAL MEETING**

BDB **SCHOOL COMMITTEE OFFICERS**

BDBA **DUTIES OF CHAIR AND VICE CHAIR**

***BDBB** **DUTIES OF SECRETARY**

BDBC **DUTIES OF TREASURER**

BDD **SCHOOL COMMITTEE-SUPERINTENDENT RELATIONSHIP**

BDE **SUBCOMMITTEES OF THE SCHOOL COMMITTEE**

BDF **ADVISORY COMMITTEES TO THE SCHOOL COMMITTEE**

BDFA **SCHOOL COUNCILS**

BDFA-E **SCHOOL IMPROVEMENT PLAN**

BDG **SCHOOL ATTORNEY**

BE **SCHOOL COMMITTEE MEETINGS**

BEAA **ADJOURNMENT OF REGULAR MEETINGS**

BEC EXECUTIVE SESSIONS

BEDA NOTIFICATION OF SCHOOL COMMITTEE MEETINGS

BEDB AGENDA FORMAT

BEDC QUORUM AND VOTING

BEDD SCHOOL COMMITTEE RULES OF ORDER

BEDF VOTING METHOD

BEDG MINUTES

BEDH PUBLIC COMMENT AT SCHOOL COMMITTEE MEETINGS

BEE SPECIAL PROCEDURES FOR CONDUCTING HEARINGS

BG SCHOOL COMMITTEE POLICY DEVELOPMENT

BGB POLICY ADOPTION

BGC POLICY REVISION AND REVIEW

BGD SCHOOL COMMITTEE REVIEW OF PROCEDURES

BGE POLICY DISSEMINATION

BGF SUSPENSION OF POLICIES

BHA OFFICIAL SEAL OF THE DISTRICT

BHC SCHOOL COMMITTEE-STAFF COMMUNICATIONS

BHE USE OF ELECTRONIC MESSAGING BY SCHOOL COMMITTEE MEMBERS

BIA NEW SCHOOL COMMITTEE MEMBER ORIENTATION

BIBA SCHOOL COMMITTEE CONFERENCES, CONVENTIONS, AND WORKSHOPS

BID SCHOOL COMMITTEE MEMBER COMPENSATION AND EXPENSES

File: BA

SCHOOL COMMITTEE OPERATIONAL GOALS

The School Committee is responsible to the people for whose benefit the school district has been established. The Committee's current decisions will influence the course of education in our schools for years to come. The Committee and each of its members must look to the future and to the needs of all people more than the average citizen finds necessary. This requires a comprehensive perspective and long-range planning in addition to attention to immediate concerns.

The School Committee's primary responsibility is to establish those purposes, programs, and procedures that will best produce the educational achievement needed by our students. The Committee is charged with accomplishing this while also being responsible for wise management of resources available to the school district. The Committee must fulfill these responsibilities by functioning primarily as a legislative body to formulate and adopt policy, by selecting an executive officer to implement policy, and by evaluating the results. It must carry out its functions openly, while seeking the comments of the public, students, and staff in its decision-making processes.

In accordance with these principles, the technique will involve:

1. Periodically setting performance objectives for the School Committee itself and evaluating their accomplishment.

2. Setting objectives for performance for each position and function in the system.

3. Allowing the people responsible for carrying out objectives to have a role in setting them.

4. Establishing practical and SMART district goals.

5. Conducting a periodic review of performance against these goals.

NOTE: This category is for goals the School Committee sets for its own operations in contrast to goals set for the school district, instruction, etc. The policy may relate to the process of goal setting or may set forth the operational goals established, as in the policy above.

File: BAA

EVALUATION OF SCHOOL COMMITTEE OPERATIONAL PROCEDURES

The School Committee will periodically establish realistic objectives related to Committee procedures and relationships. At the end of a specified length of time, the Committee will measure its performance against the stated objectives.

The following areas of School Committee operations and relationships are representative of those in which objectives may be set and progress appraised.

1. Communication with the public
2. School Committee - Superintendent relationships
3. School Committee member development and performance
4. Policy development
5. Educational leadership
6. Fiscal management
7. School Committee meetings
8. Performance of subcommittees of the School Committee
9. Interagency and governmental relationships

When the Committee has completed its self-evaluation, the members will discuss the results in detail and formulate a new series of objectives. At the same time, the Committee will set an approximate date on which the next evaluation will be conducted.

Implied in the concept of evaluation is an assumption that individuals and Committees are capable of improvement. The School Committee believes that its performance will be improved if evaluation is carried out systematically in accordance with good planning, conscientious follow-through, and careful assessment of results.

File: BB

SCHOOL COMMITTEE LEGAL STATUS

The School Committee is the governing board of the municipality's public school district. Although it functions as a duly elected Committee of municipal government, the School Committee has, unlike other municipal boards, autonomous and absolute authority within limitations established by the Commonwealth of Massachusetts to carry out the educational policies of the state and guide the educational process.

Established by law

LEGAL REFS.: M.G.L. 41:1 and 71:37 specifically, but powers and duties of School Committees are established throughout the General Laws of Massachusetts Relating to School Committees

CROSS REFS.: AA, School District Legal Status
BBA, School Committee Powers and Duties

File: BBA

SCHOOL COMMITTEE POWERS AND DUTIES

The School Committee has all the powers conferred upon it by state law and must perform those duties mandated by the state. These include the responsibility and right to determine policies and practices and to employ a staff to implement its directions for the proper education of the children of the community.

The Committee takes a broad view of its functions. It sees them as:

1. **Legislative or policymaking**. The Committee is responsible for the development of policy as guides for administrative action and for employing a Superintendent who will implement its policies.

2. **Appraisal**. The Committee is responsible for evaluating the effectiveness of its policies and their implementation.

3. **Provision of financial resources**. The Committee is responsible for adoption of a budget that will enable the school district to carry out the Committee's policies.

4. **Public relations**. The Committee is responsible for providing adequate and direct means for keeping the local citizenry informed about the schools and for keeping itself and the school staff informed about the needs and wishes of the public.

5. **Educational planning and evaluation**. The Committee is responsible for establishing educational goals and policies that will guide the Committee and staff for the administration and continuing improvement of the educational programs provided by the School District.

Personnel Matters

The Superintendent shall be appointed by vote of the Committee and shall directly report to the Committee as provided by law and perform all the duties that are prescribed by law and such other duties, not inconsistent thereto, as a majority of the Committee may direct.

The School Committee shall appoint, upon the recommendation of the Superintendent, Assistant/Associate/Deputy Superintendent(s), School Business Administrator, Special Education Administrator, School Physician, School Nurses, and Supervisor of Attendance. Such positions shall not report directly to the School Committee.

LEGAL REF.: M.G.L. 71:37 specifically, but powers and duties of School Committees are established throughout the Massachusetts General Laws.

CROSS REF.: BB, School Committee Legal Status
BDG, School Attorney

File: BBAA

SCHOOL COMMITTEE MEMBER AUTHORITY

Authority

Because all powers of the School Committee derived from state laws are granted in terms of action as a group, members of the School Committee have authority only when acting as a Committee legally in session.

The School Committee will not be bound in any way by any statement or action on the part of an individual member except when such statement or action is a result of specific instructions of the Committee.

No member of the Committee, by virtue of their office, will exercise any administrative responsibility with respect to the schools or command the services of any school employee.

The School Committee will function as a body and all policy decisions and other matters, as required by law, will be settled by an official vote of the Committee sitting in formal session.

Duties

The duties and obligations of the individual Committee member may be enumerated as follows:

1. To become familiar with the General Laws of the Commonwealth relating to education and School Committee operations, regulations of the Massachusetts Board of Education, policies and procedures of this School Committee and School Department.

2. To keep abreast of new laws and the latest trends in education.

3. To have a general knowledge of the goals, objectives, and programs of the district.

4. To work effectively with other Committee members without trying either to dominate the Committee or neglect their share of the work.

5. To respect the privileged communication that exists in executive sessions by maintaining strict confidentiality on matters discussed in these sessions, except that which becomes part of the public record, once it has been approved for release.

6. To vote and act in Committee impartially for the good of all students.

7. To accept the will of the majority vote in all cases, and to remember that they are one of a team and must abide by, and carry out, all Committee decisions once they are made.

8. To represent the Committee and the schools to the public in a way that promotes interest and support.

File: BBAA

9. To refer questions and complaints to the proper school authorities.

10. To comply with the accepted code of ethics for School Committee members.

File: BBBA/BBBB

SCHOOL COMMITTEE MEMBER QUALIFICATIONS/OATH OF OFFICE

In order to serve on the School Committee, an individual must be a registered voter in the town from which they are elected or appointed and must take an oath of office as required by law.

Each new member will present to the Committee secretary official certification of having sworn the oath before an officer duly qualified to administer oaths prior to entering on their official duties as a member of the Committee.

From the Municipal or District Clerk, newly qualified Committee members, by law, receive, and sign a receipt for, a copy of the Massachusetts open meeting law governing the conduct of Committee meetings in general and executive sessions in particular.

Newly qualified Committee members shall, by law, receive and sign a receipt for, within 30 days of taking office, a copy of the Massachusetts Ethics Commission's Summary of the Conflict of Interest laws. As municipal employees, all School Committee members shall receive a copy of said summary annually. All School Committee members shall, within 30 days of taking office, and every 2 years thereafter, complete the Massachusetts Ethics Commission's online training program. Upon completion of the online training program, members shall provide notice of such completion to be retained for 6 years by the Municipal or District Clerk.

A member shall enter upon the performance of their duties on the day after their election or as soon thereafter as they are qualified and hold office during the term of which he/she is elected and until another person is qualified in his/her stead.

Established by law

LEGAL REFS.: M.G.L. 30A:20; 41:1; 41:107; 76:5; 268A:27-28;

File: BBBC

SCHOOL COMMITTEE MEMBER RESIGNATION

A current School Committee member who submits a resignation to the appropriate certifying authority terminates School Committee duties at the time of such resignation unless a later time is stated in the resignation.

Should a School Committee member move out of the municipality in which they hold office, that member shall be deemed to have vacated the office.

LEGAL REFS.: M.G.L. 41:2; 41:109

File: BBBE

UNEXPIRED TERM FULFILLMENT

When a vacancy on the School Committee occurs for any reason, the remaining members of the Committee share the responsibility for filling it.

As provided in the law, the School Committee will notify the Select Board that a vacancy has been created within 30 days after it has occurred. One week's notice will be given by the Committee to the Select Board, so that voters of the municipality may have the opportunity to state their candidacy. Then, the following process as described in the Regional Agreement will occur:

1. Vacancies which occur on the Committee shall be filled by the remaining members of the Committee and the appointee filling such vacancy shall serve the unexpired portion of the term.

2. The members of the Committee incumbent on the effective date of this provision shall hold office until the year in which their terms would ordinarily expire and until their successors have been elected and qualified, as herein provided.

For an election to fill a vacancy, a candidate must receive a majority of the votes of the officers entitled to vote. The person so elected will fill the seat on the Committee for the remainder of the term.

LEGAL REF.: M.G.L. 41:11

File: BCA

CODE OF ETHICS: SCHOOL COMMITTEE MEMBERS

The acceptance of a code of ethics implies the understanding of the basic organization of school committees under the laws of the Commonwealth of Massachusetts. The oath of office of a school committee member binds the individual member to adherence to those state laws which apply to school committees since school committees are agencies of the state.

Inasmuch as school committee members are elected at large by all of the towns comprising the district, a school committee member in their relations with their district should:

- Realize that their primary responsibility is to all children in the district.
- Recognize that their basic function is policy-making and not administrative.
- Remember that they are one member of a team and must abide by, and carry out, all committee decisions once they are made.
- Be well informed concerning the duties of a committee member on both a local and state level.
- Remember that they represent the district at all times.
- Accept the office as a committee member as a means of unselfish service with no intent to "play politics," in any sense of the word, or to benefit personally from his/her committee activities.

A school committee member in their relations with the school administration should:

- Endeavor to establish sound, clearly-defined policies which will direct and support the administration.
- Recognize and support the administrative chain of command and refuse to act on complaints as an individual outside the administration.
- Act only on the recommendations of the chief administrator in all matters of employment or dismissal of school personnel. (as required by law for any matter that might come to the school committee either via contract status, grievances, etc.)
- Give the chief administrator full responsibility for discharging their professional duties and hold them responsible for acceptable results.
- Refer all complaints to the administrative staff for solution and only discuss them at committee meetings if such solutions fail.

A school committee member in their relations to their fellow committee members should:

- Recognize that action at official meetings is binding and that they alone cannot bind the committee outside of such meetings.
- Realize that they should not make statements or promises of how they will vote on matters that will come before the committee.
- Uphold the intent of executive sessions and respect the privileged information that exists in executive sessions.

- Not withhold pertinent information on school matters or personnel problems, either from members of their own committee or from members of other committees who may be seeking help and information on school problems.
- Make decisions only after all facts on a question have been presented and discussed. [1]

File: BCA

A school committee member in their actions at school committee meetings should:

- Endeavor to ensure that committee meetings are effective and efficient, giving each member an equal opportunity to express their views and convey their input in a concise and topic-focused manner.
- Attempt to attend all meetings and be prepared to discuss agenda items and to respectfully participate in relevant and efficient decision making.
- Respect staff and fellow committee members and exhibit professional conduct and behavior at all times.
- Work to build trust between and among school committee members, the superintendent, and the administration by treating everyone with dignity and respect, even in times of disagreement.
- Recognize the importance of proactive communication and support the “no surprises” philosophy.
- Agree to make our best effort to convey questions and/or comments to the chair and superintendent prior to the meeting.
- Recognize the chair as the official voice of the school committee.

REFERENCE

[1] Adopted at the annual meeting of the Massachusetts Association of School Committees, May 22, 1964

File: BDA

SCHOOL COMMITTEE ORGANIZATIONAL MEETING

For the purpose of organizing, the School Committee, at its first regular meeting following the District's annual elections, will elect from its membership a Chair, a Vice-Chair, and a clerk, all of whom will hold their respective offices for a term of one year or until a successor is elected.

In the event the Chair and Vice-Chair are no longer members of the School Committee, the senior member (years served) will act as the Chair Pro-Tem.

A majority of the members of the School Committee will constitute a quorum. The election will proceed as follows:

1. Nominations for the office of Chair will be made from the floor. The Chair will be elected by a majority roll-call vote of the members present and voting. If no nominee receives a majority vote, the election will be declared null and void and nominations will be reopened.

2. Upon election, the new Chair will preside, calling for the election of a Vice-Chair and clerk, in order. The procedure used for their election will be the same as that for electing the Chair.

Any vacancy among the officers occurring between organizational meetings will be filled by a member elected by the School Committee. The election will be conducted as described above. Following election of officers at its organizational meeting, the School Committee may proceed into such regular or special business as scheduled on the agenda.

File: BDB

SCHOOL COMMITTEE OFFICERS

Duties of the Chair

The Chair of the School Committee has the same powers as any other member of the Committee to vote upon all measures coming before it, to offer resolutions and to discuss questions. They will perform those duties that are consistent with their office and those required by law, state regulations, and this Committee. In carrying out these responsibilities, the Chair will:

1. Sign the instruments, acts, and orders necessary to carry out state requirements and the will of the Committee.

2. Consult with the Superintendent in the planning of the Committee's agendas.

3. Confer with the Superintendent on crucial matters that may occur between Committee meetings.

4. Appoint subcommittees, subject to Committee approval.

5. Call special meetings of the Committee as found necessary.

   Special meetings may be called by the Chairperson and shall be called upon request of the Superintendent of Schools or of three members of the School Committee for the purpose of transacting any business designated in the call. Town Clerks in each of the member towns will be so notified. At such special meetings no business shall be considered other than as designated in the notice.

6. Be public spokesperson for the Committee at all times except as this responsibility is specifically delegated to others.

7. Be responsible for the orderly conduct of all Committee meetings.

As presiding officer at all meetings of the Committee, the Chair will:

1. Call the meeting to order at the appointed time.

2. Announce the business to come before the Committee in its proper order.

3. Enforce the Committee's policies relating to the order of business and the conduct of meetings.

4. Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference.

5. Explain what the effect of a motion would be if this is not clear to members.

6. Restrict discussion to the question when a motion is before the Committee.

7. Answer all parliamentary inquiries.

8. Put motions to a vote, stating definitely and clearly the vote and result thereof.

Duties of the Vice-Chair

The Vice-Chair of the Committee will act in the absence of the Chair as presiding officer of the Committee and will perform such other duties as may be delegated or assigned to them.

Clerk

The clerk will keep or cause to be kept an accurate journal of all Committee meetings; will comply with state law and Committee policy regarding notification of meetings; and will render such reports as may be required by the state or the town.

LEGAL REF.: M.G.L. 71:36

File: BDBA

DUTIES OF CHAIR AND VICE-CHAIR

The Chair shall preside at all meetings of the school committee, and shall perform such other duties as may be delegated to them. The Vice-Chair shall perform the duties of the Chair in the event that the chair is absent or unable to perform their duties. (1)

The following, in general, are the duties of the Chair of the school committee:

1. Prepares the agenda in cooperation with the school superintendent.

2. Reviews the agenda and approves its contents prior to the school committee meeting.

3. Calls the meeting to order at the appropriate time.

4. Presides at all meetings. "Presiding" includes:

   4.1 Announcing the order of business.
   4.2 Stating and putting to a vote all questions regularly moved.
   4.3 Allowing for adequate discussion and debate on all matters which properly come before the committee.
   4.4 Enforcing the observance of order and decorum.
   4.5 Announcing the result of any vote taken.
   4.6 Subject to school committee direction, deciding all questions of order and procedure.

5. Authenticates, by their signature, when necessary all the acts, orders, and proceedings of the school committee.

6. Represents the school committee, consistent with school committee policy, votes and applicable law.

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File: BDBB

DUTIES OF SECRETARY

1. The School Committee shall appoint a secretary who shall keep a permanent record book, in which all its votes, orders and proceedings shall be recorded.

2. The Secretary shall send out notices of all regular and special meetings of the Committee. They shall keep the minutes of all meetings and shall be the custodian of the Regional Seal, all records, and Treasurer's bond. They shall also prepare such reports as may be required by the Massachusetts Department of Education

3. If the office of Secretary is vacant or if the Secretary is absent or unable to perform their duties, the School Committee shall appoint a temporary secretary to hold such office and exercise the powers to perform the duties thereof until a Secretary is duly appointed or the Secretary who was absent resumes their duties.

File: BDBC

DUTIES OF TREASURER

1. The Treasurer shall:

   1.1 Receive all monies paid to the Regional School Committee in accordance with Massachusetts General Laws.
   1.2 Keep financial records and accounts in accordance with state regulations.
   1.3 Act as paymaster, as directed by the School Committee.
   1.4 Prepare and submit bills to member towns.
   1.5 Post a bond with the Secretary of the Committee.
   1.6 Be responsible to the Committee.

   The premium of the Treasurer's bond shall be paid as an expense from the funds of the district.

2. The Treasurer shall pay no money from the treasury, other than court judgments, payrolls, bonds or notes which may become due and interest thereon except upon an order or a warrant signed in accordance with Chapter 71, Section 16A of the General Laws of the Commonwealth or by at least three members of the warrant subcommittee of the Regional School Committee.

File: BDD

SCHOOL COMMITTEE-SUPERINTENDENT RELATIONSHIP

The Committee will leave to the Superintendent all matters of decision and administration that come within their scope as executive officer or as professional leader of the school district. While the Committee reserves to itself the ultimate decision of all matters concerning general policy or expenditures of funds, it will normally proceed in these areas after receiving recommendations from its executive officer. Further:

1. The Superintendent may seek guidance from the Committee with respect to matters of operation whenever appropriate. If it is necessary to make exceptions to an established policy, they will submit the matter to the Committee for advice and direction.

2. The Superintendent will assist the Committee in reaching sound judgments and establishing policies, and will place before the Committee all relevant facts, information, and reports necessary to keep the Committee adequately informed of situations or business at hand.

File: BDE

SUBCOMMITTEES OF THE SCHOOL COMMITTEE

The School Committee Chair shall appoint members to subcommittees at their annual organizational meeting for a period of one year. These subcommittees may be created for a specific purpose and to make recommendations for Committee action.

1. The subcommittee will be established through action of the Committee.

2. The School Committee Chair, subject to approval by the Committee, will appoint the subcommittee chair and its members.

3. The subcommittee will be provided with a list of its functions and duties.

4. The subcommittee may make recommendations for Committee action, but it may not act for the School Committee.

5. All subcommittees of the School Committee are subject to the provisions of the Open Meeting Law.

6. The School Committee chairperson shall be an ex-officio member of the subcommittees but shall not vote.

7. The School Committee chairperson may be a voting member and/or chair of any subcommittee with the majority approval by the full School Committee.

LEGAL REF.: M.G.L. 30A:18-25

CROSS REF.: BEC, Executive Sessions

File: BDF

ADVISORY COMMITTEES TO THE SCHOOL COMMITTEE

The following general policies will govern the appointment and functioning of advisory committees to the School Committee other than the student advisory committee, which is governed by the terms of the Massachusetts General Laws.

1. Advisory committees may be created by the School Committee to serve as task forces for special purposes or to provide continuing consultation in a particular area of activity. However, there will be no standing overall advisory committee to the School Committee.

2. If an advisory committee is required by state or federal law, its composition and appointment will meet all the guidelines established for that particular type of committee.

3. The composition of task forces and any other advisory committees will be broadly representative and take into consideration the specific tasks assigned to the committee. Members of the professional staff may be appointed to the committee as members or consultants, as found desirable.

4. Appointments to such committees will be made by the Committee; appointment of staff members to such committees will be made by the School Committee upon recommendation of the Superintendent.

5. Tenure of committee members will be one year only unless the member is reappointed.

6. Each committee will be clearly instructed as to:

    a. The length of time each member is being asked to serve.

    b. The assignment the School Committee wishes the committee to fulfill and the extent and limitations of its responsibilities.

    c. The resources the School Committee will provide.

    d. The approximate dates on which the School Committee wishes to receive major reports.

    e. School Committee policies governing citizens, committees and the relationship of these committees to the School Committee as a whole, individual School Committee members, the Superintendent, and other members of the professional staff.

    f. Responsibilities for the release of information to the press.

7. Recommendations of committees will be based upon research and fact.

8. The School Committee possesses certain legal powers and prerogatives that cannot be delegated or surrendered to others. Therefore, all recommendations of an advisory committee must be submitted to the School Committee.

9. Advisory committees created under this policy are subject to the provisions of the Open Meeting Law.

The Committee will have the sole power to dissolve any of its advisory committees and will reserve the right to exercise this power at any time during the life of any committee.

LEGAL REF.: M.G.L. 30A:18-25

CROSS REF.: JIB, Student Involvement in Decision-making

File: BDFA

SCHOOL COUNCILS

The School Committee believes that the school is the key unit for educational improvement and change and that successful school improvement is best accomplished through a school-based decision-making process. By involving those directly affected by any action or decision of the school council in the process of determining that action or decision, it helps to strengthen the commitment to those decisions by those most affected by its implementation.

Under this policy, the Principal shall have primary responsibility for the management of the school. Decisions which are made at the school level must be aligned with the budget, policies, curriculum, and long-range and short-range goals adopted by the School Committee. In addition, decisions must comply with any state and federal laws and regulations and with any negotiated agreements of the school.

As enacted by the state legislature in the Education Reform Act of 1993, a school council shall be established in each school to advise the Principal in specific areas of school operation. The Principal, except as specifically defined in the law, shall have the responsibility for defining the composition of and forming the group pursuant to a representative process approved by the Superintendent and School Committee.

The Principal shall, by law, serve as co-chair of the council. The second co-chair will be elected annually by the council members at its first meeting of the school year subsequent to the elections of new council members. The co-chairs will be responsible for the preparation of the agenda for the council meetings.

The school council shall meet at least once monthly during the school year. Meetings will be held outside of school hours.

School councils shall use consensus as the primary method to resolve issues and to formulate recommendations. Votes by majority may be taken at the discretion of the Principal and Robert's Rules of Order.

All meetings of the school council shall conform to the Open Meeting Law. The scope of the school council does not require, and therefore does not qualify for, executive session.

The Superintendent shall receive agendas and minutes of all school council meetings. The Superintendent shall provide copies of these materials to members of the School Committee upon request.

The following guidelines define the role of the school council: The school council shall meet regularly with the Principal of the school and shall assist in:

1. Adoption of educational goals for the school that are consistent with state and local policies and standards.

2. Identification of the educational needs of the students attending the school.

File: BDFA

3. Review of the school building budget.

4. Formulation of a school improvement plan that may be implemented only after review and approval by the Superintendent.

LEGAL REFS.: M.G.L. 71:38Q, 71:59C; C30A:18-15

File: BDFA-E

SCHOOL IMPROVEMENT PLAN

The Principal, in conjunction with the school council, shall be responsible for preparing a written school improvement plan annually.

This plan shall be written and submitted for approval to the Superintendent no later than July 1 of the year in which the plan is to be implemented and reviewed by the School Committee. The plan should be drafted with the following in mind:

1. The educational goals for the school, consistent with District mission and goals, and the goals and standards, including student performance standards, as adopted by the Massachusetts Board of Elementary and Secondary Education.

2. An assessment of the needs of the school in light of the proposed educational goals.

3. The means to address student performance, with focus on improvement of student learning.

    a. Specify expected student outcomes and measurable/observable results.
    b. Clearly identify actions to be taken to implement the goals.
    c. Indicate anticipated costs and available funding sources.
    d. Delineate the method of evaluating and reporting progress and results.

4. Professional development for the school's professional staff.

5. The enhancement of parent/guardian involvement in the life of the school, safety, and discipline.

    a. Include a plan on how to solicit community support for the changes being developed.

6. The development of means for meeting the diverse learning needs of every child.

7. The establishment of a culture of inclusion and respectful of diversity.

8. Any further subjects as the Principal, in consultation with the school council, shall consider appropriate, except that:

    a. The council shall have no authority over matters that are subject to Chapter 150E, the collective bargaining law, and
    b. The council may not expand the scope of its authority beyond that established in law or expressly granted by School Committee policy.

If the school improvement plan is not approved by the Superintendent, it shall be returned to the Principal with specific comments as to the reason(s). The Principal shall revise the plan in cooperation with the school council, and resubmit it for approval.

File: BDG

SCHOOL ATTORNEY

It will be the duty of the counsel for the Committee to advise the School Committee and the Superintendent on the specific legal problems submitted to them. They will attend meetings upon request and will be sufficiently familiar with Committee policies, practices, and actions under these policies, and with requirements of the school law to enable them to offer the necessary legal advice.

A decision to seek legal advice or assistance on behalf of the school district will be made by the Committee. The Superintendent may also take such action at the direction of the Committee. **Individual members will not contact counsel without permission of the Chair.**

Many types of legal assistance are routine and do not require specific Committee approval or prior notice. However, when the Superintendent concludes that unusual types or amounts of professional legal service may be required, they will advise the Committee and seek either initial or continuing authorization for such service.

The School Committee may use the services provided by the towns' counsel. The Committee and the Superintendent may seek their services to counsel and represent the school district at various times.

LEGAL REFS.: M.G.L. 71:37E; 71:37F: 71:16

NOTE: Town or city charters often state that the town counsel or city solicitor will provide certain services for the School Committee. References to such sections(s) of a charter should be added to the legal references. In addition, it is important that a School Committee establish guidelines for access to legal counsel by individual members. In most cases this is allowed only with prior approval of the whole Committee.

File: BE

SCHOOL COMMITTEE MEETINGS

The School Committee will transact all business at official meetings of the Committee. These may be either regular or special meetings, defined as follows:

1. **Regular meeting**: the usual official legal action meeting, held regularly.

2. **Special meeting**: an official legal action meeting called between scheduled regular meetings to consider specific topics.

Every meeting of the School Committee, regular or special, will be open to the public unless an executive session is held in accordance with state law.

CROSS REFS.: BEC, Executive Sessions
BEDA, Notification of School Committee Meetings

File: BEAA

ADJOURNMENT OF REGULAR MEETINGS

1. Regular meetings of the School Committee will normally adjourn no later than 10:00 p.m.

2. The meeting will seek to adjourn when the agenda item under discussion at 10:00 p.m. is completed unless:

   2.1 The committee, by a 2/3 vote of the members present, agrees to consider the remaining agenda items, or

   2.2 A request for an executive session has been made previously. A motion to go into executive session may be made when the item under discussion at 10:00 p.m. is completed.

3. Business which is "unfinished" at that time may be placed on the agenda of the next regular or special meeting of the school committee.

File: BEC

EXECUTIVE SESSIONS

All meetings of the School Committee are open to attendance by the public and media representatives. However, the Committee has the right to convene in a closed executive session when it meets the following procedural conditions imposed by state law:

1. The Committee will first convene in an open session for which due notice has been given.

2. The Chair (or, in their absence, the presiding member) will state the purpose for the executive session by stating all subjects that may be revealed without compromising the purpose for which the executive session was called.

3. A majority of the members must vote to enter the executive session, with the vote taken by roll call and recorded in the official minutes.

4. The Chair or presiding member will state before entering the executive session whether the Committee will reconvene in open session after the executive session.

The law puts specific limitations on the purposes for which executive sessions may be convened. The Committee may enter executive sessions only to deliberate:

1. The reputation, character, physical condition or mental health, rather than the professional competence, of a single individual, or the discipline or dismissal, including the hearing of charges against, a member of the committee, a school department employee or student, or other individual. The individual has certain rights enumerated in the law including requiring the Committee to hold an open session should the individual so request.

2. Strategy with respect to non-union negotiations or to conduct collective bargaining sessions with non-union personnel.

3. Strategy with respect to collective bargaining or litigation, if an open meeting might have a detrimental effect. Collective bargaining may also be conducted.

4. The deployment of security personnel or devices.

5. Allegations of criminal misconduct or to discuss the filing of criminal complaints.

6. Transactions of real estate, if an open meeting might be detrimental to the negotiating position of the committee or another party.

7. To comply with the provisions of any general or specific law of federal grant-in-aid requirements.

8. To consider and interview applicants for employment by a preliminary screening committee (The only position that the School Committee would be involved in that might qualify would be for the position of Superintendent.) This exemption only applies if it can be determined that an open

meeting will have a detrimental effect in obtaining qualified applicants. This shall not apply to applicants who have passed a prior preliminary screening.

9. To meet or confer with a mediator with respect to any litigation or public business.

10. To discuss trade secrets or confidential competitively-sensitive or other proprietary information conducted by a governmental body as an energy supplier.

(In the first case, an open meeting will be held if the individual involved so requests.)

Accurate records of the proceedings conducted in executive session will be kept and may remain secret only so long as their publication would defeat the purpose of the session.

The School Committee Chair and the Superintendent will review executive session minutes for possible declassification on, at least, a quarterly basis and, if necessary, will consult with legal counsel. The School Committee Chair will bring minutes recommended for declassification to the School Committee for a vote either as part of a consent agenda or for individual action. In either case, there shall be an announcement of the declassification of minutes.

When a specific set of executive session minutes, not yet declassified, is requested by a member of the public, the School Committee shall render a decision on declassification at its next meeting or within 30 days after the request, whichever occurs first.

All votes taken in executive session will be recorded roll call votes, and will become part of the minutes of executive sessions.

LEGAL REFS.: M.G.L. 30A:21; 30A:22

CROSS REFS.: BDE, Subcommittees of the School Committee
BE, School Committee Meetings
KEB, Public Complaints about School Personnel

File: BEDA

NOTIFICATION OF SCHOOL COMMITTEE MEETINGS

As required by law, a minimum of 48 hours' advance notice (excluding Saturdays, Sundays and legal holidays) will be given for any meeting of the School Committee, including all subcommittee meetings. The only exception permitted is in case of emergency, which the law defines as "a sudden, generally unexpected occurrence or set of circumstances demanding immediate action."

Notification of the dates, times, and places of regular meetings may be accomplished by periodic publication of the schedule for the ensuing months. However, a minimum of 48 hours prior to each meeting the Committee shall cause to be posted a listing of each subject the Chair reasonably anticipates will be discussed at the meeting (the agenda). Notification of a change in a regular meeting time, place, or agenda and notification, including agenda, of a special meeting will be posted on the Central Berkshire Regional School District's website.

LEGAL REFS.: M.G.L. 30A:18-25

CROSS REF.: BE, School Committee Meetings

File: BEDB

AGENDA FORMAT

The Superintendent, conferring with the Chair of the School Committee, will arrange the order of items on meetings agendas so that the Committee can accomplish its business as expeditiously as possible. The particular order may vary from meeting to meeting in keeping with the business at hand.

The Committee will follow the order of business established by the agenda except as it votes to rearrange the order for the convenience of visitors, individuals appearing before the Committee, or to expedite Committee business.

Any School Committee member, staff member, or citizen may suggest items of business. The inclusion of such items, however, will be at the discretion of the Chair of the Committee. The Committee can, by a simple majority vote, have an item added to the next regular agenda. A staff member who wishes to have a topic scheduled on the agenda should submit the request through the Superintendent.

The agenda will also provide for time when any citizen who wishes may speak briefly before the School Committee.

The agenda, together with supporting materials, will be distributed to School Committee members no less than three business days prior to the meeting to permit adequate time to prepare for the meeting.

Agendas will be posted and made available to the press.

CROSS REFS: BEDH, Public Comment at School Committee Meetings

File: BEDC

QUORUM AND VOTING

A quorum for the transaction of business shall consist of a majority of the School Committee but a lesser number may adjourn. [1]

All voting at School Committee meetings must be by voice or roll call vote.[2]

The Chair shall normally call for a voice vote for the transaction of business. If any other member questions the voice vote, the Chair shall call for a show of hands. Votes by show of hands shall be counted as affirmative, negative, or abstaining and shall be so recorded. It shall be the privilege of any member to have their vote on any motion recorded by name.

No action shall carry unless it shall receive the vote of a majority of the members present.

The School Committee may, under certain circumstances and for certain kinds of action, require more than a majority vote to carry. [3]

The following procedure will be followed with reference to action on policies or the official by-laws of the district:

- A policy/by-law must be presented for "first reading" at a regular meeting of the school committee. In rare instances under strict time constraints, a vote of two thirds of the School Committee may waive the “second reading”.
- At the next regular meeting the policy/by-law is presented for a "second reading". The policy/by-law may be acted upon at this meeting or any subsequent regular or special meeting.
- A majority vote of a quorum of the School Committee is sufficient to adopt a policy/by-law.

File: BEDD

RULES OF ORDER

Robert's Rules of Order, Newly Revised will govern the proceedings of the Committee, except when those rules are in conflict with the Committee's approved policies and regulations.

In accordance with Robert's Rules, the Committee may suspend parliamentary rules of order by a two-thirds vote.

SOURCE: MASC – Reviewed 2022

CROSS REF: PUBLIC COMMENT POLICY

File: BEDF

VOTING METHOD

Open meeting

Votes of the School Committee will be taken by voice vote or a hand count and shall be recorded in the minutes. If the vote is unanimous only that fact need be recorded. No vote taken at an open session shall be by secret ballot.

All actions will require a majority vote of all members present and voting except as state law, Robert's Rules of Order, Newly Revised, or policies of this Committee require a larger majority. A majority of the members of the School Committee will constitute a quorum.

A two-thirds vote will be required to suspend parliamentary rules of order.

Executive Session

A majority of the members of the School Committee must vote to enter into executive session, with the vote taken by roll call and recorded in the official minutes.

All votes taken in executive session will be recorded roll call votes, and will become part of the minutes of executive sessions. Any votes taken to ratify employment contracts or collective bargaining agreements shall be taken in open session.

CROSS REF: BDD - RULES OF ORDER

LEGAL REFS.: M.G.L. 30A:18-25; 71:42; 71:50

File: BEDG

MINUTES

The minutes of a School Committee meeting constitute the written record of Committee actions; they are legal evidence of what the action was. Therefore, the secretary of the School Committee will be responsible for reporting in the minutes all actions taken by the Committee.

Minutes will include:

1. The date, time, place, the members present or absent, annotated as to arrival and departure times, if during the meeting, a summary of each subject, and a list of documents and exhibits used at the meeting.

2. A complete record of official actions taken by the Committee relative to the Superintendent's recommendations, to communications, and to all business transacted. Resolutions and motions will be given in their exact wording, accompanied by the names of members moving and seconding and a record of the results of the vote. Reports and documents relating to a formal motion may be omitted if they are referred to and identified by title and date.

3. Notation of formal adjournment.

Copies of the minutes will be sent to all Committee members at least 48 hours in advance of the meeting at which the minutes are to be approved. Minutes of all meetings shall be created and approved in a timely manner which is defined in regulation as within the next 3 meetings of the body or within 30 days, whichever is later.

The approved minutes will become permanent records of the Committee. Minutes of public meetings and minutes of executive sessions that have been declassified will be in the custody of the Superintendent who will make them available to interested citizens upon request.

A vote to approve the minutes is an expression of confidence in the veracity of the secretary, the actions of colleagues, and the correctness of the minutes preparation process. It is not an expression that the member was present. All members may approve the record of the meeting. A member’s absence from the meeting for which minutes are being approved does not prevent the member from participating in their correction or approval.

LEGAL REFS.: M.G.L. 30A:22; 66:10; 940 CMR 29.00

CROSS REF.: KDB, Public’s Right to Know; BEC, Executive Session

File: BEDH

PUBLIC COMMENT AT SCHOOL COMMITTEE MEETINGS

All regular and special meetings of the School Committee shall be open to the public. Executive sessions will be held only as prescribed by the Statutes of the Commonwealth of Massachusetts.

The School Committee desires individuals to attend its meetings so that they may become better acquainted with the operations and the programs of our local public schools. In addition, the Committee would like the opportunity to hear public comment.

Public comment is not a discussion, debate, or dialogue between individuals and the School Committee. It is an individual's opportunity to express an opinion on issues within the School Committee's authority.

To ensure the ability of the School Committee to conduct the District's business in an orderly manner, the following rules and procedures are adopted:

1. At the start of each regularly scheduled School Committee meeting, individuals will sign in for an opportunity to speak during public comment. The public comment segment shall not exceed 30 minutes. All speakers are encouraged to present their remarks in a respectful manner.

2. Speakers will be allowed up to three (3) minutes to present their material and must begin their comments by stating their name and city/town. The presiding Chair may permit extension of this time limit, in extenuating circumstances.

3. Topics for discussion should be limited to those items within the School Committee's scope of authority. The authority of the School Committee primarily concerns the review and approval of the budget of the district's public schools, the performance of the Superintendent, and the educational goals and policies of the district's public schools. Comments and complaints regarding school personnel (apart from the Superintendent) or students are generally prohibited unless those comments and complaints concern matters within the scope of School Committee authority.

4. The Chair of the meeting, after a warning, reserves the right to terminate speech which is not constitutionally protected because it constitutes true threats that are likely to provoke a violent reaction and cause a breach of the peace, or incitement to imminent lawless conduct.

5. Written comments longer than three (3) minutes may be presented to the presiding Chair before or after the meeting. All remarks will be addressed through the Chair of the meeting. Comments made during the public comment portion of the meeting do not necessarily reflect the views or positions of the Berkshire Regional School District School Committee.

6. Sign up instructions will be provided for those who wish to participate in Public Comment.

File: BEDH

LEGAL REFS.: M.G.L. 30A: 18-25

CROSS REFS: BE, SCHOOL COMMITTEE MEETINGS
BEC, EXECUTIVE SESSIONS
BEDA, NOTIFICATION OF SCHOOL COMMITTEE MEETINGS

File: BEE

SPECIAL PROCEDURES FOR CONDUCTING HEARINGS

In conducting all public hearings required by law, and others, as it deems advisable, the School Committee will:

1. Give due and public notice in line with statutory requirements and seek to publicize the meeting in all local media.

2. Make available printed information on the topic of the hearing.

3. Give all persons an equal opportunity to be heard in accordance with the Committee's policy.

The Chair of the Committee will preside at the hearing.

The public will be informed at the beginning of the hearing the particular procedure that will be followed in regard to questions, remarks, rebuttals, and any time limitations or other rules that must be followed to give everyone an opportunity to be heard.

In conformance with customary hearing procedures, statements and supporting information will be presented first by the Committee, or by others for the Committee; to comment, citizens must be recognized by the Chair, and all remarks must be addressed to the Chair and be germane to the topic. To assure that all who wish get a chance to speak, the Chair will recognize persons who have not commented previously during the hearing before recognizing persons who wish to remark a second time.

File: BG

SCHOOL COMMITTEE POLICY DEVELOPMENT

The School Committee will develop policies and put them in writing so that they may serve as guides for the discretionary action of those to whom it delegates authority.

The formulation and adoption of these written policies will constitute the basic method by which the School Committee will exercise its leadership in providing for the successful and efficient functioning of the school district. Through the study and evaluation of reports concerning the execution of its policies, the School Committee will exercise its control over school operation.

Policies are principles adopted by a School Committee to chart a course of action. They tell what is wanted; they may include why and how much. Policies should be broad enough to indicate a line of action to be followed by the administration in meeting day-to-day problems, yet be specific enough to give clear guidance.

The policies of the School Committee are framed, and are meant to be interpreted in terms of state law, regulations of the Massachusetts Board of Elementary and Secondary Education, and other regulatory agencies of the various levels of government.

File: BGB

POLICY ADOPTION

Adoption of new policies or changing existing policies is solely the responsibility of the School Committee. Policies will be adopted and/or amended only by the affirmative vote of a majority of the members of the School Committee when such action has been scheduled on the agenda of a regular or special meeting.

To permit time for study of all policies or amendments to policies and to provide an opportunity for interested parties to react, proposed policies or amendments will be presented as an agenda item to the Committee in the following sequence:

1. Information item - distribution with agenda

2. Discussion item - reading of the proposed policy or policies; response from Superintendent; report from any advisory committee assigned responsibility in the area; Committee discussion and directions for any redrafting

3. Action item - discussion, adoption or rejection.

Amendments to the policy at the action stage will not require repetition of the sequence, unless the Committee so directs.

The School Committee may dispense with the above sequence to meet emergency conditions.

Policies will be effective upon the date set by the School Committee. This date will ensure that affected persons have an opportunity to become familiar with the requirements of the new policy prior to its implementation.

File: BGC

POLICY REVISION AND REVIEW

In an effort to keep its written policies up to date so that they can be used consistently as a basis for School Committee action and administrative decisions, the Committee will review its policies on a regular basis.

In its review, the Committee will evaluate how policies have been implemented. It will consider feedback from school staff, students, and the community when revising policies, as appropriate.

The Superintendent is expected to call to the attention of the Committee all policies that are out of date or for any other reason appear to need revision.

File: BGD

SCHOOL COMMITTEE REVIEW OF PROCEDURES

It is expected that the Superintendent and administrative staff will need to issue procedures implementing policies of the School Committee. Many of these will be routine from year to year; others will arise in special circumstances; some will be drawn up under specific directions from the Committee.

The Committee may review the procedures developed by the Superintendent for the school district whenever they appear inconsistent with policy, goals, or objectives of the District, but it will revise or veto such procedures only when, in the Committee's judgment, they are inconsistent with policies adopted by the Committee.

The Committee will not officially approve procedures except as required by state law or in cases when strong community attitudes, or possible student or staff reaction, make it necessary or advisable for a procedure to have the Committee's advance approval.

Rules Pertaining to Staff and Student Conduct

Under Massachusetts law, the Superintendent is required to publish "rules and regulations pertaining to the conduct of teachers and students which have been adopted." Codes of discipline, as well as procedures used to develop such codes, shall be filed with the Dept. of Elementary and Secondary Education for information purposes only. Standards of conduct will be included in staff and student handbooks. These handbooks will be reviewed and approved annually by the School Committee.

LEGAL REF.: M.G.L. 71:37H

File: BGE

POLICY DISSEMINATION

The Superintendent is directed to establish and maintain an orderly plan for preserving and making accessible the policies adopted by the Committee and the regulations needed to put them into effect.

Accessibility is to extend at least to all employees of the school district, to members of the Committee, and, insofar as conveniently possible, to all persons in the community. A policy concerning a particular group or groups in the schools will be distributed to those groups prior to the policy's effective date.

All policy manuals distributed to anyone will remain the property of the Committee and will be considered as "on loan" to anyone, or any organization, in whose possession they might be at any time. They are subject to recall at any time deemed necessary for purposes of updating.

The School Committee's official policy manual will be considered a public record and will be available for inspection at the Superintendent's office.

File: BGF

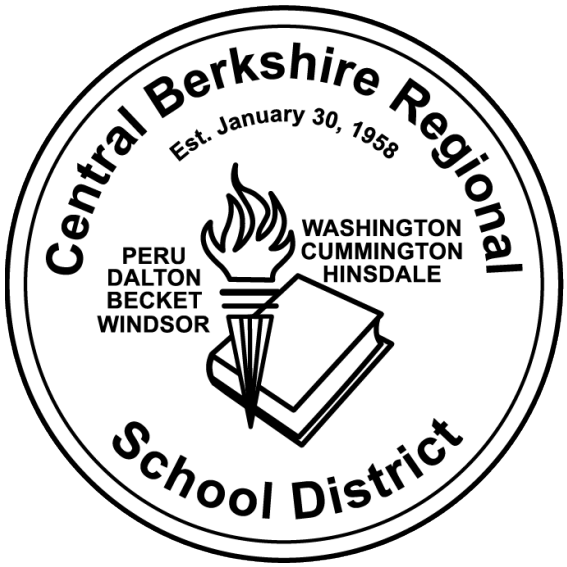
SUSPENSION OF POLICIES

The operation of any section or sections of School Committee policies not established by law or contract may be temporarily suspended by a two-thirds vote of Committee members present at any regular or special meeting. Any action to suspend policy must be reviewed at the next scheduled meeting and will be so noted on the agenda for that meeting.

File: BHA

OFFICIAL SEAL OF THE SCHOOL DISTRICT

As required by law, the official seal is used on important legal papers, contracts, and certificates. The engraved or printed facsimile of the official seal on a bond or note shall have the same validity and effect as though such seal were impressed thereon[1]. The following is the official seal of the Central Berkshire Regional School District.



File: BHC

SCHOOL COMMITTEE-STAFF COMMUNICATIONS

The School Committee wishes to maintain open channels of communication between itself and the staff. The basic line of communication will, however, be through the Superintendent.

Staff Communications to the School Committee

All communications or reports to the Committee or any of its subcommittees from Principals, supervisors, teachers, or other staff members will be submitted through the Superintendent. This procedure does not deny the right of any employee to appeal to the Committee for administrative decisions on important matters, except those matters that are outside of the Committee's legal authority, provided the Superintendent has been notified of the forthcoming appeal and that it is processed in accordance with the Committee's policy on complaints and grievances. Staff members are also reminded that Committee meetings are public meetings. As such, they provide an excellent opportunity to observe first hand the Committee's deliberations on problems of staff concern.

School Committee Communications to Staff

All official communications, policies, and directives of staff interest and concern will be communicated to staff members through the Superintendent. The Superintendent will develop appropriate methods to keep staff fully informed of the Committee's problems, concerns and actions.

Visits to Schools

Individual School Committee members interested in visiting schools or classrooms will inform the Superintendent of such visits and make arrangements for visitations through the Principals of the various schools. Such visits will be regarded as informal expressions of interest in school affairs and not as "inspections" or visits for supervisory or administrative purposes. Official visits by Committee members will be carried on only under Committee authorization.

File: BHE

USE OF ELECTRONIC MESSAGING BY SCHOOL COMMITTEE MEMBERS

As elected public officials, School Committee members shall exercise caution when communicating between and among themselves via electronic messaging services including, but not limited to, electronic mail (e-mail), text messages, social media postings, internet web forums, and internet chat rooms.

Under the Open Meeting Law, deliberation by a quorum of members constitutes a meeting. Deliberation is defined as movement toward a decision including, but not limited to, the sharing of an opinion regarding business over which the Committee has supervision, control, or jurisdiction. A quorum may be arrived at sequentially using electronic messaging without knowledge and intent by the author.

School Committee members should use electronic messaging between and among members only for housekeeping purposes such as requesting or communicating agenda items, meeting times, or meeting dates. Electronic messaging should not be used to discuss Committee matters that require public discussion under the Open Meeting Law.

Under the Public Records Law, electronic messages between public officials may be considered public records. Therefore, in order to ensure compliance, the School Committee Chair, in consultation with the Superintendent of Schools, shall annually designate a member of the central office staff who shall be copied on all electronic mail correspondence between and among members of the School Committee, or the district shall provide district e-mail addresses, which are archived. School Committee members who do not have a computer or access to these messages shall be provided copies on a timely basis.

LEGAL REFS.: M.G.L.4:7; 30A:18-25; 66:10

File: BIA

NEW SCHOOL COMMITTEE MEMBER ORIENTATION

In accordance with the requirements of law, each new School Committee member elected to the School Committee is required to complete, within one year of their election or appointment, at least eight hours of orientation training. This orientation shall include, but is not limited to, a review of School Finance, the Open Meeting Law, Public Records Law, Ethics/Conflict of Interest Law, Special Education Law, Collective Bargaining, School Leadership Standards and Evaluations, and the Roles and Responsibilities of School Committee Members.

The School Committee and Superintendent shall assist each new member to understand the Committee's functions, policies, and procedures as soon after election as possible. Each new member shall be given or provided direct online access to the following materials:

A. A copy of the School Committee policy manual including Norms and Protocols
B. A copy of the Open Meeting Law, as required by law, including review of training materials and review of OML determinations for the body from the last five years.
C. A copy of the Ethics/Conflict of Interest Regulations
D. A copy of the district's budget
E. Collective bargaining agreements and contracts
F. Student and staff handbooks
G. Regional Agreement

Each new member shall also receive any other materials the Chair and/or the Superintendent determine and shall receive a district specific orientation as outlined in the School Committee Handbook.

The Chair and/or Superintendent shall also clarify policy:

A. Arranging visits to schools or administrative offices
B. Requesting information regarding school district operations
C. Responding to community requests/complaints concerning staff or programs
D. Handling confidential information
E. Budget Development Process

Whether appointed or elected, new members should be advised that they are also members of the Massachusetts Association of School Committees, Inc. and should be encouraged to utilize the services and resources MASC provides by attending meetings or workshops specifically designed for new Committee members. Their expenses at these meetings or workshops will be reimbursed in accordance with established School Committee policy.

LEGAL REF.: M.G.L. 71:36A
CROSS REF.: BBBA/BBBB School Committee Member Qualifications/Oath of Office

File: BIBA

SCHOOL COMMITTEE CONFERENCES, CONVENTIONS, AND WORKSHOPS

To provide continuing in-service training and development for its members, the School Committee encourages the participation of all members at appropriate School Committee conferences, workshops and conventions. However, in order to control both the investment of time and funds necessary to implement this policy, the Committee establishes these principles and procedures for its guidance:

1. The School Committee will be made aware of School Committee conferences, conventions and workshops. The Committee will periodically decide which meetings appear to be most promising in terms of producing direct and indirect benefits to the school district.

2. Funds for participation at such meetings will be budgeted for on an annual basis. When funds are limited, the Committee will designate which of its members would be the most appropriate to participate at a given meeting.

3. Reimbursement to Committee members for their travel expenses will be in accordance with the travel reimbursement policy.

4. When a conference, convention, or workshop is not attended by the full Committee, those who do participate will be requested to share information, recommendations and materials acquired at the meeting.

LEGAL REF.: M.G.L. 40:5

CROSS REFS.: BID, School Committee Member Compensation and Expenses
DKC, Expense Reimbursements

File: BID

SCHOOL COMMITTEE MEMBER COMPENSATION AND EXPENSES

No member of a School Committee in any town shall be eligible to the position of teacher, or Superintendent of public schools therein,.. or in the Regional School District in which their town participates.

Upon submitting vouchers and supporting bills for expenses incurred in carrying out specific services previously authorized by the Committee, members may be reimbursed from school funds.

Reimbursable expenses may include the cost of attendance at conferences of School Committee associations and other professional meetings or visitations when such attendance and expense payment has had prior School Committee approval.

LEGAL REFS.: M.G.L. 40:5; 71:52

CROSS REF.: BIBA, School Committee Conferences, Conventions, and Workshops

SECTION C

GENERAL SCHOOL ADMINISTRATION

CA	**ADMINISTRATION GOALS**
CBD	**SUPERINTENDENT'S CONTRACT**
CBE	**NON-UNIT COMPENSATION REVIEW**
CBI	**EVALUATION OF THE SUPERINTENDENT**
CCB	**STAFF RELATIONS**
CE	**ADMINISTRATIVE COUNCILS, CABINETS, AND COMMITTEES**
CH	**POLICY IMPLEMENTATION**
CHA/CHC	**DEVELOPMENT AND DISSEMINATION OF PROCEDURES**
CHCA	**APPROVAL OF HANDBOOKS AND DIRECTIVES**
CHD	**ADMINISTRATION IN POLICY ABSENCE**
CM	**REGIONAL SCHOOL DISTRICT ANNUAL REPORT**

File: CA

ADMINISTRATION GOALS

The School Committee intends to employ qualified personnel to administer the school district efficiently and to require the Superintendent to organize the administration in a manner that will make clear the functions of each position and the relationships among them.

The Superintendent will establish clear lines of communication, both vertically and horizontally, and will form any staff councils or committees needed to provide for efficient conduct of school business. In order to engage in this process in an orderly and effective fashion, each individual and group will be given particular, clear-cut responsibilities. The Superintendent will establish channels so that the recommendations and decisions of each group can be heard and reviewed by the chief administrative officer concerned, and, where appropriate, by the Superintendent and School Committee.

The organization and administration of the schools will balance responsibility with commensurate authority, subject to the reserved legal powers of the School Committee. This means that a staff member, when assigned a responsibility or a position, will be given the authority to make the decisions necessary to perform the assigned tasks.

For the schools to operate effectively, each administrative officer will be responsible and accountable for making a plan of development for all staff assigned to their area of operation.

LEGAL REFS.: M.G.L. 71:41, 71:42

SOURCE: MASC – Updated 2022

File: CBD

SUPERINTENDENT'S CONTRACT

The Committee, upon the appointment of a candidate to be Superintendent, will enter into a written contract with the Superintendent which will meet the requirements of law and protect the rights of both the Committee and the Superintendent. In accordance with said contract or, in the absence of specific contract language, by vote of the members, the Committee may choose to negotiate a successor contract with an incumbent Superintendent.

SOURCE: MASC - Updated 2022

LEGAL REFS.: M.G.L. 71:41; 71:42

NOTE: Under the laws of the Commonwealth, the School Committee may award a contract to a Superintendent of schools for a period not to exceed six years.

File: CBE

NON-UNIT COMPENSATION REVIEW

Superintendent

The Committee shall employ a Superintendent of Schools and fix their compensation. The Superintendent shall act in accordance with General Laws, Chapter 71, Section 59, and shall perform such other duties consistent with this section as the Committee may determine. They shall also prepare such reports as may be required by the State Department of Elementary and Secondary Education and the School Committee.

Administrators, Principals and Other Staff

Salaries will be reviewed annually prior to July 1. The School Committee, with the advice of the Superintendent, will establish a compensation pool for all positions. Individual compensation is based on the circumstances, dynamics, and requirements of each position. In establishing salaries and salary schedules for support staff personnel, the School Committee will take into account the responsibilities of the position, the qualifications needed, past experience of the individual, and years of service in the school district.

Consideration may be given to individuals for exceptional performance as a basis for establishing merit increases. Upon request of the School Committee, the Superintendent is responsible to present evidence to support recommendations for merit increases. The School Committee may request that the Superintendent survey other school systems to determine salaries being paid for comparable positions in each system. The survey will include the effective date of the specified salary.

Compensation plans will be reviewed annually for all categories of employees.

As part of the annual budget process, the School Committee will establish a compensation pool to be used to set compensation for personnel not covered by collective bargaining agreements. When a non-unit vacancy occurs, the Superintendent and Personnel subcommittee will recommend a compensation range for that position to be approved by the School Committee. This range will include a maximum dollar amount which is not to be exceeded without School Committee approval.

File: CBI

EVALUATION OF THE SUPERINTENDENT

Evaluation can serve the purpose of helping educators and educational leaders continually improve their practice.

Through evaluation of the Superintendent, the School Committee will strive to accomplish the following:

1. Ensure the efforts of the Superintendent are focused on district goals and the standards of professional practice established by state regulation are met by the Superintendent.

2. Ensure all Committee members and the Superintendent are in agreement and clear on the role of the Superintendent and the immediate priorities among their responsibilities.

3. Provide excellence in administrative leadership of the school district.

4. Develop a respectful and productive working relationship between the School Committee and Superintendent.

The School Committee and Superintendent will periodically develop a set of goals based on the needs of the school district and in keeping with state regulations for evaluation of the Superintendent. The Superintendent's performance will be reviewed in accordance with specified goals and standards according to the evaluation cycle agreed upon with the Superintendent.

All School Committee discussion and deliberation related to the Superintendent's performance evaluation shall be conducted in open session in accordance with the Open Meeting Law.

LEGAL REF: M.G.L. 30A:18-25
603CMR35:00

File: CCB

STAFF RELATIONS

The School Committee expects the Superintendent to establish clear understandings on the part of all personnel of the working relationships in the school district.

Personnel will be expected to refer matters requiring administrative action to the administrator to whom they are responsible. The administrator will refer such matters to the next higher administrative authority when necessary.

It is expected that the established lines of authority will serve most purposes, but all personnel will have the right to appeal any decision made by an administrative officer through established grievance procedures.

Additionally, lines of authority do not restrict in any way the cooperative, sensible working together of all staff members at all levels in order to develop the best possible school programs and services. The established lines of authority represent direction of authority and responsibility; when the staff is working together, the lines represent avenues for a two-way flow of ideas to improve the program and operations of the school district.

File: CE

ADMINISTRATIVE COUNCILS, CABINETS, AND COMMITTEES

The Superintendent may establish such permanent or temporary councils, cabinets, and committees as they deem necessary for assuring various relevant stakeholder participation in decision making, for implementing policies and procedures, and for the improvement of the educational program.

Functioning in an advisory capacity, all councils, cabinets, and committees created by the Superintendent may make recommendations for submission to the School Committee through the Superintendent. Such groups will exercise no inherent authority. Authority for establishing policy remains with the Committee and authority for implementing policy remains with the Superintendent.

The membership, composition, and responsibilities of administrative councils, cabinets, and committees will be defined by the Superintendent and may be changed at their discretion. However, the School Committee wishes to be kept informed of the establishment and dissolution of these groups as well as their membership and their purpose.

Expenses incurred by such groups for consultative services, materials, and any investigative travel will be paid by the school district, but only within budgetary allotments and when approved in advance by the Superintendent.

File: CH

POLICY IMPLEMENTATION

The Superintendent has responsibility for carrying out, through procedures, the policies established by the School Committee.

The policies developed by the Committee and the procedures developed to implement policy are designed to increase the effectiveness and efficiency of the school district. Consequently, it is expected that all employees and students will carry them out.

Administrators and supervisors are responsible for informing staff members in their schools, departments, or divisions of existing policies and procedures, and for seeing that they are implemented in the spirit intended.

File: CHA/CHC

DEVELOPMENT AND DISSEMINATION OF PROCEDURES

The Superintendent will be responsible for specifying required actions and designing the detailed arrangements under which the school district will be operated in accordance with School Committee policy. These detailed arrangements will be designed to implement policies, goals, and objectives of the Committee and will be one of the means by which the school district will be governed.

In the development of procedures, the Superintendent may involve at the planning stage those who would be affected by the procedures, including staff members, students, parents/guardians, and the public. They must weigh with care the counsel given by representatives of staff, student, and community organizations. They will inform the Committee of such counsel in presenting pertinent reports of procedures and in presenting procedures for Committee approval.

As long as the Superintendent operates within the guidelines of policy adopted by the Committee, the Superintendent may issue procedures without prior Committee approval unless Committee action is required by law; or the Committee has specifically asked that certain types of procedures be given Committee approval; or the Superintendent recommends Committee approval in light of strong community attitudes or probable staff reactions.

A procedure concerning a particular group or groups in the schools will be distributed to the group(s) prior to the effective date of the procedure.

CROSS REF.: BDG, School Attorney

File: CHCA

APPROVAL OF HANDBOOKS AND DIRECTIVES

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The Principal, in consultation with the school council, shall prepare and distribute to each student a handbook setting forth the rules pertaining to conduct of students. The school council shall review the handbook each spring to consider changes in the disciplinary policy to take effect at the beginning of the next school year.

Committee approval will be necessary for any handbooks that pertain to required standards of conduct for employees or students so that their contents may be accorded the status of Committee-approved policy or regulation. The Superintendent will use their judgment as to whether other specific handbooks need Committee approval; however, all handbooks published will be made available to the Committee for informational purposes.

LEGAL REFS.: M.G.L. 71:37H

CROSS REF.: BGD, School Committee Review of Procedures

File: CHD

ADMINISTRATION IN POLICY ABSENCE

When action must be taken within the school district where the Committee has provided no guides for administrative action, the Superintendent will have the power to act. The Superintendent's decisions, however, may be subject to review by the Committee.

File: CM

REGIONAL SCHOOL DISTRICT ANNUAL REPORT

An annual report covering the diversified activities of the school district and the administration's recommendations for their improvement will be prepared by the Superintendent and presented to the School Committee. Upon Committee approval, the report shall be submitted to each member community and will be made available to the public and used as one means for informing parents/guardians and citizens, the Commissioner of Education, and others of the programs and conditions of the District's schools. Said report shall contain a detailed financial statement, a statement showing the method which computes the annual charges against each town, and any other information regarding the operation of the School District as may be necessary.

LEGAL REFS.: M.G.L. 72:4
M.G.L. 71:16(k)

SECTION D

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FISCAL MANAGEMENT

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DB REGIONAL SCHOOL DISTRICT ANNUAL BUDGET

DB-R REGIONAL SCHOOL DISTRICT BUDGET-APPORTIONMENT OF EXPENSES

DBG REGIONAL SCHOOL DISTRICT BUDGET ADOPTION PROCEDURES

DBJ REGIONAL SCHOOL DISTRICT BUDGET TRANSFER AUTHORITY

DD GRANTS, PROPOSALS, AND SPECIAL PROJECTS

DEC FEDERAL FUNDS SUPPLEMENT NOT SUPPLANT POLICY

DGA REGIONAL SCHOOL DISTRICT AUTHORIZED SIGNATURES

DH REGIONAL SCHOOL DISTRICT BONDED EMPLOYEES AND OFFICERS

DI FISCAL ACCOUNTING AND REPORTING

DIE REGIONAL SCHOOL DISTRICT AUDITS

DJ REGIONAL SCHOOL DISTRICT PURCHASING

DJA REGIONAL SCHOOL DISTRICT PURCHASING AUTHORITY

DJE REGIONAL SCHOOL DISTRICT PROCUREMENT REQUIREMENTS

DK REGIONAL SCHOOL DISTRICT PAYMENT PROCEDURES

DLC ADMINISTRATION OF OPEB TRUST

File: DB

REGIONAL SCHOOL DISTRICT ANNUAL BUDGET

The annual budget is the financial expression of the goals to the School Committee in meeting the needs of all students.

The budget then requires an orderly and cooperative effort by the Committee, the staff, and the regional community to achieve the goals of the district.

Public school budgeting is regulated and controlled by legislation, state regulation, regional agreement, and local Committee policy. The operating budget will be prepared and managed in line with the above.

In developing a budget, care shall be taken to make the documents associated with the budget clear and understandable to School Committee members, to municipal officials of member communities, and to the general public.

At the discretion of the Finance Subcommittee, an informal public information meeting may be held to solicit input from the general public. In accordance with the District Agreement, a public hearing shall be heard prior to the adoption of the Final Operating and Maintenance Budget by the District Committee. The Superintendent and members of the Finance Subcommittee will make every effort to fully inform all member communities and their officials of the budget plans of the District.

The budget shall be in compliance with the foundation budget. It is acknowledged that the foundation budget reflects the minimum recommended spending for a District, and excludes transportation costs, debt service costs, and costs associated with the acquisition of fixed assets. The aforementioned items must, therefore, be budgeted in addition to the foundation budget, and funds to support those expenditures must be raised from the member communities, after the use of any offsetting revenues received from the state.

The Superintendent will serve as budget officer but may delegate portions of this responsibility to members of their staff, as they deem appropriate. The three general areas of responsibility for the Superintendent as budget officer are budget preparation, budget presentation, and budget administration. A budget is a spending plan, which is developed well in advance of the fiscal year. Circumstances may occur which necessitate changing spending priorities and redirecting funds within the budget accordingly. Revisions to the budget may be made from time to time by the Committee, upon the recommendation of the Superintendent.

The annual budget for each school operated by the District shall be developed with input from the School Council, and shall reflect the priorities established in the Annual School Improvement Plan.

LEGAL REFS.: M.G.L. 71:16B; 71:34; 71:37 and 71:38N
Regional Agreement

File: DB-R

BUDGET - APPORTIONMENT OF EXPENSES FOR REGIONAL SCHOOL DISTRICTS

The Regional District School Committee shall annually determine the amounts necessary to be raised, after deducting the amount of aid such district is to receive by state formula, to maintain and operate the District school or schools during the next fiscal year, and amounts required for payment of debt and interest incurred by the District which will be due in the said year, and shall apportion the amount so determined among the several municipalities in accordance with the terms of the agreement.

The amounts so apportioned for each municipality shall be certified by the Regional School District treasurer to the treasurers of the several municipalities within thirty days from the date on which the annual budget is adopted by a two-thirds vote of all members of the School Committee, but no later than April thirtieth.

The Regional School District treasurer shall include in the certification to each municipality a statement setting forth the amount which the District is to receive by state formula for the ensuing fiscal year and the proportionate share of such aid for such municipality.

In addition to amounts appropriated for long-term debt service, school lunches, adult education, student transportation, and tuition revenue, each municipality that belongs in the Regional School District shall annually appropriate for the support of the Regional School District, an amount equal to but not less than the sum of the minimum required local contribution.

Notwithstanding the provisions of the Regional School District agreement, each member municipality shall increase its contribution to the Regional District each year by the amount indicated in that district´s share of the municipalities´ minimum regional contribution in that fiscal year. The District shall appropriate the sum of the minimum regional contributions of its member districts as well as all state school aid received on behalf of member municipalities. The District may choose to spend additional amounts; such a decision shall be made and such amounts charged to members according to the District´s required agreement.

Except as required by General Law, each school district may determine how to allocate funds appropriated for the support of public schools without regard to the categories employed in calculating the foundation budget.

LEGAL REF.: M.G.L. 71:16B; 71:16D
Regional Agreement

File: DBG

REGIONAL SCHOOL DISTRICT BUDGET ADOPTION PROCEDURES

The regional district budget is adopted by the School Committee at the cost center level. Cost centers should represent appropriate levels of transparency for the Committee to oversee goal implementation while allowing for administrative day-to-day work. Cost centers will be agreed upon by the Committee and administration.

All revenue sources are subject to adoption by the School Committee.

The annual regional district budget as adopted by two-thirds vote of all members of the Regional School District Committee shall require the approval of two-thirds of the member municipalities.

LEGAL REF.: M.G.L. Ch. 71:37; 71:16B

CROSS REF.: DBJ, Budget Transfer Authority

File: DBJ

REGIONAL SCHOOL DISTRICT BUDGET TRANSFER AUTHORITY

In keeping with the need for periodic reconciliation of the District budget, the Regional School District Committee will consider requests for transfers of funds between cost centers as they are recommended by the Superintendent. The Committee wishes to be kept abreast of the need for these adjustments so that it may act promptly and expedite financial record keeping for the school district.

All requests for transfers between cost centers as approved during the annual budget deliberation must be submitted to the full School Committee for approval as part of the School Business Officer's quarterly report, at the School Committee's finance subcommittee, or at the business meetings of the School Committee. Approval of transfers must be done by the full Committee.

All funds in the general account not expended by the close of the fiscal year will be placed in an excess and deficiency fund that shall not exceed five percent of the operating budget and its budgeted capital costs for the succeeding fiscal year. Any added funds exceeding five percent shall be returned to the member communities to reduce their assessments in accordance with law.

LEGAL REF.: MGL 71:16B1/2; 71:37
DOR 94-660

CROSS REFS.: DBG, Budget Adoption Procedures
DI, Fiscal Accounting and Reporting

File: DD

GRANTS, PROPOSALS, AND SPECIAL PROJECTS

In accordance with state law, all grants and gifts to the District must be reviewed and accepted by the School Committee before expenditure. The School Committee will encourage the administration to seek and secure possible sources of state, federal, and other special funds that will enhance the educational opportunities for the children in alignment with district goals. The Superintendent will submit for School Committee approval spending plans at the same cost center level as the district budget.

The Superintendent will be responsible for coordinating the development of proposals for all specially funded projects and for keeping the Committee apprised and updated on all such projects.

The Superintendent shall ensure the district has and follows a written set of procedures in grant administration that aligns with state and federal laws and regulations.

LEGAL REF.: M.G.L. 44:53A; 71:37A
2 CFR 200 Federal Uniform Administrative Requirements

NOTE: The district business office must have a state and federal grant manual with procedures aligned with state and federal law and regulation in order to comply with state granting requirements. The approval of such a document is not subject to the School Committee; the administration should ensure such a document is being followed.

File: DEC

FEDERAL FUNDS SUPPLEMENT NOT SUPPLANT POLICY

The Central Berkshire Regional School District is committed to utilizing federal grant funds to supplement instructional programs funded by local, state, and other sources as required by law and regulation. Federal funds will be used to complement and extend district-funded programs, not to take the place of (supplant) programs previously funded by the district, except as provided by the granting program.

The Superintendent or designee will ensure that federal grant funds are disbursed appropriately and that associated record-keeping and reporting complies with required guidelines and mandates.

LEGAL REF: Elementary and Secondary Education Act, as amended

CROSS REFS: IHBD, Compensatory Education

File: DGA

REGIONAL SCHOOL DISTRICT AUTHORIZED SIGNATURES

The Committee will designate by roll call vote a member**(s)** responsible for the review and approval of all warrants as correct and approved for payment **once a majority of designated members have signed**. A record of this approval will be made available on the next regular Committee agenda. Such designation does not limit the responsibility of each member.

Actual invoices, statements, and vouchers will be available for inspection by the School Committee upon request.

The Treasurer and the Assistant Treasurer are authorized to sign check withdrawals and to sign the appropriate bank forms for the Regional School District.

LEGAL REF.: M.G.L. 41:41; 41:52; 41: 56; 71:16A

CROSS REF: DK-1 Regional School District Payment Procedures

File: DH

REGIONAL SCHOOL DISTRICT BONDED EMPLOYEES AND OFFICERS

Each employee of the school district including the Treasurer and Assistant Treasurer who is assigned the responsibility of receiving and disbursing school funds will be bonded individually or covered by a blanket bond.

The cost of the bond will be paid by the District.

LEGAL REF.: M.G.L.41:35; 41:109A; 71:16A; 71:47

CROSS REFS: DI Fiscal Accounting and Reporting
JJF Student Activity Funds

File: DI

FISCAL ACCOUNTING AND REPORTING

The Superintendent will be ultimately responsible for receiving and properly accounting for all funds of the school district, maintaining effective internal controls so as to assure the effectiveness and efficiency of operations; adequate safeguarding of property; assurance of expenditures in accordance with programs under which revenues are received; and compliance with applicable laws and regulations.

The accounting system used will conform with the Uniform Massachusetts Accounting System as well as good accounting practices, providing for the appropriate separation of accounts, funds, and special monies.

The School Committee will receive quarterly financial statements from the Superintendent showing the financial condition of the school department. Such other financial statements as may be determined necessary by either the Committee or the administration will be presented as found desirable.

LEGAL REF.: MGL Ch. 44:38
603 CMR 10:00
2 CFR 200.303

CROSS REFS: DBJ Budget Transfer Authority
DIE Audits

NOTE: References to town or city charters may be appropriate at this category, and the content of the policy should be changed accordingly.

File: DIE

REGIONAL SCHOOL DISTRICT AUDITS

An independent audit of the school department's accounts shall be conducted annually within nine months of the close of the fiscal year. This review shall be conducted by an independent public accounting firm in accordance with the generally accepted accounting principles and the Government Auditing Standards issued by the U. S. Comptroller General.

Upon the completion of each audit, the resulting report shall be made to the Chair of the School Committee, and a copy sent to the Chair of each member town's Select Board. The Committee will consider recommendations made by the auditor for maintaining an efficient system for recording and safeguarding the school department's assets.

Additionally, the district is also subject to the following:

- End of Year Financial Compliance Report: Every Massachusetts school district must submit the results of this report to the Department of Elementary and Secondary Education. This End of Year report must be submitted to the Department on or before September 30 each year.
- Government Accounting Standards Board 34: The District is covered in these government financial statements of revenue and expenditures of the municipality.
- Federal grant audits: As a district that spends above thresholds required, the district is subject to the Single Audit Act.
- Student Activity Account: As required by state law, student activity accounts are audited annually. For accounts exceeding $25,000, the Committee shall consider an audit conducted by an outside firm every three years.

In addition, the Committee may request an additional audit of the school district's accounts at its discretion.

LEGAL REF: MGL 44:38-40; 71:47; 71:16E; 72:3

CROSS REFS.: DI, Fiscal Accounting and Reporting
JJF, Student Activity Accounts

NOTE: Not every district is subject to the single audit act; check thresholds.

File: DJ

REGIONAL SCHOOL DISTRICT PURCHASING

It shall be the responsibility of the Superintendent:

- To ensure the procurement of materials, supplies, equipment, and services at the lowest possible cost consistent with the quality necessary for the proper operation of the District, thereby attaining the maximum value for each public dollar spent;

- To maintain the District's reputation for fairness and integrity and to promote impartial and equal treatment to all who wish to conduct business with the District;

- To encourage a mutually cooperative relationship with requesting departments, recognizing that successful purchasing is a result of team planning and effort;

- To promote social and economic goals such as encouraging local, small, minority, and women-owned businesses to participate in bidding for District purchases.

The acquisition of materials, equipment, and services will be centralized to the District's Chief Procurement Officer

The School Committee will designate the District's Chief Procurement Officer. The Chief Procurement Officer will develop and administer the purchasing program for the schools in keeping with legal requirements and within the adopted school budget.

School purchases will be made only on official purchase orders approved for issuance by the appropriate unit head and signed by the Superintendent or designee, with such exceptions as may be made by the latter for emergency purchases.

LEGAL REF.: M.G.L. 30B; 71:49A

File: DJA

REGIONAL SCHOOL DISTRICT PURCHASING AUTHORITY

Authority for the purchase of materials, equipment, supplies, and services is extended to the Superintendent through cost-center appropriation as part of the District budget process.

The purchase of items and services within the cost-center appropriation requires no further Committee approval except when by law or by Committee policy.

Contracts may be entered into for a period of up to three years. Contracts of longer duration must be approved by a two-thirds vote of the Committee.

LEGAL REFS.: M.G.L. 30B

CROSS REF.: DJE, Bidding Requirements

File: DJE

REGIONAL SCHOOL DISTRICT PROCUREMENT REQUIREMENTS

All purchases of materials and equipment and all contracts for construction or maintenance will conform to the requirements of law. Any agreement between the District and a vendor is subject to procurement requirements, whether the District or another entity completes the purchase.

To foster greater efficiency, the District will enter into state and local intergovernmental agreements where appropriate for procurement or use of common or shared services.

For any supply or service over $100,000, bids will be advertised appropriately with an Invitation to Bid. Suppliers will be invited to have their names placed on distribution lists to receive invitations to bid. When specifications are prepared, they will be distributed to all merchants and firms who have indicated an interest in bidding.

All bids will be submitted in sealed envelopes, addressed to the Superintendent and plainly marked with the name of the bid and the time of the bid opening. Bids will be opened in public at the time specified, and all bidders will be invited to be present.

Any bid may be withdrawn prior to the scheduled time for the opening of the bids.

Any bid received after the time and date specified will not be considered. All bids will remain firm for a period of 30 days after opening.

The contract will be awarded to the responsive and responsible bidder offering the lowest price for the supplies/services specified in the Invitation to Bid. The bidder to whom an award is made may be required to enter into a written contract with the school district.

The Chief Purchasing Officer may, if it would best serve district interest, use a Request for Proposals, instead of the above process.

A procurement for a supply or service in the amount of $10,000 or greater but not more than $100,000 shall be awarded to the responsible party offering the needed quantity or supply among three written quotations sought and retained by the procurement officer.

A procurement in the amount of $10,000 or less shall be obtained through the exercise of sound business practices.

LEGAL REF.: M.G.L. 7:22A; 7:22 B; 30:39M: 30B

CROSS REF.: DJA, Purchasing Authority

File: DK

REGIONAL SCHOOL DISTRICT PAYMENT PROCEDURES

All claims for payment from the School District's funds will be processed in accordance with procedures developed by the Superintendent. Payment will be authorized against invoices properly supported by approved purchase orders, with properly submitted vouchers, or in accordance with salaries and salary schedules approved by the School Committee.

EXPENSE REIMBURSEMENTS

Personnel and school department officials who incur authorized expenses in carrying out their duties will be reimbursed by the school department upon submission of a properly approved and completed voucher and any supporting receipts required by the Superintendent.

When official travel by a personally owned vehicle is authorized, mileage payment will be made at the current Internal Revenue Service standard mileage rate.

To the extent budgeted for such purposes in the school budget, approval of travel requests by School Committee members must have prior approval of the School Committee. Staff travel requests within budgetary limits may be approved by the Superintendent. Staff travel requests that exceed budgetary limits will require the approval of the School Committee and the identification of funding sources by administration. Each request will be judged on the basis of its benefit to the school district.

LEGAL REFS.: M.G.L. 40:5; 41:41; 41:52 41:56; 71:16A;. 44:58

CROSS REF: DGA-1, Regional School District Authorized Signatures

File: DLC

ADMINISTRATION OF OPEB[1] TRUST

Trust is formed and maintained so as to comply with MGL Ch. 32B, sec. 20, as amended, which dictates use of Trust funds.

I. The School Committee shall employ one or more reputable, independent parties to provide investment advice and be custodian of Trust funds. Costs of administering and maintaining the Trust shall be borne by the Trust.

II. The Superintendent shall be the Plan Administrator and shall have signing authority on all documentation related to administration of the Trust.

III. School Committee shall
   a. Annually review performance of investment advisor for Trust;
   b. Annually compare the budgeted contribution to be paid to the Trust with the ARC[2] and compare the value of the Trust with the district's OPEB liability as estimated by an independent auditor and calculated in accordance with current federal government accounting standards;
   c. Annually determine the contribution to the Trust in the District's operating budget;
   d. Appoint administrator of Trust funds, custodian of Trust funds and investment advisor;
   e. Characterize the acceptable level of risk to be assumed by the administrator of the Trust and choice of investment categories, as appropriate;
   f. Determine when a distribution, or withdrawal, from the Trust will be made and the amount of such withdrawal, and by a two-thirds[3] vote appropriate funds to be withdrawn from the Trust; and
   g. Make changes to the Trust documents as necessary.

IV. Every District operating budget shall have a line item for the annual contribution to be paid to the Trust.[4]

V. Funds paid to the District to reduce the District's OPEB liability by a town or other entity in a manner other than through the District's annual operating budget, shall be deposited in the Trust and in a manner allowed by MGL[5].

VI. In the event of reorganization of districts or the dissolution of CBRSD, the Trust shall be committed to the entity responsible for the health and dental insurance of CBRSD's retirees and the towns that have contributed to the Trust in as equitable a manner as possible.

1 Other Post-Employment Benefits

2 The ARC is the employer's required contributions for the year, calculated in accordance with certain parameters, and includes (a) the normal cost for the year and (b) a component for amortization of the total unfunded actuarial accrued liabilities (or funding excess) of the plan over a period not to exceed thirty years. (GASB 45)

3 Section 20 (h) of Municipal Modernization Bill requires two-thirds vote of the governing body.

4 Section 20 (i) of Municipal Modernization Bill "appropriations of amounts to the OPEB Fund may be made only in the annual budget submitted to the member cities and towns for approval."

5 Section 20 of Municipal Modernization Bill allows for deposit of gifts, grants and appropriations and other funds for the benefit of retired employees and their dependents.

VII. Funds may be withdrawn from the Trust no earlier than either fiscal year 2027 or when the value of the Trust exceeds one-half of the District's OPEB liability.

VIII. There is no minimum or target amount to be contributed to the Trust fund annually, however the Trust was established with the intent of minimizing the District's unfunded liability within a realistic timeframe.

SECTION E - SUPPORT SERVICES

EB SAFETY PROGRAM

EBAB PEST MANAGEMENT POLICY

EBB FIRST AID

EBC EMERGENCY PLANS

EBCD EMERGENCY CLOSINGS

EC BUILDINGS AND GROUNDS MANAGEMENT

ECA BUILDINGS AND GROUNDS SECURITY

ECAC VANDALISM

ECAF SECURITY CAMERAS IN SCHOOLS

EDC AUTHORIZED USE OF SCHOOL-OWNED MATERIALS

EEA STUDENT TRANSPORTATION SERVICES

EEAA WALKERS AND RIDERS

EEAE SCHOOL BUS SAFETY PROGRAM

EEAEA BUS DRIVER EXAMINATION AND TRAINING

EEAEB DRUG AND ALCOHOL TESTING FOR SCHOOL BUS AND COMMERCIAL VEHICLE DRIVERS

EEAEC STUDENT CONDUCT ON SCHOOL BUSES

EEAJ MOTOR VEHICLE IDLING ON SCHOOL GROUNDS

EFC UNIVERSAL FREE SCHOOL MEALS

EFD SCHOOL NUTRITION PROGRAM CHARGE POLICY

EFE CIVIL RIGHTS COMPLAINT POLICY FOR CHILD NUTRITION PROGRAMS

EHAA DISTRICT SECURITY RELATING TO TECHNOLOGY

EHB DATA AND RECORDS RETENTION

EI INSURANCE PROVISIONS

File: EB

SAFETY PROGRAM

Accidents are undesirable, unplanned occurrences that can result in tragic consequences. The School Committee will guard against such occurrences by taking precautions to protect the safety of all students, employees, visitors and others present on school property or at school-sponsored events.

The Committee will comply with safety requirements established by governmental authorities and will insist that its staff adhere to recommended safety practices as these pertain, for example, to the school facility, special areas of instruction, student transportation, school sports, and occupational safety.

The practice of safety will also be considered a facet of the instructional program of the schools. Instruction will include accident prevention as well as fire prevention; emergency procedures; traffic, bicycle, and pedestrian safety.

The Superintendent will have overall responsibility for the safety program of the school district. It will be the responsibility of the Superintendent to see that appropriate staff members are kept informed of current state and local requirements relating to fire prevention, health, and safety.

Efforts directed toward the prevention of accidents will succeed only to the degree that all staff members recognize that preventing accidents is a daily operational responsibility.

LEGAL REF.: M.G.L. 71:55C; 603 CMR 36:00

CROSS REFS.: EEAE, School Bus Safety Program
GBGB, Staff Personal Security and Safety
IHAM, Health Education
JLI, Student Safety

File: EBAB

PEST MANAGEMENT POLICY

The Central Berkshire Regional School District Public Schools are committed to providing a safe and properly maintained environment for all staff, students and visitors. To achieve this end, the School District will implement integrated pest management procedures for its buildings and grounds.

The integrated pest management procedures shall include implementation of appropriate prevention and control strategies, notification of certain pesticide and herbicide uses, record keeping, education and evaluation.

Integrated pest management procedures will determine when to control pests and what method of control to choose. Strategies for managing pest populations will be influenced by the pest species, location and whether and at what population level its presence poses a threat to people, property or the environment. The full range of action alternatives, including no action, will always be considered.

I. OVERVIEW AND GOALS

A. The Central Berkshire Regional School District shall develop and implement an integrated pest management program.
B. An integrated pest management program is a pest control approach that emphasizes using a balanced combination of tactics (cultural, mechanical, biological, chemical) to reduce pests to a tolerable level while using pesticides and herbicides as a last resort to minimize health, environmental and economic risks.
C. Pesticides and herbicides will be used only as a last resort, based on a review of all other available options.

1. The integrated pest management program shall strive to:

i. Reduce any potential human health hazard.
ii. Reduce loss or damage to school structures or property.
iii. Minimize the risk of pests from spreading in the community.
iv. Enhance the quality of facility use for school and community.
v. Minimize health, environmental and economic risks.

II. RESTRICTIONS ON USE OF PESTICIDES AND HERBICIDES

A. When pesticides or herbicides are used, they must be classified as an EPA Category III or IV. Application of any pesticide or herbicide may be performed only by certified applicators.
B. Application of pesticides and herbicides may only be accomplished during a school break or when the building will be clear of students for at least 48 hours.

III. NOTIFICATION OF PESTICIDE AND HERBICIDE USE

A. When pesticides or herbicides are used outdoors, notice of their use will be provided to parent/guardian, staff and students and will also be posted in a common area.
B. When pesticides and herbicides are used in a building, the site will provide a 48-hour pre-notification in the form of posting the product name, purpose, application date, time and

method and the Material Safety Data Sheet on all entrance doors. A contact person will also be listed.

C. In the event of an EPA registered pesticide or herbicide application in or around a building site during the school year or summer session, a notice (including the product name, purpose, contact person, and application date, time and method), will be sent home in writing with students in the affected building at least 5 days prior to application.

IV. RECORD-KEEPING

A. The District will keep a record of pesticides and herbicides used, amounts and locations of treatments and will keep any Safety Data Sheets, product labels and manufacturer information on ingredients related to the application of the pesticides or herbicides.

B. All records of pesticides and herbicides used and correspondence will be available for public review upon notice and during normal school hours.

V. STAFF RESPONSIBILITIES AND EDUCATION

A. Designated staff (School Nutrition, Buildings and Grounds, etc.) will participate in sanitation and pest exclusion procedures appropriate to their roles. For example: keeping doors closed, repairing cracks, removing food waste within 12 hours, keeping lids on garbage receptacles and keeping vegetation properly cut.

B. Ongoing education of all appropriate District staff will be a priority to ensure a safe and clean environment.

LEGAL REF.: M.G.L. 71:68; 132B

File: EBB

FIRST AID

The district attempts to provide a safe environment. If an accident or sudden illness occurs, school personnel will administer first aid and, if warranted, call emergency medical services. In the case of illness that may include an infectious disease the Board of Health shall be notified in accordance with law.

First aid is defined as the immediate and temporary care given in case of an accident or sudden illness, which enables the student to be taken safely home or to a physician. It does not include diagnosis or treatment. Any care beyond first aid will not be given.

At each school, procedures will be developed for the proper handling of an injury to, or sudden illness of, a student or staff member. These will be made known to the staff and will incorporate the following requirements:

1. The school nurse or another trained person will be responsible for administering first aid.

2. When the nature of an illness or an injury appears in any way serious, every effort will be made to contact the parent/guardian and/or family physician immediately.

~~3~~ In extreme emergencies, the school nurse, school physician or Principal may make arrangements for immediate transport to a hospital of injured or ill students, contacting parent or guardian in advance if at all possible.

4 The teacher or other staff member to whom a student is responsible at the time an accident occurs will make out a report on an official form providing details about the accident. This will be required for every accident for which first aid is given.

5 All accidents to students and staff members will be reported as soon as possible to the Superintendent and, if the Superintendent deems appropriate, to the School Committee.

LEGAL REFS.: M.G.L. 71:55A; 71:56
CROSS REF.: JLC, Student Health Services and Requirements

File: EBC

EMERGENCY PLANS

Advance planning for emergencies and disasters is essential to provide for the safety of students and staff; it also strengthens the morale of all concerned to know that plans exist and that students and staff have been trained in carrying out the plans.

The Superintendent will develop and maintain plans that meet the requirements of state law for preparedness in case of fire, civil emergencies, and natural disasters.

The Superintendent shall develop, in consultation with school nurses, school physicians, athletic coaches, trainers, and local police, fire and emergency personnel, an Emergency Medical Response Plan for each school in the district. Each Plan shall include:

1. A method establishing a rapid communications system linking all parts of the school campus, including outdoor facilities, to local Emergency Medical Services along with protocols to clarify when EMS and other emergency contacts will be called.

2. A determination of EMS response times to any location on the campus.

3. A list of relevant contacts with telephone numbers and a protocol indicating when each person shall be called, including names of experts to help with post-event support.

4. A method to efficiently direct EMS personnel to any location on campus, including the location of available rescue equipment.

5. Safety precautions to prevent injuries in classrooms and on the school campus.

6. A method of providing access to training in CPR and first aid for teachers, athletic coaches, trainers, and other school staff**.** This training may include CPR training for High School students; provided that School Committees does not opt out of instruction in CPR pursuant to Section 1 of Chapter 71.

7. The location of all available Automated External Defibrillators (AEDs), whether the location is fixed or portable, and a list of personnel trained in its use.

The Superintendent shall annually review the response sequence with local police and fire officials. Plans shall be submitted to local police and fire officials and the DESE at least every 3 years by September 1 or when changes occur. Plans must be updated in the case of new construction or other physical changes to the school campus.

Building Principals will meet all requirements for conducting fire drills and Emergency Response drills (at least once per year) to give students practice in moving with orderly dispatch to designated areas under emergency conditions, and the staff practice in carrying out their assigned responsibilities for building evacuation.

LEGAL REF: M.G.L. 69:8A

Section 363 of Chapter 159 of the Acts of 2000

CROSS REF.: EBCD, Emergency Closings
JL, Student Welfare
JLC, Student Health Services and Requirements

File: EBCD

EMERGENCY CLOSINGS

The Superintendent may close the schools or dismiss them early in the event of hazardous weather or other emergencies that threaten the health or safety of students and personnel. While it may be prudent, under certain circumstances, to excuse all students from attending school, to delay the opening hour or to dismiss students early, the Superintendent has the responsibility to see that as much of the administrative, supervisory and operational activity is continued as may be possible. Therefore, if conditions affect only a single school, only that school will be closed.

In making the decision to close schools, the Superintendent will consider many factors, including the following principle ones relating to the fundamental concern for the safety and health of the students:

1. Weather conditions, both existing and predicted.

2. Driving, traffic, and parking conditions affecting public and private transportation facilities.

3. Actual occurrence or imminent possibility of any emergency condition that would make the operation of schools difficult or dangerous.

4. Inability of teaching personnel to report for duty, which might result in inadequate supervision of students.

The Superintendent will weigh these factors and take action to close the schools only after consultation with public works and public safety authorities from member towns and with school officials from neighboring towns. Students, parents/guardians and staff will be informed early in each school year of the procedures that will be used to notify them in case of emergency closings. When schools are closed for emergency reasons, staff members will comply with School Committee policy in reporting for work.

LEGAL REFS.: M.G.L. 71:4; 71:4A

File: EC

BUILDINGS AND GROUNDS MANAGEMENT

The Regional School District Committee's most important function is to provide for the education of students, and it recognizes that the education of students is dependent upon many factors, including a proper physical environment that is safe, clean, sanitary, and as comfortable and convenient as the facilities will permit or the use requires.

The supervision over the care and safekeeping of property used by the school department will be the general responsibility of the Superintendent. They will work with member communities, as necessary, to develop a comprehensive and well-defined plan for the proper maintenance, cleanliness, and safekeeping of all school buildings and grounds to ensure that the school is equally well maintained, equipped, and staffed.

The Superintendent will establish procedures and employ such means as may be necessary to provide accurate information in regard to the nature, condition, location, and value of all property used by the school department; to safeguard the property against loss, damage, or undue depreciation; to recover and restore to usefulness any property that may be lost, stolen or damaged; and to do all things necessary to ensure the proper maintenance, cleanliness, and safekeeping of school property.

Within the school, the building administrator will be responsible for proper care, maintenance, and cleanliness of building, equipment and grounds.

LEGAL REF.: M.G.L. 71:68

File: ECA

BUILDINGS AND GROUNDS SECURITY

Public school buildings and grounds are one of the greatest investments of the municipality. It is deemed in the best interest of the school department and town to protect the investment adequately.

Security should mean not only maintenance of a secure (locked) building, but protection from fire hazards and faulty equipment, and safe practices in the use of electrical, plumbing, and heating equipment. The Committee expects close cooperation with fire and law enforcement departments and with insurance company inspectors.

Access to school buildings and grounds outside of regular school hours will be limited to personnel whose work requires it. An adequate key control system will be established, which will limit access to buildings to authorized personnel and will safeguard against the chance of entrance to buildings by unauthorized persons.

Funds and valuable records will be kept in a safe place and under lock and key.

Protective devices designed to be used as safeguards against illegal entry and vandalism will be installed when appropriate to the individual situation. Employment of security personnel may be approved in situations where special risks are involved.

File: ECAC

VANDALISM

The School Committee recognizes that acts of vandalism committed against public and private property are costly and require action through educational best practices. Consequently, the Committee will support various programs aimed at reducing the amount of vandalism.

Every citizen of the town, staff members, students, and members of the police department are urged by the School Committee to cooperate in reporting any incidents of vandalism to property under control of the school department, and the name(s) of the person or persons believed to be responsible to a town or school official. Each employee will report to the Principal of the school every incident of vandalism known to them and, if known, the names of those responsible.

The Superintendent is authorized to sign a criminal complaint and to press the charges against perpetrators of vandalism against school property, and is further authorized to delegate, as they see fit, authority to sign such complaints and to press charges.

Parents/guardians and students will be made aware of the implications involved. Reimbursement will be sought for all or part of any damages.

File: ECAF

SECURITY CAMERAS IN SCHOOLS AND ON SCHOOL PROPERTY

The School Committee works to maintain a safe and secure environment for its students, staff, visitors, and facilities. Security means more than having locks and making certain that doors are locked at the proper times. Security also means minimizing fire hazards, reducing the possibility of faulty equipment, keeping records and valuables in a safe place, protection against vandalism and burglary, the prosecution of vandals, and developing crisis plans.

School facilities and their contents, constitute one of the greatest investments of the community. The School Committee believes it to be in the best interest of students and taxpayers for the district to exert every reasonable means to protect the investment adequately.

In pursuit of this objective, the School Committee authorizes the use of security cameras in school district buildings and on its property to ensure the health, welfare and safety of all students, staff and visitors, to deter theft, vandalism and other negative behavior, to safeguard district buildings, grounds and equipment, and to monitor unauthorized individuals in or on school property. Security cameras may be used in locations as deemed appropriate by the Superintendent of Schools in consultation with school officials as well as local law enforcement and emergency response agencies. They may be used in any area, inside or outside of school buildings where there is no reasonable expectation of privacy.

The district shall notify students and staff through student and employee handbooks and appropriate signage that security cameras have been installed and may be used at any time. Students or staff identified on security cameras in violation of School Committee policies will be subject to disciplinary action.

The Superintendent shall ensure that proper procedures are in place and are followed regarding use, viewing, disclosure, retention, disposal and security of video recordings or photographs from security cameras in accordance with applicable laws and regulations. A video recording used for security purposes in school district buildings and/or on school property shall be the sole property of the school district. All video recordings will be stored in their original format and secured to avoid tampering and to ensure confidentiality in accordance with applicable laws and regulations. Access to video recordings from security cameras shall be limited to school administrators (Superintendent/designee, School Principal/designee). Law enforcement and emergency response officials shall be granted access to video recordings or the security system as the situation requires.

The Superintendent may, from time to time, issue further guidance that is consistent with current laws and this policy.

File: EDC

AUTHORIZED USE OF SCHOOL-OWNED MATERIALS

The School Committee wishes to be of assistance, whenever possible, to other town departments and community organizations. Therefore, permission to use school equipment may be granted by the Superintendent upon request by responsible parties or organizations.

School equipment may be utilized by staff when the use is related to their school employment, and by students when the equipment is to be used in connection with their studies or extracurricular activities.

Proper controls will be established by the Superintendent to assure the user's responsibility for, and return of, all school equipment.

File: EEA

STUDENT TRANSPORTATION SERVICES

The major purpose of the school district's transportation services is to aid students in getting to and from school in an efficient, safe, and economical manner.

The school district may contract for transportation services. The School Committee will award contracts on a competitive bid basis. Bus contractors, 7D contractors and school districts, who will be held responsible for the safe operation of school buses, will comply with all applicable state laws and regulations, including but not limited to:

1. Specifications for school bus design and equipment
2. Inspection of buses
3. Qualifications and examinations of bus drivers
4. Driving regulations
5. Small vehicle requirements, if applicable
6. Insurance coverage
7. Adherence to local regulations and directives as specified in bid contracts

The Superintendent, working with the bus contractor and other appropriate administrators, will be responsible for establishing bus schedules, routes, stops, and all other matters relative to the transportation program.

LEGAL REFS.: M.G.L. 40:5; 71:7A, B and C; 71:37D; 71:48A; 71:68; 71:71A; 71B:4; 71B:5; 71B:8; 74:8A; 76:1; 76:12Bi; 76:14

CROSS REF.: EEAA, Walkers and Riders

NOTE: For additional information, refer to Guidelines to School Transportation Services in Massachusetts, published by the Department of Education in 1975.

File: EEAA

WALKERS AND RIDERS

Students will be entitled to transportation to and from school at the expense of the public schools when such transportation conforms to applicable provisions of the Massachusetts General Laws. Reimbursement to the school district for transportation costs is given by the Commonwealth, subject to appropriation, only for (a) students living at least one and one half miles from school, and (b) students who live more than one mile from the nearest bus stop. Transportation must be provided for students with special needs whose IEP requires it.

Additionally, the Committee will provide transportation for students as follows:

Kindergarten: All students, except those living in immediate proximity to the school, as determined by the Superintendent.

Grades 1 - 3: Students living more than one mile from school.

Grades 4 - 6: Students living more than one and one-half miles from school.

Grades 7 -12: Students living more than two miles from school.

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.

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

CROSS REF.: EEA, Student Transportation Services

File: EEAE

SCHOOL BUS SAFETY PROGRAM

The safety and welfare of student riders will be the first consideration in all matters pertaining to transportation. Safety precautions will include the following:

1. Students will be instructed as to the proper procedure for boarding and exiting from a school bus and in proper and safe conduct while aboard.

2. Emergency evacuation drills will be conducted at least twice a year to acquaint student riders with procedures in emergency situations.

3. All vehicles used to transport students will be inspected periodically for conformance with state and federal safety requirements.

4. Classroom instruction on school bus safety will be provided.

LEGAL REFS.: M.G.L. 90:7b as amended by Ch. 246 Acts of 1986
M.G.L. 90:1 et seq.; 713:2; 713:7L
Highway Safety Program Standard No. 17

File: EEAEA

BUS DRIVER EXAMINATION AND TRAINING

The School Committee will reserve the right to approve or disapprove persons employed by the bus contractor to drive school transportation vehicles.

1. Courteous and careful drivers will be required.

2. Each driver will file with school officials a medical certificate and proof of freedom from tuberculosis.

3. Only persons who are properly licensed by the state and have completed the driver-training program will be permitted to drive school buses.

4. The contractor will furnish the School (Committee) District with a list of names of drivers and their safety records for the last three years.

5. The contractor will notify school officials as soon as possible of any change of bus drivers.

LEGAL REFS.: M.G.L. 90:7B; 90:8A; 90:8A ½

File: EEAEB

DRUG AND ALCOHOL TESTING FOR SCHOOL BUS AND COMMERCIAL VEHICLE DRIVERS

The District shall adhere to federal law and Department of Transportation regulations requiring a drug and alcohol-testing program for school bus drivers and commercial vehicle drivers. Such testing will be conducted for five different situations: pre-employment, randomly, following an accident, following an authorization to return to duty, and upon reasonable suspicion that a driver is under the influence of alcohol or using drugs.

The District will comply with Department of Transportation protocols regarding the collection and testing necessary to establish whether alcohol or drugs are present in the driver's system, and regulations will be established for the steps to be taken in the event that test results are positive.

This program shall comply with the requirements of Federal law and regulations. The Superintendent or designees shall adopt and enact procedures consistent with the federal regulations, defining the circumstances and procedures for testing.

LEGAL REFS.: 49 U.S.C. sec. 2717 et seq. (Omnibus Transportation Employee Testing Act of 1991)
49 C.F.R. Part 40 Procedures for Transportation Workplace and Drug and Alcohol Testing Programs
49C.F.R. Part 382 Controlled Substance and Alcohol Use and Testing
49 C.F.R. Part 391 Qualification of Drivers

File: EEAEC (also JICC)

STUDENT CONDUCT ON SCHOOL BUSES

The School Committee and its staff share with students and parents/guardians the responsibility for student safety during transportation to and from school. The authority for enforcing School Committee requirements of student conduct on buses will rest with the Principal.

To ensure the safety of all students who ride in buses, it may occasionally be necessary to revoke the privilege of transportation from a student who abuses this privilege. Parents/guardians of students whose behavior and misconduct on school buses endangers the health, safety, and welfare of other riders will be notified that their students face the loss of transportation privileges in accordance with regulations approved by the School Committee.

File: EEAJ

MOTOR VEHICLE IDLING ON SCHOOL GROUNDS

No motor vehicle operator shall cause or allow any motor vehicle operated by them on school grounds to idle unnecessarily, except for any of the following reasons: traffic conditions; queuing at a school for the purpose of picking up or discharging students; turbo-charged diesel engine cool down or warm up; maintenance of appropriate temperature for school buses when accepting or discharging passengers not to exceed three minutes in any fifteen minute period or one minute in any fifteen minute period for other motor vehicles; for circumstances involving safety or emergencies and for servicing or repairing motor vehicles; and as these exceptions are more completely described in the below referenced regulations.

The term "school grounds" shall mean in, on or within 100 feet of the real property of the school whether or not it is in session, and shall include any athletic field or facility and any playground used for school purposes or functions which is owned by the municipality or school district, regardless of proximity to a school building, as well as any parking lot appurtenant to such school athletic field, facility or playground.

Reasonable efforts shall be made by the district to identify by signage all known and actual air intake systems, which may be within 100 feet of an idling motor vehicle. A motor vehicle operator shall not idle a motor within 100 feet of such air intake system, unless the Central Berkshire Regional School District has determined that alternative locations block traffic, impair student safety or are not cost effective.

The Central Berkshire Regional School District shall erect and maintain in a conspicuous location on school grounds "NO IDLING" signage as described below. All such signage shall contain appropriate sized font so as to be visible from a distance of 50 feet.

NO IDLING
PENALTIES OF $100 FOR FIRST OFFENSE AND $500
FOR SECOND AND SUBSEQUENT OFFENSES
M.G.L. C. 90, § 16B AND 540 CMR 27.00

It shall be the responsibility of the school administration to ensure that each school bus driver employed by the Central Berkshire Regional School District and not by a school bus contractor shall, upon employment and at least once per year thereafter, sign a document acknowledging the receipt of copies of M.G.L. c. 90, § 16B and 540 CMR 27.00. The prohibitions contained in M.G.L. c. 90, § 16B shall be enforced by state or local law enforcement agencies.

LEGAL REFS.: M.G.L. c. 71:37H, c. 90:16B and 540 CMR 27.00

File: EFC

UNIVERSAL FREE SCHOOL MEALS

The School Committee is committed to providing students with healthy, nutritious meals each day so they can focus on school work, while also maintaining the financial integrity of meal programs, and to ensure compliance with federal reporting requirements of the USDA Child Nutrition Program.

The District will participate in the National School Lunch Program, the Massachusetts Universal Free Meals Program, and other food programs that may become available to assure that all students in the schools receive healthy, nutritious school meals.

In accordance with guidelines for participation in these programs, the District will provide universal free meals to all students in the District.

Students seeking additional meals or a la carte items will be charged accordingly for those additional items.

Each student in the District is entitled to (1) free breakfast, (1) free lunch, and (1) free snack (where provided by the District).

- It remains important that families complete the annual Household Application for Free and Reduced Price Meals. This form allows the school district to serve families more effectively for other important programs such as P-EBT benefits, fee waivers for school district programs/ services, (as determined by each school district), state and federal grant eligibility, and more.
- Districts participating through the Community Eligibility Provision (CEP), serve breakfast and lunch at no cost to all enrolled students without collecting household applications.

As required by state and federal regulations, the School Committee approves this policy statement pertaining to eligibility for universal free school meals for all students in the District.

CROSS REF: EFE, Civil Rights Complaint Policy for Child Nutrition Programs

LEGAL REFS.: National School Lunch Act, as amended (42 USC 1751-1760);
Child Nutrition Act of 1966; P.L. 89-642, 80 Stat. 885, as amended;
USDA School Meal Program Guidelines May 2017; M.G.L. 71:72; 15:1G; 69:1C;
Chapter 28 of the Acts of 2023 7053-1909

File: EFD

SCHOOL NUTRITION PROGRAM CHARGE POLICY

The School Committee is committed to providing students with healthy, nutritious meals each day so they can focus on school work, while also maintaining the financial integrity of meal programs. and minimizing any impact on students with charges for a la carte purchases.

The District provides free meals to all students (one free meal per meal service period). However, unpaid charges for additional meals, or a la carte items place a large financial burden on the school district, as food services is a self-supporting entity within the district. The purpose of this policy is to ensure compliance with federal reporting requirements of the USDA Child Nutrition Program, as well as provide oversight and accountability for the collection of outstanding student balances.

Charges and Balances

Each student will be allowed to take one regular meal per meal service period. Students may want to receive additional meals, or to purchase a la carte items. Students will pay for additional meals at the regular rate approved by the School Committee. Student Accounts will be maintained by the District Food and Nutrition Program as prescribed by the District and delineated in the Student Handbook.

The parent/guardian is responsible for any meal charges incurred beyond the free meals provided. If there is a financial hardship, a parent/guardian should contact food services directly to discuss payment options such as an individualized repayment plan.

Payments

Payments for additional food purchases beyond the regular meal will be made to the District Food and Nutrition Program. Parents will be notified of account balances or deficits at regular intervals as prescribed by the District. At no time shall any staff member give payment notices to students unless that student is known to be an emancipated minor who is fully responsible for themselves or over the age of 18. If parents/guardians have issues with student purchases they should contact food services for assistance.

Parents/Guardians may pay in advance for anticipated purchases beyond the free meal allowed during each meal service period. Further details are available on the school district webpage and in student handbooks. Funds should be maintained in accounts to minimize the possibility that a child may be without a positive balance in their account on any given day. Any remaining funds for a particular student, whether positive or negative, will be carried over to the next school year.

All school cafeterias possess computerized point of sale/cash register systems that maintain records of all monies deposited and spent for each student and those records are available to parents/guardians by setting up an online account (see student handbooks for more details) or by speaking with the school's food service manager. The point of sale system is designed to prevent direct identification of a student's account status. Parents/guardians will receive automated low-balance notices. If notices do not result in payment, the food service manager shall turn the account over to the business office.

Refunds

Refunds for withdrawn and/or graduating students require a written request for a refund of any money remaining in their account to be submitted. Graduating students also have the option to transfer funds to a sibling's account or to donate to a student in need with a written request.

Delinquent Accounts/Collections

The Superintendent shall ensure that there are appropriate and effective collection procedures and internal controls within the school district's business office that meet the requirements of law.

Each school handbook shall contain detailed instructions for family assistance.

Policy Communications

This policy shall be communicated to all staff and families at the beginning of each school year and to families transferring to the district during the year.

LEGAL REFS: MGL 71:72; USDA School Meal Program Guidelines May 2017
Chapter 28 of the Acts of 2023

CROSS REFS: JQ, Student Fees, Fines & Charges
EFE, Civil Rights Complaint Policy for Child Nutrition Programs

File: EFE

CIVIL RIGHTS COMPLAINT POLICY FOR CHILD NUTRITION PROGRAMS

The Central Berkshire Regional School District is committed to complying with Civil Rights Requirements in all of its programs, including the USDA Food and Nutrition Services and DESE School Food and Nutrition Programs, and specifically the Civil Rights Requirements outlined in Food and Nutrition Programs Instruction 113-1 and the 2016 MoU between USDA FNS Civil Rights Division and the Massachusetts DESE Office for Food and Nutrition Programs.

Any person alleging discrimination in the District's School Food and Nutrition Program based on race, color, national origin, age, sex, or disability, either written or verbal, has the right to file a complaint. The designee at the District/school level will provide assistance to the individual(s) including but not limited to explaining the steps in the complaint process, and maintain a complaint log, as required by law.

LEGAL REF.: FNS 113-1: Civil Rights Compliance and Enforcement

NOTE: Procedures Template for USDA Food and Nutritions Services Complaints can be found here. Districts are required by FNS 113-1 to establish procedures to receive complaints, assist individuals with complaints, log, and report Civil Rights complaints related to School Food and Nutrition Services.

The Superintendent or designee will develop complaint procedures

File: EHAA

DISTRICT SECURITY RELATING TO TECHNOLOGY

The protection of sensitive data and technology is vital in supporting teaching and learning through access to resources, information, learning activities, interpersonal communications, research, training, collaboration, curriculum, and materials.

The School Committee recognizes data and information as resources that must be protected from unauthorized access or use, and, as such, supports a balance of security and access. The Committee expects district staff, student, and family data to be protected by adequate controls commensurate with the sensitivity of the data.

The Committee directs the Superintendent to develop and maintain an effective district data protection system of procedures for the protection of sensitive district information. Such procedures should protect the confidentiality, availability, and integrity of district information.

File: EHB

DATA AND RECORDS RETENTION

The School Committee recognizes that, as an entity of local government, every District record is presumed to be public unless it may be withheld under a specific exemption. The custodian of public records of the district is Director of Finance and Operations; contact information for this position will be placed in a prominent position on the district website.

The District is responsible for a myriad of records which vary in the length of time retention is required. The Superintendent is responsible for ensuring such retention requirements are followed.

Under the Public Records Law, electronic messages between public officials, including public employees, may be considered public records. As such, all district employees and members of the School Committee will be given a district email address, with which they are to conduct all district business, so the district may comply with public records requirements.

LEGAL REFS.: M.G.L.4:7; 66:10

REF: A Guide to the Massachusetts Public Records Law (Secretary of the Commonwealth)

CROSS REFS.: BHE - USE OF ELECTRONIC MESSAGING BY SCHOOL COMMITTEE MEMBERS
GBEE – PERSONNEL USE OF TECHNOLOGY

File: EI

INSURANCE PROVISIONS

The district school committee shall purchase with district funds the type and amount of insurance necessary to protect the school district from financial loss as deemed advisable by the School Committee.

7800.2 The district school committee shall identify an "agent of record" for the district. It shall be the responsibility of the Agent of Record to solicit bids from competing companies as required (annually,) and in consultation with the district Director of Finance and Operations (Business Manager), arrange such coverage which provides the most economically responsible coverage. In this regard the Agent of Record shall provide information to the district upon request of the Director of Finance and Operations Business Manager.

SECTION F

FACILITIES DEVELOPMENT

FA FACILITIES DEVELOPMENT GOALS

FB FACILITIES PLANNING

FCB RETIREMENT OF FACILITIES

FCD LEASE OF SCHOOLS

FF NAMING FACILITIES

File: FA

FACILITIES DEVELOPMENT GOALS

The School Committee believes that educational programs are influenced greatly by the environment in which it functions. The development of a quality educational program and of school facilities that help implement that program must go hand in hand.

Therefore, it is the Committee's goal to provide the facilities needed for the number and educational requirements of students in the school district and to provide the kind of facilities that will best support the educational program. To best use local resources, it is the Committee's intent, wherever possible, to partner with the Massachusetts School Building Authority.

Recognizing that school facilities are long-term community investments, the Committee will develop projects that reflect cost-effective designs, are consistent with good engineering practice, and use high quality construction, with attention to current and future technological practices for students, faculty, and school staff. Sites will be chosen to meet the educational need, maximize the use of any available community resources, and minimize any possible adverse education, environmental, social, or economic impacts on the community.

LEGAL REFS: M.G.L. 70B
963 CMR 2.00

File: FB

SCHOOL BUILDING COMMITTEE

The Central Berkshire Regional School Committee may create a school building committee for specific building projects. The Chair of the School Committee shall appoint at least one of its own members to serve on the School Building Committee. These School Building Committees act as the administrative authority for the projects, subject to the approval of various actions by the School Committee.

The School Building Committee has the following responsibilities:

1. To study and make recommendations to the district with respect to school building needs.
2. To review thoroughly with the Superintendent and the School Committee the educational requirements in relation to school buildings.
3. To review previous studies and initiate needed studies with or without consultative assistance.
4. Recommend employing the services of architects and cost estimators and such other professional assistance as it may deem necessary or required by law and/or regulations.
5. To generally monitor the MSBA Application process (if applicable).

The School Committee shall not delegate its fiduciary responsibilities to the School Building Committee

Staff Planning

Arrangements will be made by the Superintendent for the school staff to contribute in the planning of new school buildings. Teachers and staff will be given the opportunity to submit suggestions for possible inclusion in the educational specifications.

LEGAL REFS.: M.G.L. 71:16A; 71:37C and D; 71:68; 71:70
Massachusetts Board of Education Regulations Governing the School Building Assistance Act, Chapter 645 of the Acts of 1948 as amended, FY 79 and Board of Education 603 CMR, 38:00 and 603 CMR 26:07
Massachusetts School Building Authority Regulations Governing the School Building Grant Program, 963 CMR 2.10

Adopted: August 2, 1972
Revised: May 8, 2008
Rewritten: March 24, 2011

File: FCB

RETIREMENT OF FACILITIES

When a school building becomes inadequate by virtue of age, condition, size of site, lack of need, or other overriding limitations, and cannot reasonably and economically be brought up to the current educational standards, the building should be considered for a comprehensive closing study. The Superintendent will recommend to the School Committee, which facilities appear to justify further analysis.

The School Committee may seek both professional advice and the advice of the community in making its recommendations as to the retirement of any school facility. This will permit the public, which originally acquired the property, to benefit from its recycling or retirement.

A closing study will include direct involvement by those neighborhoods considered in the study and will be concerned with all or some of the following factors:

1. Age and current physical condition of the facilities, its operating systems, and program facilities

2. Adequacy of site, location, access, surrounding development, traffic patterns, and other environmental conditions

3. Reassignment of children, including alternative plans according to Committee policy

4. Transportation factors, including numbers of children bused, time, distance, and safety

5. Alternative uses of the building

6. Cost/Savings

    a. Personnel
    b. Plant Operation
    c. Transportation
    d. Capital Investment
    e. Alternative Use

7. Continuity of instructional and community programs

NOTE: Regional school districts have the statutory authority to acquire property. Thus, the content of a policy in this area might vary slightly from that in the sample policy above. Regional school districts should cite M.G.L. 71:16 at this code.

File: FCD

LEASE OF SCHOOLS

Each of the following member towns is hereby authorized to lease to the regional school district the respective premises and buildings listed below:

1. The Town of Becket – The Becket Washington School
2. The Town of Dalton - The Craneville School
3. The Town of Hinsdale - The Kittredge Elementary School

Each of the leases authorized above shall be for a term of twenty years and the term shall commence on the date when the Committee assumes jurisdiction over the pupils in kindergarten through grade eight.

1. Each of the leases shall contain a provision for the extension of the term thereof for an additional term not in excess of twenty years, renewable at any time during the term, at the option of the committee.
2. Each of the leases shall contain provisions authorizing the regional school district to insure, repair, improve, alter, remodel, or modernize any of the leased buildings.

No rental shall be charged to the district by any of the member towns.

Each lease involving a member town shall be on such other terms as may be determined by the selectmen thereof and the committee, who shall execute the lease for the member town and the regional school district, respectively.

Agreement Between the Towns, Section III (B), as adopted in Amendment 1, 1969.

File: FF

NAMING NEW FACILITIES

For the purposes of this policy, school facilities are defined as all school buildings, spaces within buildings, and grounds owned or leased by the Central Berkshire Regional School District.

Naming a school facility is an important matter that deserves thoughtful attention. Personal prejudice or favoritism, political pressure, or temporary popularity should not be an influence in choosing a name for a school, a portion of a school, or a portion of school grounds. Whenever possible, the wishes of the community, including parents, students, staff, and local select boards should be considered in naming school facilities.

Names and/or wording associated with school facilities shall be consistent with district policies and promote messages aligned with the mission, vision and goals of the district. To the extent possible, names and/or wording should be designed not to restrict the use of a space or inhibit changing the function of the space should that become necessary in the future. School facilities may not be named for current district employees.

The School Committee has the authority to approve the naming and renaming of all school facilities.

NEW SCHOOL BUILDINGS: When the opportunity to name or dedicate a new school building arises, an orderly procedure will be communicated at the next available School Committee meeting. Included in this procedure should be a timeline and means of publicizing the naming effort. The School Committee's agenda should clearly reflect the intent to consider, review, and vote on naming opportunities.

EXISTING SPACES WITHIN BUILDINGS OR ON SCHOOL GROUNDS: Occasionally, an existing space within a building or on school grounds may be named for an individual who is significant to our community or a distinguished local, state or national leader whose name will lend dignity and stature to the school. Submission of a request to name an existing space within a building or on school grounds may be made at any time, following submission criteria listed below.

Submission of a name for a school facility must be in writing, and should be made to the School Committee Chair. Submissions may be made by any student, district resident, or district employee. Individuals making a submission may do so as an individual or on behalf of a local organization. If a name is being initiated at the local school level, the Principal must take reasonable steps to include the School Council and PTA/PTO in the nomination of the name before submission to the School Committee.

Written requests should specify the intent of the requestor and the reasons why this particular name would fit the facility. It should offer appropriate background information on the person or organization after which the school facility will be named. An offer of a financial contribution to the district may accompany the naming request, but the School Committee may not accept or reject a name based upon financial considerations alone.

File: FF

Whether responding to submission of a name for a new building, or an existing space within buildings or on school grounds, the School Committee Chair will specify a consideration period that allows for public comment. At a minimum, the consideration period will consist of 2 regularly scheduled school committee meetings. The Committee will be responsible for ensuring the naming request and consideration period are publicized. The committee will also seek input from any known pertinent parties; such as, but not limited to historical societies and local select boards. Following this consideration period, the committee will deliberate and vote on the name request(s).

NAME CHANGES

It is the policy of the School Committee that the names of existing structures or physical spaces under our jurisdiction will not be changed. Historical preservation and respect for our traditions are a key component in honoring our past.

Should a situation arise that leads to the consideration of a name change, a two-thirds (2/3) vote of the School Committee is needed to change the name of a facility.

Where applicable, the School Committee will ensure that any name or name change is reflected in the regional agreement.

SECTION G

PERSONNEL

GBA **EQUAL EMPLOYMENT OPPORTUNITY**

GBEA **STAFF ETHICS/CONFLICT OF INTEREST**

GBEB **STAFF CONDUCT**

GBEBC **GIFTS TO AND SOLICITATIONS BY STAFF**

GBEBD **ONLINE FUNDRAISING AND SOLICITATIONS – CROWDFUNDING**

GBEC **DRUG-FREE WORKPLACE**

GBED **TOBACCO USE ON SCHOOL PROPERTY BY STAFF MEMBERS PROHIBITED**

GBEE **PERSONNEL USE OF TECHNOLOGY**

GBGB **STAFF PERSONAL SECURITY AND SAFETY**

GBGE **DOMESTIC VIOLENCE LEAVE**

GBGF **EMPLOYEE FAMILY AND MEDICAL LEAVE**

GBI **STAFF PARTICIPATION IN POLITICAL ACTIVITIES**

GBJ **PERSONNEL RECORDS**

GBK **STAFF COMPLAINTS AND GRIEVANCES**

GCA **PROFESSIONAL STAFF POSITIONS**

GCBA **PROFESSIONAL STAFF SALARY SCHEDULES**

GCBB **EMPLOYMENT OF PRINCIPALS**

GCE **PROFESSIONAL STAFF RECRUITING/ POSTING OF VACANCIES**

GCF **PROFESSIONAL STAFF HIRING**

GCG **SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT**

GCIA **PHILOSOPHY OF STAFF DEVELOPMENT**

GCJ PROFESSIONAL TEACHER STATUS

GCK PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS

GCO EVALUATION OF PROFESSIONAL STAFF

GCQF SUSPENSION AND DISMISSAL OF PROFESSIONAL STAFF MEMBERS

GCRD TUTORING FOR PAY

GDA SUPPORT STAFF POSITIONS

GDO EVALUATION OF SUPPORT STAFF

File: GBA

EQUAL EMPLOYMENT OPPORTUNITY

The School Committee subscribes to the principle of the dignity of all people and of their labors. Any individual who is responsible for hiring and/or personnel supervision must understand that applicants are employed, assigned, and promoted without regard to their 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.

Every available opportunity will be taken in order to assure that each applicant for a position is selected on the basis of qualifications, merit, and ability.

*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.

LEGAL REF.: M.G.L. 151B:4;
603 CMR 26:00
Acts of 2022, Chapter 117 -
https://malegislature.gov/Laws/SessionLaws/Acts/2022/Chapter117

CROSS REF.: AC, Nondiscrimination

NOTE: Although it is not usually necessary to have a policy that simply restates existing law, in this case it is important to reaffirm the School Committee's commitment to equal opportunity and to remind the hiring authorities in the District that many considerations other than District educational goals are factors to be considered.

File: GBEA

STAFF ETHICS / CONFLICT OF INTEREST

The School Committee expects members of its professional staff to be familiar with the code of ethics that applies to their profession and to adhere to it in their relationships with students, parents/guardians, coworkers, and officials of the school district.

No employee of the Committee will engage in or have a financial interest in, directly or indirectly, any activity that conflicts or raises a reasonable question of conflict with their duties and responsibilities in the school district. Nor will any staff member engage in any type of private business during school time or on school property.

Employees will not engage in outside employment of any type where information concerning customer, client, or employer originates from any information available to them through school sources.

Moreover, as there should be no conflict of interest in the supervision and evaluation of employees, at no time may any administrator responsible for the supervision and/or evaluation of an employee be directly related to them.

Every two years, all current employees, including School Committee members, must complete the State Ethics Commission's online training. New employees must complete this training within 30 days of beginning employment and every 2 years thereafter. Upon completing the program, employees should print out the completion certificate and keep a copy for themselves. Employees will be required to provide a copy of the completion certificate to the municipal or district Clerk through the Superintendent's office.

In order to avoid the appearance of any possible conflict, it is the policy of the School Committee that when an immediate family member, as defined in the Conflict of Interest statute, of a School Committee member or district administrator is to be hired into or promoted within the School District, the Superintendent shall file public notice with the School Committee and the Municipal or District Clerk at least two weeks prior to executing the hiring in accordance with the law.

LEGAL REFS.: M.G.L. 71:52; 268A:1 et seq.

File: GBEB

STAFF CONDUCT

All staff members have a responsibility to familiarize themselves with and abide by the laws of the State as these affect their work, the policies of the School Committee, and the regulations designed to implement them.

In the area of personal conduct, the Committee expects that teachers and others will conduct themselves in a manner that not only reflects credit to the school system but also sets forth a model worthy of emulation by students.

All staff members will be expected to carry out their assigned responsibilities with conscientious concern.

Essential to the success of ongoing school operations and the instructional program are the following specific responsibilities, which will be required of all personnel, that include but will not be limited to:

1. Respectful interactions with students, colleagues and other constituents.
2. Faithfulness and promptness in attendance at work.
3. Support and enforcement of policies of the Committee and their implementing regulations and school rules in regard to students.
4. Diligence in submitting required reports promptly at the times specified.
5. Care and protection of school property.
6. Concern for and attention to their own and the school system’s legal responsibility for the safety and welfare of students.

LEGAL REFS.: M.G.L. 71:37H

File: GBEBC

GIFTS TO AND SOLICITATIONS BY STAFF

Gifts

The acceptance of gifts worth $50 or more by school personnel in a calendar year when the gift is given because of the position they hold, or because of some action the recipient could take or has taken in their public role, violates the conflict of interest law. Acceptance of gifts worth less than $50, while not prohibited by the conflict of interest law, may require a written public disclosure to be made.

In keeping with this policy, no employee of the school district will accept a gift worth $50 or more that is given because of the employee's public position, or anything that the employee could do or has done in their public position. Gifts worth less than $50 may be accepted, but a written disclosure to the employee's appointing authority must be made if the gift and the circumstances in which it was given could cause a reasonable person to think that the employee could be improperly influenced. The value of personal gifts accepted is aggregated over a calendar year (4 gifts of $20 value is the same as 1 gift of $80 if given in the same calendar year).

In general, homemade gifts without retail value are permissible because a reasonable person would not expect an employee would unduly show favor to the giver, so no disclosure is required. Such gifts could include homemade food items (cookies, candy, etc.), handpicked flowers, and handmade gifts worth less than $10 (ten) dollars.

Class Gifts

There is a specific exception to the prohibition against accepting gifts worth $50 or more, when the teacher knows only that the gift is from the class, not from specific donors. A single class gift per calendar year valued up to $150 or several class gifts in a single year with a total value up to $150 from parents/guardians and students in a class may be accepted provided the gift is identified only as being from the class and the names of the givers and the amounts given are not identified to the recipient. The recipient may not accept an individual gift from someone who contributed to the class gift. It is the responsibility of the employee to confirm that the individual offering such gift did not contribute to the class gift.

Gifts for School Use

Gifts given to a teacher solely for classroom use or to purchase classroom supplies are not considered gifts to an individual employee and are not subject to the $50 limit. However, an employee who accepts such gifts must keep receipts documenting that money or gift cards were used for classroom supplies.

Solicitations

In spirit, the School Committee supports the many worthwhile charitable drives that take place in the community and is gratified when school employees give them their support. However, the solicitation of funds from staff members through the use of school personnel and school time is prohibited by the conflict of interest law. Therefore, no solicitations of funds for charitable purposes should be made among staff members. Staff members of course remain free to support charitable causes of their own selection.

LEGAL REFS.: M.G.L. 268A:3; 268A:23
930 CMR 5.00
Ethics - **disclosure 23B:3; Ethics disclosure forms**

CROSS REFS.: KHA, Public Solicitations in the Schools
GBEBD, Online Fundraising and Solicitations – Crowdfunding
KCD, Public Gifts to Schools

File: GBEBD

ONLINE FUNDRAISING AND SOLICITATIONS - CROWDFUNDING

School District employees shall comply with all of the following provisions relating to online solicitations and the use of crowdfunding services for school-related purposes as well as all applicable laws, regulations and district policies. No online fundraising may occur except as provided below.

The Superintendent shall have final authority to approve any online fundraising activities by school district employees and shall determine and communicate to Principals the circumstances under which online fundraising proposals shall require Superintendent or School Committee approval in accordance with law and school district policy. The Principal of each school shall approve all online fundraising activities within their buildings prior to any employee posting any such fundraising solicitation.

Any solicitation shall be for educational purposes only (field trips, supplies, supplemental materials, books, etc.). The solicitation of personal items (coats, nutritional snacks, etc.) shall only be to benefit students directly. To the extent an employee solicits any technology or software, the employee shall secure the prior written approval of the Director of Technology or designee prior to any such solicitation. Any employee seeking to display or post a photograph of a student in conjunction with a fundraising solicitation must first secure the written consent of the student's parent or guardian.

Employees shall not use a crowdfunding source, or set up their appeal in such a way, that they are asking for donations directly from people over whom the employee making the request has authority, or with whom the public employee is having official dealings (such as parents/guardians of students in a teacher's classroom - the solicitation can say "Classroom X needs tissues and crayons," but it shouldn't be directed to parents/guardians who have shared email addresses with the teacher for purposes of communicating about their student).

Employees using crowdfunding services shall periodically disclose in writing to the Superintendent the names of all individuals whom the employee has directly solicited in any manner including but not limited to oral, written, or electronic solicitation. The Superintendent shall maintain these disclosures as public records available for public review.

Employees may only use crowdfunding services that send the items or proceeds solicited by the employee directly to the employee's school or to the school district. Employees must verify under the crowdfunding service's terms and conditions that they meet all requirements for such solicitation. Items or proceeds directly sent to employees are considered gifts to the employee and may result in violation of state ethics laws.

If an employee's proposal is approved by the crowdfunding service, the employee agrees to use the donated materials solely as stated in the employee's proposal.

If a solicitation is not fully funded within the time period required by the crowdfunding service, or the solicitation cannot be concluded for any reason, every attempt will be made to return donations to the donors. Donations unable to be returned shall only be used as account credits for future solicitations.

File: GBEBD

Unless otherwise approved by the Superintendent in writing, all goods and/or proceeds solicited and received through any online solicitation shall become the property of the School Committee, and not of the individual employee who solicited the item(s) or funds. The employee is prohibited from taking any such item(s) or funds to another school or location, without the Superintendent's written approval.

LEGAL REFS: MGL 44:53A; 71:37A; 268A:3; 268A:23;
Ethics Commission Advisory Opinion EC-COI-12-1;

CROSS REFS: GBEA, Staff Ethics/Conflict of Interest;
GBEBC, Gifts To and Solicitations by Staff;
KCD, Public Gifts to Schools

NOTE: Crowdfunding services are defined as any online service used for the solicitation of goods, services, or money from a large number of people via the internet or other electronic network. Examples include GoFundMe, Kickstarter, Indiegogo, YouCaring, and DonorsChoose.

File: GBEC

DRUG-FREE WORKPLACE POLICY

The School District will provide a drug-free workplace and certifies that it will:

1. Notify all employees in writing that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance, is prohibited in the District's workplace, and specify the actions that will be taken against employees for violation of such prohibitions.

2. Establish a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace; the District's policy of maintaining a drug-free work-place; and available drug counseling, rehabilitation, and employee assistance programs; and the penalty that may be imposed on employees for drug abuse violations occurring in the workplace.

3. Make it a requirement that each employee whose employment is funded by a federal grant be given a copy of the statement as required.

4. Notify the employee in the required statement that as a condition of employment under the grant, the employee will abide by the terms of the statement, and will notify the District of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.

5. Notify the federal agency within ten days after receiving notice from an employee or otherwise receiving notice of such conviction.

6. Take one of the following actions within 30 days of receiving notice with respect to any employee who is so convicted; take appropriate personnel action against such an employee, up to and including termination; or require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state or local health law enforcement, or other appropriate agency.

7. Make a good faith effort to continue to maintain a drug-free workplace through implementation of all the provisions of this policy.

LEGAL REFS.: 41 USC 81

CROSS REFS.: IHAMB, Teaching about Drugs, Alcohol, and Tobacco
JICH, Drug and Alcohol Use by Students

File: GBED

USE OF TOBACCO AND NICOTINE PRODUCTS ON SCHOOL PROPERTY BY STAFF MEMBERS PROHIBITED

Use of any tobacco and nicotine products, including, but not limited to: cigarettes, cigars, little cigars, chewing tobacco, pipe tobacco and snuff and electronic cigarettes, electronic cigars, electronic pipes or other similar products that rely on vaporization or aerosolization, within the school buildings, school facilities, on school grounds or school buses, or at school sponsored events by any individual, including school personnel, is prohibited at all times.

Staff members who violate this policy will be referred to their immediate supervisor.

LEGAL REF.: M.G.L. 71:37H

CROSS REFS.: ADC, Tobacco Products on School Premises Prohibited
JICH, Alcohol, Tobacco and Drug Use by Students Prohibited

File: GBEE

PERSONNEL USE OF TECHNOLOGY

The School Committee recognizes that the use of technology is an important part of preparing students for adult life. As such, the School Committee expects that staff will use technology as provided, as necessary, and as beneficial.

Employees shall use digital resources in a responsible, efficient, ethical, and legal manner in accordance with the mission of the district. Staff members are responsible for teaching and for modeling responsible digital citizenship. The digital resources are provided to support the work of the district; occasional personal communication is permitted so long as such use does not interfere with the employee's job duties and performance, with systems operation, other users, or network performance. All use must comply with the policies and procedures of the Central Berkshire Regional School District.

All staff must agree to and sign an appropriate digital use form prior to being granted access to district digital resources.

Staff is required to use their school-issued accounts, not personal accounts, for all communication with students, and parents/guardians; such accounts must be used with other staff members when conducting school business.

Employee communication is a matter of public record. This extends to employee use of social media when conducting district business.

Any online activities that would not be considered appropriate in the classroom should not be conducted online. High standards of appropriate online communication and conduct must be maintained.

Team, class, or student organization pages, accounts, or groups will be created only in conjunction with the coach or faculty advisor. All groups must include the appropriate administrator as a member. Access to the page will remain with the coach or faculty advisor.

All contact and messages by coaches and faculty advisors 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 appropriate administrator.

When interacting with students online, for non-academic purposes, interactions should be limited to district approved platforms, group interactions are encouraged and should include two staff members. One-to-one interactions should be avoided.

Failure to uphold the responsibilities above is misuse, which may lead to disciplinary action.

REF: M.G.L. Ch. 66 10 (b)
CROSS REF: ACAB SEXUAL HARASSMENT
GBEB STAFF CONDUCT
GBEBD ONLINE FUNDRAISING AND SOLICITATION
INJD ACCESS TO DIGITAL RESOURCES
INJDC ACCEPTABLE USE OF DIGITAL RESOURCES

File: GBGB

STAFF PERSONAL SECURITY AND SAFETY

Through its overall safety program and various policies pertaining to school personnel, the Committee will seek to assure the safety of employees during their working hours and assist them in the maintenance of good health.

The Superintendent may require an employee to submit to a physical examination by a physician appointed by the school district whenever that employee's health appears to be a hazard to children or others in the school district or when a doctor's certificate is legally required to verify need for sick leave.

School employees, their families and members of their household are eligible to use the confidential services provided by the municipality's employee assistance program,

LEGAL REFS.: M.G.L. 71:54; 71:55C

CROSS REFS.: EB, Safety Program

File: GBGE

DOMESTIC VIOLENCE LEAVE POLICY

It shall be the policy of the school district to permit an employee to take up to 15 days of domestic violence leave from work in any 12 month period. In order to be eligible for said leave:

(i) the employee, or a family member of the employee must be a victim of abusive behavior;
(ii) the employee must be using the leave from work to seek or obtain medical attention, counseling, victim services or legal assistance; secure housing; obtain a protective order from court; appear before a grand jury; meet with a district attorney or other law enforcement official; or attend child custody proceedings or address other issues directly related to the abusive behavior against the employee or family member of the employee; and
(iii) the employee must not be the perpetrator of the abusive behavior against such employee's family member.

The employer shall have the sole discretion to determine whether this leave shall be paid or unpaid. An employee seeking such leave shall exhaust all annual or vacation leave, personal leave and sick leave available to the employee, prior to requesting or taking domestic violence leave, unless the employer waives this requirement.

Except in cases of imminent danger to the health or safety of an employee, advanced notice of domestic violence leave shall be required. If such imminent danger exists the employee shall notify the employer within 3 workdays that the leave was taken. The notification may be communicated to the employer by the employee, a family member of the employee or the employee's counselor, social worker, health care worker, member of the clergy, shelter worker, legal advocate or other professional who has assisted the employee in addressing the effects of the abusive behavior. If an unscheduled absence occurs, an employer shall not take any negative action against the employee if the employee, within 30 days from the unauthorized absence or within 30 days from the employee's last unauthorized absence in the instance of consecutive days of unauthorized absences, provides any of the documentation found in (1) to (7) below. An employer may require documentation that the employee or employee's family member has been a victim of abusive behavior and that the leave is consistent with clauses (i) to (iii) as above referenced; provided, however, that an employer shall not require an employee to show evidence of an arrest, conviction or other law enforcement documentation for such abusive behavior. The documentation shall be provided to the employer within a reasonable period after the employer requests it.

An employee shall satisfy this documentation requirement by providing anyone of the following documents to the employer:

(1) a protective order, order of equitable relief or other documentation issued by a court of competent jurisdiction as a result of abusive behavior against the employee or employee's family member;

(2) a document under the letterhead of the court, provider or public agency which the employee attended for the purposes of acquiring assistance as it relates to the employee or family member;

(3) A police report or statement of a victim or witness provided to police documenting the abusive behavior;

(4) documentation that the perpetrator of the abusive behavior has admitted to sufficient facts to support a finding of guilt; or has been convicted of, or has been adjudicated a juvenile delinquent by reason of any offense constituting abusive behavior;

(5) medical documentation of treatment as a result of the abusive behavior;

(6) a sworn statement, signed under the penalties of perjury, provided by a counselor, social worker, health care worker, member of the clergy, shelter worker, legal advocate, or other professional who has assisted the employee in addressing the effects of the abusive behavior;

(7) a sworn statement, signed under the penalties of perjury, from the employee attesting that the employee has been a victim of or is a family member of a victim of abusive behavior.

All information related to the employee's leave shall be kept confidential and shall not be disclosed, except to the extent that disclosure is:

(i) requested or consented to, in writing, by the employee;
(ii) ordered to be released by a court of competent jurisdiction;
(iii) otherwise required by applicable federal or state law;
(iv) required in the course of an investigation authorized by law enforcement, including, but not limited to, an investigation by the Attorney General; or
(v) necessary to protect the safety of the employee or others employed at the workplace.

The Superintendent shall ensure that notice is provided to all employees in the next school year and beyond by appropriately amending the district's employee handbooks, by whatever title they may be known, or by direct notice about the Domestic Violence Law and securing the employees signature acknowledging receipt of the handbook/notice. The Superintendent shall be responsible for notifying all current employees, unless they have been notified through the handbook, of this policy in a manner that they deem appropriate.

No employer shall coerce, interfere with, restrain or deny the exercise of, or any attempt to exercise, any rights provided herein or to make leave requested or taken contingent upon whether or not the victim maintains contact with the alleged abuser. No employer shall discharge or in any other manner discriminate against an employee for exercising the employee's rights under law. The taking of domestic violence leave shall not result in the loss of any employment benefit accrued prior to the date of such leave. Upon the employee's return from such leave, they shall be entitled to restoration to the employee's original job or to an equivalent position. Definitions of "abuse", "abusive behavior", "domestic violence", "employees", and "family members" may be found in the laws referenced below.

File: GBGE

LEGAL REF: M.G.L. 149:52E

NOTE: The School Committee should seek the advice of counsel, deliberate, and determine whether or not to change the following language in the first paragraph as the School Committee, in consultation with the Superintendent, may choose to 1) make this type of leave paid or unpaid, and 2) make an employee exhaust other leave options or not: These options are available to the SC. In either case, review with counsel before final adoption if you leave the language as written. You can require accumulated leave to be used first. You can also consider paying all, or the balance of leave if no accumulated leave is available. Or, if the District wishes, can offer paid leave in place of requiring the employee to use accumulated leave. This is not something that's done much anymore due to the fiscal constraints SDs face, but it is an option.

"The employer shall have the sole discretion to determine whether this leave shall be paid or unpaid. An employee seeking such leave shall exhaust all annual or vacation leave, personal leave and sick leave available to the employee, prior to requesting or taking domestic violence leave, unless the employer waives this requirement."

Additionally, the statute does not require that employers with less than 50 employees provide this leave.

File: GBGF

EMPLOYEE FAMILY AND MEDICAL LEAVE

The Central Berkshire Regional School District shall comply with the mandatory provisions of the Family and Medical Leave Act of 1993. The Superintendent shall ensure compliance with those regulations either personally or by delegation, or by some combination of personal oversight and delegation.

LEGAL REFS.: P.L. 103-3, "Family and Medical Leave Act of 1993."
P.L. 110-181, "National Defense Authorization Act"

CROSS REF: EMPLOYEE HANDBOOK

File: GBI

STAFF PARTICIPATION IN POLITICAL ACTIVITIES

The School Committee recognizes that employees of the school district have the same fundamental civic responsibilities and privileges as other citizens. Among these are campaigning for an elective public office or ballot initiatives and holding an elective or appointive office.

In connection with campaigning, an employee will not: use school district facilities, equipment or supplies; discuss their campaign with school personnel or students during the working day; use any time during the working day for campaigning purposes. Public employees are prohibited under state law from soliciting funds for political campaigns.

Under no circumstances, will students or other employees of the district be pressured into campaigning for any staff member.

LEGAL REF.: M.G.L. 55:11-13; 71:44

File: GBJ

PERSONNEL RECORDS

Information about staff members is required for the daily administration of the school district, for implementing salary and other personnel policies, for budget and financial planning, for responding to appropriate inquiries about employees, and for meeting the School Committee's education reporting requirements. To meet these needs, the Superintendent will implement a comprehensive and efficient system of personnel records maintenance and control under the following guidelines:

1. A personnel folder for each present and former employee will be accurately maintained in the central administrative office. In addition to the application for employment and references, the folders will contain records and information relative to compensation, payroll deductions, evaluations, and any other pertinent information.

2. The Superintendent will be the official custodian for personnel files and will have overall responsibility for maintaining and preserving the confidentiality of the files within the provisions of the law.

3. Personnel records are considered confidential under the law and will not be open to public inspection. Access to personnel files will be limited to persons authorized by the Superintendent to use the files for the reasons cited above.

4. Each employee will have the right, upon written request, to review the contents of their own personnel file.

5. Employees may make written objections to any information contained in the file. Any written objection must be signed by the staff member and will become part of the employee's personnel file. Further, no negative comment will be placed in a staff member's file unless it is signed by the person making the comment and the staff member is informed of the comment and afforded the opportunity to include their written response in the file.

6. Lists of school district employees' names and home addresses will be released only to governmental agencies as required for official reports or by law.

LEGAL REFS.: Family Educational Rights and Privacy Act, Sec. 438, P.L. 90-247
Title IV, as amended
88 Stat. 571-574 (20 U.S.C. 1232g) and regulations
M.G.L. 4:7; 71:42C
Teachers' Agreement

CONTRACT REF.: All Agreements

CROSS REF.: KDB, Public’s Right to Know

File: GBK

STAFF COMPLAINTS AND GRIEVANCES

The School Committee will encourage the administration to develop effective means of resolving differences that may arise among employees and between employees and administrators; reduce potential areas of grievances; and establish and maintain recognized channels of communication between the staff, administration, and School Committee.

It is the Committee's desire that grievance procedures provide for prompt and equitable adjustment of differences at the lowest possible administrative level, and that each employee be assured an opportunity for an orderly presentation and review of complaints and concerns.

Channels established will provide for the following:

1. That teachers and other school employees may appeal a ruling of a Principal or other administrator to the Superintendent.

2. That all school employees may appeal a ruling of the Superintendent to the Committee, except in those areas where the law has specifically assigned authority to the Principal and/or the Superintendent and Committee action would be in conflict with that law.

3. That all hearings of complaints before the Superintendent or Committee be conducted in the presence of the administrator who made the ruling that is the subject of the grievance.

The process established for the resolution of grievances in contracts negotiated with recognized employee bargaining units will apply only to "grievances" as defined in the particular contract.

LEGAL REFS.: M.G.L. 150E:5 and 8

CONTRACT REFS.: All Contract Agreements

File: GCA

PROFESSIONAL STAFF POSITIONS

All professional staff positions in the school district will be created initially by the School Committee. It is the Committee's intent to activate a sufficient number of positions to accomplish the school district's goals and objectives and to provide for the equitable staffing of each school building. Although such positions may remain temporarily unfilled, only the Committee may abolish a position it has created.

Each time a new position is established by the Committee, or an existing position is modified, the Superintendent will present for the Committee's approval a job description for the position, which specifies the jobholder's qualifications and the job's performance responsibilities. The Superintendent will maintain a comprehensive set of job descriptions for all positions.

NOTE: Job descriptions for professional staff positions are available for review in the office of the Superintendent.

File: GCBA

PROFESSIONAL STAFF SALARY SCHEDULES

Teachers

The School Committee will adopt a salary schedule for regular teaching personnel as part of the contract negotiated with the teachers' bargaining unit. The schedule will be designed to recognize and reward training and experience and encourage additional study for professional advancement.

Principals and Administrators on Individual Contracts

Salaries will be reviewed annually prior to July 1. The School Committee, with the advice of the Superintendent, will establish levels of compensation for each position based on the circumstances, dynamics, and requirements of each position. It is the responsibility of the Superintendent to present evidence to the School Committee to support recommendations for salary increases.

LEGAL REFS.: M.G.L. 71:40; 71:43; 71:42B

CROSS REF.: GCBB, Employment of Principals

CONTRACT REF.: Teachers' Agreement

File: GCBB

EMPLOYMENT OF PRINCIPALS

Principals shall be employed by the School District under individual contracts of employment. Any changes to the standard template contract relative to previously approved compensation or benefit levels will be approved by the school committee.

Initial contracts issued to Principals may be up to three years in length, and may be reissued by the Superintendent at levels of compensation/benefits, determined by the School Committee, provided that the Superintendent may employ a Principal under the terms and conditions of the previous contract of employment.

The length of second and subsequent contracts of employment for Principals shall be in accordance with state law.

As a condition of employment, each Principal must maintain current licensure, adhere to the policies and goals of the School Committee and the directives of the Superintendent, and annually must submit, with the school council, the educational goals and school improvement plan for the school building(s) under their direction.

LEGAL REF: M.G.L. 71:41; 71:59B

CROSS REF.: GCBA, Professional Staff Salary Schedules

File: GCE

PROFESSIONAL STAFF RECRUITING/POSTING OF VACANCIES

It is the responsibility of the Superintendent, with the assistance of the administrative staff, to determine the personnel needs of the school district and it is the responsibility of the Principal, in consultation with the Superintendent, to determine the personnel needs of the individual schools. In addition, school councils may review personnel requirements as a means of evaluating the needs of a school. Any recommendations for the creation or elimination of a position must be approved by the School Committee.

The search for good teachers and other professional employees will extend to a wide variety of educational institutions and geographical areas. It will take into consideration the characteristics of the town and the need for a heterogeneous staff from various cultural backgrounds.

Recruitment procedures will not overlook the talents and potential of individuals already employed by the school district. Any current employee may apply for any position for which he or she has certification and meets other stated requirements.

Openings in the schools will be posted in sufficient time, before the position is filled, to permit current employees to submit applications.

LEGAL REFS.: Collective Bargaining Agreements

File: GCF

PROFESSIONAL STAFF HIRING

Through its employment policies, the District will strive to attract, secure, and hold the highest qualified personnel for all professional positions. The selection process will also evaluate the candidates' devotion to the education and welfare of the children attending the schools.

It is the responsibility of the Superintendent, and of persons to whom he or she delegates this responsibility, to determine the personnel needs of the school system and to locate suitable candidates. No position may be created without the approval of the School Committee. The District's goal is to employ and retain personnel who are motivated, will strive always to do their best, and are committed to providing the best educational environment for the children

It will be the duty of the Superintendent to see that persons considered for employment in the schools meet all certification requirements and the requirements of the Committee for the type of position for which the nomination is made.

The following guidelines will be used in the selection of personnel:

1. There will be no discrimination in the hiring process due to 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.

2. The quality of instruction is enhanced by a staff with a wide variation in background, educational preparation, and previous experience.

3. The administrator responsible for the hiring of a staff member (in the case of District-wide positions, for the position of Principals, it is the Superintendent; for building-based personnel, it is the Principal) is directed to establish a representative screening committee. The administrator has the final say in determining who will be hired but it is expected that the screening committee's input will be a factor in the decision. For those positions where the hiring authority rests with the School Committee a representative screening committee may be established by the School Committee or the School Committee may direct the Superintendent to establish a screening committee to assist the Superintendent in making his recommendation to the School Committee.

LEGAL REFS.: M.G.L. 69:6; 71:38; 71:38G; 71:39; 71:45
Massachusetts Board of Education Requirements for Certification of Teachers, Principals, Supervisors, Directors, Superintendents and Assistant Superintendents in the Public Schools of the Commonwealth of Massachusetts, revised 1994
BESE Regulations 603 CMR 7.00, 26.00, and 44.00

File: GCG

SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT

To the extent possible, the school district will employ as substitute teachers persons who meet the requirements for teacher appointments and will assign teachers substitute-teaching positions on the basis of their areas of competence. When the supply of potential substitutes in a particular subject area is too limited to meet school department needs, there will be active recruitment for substitutes in those areas. All substitute teachers will be expected to provide educational services, rather than to assume merely a student-supervisory role. They will be provided with as much support as possible by building administrators and teachers.

The School Committee will set the daily rate of pay for substitute teachers, including extended-term substitutes. The latter will be granted such additional benefits as approved by the School Committee.

Cross Ref: ADDA Background Checks

File: GCIA

PHILOSOPHY OF STAFF DEVELOPMENT

All staff members will be encouraged in and provided with suitable opportunities for the development of increased competencies beyond those they may attain through the performance of their assigned duties and assistance from supervisors.

Opportunities for professional growth may be provided through such means as the following:

1. Planned in-service programs and workshops offered within the school district from time to time; these may include participation by outside consultants.

2. Membership on curriculum development committees drawing personnel from within and without the school district.

3. Released time for visits to other classrooms and schools and for attendance at conferences, workshops, and other professional meetings.

The Superintendent will have authority to approve or deny released time for conferences and visitations and reimbursements for expenses, provided such activities are within budget allocations for the purpose.

File: GCJ

PROFESSIONAL TEACHER STATUS

The Superintendent, upon recommendation of the Principal, may award such status to a teacher who has served in the Principal's school for not less than one year or a teacher who has obtained such status in any other public school district in the Commonwealth. The Superintendent will base their decisions on the results of evaluation procedures conducted according to Committee policy.

At the end of each of the first three years of a teacher's employment, it will be the responsibility of the Superintendent to notify each employee promptly in writing of the decision on reappointment. Notification to a teacher not being reappointed must be made by **June 15** or at an earlier date if required by a collective bargaining agreement.

A teacher who attains professional teacher status will have continuous employment in the service of the school district subject to satisfactory evaluations. A teacher with professional teacher status whose position is abolished by the School Committee may be continued in the employ of the school district in another position for which they are legally qualified.

Nothing in these provisions will be considered as restricting the Superintendent from changing teaching assignments or altering or abolishing supervisory assignments except that, by law, no teacher may be assigned to a position for which they are not legally qualified.

LEGAL REFS.: M.G.L. 71:38; 71:38G; 71:41; 71:42; 71:43; 71:42B

File: GCK

PROFESSIONAL STAFF ASSIGNMENTS AND TRANSFERS

The basic consideration in the assignment of professional staff members will be the needs of the students and the instructional program.

Therefore, the assignment and transfer of professional staff members will be accomplished by the Superintendent on the basis of the employee's qualifications, the needs of the school district, and the employees' expressed desires.

Care will be exercised by the Superintendent to assure that all schools are staffed with highly qualified teachers.

Within an individual school, the building administrator will have the authority to assign classes and courses, provided this is done with full regard for the teacher's area of licensure and the policies delineated above.

CONTRACT REF.: Teachers' Agreement

File: GCO

EVALUATION OF PROFESSIONAL STAFF

In order to assure a high quality of teacher and administrator performance and to advance the instructional programs of the schools, a continuous program for teacher and administrator evaluation will be established by the School Committee. Regular reports will be made to the Superintendent concerning the outcomes of these evaluations.

The evaluation process will include:

1. The development and periodic review of techniques and procedures for making evaluations.
2. Interpretation of the information gained in the evaluative process in terms of the objectives of the instructional program.
3. The application of the information gained to the planning of staff development and in-service training activities, which are designed to improve instruction and increase teacher competence.

The evaluation process will include self-evaluation, supervisor initiated observations, and teacher initiated observations.

The formal evaluations will be written and will be discussed by the supervisor and the person being evaluated. The discussions may either precede or follow the writing of the evaluation document. Copies of the written document will be signed by both parties and incorporated into the personnel files of the teacher or administrator. In addition, the individual and their department chair (if applicable) will receive a signed copy. The signature should indicate that the evaluation has been read and discussed.

The written evaluation should be specific in terms of the person's strengths and weaknesses. Those areas where improvement is needed should be clearly set forth and recommendations for improvement should be made. Subsequent evaluations should address themselves to any improvement or to any continuing difficulty that is observed.

LEGAL REFS.: M.G.L. 69:1B; 71:38; 71:38Q; 150E; 152B
603 CMR 35:00

CONTRACT REF.: Teachers' Agreement

File: GCQF

SUSPENSION AND DISMISSAL OF PROFESSIONAL STAFF MEMBERS

The Superintendent will strive to assist personnel to perform their duties efficiently. However, the Superintendent may dismiss any employee in accordance with state law. Further, the Committee recognizes the constitutional rights of the District's employees and assures them the protection of due process of law. To guarantee such rights, a system of constitutionally and legally sound procedures will be followed in each case of suspension or dismissal of an employee.

When the Superintendent or a Principal determines that sufficient cause exists that a professional employee be suspended or dismissed from service in the school district, they will:

1. Be certain that each such case is supported by defensible records.

2. Determine if the individual is to be suspended immediately with the understanding that the suspension will be subject to restoration of salary and position if an appeal is decided in favor of the individual.

3. Follow the procedures for dismissal or suspension that are contained in applicable laws as well as those included in the current agreement with the teachers' bargaining unit.

4. Provide the individual involved with a written statement that will:

    a. Indicate whether the action the Superintendent is taking is dismissal or suspension.

    b. State the reason for the suspension or dismissal.

    c. Guarantee that all procedures will be in accordance with due process of law.

    d. Inform employees who have a right to request a hearing under appropriate laws that they may be represented at such a hearing by counsel of their choice.

LEGAL REFS.: M.G.L. 71:42; 71:42D

File: GCRD

TUTORING FOR PAY

Definition: "Tutoring" means giving private instruction or help to an individual or group for which the teacher receives remuneration other than through the School Committee.

A teacher cannot recommend that one of their own students get tutoring, and then be paid to tutor that same student in a second job.

A teacher may not tutor students who are currently in their class. Even if the teacher does not recommend that the current student receive private tutoring, the teacher should not tutor current students.

Teachers and other public employees may not approach a student, or the student's parents/guardians, seeking private tutoring work. A teacher may provide tutoring when the relationship is initiated by the parents/guardians or a student, but, if the student is, or in the future may be, under the teacher's authority, the teacher will need to provide a written disclosure.

A teacher cannot use school resources such as classrooms or materials in connection with a private tutoring business. A public school employee cannot use a school or district website to advertise private tutoring services. Schools cannot send home brochures for a particular tutoring service with the children.

Tutoring is not to be recommended for a student unless the appropriate teacher of the student involved is consulted and agrees that it will be of real help. If tutoring seems advisable, the Principal may give the parents/guardians a list of persons who are willing to tutor. This list may include teachers, but not the student's teacher of the subject in which they are to be tutored.

Tutoring for pay is not to be done in the school building.

LEGAL REF: M. G. L. 268A Mass. Ethics Commission FAQs for Public School Teachers

File: GDA

SUPPORT STAFF POSITIONS

Education is a cooperative enterprise in which all employees of the school district must participate intelligently and effectively for the benefit of the children. This school district will employ support staff members in positions that function to support the education program.

All support staff positions will be established initially by the Committee. In each case, the Superintendent will submit for the Committee's consideration and action a job description or job specifications for the position.

Although positions may remain temporarily unfilled or the number of persons holding the same type of position reduced in event of de-staffing requirements, only the Committee may abolish a position it has created.

File: GDO

EVALUATION OF SUPPORT STAFF

A program of continuous observation and evaluation will be developed to find the right employees to fill vacancies, determine assignments and equitable work loads, and establish wage and salary policies that encourage employees to put forth their best efforts.

The evaluation will cover the major areas of the employee's responsibilities and their job descriptions.

Each employee will be informed of the basis upon which they are to be evaluated in advance of evaluation.

CONTRACT REFS.: All support staff agreements

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SECTION H

NEGOTIATIONS

HA NEGOTIATIONS GOALS (MASC)

HB NEGOTIATIONS LEGAL STATUS (MASC)

HF SCHOOL COMMITTEE NEGOTIATING AGENTS (MASC)

File: HA

NEGOTIATIONS GOALS

The School Committee recognizes that education is a public trust; it therefore is dedicated to providing the best possible educational opportunities for the students of this community. In negotiations, this objective may be best attained if there is a climate of mutual trust and understanding between the negotiating parties.

The School Committee believes that the best interests of public education will be served by establishing procedures that provide an orderly method for the School Committee, or its representatives, and representatives of the staff to discuss matters of common concern.

It is further recognized that nothing in negotiations will compromise the School Committee's legal responsibilities, nor will any employee's statutory rights and privileges be impaired.

LEGAL REF: M.G.L. 150E

File: HB

NEGOTIATIONS LEGAL STATUS

All negotiations between the School Committee and recognized employee groups are conducted subject to Massachusetts General Laws. The legal status of negotiations is defined in part by Section 1 of Chapter 150E as follows:

> "In the case of school employees, the municipal employer shall be represented by the school committee or its designated representative or representatives."

Basic to all employer/employee negotiations is the concept of "bargaining in good faith." It is the legal responsibility of both the School Committee and employee organizations to bargain in good faith as they conduct negotiations. However, such obligation does not compel either party to agree to a proposal or make a concession.

LEGAL REF.: M.G.L. 150E:1 et seq.

File: HF

SCHOOL COMMITTEE NEGOTIATING AGENTS

The School Committee is responsible for negotiations with recognized employee bargaining units. However, because of the expertise and time required for negotiations, the Committee may hire a negotiator to bargain in good faith with recognized bargaining units to help assure that mutually satisfactory agreements on wages, hours, and other terms and conditions of employment will be developed.

If the district moves forward with a negotiator, the School Committee will appoint the negotiator and the fee or salary for their services will be established in accordance with the law at the time of appointment.

The duties of the negotiator will be as follows:

1. To negotiate in good faith with recognized bargaining units to arrive at a mutually satisfactory agreement on wages, hours, working conditions of employees, and all other mandated subjects of bargaining, represented by the units.

    a. The negotiator may recommend members of the administration to serve on the negotiation team. They will not be members of any unit that negotiates with the Committee, and their participation in negotiations must be recommended by the Superintendent and approved by the Committee.

    b. They will direct accumulation of necessary data needed for negotiations, such as comparative information.

    c. They will follow guidelines set forth by the Committee as to acceptable agreements and will regularly report on the progress of negotiations in a properly posted executive session.

    d. They will make recommendations to the Committee as to acceptable agreements.

2. The negotiator will interpret the signed negotiated contracts to administrators and may be called upon to offer advice on various aspects of contract administration during the terms of the contracts with employee organizations.

LEGAL REF.: M.G.L. 71:37E

SECTION I

INSTRUCTION

IB	**ACADEMIC FREEDOM**
IC/ICA	**SCHOOL YEAR/SCHOOL CALENDAR**
ID	**SCHOOL DAY**
IGA/IGD	**CURRICULUM DEVELOPMENT AND ADOPTION**
IGB	**STUDENT SERVICES PROGRAMS**
IHAI	**SELECTION OF SCHOOLS FOR VOCATIONAL TECHNICAL STUDENTS**
IHAM	**HEALTH EDUCATION**
IHAM-R	**HEALTH EDUCATION**
IHAMA	**PARENTAL NOTIFICATION RELATIVE TO SEX EDUCATION**
IHAMB	**TEACHING ABOUT ALCOHOL, TOBACCO AND DRUGS**
IHB	**SPECIAL INSTRUCTIONAL PROGRAMS AND ACCOMMODATIONS**
IHBAA	**OBSERVATIONS OF SPECIAL EDUCATION PROGRAMS**
IHBD	**COMPENSATORY EDUCATION**
IHBEA	**ENGLISH LEARNER EDUCATION**
IHBF	**HOMEBOUND INSTRUCTION**
IHBG	**HOME SCHOOLING**
IHBH	**ALTERNATIVE SCHOOL PROGRAMS**
IHBHE	**REMOTE LEARNING**
IHCA	**SUMMER SCHOOLS**
IJ	**INSTRUCTIONAL MATERIALS**
IJ-R	**RECONSIDERATION OF INSTRUCTIONAL RESOURCES**
IJL	**LIBRARY MATERIALS SELECTION AND ADOPTION**

IJLA LIBRARY RESOURCES

IJND ACCESS TO DIGITAL RESOURCES

IJNDB USE OF TECHNOLOGY IN INSTRUCTION

IJNDC ACCEPTABLE USE OF DIGITAL RESOURCES

IJNDD POLICY ON SOCIAL MEDIA

IJNDF INTERNET SAFETY

IJOA FIELD TRIPS

IJOB COMMUNITY RESOURCE PERSONS/SPEAKERS

IJOC SCHOOL VOLUNTEERS

IKAB PROGRESS REPORT TO PARENTS

IKE PROMOTION OF STUDENTS

IKF REQUIREMENTED COURSES AND CREDITS FOR GRADUATION

ILD STUDENT SUBMISSION TO EDUCATIONAL SURVEYS AND RESEARCH

IMB TEACHING ABOUT CONTROVERSIAL ISSUES/ CONTROVERSIAL SPEAKERS

IMD SCHOOL CEREMONIES AND OBSERVANCES

IMG ANIMALS IN SCHOOL

IMGA SERVICE ANIMALS IN SCHOOLS

File: IB

ACADEMIC FREEDOM

The School Committee seeks to educate students in the democratic tradition, to foster recognition of individual freedom and social responsibility, to inspire meaningful awareness of and respect for the Constitution and the Bill of Rights.

Fairness in procedures will be observed both to safeguard the legitimate interests of the schools and to exhibit by appropriate example the basic objectives of a democratic society as set forth in the Constitutions of the United States and the Commonwealth.

LEGAL REF.: Constitution of the Commonwealth of Massachusetts
Constitution of the United States of America

File: IC/ICA

SCHOOL YEAR/SCHOOL CALENDAR

The school calendar for the ensuing year will be prepared by the Superintendent and submitted to the School Committee for approval annually. The number of days or instructional hours scheduled for the school year will be determined in accordance with the following standards set by the Massachusetts Board of Elementary and Secondary Education:

1. The School Committee shall schedule a school year which includes at least 185 school days for each school in the District.

2. Elementary school will operate for a minimum of 180 days. Schools shall ensure that every elementary school student is scheduled to receive a minimum of 900 hours per school year of structured learning time, as defined in regulation. Time which a student spends at school breakfast and lunch, passing between classes, in homeroom, at recess, in non-directed study periods, receiving school services, and participating in optional school programs shall not count toward meeting the minimum structured learning time requirement for that student.

3. Secondary schools will operate for a minimum of 180 days. Schools shall ensure that every secondary school student is scheduled to receive a minimum of 990 hours per school year of structured learning time, as defined in regulation. Time which a student spends at school breakfast and lunch, passing between classes, in homeroom, at recess, in non-directed study periods, receiving school services, and participating in optional school programs shall not count toward meeting the minimum structured learning time requirement for that student.

For the information of staff, students, and parents/guardians, the calendar will set forth the days schools will be in session; holidays and vacation periods; in service days; and parent conferences.

LEGAL REFS.: M.G.L. 4:7; 69:1G; 71:1; 71:4; 71:4A; 71:73; 136:12
603 CMR 27.00

File: ID

SCHOOL DAY

The length of the school day is established in the collective bargaining agreements with the various school unions. The specific opening and closing times of the schools will be recommended by the Superintendent and set by the Committee.

The Superintendent is authorized to make minor changes in opening and closing times to simplify transportation scheduling; however, major changes in schedules will be subject to Committee approval.

Parents and guardians will be informed of the opening and closing times set by the Committee. To help ensure the safety of all children, parents/guardians will also be notified that students will not be admitted into the school building until the start of the official day unless circumstances require earlier admittance.

LEGAL REFS.: M.G.L. 15:1G; 69:1G; 71:59
603 CMR 27.00

CROSS REF: Student handbook

NOTE: Each Committee should verify the specific times set in the handbook for allowing students into the school building. In some cases, this may be established in the collective bargaining agreements.

File: IGA/IGD

CURRICULUM DEVELOPMENT AND ADOPTION

Constant adaptation and development of the curriculum is necessary if the District is to meet the needs of the students in its schools. To be successful, curriculum development must be a collaborative enterprise involving staff and administrators utilizing their professional expertise.

The School Committee will rely on the professional staff to design and implement instructional programs and courses of study that will forward the educational goals of the school district.

The Superintendent will have authority to approve new programs and courses of study after they have been thoroughly studied and found to support educational goals. The Committee itself will consider, and officially adopt, new programs and courses when they constitute an extensive alteration in instructional content or approach.

The Committee wishes to be informed of all new courses and substantive revisions in curriculum. It will receive reports on changes under consideration. Its acceptance of these reports, including a listing of the high school program of studies, will constitute its adoption of the curriculum for official purposes.

LEGAL REF.: M.G.L. 15:1G; 71:1; 69:1E
603 CMR 26:05

File: IGB

STUDENT SERVICES PROGRAMS

In order to offer educational opportunities to all students that will enable them to lead fulfilling and productive lives, the District shall provide appropriate educational opportunities to all resident students in accordance with the requirements of state and federal statutes.

The Student Services staff will work in cooperation with District building staff and administration to coordinate and supervise the implementation of curriculum, the instructional program, and support services to meet the needs of all students.

The Director of Student Services shall be responsible for all services for students who are not eligible for special education assistance, such as psychological services, speech correction, homebound and hospital teaching and such other programs as may be assigned.

LEGAL REF.: Rehabilitation Act of 1973, Section 504

CROSS REF.: ACE, Nondiscrimination on the Basis of Disability

File: IHAI

SELECTION OF SCHOOLS FOR VOCATIONAL TECHNICAL STUDENTS

The Central Berkshire Regional School Committee ("the Committee") recognizes the right of a student residing in any of the seven towns that together constitute the Central Berkshire Regional School District (CBRSD) to attend a training school in the Commonwealth of Massachusetts in accordance with M.G.L. c. 74, § 7. The Committee also acknowledges the stated interest expressed by representatives of certain of those seven towns for the Committee to designate a "preferred" high school for students residing in that town who seek to take advantage of the right conferred by the aforesaid statute, viz., to attend said high school for the purpose of pursuing a course of study in a Chapter74-approved program. And the Committee further acknowledges both the oversight by the Massachusetts Department of Elementary and Secondary Education (DESE) of Chapter 74- approved programs throughout the Commonwealth, and the standards DESE demands of any program in order for it to receive and retain its chapter 74-approved status.

To accommodate the rights and interests of all the parties mentioned above, including the interest expressed by certain of CBRSD's seven towns, and to provide high quality Chapter 74 programming to the students residing in CBRSD who seek such programming, the Committee adopts the following as its policy in this regard.

1. General Requirements. A student residing in any of the seven towns that constitute the Central Berkshire Regional School District (CBRSD) who seeks to be admitted to a high school for a chapter 74-approved vocational-technical education program may apply to any high school that offers a Chapter 74-approved vocational-technical education program in which that student is interested. A student's request for non-resident tuition and transportation under the "Chapter 74 Vocational-Technical Education Tuition and Transportation Option" shall be submitted to the Superintendent of Schools by not later than April 1 for the Superintendent's consideration based on pertinent criteria, including the availability of the same or substantially similar program at a high school closer to the student's residence than the one to which admission is being sought. A student's parent or guardian or a school that has been disapproved for non-resident tuition by the Superintendent may request that the Commissioner of Elementary and Secondary Education review the denial of tuition in accordance with the guidelines cited at Section 5, below.

2. Special Requirements for Residents of Certain Towns. Section 1 notwithstanding, a student residing in a town listed in Section 3, below, who seeks to be admitted to a high school for a specific Chapter 74-approved vocational-technical education program shall, in addition to applying to any other high school of the student's choosing that offers the program, apply to the preferred high school for that town as listed in Section 3, below, if that Chapter 74 program is offered at the town's preferred high school. If the student is accepted into said program at the preferred school for the town in which the student resides, then the student shall attend the preferred high school for that Chapter 74-approved program.

3. Preferred Schools for Certain Towns' Residents. The preferred vocational-technical schools for specific towns of the CBRSD decided In accordance with https://www.doe.mass.edu/ccte/pathways/cte/default.html and should be communicated with CBRSD central office for continuity of accounting/enrollment purposes.

Procedure for Residents of Towns Not Listed in 3. A town that is a constituent part of the CBRSD that is not listed in Section 5171.3, above, shall be deemed for the purposes of this policy to have no preferred vocational-technical school. A student who resides in such a town shall proceed under section 5171.6 of this policy.

4. Student's Non-Acceptance at a Preferred School. If a student residing in a town listed in Section 3, above, who has applied to be admitted to a high school for a specific Chapter 74-approved vocational-technical education program, is not accepted at the preferred high school for her/his town, or who is wait-listed for admission to that program at the town's preferred high school, but is accepted to another high school for that program, then the non-resident tuition and transportation for the student's attendance at the high school to which she/he has been accepted will be provided in accordance with the policy and process described in the "Guidelines for the Vocational Technical Education Program Non-resident Student Tuition Process Pursuant to M.G.L. c. 74 that is found at the Massachusetts Department of Elementary and Secondary Education's website, https://www.doe.mass.edu/ccte/pathways/cte/default.html

5. Program Not Offered by Preferred School. If the Chapter 74-approved vocational-technical education program sought by a student residing in a town listed in Section 3, above, is not offered by the preferred school for that student's town, then said student may apply for admission to the high school that offers the Chapter 74-approved program said student is seeking.

6. Transfer from a Preferred School to Another School. A student who attends a high school for a Chapter 74-approved vocational-technical education program pursuant to Sections 2 and 3, above, shall not transfer to another high school for a specific Chapter 74-approved vocational-technical education program without the prior written approval of the Superintendent of Schools of the CBRSD, who may require that the student or her/his parent or guardian, as applicable, provide sufficient documentation, including documentation of sound educational and other pertinent reasons for seeking the transfer, as will enable the Superintendent to make an informed decision.

7. Effective Date of This Policy. This policy shall be effective for the 2013-2014 school year, and shall apply to any student residing at that time in a town listed in Section 3, above, who seeks to be admitted to a high school for a specific Chapter 74-approved vocational-technical education program, and who first attends said high school in the 2013-14 school year. This policy shall continue in effect in each subsequent school year, unless and until amended or rescinded by the Central Berkshire regional School Committee.

LEGAL REFS.: MGL C. 74
603 CMR 4.00 *passim*.

File: IHAM

HEALTH EDUCATION

The School Committee believes that the greatest opportunity for effective health education lies within the public schools because of their potential to reach children at the age when positive, lifelong health habits are best engendered and because the schools are equipped to provide qualified personnel to conduct health education programs.

The School Committee is committed to a sound, comprehensive, research-based health education program as an integral part of each student's general education.

The health education program will emphasize a contemporary approach to the presentation of health information, skills, and the knowledge necessary for students to understand and appreciate the functioning and proper care of the human body. Students also will be presented with information regarding complex social, physical and mental health problems, which they might encounter in society. In an effort to help students make intelligent choices on alternative behavior of serious personal consequence, health education will examine the potential health hazards of social, physical and mental problems existing in the larger school-community environment.

In order to promote a relevant, dynamic approach to the instruction of health education, the School Committee will continue to stress the need for curricular, personnel, and financial commitments that are necessary to assure the high quality of the district’s health education program.

LEGAL REF.: M.G.L. 71:1

File: IHAM-R

HEALTH EDUCATION
(Exemption Procedure)

Exemption will be granted from a specific portion of health education curriculum on the grounds that the material taught is contrary to the religious beliefs and/or teachings of the student or the student's parent/guardian.

A request for exemption must be submitted in writing to the Principal in advance of instruction in that portion of the curriculum for which the exemption is requested. The request must state the particular conflict involved.

The Principal will confer with the teacher to determine the length of time a student will be exempt. The teacher will develop an alternative activity for which the student will receive credit.

The Principal will inform the parent/guardian of disposition of the request within a reasonable number of school days of receipt of the request.

LEGAL REF.: M.G.L. 71:1

File: IHAMA

PARENT/GUARDIAN NOTIFICATION RELATIVE TO SEX EDUCATION

In accordance with law, the School Committee has adopted this policy on the rights of parents and guardians of our students in relation to curriculum that primarily involves human sexual education or human sexuality issues.

At the beginning of each school year, all parents/guardians of students will be notified in writing of the courses and curriculum that primarily involve human sexual or human sexuality issues. The Superintendent of Schools will determine the administrator(s) responsible for sending the notice(s). Parents/guardians of students who enroll in school after the start of the school year will be given the written notice at the time of enrollment. If planned curricula change during the school year, to the extent practicable, parents/guardians will be notified of this fact in a timely manner before implementation.

Each such notice to parents/guardians will include a brief description of the curriculum covered by this policy, and will inform parents/guardians that they may:

1. Exempt their child from any portion of the curriculum that primarily involves human sexual education or human sexual issues, without penalty to the student, by sending a letter to the school Principal requesting an exemption. Any student who is exempted by request of the parent/guardian under this policy may be given an alternative assignment.

2. Inspect and review program instruction materials for these curricula, which will be made reasonably accessible to parents/guardians and others to the extent practicable. Parents/guardians may arrange with the Principal to review the materials at the school and may also review them at other locations that may be determined by the Superintendent of Schools.

A parent/guardian who is dissatisfied with a decision of the Principal concerning notice, access to instructional materials, or exemption for the student under this policy may send a written request to the Superintendent or designee will review the issue and give the parent/guardian a timely written decision, preferably within two weeks of the request. A parent/guardian who is dissatisfied with the Superintendent's decision may send a written request to the School Committee for review of the issue. The School Committee will review the issue and give the parent/guardian a timely written decision, preferably within four weeks of the request. A parent/guardian who is still dissatisfied after this process may send a written request to the Commissioner of Education for review of the issue in the dispute.

The Superintendent of Schools will distribute a copy of this policy to each Principal by September 1 of each year.

LEGAL REFS: M.G.L. 71:32A
603 CMR 5

File: IHAMB

TEACHING ABOUT ALCOHOL, TOBACCO, AND DRUGS

In accordance with state and federal law, the District shall provide age-appropriate, developmentally appropriate, evidence-based alcohol, tobacco, and drug prevention education programs in grades K-12.

The alcohol, tobacco, and drug prevention program shall address the legal, social, and health consequences of alcohol, tobacco, and drug use, with emphasis on nonuse by school-age children. The program also shall include information about effective techniques and skill development for delaying and abstaining from using, as well as skills for addressing peer pressure to use alcohol, tobacco, or drugs.

The objectives of this program, as stated below, are rooted in the Committee's belief that prevention requires education, and that the most important aspect of the policies and guidelines of the District should be the education of children and youth on healthy decision-making:

- To prevent, delay, and/or reduce alcohol, tobacco, and drug use among children and youth.
- To increase students' understanding of the legal, social, and health consequences of alcohol, tobacco, and drug use.
- To teach students self-management skills, social skills, negotiation skills, and refusal skills that will help them to make healthy decisions and avoid alcohol, tobacco, and drug use.

The curriculum, instructional materials, and outcomes used in this program shall be recommended by the Superintendent and approved by the School Committee.

This policy shall be posted on the district's website and notice shall be provided to all students and parents/guardians in accordance with state law. Additionally, the district shall file a copy of this policy with DESE in accordance with law in a manner requested by DESE.

LEGAL REFS.: M.G.L. 71:1 ;71:96

CROSS REFS: GBEC, Drug Free Workplace Policy
JICH, Drug and Alcohol Use by Students

File: IHB

SPECIAL INSTRUCTIONAL PROGRAMS AND ACCOMMODATIONS (PROGRAMS FOR CHILDREN WITH SPECIAL NEEDS)

The goals of this school district's special education program are to allow each child to grow and achieve at their own level, to gain independence and self-reliance, and to return to the mainstream of school society as soon as possible.

The requirements of law and regulation will be followed in the identification of children with special needs, in referrals for their evaluation, in prescribing for them suitable programs and in assessing their educational progress. In keeping with state requirements, all children with special needs between the ages of three to twenty-two who have not attained a high school diploma or its equivalent will be eligible for special education.

The School Committee believes that most children with special needs can be educated in the regular school program if they are given special instruction, accommodations and the support they need. These children should also be given the opportunity to participate in the school district's non-academic and extracurricular activities.

The Committee recognizes that the needs of certain children are so great that special programs, special classes or special schools may be necessary. When appropriate programs, services, or facilities are not available within the public schools, the Committee will provide these children with access to schools where such instruction and accommodations are available.

It is the desire of the Committee that the schools work closely with parents/guardians in designing and providing programs and services to children with special needs. Parents/guardians will be informed, and conferred with, whenever a child is referred for evaluation. In event of any disagreement concerning diagnosis, program plan, special placement, or evaluation, the parents/guardians will be accorded the right of due process.

The Committee will secure properly trained personnel to work with the children with special needs. Since the financial commitment necessary to meet the needs of all of these children is extensive, the Committee will make every effort to obtain financial assistance.

LEGAL REFS.: The Individuals with Disabilities Ed. Act (PL 108-446, adopted 12/03/04)
Rehabilitation Act of 1973
M.G.L. 71B:1 et seq.
603 CMR 28:00 inclusive

File: IHBAA

OBSERVATIONS OF SPECIAL EDUCATION PROGRAMS

1. Parent/guardian requests to observe their child(ren), current program, or a potential placement must be made at least five days in advance with the Director of Student Services or designee and/or Principal.

2. The Director of Student Services or designee shall contact the parent/guardian for initial scheduling conversation within five (5) days of receipt of the parents' request.

3. When a parent/guardian requests an observation of a special needs student or program, the Director of Student Services or designee will seek approval from the Director of Special Education and the building principal before it is processed. Such approval may only be withheld for those reasons outlined within law and DESE regulation.

4. The Director of Student Services or designee and/or Principal will work with the classroom teacher and the observer to set up the specifics of the observation (including, but not limited to, scheduling and placement of the observer in the classroom).

5. The number, frequency, and duration of observation periods will be determined on an individual student basis in accordance with law and regulation. The start and end time of observation periods and a schedule of observation periods will be stated in advance. In order to minimize classroom or student disruption, the length of individual observation periods may be limited.

6. If the observer is not the parent/guardian, the parent must sign a release for the individual to observe.

7. The number of observers at any one time may be limited.

8. The observer will be informed that he/she is not to interfere with the educational environment of the classroom. If their presence presents a problem, they will be asked to leave. This notice is particularly important, since the presence of parents can influence both the performance of their child(ren) and those of others.

9. The observer will be asked to submit his/her report of the observation in advance of any follow-up TEAM meeting.

10. The observer will be informed that they are there to evaluate the appropriateness of a specific educational program to meet the needs of an individual child. He/she is not there to evaluate a teacher's ability to perform his or her contractual job duties.

11. The observer will be instructed regarding the disclosure of confidential or personally identifiable information relating to other children. Staff must be mindful of removing materials which may be part of students' records from plain view. In the event that removal is not possible the observer may be asked to sign a non-disclosure agreement.

File: IHBAA

12. A school administrator, or designee, also will observe at the same time and take notes as to what is observed, paying particular attention to note anything that is non-typical concerning the period. This observation summary will be placed in the student's file and provided to the parent/guardian prior to any follow-up TEAM meeting.

LEGAL REFS.: MGL 71B:3
Massachusetts Department of Elementary and Secondary Education
Technical Assistance Advisory SPED 2009-2 dated January 8, 2009

CROSS REF.: KI, Visitors to Schools

File: IHBD

COMPENSATORY EDUCATION
(Title 1)

Title 1 funds shall be used to provide educational services that are in addition to the regular services provided for District students. By adoption of this policy, the School Committee ensures equivalence in the provision of curriculum materials and supplies.

LEGAL REF.: Title 1, Elementary and Secondary Education Act, as amended

CROSS REF.: DEC, Federal Funds Supplement Not Supplant Policy

File: IHBEA

ENGLISH LANGUAGE LEARNERS

The District shall provide suitable research-based language instructional programs for all identified English language learners in grades Kindergarten through 12 in accordance with the requirements of state and federal statutes and Massachusetts Department of Education regulations and guidance.

The District shall identify students whose dominant language may not be English through home language surveys that identify a primary home language is other than English, observations, intake assessments, and recommendations of parent/guardian, teachers and other persons. Identified students shall be assessed annually to determine their level of proficiency in the English language.

The District shall certify to the Massachusetts Department of Education each year those students whose dominant language is not English, including specification of the number of non-English languages identified as dominant languages and the number and percent of students who speak each non-English language as their dominant language.

The District shall provide additional information as required by the Massachusetts Department of Education to comply with the No Child Left Behind Act.

LEGAL REFS.: 20 U.S.C. 3001 et seq. (language instruction for limited English proficient and immigrant students contained in No Child Left Behind Act of 2001)
42 U.S.C. 2000d (Title VI of the Civil Rights Act of 1964)
603 CMR 14.00

IHBF

HOMEBOUND INSTRUCTION

The schools may furnish homebound instruction to any student who must remain at home or in a hospital on a day or overnight basis, or any combination of both, for medical reasons and for a period of not less than 14 school days in any school year. The instruction is designed to provide maintenance in the basic academic courses so that when a student returns to school they will not be at a disadvantage because of the illness or the hospitalization.

To qualify for the program, the student needs a written statement from a medical doctor requesting the homebound instruction, stating the reasons why, and estimating the time the student will be out of school. This statement needs to be sent to the Director of Student Services.

Homebound instruction is offered in basic elementary subjects and in secondary subjects which do not require laboratories and special equipment, subject in all cases to the availability of qualified teachers, who shall be assigned by the Superintendent or designee.

LEGAL REF.: 603 CMR 28.03 (3)(c)

File: IHBG

HOME SCHOOLING

The Massachusetts General Law requires the School Committee to determine that a Home Schooling program meets with the minimum standards established for public schools in the Commonwealth prior to approving such a program.

When a parent or guardian of a student below the age of 16 wants to establish a home-based educational program for their child, the following procedures shall be followed in accordance with the law:

Prior to removing the child from public school:

The parent/guardian must submit written notification of establishment of the home-based program to the appropriate administrator 14 days before the program is established, and resubmit notification on an annual basis as long as the child or children are being educated in a home-based environment.

The parent/guardian must certify in writing, on a form provided by the District, the name, age, place of residence, and number of hours of attendance of each child in the program.

The Superintendent shall give the notice to produce records required by law if there is probable cause to believe the program is not in compliance with the law. Factors to be considered by the Superintendent or School Committee in deciding whether or not to approve a home education proposal may be:

1. The proposed curriculum and the number of hours of instruction in each of the proposed subjects.
2. The competency of the parents/guardian to teach the children,
3. The textbooks, workbooks and other instructional aids to be used by the children and the lesson plans and teaching manuals to be used by the parents/guardian.
4. Periodic standardized testing of the children to ensure educational progress and the attainment of minimum standards.

A student being educated in a home-based program within the District may have access to public school activities of either a curricular or extracurricular nature upon approval of the Superintendent, and will be subject to school and district policy.

LEGAL REFS.: M.G.L. 69:1D; 76:1, Care and Protection of Charles
Care and Protections of Charles - MASS. Supreme Judicial Court 399 Mass. 324 (1987)

File: IHBH

ALTERNATIVE SCHOOL PROGRAMS

The School Committee will provide alternative education programs where these needs have been identified, where establishment of such programs is feasible, and where the proposed programs fall within the function normally associated with the public school district.

These alternative educational programs will seek to provide an appropriate academic, social, and vocational experience to aid these young people either to reenter the regular school district, move into another educational setting, or prepare them for successful employment.

LEGAL REFS.: M.G.L. 71:37I; 71:37J
603 CMR 17.00

File: IHBHE

REMOTE LEARNING

In the event of a district-specific emergency requiring the use of remote learning, the Superintendent of schools may declare such emergency and shall, as soon as possible, obtain the approval of the school committee. The remote learning plan below will be applicable in cases of disease, weather emergencies, destruction or damage to schools rendering them inaccessible, or other extraordinary circumstances, including emergencies declared by government officials, the school committee, or the superintendent.

When it becomes necessary for the school district to provide support to students who are unable to attend classes or access appropriate services due to an extended closure, the superintendent shall establish a plan and procedures to ensure that such services are provided. The provision of educational services may include the use of technology and devices, and strategies designed to support student learning away from school.

The remote learning plan will, to the extent possible:

- Ensure the safety of all students and faculty in coordination with appropriate local and state departments and agencies;
- Provide support for student social and emotional wellbeing and address the implications of trauma experienced by students or faculty as a result of the emergency;
- Identify goals and strategies for maintaining standards of student achievement and school improvement plans;
- Ensure instruction and services are delivered by district educators and personnel as much as practicable;
- Utilize the most effective tools and resources available for students and faculty, including the skills and talents of district personnel, in the delivery of instruction and services and share resources as needed;
- Provide resources and services equitably to meet the needs and circumstances of all students;
- Identify remedial strategies necessary after the emergency to advance student achievement (i.e. after-school, extended day, summer school, and contingency scheduling to cancel vacations.);
- Gather information both during and after the period of emergency regarding the most effective means of remote learning to implement as appropriate.

In developing a remote learning plan, the superintendent will:

- Identify and prepare effective means for communicating with faculty, students, parents and community stakeholders.
- Collaborate with municipal agencies that support the schools and community.
- Consult with the school committee to identify any extraordinary actions necessary or authority required to administer emergency and remote learning plans. This includes any changes to district

policies on the school calendar, grading, promotions and retentions, local graduation requirements, testing, and standards and accountability.

- Consult with administrators and principals to ensure the continuing education of students at all levels, including:

  - use of the most appropriate resources, tools and strategies to deliver the curricula given local circumstances and conditions;
  - equitable access to appropriate content for all students;
  - specific accommodations for students at high risk, including clients of special education, students with disabilities, English learners, students at economic disadvantage, homeless students, students in foster care and students of military families.
- Utilize available technological resources suitable for serving students at all levels. This inventory will be prepared in advance in anticipation of an emergency.
- Ensure the privacy rights of students, faculty and families are protected, including assessing the security of district technology.
- Consult with bargaining units to determine if modifications to collective bargaining agreements need to be established for the period of the emergency.
- Identify the financial implications of the emergency plan and recommend transfer of funds as may be necessary.

LEGAL REFS.: 20 U.S.C. §1232g Family Education Rights and Privacy Act (FERPA)
15 U.S.C. §§ 6501–6506 Children's Online Privacy Protection Act (COPPA)

CROSS REFS.: EBCD – Emergency Closings
IGA/IGD – Curriculum Development
IGB – Support Services Programs
IHBEA – English Learner Education
IJND – Access to Digital Resources
IJNDB – Empowered Digital Use
IJNDC – Internet Publication
IJNDD – Policy on Social Media
IHBEA – English Language Learners
JB – Equal Educational Opportunities
JBB – Educational Equity

File: IHCA

SUMMER SCHOOLS

The school district shall make available summer sessions as a supplement to the instruction offered during the school year, when funding for such programs is available. The focus of the program will be remedial work.

To attend summer school, students must have the approval of their classroom and/or special subject teachers.

Students at all instructional levels may attend approved summer schools for remedial, enrichment, or make-up purposes. Credit towards graduation requirements may be granted to high school students in line with regulations of the School District.

All summer programs may be subject to annual approval by the School Committee.

LEGAL REF.: M.G.L. 71:28

File: IJ

INSTRUCTIONAL MATERIALS

The School Committee believes that materials appropriate to the needs of the school program must be available to each student and teacher. These will be furnished by the School Committee subject to budgetary constraints.

The task of selecting instructional materials for programs will be delegated to the professional staff of the school district. Because instructional programs and materials are of great importance, only those that meet the following criteria will be approved by the Committee:

1. They must present balanced views of international, national, and local issues and problems of the past, present and future.

2. They must provide materials that stimulate growth in factual knowledge, literary appreciation, aesthetic and ethical values.

3. They must help students develop abilities in critical reading and thinking.

4. They must help develop and foster an appreciation of cultural diversity and development in the United States and throughout the world.

5. They must provide for all students an effective basic education that does not discriminate on the basis of race, age, color, religion, national origin, sex, gender identity, physical disabilities or sexual orientation.

6. They must allow sufficient flexibility for meeting the special needs of individual students and groups of students.

LEGAL REFS.: M.G.L. 30B:7; 71:48; 71:49; 71:50
BESE regulations 603 CMR 26.00

CROSS REF.: KE, Public Complaints
IGA/IGD, Curriculum Development and Adoption
Collective Bargaining Agreements

File: IJ-R

RECONSIDERATION OF INSTRUCTIONAL RESOURCES

Material that is challenged usually belongs to one of the three basic categories: religion, ideology, or profanity/obscenity. Board policies regarding these areas shall be as follows:

- **Religion -- Factual, unbiased material on religions has a place in school libraries.**

- **Ideologies -- Libraries should, with no thought toward swaying reader judgment, make available a balanced collection of primary and factual material, on the level of their students on various ideologies or philosophies which exert or have exerted a strong force, either favorably or unfavorably, in government, current events, politics, education and other phases of life.**

- **Profanity/obscenity -- Materials shall be subjected to a test of literary merit and reality in context using the criteria established.**

When a problem concerning instructional resources in a school arises, the disposition of the problem will be made in a reasonable period of time using District adopted procedures.

In accordance with the statement of philosophy, no questioned materials shall be removed from the school pending a final decision. Pending the outcome of the request for reconsideration, however, access to questioned materials can be denied to the students of the parents/guardians making the complaint, if they so desire.

If the decision of the School Committee is that the questioned instructional resource be retained, the District will not convene a Review Committee relative to the same complaint for a period of three years. If a substantially different point of view is advanced, it will be investigated. (The period of three years does not apply in this instance).

If an individual or a group undertakes action to keep material from the shelves by checking it out and failing to return it, or by taking turns in keeping it checked out so that it is not available for student use, the Superintendent shall request, in writing, the return of the material. If it is not returned within thirty (30) days, a bill for the current replacement cost of the item shall be rendered to the party holding the item.

After the School Committee has adopted new materials or approved certain methods, that decision will not be reconsidered for a period of three years beginning with the end of the school year when the adoption is made.

File: IJL

LIBRARY MATERIALS SELECTION AND ADOPTION

The School Committee endorses the School Library Bill of Rights, as adopted by the American Library Association, which asserts that the responsibility of the school library is to:

1. Provide materials that will enrich and support the curriculum, taking into consideration the varied interests, abilities, and maturity levels of the students served.

2. Provide materials that will stimulate growth in factual knowledge, literary appreciation, aesthetic values, and ethical standards.

3. Provide a background of information that will enable students to make intelligent judgments in their daily lives.

4. Provide materials on opposing sides of controversial issues so that young citizens may develop under guidance the practice of critical reading and thinking.

5. Provide materials representative of the many religious, ethnic, and cultural groups and their contributions to our American heritage.

6. Place principle above personal opinion and reason above prejudice in the selection of materials of the highest quality in order to assure a comprehensive collection appropriate for the users of the library.

Initial purchase suggestions for library materials may come from all personnel--teachers, coordinators, and administrators. Students will also be encouraged to make suggestions. The librarian will recommend materials to be included in the school library. Final approval and authority for distribution of funds will rest with the building Principal subject to the approval of the Superintendent.

Gifts of library books will be accepted in keeping with the above policy on selection. Complaints about library books will be handled in line with Committee policy on complaints about instructional materials.

LEGAL REF.: 603 CMR 26:05

CROSS REF.: KE, Public Complaints

REFERENCE: American Library Association – Library Bill of Rights

File: IJLA

LIBRARY RESOURCES

The primary objective of the library/media center is to implement its resources to enrich and to support the educational program of the school.

Definition of Library Resources

Library resources are those print, non-print, and digital materials found in school libraries which support curricular and personal information needs.

Criteria for Selection of Library Resources

The criteria for selection of library resources in the District are:

- Needs of the individual student
  Based on knowledge of students
  Based on requests of parents/guardians and students

- Needs of the individual school
  Based on knowledge of the curriculum of the school
  Based on requests from the professional staff

- Provision of a wide range of materials on many levels of difficulty with a diversity of appeal and the presentation of different points of view.

- Provision of materials of high artistic quality.

- Provision of materials with superior format.

- Reputable, unbiased, professionally prepared selection aids are consulted as guides.

In accordance with the District's policy of providing instructional materials on opposing sides of controversial issues, it should be noted that neither the media centers nor the District serve as advocates for the ideas expressed in any materials, nor does the presence of any material indicate automatic endorsement of the ideas expressed therein.

Disclosure of Information/Privacy of Circulation Records

Circulation records shall not be made available to anyone except pursuant to such process, order, or subpoena as may be authorized by law.

Re-evaluation (Weeding) of Library Resources

The continuous review of library/media center materials is necessary as a means of maintaining a useful and active collection. As new materials are selected and added, some older materials are withdrawn. The responsibility for determining which materials are to be withdrawn rests with the professional staff.

Among the reasons for withdrawing an item are the following:

- Curricular changes have rendered superfluous some materials (or multiple copies of materials) formerly used but no longer in demand.
- Some materials contain factual material that is no longer accurate nor current.
- Some materials intended for recreational reading have become dated or unattractive and are no longer in demand. (Some such books, which are deemed "standards" or "classics", will be retained even though they rarely circulate).
- Some materials have become worn out, damaged or physically deteriorated and have lost utility and/or appeal.
- Some materials have been superseded by newer items, which present the same information, but in superior format.

Withdrawn library/media center materials are processed in one or more of the following ways:

- Made available to be used as resource or supplementary material by teachers.
- Offered to other media centers in the District, as it is possible that a material, which lacks utility in one building, may have some usefulness in another.
- Contributed to appropriate charitable or educational agencies.
- Discarded, when warranted.

Continuing evaluation is closely related to the goals and responsibilities of library/media centers and is a valuable tool of collection development. This procedure is not to be used as a convenient or expedient means to remove materials presumed to be controversial or likely to be disapproved by segments of the community. Materials are not to be proscribed or removed because of actual or potential partisan or doctrinal disapproval, nor because of the origin, background or views of those contributing to their creation.

File: IJND

ACCESS TO DIGITAL RESOURCES

The School Committee supports the right of students, employees, and community members to have reasonable access to various information formats and believes it is incumbent upon users to utilize this privilege in an appropriate manner. The School Committee intends to support such use with appropriate budgetary allocations, providing for timely updates to technology as necessary

The Superintendent, in conjunction with the Director of Technology, shall develop and implement appropriate procedures to provide guidance for access to digital resources.

LEGAL REFS: 47 USC § 254

Note: FCC regulations that went into effect April 20, 2001, implementing The Children's Internet Protection Act (47 U.S.C. § 254) require each school/district to certify compliance with certain policy requirements in order to maintain eligibility for Internet access discounts and other services provided by the federal government.

File: IJNDB

USE OF TECHNOLOGY IN INSTRUCTION

Purpose

The School Committee recognizes the need for students to be prepared to contribute to and excel in a connected, global community. To that end, the district provides ongoing student instruction that develops digital citizenship skill sets. Information and communication technology are an integrated part of the curriculum across subjects and grades in developmentally appropriate ways and are aligned with the Massachusetts Curriculum Frameworks, including seeking knowledge and understanding; thinking critically and solving problems; listening, communicating, and interacting effectively; and engaging and competing in a global environment.

Students shall use digital resources in a responsible, efficient, ethical, and legal manner.

File: IJNDC

ACCEPTABLE USE OF DIGITAL RESOURCES

The Superintendent, in conjunction with the Director of Technology, shall develop and implement appropriate procedures to provide guidance for access to digital resources. Guidelines shall address teacher supervision of digital resources, ethical use of such resources and issues of online privacy. In addition, procedures shall prohibit utilization of digital resources for prohibited or illegal activities and for the use of other programs with the potential of damaging or destroying programs or data.

Technology procedures shall be implemented that effectively address the following:

- Controlling access by minors to inappropriate matter on the Internet as defined by the Children's Internet Protection Act (CIPA) and the Children's Online Privacy Protection Act (COPPA);
- Safety and security of minors in use of digital resources;
- Preventing unauthorized access, including hacking, viruses, and other unlawful activities by minors online

Annually, all students must agree to and sign an appropriate digital use form developed by the Superintendent in conjunction with the Director of Technology; this form must also be signed for the parent or guardian for students under the age of 18.
All staff must agree to and sign an appropriate digital use form prior to being granted access to district digital resources. Employees must use district resources for the purposes directly related to educational and instructional purposes.

On the recommendation of the Superintendent in conjunction with the Director of Technology, the district shall determine when and which digital resources can be made available to the community. All guest users will be prompted to and must accept a digital use agreement prior to use.

Those violating the digital use agreement will be subject to appropriate consequences.

LEGAL REF: 47 USC § 254

CROSS REF: GBEE PERSONNEL USE OF TECHNOLOGY
JICJ STUDENT USE OF TECHNOLOGY
KDC COMMUNITY USE OF DISTRICT RESOURCES

File: IJNDD

POLICY ON SOCIAL MEDIA

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The Superintendent and the School Principals will annually remind staff members and orient new staff members concerning the importance of maintaining proper decorum in the on-line, digital world as well as in person. Employees must conduct themselves in ways that do not distract from or disrupt the educational process. The orientation and reminders will give special emphasis to:

1) Improper fraternization with students using social media or other electronic means.

    a. Teachers may not friend or follow current students on social media.

    b. All electronic contacts with students should be through the district's computer, district approved platform, and telephone system, except emergency situations.

    c. Team, class, or student organization pages, accounts, or groups will be created only in conjunction with the coach or faculty advisor. All groups must include the appropriate administrator as a member. Access to the page will remain with the coach or faculty advisor.

    d. All contact and messages by coaches and faculty advisors 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 appropriate administrator.

    e. Teachers will not give out their private cell phone or home phone numbers without prior approval of the district.

    f. Inappropriate contact via phone or electronic device is prohibited.

2) Inappropriateness of posting items with sexual content

3) Inappropriateness of posting items exhibiting or advocating use of drugs and alcohol

4) Examples of inappropriate behavior from other districts, as behavior to avoid

5) Monitoring and penalties for improper use of district computers and technology

6) The possibility of penalties, including dismissal from employment, for failure to exercise good judgment in on-line conduct.

The Superintendent or designees will periodically conduct internet searches to see if teachers have posted inappropriate materials on-line. When inappropriate use of computers and websites is discovered, the School Principals and Superintendent will promptly bring that inappropriate use to the attention of the staff member and may consider and apply disciplinary action up to and including termination.

File: IJNDF

INTERNET SAFETY

The Internet Safety Policy is to clarify issues pertaining to filtering and Internet monitoring for the users of the network and to be in explicit compliance with the Children's Internet Protection Act and M.G.L. c. 71, § 93.

Filtering is maintained at each point of access to the Internet. At these access points filtering systems are maintained to block material inappropriate to children. While federal and state criteria establish content that is obscene or harmful to minors as the minimum compliance baseline, the items filtered remain at the District's administrative discretion. The Central Berkshire Regional School District employs automated filtering services to manage a baseline of restricted web domains and traffic categories across its networks. Where technologically feasible—such as on district-owned devices—the District supplements conventional domain filters with active content scanning to evaluate material in real time. The District maintains the ability to customize these filters, manually blocking additional risks or unblocking resources that have been inappropriately restricted.

It should be noted that due to the nature of the Internet no filtering system is perfect. Staff members supervising students are responsible for providing reasonable oversight of technology use within the instructional environment. The District network has a monitoring system to record Internet sites accessed, which school administration reviews as necessary to enforce policy compliance and investigate potential misuse.

The Central Berkshire Regional School District has systems and procedures in place to monitor students' electronic communications taking place on their District user accounts. These monitoring and alerting systems flag categories such as (but not limited to) violence, hate speech, obscene or explicit material, self-harm, depression, and cyberbullying. The Central Berkshire Regional School District maintains the right to monitor all internet use and messaging on its system.

Each user and their parent/guardian must sign a Student Digital Use Policy**. Each user must take responsibility for their use of the computer network and Internet and avoid inappropriate sites.

The Central Berkshire Regional School District provides a secure network for the school community. As stated in the Student Digital Use Policy, "hacking" or unauthorized access attempts, or other illegal activities are monitored and strictly prohibited.

The Central Berkshire Regional School District takes student privacy of data very seriously and works closely with vendors to ensure compliance with all state and federal data privacy laws. Users are strongly discouraged from providing private or confidential information about themselves or others on the Internet. The school administration may authorize the release of student information, as defined by state law, for internal administrative purposes or approved educational projects and activities.

The Central Berkshire Regional School District Digital Citizenship Instructional Plan aims to
Provide a safe environment when students are using the instructional network and accessing the Internet
Educate students and parents about the Central Berkshire Regional School District acceptable use policies and to provide remediation when students do not follow the policies
Integrate into the curriculum to ensure all students take part in formal age appropriate digital citizenship instruction. The goal is to help students become informed and responsible digital citizens.

* The terms 'harmful to minors' and 'obscene' are defined in accordance with the federal requirements of 47 U.S.C. § 254. In implementing filtering and Internet safety measures, the District may also consider

the definitions of 'harmful to minors,' 'obscene,' and 'matter' found in Massachusetts General Law (M.G.L. c. 272, § 31) for more comprehensive guidance, as well as educational and operational considerations.

** “Digital Use Policy” shall be considered synonymous with any District policy, student handbook rule, or other agreement governing acceptable or responsible technology use.

File: IJOA

FIELD TRIPS

Field trips can bring the school and the community closer together, which can result in real life experiences that enrich the curriculum for students and also bring about better public relations. The School Committee will also encourage field trips as an integral part of the instructional programs in the schools.

The Superintendent will establish regulations to assure that:

1. All students have permission from a parent or guardian for trips.

2. All trips are properly supervised.

3. All safety precautions are observed.

4. All trips contribute substantially to the educational program.

5. All trips allow student access without regard to family ability to pay.

All out-of-state or extended (overnight) trips and excursions, except those required for student participation in tournament competition or contests, must have advance approval of the School Committee. Fundraising activities for such trips will be subject to approval by the appropriate Administrator.

CROSS REF.: JJH, Policy Relating to Field Trips Involving Late Night or Overnight Travel
JJE, Student Fund-Raising Activities

File: IJOB

COMMUNITY RESOURCE PERSONS/ SPEAKERS

Community resources are those individuals or groups who are invited into the schools to present supplementary information and ideas to the classroom course of study. These experiences afford students the opportunity to benefit from community viewpoints. Care should be taken in selecting these speakers so that they are individuals who respect diversity in thinking and varying views and who are not attempting to inappropriately influence points of view.

CROSS REF.: ADDA, Background Checks

File: IJOC

SCHOOL VOLUNTEERS

It is the policy of the School Committee to encourage volunteer efforts in the schools. Parents/guardians, business representatives, senior citizens, and other community volunteers are recognized as important sources of support and expertise to enhance the instructional program and vital communication links with the community. The volunteer program will be coordinated in cooperation with building administrators.

CROSS REF.: ADDA, Background Checks

File: IKAB

STUDENT PROGRESS REPORTS TO PARENTS/GUARDIANS

The School Committee recognizes the school's obligation to give periodic reports of a student's progress and grades. The School Committee further recognizes that these reports are a vital form of communication between the schools and parents/guardians. The School Committee also believes that all progress reports must be based upon full information, accurately and honestly reported with the proper maintenance of confidentiality.

A report depicting the student's progress will be issued periodically following an evaluation by the appropriate teacher, teachers, or other professional personnel.

In addition to the periodic reports, parents/guardians will be notified when a student's performance warrants attention.

Grading and promotion will be based on improvement, achievement, capability of the student, and the professional judgment of the teacher and Principal.

Major changes in the reporting system shall be preceded by a cooperative study and evaluation by teachers, principals, parents/guardians, and the Assistant Superintendent, who will submit the proposal to the School Committee for consideration and approval.

File: IKE

PROMOTION AND RETENTION OF STUDENTS

The School Committee is dedicated to the best total and continuous development of each student enrolled. The professional staff is expected to place students at the grade level best suited to them academically, socially, and emotionally.

In evaluating student achievement, each teacher will make use of all available information, including results of teacher-made tests and other measures of skill and content mastery, standardized test results, and teacher observation of student performance. The Principal will direct and aid teachers in their evaluations and review grade assignments in order to ensure uniformity of evaluation standards.

Students will normally progress annually from grade to grade. Exceptions may be made when, in the judgment of the professional staff, such exceptions are in the best educational interest of the students involved. Exceptions will only be made after prior notification and explanation to each student's parents/guardians, but the final decision will rest with the building Principal.

File: IKF

GRADUATION REQUIREMENTS

In order to graduate from Wahconah Regional High School, a student must have earned at least 95 credits and has met requirements for competency determination. Course requirements are the following:

Four years of English
Four years of Mathematics including completion of Algebra II or an Integrated Math equivalent
Three years of lab-based Science which may include technology/engineering
Three years of History/Social Science including US History and World History
Two years of Foreign Language
Four years of Physical Education
One year of the Arts

Other requirements may be established by the school administration in relation to the particular program, otherwise the additional credits needed for a graduation may be selected from among elective courses. For the total number of credits required please see the high school program of studies or student handbook.

Credit for Foreign Study: Students who are away for a term or year to participate in a student exchange program or otherwise study abroad may receive credits toward high school graduation when (1) study plans are approved by the school administration in advance; and (2) the institution where the study occurred submits a record of the student's work. In these instances, the Principal and student's guidance counselor will evaluate the work and assign credit for it according to standards prevailing in Wahconah Regional High School.

LEGAL REFS.: M.G.L. 69:1D
603 CMR 30:00

NOTE: If there are test requirements for graduation, these should be noted in the policy on Graduation Requirements.

File: ILD

STUDENT SUBMISSION TO EDUCATIONAL SURVEYS AND RESEARCH

In this policy, "surveys, analyses, or evaluations" refer to methods of gathering data for research purposes.

Without the prior written consent of the student's parent/guardian, or of the student if they are at least 18 years of age, no student shall be required as part of any program wholly or partially funded by the U.S. Department of Education to submit to any survey, analyses, or evaluation that reveals information concerning:

1. Political affiliations or beliefs of the student or student's parent/guardian;
2. Mental or psychological problems of the student or student's family;
3. Sex behavior or attitudes;
4. Illegal, anti-social, self-incriminating, or demeaning behavior;
5. Critical appraisals of others with whom respondents have close family relationships;
6. Legally recognized privileged relationships, such as with lawyers, doctors, or ministers;
7. Religious practices, affiliations, or beliefs of the student or parents/guardian; or
8. Income, other than as required by law to determine eligibility for school programs or for receiving financial assistance under such program.

All instructional materials, including teachers' manuals, films, tapes, or other supplementary material which will be used in connection with any such survey, analysis, or evaluation shall be available upon request for inspection by the student's parent/guardian. For the purpose of this policy, "instructional material" does not include academic tests or assessments.

A parent/guardian may inspect, upon request, a survey created by a third party before the survey is administered or distributed to a student.

The Superintendent or designee will be responsible for implementing any procedures necessary to protect the privacy of participating students and to provide parents/guardians with access to surveys within a reasonable time before administration or distribution.

The School District will notify parents/guardians of this policy at least annually at the beginning of the school year and within a reasonable time of any substantive change in policy.

The District will directly notify parents/guardians annually at the beginning of the school year, and during the school year, when surveys, analyses, or evaluations are scheduled or anticipated. Parents/guardians shall have the opportunity to opt their child out of participation in any survey, analysis, or evaluation. Students who are 18 years of age or older may opt out of such surveys, analyses, or evaluations.

Parents/guardians or eligible students who believe their rights have been violated may file a complaint with the Family Policy Compliance Office of the U.S. Department of Education.

File: ILD

LEGAL REF.: Protection of Pupil Rights Amendment, 20 U.S.C. § 1232h

CROSS REF.: JRA, Student Records

File: IMB

TEACHING ABOUT CONTROVERSIAL ISSUES/CONTROVERSIAL SPEAKERS

An important goal of the schools is to help prepare students for intelligent and conscientious participation as citizens in our democratic society. One step toward meeting this goal is to introduce students to reasoned and dispassionate approaches to the analysis of contemporary social and political issues. To insure that these issues can be examined in an atmosphere as free from emotion and prejudice as the times permit, the School Committee establishes the following guidelines for discussion of controversial issues in the schools.

Teacher-Planned Classroom Discussions

1. Controversial issues selected by teachers for classroom discussion must relate directly to the objectives and content of courses approved by the School Committee for inclusion in the curriculum.

2. The teachers' right to introduce controversial issues in classroom presentations does not include the right of advocacy. Teachers must refrain from using their positions to express partisan points of view.

3. The approach to discussion of these issues in the classroom must be objective and scholarly with minimum emphasis on opinion and maximum emphasis on intelligent analysis.

4. Teachers must ensure that the reasoned arguments of all sides of an issue are given equal presentation and emphasis in classroom discussions.

5. Teachers may invite visitors from outside the schools to give presentations on controversial issues when the visitors offer qualifications and resources not available in the schools. All visitors are to be guided by the standards of language usage that prevail in the classrooms and by the standards of scholarly inquiry set forth above. Whenever possible, teachers who invite visitors to present one side of an issue will also invite visitors to present the other side(s).

6. In all cases teachers must obtain from the appropriate Principal permission to invite visitors for classroom presentations. Permission must be requested at least 48 hours before the scheduled time of presentation.

Student-Initiated Forums on Controversial Issues

Student groups may request permission to conduct forums on controversial issues in the schools. The Principal may grant such requests under the following conditions:

1. Preparation for presentation of a forum will not cause any student or teacher to miss class and will not cause the cancellation of any class.

File: IMB

2. Adequate advance planning must be conducted for each forum. A request to hold a forum must be received by the Principal at least three weeks before the scheduled date of presentation. For each request the Principal will appoint, after consultation with the requesting student group, an adult advisory group consisting of at least two parents/guardians and two faculty members.

3. The standards for approach to discussion, style of presentation, and use of visitors as defined above will apply to student-initiated forums.

Requests from Groups or Individuals Outside the Schools

No permission will be granted to non-school groups or individuals to make presentations on controversial issues in the schools during school hours. Requests for after-school or evening use will be processed in accordance with the Committee's policy on community use of school facilities.

No permission will be granted to outsiders for distribution of literature on controversial issues to students in general or to class groups.

A Principal may grant an outside group or individual permission to post one notice of a public meeting for discussion of issues if the language of that notice conforms to the standards that prevail in the community. The Principal will determine the appropriate bulletin board for such notices.

CROSS REF.: IJOB, Community Resource Persons/Speakers

File: IMD

SCHOOL CEREMONIES AND OBSERVANCES

The United States Constitution and the Constitution of the State of Massachusetts and related court rulings clearly establish the concept of "church and state separation" and the "preclusion of sectarian instruction in public schools."

In order to help staff members abide by the spirit and letter of the law, and to avoid compromising any student's religious or conscientious beliefs or freedoms, the following guidelines have been established:

The observance of religious holidays is not the responsibility of the public schools.

While it is recognized that many activities are initiated with the approach of major holidays in order to capitalize on the readiness and interest that is generated at these times, it should be understood that such occasions frequently have religious underpinnings. Care should be taken to relate only to secular aspects of these holidays.

Music programs given at times close to religious holidays should not use religious aspects of these holidays as the underlying motive or theme. Although religious music is appropriate in the schools to the extent that it is sung or presented for musical rather than religious content, its use should not violate the secular nature of the school. Pageants, plays, recitals, and other literary or dramatic activities should not be used to convey religious messages. While the holidays represent a valid source of ideas for meaningful school art experiences, teachers should avoid assigning or encouraging art work that promotes religious aspects of such holidays. If, however, individual students choose to use a religious personage, event, or symbol as the vehicle for an artistic expression, they should be allowed to take this action.

The above statements should not be interpreted to preclude the factual and objective teaching about religions, religious holidays, and religious differences. Such instruction will be permitted in the schools since insights in this area can enhance the mutual understanding needed by all the people in a pluralistic society.

LEGAL REF.: 603 CMR 26:05

File: IMG

ANIMALS IN SCHOOL

No animal shall be brought to school without prior permission of the building Principal.

The School District is committed to providing a high quality educational program to all students in a safe and healthy environment.

The Principal, in consultation with the School Nurse, shall review student health records to determine which animals may be allowed in the school building. The decision of the Principal shall be final.

Educational Program

Use of animals to achieve specific curriculum objectives may be allowed by the building Principal provided student health and safety is not jeopardized and the individual requesting that the animal be brought to school is responsible for adhering to any other conditions established by the Principal to protect the health and well-being of students.

Student Health

The health and well-being of students is the District's highest priority. Animals may cause an allergic reaction or otherwise impair the health of students. No animals may be brought to school or kept in the school, classroom, office or common area that may negatively impact the health of any student who must utilize that area. Animals that cause an allergic reaction or impair the health of students shall be removed from the school immediately so that no student shall have their health impaired and each student shall have full access to available educational opportunities.

File: IMGA

SERVICE ANIMALS IN SCHOOLS

The School Committee does not permit discrimination against individuals with disabilities, including those who require the assistance of a service animal. The District will comply with Massachusetts law concerning the rights of persons with guide or assistance dogs and with federal law and will permit such animals on school premises and on school transportation.

For purposes of this policy, a "service animal includes any dog that has been individually trained to do the work or perform tasks for the benefit of an individual with a disability." The regulations further state that "a public entity shall make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability if the horse has been individually trained to do work or perform tasks for the benefit of the individual with the disability."

Service animals perform some of the functions and tasks that individuals with disabilities cannot perform themselves. Service animals are not pets. There are several kinds of service animals that assist individuals with disabilities. Examples include, but are not limited to, animals that:

- assist individuals who are blind or have severe sight impairments as "seeing eye dogs" or "guide dogs;"
- alert individuals with hearing impairments to sounds;
- pull wheelchairs or carry and pick-up items for individuals with mobility impairments;
- assist mobility-impaired individuals with balance.

The District shall not assume or take custody or control of, or responsibility for, any service animal or the care or feeding thereof. The owner or person having custody and control of the animal shall be liable for any damage to persons, premises, property, or facilities caused by the service animal, including, but not limited to, clean up, stain removal, etc.

If, in the opinion of the School Principal or authorized designee, any service animal is not in the control of its handler, or if it is not housebroken, the service animal may be excluded from the school or program. The service animal can also be excluded if it presents a direct and immediate threat to others in the school. The parent or guardian of the student having custody and control of the animal will be required to remove the service animal from District premises immediately upon notification by the School Principal.

If any student or staff member assigned to the classroom in which a service animal is permitted suffers an allergic reaction to the animal, the person having custody and control of the animal will be required to remove the animal to a different location designated by the Building Principal or designee and an alternative plan will be developed with appropriate District staff. Such a plan could include the reassignment of the person having custody and control of the animal to a different classroom. This will also apply if an individual on school transportation suffers an allergic reaction. In this case, an alternate plan will be developed in coordination with appropriate school, District, and transportation staff and will include the involvement of the parents/guardian of the student.

File: IMGA

When a student will be accompanied by a service animal at school or in other District facilities on a regular basis, such staff member or such student's parent or guardian, as well as the animal's owner and any other person who will have custody and control of the animal will be required to sign a document stating that they have read and understood the foregoing.

The Superintendent of Schools or their designee shall be responsible for developing procedures to accommodate a student's use of an assistance animal in District facilities and on school transportation vehicles.

LEGAL REF.: 28 CFR, Part 35

SECTION J

STUDENTS

JB	**EQUAL EDUCATIONAL OPPORTUNITIES**
JBB	**EDUCATIONAL EQUITY**
JCA	**ASSIGNMENT OF STUDENTS TO SCHOOLS**
JEB	**ENTRANCE AGE**
JF	**SCHOOL ADMISSIONS**
JFABC	**ADMISSION OF TRANSFER STUDENTS**
JFABD	**HOMELESS STUDENTS: ENROLLMENT RIGHTS AND SERVICES**
JFABE	**EDUCATIONAL OPPORTUNITIES FOR MILITARY CHILDREN**
JFABF	**EDUCATIONAL OPPORTUNITIES FOR CHILDREN IN FOSTER CARE**
JFBA	**INTRA-DISTRICT TRANSFER OF STUDENTS**
JFBB	**NON-RESIDENT STUDENTS**
JFBB	**SCHOOL CHOICE**
JH	**STUDENT ABSENCES AND EXCUSES**
JHD	**EXCLUSION AND EXEMPTIONS FROM SCHOOL ATTENDANCE**
JI	**STUDENT RIGHTS AND RESPONSIBILITIES**
JIB	**STUDENT INVOLVEMENT IN DECISION-MAKING**
JIC	**STUDENT DISCIPLINE**
JICA	**STUDENT DRESS CODE**
JICC	**STUDENT CONDUCT ON SCHOOL BUSES**
JICE	**STUDENT PUBLICATIONS**
JICF	**GANG ACTIVITY/SECRET SOCIETIES F**
JICFA	**PROHIBITION OF HAZING**
JICFA-E	**HAZING**

JICFB BULLYING PREVENTION

JICH ALCOHOL, TOBACCO AND DRUG USE BY STUDENTS PROHIBITED

JICJ STUDENT USE OF TECHNOLOGY IN SCHOOLS

JICJA USE OF CELL PHONES AND SMART DEVICES

JICK HARASSMENT OF STUDENTS

JIE PREGNANT STUDENTS

JIH SEARCHES AND INTERROGATIONS

JII STUDENT COMPLAINTS AND GRIEVANCES

JJ CO-CURRICULAR AND EXTRACURRICULAR ACTIVITIES

JJA STUDENT ORGANIZATIONS

JJE STUDENT FUND-RAISING ACTIVITIES

JJF STUDENT ACTIVITY ACCOUNTS

JJH STUDENT LATE NIGHT OR OVERNIGHT TRAVEL

JJH-R STUDENT TRAVEL REGULATIONS

JJIB INTERSCHOLASTIC ATHLETICS

JJIF ATHLETIC CONCUSSION POLICY

JJIF-R ATHLETIC CONCUSSION REGULATIONS

JK STUDENT CONDUCT

JKAA PHYSICAL RESTRAINT OF STUDENTS

JL STUDENT WELFARE

JLC STUDENT HEALTH SERVICES AND REQUIREMENTS

JLCA PHYSICAL EXAMINATIONS OF STUDENTS

JLCB IMMUNIZATION OF STUDENTS

JLCC COMMUNICABLE DISEASES

JLCD ADMINISTERING MEDICINES TO STUDENTS

JLCDC SELF-ADMINISTRATION AND SELF CARRY OF MEDICATIONS

JLCF LIFE THREATENING STUDENT ALLERGIES

JLIA RESPONSIBILITY FOR SUPERVISION OF STUDENTS

***JM APPROVAL OF SCHOLARSHIPS**

JQ STUDENT FEES, FINES, AND CHARGES

JRA STUDENT RECORDS (

JRD STUDENT PHOTOGRAPHS

File: JB

EQUAL EDUCATIONAL OPPORTUNITIES

In recognition of the diversified characteristics and needs of our students and with the keen desire to be responsive to them, the School Committee will make every effort to protect the dignity of the students as individuals. It also will offer careful consideration and sympathetic understanding of their personal feelings, particularly with reference to their 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.

To accomplish this, the Committee and its staff will make every effort to comply with the letter and the spirit of the Massachusetts equal educational opportunities law which prohibits discrimination in public school admissions and programs.

This will mean that every student will be given equal opportunity in school admission, admissions to courses, course content, support services, and extracurricular and athletic activities.

All implementing provisions issued by the Board of Elementary and Secondary Education in compliance with this law will be followed.

*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.

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
Title IX, Education Amendments of 1972
M.G.L. 76:5; 76:16 (Chapter 622 of the Acts of 1971)
603 CMR 26:00
603 CMR 28.00
The McKinney-Vento Act and Title I Part A, as Amended by the Every Student Succeeds Act of 2015
Acts of 2022, Chapter 117 - https://malegislature.gov/Laws/SessionLaws/Acts/2022/Chapter117

CROSS REF.: AC, Nondiscrimination

File: JBB

EDUCATIONAL EQUITY

The School Committee's goal is to strive to address the needs of every student in each of our schools, subject to budgetary, space and other limitations.

Educational equity for the purpose of this policy is defined as providing all students, as reasonably practical, the high quality instruction and support they need to reach and exceed a common standard.

To achieve educational equity the district will commit to:

1. Systematically, when appropriate, use districtwide and individual school level data, disaggregated by race/ethnicity, gender/gender identity, national origin, language, special education, socioeconomic status and mobility to inform district decision making.

2. Raise the achievement of all students.

3. Graduate all students ready to succeed in a diverse local, national and global community.

In order to reach the goal of educational equity for each and every student, the District shall:

1. Provide every student with access to high quality curriculum, support, and other educational resources.

2. Seek to promote educational equity as a priority in professional development and educator evaluation.

3. Endeavor to create schools with a welcoming and inclusive culture and environment.

4. Provide multiple pathways to success in order to meet the needs of the diverse student body and actively encourage, support and expect high academic achievement for each student.

The Superintendent shall include equity practices in the district's strategic plan and goal strategies to implement this policy. The Superintendent, upon request, will periodically report to the Committee the progress of the implementation of this policy.

File: JCA

ASSIGNMENT OF STUDENTS TO SCHOOLS

Generally, students will be required to attend school in the attendance area in which they reside, unless the Superintendent has granted special permission.

Special permission may be granted for the following reasons:

1. If the change involves a hardship case or if there are medical considerations.

2. If the change appears to be in the interests of the child, of the schools, or for disciplinary and administrative reasons.

3. If the legal residence of a child changes from one attendance area to another during the school year and the parents/guardians wish the child to remain in their former school; permission will not extend beyond the current school year.

4. To permit school students to take courses not offered in their assigned schools.

School bus transportation will not be provided for students attending schools outside their attendance area unless they can be accommodated on existing bus routes and schedules or a hardship is involved; or unless specific permission is granted by the Superintendent.

LEGAL REFS.: M.G.L. 71:37C; 71:37D; 71:37I; 71:37J
603 CMR 17.00
603 CMR 26.00

CROSS REF.: JCA-R

File: JEB

ENTRANCE AGE

In an attempt to permit children to enter school at the time most appropriate for them individually, the School Committee establishes the following policy on entrance age:

1. Children who will be five years of age prior to September 1st of the school year during which they wish to enroll will be eligible to enter kindergarten for that school year.

   The admission of children whose birthdays fall after September 1st will be solely at the school's discretion.

2. Initial admission of children to the first grade (or other grades) will involve a consideration of both chronological age and the readiness of the children to do the work of those grades.

LEGAL REFS.: M.G.L. 76:1
603 CMR 8.00

File: JF

SCHOOL ADMISSIONS

All children of school age who reside in the district will be entitled to attend the public schools, as will certain students who do not reside in the district but who are admitted under School Committee policies relating to nonresident students or by specific action of the School Committee.

Advance registration for prospective kindergarten students will take place in the spring. Every student seeking admission to school for the first time must present a birth certificate or equivalent proof of age acceptable to the Principal and proof of vaccination and immunizations as required by the state and the School Committee. Proof of residency of the individual holding legal guardianship may also be required by the school administration.

LEGAL REFS.: M.G.L. 15:1G; 76:1; 76:5; 76:15; 76:15A
603 CMR 26.00

CROSS REFS.: JLCA, Physical Examination of Students
JLCB, Immunization of Students
JFBB, School Choice
JFABD, Homeless Students: Enrollment Rights and Services
JFABE, Educational Opportunities for Military Children
JFABF, Educational Opportunities for Children in Foster Care

File: JFABC

ADMISSION OF TRANSFER STUDENTS

The school district will enroll and place students who have left Commonwealth charter schools by adhering to the same policies and procedures in place for any other student enrolling in the school district including, but not limited to, examination of the course of study and level of academic attainment of the student when determining the student's appropriate grade placement or eligibility for high school graduation.

To the same extent provided for other students enrolling in the school district, students who enroll in the school district from a Commonwealth charter school shall be subject to the graduation requirements of the school district, may have certain graduation requirements waived, and may make-up certain graduation requirements.

LEGAL REFS.: Chapter 12, Section 11 of the Acts of 2010

File: JFABD

HOMELESS STUDENTS: ENROLLMENT RIGHTS AND SERVICES

As required by law, the district will work with homeless children and youth and unaccompanied youth[1] (collectively, "homeless students") as well as their families or legal guardians to provide stability in school attendance and other services. Special attention will be given to ensuring the enrollment and attendance of homeless students not currently attending school. Homeless students will be provided district services for which they are eligible, including Head Start and comparable pre-school programs, Title I, similar state programs, special education, bilingual education, vocational and technical education programs, gifted and talented programs, school nutrition programs, summer programming and extracurricular activities.

Homeless students are defined as lacking a fixed, regular and adequate nighttime residence, including:

1. Sharing the housing of other persons due to loss of housing, economic hardship, or similar reason;
2. Living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations;
3. Living in emergency or transitional shelters;
4. Being abandoned in hospitals;
5. Living in public or private places not designed for or ordinarily used as regular sleeping accommodations for human beings;
6. Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations or similar settings; and
7. Migratory children living in conditions described in the previous examples.

Students Remaining in Schools of Origin

It is presumed to be in the best interest of homeless students to remain in their schools of origin, i.e. the school that the student was attending at the time they became homeless, or the last school the student attended prior to becoming homeless. Homeless students may continue to attend their school of origin for as long as they remain homeless or until the end of the academic year in which they obtain permanent housing. For homeless students who complete the final grade level served by the school of origin, the term "school of origin" shall also include the receiving school in the same school district educating students at the next grade level.

Homeless students are entitled to transportation comparable to that provided for all other students attending school in the district. The district will transport students who are sheltered or temporarily residing within the district to the students' school of origin. For homeless students attending a school of origin located outside the district in which the student is sheltered or temporarily residing, the district in

1 "A homeless child or youth not in the physical custody of a parent or guardian." 42 USC §11434a.

File: JFABD

which the school of origin is located will coordinate with the district in which the student is sheltered or temporarily residing to provide the transportation services necessary for the student, and these districts will divide the cost equally. Formerly homeless students who find permanent housing mid-school year will continue to receive transportation services until the end of the school year.

Students Enrolling in District Where Sheltered or Temporarily Residing

Parents or guardians may elect to enroll homeless students in the school district in which the student is sheltered or temporarily residing, rather than having the student remain in the school of origin. Enrollment changes for homeless students should take place immediately.

If homeless students are unable to provide written proof of their shelter or temporary residence in the district, the homeless liaison will work with the family seeking enrollment to determine homelessness. Information regarding a homeless student's living arrangement shall be considered a student education record, and not directory information. Records containing information about the homeless student's living arrangement may not be disclosed without the consent of the parent or satisfaction of another student-privacy related exemption.

If the student does not have immediate access to immunization records, the student shall be permitted to enroll under a personal exception. Students and families should be encouraged to obtain current immunization records or immunizations as soon as possible, and the district liaison is directed to assist. Emergency contact information is required at the time of enrollment consistent with district policies, including compliance with the state's address confidentiality program when necessary. After enrollment, the district will immediately request available records from the student's previous school.

Attendance rights by living in attendance areas, other student assignment policies, or intra and inter-district choice options are available to homeless families on the same terms as families who reside in the district. Accordingly, the district will provide transportation services to school in a manner comparable to the transportation provided for all other students in the district.

Dispute Resolution

If the district disagrees with a parent or guardian's decision to keep a student enrolled in the school of origin and considers enrollment in the district where the student is sheltered or temporarily residing to be in the student's best interest, the district will explain to the parent, in writing and in a language the parent can understand,[2] the rationale for its determination and provide parent with written notice of their rights to appeal the district's determination to the Massachusetts Department of Elementary and Secondary Education[3]. During the pendency of any such appeal, the student should remain enrolled in

2 Translation of communications of this type is required by Title I, among other laws. *See, e.g.* 20 USC § 6312.

3 Information about the dispute resolution process managed by the Department of Elementary and Secondary Education can be located here: https://www.doe.mass.edu/prs/

File: JFABD

the school selected by the parent or guardian, receiving transportation to school and access to other available services and programs.

The Massachusetts Department of Elementary and Secondary Education's Advisory on Homeless Education Assistance contains additional information about educating homeless students and the appeal process. This advisory is available at the following link: https://www.doe.mass.edu/sfs/mv/

Homeless Liaison

The Superintendent shall designate an appropriate staff person to be the district's liaison for homeless students and their families. The district's liaison for homeless students and their families shall coordinate with local social service agencies that provide services to homeless children and youths and their families; other school districts on issues of transportation and records transfers; and state and local housing agencies responsible for comprehensive housing affordability strategies. This coordination includes providing public notice of the educational rights of homeless students in locations such as schools, family shelters and soup kitchens. The district's liaison will also review and recommend amendments to district policies that may act as barriers to the enrollment of homeless students. The liaison shall ensure district staff receive professional development and other support on issues involving homeless students.

LEGAL REFS.: The McKinney-Vento Act and Title I, Part A, as Amended by the Every Student Succeeds Act of 2015

File: JFABE

EDUCATIONAL OPPORTUNITIES FOR MILITARY CHILDREN

To facilitate the placement, enrollment, graduation, data collection, and provision of special services for students transferring into or out of the District because of their parents or guardians being on active duty in the U.S. Armed Services, the District supports and will implement its responsibilities as outlined in the Interstate Compact on Educational Opportunity for Military Children. The district believes it is appropriate to remove barriers to educational success imposed on children of military families resulting from frequent moves required by parents' or guardians' military deployment.

Definitions

Children of military families: School aged children, enrolled in kindergarten through 12th grade, in the household of an active-duty member of the uniformed service of the United States, including members of the National Guard and Reserve serving on active duty.

Deployment: The period one month before the service members' departure from their home station on military orders through six months after return to their home station.

Education(al) records: Official records, files, and data directly related to a student and maintained by the school including, but not limited to, records encompassing all the material kept in the student's cumulative folder.

Eligible students are children of military families as well as the children of veterans who have been severely injured and medically discharged, and children of active-duty personnel who died on active duty. Children of retired active-duty personnel are also eligible to receive services for one year following the discharge due to severe injury, or the retirement or death of an active military parent. The Compact does not apply to children of inactive Guard or Reserves, veterans and retired personnel not included above, or U.S. Department of Defense personnel and other federal civil service employees and contract employees.

The District's responsibilities to eligible students include the following:

- Sending schools must send either official or unofficial records with the moving students and District receiving schools must use those records for immediate enrollment and educational placement.

- Upon enrollment of an eligible student, the receiving school must request official records and the sending schools shall respond within 10 days with the records.

- Immunization requirements of the District may be met within 30 days from the date of enrollment (or be in progress).

File: JFABE

- Receiving schools must initially honor placement of students in all courses from the sending school. These include, but are not limited to, Honors, International Baccalaureate, Advanced Placement, vocational-technical, and career pathway courses if those courses are offered in the receiving school and space is available. The receiving schools must also initially honor placement of like programs to those of the student in the sending state, including, but not limited to, Gifted and Talented programs, and English as a Second Language programs. Receiving schools are not precluded from performing subsequent evaluation to ensure the appropriate placement and continued enrollment of the student in courses and programs.

- In compliance with federal law, the district will assume financial and programmatic responsibility for the special education programs of students with existing IEPs drafted in other states.

- As appropriate, the District will exercise the right to waive prerequisites for all courses and programs, while also maintaining its right to re-evaluate the student to ensure continued enrollment, also as deemed appropriate.

- Students of active-duty personnel shall have additional excused absences, as necessary, for visitations relative to leave or deployment.

- An eligible student living with a noncustodial parent or other person standing in loco parentis shall be permitted to continue to attend the school in which they were enrolled while living with the custodial parent or guardian, without any tuition fee imposed.

- The District high school will accept exit or end-of-year exams required from the sending state, national norm-referenced tests, or alternate testing instead of testing requirements for graduation in the District (receiving state.) If this is not possible, the alternative provision of the Interstate Compact shall be followed to facilitate the on-time graduation of the student in accordance with Compact provisions.

LEGAL REFS: M.G.L. Part I, Title II, Chapter 15E,
Interstate Compact on Educational Opportunity for Military Children

File: JFABF

EDUCATIONAL OPPORTUNITIES FOR CHILDREN IN FOSTER CARE

The purpose of this policy is to ensure the educational stability of students in foster care. Educational stability has a lasting impact on students' academic achievement and wellbeing, and the School Committee is committed to supporting all efforts to ensure that students in foster care have equal access to high-quality, stable educational experiences from preschool (if offered) through high school graduation.

Irrespective of the location of a foster care placement, students in foster care will continue to attend their school of origin, unless after a collaborative decision-making process, it is determined to be in the student's best interest to enroll in and attend school in the district in which the student resides in foster care. Enrollment of students in the district where they reside in foster care will take place immediately upon such a determination.

The district has designated a point of contact for students in foster care. The district and the point of contact will collaborate with The Department of Children and Families (DCF) to ensure that students can access transportation and the other services to which they may be entitled.

Best Interest Determination

Decisions about whether a student in foster care should continue to attend the school of origin should be made collaboratively by DCF, the student (as appropriate), the student's family and/or foster family (or, if different, the person authorized to make educational decisions on behalf of the student), the school and district of origin, and (when appropriate) the local district where the student is placed. Best interest determinations should focus on the needs of each individual student and account for unique factors about the student and their foster care placement. Every effort should be made to reach agreement regarding the appropriate school placement of a student in foster care; however, DCF will finalize the best interest determination if the relevant parties cannot agree on the best school for the student to attend.

The district can seek review of DCF's decision by utilizing a Foster Care School Selection Dispute Resolution Process established by DESE and DCF. Decisions made through this process are not subject to review. To the extent feasible and appropriate, the district will ensure that a child remains in their school of origin while the disputes are being resolved to minimize disruptions and reduce the number of moves between schools.

Transportation

The district of origin must collaborate with DCF on how transportation will be arranged and provided to ensure that students in foster care who need transportation to remain in their school of origin will receive such transportation while they are in foster care.

File: JFABF

Transportation options may include using Title I funds, establishing regional collaborations among districts, coordinating with existing routes for transportation, seeking help from foster parent(s), etc. Absent other agreements between the district and DCF, the district of origin is responsible for providing transportation to and from the school of origin.

Immediate Enrollment

If it is in the best interest of a student in foster care to leave the school of origin, the student must be immediately enrolled in the district in which they reside in foster care. During enrollment of students in foster care, DCF representatives will present the district with a form indicating that the student is in foster care, along with a state-agency identification badge.

If the student does not have immediate access to immunization records, the student shall be permitted to enroll under a personal exception. Students and families should be encouraged to obtain current immunization records or immunizations as soon as possible, and the district liaison is directed to assist. Emergency contact information is required at the time of enrollment consistent with district policies, including compliance with the state's address confidentiality program when necessary. After enrollment, the district will immediately request available records from the student's previous school.

Attendance rights by living in attendance areas, other student assignment policies, or intra and inter-district choice options are available to students in foster care (homeless families) on the same terms as families who reside in the district. Accordingly, the district will provide transportation services to school in a manner comparable to the transportation provided for all other students in the district.

LEGAL REFS: Every Student Succeeds Act (ESSA);
Fostering Connections to Success and Increasing Adoptions Act of 2008 (Fostering Connections Act)

File: JFBA

INTRA-DISTRICT TRANSFER OF STUDENTS

It is the position of the School Committee and the Administration that each of the three elementary schools in the Central Berkshire Regional District:

- offers a high quality, well rounded, and educationally sound program, and;
- are appropriately staffed with high quality teachers and support personnel.

It is intended that all residents of the member towns of Becket, Cummington, Dalton, Hinsdale, Peru, Washington, and Windsor in grades kindergarten to five, inclusive, will receive their education in facilities located within the district and, initially, in the following schools: Becket and Washington residents at the Becket Washington School; Hinsdale and Peru residents at the Kittredge Elementary School; Cummington**,** Windsor**,** and Dalton residents at the Craneville Elementary School.

A student may be permitted to transfer from the school to which the student is to attend under Policy JFBA to an elementary school within the district upon request by their custodial parent/guardian and written approval by the Superintendent of Schools (or their designee) provided that:

1. the Superintendent (after consultation with the Principal) determines that such a reassignment is prudent and can be accomplished;

2. there is sufficient capacity in the receiving classroom to accommodate the incoming student (such capacity to be determined AFTER the Non-Resident Student provisions of Policy JFBB have been applied);

3. the Principal after meeting with the requested custodial parent/guardian determines the requested intra-district transfer is in the best interest of the student.

4. the School Committee reserves the right to review class sizes across the district's three elementary schools and use Intra-district transfer of students to adjust, if necessary, class sizes from school to school.

The following statement, present in Non-Resident Student Policy JFBB, applies to the school district's acceptance of the provisions of School Choice:

> *It is the policy of the Central Berkshire Regional School District to admit non-resident students under the terms and conditions of the Inter-district School Choice Law (M.G.L. 76:12), in order to enrich the educational experience of Central Berkshire Students by providing a more diverse student population and additional funding for the educational program of the District.*

To that end, in order to plan for fall enrollment figures, preference will be given to non-resident students over resident students requesting an intra-district transfer in determining the number of available seats that a classroom might have for intra-district transfers.

File: JFBA

Notwithstanding all of the provisions above, further consideration will be given on a case-by-case basis to custodial parent/guardian who can demonstrate a legitimate hardship that would prevent an appropriately positive educational experience to be received by such student in the school to which the student is to attend under Policy JFBA.

If an intra-district transfer request is granted, it will be incumbent upon the parent/guardian of the student to transport the student to school. However, transportation to school will be provided to the extent it is available and without additional cost to the district.

Custodial parents/guardians may request an intra-district transfer and must do so in writing to the Superintendent. To receive priority status for the following school year requests must be received no later than May 15th. All requests will be considered by the end of the business day on August 15. If on August 15 there are more applicants for transfers than there are slots to accommodate them, the building principal and central office administration will determine, using locally developed procedures, which students will be allowed to transfer. All custodial parents/guardians will be notified no later than August 16th of the status of their applications.

File: JFBB

SCHOOL CHOICE

It is the policy of this School District to admit non-resident students under the terms and conditions of the Interdistrict School Choice Law and under the following local conditions:

1. That by May 1 of every school year, the administration will determine the number of spaces in each school available to choice students.

2. That by June 1 of every school year, if consideration is being given to withdraw from the provisions of the choice law, a public meeting will be held to review this decision.

3. That the selection of non-resident students for admission be in the form of a random drawing when the number of requests exceeds the number of available spaces. There will be two drawings for this purpose. The first will take place during the last week of the current school year but no later than July 1st. The second will be conducted during the week immediately preceding the opening of the next school year and will be based on the possibility of unexpected additional openings.

4. Any student who is accepted for admission under the provisions of this policy is entitled to remain in the District until graduation from high school except if there is a lack of funding of the program.

5. The School Committee affirms its position that it shall not discriminate in the admission of any child 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, athletic performance, academic performance, or proficiency in the English language.

*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.

LEGAL REFS.: M.G.L. 71:6; 71:6A; 76:6; 76:12; 76:12B
603 CMR 26.00
Acts of 2022, Chapter 117 -
https://malegislature.gov/Laws/SessionLaws/Acts/2022/Chapter117

File: JH

STUDENT ABSENCES AND EXCUSES

Regular and punctual school attendance is essential for success in school. The Committee recognizes that parents/guardians of children attending our schools have special rights as well as responsibilities, one of which is to ensure that their children attend school regularly, in accordance with state law.

Therefore, students may be excused temporarily from school attendance for the following reasons: illness or quarantine; bereavement or serious illness in family; weather so inclement as to endanger the health of the child; and observance of major religious holidays.

A student may also be excused for other exceptional reasons with approval of the Principal or designee.

Accordingly, parents/guardians will provide a written explanation for the absence or tardiness of their child. This will be required in advance for types of absences where advance notice is possible.

In instances of chronic or irregular absence reportedly due to illness, the school administration may request a physician's statement certifying such absences to be justified.

Student Absence Notification Program

Each Principal or designee will notify a student's parent/guardian within 3 days of the student's absence in the event the parent/guardian has not informed the school of the absence.

Each Principal or designee shall make a reasonable effort to meet with any student, and that student's parent/guardian, who has missed five (5) or more unexcused school days (a school day shall be equal to two (2) or more class periods in the same day) in a school year. The meeting shall be to develop action steps to improve student attendance and shall be developed jointly by the Principal or designee, the student, and the student's parent/guardian. The parties may seek input from other relevant school staff and/or officials from relevant public safety, health and human service, housing, and nonprofit agencies.

Dropout Prevention

A student who has not graduated from high school and has been absent from school for ten (10) consecutive days of unexcused absence shall not be considered permanently removed from school unless the Principal has sent notice to the student, and that student's parent/guardian. The notice shall be sent within five (5) days of the tenth consecutive day of absence and shall offer at least 2 dates and times within the next ten (10) days for an exit interview with the Superintendent or designee, the student, and the student's parent/guardian. The notice shall be in both English and the primary language of the home, if applicable. The notice shall include contact information for scheduling the exit interview and shall indicate the parties shall reach an agreement on the date/time of the interview within the ten (10) day timeframe. The timeframe may be extended at the request of the parent/guardian and no extension shall exceed 14 days.

The Superintendent or designee may proceed with any interview without a parent/guardian present, provided the Superintendent has documented a good faith effort to include the parent/guardian.

The Superintendent or designee shall convene a team of school staff to participate in the exit interview and shall provide information to the student and, if applicable, the student's parent/guardian on the detrimental

effects of early withdrawal from school and the alternative education programs and services available to the student.

LEGAL REFS.: M.G.L. 76:1; 76:1A; 76:1B; 76:16; 76:18; 76:19; 76:20

File: JHD

EXCLUSIONS AND EXEMPTIONS FROM SCHOOL ATTENDANCE

Denial of Admission

Denial of admission means the withholding of the privilege of enrolling in a school of the District.

The following shall be the grounds for denial of admission to school or for diversion to an appropriate alternative program:

Graduation from the twelfth grade of any school or receipt of any document evidencing completion of the equivalent of a secondary curriculum;

Failure to meet the requirements of age for beginning school as fixed by the School Committee as provided in Massachusetts General Laws;

Not being a resident of the District and the District has opted not to participate in the School Choice Law;

Failure to comply with the provisions of the Massachusetts School Entry Immunization Law.

LEGAL REFS.: M.G.L. 76:12; 76:12A; 76:12B
603 CMR 26:00

CROSS REF: JEB, Entrance Age

File: JI

STUDENT RIGHTS AND RESPONSIBILITIES

The School Committee has the responsibility to afford students the rights that are theirs by virtue of guarantees offered under the federal and state constitutions and statutes. In connection with rights, there are responsibilities that must be assumed by students.

Among these rights and responsibilities are the following:

1. Civil rights-including the rights to equal educational opportunity and freedom from discrimination; the responsibility not to discriminate against others.

2. The right to attend free public schools; the responsibility to attend school regularly and to observe school rules essential for permitting others to learn at school.

3. The right to due process of law with respect to suspension, expulsion, and decisions the student believes injure their rights.

4. The right to free inquiry and expression; responsibility to observe reasonable rules regarding these rights.

5. The right to privacy, which includes privacy with respect to the student's school records.

It is the School Committee's belief that as part of the educational process students should be made aware of their legal rights, and of the legal authority of the School Committee to make and delegate authority to its staff to make rules regarding the orderly operation of the schools.

Students have the right to know the standards of behavior that are expected of them and the consequences of misbehavior.

The rights and responsibilities of students, including standards of conduct, will be made available to students and their parents/guardians through handbooks distributed annually.

LEGAL REFS.: M.G.L. 71:37H; 71:82 through 71:86

File: JIB

STUDENT INVOLVEMENT IN DECISION-MAKING

As appropriate to the age of students, class or school organizations and school government organizations, such as student councils, may be formed to offer practice in self-government and to serve as channels for the expression of students' ideas and opinions.

The Committee will take into consideration student opinions in establishing policies that directly affect student programs, activities, privileges and other areas of student sensitivity.

Students will be welcomed at Committee meetings and granted privileges of speaking in line with the privileges extended to the general public.

Student Advisory Committee

As required by state law, the Committee will meet at least once every other month while school is in session with its student advisory committee, which is composed of five students elected by the high school student body. The chair of the student advisory committee shall be an ex-officio nonvoting member of the School Committee without the right to attend executive sessions unless such right is expressly granted by the School Committee.

LEGAL REF.: M.G.L. 71:38M

CROSS REF.: BDF, Advisory Committees to the School Committee

File: JIC

STUDENT DISCIPLINE

The School Committee believes that all students deserve every opportunity to achieve academic success in a safe, secure learning environment. Good citizenship in schools is based on respect and consideration for the rights of others. Students will be expected to conduct themselves in a way that the rights and privileges of others are not violated. They will be expected to acknowledge constituted authority, to conform to school rules and to those provisions of law that apply to their conduct.

Each Principal shall include prohibited actions in the student handbook or other publication to be made available to students and parents/guardians.

Principals and staff shall not use academic punishment of any form as a consequence to inappropriate behaviors/actions by students.

The Principal may, as a disciplinary measure, remove a student from privileges, such as extracurricular activities and attendance at school-sponsored events, based on the student's misconduct. Such a removal is not subject to the remainder of this policy, law, or regulation.

The Superintendent shall provide each Principal with a copy of the regulations promulgated by DESE and shall have each Principal sign a document acknowledging receipt thereof, which shall be placed in their personnel file.

Suspension

In every case of student misconduct for which suspension may be imposed, a Principal shall consider ways to re-engage the student in learning. Unless specific reasons are documented as to why such alternative remedies are unsuitable or counter-productive, and/or in cases where the student’s continued presence in school would pose a specific, documentable concern about the infliction of serious bodily injury or other serious harm upon another person while in school, principal shall not suspend or exclude a student until alternatives have been employed and their use and results documented. Alternatives may include but shall not be limited to the use of evidence-based strategies and programs such as mediation, conflict resolution, restorative justice, and collaborative problem-solving.

The superintendent and/or principal shall also implement district/school-wide models to re-engage students in the learning process which shall include but not be limited to positive behavioral interventions and support models, and trauma sensitive learning models.

Notice of Suspension:

Except for emergency removal or an in-school suspension of less than 10 days, a Principal must provide the student and the parent/guardian oral and written notice, and provide the student an opportunity for a hearing and the parent/guardian an opportunity to participate in such hearing before imposing suspension as a consequence for misconduct. The Principal shall provide both oral and written notice to student and

parent/guardian in English and in the primary language of the home if other than English. The notice shall include the rights enumerated in law and regulation. To conduct a hearing without a parent/guardian present, the Principal must be able to document reasonable efforts to include the parent/guardian.

The principal or a designee shall notify the superintendent in writing, including by electronic means, of any out-of-school suspension imposed on a student enrolled in kindergarten through grade 3 prior to such suspension taking effect. That notification shall describe the student's alleged misconduct and the reasons for suspending the student out-of-school. For the purposes of this section, the term "out-of-school suspension" shall mean a disciplinary action imposed by school officials to remove a student from participation in school activities for 1 day or more.

For any suspension or exclusion under this section, the principal or designee of a school in which the student is enrolled, shall provide to the student and parent/guardian, notice of the charges and the reason for the suspension or exclusion in English and in the primary language spoken in the home of the student. The student shall receive the written notification and shall have the opportunity to meet with the principal, or a designee, to discuss the charges and reasons for the suspension or exclusion prior to the suspension or exclusion taking effect. The principal, or a designee, shall ensure that the parent or guardian of the student is included in the meeting, provided that such meeting may take place without the parent or guardian only if the principal, or a designee, can document reasonable efforts to include the parent or guardian in that meeting.

Emergency Removal

A Principal may remove a student from school temporarily when a student is charged with a disciplinary offense and the continued presence of the student poses a danger to persons or property, or materially and substantially disrupts the order of the school, and, in the Principal's judgment, there is no alternative available to alleviate the danger or disruption. The Principal shall immediately notify the Superintendent in writing of the removal including a description of the danger presented by the student.

The temporary removal shall not exceed two (2) school days following the day of the emergency removal, during which time the Principal shall:

1. Make immediate and reasonable efforts to orally notify the student and the student's parent/guardian of the emergency removal, the reason for the need for emergency removal, and the other matters required in the notice as referenced in the applicable regulation;
2. Provide written notice to the student and parent/guardian as required above. The notice shall include the rights enumerated in law and regulation;
3. Provide the student an opportunity for a hearing with the Principal that complies with applicable regulations, and the parent/guardian an opportunity to attend the hearing, before the expiration of the two (2) school days, unless an extension of time for hearing is otherwise agreed to by the Principal, student, and parent/guardian;
4. Render a decision orally on the same day as the hearing, and in writing no later than the following school day, which meets the requirements of applicable law and regulation.

File: JIC

The principal shall also ensure adequate provisions have been made for the student's safety and transportation prior to removal.

In School Suspension - not more than 10 days consecutively or cumulatively

The Principal may use in-school suspension as an alternative to short-term suspension for disciplinary offenses provided that the principal follows the process set forth in State regulation and the student has the opportunity to make academic progress.

Principal's Hearing - Short Term Suspension of up to 10 days

The hearing with the Principal shall be to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction.

At a minimum, the Principal shall discuss the disciplinary offense, the basis for the charge, and any other pertinent information.

The student also shall have an opportunity to present information, including mitigating facts, that the Principal should consider in determining whether other remedies and consequences may be appropriate as set forth in law and regulation.

The Principal shall provide the parent/guardian, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the Principal should consider in determining consequences for the student.

The Principal shall, based on the available information, including mitigating circumstances, determine whether the student committed the disciplinary offense, and, if so, what remedy or consequence will be imposed.

The Principal shall notify the student and parent/guardian of the determination and the reasons for it, and, if the student is suspended, the type and duration of suspension and the opportunity to make up assignments and such other school work as needed to make academic progress during the period of removal, as required by law and regulation. The determination shall be in writing and may be in the form of an update to the original written notice.

If the student is in a public preschool program or in grades K through 3, the Principal shall send a copy of the written determination to the Superintendent and explain the reasons for imposing an out-of-school suspension, before the short- term suspension takes effect.

Principal's Hearing - Long Term Suspension of more than 10 days but less than 90 days (consecutive or cumulative)

The hearing with the Principal shall be to hear and consider information regarding the alleged incident for which the student may be suspended, provide the student an opportunity to dispute the charges and explain the circumstances surrounding the alleged incident, determine if the student committed the disciplinary offense, and if so, the consequences for the infraction.

At a minimum, in addition to the rights afforded a student in a short-term suspension hearing, the student shall have the following rights: In advance of the hearing, the opportunity to review the student's record and the documents upon which the Principal may rely in making a determination to suspend the student or not; The right to be represented by counsel or a lay person of the student's choice, at the student's/parent's/guardian's expense; The right to produce witnesses on their behalf and to present the student's explanation of the alleged incident, but the student may not be compelled to do so; The right to cross-examine witnesses presented by the school district; The right to request that the hearing be recorded by the Principal, and to receive a copy of the audio recording upon request. If the student or parent/guardian requests an audio recording, the Principal shall inform all participants before the hearing that an audio record will be made and a copy will be provided to the student and parent/guardian upon request.

The Principal shall provide the parent/guardian, if present, an opportunity to discuss the student's conduct and offer information, including mitigating circumstances, that the Principal should consider in determining consequences for the student.

The Principal shall, based on the evidence, determine whether the student committed the disciplinary offense, and, if so, after considering mitigating circumstances and alternatives to suspension as required by law and regulation, what remedy or consequence will be imposed, in place of or in addition to a long-term suspension. The Principal shall send the written determination to the student and parent/guardian by hand-delivery, certified mail, first-class mail, email to an address provided by the parent/guardian for school communications, or any other method of delivery agreed to by the Principal and the parent/guardian. The notice shall include the rights enumerated in law and regulation.

If the Principal decides to suspend the student, the written determination shall: Identify the disciplinary offense, the date on which the hearing took place, and the participants at the hearing; Set out the key facts and conclusions reached by the Principal; Identify the length and effective date of the suspension, as well as a date of return to school; Include notice of the student's opportunity to receive education services to make academic progress during the period of removal from school as required by law and regulation; Inform the student of the right to appeal the Principal's decision to the Superintendent or designee, but only if the Principal has imposed a long-term suspension. Notice of the right of appeal shall be in English and the primary language of the home if other than English, or other means of communication where appropriate, and shall include the following information: The process for appealing the decision, including that the student or parent/guardian must file a written notice of appeal with the Superintendent within five (5) calendar days of the effective date of the long-term suspension; provided that within the five (5) calendar days, the student or parent/guardian may request and receive from the Superintendent an extension of time for filing the written notice for up to seven (7) additional calendar days; and that the long-term suspension will remain in effect unless and until the Superintendent decides to reverse the Principal's determination on appeal.

File: JIC

If the student is in a public preschool program or in grades K through 3, the Principal shall send a copy of the written determination to the Superintendent and explain the reasons for imposing an out-of-school suspension before the suspension takes effect.

Superintendent's Hearing

A student who is placed on long-term suspension following a hearing with the Principal shall have the right to appeal the Principal's decision to the Superintendent.

The student or parent/guardian shall file a notice of appeal with the Superintendent within the time period noted above (see Principal's hearing - Suspension of more than 10 days). If the appeal is not timely filed, the Superintendent may deny the appeal, or may allow the appeal in their discretion, for good cause.

The Superintendent shall hold the hearing within three (3) school days of the student's request, unless the student or parent/guardian requests an extension of up to seven (7) additional calendar days, in which case the Superintendent shall grant the extension.

The Superintendent shall make a good faith effort to include the parent/guardian in the hearing. The Superintendent shall be presumed to have made a good faith effort if they have made efforts to find a day and time for the hearing that would allow the parent/guardian and Superintendent to participate. The Superintendent shall send written notice to the parent/guardian of the date, time, and location of the hearing.

The Superintendent shall conduct a hearing to determine whether the student committed the disciplinary offense of which the student is accused, and if so, what the consequence shall be. The Superintendent shall arrange for an audio recording of the hearing, a copy of which shall be provided to the student or parent/guardian upon request. The Superintendent shall inform all participants before the hearing that an audio record will be made of the hearing and a copy will be provided to the student and parent/guardian upon request. The student shall have all the rights afforded the student at the Principal's hearing for long-term suspension.

The Superintendent shall issue a written decision within five (5) calendar days of the hearing which meets the requirements of law and regulation. If the Superintendent determines that the student committed the disciplinary offense, the Superintendent may impose the same or a lesser consequence than the Principal, but shall not impose a suspension greater than that imposed by the Principal's decision. The decision of the Superintendent shall be the final decision of the school district with regard to the suspension.

Expulsion

Expulsion is defined as the removal of a student from school for more than ninety (90) school days, indefinitely, or permanently as allowed by law for possession of a dangerous weapon; possession of a controlled substance; assault on a member of the educational staff; or a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a Principal determines that the student's continued presence in school would have a substantial detrimental effect on the general welfare of the school.

File: JIC

Any student excluded from school for such an offense shall be afforded an opportunity to receive educational services and make academic progress.

Academic Progress

Any student who is suspended or excluded shall have the opportunity to earn credits, make up assignments, tests, papers, and other schoolwork as needed to make academic progress during the period of their removal from the classroom or school. The Principal shall inform the student and parent/guardian of this opportunity in writing, in English and in the primary language of the home, when such suspension or expulsion is imposed.

Any student who is excluded or suspended from school for more than ten (10) consecutive days, whether in school or out of school, shall have an opportunity to receive education services and make academic progress toward meeting state and local requirements, through the school-wide education service plan.

The Principal shall develop a school-wide education service plan describing the education services that the school district will make available to students who are excluded or suspended from school for more than ten (10) consecutive days. The plan shall include the process for notifying such students and their parents/guardians of the services and arranging such services. Education services shall be based on, and be provided in a manner consistent with, the academic standards and curriculum frameworks established for all students under the law.

The Principal shall notify the parent/guardian and student of the opportunity to receive education services at the time the student is excluded or placed on long-term suspension. Notice shall be provided in English and in the primary language spoken in the student's home if other than English, or other means of communication where appropriate. The notice shall include a list of the specific education services that are available to the student and contact information for a school district staff member who can provide more detailed information.

For each student excluded or suspended from school for more than ten (10) consecutive days, whether in-school or out-of- school, the school district shall document the student's enrollment in education services. For data reporting purposes, the school shall track and report attendance, academic progress, and such other data as directed by the Department of Elementary and Secondary Education.

Reporting

The school district shall collect and annually report data to the DESE regarding in-school suspensions, short- and long- term suspensions, expulsions, emergency removals, access to education services, and such other information as may be required by the DESE.

The Principal of each school shall periodically review discipline data by selected student populations, including but not limited to race and ethnicity, gender, socioeconomic status, English language learner status, and student with a disability status in accordance with law and regulation.

File: JIC

LEGAL REFS: M.G.L. 71:37H; 71:37H ½; 71:37H ¾; 76:17; 76:21
603 CMR 53.00
603 CMR 53.10(3) through (5)
603 CMR 53.13(1)
Chapter 222 An Act Relative to Student Access to Educational Services and Exclusion from School

REFS.: Supporting Students with Disabilities and Avoiding the Discriminatory Use of Student Discipline under Section 504 of the Rehabilitation Act of 1973
https://www2.ed.gov/about/offices/list/ocr/docs/504-discipline-guidance.pdf

Questions and Answers Addressing the Needs of Children with Disabilities and the Individuals with Disabilities Education Act's (IDEA's) Discipline Provisions. - https://sites.ed.gov/idea/files/qa-addressing-the-needs-of-children-with-disabilities-and-idea-discipline-provisions.pdf

CROSS REF: STUDENT HANDBOOK

NOTE: The DESE regulations on student discipline and this policy, consistent with law, set forth the minimum procedural requirements applicable to the suspension of a student for a disciplinary offense other than: possession of a dangerous weapon; possession of a controlled substance; assault on a member of the educational staff; or a felony charge or felony delinquency complaint or conviction, or adjudication or admission of guilt with respect to such felony, if a Principal determines that the student's continued presence in the school would have a substantial detrimental effect on the general welfare of the school, as provided in M.G.L. c. 71, S. 37H or 37H½. The Principal, pursuant to the previously referenced statute may remove a student who has committed any of the disciplinary offenses above referenced from school for more than 90 days in a school year except that the removal from school for such offenses is subject to the provision of continuing educational services needed to make academic progress and, the requirement that all school districts regardless of the type of offense shall report school discipline data and analysis to DESE. Also, the prohibited actions above referenced are subject to the provision that allows the Commissioner to investigate each school that has a significant number of students suspended and excluded for more than 10 cumulative days in a school year and to make recommendations thereon.

File: JICA

STUDENT DRESS CODE

The responsibility for the dress and appearance of the students will rest with individual students and parents/guardians.

They have the right to determine how the student will dress providing that attire is not destructive to school property, complies with requirements for health and safety, and does not cause disorder or disruption. The administration is authorized to take action in instances where individual dress does not meet the stated requirements.

This does not mean that student, faculty, or parent groups may not recommend appropriate dress for school or special occasions. It means that students will not be prevented from attending school or a school function, or otherwise be discriminated against, so long as their dress and appearance meet the requirements set forth above.

LEGAL REF.: Creating a Respectful and Open World for Natural Hair Act of 2022
https://www.congress.gov/bill/117th-congress/house-bill/2116/text
M.G.L. 71:83

File: JICC (also EEAEC)

STUDENT CONDUCT ON SCHOOL BUSES

The School Committee and its staff share with students and parents/guardians the responsibility for student safety during transportation to and from school. The authority for enforcing School Committee requirements of student conduct on buses will rest with the Principal.

To ensure the safety of all students who ride in buses, it may occasionally be necessary to revoke the privilege of transportation from a student who abuses this privilege. Parents/guardians of children whose behavior and misconduct on school buses endangers the health, safety, and welfare of other riders will be notified that their children face the loss of transportation privileges in accordance with CBRSD Code of Conduct as approved by the School Committee.

CROSS REF: CODE OF CONDUCT

File: JICE

STUDENT PUBLICATIONS

Within the school setting, students enjoy the constitutional right of freedom of expression, including the right to express their views in student publications, provided such expression does not cause, or threaten to cause by reasonable forecast by school officials, any disruption or disorder in the school. Additionally, such constitutional right of freedom of expression does not include expression which is obscene, defamatory, or advocates violence or illegality where such advocacy is imminently likely to incite the commission of such acts to the detriment of school security, or which can reasonably be forecast to cause substantial disruption or material interference with school activities.

Student publications will be encouraged to comply with the rules for responsible journalism. Students shall affix their names to all articles or editorials written by or contributed to by them. The Superintendent will establish guidelines that are in keeping with this policy and provide for review of student publications prior to their distribution, to address matters that are not protected forms of expression.

Each student publication shall contain the following: "Pursuant to state law, no expression made by students in the exercise of such rights shall be deemed to be an expression of school policy and no school officials shall be held responsible in any civil or criminal action for any expression made or published by the students."

Distribution of Literature

The time, place and manner of distribution of literature will be reasonably regulated by the Principal.

LEGAL REF.: M.G.L. 71:82

File: JICF

GANG ACTIVITY/SECRET SOCIETIES

The goal of the School Committee is to keep District schools and students free from the threats or harmful influence of any gang. For purposes of this policy, gang is defined as any group, secret society, organization or association that advocates drug use, violence, ethnic intimidation, or disruptive or illegal behavior. The Principal or their designee shall maintain supervision of school premises to deter intimidation of students and confrontations between members of different gangs.

The Superintendent shall establish open lines of communication with local law enforcement agencies so as to share information and provide mutual support in this effort within appropriate legal guidelines.

Symbols

The School Committee finds that gang symbols are inherently disruptive to the educational process, and therefore prohibits the presence of any insignia, apparel, jewelry, accessory, notebook or other school supply, or manner of grooming which by virtue of its color, arrangement, trademark, or any other attribute denotes membership in gangs. The School Committee further prohibits any demonstration of gang membership through the use of hand gestures, graffiti, or printed materials. This policy shall be applied by the Principal or their designee as the need for it arises at individual school sites. A student may be suspended or expelled for failure to comply with the provisions of this policy.

Prevention Education

The School Committee realizes that students may become involved in gangs without understanding the consequences of such membership. Early intervention is a key component of efforts to break the cycle of such memberships. Therefore, gang violence prevention information shall be made available in the elementary, middle, and high schools as appropriate.

SECRET SOCIETIES

Fraternities, sororities and/or secret societies shall not receive District or building recognition in any manner.

A student may be suspended or expelled for failure to comply with the provisions of this policy.

File: JICFA

PROHIBITION OF HAZING

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No student, employee or school organization under the control of the School Committee shall engage in the activity of hazing a student while on or off school property, or at a school sponsored event regardless of the location. No organization that uses the facilities or grounds under the control of the School Committee shall engage in the activity of hazing any person while on school property.

Any student who observes what appears to them to be the activity of hazing another student or person should report such information to the Principal including the time, date, location, names of identifiable participants and the types of behavior exhibited. Students and employees of the District are obligated by law to report incidents of hazing to the police department.

Any student who is present at a hazing has the obligation to report such an incident. Failure to do so may result in disciplinary action by the school against that student and could involve suspension from school for up to three days.

Any student who participates in the hazing of another student or other person may, upon the approval of the Principal, be suspended from school for up to ten (10) school days.

Any student determined by the Principal to be the organizer of a hazing activity may be recommended for expulsion from school but will receive no less disciplinary action than that of a participant.

In all cases relating to hazing, students will receive procedural due process.

LEGAL REF.: M.G.L. 269:17, 18, 19

CROSS REF: STUDENT HANDBOOK

File: JICFA-E

HAZING

CH. 269, S.17. HAZING; ORGANIZING OR PARTICIPATING; HAZING DEFINED

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

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

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

CH. 269, S.18. FAILURE TO REPORT HAZING

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

CH. 269, S.19. COPY OF SECTIONS 17 TO 19; ISSUANCE TO STUDENTS AND STUDENT GROUPS, TEAMS AND ORGANIZATIONS; REPORT

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

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

of this section and said sections seventeen and eighteen, that each of its members, plebes, pledges, or applicants has received a copy of sections seventeen and eighteen, and that such group, team or organization understands and agrees to comply with the provisions of this section and sections seventeen and eighteen.
Each institution of secondary education and each public or private institution of post-secondary education shall, at least annually, before or at the start of enrollment, deliver to each person who enrolls as a full time student in such institution a copy of this section and sections seventeen and eighteen.

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

File: JICFB

BULLYING PREVENTION

The School Committee is committed to providing a safe, positive and productive educational environment where students can achieve the highest academic standards. No student shall be subjected to harassment, intimidation, bullying, or cyber-bullying.

"Bullying" is the repeated use by one or more students or school staff members of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, directed at a target that:

- causes physical or emotional harm to the target or damage to the target's property;
- places the target in reasonable fear of harm to themselves, or of damage to their property;
- creates a hostile environment at school for the target;
- infringes on the rights of the target at school; or
- materially and substantially disrupts the education process or the orderly operation of a school.

"Cyber-bullying" means bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature.

Cyber-bullying shall also include the creation of electronic medium in which the creator assumes the identity of another person or knowingly impersonates another person as author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying.

Cyber-bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

Bullying and cyber-bullying may occur in and out of school, during and after school hours, at home and in locations outside of the home. When bullying and cyber-bullying are alleged, the full cooperation and assistance of parents/guardians and families are expected.

For the purpose of this policy, whenever the term bullying is used it is to denote either bullying, or cyber-bullying.

Bullying is prohibited:

- On school grounds;
- On property immediately adjacent to school grounds;
- At school-sponsored or school-related activities;
- At functions or programs whether on or off school grounds
- At school bus stops;

- On school buses or other vehicles owned, leased or used by the school district; or,
- Through the use of technology or an electronic device owned, leased or used by the school district;

Bullying and cyber-bullying are prohibited at a location, activity, function or program that is not school-related or through the use of technology or an electronic device that is not owned, leased or used by the school district if the act or acts in question:

- create a hostile environment at school for the target;
- infringe on the rights of the target at school; and/or
- materially and substantially disrupt the education process or the orderly operation of a school.

Prevention and Intervention Plan

The Superintendent and/or their designee shall oversee the development of a prevention and intervention plan, in consultation with all district stakeholders, which may include teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents and guardians, consistent with the requirements of this policy, as well as state and federal laws. The bullying prevention and intervention plan shall be reviewed and updated at least biennially.

The Principal is responsible for the implementation and oversight of the bullying prevention and implementation plan within their school.

Reporting

Students, who believe that they are a target of bullying, observe an act of bullying, or who have reasonable grounds to believe that these behaviors are taking place, are obligated to report incidents to a member of the school staff. The target shall, however, not be subject to discipline for failing to report bullying.

Each school shall have a means for anonymous reporting by students of incidents of bullying. No formal disciplinary action shall be taken solely on the basis of an anonymous report.

Any student who knowingly makes a false accusation of bullying shall be subject to disciplinary action.

Parents or guardians, or members of the community, are encouraged to report an incident of bullying as soon as possible.

A member of a school staff shall immediately report any instance of bullying the staff member has witnessed or become aware of to the school principal or their designee.

Investigation Procedures

The Principal or their designee, upon receipt of a report, shall promptly contact the parents or guardians of a student who has been the alleged target or alleged perpetrator of bullying. The actions being taken to prevent further acts of bullying shall be discussed.

The school Principal or a designee shall promptly investigate the report of bullying, using a Bullying/Cyber-bullying Report Form which may include interviewing the alleged target, alleged perpetrator, staff members, students and/or witnesses.

Support staff shall assess an alleged target's needs for protection and create and implement a safety plan that shall restore a sense of safety for that student.

Confidentiality shall be used to protect a person who reports bullying, provides information during an investigation of bullying, or is witness to or has reliable information about an act of bullying.

If the school Principal or a designee determines that bullying has occurred they shall take appropriate disciplinary action and if it is believed that criminal charges may be pursued against the perpetrator, the principal shall consult with the school's resource officer and the Superintendent to determine if criminal charges are warranted. If it is determined that criminal charges are warranted, the local law enforcement agency shall be notified.

The investigation shall be completed within fourteen school days from the date of the report. The parents or guardians shall be contacted upon completion of the investigation and informed of the results, including whether the allegations were found to be factual, whether a violation of this policy was found, and whether disciplinary action has or shall be taken. At a minimum the Principal or their designee shall contact the parents or guardians as to the status of the investigation on a weekly basis.

Disciplinary actions for students who have committed an act of bullying or retaliation shall be in accordance with district disciplinary policies.

Each school shall document any incident of bullying that is reported per this policy and a file shall be maintained by the Principal or designee. A monthly report shall be provided to the Superintendent.

Confidentiality shall be maintained to the extent consistent with the school's obligations under law.

Retaliation

Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying, shall be prohibited.

Target Assistance

The school district shall provide counseling or referral to appropriate services, including guidance, academic intervention, and protection to students, both targets and perpetrators, affected by bullying, as necessary.

Training and Assessment

Annual training shall be provided for school employees and volunteers who have significant contact with students in preventing, identifying, responding to, and reporting incidents of bullying.

Age-appropriate, evidence-based instruction on bullying prevention shall be incorporated into the curriculum for all K to 12 students.

Publication and Notice

Annual written notice of the relevant sections of the bullying prevention and intervention plan shall be provided to students and their parents or guardians, in age-appropriate terms.

Annual written notice of the bullying prevention and intervention plan shall be provided to all school staff. The faculty and staff at each school shall be trained annually on the bullying prevention and intervention plan applicable to the school.

Relevant sections of the bullying prevention and intervention plan relating to the duties of faculty and staff shall be included in the school employee handbook.

The bullying prevention and intervention plan shall be posted on the school district website.

LEGAL REFS.: Title VII, Section 703, Civil Rights Act of 1964 as amended

Federal Regulation 74676 issued by EEO Commission

Title IX of the Education Amendments of 1972

603 CMR 26.00

M.G.L. 71:37O; 265:43, 43A; 268:13B; 269:14A

REFERENCES: Massachusetts Department of Elementary and Secondary Education's Model Bullying Prevention and Intervention Plan

CROSS REFS.: AC, Nondiscrimination
ACAB, Sexual Harassment
JIC, Student Discipline
JICFA, Prohibition of Hazing

File: JICH

ALCOHOL, TOBACCO, AND DRUG USE BY STUDENTS PROHIBITED

A student shall not, regardless of the quantity, use or consume, possess, buy or sell, or give away any beverage containing alcohol; any tobacco product, including vapor/E-cigarettes; marijuana; steroids; or any controlled substance. The School Committee prohibits the use or consumption by students of alcohol, tobacco products, or drugs on school property, at any school function, or at any school sponsored event.

Additionally, any student who is under the influence of drugs or alcoholic beverages prior to, or during, attendance at or participation in a school-sponsored activity, will be barred from that activity and may be subject to disciplinary action.

Verbal Screening

- The school district shall utilize, in accordance with law, a verbal screening tool approved by the Department of Elementary and Secondary Education to screen students for substance abuse disorders. The tool shall be administered by trained staff on an annual basis at grades 7 and 9.

- Parents/guardians shall be notified prior to the opening of school each year. Parents/guardians shall have the right to opt out of the screening by written notice prior to or during the screening.

- All statements made by a student during a screening are confidential and shall not be disclosed except in the event of immediate medical emergency or in accordance with law. De-identified results shall be reported to the Department of Public Health within 90 days of the completion of the screening process.

This policy shall be posted on the district's website and notice shall be provided to all students and parents/guardians of this policy in accordance with state law. Additionally, the district shall file a copy of this policy with DESE in accordance with law in a manner requested by DESE.

LEGAL REFS.: M.G.L.71:2A; 71:96; 71:97; 272:40A

CROSS REFS.: ADC, Tobacco Products on School Premises Prohibited
GBEC, Drug Free Workplace Policy
GBED, Tobacco use on School Property by Staff Members Prohibited
IHAMB, Teaching About Drugs, Alcohol, and Tobacco

File: JICJ

STUDENT USE OF TECHNOLOGY IN SCHOOLS

The School Committee recognizes that the use of technology is an important part of students being prepared for adult life. As such, the student use of technology part of their education is to be encouraged, as teaching students appropriate use of technology is part of the responsibility of the district.

Annually, all students must agree to and sign an appropriate digital use form developed by the Superintendent in conjunction with the Director of Technology; this form must also be signed for the parent or guardian for students under the age of 18.

Students shall utilize digital resources in a responsible, efficient, ethical, and legal manner. Students are required to abide by the district Code of Conduct in their use, both on and offline, of district digital resources, which should be regarded as an extension of the classroom.

Students are reminded that there is no expectation of privacy in the use of district digital resources.

Failure to abide by district policies and procedures regarding the use of district digital resources will be met with consequences.

LEGAL REF: 47 USC § 254

CROSS REF: ACAB SEXUAL HARRASSMENT
JICFB BULLYING PREVENTION
JK STUDENT CONDUCT
INJD ACCESS TO DIGITAL RESOURCES
INJDC ACCEPTABLE USE OF DIGITAL RESOURCES

File: JICJA

USE OF CELL PHONES AND SMART DEVICES

The purpose of this policy is to ensure that student and staff use of cell phones and other electronic devices does not interfere with the education program or school activities within the CBRSD. Cell phones are defined in general as current and emerging technologies that are wireless units that send and/or receive electronic communications (data) in an analog or digital form. Other types of electronic devices include any mechanical or electrical device that can play, record, store, or transmit sounds, images, or data and that are not provided as part of the educational process by the district.
Central Berkshire is not responsible for any lost, stolen or damaged cell phones or electronic devices. Students or staff who bring these items to school do so at their own risk.

Student Policy
CBRSD recognizes the value of instructional time and establishes that the use and possession of cell phones and electronic devices at school or on school property is a privilege, not a right.
Therefore, students who choose to bring cell phones and electronic devices to school or onto school property, including buses, agree to the following policy:

1. The use of cell phones and smart devices by students is prohibited during school hours.
2. If a student violates this cell phone policy consequences will follow the Code of Conduct.
3. Earbuds and headphones may only be used with prior permission from a teacher or administrator and can also be stored in the pouch.

Any allowable use of cell phones and electronic devices must not violate existing school policies including but not limited to policies regarding: bullying, intimidating, and harassing behaviors via texting and social networking sites; academic integrity (e.g., sharing of assessment or assignment information); safety protocols (e.g., fire drill procedures, hallway passing, etc.); acts that may interfere with the learning opportunities of other students or the orderly operation of the school; and use of a cell phone or electronic device with camera, video or voice recording function in a way or under circumstances which infringe the privacy rights of others (e.g., recording the voice or image of any individual without his/her consent is strictly prohibited).

Staff Policy
CBRSD recognizes the value of instructional time and therefore staff has a responsibility to model a appropriate use of technology by refraining from the use of cell phones and other personal electronic devices during instructional time and in our instructional spaces.

Legal references: MGL Chapter 72 Section 99 is the recording/wiretapping MGL

CROSS REF: JICJ Student Use of Technology in Schools

File: JICK

HARASSMENT OF STUDENTS

Harassment of students by other students, employees, vendors and other third parties will not be tolerated in the Central Berkshire Regional Public Schools. 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.

File: JICK

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.

*race to include traits historically associated with race, including, but not limited to, hair texture, hair type, hair length and protective hairstyles.

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
Acts of 2022, Chapter 117 -
https://malegislature.gov/Laws/SessionLaws/Acts/2022/Chapter117

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

File: JIE

PREGNANT STUDENTS

The School Committee wishes to preserve educational opportunities for those students who may become pregnant and/or take on parenting responsibilities.

Pregnant students are permitted to remain in regular classes and participate in extracurricular activities with non-pregnant students throughout their pregnancy, and after giving birth are permitted to return to the same academic and extracurricular program as before the leave.

The school district does not require a pregnant student to obtain the certification of a physician that the student is physically and emotionally able to continue in school.

Every effort will be made to see that the educational program of the student is disrupted as little as possible; that health counseling services, as well as instruction, are offered; that return to school after leave is encouraged; and that every opportunity to complete high school is provided.

LEGAL REFS.: M.G.L. 71:84
Title IX: 20 U.S.C. § 1681
34 CFR § 106.40(b)

File: JIH

SEARCHES AND INTERROGATIONS

Searches by Staff

The right of inspection of students' school lockers is inherent in the authority granted school committees and administrators. This authority may be exercised as needed in the interest of safeguarding children, their own property and school property.

Nevertheless, exercise of that authority by school officials places unusual demands upon their judgment so as to protect each child's constitutional rights to personal privacy and protection from coercion and to act in the best interest of all students and the schools.

Searches by school officials of students' automobiles or the student will be conducted in a way that protects the students' rights consistent with the responsibility of the school district to provide an atmosphere conducive to the educational process.

Interrogations by Police

The schools have legal custody of students during the school day and during hours of approved extracurricular activities. It is the responsibility of the school administration to protect each student's rights with respect to interrogations by law enforcement officials. Therefore:

1. When law enforcement officials find it necessary to question students during the school day or periods of extracurricular activities, the school Principal or their designee will be present when possible. An effort will be made to contact the student's parent or guardian so that the responsible individual may be notified of the situation.

2. If custody and/or arrest are involved, the Principal will observe that all procedural safeguards, as prescribed by law, are followed by the law enforcement officials.

File: JII

STUDENT COMPLAINTS AND GRIEVANCES

The School Committee recognizes that there may be conditions in the school district that are in need of improvement and that students should have some means by which their concerns may be effectively expressed, considered, and dealt with fairly. Such means, if well-conceived and understood in advance, can do much to maintain harmonious relationships among the schools and the students and community. Every attempt will be made to seek a satisfactory solution to any concerns in a friendly and informal manner.

Students and their parents and/or guardians who believe that a student has received unfair treatment may bring forward their grievance through the appropriate channels. Appeals of disciplinary cases will be required to follow the district's policy on student discipline. Any applicable provisions of the Massachusetts General Laws or federal law will be followed by school officials in conducting hearings.

CROSS REF: JIB, Student Involvement in Decision Making
JIC, Student Discipline

File: JJ

CO-CURRICULAR AND EXTRACURRICULAR ACTIVITIES

The School Committee believes that student activities are a vital part of the total educational program and should be used as a means for developing wholesome attitudes and good human relations and knowledge and skills. Therefore, the schools will provide a broad and balanced program of activities geared to the various ages, interests, and needs of students.

The following will serve as guides in the organization of student activities:

1. The goal for each student will be a balanced program of appropriate academic studies and activities to be determined by the school, the parents/guardians, and the student. This should be a shared responsibility.

2. Guidance will be offered to encourage participation of all students in appropriate activities and to prevent over-emphasis on extracurricular activities at the cost of academic performance.

3. All activities, clubs, and groups will have a faculty advisor.

LEGAL REF.: M.G.L. 71:47
603 CMR 26.00

File: JJA

STUDENT ORGANIZATIONS

Student Organizations

Student organizations in the District shall be encouraged when they meet the criteria of contributing to student self-esteem and performance and should operate within the framework of state statutes, School Committee policies, and administrative procedures.

Each building Principal shall develop general guidelines for the establishment and operation of student organizations within the particular school. Among other provisions, such guidelines shall require the approval of the Principal prior to the formation of any club or organization in the school and the assignment of at least one faculty or designated adult advisor to each approved student organization. Within such guidelines will be provisions for a periodic review of all student organizations.

The formation of any student organization that may engage in activities of a controversial nature shall require approval by the principal and superintendent.

All student organizations shall be required to open membership to all interested and/or eligible students. Disruptive groups, secret societies, and/or gangs shall not receive recognition in any manner under this policy.

All forms of hazing in initiations shall be prohibited in a student organization. No initiation shall be held for a student organization which will bring criticism to the school district or be degrading to the student.

The faculty or designated adult advisor must attend every meeting of the student organization whether conducted on school premises or at another location.

Student Organizations - High Schools

In addition to the above requirements, all clubs or organizations at the high school level will relate to the subject matter covered by the curriculum. The Principal is responsible for determining that the purpose of a student organization is related to the curriculum. The Principal is authorized to deny requests by unauthorized student organizations desiring to meet or form in a particular school, the Principal shall inform the group of the reasons for the denial. The students and/or group may submit a written request to the appropriate District administrator for review of the Principal's decision.

CROSS REF: JICF, Gang Activities/Secret Societies
STUDENT HANDBOOK

LEGAL REF.: 603 CMR 26.00

File: JJE

STUDENT FUND-RAISING ACTIVITIES

While the School Committee recognizes that fundraising activities have become a part of the school environment at all levels, the Committee wishes to ensure that students are not exploited by the process. The Committee further recognizes that families have different resources; those differences should, as much as possible, not be highlighted by school activities, including fundraising.

The Committee supports student involvement in the sale of tickets to scheduled athletic events, school dramatic and musical performances, and other school events where sales are required. Also, student publications which require the sale of advertising to sustain themselves and serve the student body and/or the community may involve students in such sales.

Charitable fundraising activities, especially those that are part of a community service event or program are encouraged provided such proposals are submitted to and approved by both the building Principal and the Superintendent.

Other fundraising activities that would involve students in the fundraising process shall be submitted to the Superintendent for approval.

For safety reasons and because the School Committee recognizes that community members receive requests for support from many worthy causes, activities such as canning and door-to-door sales are strongly discouraged.

Fundraising activities may not involve competitions among students. Students may not be rewarded with additional recess, snacks, activities or any type of prize for having raised larger amounts of funds or reaching fundraising goals.

Students and student groups are barred by state law and regulation from organizing raffles or games of chance, participating in sales of, or purchasing tickets of such games.

No money collections of any kind may be held in the schools without the specific consent of the Superintendent.

LEGAL REFS.: MGL 271:7A
940 CMR 12.00

CROSS REFS.: KHA, Public Solicitations in the Schools

File: JJF

STUDENT ACTIVITY ACCOUNTS

Student funds may be raised to finance the activities of authorized student organizations. Student activity funds are considered a part of the total fiscal operation of the District and are subject to policies established by the School Committee and the Office of the Superintendent. The funds shall be only for the benefit of students and managed in accordance with sound business practices, which include accepted budgetary, accounting, and internal control practices. The Superintendent shall ensure that, annually, all Principals and student organizations receive a copy of this policy as well as a copy of established procedures for control of receipts and expenditures that meet or exceed DESE guidelines.

In compliance with Massachusetts General Law, the School Committee:

1. Authorizes the Principals to accept money for recognized student activity organizations, which currently exist, or as from time to time may be revised. All funds received for student activities must be deposited into the Student Activity Agency Account and no funds shall be directly deposited to a Student Activity Checking Account except from the Student Activity Agency Account.

2. Authorizes the District Treasurer to establish and maintain a Student Activity Agency Account(s) which is to be audited as part of the Town's annual audit. The interest that is earned on such accounts shall be maintained in the Agency Account and distributed annually among the Student Activity Checking Accounts as directed by the procedures established by the Superintendent.

3. Authorizes Student Activity Checking Accounts for use by the Principals with specific maximum balances established annually for each school by vote of the School Committee. Payments for expenditures shall be made, whenever possible, by check, debit, or EFT directly from the Student Activity Checking Account. Reimbursements to personal credit card holders shall require the prior authorization of the Superintendent. Signatory authorization for Student Activity Checking Accounts shall be restricted to the Principal and (Superintendent or Treasurer). Student Activity Checking Accounts shall be audited annually in accordance with DESE guidelines.

4. Directs Principals to provide the Treasurer with a bond in an amount agreeable to the Treasurer.

5. Shall annually, prior to the start of each school year, vote to establish or change the maximum balance that may be on deposit in each Student Activity Checking Account.

For accounts with maximum balance limits that exceed $25,000.00, the School Committee shall consider, in accordance with DESE guidelines, that an audit be conducted by an outside audit firm every three years

File: JJF

Graduating Class Funds

Funds held on behalf of graduating classes are to be held within the Student Activity Checking Account for the High School. Such funds shall be designated by the class' Year of Graduation.

Once a class has graduated from High School, their funds should be removed from the High School Student Activity Checking Account no later than two years from the date of graduation. It is the responsibility of the class officers to arrange for these funds to be removed from the High School Activity Checking Account. When requested, and once all outstanding financial obligations of the graduating class have been met, the remaining balance, not to exceed $2,000, should be removed from the fund by check transfer payable to the Class of XXXX. Checks payable to individual members of the graduating class are not permitted.

Should the class officers not request to have their funds removed from the Student Activity Checking Account within two years of their graduating, the funds will be forfeited by the class and transferred into the General Sub-fund portion of the Student Activity Agency Account. These funds will then be allocated by a vote of the School Committee.

Class officers should be given a copy of this policy during the course of their senior year to ensure their knowledge of their obligations to perform under this policy.

Inactive Student Activities

When a student activity ceases to be active for a period of three years or more the Principal or other authorized administrator shall require the following actions:

1. obtain written notice from the faculty advisor or student officer that the activity will cease to be a viable account. If unable to obtain such notification the Principal shall request action to close the account from the School Committee.

2. Identify in writing all assets of the student activity. The disposition of any assets shall be determined by the School Committee and may not benefit specific individuals.

3. Annually notify all students of the required actions if an activity ceases to exist.

Student Activity Deficits

Individual student activity accounts are not permitted to be in a deficit position. Whenever a deficit exists that is not the result of timing, the Superintendent shall recommend remedial action to the School Committee in a timely manner.

LEGAL REFS: MGL 71:47
CROSS REFS: JJA, Student Organizations
DIE, Audits

File: JJF

NOTE: DESE audit guidelines for Student Activity Checking Accounts require an annual audit. In regional districts these accounts may be a part of the annual audit by a third party auditor. In municipal districts the audits may be conducted by a district or municipal employee but not by the Principal, Treasurer, Superintendent, or any authorized signatory on the accounts. Districts with large numbers of schools may rotate the schools through the audit process.

File: JJH

STUDENT LATE NIGHT OR OVERNIGHT TRAVEL

All student trips which include late night or overnight travel must have prior approval of the School Committee. Initial approval by the School Committee is required before engaging students in fundraising activities. The School Committee will also consider the educational value of the trip in relation to the cost prior to granting initial approval. Overnight trips should offer significant educational benefits to students that clearly justify the time and expense of the trip. Such trips should be appropriate for the grade level.

Final approval will not be granted until all preparations for the trip have been completed including, but not limited to, all logistical details involving transportation, accommodation arrangements and fundraising efforts. The School Committee requires that final approval be sought no less than 30 days prior to the scheduled trip dates.

Teachers and other school staff are prohibited from soliciting for privately run trips through the school district and in the schools. The School Committee will only review for approval school-sanctioned trips. The School Committee will not review or approve trips that are privately organized and run without school sanctioning.

CROSS REFS.: IJOA, Field Trips

LEGAL REFS.: M.G.L. 69:1B; 71:37N

File: JJH-R

STUDENT TRAVEL REGULATIONS

1. Transportation

The use of vans or private automobiles for trips planned to include late night or overnight student travel is prohibited. Late night or overnight trips will use commercial motor coaches.

Trips planned to include late night or overnight student travel will include a pre-trip check of companies, drivers, and vehicles. CORI and/or background checks will be conducted in accordance with Massachusetts General Laws and School Committee Policy.

The Superintendent or designee will ensure that the selected carrier is licensed for passenger transportation by the Federal Motor Carrier Safety Administration (FMCSA). The district will not contract with any carrier that has a safety rating of "conditional" or "unsatisfactory". FMCSA ratings are available at https://ai.fmcsa.dot.gov/SMS/ .

The contract with the carrier will prohibit the use of subcontractors unless sufficient notice is given to the district that allows verification of the subcontractor's qualifications.

2. Trip Scheduling

Overnight accommodations should be made in advance with student safety and security in mind. Whenever possible, trip schedulers should avoid planning student travel between the hours of midnight and 6:00 a.m., due to the increased risk of vehicular accidents during this time period.

Whenever possible, overnight trips should be scheduled on weekends or during school vacations to minimize lost classroom time. Non-academic field trips are considered "optional school programs" and do not count toward meeting structured learning time requirements. (Refer to the Massachusetts Dept. of Elementary and Secondary Education publication Student Learning Time Regulations Guide)

Trip itineraries must leave enough time for drivers to rest in conformity with federal hour-of-service requirements and common sense.

Trip scheduling should take into account the likelihood of delays due to weather, traffic, stragglers, and other unanticipated factors.

If substantially all members of a class are participating in a trip, the school should provide appropriate substitute activities for any students not participating.

3. Fundraising

The amount of time to be devoted to fundraising should be reasonable and commensurate with students' obligations for homework, after-school activities, and jobs.

Group fundraising activities are preferred. Students should not be assigned individual fundraising targets.

If students are charged individual fees for participation, every effort should be made to provide scholarships where needed.

File: JJH-R

Additional Resources

Federal Motor Carrier Safety Administration (FMCSA)
www.fmcsa.dot.gov

United Motorcoach Association – Student Motorcoach Travel Safety Guide (includes "Motorcoach Safety Checklist)
www.uma.org/consumer/student-transportation/

Department of Defense's approved list of motor carriers
www.defensetravel.dod.mil/Docs/BusAgreementPOCs.pdf

CROSS REFS.:	IJOA, Field Trips ADDA Background Checks
LEGAL REFS.:	M.G.L. 69:1B; 71:37N; 71:38R 603 CMR 27.00

File: JJIB

INTERSCHOLASTIC ATHLETICS

The School Committee believes that students will benefit from the experiences in self-discipline and team effort made possible through participation in inter-school sports.

District participation in interscholastic athletics will be subject to approval by the School Committee and will be in accordance with regulations and recommendations of the Massachusetts Interscholastic Athletic Association.

At the high school level, interscholastic athletic competition will include a variety of sports. Students will be allowed to participate in individual sports on the basis of their abilities and desire. Additionally, intramural athletic activities will be offered as an outgrowth of class instruction in physical education.

The School Committee is aware that team participation in athletic contests by members of the student body requires that "away games" be scheduled. It also recognizes that there is a need to regulate certain aspects of student participation in such contests. Therefore, the Superintendent will establish regulations to ensure the safety and well being of students and staff members who participate in these activities.

LEGAL REFS.: M.G.L. 71:47; 71:54A
603 CMR 26.00

CROSS REFS.: AC, Nondiscrimination (and subcodes)

File: JJIF

ATHLETIC CONCUSSION POLICY

The purpose of this policy is to provide information and standardized procedures for persons involved in the prevention, training management and return to activity decisions regarding students who incur head injuries while involved in extracurricular athletic activities[4] including, but not limited to, interscholastic sports, in order to protect their health and safety as required by Massachusetts law and regulations. The requirements of the law apply to all public middle and high schools, however configured, serving grades six through high school graduation. In addition to any training required by law, the following persons shall complete one of the head injury safety training programs approved by the Massachusetts Department of Public Health (DPH) as found on its website: coaches; certified athletic trainers; trainers; volunteers; school and team physicians; school nurses; athletic directors; directors responsible for a school marching band; employees or volunteers; and students who participate in an extracurricular activity and their parents/guardians.

Upon the adoption of this policy by the School Committee, the Superintendent shall ensure that DPH receives an affirmation on school district letterhead that the district has developed policies and the School Committee has adopted a final policy in accordance with law. This affirmation shall be updated by September 30, 2013 and every two years thereafter upon review or revision of its policies.

The Superintendent shall maintain or cause to be maintained complete and accurate records of the district's compliance with the requirements of the Concussion Law, and shall maintain the following records for three years or, at a minimum, until the student graduates, unless state or federal law requires a longer retention period:

1. Verifications of completion of annual training and receipt of materials;
2. DPH Pre-participation forms and receipt of materials;
3. DPH Report of Head Injury Forms, or school based equivalents;
4. DPH Medical Clearance and Authorization Forms, or school based equivalents; and
5. Graduated reentry plans for return to full academic and extracurricular athletic activities.

This policy also applies to volunteers who assist with extracurricular athletic activities. Such volunteers shall not be liable for civil damages arising out of any act or omission relating to the requirements of law, unless such volunteer is willfully or intentionally negligent in their act or omission.

Most student athletes who sustain a concussion can fully recover as long as their brain has time to heal before sustaining another hit; however, relying only on an athlete's self-report of symptoms to determine injury recovery is inadequate as many high school athletes are not aware of the signs and symptoms or the severity concussive injuries pose, or they may feel pressure from coaches, parents/guardians, and/or

4 Extracurricular Athletic Activity means an organized school sponsored athletic activity generally occurring outside of school instructional hours under the direction of a coach, athletic director or marching band leader including, but not limited to, Alpine and Nordic skiing and snowboarding, baseball, basketball, cheer leading, cross country track, fencing, field hockey, football, golf, gymnastics, horseback riding, ice hockey, lacrosse, marching band, rifle, rugby, soccer, skating, softball, squash, swimming and diving, tennis, track (indoor and outdoor), ultimate frisbee, volleyball, water polo, and wrestling. All interscholastic athletics are deemed to be extracurricular athletic activities.

teammates to return to play as quickly as possible. One or more of these factors will likely result in under-diagnosing the injury and a premature return to play. Massachusetts General Laws and Department of Public Health regulations make it imperative to accurately assess and treat student athletes when concussions are suspected.

Student athletes who receive concussions may appear to be “fine” on the outside, when in actuality they have a brain injury and are not able to return to play. Incurring a second concussion can prove to be devastating to a student athlete. Research has shown that young concussed athletes who return to play before their brain has healed are highly vulnerable to more prolonged post-concussion syndrome or, in rare cases, a catastrophic neurological injury known as Second Impact Syndrome.

The following protocol will discuss and outline what a concussion is, the mechanism of injury, signs and symptoms, management and return to play requirements, as well as information on Second Impact Syndrome and past concussion syndrome. Lastly, this policy will discuss the importance of education for our athletes, coaches and parents/guardians and other persons required by law.

This protocol should be reviewed on a yearly basis with all staff to discuss the procedures to be followed to manage sports-related concussions. This protocol will also be reviewed on a yearly basis by the athletic department as well as by nursing staff. Any changes in this document will be approved by the school committee and given to athletic staff, including coaches and other school personnel in writing. An accurate synopsis of this policy shall be placed in the student and faculty handbooks.

LEGAL REFS.: M.G.L. 111:222; 105 CMR 201.000

SOURCE: MASC - Reviewed 2021

File: JJIF-R

ATHLETIC CONCUSSION REGULATIONS

Section I. What is a Concussion?

A concussion is defined as a transient alteration in brain function without structural damage, but with other potentially serious long-term ramifications. In the event of a concussion, the brain sustains damage at a microscopic level in which cells and cell membranes are torn and stretched. The damage to these cells also disrupts the brain at a chemical level, as well as causing restricted blood flow to the damaged areas of the brain, thereby disrupting brain function. A concussion, therefore, is a disruption in how the brain works; it is not a structural injury. Concussions are difficult to diagnose because the damage cannot be seen. A MRI or CT Scan cannot diagnose a concussion, but they can help rule out a more serious brain injury to a student athlete. Because concussions are difficult to detect, student athletes must obtain medical approval before returning to athletics following a concussion.

Section II. Mechanism of Injury:

A concussion is caused by a bump, blow or jolt to the head or body. Any force that causes the brain to bounce around or twist within the skull can cause a concussion. A bump, blow or jolt to the head or body can be caused by either indirect or direct trauma. The two direct mechanisms of injury are coup-type and contrecoup-type. Coup-type injury is when the head is stationary and struck by a moving object such as another player's helmet, a ball, or sport implement, causing brain injury at the location of impact. Contrecoup-type injury occurs when the head is moving and makes contact with an immovable or slowly moving object as a result of deceleration, causing brain injury away from the sight of impact. Indirect forces are transmitted through the spine and jaw or blows to the thorax that whip the head while the neck muscles are relaxed. Understanding the way in which an injury occurred is vital in understanding and having a watchful eye for athletes who may exhibit symptoms of a concussion so these student athletes can receive the appropriate care.

Section III. Signs and Symptoms:

Signs (what you see):

- Confusion
- Forgets plays
- Unsure about game, score, opponent
- Altered coordination
- Balance problems
- Personality change
- Slow response to questions
- Forgets events prior to injury (retrograde amnesia)
- Forgets events after injury (anterograde amnesia)

- Loss of consciousness (any duration)

Symptoms (reported by athlete):

- Headache
- Fatigue
- Nausea or vomiting
- Double vision/ blurry vision
- Sensitivity to light (photophobia)
- Sensitivity to noise (tinnitus)
- Feels sluggish
- Feels foggy
- Problems concentrating
- Problems remembering
- Trouble with sleeping/ excess sleep
- Dizziness
- Sadness
- Seeing stars
- Vacant stare/ glassy eyed
- Nervousness
- Irritability
- Inappropriate emotions

If any of the above signs or symptoms are observed after a suspected blow to the head, jaw, spine or body, they may be indicative of a concussion and the student athlete must be removed from play immediately and not allowed to return until cleared by an appropriate allied health professional.

Section IV. Management and Referral Guidelines:

1. When an athlete loses consciousness for any reason, the athletic trainer will start the EAP (Emergency Action Plan) by activating EMS; check ABC's (airway, breathing, circulation); stabilize the cervical spine; and transport the injured athlete to the appropriate hospital via ambulance. If the athletic trainer is not available, the coach should immediately call EMS, check ABCs and not move the athlete until help arrives.

2. Any athlete who is removed from the competition or event and begins to develop signs and symptoms of a worsening brain injury will be transported to the hospital immediately in accordance with the EAP. **Worsening signs and symptoms requiring immediate physician referral include:**

A. Amnesia lasting longer than 15 minutes
B. Deterioration in neurological function
C. Decreasing level of consciousness
D. Decrease or irregularity of respiration
E. Decrease or irregularity in pulse
F. Increase in blood pressure

G. Unequal, dilated, or unreactive pupils
H. Cranial nerve deficits
I. Any signs or symptoms of associated injuries, spine or skull fracture, or bleeding
J. Mental-status changes: lethargy, difficulty maintaining arousal, confusion, agitation
K. Seizure activity
L. Vomiting/ worsening headache
M. Motor deficits subsequent to initial on-field assessment
N. Sensory deficits subsequent to initial on-field assessment
O. Balance deficits subsequent to initial on-field assessment
P. Cranial nerve deficits subsequent to initial on-field assessment
Q. Post-Concussion symptoms worsen
R. Athlete is still symptomatic at the end of the game

3. After a student athlete sustains a concussion, the athletic trainer will use the Standardized Assessment for Concussion (SAC) to assess and document the student athlete's concussion. The athletic trainer will also report on the student athlete's signs and symptoms by using the Signs and Symptoms Check-List. On the signs and symptoms checklist, the athletic trainer will also check pulse and blood pressure of each student athlete with a suspected concussion. After the initial evaluation of a concussion, all signs and symptoms will be tracked on the computer using the ImPact Test.

4. Any athlete who is symptomatic but stable is allowed to go home with their parent(s)/guardian(s) following the head injury.

A. If the head injury occurs at practice, parent(s)/guardian(s) will immediately be notified and must come and pick up the student athlete and talk to the certified athletic trainer in person.
B. If the injury occurs at a game or event, the student athlete may go home with the parent/guardian(s) after talking with the certified athletic trainer.
C. Parent(s)/guardian(s) will receive important information regarding signs and symptoms of deteriorating brain injury/function prompting immediate referral to a local emergency room as well as return to play requirements. Parent(s)/guardian(s), as well as student athletes, must read and sign the Concussion Information and Gradual Return to Play form and bring it back to the certified athletic trainer before starting with the return to play protocol.

V. Gradual Return to Play Protocol:

1. Student athletes, with the consent of their parent(s)/guardian(s), will start taking the ImPact Test (**or other approved test identified by the School District)**. The ImPact Test is a tool that helps manage concussions, determine recovery from injury, and is helpful in providing proper communication between coaches, parents/guardians and clinicians. The ImPact Test is a neurocognitive test that helps measure student athletes' symptoms, as well as test verbal and visual memory, processing speed and reaction time. It is **mandatory** for all student athletes to take the ImPact Test for a baseline score in accordance with Massachusetts State Law. The law

states that all public schools must develop safety protocols on concussions and all public schools must receive information on past concussion history. The ImPact Test appears to be a promising tool in monitoring a student athlete's prior concussions, as well as any future concussions.

2. Each student athlete will complete a baseline test at the beginning of their sport season**. All student athletes and club cheerleading members will undergo ImPact testing.** Student athletes will be re-tested every other year. If a student athlete plays more than one sport during the academic year, their test will remain valid. For example, if a soccer student athlete also plays basketball in the winter, the student athlete will not have to take the ImPact Baseline Test again in the winter. If a student athlete posts scores below the norm, the student athlete will be re-tested at another time with either the certified athletic trainer or school nurse. Student athletes cannot begin practice until a valid baseline score is obtained during their designated time to take the test.

A. At the beginning of every sport season, student athletes are required to complete a concussion history form and return it to the athletic department. This information will be recorded in the student information system for tracking purposes.

B. Following any concussion the athletic trainer must notify the athletic director and school nurses.

C. Following a concussion the student athlete will take a **post-injury test within 24 to 48 hours following the head injury. STUDENT ATHLETES WILL NOT BE ALLOWED TO MOVE ON TO FUNCTIONAL/PHYSICAL TESTING UNTIL THEIR IMPACT TEST IS BACK TO THE BASELINE SCORE AND ASYMPTOMATIC.** After a student athlete takes their first post-injury test, the student athlete will not be re-tested again for **5 days.**

D. If, after the first post-injury ImPact test, the athlete is not back to their baseline the parent/guardian(s) will be notified, and the student athlete will be referred to their healthcare provider and must have the Concussion Information and Gradual Return to Play form signed by a physician, physician assistant, licensed neuropsychologist or nurse practitioner stating when the athlete is allowed to return to play.

E. Following a post-injury test, the certified athletic trainer will take the Concussion Information and Gradual Return to Play form signed by the parent(s)/guardian(s) and fill in the date of all post-injury tests taken by each student athlete.

F. The certified athletic trainer will also document the date on which the athlete is asymptomatic and sign the document agreeing that all the above statements are true and accurate.

G. Once the athlete starts on the exertional post concussion tests, the parent(s)/guardian(s) will be notified and the athlete will be sent home with all signed documents relating to head injury. At this time the parent/guardian(s) must bring the student athlete to a licensed physician, licensed neuropsychologist, licensed physician assistant, nurse practitioner or other appropriately trained or licensed healthcare professional to be medically cleared for participation in the extracurricular activity.

H. Student athletes who continue to exhibit concussion symptoms for a week or more must be evaluated by a physician before returning to play.

I. Once a student athlete's post-injury test is back at the student athlete's baseline score, the student athlete will go through 5 days of Exertional Post Concussion Tests. The student athlete must be asymptomatic for all functional and physical tests to return to play (RTP). All tests will be administered by a certified athletic trainer.

Exertional Post Concussion Tests:

A. Test 1: (30% to 40% maximum exertion): Low levels of light physical activity. This will include walking, light stationary bike for about 10 to 15 minutes. Light isometric strengthening (quad sets, UE light hand weights, ham sets, SLR's, resistive band ankle strengthening) and stretching exercises.
B. Test 2: (40% to 60% maximum exertion): Moderate levels of physical activity. Treadmill jogging, stationary bike, or elliptical for 20 to 25 minutes. Light weight strength exercises (resistive band exercises UE and LE, wall squats, lunges, step up/downs. More active and dynamic stretching.
C. Test 3: (60% to 80% maximum exertion). Non-contact sports specific drills. Running, high intensity stationary bike or elliptical 25 to 30 minutes. Completing regular weight training. Start agility drills (ladder, side shuffle, zig-zags, carioca, box jumps, and hurdles).
D. Test 4: (80% maximum exertion). Limited, controlled sports specific practice and drills.
E. Test 5: Full contact and return to sport with monitoring of symptoms.

Section VI. School Nurse Responsibilities:

1. Assist in testing all student athletes with baseline and post-injury ImPact testing.
2. Participate and complete the CDC training course on concussions. A certificate of completion will be recorded by the nurse leader yearly.
3. Complete symptom assessment when student athlete enters Health Office (HO) with questionable concussion during school hours. Repeat in 15 minutes.
4. Observe students with a concussion for a minimum of 30 minutes.
5. If symptoms are present, notify parent/guardian(s) and instruct parent/guardian(s) that student must be evaluated by an MD.
    (a) If symptoms are not present, the student may return to class.
6. If symptoms appear after a negative assessment, MD referral is necessary.
7. Allow students who are in recovery to rest in HO when needed.
8. Develop plan for students regarding pain management.
9. School nurse will notify teachers and guidance counselors of any students or student athletes who have academic restrictions or modifications related to their concussion.
10. Educate parents/guardians and teachers about the effects of concussion and returning to school and activity.
11. If injury occurs during the school day, inform administrator and complete accident/incident form.
12. Enter physical exam dates and concussion dates into the student information system.

Section VII. School Responsibilities:

1. Review and, if necessary, revise, the concussion policy every 2 years.
2. Once the school is informed of the student's concussion, a contact or "point person" should be identified (e.g. the guidance counselor, athletic director, school nurse, school psychologist or teacher).
3. Point person to work with the student on organizing work assignments, making up work and giving extra time for assignments and tests/quizzes.
4. Assist teachers in following the recovery stage for student.
5. Convene meeting and develop rehabilitative plan.
6. Decrease workload if symptoms appear.
7. Recognize that the student's ability to perform complex math equations may be different from the ability to write a composition depending on the location of the concussion in the brain.
8. Educate staff on the signs and symptoms of concussions and the educational impact concussions may have on students.
9. Include concussion information in student handbooks.
10. Develop a plan to communicate and provide language-appropriate educational materials to parents/guardians with limited English proficiency.

Section VIII. Athletic Director Responsibilities:

1. Provide parents/guardians, athletes, coaches, and volunteers with educational training and concussion materials yearly.
2. Ensure that all educational training programs are completed and recorded.
3. Ensure that all students meet the physical exam requirements consistent with 105 CMR 200.000 prior to participation in any extracurricular athletic activity
4. Ensure that all students participating in extracurricular athletic activity have completed and submitted their pre-participation forms, which include health history form, concussion history form, and MIAA form.
5. Ensure that athletes are prohibited from engaging in any unreasonably dangerous athletic technique that endangers the health or safety of an athlete, including using a helmet or any other sports equipment as a weapon.
6. Ensure that all head injury forms are completed by parent/guardian(s) or coaches and reviewed by the coach, athletic trainer, school nurse and school physician.
7. Inform parent/guardian(s) that, if all necessary forms are not completed, their child will not participate in athletic extracurricular activities.

Section IX. Parent/Guardian Responsibilities:

1. Complete and return concussion history form to the athletic department.
2. Inform school if student sustains a concussion outside of school hours. Complete new concussion history form following new injury.
3. If student suffers a concussion outside of school, complete head injury form and return it to the school nurse.
4. Complete a training provided by the school on concussions and return certificate of completion to the athletic department.

5. Watch for changes in your child that may indicate that your child does have a concussion or that your child's concussion may be worsening. Report to a physician:
   - **A.** Loss of consciousness
   - **B.** Headache
   - **C.** Dizziness
   - **D.** Lethargy
   - **E.** Difficulty concentrating
   - **F.** Balance problems
   - **G.** Answering questions slowly
   - **H.** Difficulty recalling events
   - **I.** Repeating questions
   - **J.** Irritability
   - **K.** Sadness
   - **L.** Emotionality
   - **M.** Nervousness
   - **N.** Difficulty with sleeping

6. Encourage your child to follow concussion protocol.
7. Enforce restrictions on rest, electronics and screen time.
8. Reinforce recovery plan.
9. Request a contact person from the school with whom you may communicate about your child's progress and academic needs.
10. Observe and monitor your child for any physical or emotional changes.
11. Request to extend make up time for work if necessary.
12. Recognize that your child will be excluded from participation in any extracurricular athletic event if all forms are not completed and on file with the athletic department.

Section X. Student and Student Athlete Responsibilities:

1. Complete Baseline ImPact Test prior to participation in athletics.
2. Return required concussion history form prior to participation in athletics.
3. Participate in all concussion training and education and return certificate of completion to the athletic department prior to participation in athletics.
4. Report all symptoms to athletic trainer and/ or school nurse.
5. Follow recovery plan.
6. **REST.**
7. **NO ATHLETICS.**
8. **BE HONEST!**
9. Keep strict limits on screen time and electronics.
10. Don't carry books or backpacks that are too heavy.
11. Tell your teachers if you are having difficulty with your classwork.
12. See the athletic trainer and/or school nurse for pain management.
13. Return to sports only when cleared by physician and the athletic trainer.
14. Follow Gradual Return to Play Guidelines.

File: JJIF-R

15. Report any symptoms to the athletic trainer and/or school nurse and parent(s)/guardian(s) if any occur after return to play.
16. Return medical clearance form to athletic trainer prior to return to play.
17. Students who do not complete and return all required trainings, testing and forms will not be allowed to participate in sports.

Section XI. Coach & Band Instructor Responsibilities:

1. Participate in Concussion Education Course offered by the National Federation of State High School Associations (NFHS) on a yearly basis. Complete certificate of completion and return to the athletic department.
2. Ensure all student athletes have completed ImPact baseline testing before participation.
3. Ensure all student athletes have returned concussion history and health history form prior to participation in athletics.
4. Complete a head injury form if their player suffers a head injury and the athletic trainer is not present at the athletic event. This form must be shared with the athletic trainer and school nurse.
5. Ensure all students have completed a concussion educational training and returned their certificate of completion prior to participation in athletics.
6. Remove from play any student athlete who exhibits signs and symptoms of a concussion.
7. Do not allow student athletes to return to play until cleared by a physician and athletic trainer.
8. Follow Gradual Return to Play Guidelines.
9. Refer any student athlete with returned signs and symptoms back to athletic trainer.
10. Any coach, band instructor, or volunteer coach for extracurricular activities shall not encourage or permit a student participating in the activity to engage in any unreasonably dangerous athletic technique that unnecessarily endangers the health of a student athlete, including using a musical instrument, helmet or any other sports equipment as a weapon.

Section XII. Post Concussion Syndrome:

Post Concussion Syndrome is a poorly understood condition that occurs after a student athlete receives a concussion. Student athletes who receive concussions can have symptoms that last a few days to a few months, and even up to a full year, until their neurocognitive function returns to normal. Therefore, all school personnel must pay attention to and closely observe all student athletes for post concussion syndrome and its symptoms. Student athletes who are still suffering from concussion symptoms are not ready to return to play. The signs and symptoms of post concussion syndrome are:

- Dizziness
- Headache with exertion
- Tinnitus (ringing in the ears)
- Fatigue
- Irritability
- Frustration
- Difficulty in coping with daily stress

- Impaired memory or concentration
- Eating and sleeping disorders
- Behavioral changes
- Alcohol intolerance
- Decreases in academic performance
- Depression
- Visual disturbances

Section XIII. Second Impact Syndrome:

Second impact syndrome is a serious medical emergency and a result of an athlete returning to play and competition too soon following a concussion. Second impact syndrome occurs because of rapid brain swelling and herniation of the brain after a second head injury that occurs before the symptoms of a previous head injury have been resolved. The second impact that a student athlete may receive may only be a minor blow to the head or it may not even involve a hit to the head. A blow to the chest or back may create enough force to snap the athlete's head and send acceleration/deceleration forces to an already compromised brain. The resulting symptoms occur because of a disruption of the brain's blood autoregulatory system which leads to swelling of the brain, increasing intracranial pressure and herniation.

After a second impact a student athlete usually does not become unconscious, but appears to be dazed. The student athlete may remain standing and be able to leave the field under their own power. Within fifteen seconds to several minutes, the athlete's condition worsens rapidly, with dilated pupils, loss of eye movement, loss of consciousness leading to coma and respiratory failure. The best way to handle second impact syndrome is to prevent it from occurring altogether. All student athletes who incur a concussion must not return to play until they are asymptomatic and cleared by an appropriate health care professional.

Section XIV. Concussion Education:

It is extremely important to educate coaches, athletes and the community about concussions. On a yearly basis, all coaches must complete the online course called "Concussion In Sports: What You Need to Know". This course is offered by the National Federation of State High School Associations (NFHS). Student athletes also need to understand the importance of reporting a concussion to their coaches, parents/guardians, athletic trainer and other school personnel. Every year student athletes and parents/guardians will participate in educational training on concussions and complete a certificate of completion. This training may include:

- CDC Heads-Up Video Training, or
- Training provided by the school district

File: JJIF-R

The school district may also offer seminars, speakers, and discussion panels on the topic of concussions. Seminars offer an opportunity for the certified athletic trainer, athletic director and nurse leader to speak about concussions on the field at practices and games and to discuss the protocol and policy that the district has enacted. Providing education within the community will offer the residents and parents/guardians of athletes an opportunity to ask questions and voice their concerns on the topic of brain injury and concussions. When it comes to concussions, everyone needs to be aware of the potential dangers and remember that a concussion is a brain injury. Whenever anyone has a doubt about a student athlete with a concussion, **SIT THEM OUT and have them see the appropriate healthcare professional!**

CROSS REF: STUDENT HANDBOOK

File: JK

STUDENT CONDUCT

The Massachusetts General Laws require the School Committee to adopt written policies, rules and regulations not inconsistent with law, which may relate to study, discipline, conduct, safety and welfare of all students, or any classification thereof, enrolled in the public schools of the District.

The implementation of the general rules of conduct is the responsibility of the Principal and the professional staff of the building. In order to do this, each school staff in the District shall develop specific rules not inconsistent with the law nor in conflict with School Committee policy. These building rules shall be an extension of the District policies by being more specific as they relate to the individual schools.

The purpose of disciplinary action is to restore acceptable behavior. When disciplinary action is necessary, it shall be administered with fairness and shall relate to the individual needs and the individual circumstances.

Students violating any of the policies on student conduct and control will be subject to disciplinary action. The degree, frequency, and circumstances surrounding each incident shall determine the method used in enforcing these policies. Most of the situations which require disciplinary action can be resolved within the confines of the classroom or as they occur by reasonable but firm reprimand, and/or by teacher conferences with the student and/or parents or guardians.

If a situation should arise in which there is no applicable written policy, the staff member shall be expected to exercise reasonable and professional judgment.

LEGAL REF.: M.G.L. 71:37H; 71:37H ½; 71:37H ¾; 71:37L; 76:16; 76:17
603 CMR 53.00

File: JKAA

PHYSICAL RESTRAINT OF STUDENTS

Maintaining an orderly, safe environment conducive to learning is an expectation of all staff members of the school district. Further, students of the district are protected by law from the unreasonable use of physical restraint. Such 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.

When an emergency situation arises, and physical restraint is the only option deemed appropriate to prevent a student from injuring themself, another student or school community member, a teacher or employee or agent of the school district may use such reasonable force needed to protect students, other persons or themselves from assault or imminent, serious, physical harm.

The definitions of forms of restraint shall be as defined in 603CMR 46.02.

The use of mechanical restraint, medical restraint, and seclusion is prohibited.

The power of the School Committee or of any teacher or other employee or agent of the Committee to maintain discipline on school property shall not include the right to inflict corporal punishment upon any student.

Physical restraint, including prone restraint where permitted under 603 CMR 46.03, shall be considered an emergency procedure of last resort and shall be prohibited except when a student's behavior poses a threat of assault, or imminent, serious, physical harm to themselves and/or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions are deemed inappropriate.

The Superintendent will develop procedures identifying:

- Appropriate responses to student behavior that may require immediate intervention;
- Methods of preventing student violence, self-injurious behavior, and suicide including crisis planning and de-escalation of potentially dangerous behaviors among groups of students or individuals;
- Descriptions and explanations of alternatives to physical restraint as well as the school's method of physical restraint for use in emergency situations;
- Descriptions of the school's training and procedures to comply with reporting requirements; including, but not limited to making reasonable efforts to orally notify a parent/guardian of the use of restraint within 24 hours of its imposition;
- Procedures for receiving and investigating complaints;
- Methods for engaging parents/guardians in discussions about restraint prevention and use of restraint solely as an emergency procedure;
- A statement prohibiting: medication restraint, mechanical restraint, prone restraint unless permitted by 603 CMR 46.03(1)(b), seclusion, and the use of physical restraint in a manner inconsistent with 603 CMR 46.00,
- A process for obtaining Principal approval for a time out exceeding 30 minutes.

Each building Principal will identify staff members to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. These staff members will participate in an in-depth training program in the use of physical restraint.

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

Physical restraint is prohibited as a means of punishment, or as a response to destruction of property, disruption of school order, a student's refusal to comply with a school rule or staff directive, or verbal threats that do not constitute a threat of imminent, serious physical harm to the student or others.

Physical restraint is prohibited when 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;

The use of "time out" procedures during which a staff member remains accessible to the student shall not be considered "seclusion restraint".

This policy and its accompanying procedures shall be reviewed and disseminated to staff annually and made available to parents/guardians of enrolled students. The Superintendent shall provide a copy of the Physical Restraint regulations to each Principal, who shall sign a form acknowledging receipt thereof.

SOURCE: MASC – Updated 2021

LEGAL REF.: M.G.L. 71:37G; 603 CMR 46.00

File: JL

STUDENT WELFARE

Supervision of Students

School personnel assigned supervision are expected to act as prudent adults in providing for the safety of the students in their charge.

In keeping with this expected prudence, no teacher or other staff member will leave their assigned group unsupervised except when an arrangement has been made to take care of an emergency.

During school hours or while engaging in school-sponsored activities, students will be released only into the custody of parents/guardians or other persons authorized in writing by a parent or guardian.

Reporting to Authorities - Suspected Child Abuse or Neglect

Any school official or employee shall report any suspected child abuse or neglect as required by M.G.L. Ch. 119, S 51A.

In accordance with the law, the District shall establish the necessary regulations and procedures to comply with the intent of the Act consistent with the District's responsibility to the students, parents/guardians, District personnel, and the community.

Student Safety

Instruction in courses in industrial arts, science, homemaking, art, physical education, health, and safety will include and emphasize accident prevention.

Safety instruction will precede the use of materials and equipment by students in applicable units of work, and instructors will teach and enforce all safety rules set up for the particular courses. These include the wearing of protective eye devices in appropriate activities.

Safety on the Playground and Playing Field

The District shall provide safe play areas. Precautionary measures, which the District requires, shall include:

- A periodic inspection of the school's playground and playing fields by the Principal of the school and others as may be deemed appropriate;
- Instruction of students in the proper use of equipment;
- Supervision of both organized and unorganized activity.

Fire Drills and Reporting

The District shall cooperate with appropriate fire departments in the conduct of fire drills. The Principal of any public or private school, containing any of grades 1 to 12, shall immediately report any incident of unauthorized ignition of any fire within the school building or on school grounds, to the local fire department. Within 24 hours, the Principal shall submit a written report of the incident to the head of the fire department on a form furnished by the Department of Fire Services. The Principal must file this report whether or not the fire department responded.

LEGAL REFS: MGL 71:37L; 148:2A

CROSS REFS.: EB, Safety Program
EBB, First Aid

File: JLC

STUDENT HEALTH SERVICES AND REQUIREMENTS

Activities may include identification of student health needs, health screening tests (including eye and hearing screening tests), communicable disease prevention and control, promotion of the correction of remediable health defects, emergency care of the ill and injured, health counseling, health and safety education, and the maintenance of a healthful school environment.

The District recognizes that parent/guardian(s) have the primary responsibility for the health of their students. The school will cooperate with appropriate professional organizations associated with maintaining individual and community health and safety.

The District shall provide the services of a medical consultant who shall render medical and administrative consultative services for personnel responsible for school health and athletics.

Procedures for Emergency at School

School personnel shall give only emergency care to students who become ill or injured on school property, buses, or while under school supervision.

Each year parent/guardian(s) shall supply information indicating where the student is to be taken in case of an emergency; the name, address, and phone number of a family member or other individual to be contacted in case the parent/guardian is not available; and any allergies or diseases the student might have.

The District shall maintain a Medical Emergency Response Plan, as required by law, and an Emergency Procedures Handbook, which shall be utilized by District personnel for handling emergencies. Emergency procedures shall include the following:

- Provision for care beyond First Aid, which would enable care by the family or its physician or the local Emergency Medical Services agencies. In instances when the EMS is required, every effort shall be made to provide the unit with the student's Emergency Card which lists any allergies or diseases the student might have;

- Information relative to not permitting the administration of any form of medicine or drugs to students without written approval of parent/guardian(s). Requests made by parent/guardian(s) for such administration of medication shall be reviewed and approved by the Principal or designee;

- Provisions for reporting all accidents, cases of injury, or illness to the Principal. Provisions shall be made (in all cases of injury or illness involving possible legal or public relations implications) for reporting such to the appropriate administrator of education immediately;

- Prompt reporting by teachers to the Principal or designee of any accident or serious illness and such reports will be filed with the Business Office.

Student Illness or Injury

In case of illness or injury, the parent or guardian will be contacted and asked to pick up the student.

Transportation of an ill or injured student is not normally to be provided by the school. If the

parent/guardian cannot provide transportation and the student is ill or injured, an ambulance may be called. Expense incurred as a result of emergency ambulance use will not be borne by the District.

Transportation of a student by school personnel will be done only in an emergency and by the individual so designated by the school administrator.

LEGAL REF.: M.G.L. 71:53;54;54A;54B;55;55A;55B;56; 57; 69:8A

CROSS REF.: EBB, First Aid
EBC, Emergency Plans
JLCD, Administration of Medications to Students

File: JLCA

PHYSICAL EXAMINATIONS OF STUDENTS

Every student will be examined for screening in sight, hearing, BMI*, and for other physical problems as provided in the law and regulation. A record of the results will be kept by the school nurse.

Every student will provide evidence of or will be given a general physical examination four times: upon entering school and upon admittance to the fourth, seventh, and tenth grades. The results of examinations will be a basis for determining what corrective measures or modifications of school activities, if any, should be recommended. A record of all examinations and recommendations will be kept.

Every candidate for a school athletic team will present the signed consent of parent or guardian in order to participate on a squad and will, with the signed consent of parent or guardian, be thoroughly examined to determine physical fitness. The school physician will examine athletes, except when a family wishes to have the examination done by their own doctor at their own expense. A written report stating the fitness of the student to participate signed by the physician will be sent to the school Principal.

The school physician will make a prompt examination of all children referred to them by the school nurse. They will examine school employees when, in their opinion, the protection of the student's health may require it. Except in an emergency, the school physician will not prescribe for or treat any student.

Whenever the school nurse finds a child suffering from any disease or medical problem, the situation will be reported to the parent or guardian in writing, or by personal visit if remedial treatment is recommended. A copy of the report will be filed at the school.

The school nurse will make a monthly report to the Superintendent of the number of students examined; the number excluded; and the number recommended for treatment or special adjustment of work. In all cases of exclusion or recommendation, the causes will be included in the report.

** NOTE: Department of Health Regulations call for vision screenings in Grades 1-5, once between 6-8, and once between 9-12; hearing screenings in grades 1-3, once between 6-8, and once between 9-12; BMI in grades 1, 4, 7, 10.*

LEGAL REFS.: M.G.L. 71:53; 71:54; 71:56; 71:57
105 CMR 200
CROSS REF.: JF, School Admissions

File: JLCB

IMMUNIZATION OF STUDENTS

Students registering in the district, will be required to present a physician's certificate attesting to immunization against communicable diseases as may be specified from time to time by the Department of Public Health. The only exception to these requirements will be made on receipt of a written statement from a doctor that immunization would not be in the best interests of the child, or by the student's parent or guardian stating that vaccination or immunization is contrary to the religious beliefs of the student or parent/guardian.

LEGAL REF.: M.G.L. 76:15

CROSS REF.: JF, School Admissions

File: JLCC

COMMUNICABLE DISEASES

The District is required to provide educational services to all school age children who reside within its boundaries. By law, however, admission to school may be denied to any child diagnosed as having a disease whereby attendance could be harmful to the welfare of other students and staff, subject to the District's responsibilities to students with disabilities under the law.

The School Committee recognizes that communicable diseases which may afflict students range from common childhood diseases, acute and short-term in nature, to chronic, life-threatening diseases.

Management of common communicable diseases shall be in accordance with Massachusetts Department of Health guidelines. A student who exhibits symptoms of a communicable disease may be temporarily excluded from school attendance. The District reserves the right to require a physician's statement authorizing the student's return to school.

The educational placement of a student who is medically diagnosed as having a life-threatening communicable disease shall be determined on an individual basis in accordance with this policy and accompanying administrative procedures. Decisions about the proper educational placement shall be based on the student's behavior, neurological development, and physical condition; the expected type of interaction with others in school setting; and the susceptibility to other diseases and the likelihood of presenting risks to others. A regular review of the placement decision shall be conducted to assess changes in the student's physical condition, or based on new information or research that may warrant a change in a student's placement.

In the event a student with a life-threatening communicable disease qualifies for services as a disabled child under state and federal law, the procedures for determining the appropriate educational placement in the least restrictive environment shall be used in lieu of the procedures designated above.

Neither this policy nor the placement of a student in any particular program shall preclude the administration from taking any temporary actions including removal of a student from the classroom as deemed necessary to protect the health, safety, and welfare of the student, staff, and others.

In all proceedings related to this policy, the District shall respect the student's right to privacy. Only those persons with a direct need to know shall be informed of the specific nature of the student's condition. The determination of those who need to know shall be made by the Superintendent.

LEGAL REF.: M.G.L. 71:55

File: JLCD

ADMINISTERING MEDICINES TO STUDENTS

Medication may not be administered to students during Regular School Activities unless there is a medical administration plan in place for the student. Regular School Activities means all instructional/academic activities, as well as all activities organized or sanctioned by the school including, but not limited to, day and overnight field trips, school-provided transportation, interscholastic sporting events, after school or extracurricular clubs or organizations, and proms or other social events organized as part of the instructional/academic portion of the school.

No one but the school nurse, and those others listed in the medical administration plan may give any medication to any student.

Exceptions:

The School Committee, consulting with the Board of Health where appropriate, shall adopt policies and procedures governing the administration of medications and self-administration of medications within the school system, following development of a proposal by medication program manager, in consultation with the school physician. Review and revision of such policies and procedures shall occur as needed but at least every two years.

At a minimum, these policies shall include:

1. designation of a medication program manager supervisor of the medication administration program in a school;

2. documentation of the administration of medications including the requirement that each school maintain a medication administration record for each student who receives medication during regular school activities; The school nurse shall document in the medication administration record significant observations of the prescription medication's effectiveness, as appropriate, and any adverse reactions or other harmful effects, as well as any action taken. All documentation shall be recorded in a manner that prevents alteration or destruction of the record. Documentation shall include but not be limited to a daily log and a medication administration plan.

   - The daily log shall contain:

     (a) the dose or amount of medication administered;

     (b) the date and time of administration or omission of administration, including the reason for omission and action taken post omission;

     (c) mechanism for identifying the person administering each dose. including the medication order and caregiver authorization.

   - The medication administration plan shall include:

     (a) the name of the student;

     (b) a medication order from a licensed prescriber, which meets the requirements of 105 CMR 210.005(D)(1);

(c) the signed authorization of the caregiver, which meets the requirements of 105 CMR 210.005(D)(3);

(d) any known allergies to food or medications;

(e) the diagnosis, unless a violation of confidentiality or the caregiver or student requests that it not be documented;

(f) any possible side effects, adverse reactions or contraindications.

(g) the quantity of prescription medication to be received by the school from the caregiver;

(h) the required storage conditions;

(i) the duration of the medication order;

(j) the designation of unlicensed school personnel, if any, who will administer the prescription medication to the student in the absence of the school nurse, and plans for back-up if the designated personnel are unavailable;

(k) plans, if any, for teaching self -administration of the medication;

(l) with caregiver permission, other persons, including teachers, to be notified of medication administration and possible adverse effects of the medication;

(m) when appropriate, the location where the administration of the prescription medication will take place;

(n) a plan for monitoring the effects of the medication;

(o) the school nurse has final decision-making authority for the provision of medication administration in the case of field trips and other short-term special school events, which may include nursing staffing, delegation of medication administration, or a combination of nursing staffing and delegation of medication administration.

3. response to a medication emergency;

4. storage of medications;

5. reporting and documentation of medication errors;

6. dissemination of information to parents/guardians Such information shall include an outline of a school's medication policies and shall be available to parents upon request;

7. procedures for resolving questions between the school and a parent/guardian regarding administration of medications. Such procedures shall provide for and encourage the participation of the parents/guardians. Existing procedures for resolution of differences may be used whenever appropriate.

The School Committee shall submit these policies and procedures to the Department of Public Health upon request.

The School Nurse/Medication Program Manager, in consultation with the School Physician, may train and delegate responsibility to unlicensed school personnel for medication administration.

1. Neither prescription medication nor over-the-counter medications can be administered by delegation by unlicensed school personnel without student-specific medication orders from a licensed prescriber.

2. The School Nurse/Medication Program Manager has final decision-making authority for the provision of medication administration in the case of field trips and other short-term special school events, which may include nursing staffing, delegation of medication administration, or a combination of nursing staffing and delegation of medication administration.

3. The unlicensed school personnel shall be listed on the medication administration plan, shall be selected by the school nurse, and trained, if they meet criteria established by regulation in the administration of emergency medication to a specific student.

    - All unlicensed school personnel administering medication must be properly trained and supervised by a school nurse.
    - If epinephrine is administered by unlicensed school personnel, the school nurse, and other individuals as warranted and deemed appropriate by the school nurse, must also be notified.
    - If an emergency rescue opioid antagonist is administered there shall be immediate notification of the local emergency medical services (911), followed by notification of a student's parent/guardian as appropriate, and the school nurse.

The school district may, in conjunction with the School Physician and the School Nurse Leader, stock emergency rescue opioid antagonist and trained medical personnel and first responders may administer nasal naloxone to individuals experiencing a life threatening opiate overdose in a school settling

If the school district wishes medical personnel to train non- medical staff in the administration of emergency rescue opioid antagonist the School Committee shall vote to approve such training and the Superintendent shall ensure that medical personnel have a written protocol which complies with medical directives and regulations from the Department of Public Health.

Following consultation with the school nurse, students who fall into the following exceptions may self-administer medications:

1. Students with asthma or other respiratory diseases may possess and administer prescription inhalers.

2. Students with cystic fibrosis may possess and administer prescription enzyme supplements.

3. Students with diabetes may possess and administer glucose monitoring tests and insulin delivery systems.

4. Students with life threatening allergies may possess and administer epinephrine.

All schools/districts where medication is stored or where medication administration is delegated to unlicensed school personnel must obtain a Massachusetts Controlled Substances Registration by registering with the Department of Public Health. At minimum, schools/districts may accomplish this by registering for emergency medication training.

Schools/districts are not authorized to make use of 105 CMR 700.003(C) for the administration of emergency rescue medications during regular school activities.

LEGAL REF.: M.G.L. 71:54B

Dept. of Public Health Regulations: 105 CMR 210.00 & 700.003; 244 CMR 3.0

MDPH Advisory on Application of 105 CMR 210.00 to Field Trips, 2/4/2025

File: JLCDC

SELF-ADMINISTRATION AND SELF-CARRY OF MEDICATIONS

The school nurse may permit self-carry and self-administration of medication by a student provided that the following requirements are met:

1. the student, school nurse and caregiver, where appropriate, enter into an agreement which specifies the conditions under which medication may be self--administered, which may include the conditions under which a student may self-carry medication for the purpose of administration by another, or whether the medication being self-administered is being taken or applied by the student themselves or with an FDA-approved medical device;

2. the school nurse, as appropriate, develops a medication administration plan pursuant to 105 CMR 210.005(E) which contains only those elements necessary to ensure safe self-administration of medication;

3. the school nurse evaluates the student's health status and abilities and deems self—-administration safe and appropriate. As necessary, the school nurse shall observe initial self-administration of the medication;

4. the school nurse is reasonably assured that the student is able to identify the appropriate medication, knows the frequency and time of day for which the medication is ordered, and follows the school self--administration protocols;

5. there is written authorization from the student's caregiver that the student may self-administer medication, unless the student has consented to treatment under M.G.L. c. 112, § 12F or other authority permitting the student to consent to medical treatment without caregiver permission;

6. if requested by the school nurse, the licensed prescriber provides a written order for self-administration;

7. the school nurse establishes a plan for the safe storage of self-administered medication and, as necessary, consults with teachers, the student and caregiver, if appropriate, to determine a safe place for storing the medication for the individual student, while providing for accessibility if the student's health needs require it. This may include self-carry of the medication and this information shall be included in the medication administration plan. In the case of an inhaler or other preventive or emergency medication, whenever possible, a backup supply of the medication shall be kept in the health room or a second readily available location;

8. the school nurse develops and implements a plan to monitor the student's self-administration, based on the student's abilities and health status. Monitoring may include teaching the student the correct way of taking the medication, and notifying the caregiver or licensed prescriber of any side effects, variation from the plan, or the student's refusal or failure to take the

medication;

9. with caregiver and student permission, if required by law, as appropriate, the school nurse may inform appropriate teachers and administrators that the student is self-administering and/or self-carrying a medication.

File: JLCF

LIFE THREATENING STUDENT ALLERGIES

The District recognizes the increasing prevalence of student allergies and the life-threatening nature of the allergies for many students. The administration shall develop and implement procedures to minimize the risk of exposure to allergens that pose a threat to students, to educate all members of the school community, and to plan for the individual needs of students with life-threatening allergies. Further, these procedures will aim to assist students in assuming more individual responsibility for their health and safety as they grow older, and to ensure full participation in school activities.

The procedures will be reviewed annually and modified as appropriate and will include the following:

A. Education and training: The District will provide annual education and training to all appropriate personnel on management of student allergies. The training will address prevention efforts, information about common allergens, and recognition of signs of an allergic reaction, emergency response plan, and epi-pen administration where appropriate.

B. Individualized planning and accommodations: An Individual Health Care Plan (IHCP) or Emergency Health Care Plan that addresses the management of anaphylaxis will be developed for each student with a medically diagnosed life-threatening allergy. These plans are maintained by the nursing staff.

C. Classroom management procedures: Reasonable and appropriate accommodations will be made in the classroom to minimize allergen exposure. The use of food for celebrations and rewards will be minimized and bake sales will not be permitted at elementary and middle schools during the day

D. Kitchen and cafeteria procedures: The food service staff must make reasonable efforts to ensure that all food items offered to a student with life-threatening allergies are free of foods suspected of causing the allergic reaction.

E. Transportation procedures: School buses and vans must have a working means of two-way communication and a plan to check the communication system periodically. Bus and van drivers must have an emergency response plan. The eating and sharing of food will be prohibited on transportation routes unless medically indicated for a student.

F. Field trip procedures: Planning for field trips will include plans to implement a student's IHCP, and identification of the communication system (cell phone, walkie-talkie etc). In the absence of a parent or school nurse, a trained staff member designated by the school nurse will attend field trips which include a student with a life-threatening allergy

G. Emergency response procedures: All staff members supervising students with life-threatening allergies must have a means of communication to call for assistance. The school nurse or

another school staff member trained to administer epinephrine in accordance with 105 CMR 210 must be available in each school facility during the school day.

H. Procedures for handling epinephrine: Each school must maintain a current supply of epinephrine by auto-injector (epi-pens) and must comply with all Department of Public Health regulations for administration, storage, and record-keeping concerning epinephrine. The district head nurse/

medication manager shall register with the Department of Public Health and shall train other school personnel to administer epinephrine in accordance with 105 CMR 210. All staff members will be informed of the location of the epi-pens.

References: Massachusetts Department of Education, Managing Life-Threatening Food Allergies in Schools, Fall 2002; Section 504 Rehabilitation Act of 1973; IDEA; ADA – Title II; USDA Federal Regulations 7 CFR 210.10

File: JLIA

RESPONSIBILITY FOR SUPERVISION OF STUDENTS

All staff including provisional and professional teachers have the continuing responsibility for supervision of students.

The teacher is responsible for the health, safety, and security of students assigned to the teacher during the regularly scheduled instruction and homeroom periods.

All staff, including teachers, paraprofessionals, custodians, (etc.), have the responsibility for ensuring students are acting in safe and appropriate ways in all common areas of the school, including hallways, the cafeteria, the gymnasium, the auditorium, the playground, the parking lot, and any other public area of the school and its grounds.

Should it be necessary for the teacher to be absent from a class, the teacher should make specific arrangements with another certified person (teacher, supervisor, or administrator) to take responsibility for the class.

It is recognized that, after proper preparation, a student teacher or intern needs the experience of teaching a class without the supervising teacher being present. However, the supervising teacher retains responsibility for the class during such circumstances and shall remain in close proximity in event the student teacher or intern needs assistance.

1. Student teachers will be permitted to cover classes for part of the school day only after a period of observation and the satisfaction of the supervising teacher that the student teacher is prepared to assume the responsibilities of the classroom teacher. Supervising teachers shall not shorten this observation period to less than five school days without permission of a supervisor.

2. Student teachers are not to be used as substitute teachers for the entire school day without the consent of the superintendent.

File: JM

APPROVAL OF SCHOLARSHIPS

Individuals, businesses, or organizations desiring to help district students with scholarships are encouraged to do so using one of the following four options:

1. Establishing self-managed scholarships in any amount provided they meet fund deadlines as determined by Wahconah Regional High School Guidance.
2. Establishing named, on-going scholarships, in the amount of $10,000 or more.
3. Establishing named scholarships of between $5,000 and $10,000 with a specified award per year and principal and interest to be exhausted over a maximum of 5 years.
4. Making contributions of less than $5,000 to the Central Berkshire Regional School District General Scholarship Fund.

Self-managed scholarships in any amount must meet fund deadlines as determined by Wahconah Regional High School Guidance.

All named scholarships of $5,000 or more must secure school committee approval. A statement containing the names of the donor, the purpose and amount of scholarship, the manner in which it is to be paid, the application procedure, the criteria and process for selection should be submitted to the school committee. The school committee will base its decision on the following criteria:

1. The scholarship must be offered by a donor acceptable to the school committee.
2. The scholarship must be given as an appropriate memorial or for worthwhile purposes.
3. The application and selection procedures must be clearly stated and fair to all members of the eligible group of students.
4. The application and selection procedures must not result in unreasonable demands being made on the school staff.
5. The awarding of the scholarship must not result in any unreasonable costs to the school district.
6. The awarding of the scholarship must not be in conflict with the law or school committee policy nor should it imply an endorsement of any business recipient.
7. The school may post or print information regarding private restricted scholarships as long as no preferential treatment is given to any particular scholarship offered and as long as the school does not endorse or recommend any such scholarship nor advise or suggest to a particular student that he or she apply for such a scholarship

Contributions for amounts under $5,000 will be placed into the Central Berkshire Regional School District General Scholarship Fund. If the contribution is made in memory of an individual, this will be recognized the first year at Class Night ceremonies and in the form of a plaque displayed at Wahconah Regional High School. Class Night awards will be printed in a special bulletin indicating donors to the General Scholarship Fund. The General Scholarship Fund will be managed under the following terms and conditions.

1. The Treasurer shall be authorized to consolidate small left over sums and undesignated scholarship contributions.
2. Awards shall be made annually, the amount of the awards established by the Treasurer of the Central Berkshire Regional School District.
3. The Wahconah Principal, guidance chairperson, and the local Wahconah Scholarship Committee shall accept applications, determine the number of awards, and make the selections

to be announced at Class Night. Scholarships administered or sponsored by the district shall be free of restrictions based on, race, color, sex, religion, national origin, sexual orientation, disability, homelessness or unaccompanied status.

4. Applicants must be accepted as matriculating students at post secondary educational institutions to be eligible for awards.
5. The Treasurer is authorized to use the General Scholarship Fund to supplement other scholarships for the purpose of awarding an "even" amount of money. The amount taken from the General Scholarship Fund to supplement others shall not exceed $15.00 per scholarship in any given year.
6. A scholarship fund with a balance too small to award will become part of the General Scholarship Fund.
7. Small sums of interest monies or other small amounts accrued from various scholarship accounts may be closed out and placed into the General Scholarship Fund.

Scholarship funds in existence at the date of this policy will be managed by the terms and conditions herewith.

File: JQ

STUDENT FEES, FINES, AND CHARGES

The School Committee recognizes the need for student fees to fund certain school activities. It also recognizes that some students may not be able to pay these fees. While no student will be denied access due to an inability to pay fees, all students will be required to remit charges and fines.

A school may exact a fee or charge only upon Committee approval. The schools, however, may:

- Charge students enrolled in certain courses for the cost of materials used in projects that will become the property of the student.

- Charge for lost and damaged books, materials, supplies, and equipment.

Students who are indigent are exempt from paying fees. However, indigent students are not exempt from charges for lost and damaged books, locks, materials, supplies, and equipment. Such inability to pay will be deemed established if the student has been approved for reduction or waiver of fees under the federal guidelines of the free and reduced lunch program.

All student fees and charges, both optional and required, will be listed and described annually in each school's student handbook or in some other written form and distributed to each student. The notice will advise students that fees are to be paid and of the penalties for their failure to pay them. Permissible penalties include the denial of participation in extra class activities and graduation exercises and activities while the student is enrolled in this District.

Any fee or charge due to any school in the District and not paid at the end of the school year will be carried forward to the next succeeding school year, as such debts are considered to be debts of the student to the District and not to a particular school.

CROSS REF: STUDENT HANDBOOK

File: JRA

STUDENT RECORDS

In order to provide students with appropriate instruction and educational services, it is necessary for the school district to maintain extensive and sometimes personal information about them and their families. It is essential that pertinent information in these records be readily available to appropriate school personnel, be accessible to the student's parents or legal guardian and/or the student in accordance with law, and yet be guarded as confidential information.

The Superintendent will provide for the proper administration of student records in keeping with state and federal requirements, and shall obtain a copy of the state student records regulations. The temporary record of each student will be destroyed no later than seven years after the student transfers, graduates or withdraws from the School District. Written notice to the eligible student and their parent/guardian of the approximate date of destruction of the temporary record and their right to receive the information in whole or in part, shall be made at the time of such transfer, graduation, or withdrawal. The student's transcript may only be destroyed 60 years following their graduation, transfer, or withdrawal from the school district.

The Committee wishes to make clear that all individual student records of the school district are confidential. This extends to giving out individual addresses and telephone numbers.

LEGAL REFS: Family Educational Rights and Privacy Act of 1974,
P.L. 93-380, Amended
P.L. 103-382, 1994
M.G.L. 66:10; 71:34A, B, D, E, H
603 CMR 23.00

CROSS REF: KDB, Public's Right to Know

File: JRD

STUDENT PHOTOGRAPHS

Individual schools may arrange, in cooperation with the school's parent organization, student council, designated student committee, or a staff committee, to take individual student and/or class group pictures.

Individual and/or class group pictures may be taken at the school facility and during the regular school day hours. The pictures shall be made available for purchase by students and/or parents/guardians on a voluntary basis. The building Principal or their designee shall have final authority in authorizing the picture-taking program and will be responsible for overseeing the process.

Students may be required to have an individual picture taken for the cumulative file or identification purposes; however, no student shall be pressured or required to purchase photographs.

The purpose of the policy is to:

- Enhance the safety of students through visual identification in an emergency situation.
- Facilitate the social, educational, and administrative activities conducted in the school.
- Provide a service to parents/guardians and students.
- Allow the profits gained from the picture-taking program to be used by the sponsoring group and authorized by the building Principal.

LEGAL REF.: M.G.L. 30B:1(b)(31)

SECTION K

COMMUNITY RELATIONS

KA **SCHOOL/COMMUNITY RELATIONS GOALS**

KBBA **NON-CUSTODIAL PARENTS' RIGHTS**

KBE **RELATIONS WITH PARENT ORGANIZATIONS**

KBG **PARENT ADVISORY COUNCILS**

KCD **PUBLIC GIFTS TO THE SCHOOLS**

KDB **PUBLIC'S RIGHT TO KNOW**

KDC **COMMUNITY USE OF DIGITAL RESOURCES**

KDCB **DISTRICT WEBSITE AND SOCIAL MEDIA**

KDD **NEWS MEDIA RELATIONS/NEWS RELEASES**

KE **PUBLIC COMPLAINTS**

KF **COMMUNITY USE OF SCHOOL FACILITIES**

KF-R **COMMUNITY USE OF SCHOOL FACILITIES**

KHA **SOLICITING FROM STUDENTS**

KHA **PUBLIC SOLICITATIONS IN THE SCHOOLS**

KHB **ADVERTISING IN THE SCHOOLS**

KI **VISITORS TO THE SCHOOLS**

KLG **RELATIONS WITH POLICE AUTHORITIES**

KLJ **RELATIONS WITH PLANNING AUTHORITIES**

File: KA

SCHOOL/COMMUNITY RELATIONS GOALS

The School Committee believes that the District is an integral part of the community and that community support is necessary for the District's operation and achievement of excellence. The School Committee and District staff members recognize that community support is based on a mutual exchange, a dynamic process in which the District contributes to the community's success and, in turn, benefits from the community's resources.

In order to maintain productive relationships with the community, the District is committed to sustaining:

- **Effective, accurate, and meaningful communications that facilitate dialogue, encourage involvement in District programs, and create community advocacy for its public schools.**

- **Volunteer programs that provide mutually enriching experiences for our students, staff, and community volunteers.**

- **Recognition programs that publicly honor the contributions of our students, employees, and community partners and express pride in our individual and collective accomplishments.**

- **Community service efforts which enable the District's staff and students to express their commitment to the community.**

File: KBBA

NON-CUSTODIAL PARENTS' RIGHTS

As required by Massachusetts General Law, a non-custodial parent may have access to the student record in accordance with law and Dept. of Elementary and Secondary Education Regulations. The school district will follow the law and the regulations developed by the Massachusetts Dept. of Elementary and Secondary Education to standardize the process by which public schools provide student records to parents who do not have physical custody of their children ("non-custodial parents").

As required by law, a non-custodial parent may have access to the student record in accordance with the following provisions.

(a) A non-custodial parent is eligible to obtain access to the student record unless the school or district has been given documentation that:

1. The parent has been denied legal custody or has been ordered to supervised visitation, based on a threat to the safety of the student and the threat is specifically noted in the order pertaining to custody or supervised visitation, or
2. The parent has been denied visitation, or
3. The parent's access to the student has been restricted by a temporary or permanent protective order, unless the protective order (or any subsequent order modifying the protective order) specifically allows access to the information contained in the student record, or
4. There is an order of a probate and family court judge which prohibits the distribution of student records to the parent.

(b) The school shall place in the student's record documents indicating that a non-custodial parent's access to the student's record is limited or restricted pursuant to regulation.

(c) In order to obtain access, the non-custodial parent must submit a written request for the student record to the school principal.

(d) Upon receipt of the request the school must immediately notify the custodial parent by certified and first class mail, in English and the primary language of the custodial parent, that it will provide the non-custodial parent with access after 21 days, unless the custodial parent provides the principal with documentation that the non-custodial parent is not eligible to obtain access as set forth in regulation.

(e) The school must delete all electronic and postal address and telephone number information relating to either work or home locations of the custodial parent from student records provided to non-custodial parents. In addition, such records must be marked to indicate that they shall not be used to enroll the student in another school.

(f) Upon receipt of a court order which prohibits the distribution of information pursuant to law, the school shall notify the non-custodial parent that it shall cease to provide access to the student record to the non-custodial parent.

LEGAL REF.: M.G.L. 71:34D; 71:34H
603 CMR 23.07 (5) Access Procedures for Non-Custodial Parents
20 U.S.C. §1232g Family Education Rights and Privacy Act (FERPA)

File: KBE

RELATIONS WITH PARENT/BOOSTER ORGANIZATIONS

To enhance communications between parents/guardians and school officials, the Committee encourages the maintenance of formal parent organizations, including booster organizations, at each school building. For this purpose, the Committee will officially recognize parent organizations. These procedures will be observed:

1. Organizations will be officially recognized upon request by the building Principal who will file a copy of the organizational papers with the Superintendent.

2. A vote, open to all parents/guardians of children enrolled, will designate the organization to be recognized if more than one organization with the same purpose makes the request.

3. All parent organizations shall obtain 501C3 status and file appropriate paperwork with state authorities and make proof of such status available to school district administration.

4. All parent organizations need to recognize that spending on student activities must comply with federal law relating to equity among student genders.

LEGAL REFS: Title IX, Education Amendments of 1972

CROSS REFS: ACA – Nondiscrimination on the Basis of Sex

File: KBG

PARENT ADVISORY COUNCILS (PACs)

Massachusetts General Law requires the formation and support of specific Parent Advisory Councils. These PACs can provide valuable feedback for School Committees. Committees should engage with their PACs to encourage stakeholder feedback by both designating liaisons to their PACs as with other groups and inviting the PACs to present updates on their activities to the Committee on a regular basis.

PACs must be granted access to district resources to assist them in their operations and activities where available, including but not limited to spaces for meetings and the ability to communicate with parents in the manner most accessible. PACs will not be charged for using district facilities.

Special Education Parent Advisory Councils

Every district in Massachusetts and their school committee are responsible for the establishment and support of a Special Education Parent Advisory Council, or SEPAC, in their city or town.

The "duties of the SEPAC, shall include but not be limited to: advising the school committee on matters that pertain to the education and safety of students with disabilities; meeting regularly with school officials to participate in the planning, development, and evaluation of the school committee's special education programs."

If a district does not have an established SEPAC, the School Committee, in conjunction with the district, shall solicit volunteers to form an interim SEPAC board. The interim board shall then work independently to create bylaws following the guidance put forth by DESE and hold formal elections by the end of the current school year.

In the absence of a SEPAC, the Student Services Department will hold the required annual Basic Rights workshop until one is established.

English Learner Parent Advisory Councils and Multilanguage Learner Parent Advisory Councils

ELPACs, or MLPACs, are required in Massachusetts under the following conditions:

"School districts or charter schools operating a language acquisition program for ELs serving 100 or more ELs or in which ELs comprise at least five percent of the school district's or charter school's student population, whichever is less; and/or

"Schools designated as underperforming or chronically underperforming and operating a program for ELs

ELPACs and MLPACs "are intended by law to advise school districts and schools regarding matters that impact ELs, such as providing advice on English learner education programs, meeting regularly with school officials about educational opportunities for ELs, and providing input on school or district improvement plans as they relate to ELs."

File: KBG

Schools and/or districts will provide notification to parents/guardians annually in a language that is accessible to them.

LEGAL REFS: MGL Ch 71B, Section 3
603 CMR 28.07 (4)
603 CMR 28.03 (1) (a) (4)
"Act Relative to Language Opportunity for Our Kids,"
Chapter 138 of the Acts of 2017 (The LOOK Act)

OTHER REFS: Guidance for Special Education Parent Advisory Councils - DESE 2010
Guidance for English Learner Parent Advisory Councils - DESE 2018

File: KCD

PUBLIC GIFTS TO THE SCHOOLS

In accordance with state law, all grants and gifts to the District shall be reviewed and accepted by the School Committee before expenditure or use. In the case of gifts from industry, business, or special interest groups, no extensive advertising or promotion may be involved in any donation to the schools.

Gifts will automatically become the property of the school district. Any gift of cash, regardless of donor intent, will be accepted by vote of the School Committee kept separate from the general fund, and expended at the discretion of the Committee, as provided by law.

The Committee directs the Superintendent to assure that an appropriate expression of thanks is given to all donors.

LEGAL REFS.: M.G.L. 44:53A, 71:37A

CROSS REFS.: DD, Grants, Proposals, and Special Projects
GBEBD, Online Fundraising and Solicitation--Crowdfunding

File: KDB

PUBLIC'S RIGHT TO KNOW

The School Committee is a public servant, and its meetings and records will be a matter of public information except as such meetings and records pertain to individual personnel and other legally confidential matters.

The School Committee supports the right of the people to know about the programs and services of their schools and will make every effort to disseminate information. All requests for information will be acted on fairly, completely and expeditiously.

All commonly available public record documents of the School District shall be posted on the district's website. The length of time such records shall remain posted on the district website shall be in accordance with the Municipal Record Retention Manual. In addition, the official minutes of the Committee, its written policies and regulations, and its financial records will be open for inspection at the office of the Superintendent by any citizen desiring to examine them during hours when the office is open. No records pertaining to individual students or staff members will be released for inspection by the public or any unauthorized persons by the Superintendent or other persons responsible for the custody of confidential files. The exception to this will be information about an individual employee (or student) that has been authorized in writing for release by the employee (or student, or student's parent/guardian).

Each building administrator is authorized to use all means available to keep parents/guardians and others in the particular school's community informed about the school's program and activities.

LEGAL REFS.: M.G.L. 4:7; 66:10; 30A:18-25

CROSS REFS.: BEDG, Minutes
GBJ, Personnel Records
JRA, Student Records

File: KDC

COMMUNITY USE OF DIGITAL RESOURCES

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On recommendation of the Superintendent in conjunction with the Director of Technology, the district shall determine when and which computer equipment, software, and information access, including the use of wireless internet access, systems will be available to the community.

Those using the district systems as a member of the community must abide by the district's procedures regarding responsible use.

All guests will be prompted to, and must accept the district's digital use form before accessing the district network.

The Superintendent or designee may revoke such access at any time.

CROSS REF: INJD ACCESS TO DIGITAL RESOURCES
INJDC ACCEPTABLE USE OF DIGITAL RESOURCES

File: KDCB

DISTRICT WEBSITE AND SOCIAL MEDIA

The School Committee wishes to ensure accurate delivery of information, and as such, the Central Berkshire Regional School District Public Schools will maintain a district website and such district and school social media accounts as authorized by the Superintendent. All such online platforms will be maintained by district staff, acting in their professional capacities.

In order for public communication with the School Committee and district personnel to be responded to in a timely manner, in line with the legal requirements for public communication, commenting on all district and school sites will be turned off. Every school and district site will clearly indicate this policy and will direct those wishing to contact the school and district personnel to the appropriate venues to do so.

Unauthorized use of district or school name is prohibited.

A high priority will be placed on such platforms being accessible, frequently updated, and user friendly.

LEGAL REF: Constitution of the Commonwealth of Massachusetts, Declaration of Rights, Article 16 Constitution of the United States of America, Amendment 1
MGL Ch. 66
MGL Ch. 30A

REF: A Guide to the Massachusetts Public Records Law (Secretary of the Commonwealth)

CROSS REF: BEDH - PUBLIC COMMENT AT SCHOOL COMMITTEE MEETINGS
GBEE - PERSONNEL USE OF TECHNOLOGY
BHE - USE OF ELECTRONIC MESSAGING BY SCHOOL COMMITTEE MEMBERS

File: KDD

NEWS MEDIA RELATIONS/NEWS RELEASES

Every effort will be made to assist the press and other communications media to obtain complete and adequate coverage of the successes, challenges, programs, planning, and activities of the school district.

All representatives of the media will be given equal access to information about the schools. General releases of interest to the entire community will be made available to all the media simultaneously. There will be no exclusive releases except as media representatives request information on particular programs, plans or challenges.

In order that school district publicity is given wide coverage and is coordinated into a common effort and purpose, the following procedures will be followed in giving official information to the news media:

1. The School Committee Chair will be the official spokesman for the Committee, except as this duty is delegated to the Superintendent.

2. News releases that are of a district-wide or a sensitive nature or pertain to established Committee policy are the responsibility of the Superintendent.

While it is impossible to know how news releases will be treated by the press, every possible effort should be made to obtain coverage of school activities that will create and maintain a dignified and professionally responsible image for the school district.

File: KE

PUBLIC COMPLAINTS

Although no member of the community will be denied the right to bring their complaints to the Committee, they will be referred through the proper administrative channels for solution before investigation or action by the Committee. Exceptions will be made when the complaints concern Committee actions or Committee operations only.

The Committee believes that complaints are best handled and resolved as close to their origin as possible, and that the professional staff should be given every opportunity to consider the issues and attempt to resolve the problem prior to involvement by the Committee. Therefore, the proper channeling of complaints involving instruction, discipline or learning materials will be as follows:

1. Teacher

2. School building administrator

3. Superintendent

4. School Committee

If a complaint, which was presented to the Committee and referred back through the proper channels, is adjusted before it comes back to the School Committee, a report of the disposition of the matter will be made to the Committee and then placed in the official files.

Complaints about school personnel will be investigated fully and fairly. However, before any such complaint is investigated, the complainant must submit their complaint in writing. Anonymous complaints will be disregarded, except where mandated by law.

Matters referred to the Superintendent and/or School Committee must be in writing and should be specific in terms of the action desired.

The Committee expects the professional staff to receive complaints courteously and to make a proper reply to the complainant.

LEGAL REFS.: M.G.L. 76:5
603 CMR 26.00

File: KF

COMMUNITY USE OF SCHOOL FACILITIES

It is the School Committee's desire that maximum use of school property be enjoyed by the townspeople. It is the Committee's intent that such use will maintain safe conditions and preserve the property for school program use.

Use of school buildings and other facilities by organizations will be permitted only when a worthy educational, civic, or charitable purpose will be served; or a substantial group of citizens from the community will be benefited.

School facilities will be used according to the regulations and rental fee schedules recommended by the Superintendent and approved by the School Committee.

Permission for the use of facilities must be obtained through the office of the Superintendent of Schools, where applications are available for this purpose.

Eligibility

School facilities will be available for the following:

1. Public school activities
2. Parent-teacher activities
3. Official town public hearings and political activities
4. Meetings and activities sponsored by the School Committee and school personnel
5. Parks and playgrounds activities
6. Local nonprofit and noncommercial organization activities
7. The activities of other organizations when approved by the School Committee

School and Town Preference

The priority given requests for use of school facilities will be as follows:

1. School activities
2. Town meetings and elections over other community activities
3. Parks and playgrounds

LEGAL REFS.: M.G.L. 71:71; 71:71B; 272:40A

File: KF-R

COMMUNITY USE OF SCHOOL FACILITIES

The use of school buildings, grounds, equipment, and facilities will be authorized by the Superintendent in conformity with the following regulations, which have been approved by the School Committee.

1. Requests for the use of school facilities will be made at the office of the Superintendent at least 14 days prior to the date of use.

2. School facilities may not be used for individual, private, or commercial purposes.

3. Requests for school facilities must be cleared with the building Principal or the Superintendent or both, should the nature of the request so justify.

4. School-related groups will be permitted reasonable use of school facilities without charge.

5. All activities must be under competent adult supervision approved by the Superintendent and the Principal of the building involved. In all cases, an assigned school employee will be present. The group using the facilities will be responsible for any damage to the building or equipment.

6. Groups receiving permission are restricted to the dates and hours approved and to the building area and facilities specified, unless requested changes are approved by the Superintendent.

7. Groups receiving permission are responsible at all times for the observance of fire and safety requirements.

8. Smoking within the building is not permitted. Permission for the possession and sale of alcoholic beverages may be granted to a nonprofit organization, which is properly licensed, only by the School Committee.

9. Proper liability insurance will be required of all groups given permission to use school facilities.

10. The Committee will approve and periodically review a fee schedule for the use of school facilities.

11. In situations where there is no cost factor to the school district, or in situations where a mutual exchange of facilities is possible between the school district and the organization, rates may be modified or eliminated by the Superintendent. In situations where extended usage for a long period of time is required, rates may be set at a contract price.

12. The School Committee reserves the right to cancel any permission granted.

File: KHA

PUBLIC SOLICITATIONS IN THE SCHOOLS

The School Committee will place limits on commercial activities and fund-raising activities in the schools for the following reasons:

1. The school district should provide students, parents/guardians, and employees some measure of protection from exploitation by commercial and charitable fund-raising organizations.

2. The school district should not give the public the impression of generally endorsing or sanctioning commercial and fund-raising activities.

3. Commercial and fund-raising activities may disrupt school routine and cause loss of instructional time.

Following these guiding statements, the Superintendent and Principals may permit occasional commercial or fund-raising activities related to the objectives of the schools with the following exceptions:

1. No direct solicitation of students or employees may take place without School Committee permission.

2. No general or class distribution of commercial or fund-raising literature may take place without School Committee permission.

For the purposes of this policy, local parent-teacher groups and groups representing school district employees will be considered "school groups" and will be governed by the Committee's policy on staff solicitations.

LEGAL REF.: M.G.L. 44:53A

CROSS REFS.: GBEBC, Staff Gifts and Solicitations
JJE, Student Fund-Raising Activities
KHB, Advertising in the Schools

File: KHB

ADVERTISING IN THE SCHOOLS

The School Committee shall develop guidelines or regulations under which the Superintendent or designee may grant permission for advertising of commercial products or services in school buildings or on school property. Publications of the school district will not contain any advertising. However, this will not prevent advertising in student publications that are published by student organizations, subject to administration controls, or the use of commercially-sponsored, free teaching aids if the content is approved by the administration.

Solicitation of sales or use of the name of the school district to promote any product will not be permitted by the Committee.

Approval of advertisements does not constitute endorsement by the School Committee or the Central Berkshire Regional School District of an advertiser's products, programs, or services.

Advertisements will be restricted to common areas accessible to the public.

CROSS REF.: KHA, Public Solicitations in the Schools

File: KI

VISITORS TO THE SCHOOLS

The School Committee welcomes parents/guardians and guests to visit classrooms to observe and learn about the instructional programs taking place in our schools. Such visits can prove most beneficial in promotion of greater school-home cooperation and community understanding of how we carry out the school district's mission and goals.

Visits by parents/guardians to several classrooms in a given grade for the purposes of comparing teaching styles to provide a basis for a request for student assignment to a particular teacher are strongly discouraged because the School District's policy of assigning a student to a particular class is the sole responsibility of the building Principal in consultation with the staff of that school.

The building Principal has the authority to determine the number, times, and dates of observations by visitors. This will be done in consultation with staff members so as to give adequate notice to the staff members of the impending visits.

If permission is granted, the guest is expected to follow the standards of behavior expected of all students and staff. Upon arrival the guest must register in the office, don a visitor tag, and sign a guest log showing arrival and departure times. Any guest who fails to comply with district regulations will be asked to leave the school building and grounds immediately.

CROSS REF.: IHBAA, Observations of Special Education Programs

File: KLG

RELATIONS WITH PUBLIC SAFETY AUTHORITIES

Cooperation with public safety agencies is essential for the protection of students, for maintaining a safe environment in the District schools, and for safeguarding all school property.

Relationships between the schools and officials of public safety agencies in investigative matters concerning pupils will take into consideration the respective roles of the schools and public safety agencies in assisting and protecting the interests of the community, and ensuring the rights of all concerned.

The School Committee also recognizes the potential enrichment that public safety agencies can make in the educational program.

Efforts should be made to develop and maintain a healthy attitude toward public safety agencies and personnel to promote better understanding and communication.

File: KLJ

RELATIONS WITH PLANNING AUTHORITIES

The School Committee may participate in local and state planning functions that could directly affect District schools and their immediate environment.

The Superintendent or designee will keep the School Committee informed of planning matters bearing directly on the operation of District schools or school-sponsored programs, and will undertake action on behalf of the School Committee to influence matters in the best interests of the students, the schools and the District.

SECTION L

EDUCATION AGENCY RELATIONS

LB RELATIONS WITH OTHER SCHOOLS AND SCHOOL DISTRICTS

LBC RELATIONS WITH NONPUBLIC SCHOOLS

LDA STUDENT TEACHING AND INTERNSHIPS

File: LB

RELATIONS WITH OTHER SCHOOLS AND SCHOOL DISTRICTS

The School Committee will cooperate with other schools and with local, state, and regional agencies and organizations when it is in the district's best interests to:

1. Seek solutions to educational problems of common concern.
2. Offer support services of high quality to our students.
3. Equalize educational opportunities for all students.
4. Acquire federal and state grants.
5. Promote local school district involvement in state and federal decision-making.

This cooperation may extend to research, providing transportation for students to special schools and hospitals, coordination of curriculum, exchange of information and data, construction of facilities that may be efficiently used on a cooperative basis, and the coordination of school calendars and activities.

Before joining any cooperative programs, education collaborative, or participating in any joint educational services with other school districts, the School Committee wants to be sure that in all instances the best interests of our students will be served. In carrying out this policy the Superintendent will include in reports to the Committee an evaluation of the desirability and feasibility of cooperation with other schools and agencies on matters of mutual interest.

LEGAL REFS.: M.G.L. 40:4E; 71:48; 71:71D; 71B:4; 74:4 through 74:7A; 76:1

File: LBC

RELATIONS WITH NON-PUBLIC SCHOOLS

In accordance with state law, the School Committee will approve a private school when it is satisfied that the school equals that of the municipality's public schools in thoroughness, efficiency, and progress made.

All of the following steps are required for approval of a private school:

1. The school submits a letter of application to the Superintendent of Schools.
2. The school completes all items on the "Checklist for Approval of a Private School" and submits required documentation.
3. The Superintendent or designee reviews the submitted materials.
4. The Superintendent or designee visits the school.
5. The school makes a presentation to the School Committee.
6. The Superintendent makes a recommendation to the School Committee.
7. The School Committee takes formal action on the recommendation.
8. The school is notified of the School Committee's decision.

The School Committee will act reasonably and in good faith to carry out its statutory approval function.

If substantial changes are made in the private school's program, the school must seek renewed approval.

The School Committee recognizes that many worthwhile contributions are made to this community by parochial and other private schools. Therefore, it will cooperate with these schools in matters of mutual benefit when law does not expressly prohibit this cooperation.

LEGAL REFS.: M.G.L. 40:4E; 71:48 and 71D; 71B:4; 74:4-7A; 76:1

File: LDA

STUDENT TEACHING AND INTERNSHIPS

The Committee encourages the administration to cooperate with teacher-training institutions in the placement of student teachers in the school district. All initial arrangements with the colleges and universities will be subject to Committee approval.

The Committee authorizes the administration to honor the reasonable rules and training guidelines of the sending institution.

In all arrangements made with colleges and universities, the school district will be given the privilege of interviewing and accepting or rejecting individual candidates for student teaching and internships.

The school administration will ensure there are procedures for evaluating the performance of student teachers that meet requirements of the sending institution and fit with the Committee's policies.