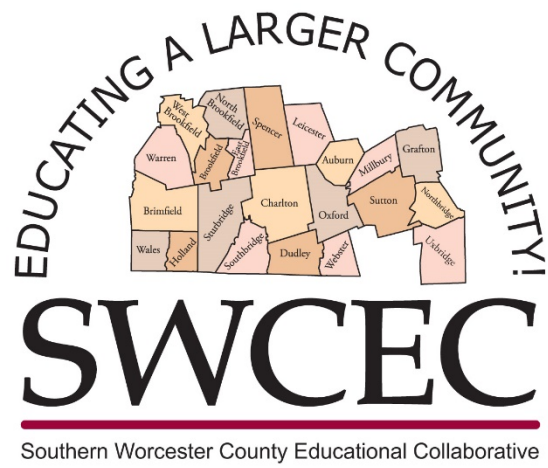


# Policy Manual



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# **SECTION I**

## **Foundation and Basic Commitments**

- I-A Mission/philosophy
- I-B Legal status of SWCEC
- I-C Discrimination/harassment
- I-D Non-discrimination on the basis of handicap

## **I-A MISSION/PHILOSOPHY**

The Southern Worcester County Educational Collaborative mission is to provide programs and services to meet the unique educational needs of all of its students.

SWCEC provides programs and services which are of high quality, comprehensive in nature, fiscally efficient, and student centered. Programs and services are developed and implemented according to those needs which have been identified by member districts. Highly qualified and dedicated staff believe in maximizing each student's potential for success. Program and services are conducted in facilities conducive to student achievement.

In keeping with its vision to maximize the potential for success of each student it serves, the Collaborative's mission is to provide the programs and services that meet the unique educational needs of each one of its students, in accordance with the following set of beliefs:

Students have the right to a free and appropriate education.

Students have unique individual needs.

Students will be taught by highly qualified and dedicated staff.

Students will be taught in classroom environments that are safe, secure, and conducive to successful learning.

Parents are an integral part of student achievement.

Diversity among member districts provides a valuable resource.

The resources of the sending district are available to SWCEC students and their families.

Member districts participate fully in the planning, development, and implementation of all SWCEC programs and services.

Adoption date:

Revision date:

MASC policy reference: AD

## **I-B           LEGAL STATUS OF SWCEC**

Established under an agreement authorized by MGL Chapter 71B and Chapter 40, Section 4E, the Southern Worcester County Educational Collaborative is established by the School Committees of the Towns of Auburn, Grafton, Leicester, Millbury, Northbridge, North Brookfield, Oxford, Southbridge, Sutton, Uxbridge, Webster, and the member Towns of the Dudley-Charlton Regional School District, the Quaboag Regional School District, the Spencer-East Brookfield Regional School District, and the Tantasqua-Union #61 Regional School District for the purpose of identifying, analyzing, and implementing programs and services for school age children with special needs when such programs and services are best served by a collaborative effort.

Adoption date: November 2009  
Revision date: May 2014

Source: Collaborative Agreement, Revision May 2014  
MASC policy reference: AA



## **I-C DISCRIMINATION/HARASSMENT POLICY**

It is the policy of SWCEC to provide a learning and working environment free from discrimination and harassment on the basis of race, color, religion, national origin, ancestry, genetic information, sex, sexual orientation, pregnancy, gender identity or expression, disability, veteran status, age, or homelessness. Discrimination and/or harassment of staff, students, and third-parties occurring on school grounds or in connection with school programs is unlawful and will not be tolerated by the District. Further, any retaliation against an individual who has complained about discrimination, harassment, or retaliation against individuals for cooperating with an investigation under this policy is similarly unlawful and will not be tolerated.

SWCEC strictly enforces a prohibition against harassment and discrimination, sexual or otherwise, of any of its students or employees by anyone, including any fellow student, teacher, supervisor, co-worker, vendor, or other third party, as such conduct is contrary to the mission of SWCEC and its commitment to equal opportunity in education and employment. Because SWCEC takes allegations of discrimination and harassment seriously, we will respond promptly to complaints of inappropriate conduct, and where it is determined that such conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate. Claims of retaliation will be investigated pursuant to this policy and procedures.

### Definition of Discrimination and Harassment

Discrimination and harassment consists of unwelcome conduct, whether verbal or physical, that is based on a characteristic protected by law, such as race, color, religion, national origin, ancestry, genetic information, sex, gender identity or expression, sexual orientation, disability, age, veteran status, or homelessness. Prohibited behavior includes, without limitation, slurs or other derogatory comments, objects, pictures, cartoons, or demeaning gestures connected to one's membership in a protected group. SWCEC will not tolerate harassing or discriminatory conduct that affects employment or educational conditions, that interferes unreasonably with an individual's school or work performance, or that creates an intimidating, hostile, or offensive work or school environment.

Reference to "harassment" shall also include "sexual harassment". Sexual Harassment means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when: (a) submission to or rejection of such advances, requests, or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; or, (b) such advances, requests, or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating, or sexually offensive work environment. Prohibited behavior includes, without limitation, and depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness: unwelcome sexual advances; sexual epithets, jokes, written or oral references to sexual conduct, and/or gossip regarding one's sex life; a comment on an individual's body, sexual activity, deficiencies, and/or prowess; displaying sexually suggestive objects, pictures, and/or cartoons; unwelcome leering, whistling, brushing against the body, sexual gestures, and/or suggestive or insulting comments; inquiries into one's sexual experiences; and/or discussion of one's sexual activities.

Discrimination and/or harassment of employees or students occurring in the schools or workplace is prohibited by law and will not be tolerated by SWCEC. For purposes of this policy, "workplace" or "school" includes school-sponsored social events, trips, sports events, work related travel or similar events connected with school or employment. Further, any retaliation against an individual who has complained about discrimination, harassment, or retaliation, or any retaliation against any individual who has cooperated with an investigation of a discrimination, harassment, or retaliation complaint, is similarly unlawful and will not be tolerated.

### Complaint Procedure

All complaints shall be processed in a fair, expeditious and confidential manner. Staff, student, or third-party complaints of discrimination or harassment based upon race, color, religion, national origin, ancestry, genetic information, sex, pregnancy, gender identity or expression, sexual orientation, disability, age, veteran status, or homelessness should be brought to SWCEC's Discrimination/Harassment Complaint Coordinator, the Executive Director. Complaints may be made verbally or in writing to the Coordinator or the Coordinator's designee, who has authority to investigate all grievances. If the complaint concerns allegations against the Coordinator, then the complaint should be brought to the Business Administrator. Complaints should be made promptly, within a short time after the occurrence giving rise to the complaint, to assure a prompt investigation and fair resolution.

A student who believes that he/she is the victim of harassment may also report the matter to a teacher, counselor, or administrator who in turn will notify the Principal/Director in the school. As an alternative, a student may report directly to the Building Principal or SWCEC's Discrimination/Harassment Complaint Coordinator.

All employees of SWCEC must respond to suspected harassment and/or complaints by students of harassment by notifying the Principal/Director. Employees are expected to take every report of discrimination or harassment seriously and to understand the reporting procedures.

### Investigation

SWCEC takes allegations of discrimination and harassment seriously and will respond promptly to complaints by taking interim steps to protect the complainant and the school community from further discrimination and/or harassment and by conducting a timely, thorough and impartial investigation.

All complaints will be thoroughly investigated by the Coordinator and/or the Coordinator's designee. Both the complainant and the subject of the complaint will be interviewed and given a full opportunity to state their case through the presentation of witnesses and other evidence. Witnesses and other persons relevant to the complaint, if any, may also be interviewed. A record will be kept of each investigation.

Complaints will be investigated within a reasonable time, usually not to exceed thirty (30) school days after the complaint has been received. When more than thirty (30) school days is required for the investigation, the Coordinator or his designee shall inform the employee or student who filed the complaint that the investigation is still ongoing. Both the complainant and the subject of the complaint will be informed of the result of the investigation, in writing in a manner consistent with federal and state law.

### Appeals

In the event a complainant or subject of a complaint disputes the results of the investigation or resolution, such person may submit an appeal in writing to the Executive Director within ten (10) school days of the Coordinator's decision. After receipt of such an appeal, the Executive Director will conduct a hearing with the parties and review the records of the investigation. The Executive Director will issue a decision within ten (10) business days of the hearing. The Executive Director's decision shall be final.

### Disciplinary Action

If a complaint is substantiated, the Coordinator will act promptly to eliminate the conduct and will refer the matter to the proper supervisor or administrator for appropriate responsive measures, including but not limited to disciplinary action. For students, discipline will be imposed consistent with the student code of conduct and state laws and regulations. Discipline of school staff will be consistent with collective bargaining procedures, if applicable, and may include reprimand, suspension from employment, or discharge. Responsive measures will also include any steps necessary to prevent the recurrence of any discrimination and/or harassment, and will include corrective action aimed at eliminating any discriminatory effects on the complainant and others, as appropriate.

While this policy sets forth our goals of promoting a school environment that is free from discrimination and harassment, this policy is not designed or intended to limit the authority to discipline and/or take remedial action for conduct which we deem unacceptable, regardless of whether that conduct falls within the ambit of this policy.

In certain cases, harassment, especially sexual harassment, of a student may constitute child abuse under Massachusetts law. SWCEC will comply with all legal requirements governing the reporting of suspected cases of child abuse. SWCEC will also report instances of harassment that may involve a crime in a manner consistent with the MOU between the SWCECs and the Police Departments where SWCEC programs are located.

Nothing in this policy or procedure shall be deemed to affect a complainant's right to other remedies at law, including administrative appeals or lawsuits. Administrative agencies with jurisdiction in these matters include:

The Massachusetts Commission Against Discrimination ("MCAD")  
One Ashburton Place, Room 601, Boston, MA 02108, (617) 727-3990

The U.S. Department of Education, Office for Civil Rights  
5 Post Office Square 8th Floor, Boston, MA 02109-3921, (617) 281-0111

Massachusetts Department of Education  
75 Pleasant Street, Malden, MA 02148, (781) 388-3300

The U.S. Equal Employment Opportunity Commission ("EEOC")  
One Congress Street - 10th Floor, Boston, MA 02114, (617) 565-3200

Adoption date: June 2018

Legal Ref: Title VI of the Civil Rights Act of 1964; Title VII, Section 703, Civil Rights Act of 1964 as amended; Title IX of the Education Amendment Act of 1972; Section 504 of the Rehabilitation Act of 1973; the Americans With Disabilities Act; Federal Regulation 74676 issued by EEO Commission; Education Amendments of 1972, 20 U.S.C. 1681 et seq. (Title IX); M.G.L. c. 76, § 5; M.G.L. c. 151B; 603 CMR 26.00 et seq.

MASC policy reference: AC

## **I-D NON-DISCRIMINATION ON THE BASIS OF HANDICAP**

Title II of the Americans with Disabilities Act of 1992 requires that no qualified individual with a disability shall, because the Collaborative'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 Collaborative or be subject to discrimination. Nor shall the Collaborative 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 Collaborative.

### Reasonable Modification

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

### Communications

The Collaborative 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 Collaborative 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 Collaborative. In determining what type of auxiliary aid or service is necessary, the Collaborative 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, Brailled 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 Collaborative 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 Collaborative shall be made by the Board of Directors after considering all resources available for use in funding and operating the program, service, or activity. The decision shall be accompanied by a written statement of the reasons for reaching that conclusion.

### Notice

The Collaborative 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 Collaborative. The information shall be made

available in such a manner as the Board of Directors and Executive Director find necessary to apprise such persons of the projections against discrimination assured them by the ADA.

#### Compliance Coordinator

The Collaborative 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 Collaborative 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 Collaborative receives federal financial assistance and must comply with the above requirements. Additionally, the Board of Directors is of the general view that:

1. Discrimination against a qualified handicapped person solely on the basis of handicap is unfair;
2. To the extent possible, qualified handicapped persons should be in the mainstream of life in a school community. Accordingly, employees of the collaborative will comply with the above requirements of the law and policy statements of this board to ensure non-discrimination on the basis of handicap.

Adoption date: June 2018

Legal Ref: 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  
MASC policy reference: ACE

## **SECTION II**

### **Board Governance and Operations**

- II-A Board legal status
- II-B Board powers and duties
- II-C Board member responsibilities
- II-D Board of directors' code of ethics
- II-E Board of directors' organizational meeting
- II-F Board officers
- II-G Board / executive director relationship
- II-H Subcommittees of the Board of Directors
- II-I Collaborative advisory council
- II-J Collaborative attorney
- II-K Board of directors' meetings
- II-L Notification of meetings
- II-M Agenda format
- II-N Rules of order
- II-O Minutes
- II-P Board of Directors' policy development
- II-Q Policy adoption
- II-R Policy revision and review
- II-S Orientation of new board members

## **II-A      LEGAL STATUS**

SWCEC was established pursuant to the provisions of Chapter 40, Section 4E of the General Laws of the Commonwealth of Massachusetts and acts or amendments thereof as they may from time to time be enacted by the legislature, and 603CMR 50.00. SWCEC is governed by a Board of directors that provides overall management and supervision of the Collaborative.

Adoption date: November 1987

Source: Collaborative Agreement, 2014

Legal Ref: M.G.L. c. 40 § 4E, 603CMR 50.00

## **I-B BOARD OF DIRECTORS POWERS AND DUTIES**

The Board of Directors shall manage SWCEC and shall be responsible for providing fiduciary and organizational oversight and accountability over the operation of SWCEC. The Board shall be vested with all authority and responsibilities provided to it by M.G.L. c. 40, § 4E and 603 CMR 50.00 and all acts and regulations amendatory thereof, including but not limited to the following:

1. The Board has all powers and duties as may be provided by law.
2. The Board has the authority to create, amend, and repeal all by-laws, policies, and rules and regulations for the management and operation of SWCEC.
3. The Board shall be vested with the authority to enter into agreements with member and non-member districts and other collaboratives to establish mutually beneficial programs and services or pricing arrangements.
4. The Board shall be responsible for:
  - a. ensuring adherence to this Agreement and progress toward achieving the purposes and objectives set forth in the Agreement;
  - b. determining the cost-effectiveness of programs and services offered by SWCEC;
  - c. determining the appropriateness and cost-effectiveness of any borrowing, loans, or mortgages consistent with the terms of this Agreement, including the provisions of Section VII.E; and
  - d. approving all expenditures, including contracts, borrowing, and the purchase and sale of real estate.
5. Each Board Member must attend training required by the Department of Elementary and Secondary Education (hereinafter the “Department”) as outlined in M.G.L. c. 40, §4E; 603 CMR 50.05 and 603 CMR 50.12(3). Should a Board Member fail to complete the required training within the timelines set in law and regulations, the member district shall automatically become an inactive member of the Board, shall not count towards a quorum, and shall not have voting rights on the Board, but shall continue to have all other rights and obligations of membership. The member district shall become an active member and voting rights shall be reinstated once the Board Member completes the training.
6. The Board shall hire an Executive Director to oversee and manage the operation of SWCEC, a Business Manager or an employee with responsibilities similar to those of a Town Accountant to oversee SWCEC finances, at least one School Nurse to support collaborative programs, and a Treasurer, who shall annually give bond consistent with the requirements of M.G.L. Ch. 40, §4E. The Board shall ensure that there is segregation of duties between the Executive Director, Treasurer, and Business Manager, and that these employees shall not serve as a member of the Board or as an officer or employee of any related for-profit or non-profit organization as defined in M.G.L. Ch. 40, §4E.
7. The Board has the authority to employ teachers and all other professional and nonprofessional personnel, and to enter into contracts for the services of persons who are necessary for the operation of SWCEC.
8. The Board, or the Executive Director, as its designee, shall ensure that all employees possess the necessary and required credentials and approvals, including those required by M.G.L. c. 71, § 38G and 603 CMR 7.00, M.G.L. c. 74 and 603 CMR 4.00, and all acts and regulations amendatory thereof.
9. The Board has the authority to enter into contracts for the purchase of supplies and materials and for the leasing of land, buildings, and equipment as deemed necessary by the Board and which the Board has found to be cost effective and in the best interest of SWCEC and the member districts.
10. The Board, or the Executive Director, as its designee, shall ensure that no employee of SWCEC is employed at any related for-profit or non-profit organization.
11. The Board shall ensure that SWCEC completes and files an annual report and an annual independent audit, as well as such other student, program, financial and staffing information, reports or documents as the Department deems necessary. The Board shall ensure that annual reports and annual independent audits are filed with appropriate governmental agencies and posted on the collaborative’s website,



consistent with the requirements of M.G.L. c. 40, §4E and 603 CMR 50.00.

12. To the extent permitted by M.G.L. Ch. 40, §4E, the Board may delegate such powers and duties to the Executive Director that it maintains under M.G.L. Ch. 40, §4E and this Agreement.

Adoption date: November 2009

Revision date: June 2018

Source: Collaborative Agreement, 2014

Legal Ref: M.G.L. c. 40 § 4E, M.G.L. c. 71, § 38G, 603CMR 50.00, 603 CMR 50.12(3), 603 CMR 7.00, M.G.L. c. 74, 603 CMR 4.00

## **II-C BOARD OF DIRECTORS MEMBER RESPONSIBILITIES**

The powers of the board of directors derive from state law and the Collaborative Articles of Agreement. Members of the board of directors have authority only when acting as a group or body legally in session.

Each Board Member must attend training required by the Department of Elementary and Secondary Education as outlined in M.G.L. Ch. 40, § 4E; 603 CMR 50.05 and 603 CMR 50.12(3).

Within the capacity of board membership, individual board members will represent the best interests of all the members.

No Board Member shall serve as a Collaborative Administrator or on the board of directors or as an employee of a related for-profit or non-profit organization. No Board Member shall receive an additional salary or stipend for his/her service on the Board.

Adoption date: June 2018

Legal Ref: M.G.L. c. 40, § 4E, 603 CMR 50.05 and 603 CMR 50.12(3)

## **II-D BOARD OF DIRECTORS' CODE OF ETHICS**

The Board, desiring to operate under the highest ethical standards, adopts the following code of ethics for Board members.

Board members will:

1. Observe the regulations and policies of the Collaborative and the laws, rules, and regulations governing education in Massachusetts.
2. Represent the Board responsibly in all Board-related matters with proper decorum and respect for others.
3. Refer all complaints, comments, and criticisms directly to the Executive Director
4. Recognize that action at official meetings is binding and that individual members alone cannot bind the board outside such meetings

Adoption date: June 2018

Legal Ref: M.G.L. c. 268A

## **II-E BOARD OF DIRECTORS ORGANIZATIONAL MEETING**

For the purpose of organizing, the Board of Directors, at its last meeting of the school year, will elect a Chairperson and a Vice-Chairperson, all of whom will hold their positions for a upcoming two year term or until a successor is elected. The Secretary for the Board of Directors shall be the Executive Director or his/her designee.

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

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

Following election and appointment of officers at its organizational meeting the Board of Directors may proceed to business as scheduled on the agenda.

In the event that the Chairperson's position is vacated between organizational meetings, the Vice Chairperson will serve as chair until the next organizational meeting, and the position of Vice Chairperson will remain vacant until then. If no member is able to serve as chairperson, the Executive Director will serve as Chairperson until new elections are held in May.

Adoption date: November 2009

Revision date: June 2018

Source: Collaborative Agreement, 2014

MASC policy reference: BDA

## **II-F BOARD OF DIRECTORS OFFICERS**

The Board shall elect one of its members to serve as the Chair of the Board and one as Vice Chair for a period of two years. It will be the duty of the Chair and Executive Director to establish the meeting time, place, and to set forth an agenda. The Chair shall serve as the presiding officer of Board meetings and will follow Robert's Rules of Order for any parliamentary considerations. Any person wishing to address the Board will do so only with the permission of the Chair.

A Treasurer for the Educational Collaborative Fund shall be appointed and bonded by the Board to oversee the work of the business administrator of the Collaborative to ensure a system of financial checks and balances. He/she shall serve in compliance with the Agreement and with all applicable federal and state statutes.

No member of the Collaborative Board shall be eligible to serve as Collaborative Treasurer.

Adoption date: November 2009

Revision date: June 2018

## **II-G BOARD OF DIRECTORS/EXECUTIVE DIRECTOR RELATIONSHIP**

The Board will appoint an Executive Director who will be hired to administer and coordinate, under the direction of the Board, all programs and services rendered by the Collaborative. Lines of communication between the Board, the Board's Chair and the Executive Director will be open. While specific duties of the Executive Director are outlined in the Collaborative Agreement, it is generally understood that the Executive Director will be responsible for decisions regarding the daily operations of the Collaborative. The Executive Director may seek guidance from the Board regarding these operations and will assist the Board in reaching sound judgments and in establishing policies by keeping the Board well informed.

The Executive Director is the principal contact between the Board and the staff. The Executive Director shall serve at the discretion of the Board for as long as the majority permits and shall carry out any and all such duties as the majority of the Board direct.

In terms of fiscal matters, the Executive Director will be responsible for preparing, managing, and working within the budget established by the Board for each fiscal year.

Adoption date: November 2009

Revision date: June 2018

Legal Ref: M.G.L. c. 40 §4E

## **II-H SUBCOMMITTEES OF THE BOARD OF DIRECTORS**

The Board of Directors may establish subcommittees that will assist/advise the Board in conducting its annual business. The following general policies will govern the appointment and functioning of subcommittees to the Board of Directors.

Subcommittees may be created by the Board of Directors to expedite the work of the Board and to provide guidance and support in managing the essential functions and business of the Collaborative.

The composition of subcommittees will be broadly representative and take into consideration the specific responsibilities required by the articles of agreement of the Collaborative as a whole.

Members of SWCEC professional staff may be appointed to subcommittee as ex-officio members.

Appointments to such subcommittees will be made by the Board; appointment of staff members to such subcommittees will be made by the Board upon the recommendation of the Executive Director.

Tenure of subcommittee members will be two years unless the member is reappointed.

The Board of Directors possesses certain legal powers and prerogatives that cannot be delegated or surrendered to others. Therefore, all recommendations of a subcommittee must be submitted to the Board of Directors.

Subcommittees created for a specific purpose shall cease to exist when the work is completed.

The Board supposes the following subcommittee represented by district appointed:

Finance: Auburn Public Schools, Northbridge Public Schools, Quaboag Regional School District, Sutton Public Schools, Tantasqua Regional/Union 61 School Districts

Personnel/Negotiations: Dudley Charlton Regional School District, Leicester Public Schools, Oxford Public Schools, Southbridge Public Schools, Spencer East Brookfield Regional School District

Policy: Grafton Public Schools, Millbury Public Schools, North Brookfield Public Schools, Uxbridge Public Schools, Webster Public Schools

Adoption date: May 2007

Revision date: June 2012

MASC policy reference: BDE

## **II-I COLLABORATIVE ADVISORY COMMITTEE**

Advisory committees shall be established when there is a definite function to be performed and will terminate their service when that function has been completed. Such advisory committees shall be appointed by the Board and may consist of Board members, Collaborative personnel, member district personnel, parents, citizens, and/or other persons as appointed by the Board. Advisory Committees will report to the Board or the Board's designee, e.g., the Executive Director.

Adoption date: November 2009

Revision date: June 2018



## **II-J            COLLABORATIVE ATTORNEY**

The Board may appoint an attorney, attorneys, or a law firm to perform certain legal services. The attorney shall serve at the board's discretion.

The attorney, upon request, will render opinions interpreting statutory law, policies and regulations.

The attorney will directly represent the Collaborative in all litigation affecting the collaborative. The legal adviser will approve as to form, and upon request, will prepare resolutions, contracts, and other legal instruments.

Adoption date: June 2018

## **II-K BOARD OF DIRECTORS MEETINGS**

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

1. Regular meeting: the usual official legal action meeting, held at least six times each fiscal year
2. Special meeting: an official legal action meeting called between scheduled regular meetings to consider specific topics.

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

The Board has the right to convene in a closed executive session when it meets the procedural conditions imposed by law.

Adoption date: November 2009

Revision date: June 2018

Legal Ref: M.G.L. Chapter 39, Sections 23A & 23B

MASC policy reference: BE

## **II-L NOTIFICATION OF MEETINGS**

As required by law, a minimum of 48 hours' advance notice will be given for any meeting of the SWCEC Board of Directors, including all standing committee 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 will be accomplished by publication of the schedule for the ensuing months. Notification of a change in a regular meeting time or place and notification of a special meeting will be published publicly at least 48 hours in advance, as required by law.

Adoption date: November 2009

Revision date: June 2018

Legal Ref: M.G.L. 30A §§ 18-25

MASC policy reference: BEDA

## **II-M AGENDA FORMAT**

The Executive Director, after conferring with the Chairperson of the Board of Directors, will arrange the order of items on meetings agendas so that the Board can accomplish its business as expeditiously as possible. The particular order of either agenda may vary from meeting to meeting in keeping with the business at hand.

The Board 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 Board, or to expedite Board business.

The agenda, together with supporting materials, will be distributed to Board of Directors members three days prior to the meeting to permit adequate time to prepare for the meeting.

Agendas will be posted on the SWCEC website.

Suggested format:

- Call to order
- Approval of minutes
- Executive Director's Report
- Finance Operations Report
- New Business
- Adjournment

Adoption date: June 2018

MASC policy reference: BEDB

## **II-N        RULES OF ORDER**

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

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

Adoption date: June 2018

MASC policy reference: BEDD

## **II-O MINUTES**

The Board secretary or designee shall create and maintain accurate minutes of all meetings, including executive sessions, setting forth the date, time and place, the members present or absent, a summary of the discussions on each subject, a list of documents and other exhibits used at the meeting, the decisions made and the actions taken at each meeting, including the record of all votes.

Minutes will be created and approved in a timely manner.

The approved minutes will become permanent records of the Board. Minutes of the public meetings of SWCEC and minutes of executive sessions of SWCEC that do not require continued non-disclosure will be posted on the website and made available to interested citizens upon request in accordance with state laws and regulations.

The Board of Director Chair and the Executive Director will review executive session minutes for possible declassification on, at least, a quarterly basis and, if necessary, will consult with legal counsel. The Chair will bring minutes recommended for declassification to the Board of Directors 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.

Adoption date: June 2018

Legal Ref: M.G.L. c.30 §18-25; 940 CMR 29.00

## **II-P BOARD OF DIRECTORS' POLICY DEVELOPMENT**

The Board of Directors 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 Board of Directors will exercise its leadership in providing for the successful and efficient functioning of the Collaborative.

The Board of Directors accepts the definition of policy set forth by the National School Boards Association:

Policies are principles adopted by a Board of Directors 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 Board of Directors are framed, and are meant to be interpreted, in terms of state law, regulations of the Massachusetts Board of Education, and other regulatory agencies of the various levels of government.

Adoption date: June 2018

MASC policy reference: BG

## **II-Q POLICY ADOPTION**

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

Proposed policies or amendments will be presented as an agenda item to the Board in the following sequence:

1. Information item - distributed with agenda
2. Discussion item - first reading of proposed policy or policies
3. Action Item - discussion, adoption, rejection.

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

The Board of Directors may amend the above sequence to meet emergency conditions or extend the above sequence to require a second reading by majority vote of the Board.

Policies will be effective upon the date set by the Board of Directors. This date will be chosen to ensure that the affected parties will have the opportunity to become familiar with the requirements of the new policy prior to its implementation.

Adoption date: June 2018

MASC policy reference: BGB



## **II-R POLICY REVISION AND REVIEW**

Policies should be reviewed on a regular basis, typically every three years. The Board of Directors requires the Executive Director to recall periodically all policy and regulations manuals for administrative updating and Board review.

The Executive Director is given the responsibility of calling to the Board's attention all policies that are out of date or for other reason appear to need revision.

Adoption date: November 2009

Revision date: June 2018

MASC policy reference: BGC

## **II-S            ORIENTATION OF NEW BOARD MEMBERS**

The Board of Directors and Executive Director will assist each newly elected member to understand the Board's functions, policies and procedures. Each newly appointed member will be provided with materials relevant to the Board and SWCEC Administration.

Adoption date: June 2018

## **SECTION III**

### **General School Administration**

- III-A Executive Director
- III-B Executive Director's Contract
- III-C Evaluation of the Executive Director
- III-D Organization charts
- III-E Administrative councils, cabinets, committees, job-alike groups
- III-F Policy implementation
- III-G Annual report

### **III-A EXECUTIVE DIRECTOR**

The Board of Directors shall employ an Executive Director and fix his/her compensation. The Executive Director shall act in accordance with Massachusetts General Laws and shall perform such other duties consistent with this section as the Board may determine. He/she shall also prepare such reports as may be required by the State Department of Elementary and Secondary Education.

Adoption date: June 2018

Source: MASC Policy  
Legal Ref: M.G.L. c. 40 § 4E

### **III-B EXECUTIVE DIRECTOR'S CONTRACT**

The Board, upon the appointment of a candidate or upon re-appointment of the incumbent Executive Director, will enter into a written contract with him/her. The contract should be written to meet the requirements of law and protect the rights of both the Board and the Executive Director.

Adoption date: November 2009

Revision date: June 2018

Legal Ref: M.G.L. c. 40 § 4E

MASC policy reference: CBD

### **III-C EVALUATION OF THE EXECUTIVE DIRECTOR**

The Board of Directors will evaluate the performance of the Executive Director based on the job description as outlined in the Collaborative Agreement and any specific performance goals, based on the needs of the Collaborative and agreed upon by the Board and the Executive Director. Through the evaluation process, the goal of the Board is as follows:

1. Review with the Executive Director his/her role in the Collaborative as seen by the Board.
2. Review for all Board members the role of the Executive Director in light of his/her job description and the immediate priorities among his/her responsibilities as agreed upon by both parties.
3. Develop harmonious working relationships between the Board and the Executive Director.
4. Provide administrative leadership of excellence for the Collaborative.

Adoption date: November 2009

Legal Ref: M.G.L. c. 71 § 38, 603 CMR 35.00

MASC policy reference: CBI

### **III-D ORGANIZATION CHARTS**

The Executive Director shall annually present to the Board of Directors an organizational chart that delineates the reporting relationships by title and function of his/her administrative staff and its support personnel. Included in this chart shall be the administrative structure of the Central Office and the various program administrators, supervisors, and coordinators who report to the Executive Director and his/her senior management team.

Any change to the organizational structure that results in an increase in the cost of administering the Collaborative, or results in a significant realignment of personnel, shall first be presented to the Standing Committee for Finance for a preliminary recommendation before going on to the full Board for final approval. Once approved, the Executive Director and his/her staff shall take steps to work within the new structure and shall notify affected employees of the change and its impact on the budget and/or supervisory or reporting lines.

Adoption date: June 2018

### **III-E ADMINISTRATIVE COUNCILS, CABINETS, COMMITTEES, JOB-ALIKE GROUPS**

The Executive Director may establish such permanent or temporary councils, cabinets, committees, teams, and job-alike groups as he/she and his/her senior management team deem necessary for assuring staff participation in decision making, for implementing policies and regulations, and for the improvement of the Collaborative's programs and services.

Functioning in an advisory capacity, any council, cabinet, committee, team or job-alike group created by the Executive Director, may make recommendations for submission to the Board through the Executive Director. Such groups will exercise no inherent authority. Authority for establishing policy remains with the Board and authority for implementing policy remains with the Executive Director.

The membership, composition, and responsibilities of all such groups will be defined by the Executive Director and may be changed at his/her discretion.

Adoption date: November 2009

Revision date: June 2018

MASC policy reference: CE



### **III-F POLICY IMPLEMENTATION**

The Executive Director has responsibility for carrying out, through regulations, the policies established by the Board of Directors.

The policies developed by the Board and the regulations developed to implement policy are designed to increase the effectiveness and efficiency of the Collaborative. Consequently, it is expected that all Board of Directors employees and students will carry them out.

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

Adoption date: June 2018

MASC policy reference: CH

### **III-G ANNUAL REPORT**

In compliance with Chapter 43 of the Acts of 2012, the Executive Director will prepare an annual report covering the activities and the finances of SWCEC and will present this report to the Board of Directors.

This report, once approved, will be submitted to the Commissioner of the Department of Elementary and Secondary Education and to each member school district on or before January 1st of the subsequent year.

The annual report will be published on the SWCEC website and will be made available to the public in printed hard copy upon written request.

Adoption date: June 2018

Legal Ref: M.G.L. c. 40 § 4E, 603 CMR 50.08

# **SECTION IV**

## **Fiscal Management**

- IV- A Annual budget
- IV- B Authorized Signatures
- IV- C Bonded employees and officers
- IV- D Fiscal accounting and reporting
- IV- E Audits
- IV- F Purchasing
- IV- G Purchasing authority
- IV- H Bidding requirements
- IV- I Payment procedures
- IV- J Travel expense reimbursements
- IV- K Acceptance of gifts and grant

## **IV-A ANNUAL BUDGET**

The Collaborative's fiscal year begins on July 1 and ends on June 30.

The Executive Director and his/her administrative team shall prepare an annual budget for review and/or approval by the Board of Directors by April 1 of each year for the upcoming fiscal year.

As part of this annual budget process, the Executive Director will prepare a list of priorities in specific areas of need, as determined by consultation with area special education directors and the Collaborative's administrative team.

The Board shall adopt the final budget by affirmative majority vote at a subsequent meeting no earlier than ten (10) working days after the Board meeting at which the budget was first proposed but no later than June 30 of the preceding fiscal year. Approval of the budget by the Board will authorize the Executive Director to implement employee agreements and execute contracts for the coming fiscal year.

Adoption date: November 2000

Revision date: June 2018

Legal Ref: 603 CMR 50.07 (5, 6, 7)

## **IV-B      AUTHORIZED SIGNATURES**

In accordance with Chapter 43 of the Acts of 2012, the Treasurer shall have the authority to disburse the funds of the Collaborative through the signing of checks. In addition to the Treasurer, the Board may vote to authorize a second signator on checks when appropriate.

Adoption date: June 2018

Legal Ref: Chapter 43 of the Acts of 2012

## **IV-C        BONDED EMPLOYEES AND OFFICERS**

Each employee of the Collaborative who is assigned the responsibility of receiving and dispensing funds will be bonded individually or covered by a blanket bond.

Adoption date: June 2018

MASC policy reference: DH

#### **IV-D FISCAL ACCOUNTING AND REPORTING**

The Executive Director will be ultimately responsible for receiving and properly accounting for all funds of the Collaborative.

The accounting system used will conform with state requirements and with good accounting practices, providing for the appropriate separation of accounts, funds, and special monies.

The Board of Directors will receive periodic financial statements from the Executive Director showing the financial condition of the Collaborative. Such other financial statements as may be needed or found desirable by either the Board or the Standing Committee for Finance will be presented as well.

Adoption date: November 2009

Revision date: June 2018

MASC policy reference: DI

## **IV-E      AUDITS**

An audit of the Collaborative's accounts shall be conducted annually in accordance with state laws. Upon approval by the Board and no later than January 1 of each year, the annual audit report for the preceding fiscal year shall be submitted to the chair of each member district, the Department of Elementary and Secondary Education and the State Auditor.

The Board will consider recommendations made by the auditor for maintaining an efficient system for recording and safeguarding the Collaborative's assets.

Adoption date: June 2018

Legal Ref: 603 CMR50.08

MASC policy reference: DIE



## **IV-F PURCHASING**

The Board of Directors declares its intention to purchase competitively without prejudice and to seek maximum educational value for every dollar expended.

The acquisition of materials, equipment and services will be centralized in the Executive Director's Office.

The Executive Director, and/or the Business Administrator will serve as purchasing agent. The purchasing agent will develop and administer the purchasing program for the Collaborative in keeping with legal requirements and with the integrated budget approved by the Board. Bids for goods and services will be sought and received by the Collaborative according to the provisions of the Massachusetts Uniform Procurement Statute, MGL Chapter 149 and Chapter 30B. Bids received must be opened in public meeting, notice of which will be posted in advance.

Collaborative purchases will be made only on official purchase orders approved for issuance by the appropriate unit head and signed by the Business Administrator or Executive Director, with such exceptions as may be made by the latter for emergency purchases.

Adoption date: November 2009

Revision date: June 2018

Legal Ref: M.G.L. 7:22A; 7:22B; 30B; 71:49A

MASC policy reference: DJ

## **IV-G PURCHASING AUTHORITY**

The Board of Directors authorizes SWCEC's Executive Director and /or Business Administrator to enter into contracts in compliance with procurement regulations/legislation for the purpose of daily operation of the collaborative – including but not limited to equipment leasing, software licensing, services to be rendered, and other crucial services of goods needed to operate the organization.

The Board of Directors authorizes all payments made by the Collaborative through signature of a bi-monthly Warrant executed at monthly Board meetings and/or through the signature of an authorized representative of the Board of Directors.

Adoption date: June 2018

Legal Ref: M.G.L. 30B

## **IV-H BIDDING REQUIREMENTS**

The Executive Director of SWCEC and other Board approved signators are authorized by the Board of Directors to arrange for the purchase of goods and services for the Collaborative. The Executive Director is authorized to solicit bids and award contracts in a manner consistent with all local and state laws, including M.G.L. Chapter 30B. Accordingly, all procedures regarding procurement of goods or services for SWCEC will comply with current bid laws and regulations.

Adoption date: June 2018

Legal Ref: M.G.L. 7:22; 30B

## **IV-I PAYMENT PROCEDURES**

All claims for payment from Collaborative funds will be processed in accordance with procedures developed by the Executive Director and the members of his/her administrative staff. Payment will be authorized against invoices properly supported by approved purchase orders, with properly submitted vouchers, or in accordance with salaries and/or salary schedules approved in the budget.

The Executive Director will be responsible for assuring that budget allocations are observed and that total expenditures do not exceed the amount allocated in the budget for all items.

SWCEC's administrators and supervisors will be responsible for observing budget allocations in their respective programs and/or units.

Adoption date: June 2018

Legal Ref: M.G.L. 41:41; 41:52 41:56  
MASC policy reference: DK

## **IV-J TRAVEL EXPENSE REIMBURSEMENTS**

Collaborative personnel and administrators who incur approved expenses in carrying out their authorized duties will be reimbursed by the collaborative upon submission of a properly completed and approved voucher and any supporting receipts required by the Executive Director.

When official travel by a personally owned vehicle is authorized, mileage payment will generally be made at the rate currently approved by state and federal contracts. However, a monthly travel stipend, in an amount established by the Board, may be paid to the Executive Director, his/her Senior Management Team and others authorized by the Board who are required to travel regularly on official business.

Adoption date: June 2018

MASC policy reference: DKC

## **IV-K ACCEPTANCE OF GIFTS AND GRANTS**

The Executive Director of SWCEC may, with the approval of the Board of Directors, accept gifts, grants and donations for educational purposes deemed consistent with the goals, policies, programs and the best interests of the Collaborative. All gifts which are accepted on behalf of the SWCEC shall be paid to SWCEC and will become the property of the Collaborative.

Individuals or organizations wishing to donate to SWCEC should indicate the purpose of the gift in an accompanying letter. Before a gift/donation can be accepted on behalf of the Collaborative, the donor must consult with the Executive Director to ensure the appropriateness/usability of the gift. It is understood that a gift is a voluntary transfer of property given gratuitously and without consideration. Any interest generated from the temporary investment of the gift shall remain with the principal and be used in a manner consistent with the gift. The Board reserves the right to decline restricted gifts that are not consistent with other policies and procedures or with the Collaborative's goals and priorities.

Any equipment and/or supplies to be donated must be reviewed by the Executive Director or his/her designee to determine acceptability with regard to safety, compatibility with other equipment, installation and maintenance costs, and general impact upon the function of Collaborative programs.

The Board of Directors encourages grant funding proposals and applications for any projects that support SWCEC programs and services in beneficial ways. To this end, the Executive Director or his or her designee will seek to be informed about appropriate private, state and federal grant opportunities. Upon filing applications for such grant money, the Executive Director shall inform the Board of Directors via a memorandum explaining the purpose of the proposal and its relationship to the mission and programs of the Collaborative.

Adoption date: November 2009

Revision date: June 2018

# **SECTION V**

## **Support Services**

- V-A Safety Program
- V-B Pest Management Policy
- V-C First Aid
- V-D Emergency Plans
- V-E Emergency Closings
- V-F Building and Grounds Management
- V-G Building and Grounds Security
- V-H Security Cameras on Grounds
- V-I School Bus Safety Program
- V-J Motor Vehicle Idling on School Grounds
- V-K Free and Reduced Price Food Service

## **V-A SAFETY PROGRAM**

Accidents are undesirable, unplanned occurrences that can result in tragic consequences--bodily harm, loss of school time, property damage, legal action, and even fatality. The Board of Directors 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 Board 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 plant, 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 Executive Director will have overall responsibility for the safety program of the collaborative. It will be the responsibility of the Executive Director to see that appropriate staff members are kept informed of current state and local requirements relating to fire prevention, civil defense, sanitation, public health, and occupational 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.

Adoption date: June 2018

Legal Ref: M.G.L. [71:55C](#), 603 CMR [36:00](#)  
MASC policy reference: EB



## **V-B PEST MANAGEMENT POLICY**

The Integrated Pest Management (IPM) plan was prepared in response to the Children's Protection Act (Chapter 85 of the Acts of 2000), which requires a written IPM plan for both INDOORS and OUTDOORS. IPM is a common sense approach to pest management that uses a variety of methods to manage pests. Chemical pesticides may be part of this IPM plan. However, considerable effort will be put towards preventing pest problems by controlling conditions inside and outside the school, which may attract and support pests. This plan will improve existing pest control, improve indoor air quality and reduce the amount of pesticide used by the school for the purpose of protecting our children and employees

The IPM Coordinator for SWCEC is the Executive Director with the Business Administrator as an alternate contact person. The IPM Team will consists of the Executive Director, Assistant to the Executive Director, Business Administrator, SWCEC Nurse Leader, and Principals/Directors.

SWCEC utilizes an online facility ticket/work order system for 'real-time' communication about issues that arise. Pest problems are reported with this system. Faculty are provided training on how to utilize this system. Additionally, faculty will be informed of treatment regime prescribed by contractor as well as traps, devices or substances used. Training logs are maintained along with service logs. The contractor will communicate with building Principals regarding scheduling visits for treatment. The IPM Committee will review inspection reports to ensure proper and timely response to any necessary repairs or treatments.

Chemical pesticides are only used after the pest is identified and its presence verified by contracted provider. Chemical pesticides are only used by a licensed or certified pesticide applicator (never by a teacher or unlicensed individual) and only after other control methods are not effective or practical in resolving a pest problem.

SWCEC endeavors to utilize non-chemical remedies whenever possible. All food is stored in sealed containers and dishes in faculty room are washed immediately after use. Rigorous vacuuming is a nightly ritual as is sweeping and dusting of cobwebs. Regular inspections of the facility provide for opportunities for pest proofing.

### **School IPM Program Evaluation**

Your IPM plan should be a dynamic and working document. It should be evaluated on an on-going basis such as every three months or at least once a year. Is the IPM program working? What changes are needed if necessary? Your IPM plan will change over time as pest management performance fails or succeeds. It may also change as the result of new chemical pesticides and pest control technologies that are introduced to the marketplace. When an IPM plan does change, the entire plan must be resubmitted.

Adoption date: June 2018

## **V-C FIRST AID**

The collaborative 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 school physician 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 child 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 child 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 child is responsible at the time an accident occurs will complete 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 Executive Director and, if the Executive Director deems appropriate, to the Board of Director.

Adoption date: June 2018

Legal Ref: M.G.L. [71:55A](#); [71:56](#)

MASC policy reference: EBB

## **V-D            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 Executive Director will develop and maintain plans that meet the requirements of state law for preparedness in case of fire, civil emergencies, and natural disasters.

The Executive Director shall develop, in consultation with school nurses and local police, fire and emergency personnel, an Emergency Medical Response Plan for each school/program in the collaborative. 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 and other school staff which may include CPR training for High School students; provided that Board may opt out of instruction in CPR pursuant to Section [1 of Chapter 71](#).
7. In the event the school possesses Automated External Defibrillators (AEDs), the location of all available AEDs, whether the location is fixed or portable, and a list of personnel trained in its use.

The Executive Director or his/her designee 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.

Adoption date: November 2009  
Revision date: June 2018

Legal Ref: M.G.L. [69:8A](#), Section 363 of Chapter 159 of the Acts of 2000  
MASC policy reference: EBC

## **V-E            EMERGENCY CLOSINGS**

The Executive Director may close the school or dismiss 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 Executive Director has the responsibility to see that as much of the administrative, supervisory and operational activity is continued as may be possible.

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

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 Executive Director will weigh these factors and take action to close the schools only after consultation with school officials from neighboring towns. Students, parents 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.

Adoption date: November 2009

Revision date: June 2018

Legal Ref: M.G.L. [71:4](#); [71:4A](#)

MASC policy reference: EBCD

## **V-F BUILDING AND GROUNDS MANAGEMENT**

The Board of Directors' most important function is to provide for the education of children, and it recognizes that the education of children 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 collaborative will be the general responsibility of the Executive Director. He/she will develop a comprehensive and well-defined plan for the proper maintenance, cleanliness, and safekeeping of all school buildings and grounds to ensure that each school is equally well maintained, equipped, and staffed.

The Executive Director 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 collaborative; 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 separate schools, the building administrator will be responsible for proper care, maintenance, and cleanliness of buildings, equipment and grounds, communicating with the Executive Director regularly.

Adoption date: June 2018

Legal Ref: M.G.L. [71:68](#)

MASC policy reference: EC

## **V-G BUILDING AND GROUNDS SECURITY**

School buildings and grounds are an investments of the collaborative. It is deemed in the best interest of the Board of Directors 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 Board 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.

Adoption date: June 2018

MASC policy reference: ECA

## **V-H SECURITY CAMERAS ON GROUNDS**

The Board of Directors 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 a great investment. The Board believes it to be in the best interest of students and member districts for the collaborative to exert every reasonable means to protect the investment adequately.

In pursuit of this objective, the Board authorizes the use of security cameras in school 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 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 Executive Director in consultation with administrative personnel. They may be used in any area, inside or outside of school buildings where there is no reasonable expectation of privacy.

Signage will be posted to notify students, parents, staff and the general public of SWCEC's use of security cameras. Students, parents, and staff will receive additional notification at the beginning of each school year regarding the use of video surveillance cameras. Such notification may include staff and student handbooks. Students or staff identified on security cameras in violation of Board policies will be subject to disciplinary action.

There will be no monitoring of live recordings, except in the case of a suspected emergency or safety concern. Reviewing the recordings will occur only when a suspected incident is committed inside or outside the building (e.g. vandalism, graffiti, etc.). No sound is to be monitored or recorded in connection with the video surveillance system. Documentation shall be maintained of all episodes of access to or use of recorded materials.

The Executive Director 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 buildings and/or on school property shall be the sole property of the collaborative. 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 performed by authorized personnel that have been expressly designated by the Executive Director or designee. Law enforcement and emergency response officials shall be granted access to video recordings or the security system after giving prior notice to the Executive Director.

The Executive Director may issue further guidance that is consistent with laws and this policy.

Adoption date: June 2018

MASC policy reference: ECAF

## **V-I 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. Children 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 children will be inspected periodically for conformance with state and federal safety requirements.
4. Classroom instruction on school bus safety will be provided.

Adoption date: June 2018

Legal Ref: 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

MASC policy reference: EEAE



## **V-J MOTOR VEHICLE IDLING ON SCHOOL GROUNDS**

No motor vehicle operator shall cause or allow any motor vehicle operated by him/ her 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 or rented by the collaborative, 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 collaborative 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 determined that alternative locations block traffic, impair student safety or are not cost effective.

SWCEC 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 collaborative administration to ensure that each school bus driver employed by SWCEC 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.

Adoption date: November 2009

Revision date: June 2018

Legal Ref: M.G.L. c. [71:37H](#), c. [90:16B](#) and 540 CMR [27.00](#)

MASC policy reference: EEAJ

## **V-K FREE AND REDUCED PRICE FOOD SERVICE**

The Collaborative will take part in the National School Lunch Program in connection with the public school in the town where the program exists.

In accordance with guidelines for participation in these programs, and in accordance with the wishes of the Board of Directors, no child who a teacher believes is improperly nourished will be denied a free lunch or other food simply because proper application has not been received from his/her parents or guardians.

As required by state and federal regulations, the Board approves this policy statement pertaining to eligibility for free milk, free meals, and reduced price meals.

Adoption date: June 2018

Legal Ref: National School Lunch Act, as amended (42 USC 1751-1760), Child Nutrition Act of 1966 P.L. 89-642, 80 Stat. 885, as amended, M.G.L. [15:1G](#); [15:1L](#); [69:1C](#); [71:72](#)  
MASC policy reference: EFC

# **SECTION VI**

## **Facilities Development**

- VI-A Acquisition of classroom space
- VI-B Rental/lease of classroom space

## **VI-A ACQUISITION OF CLASSROOM SPACE**

Maintaining an adequate number of teaching classrooms is essential if the Collaborative is to continue and expand tuition-based programs for SWCEC's member districts. To this end, and in fulfillment of its mission, the Board of Directors endorses the following guidelines for making classroom space available for member-district programming:

All member districts of the Collaborative will anticipate the possibility that at some time point (depending on enrollments and staffing), they may be called upon to house a SWCEC program for a year or more. If a change to a current arrangement by and of all parties, notification will occur by April 15<sup>th</sup>.

Whenever contemplating the construction and/or construction/renovation of a new school or classrooms, member districts will include SWCEC classrooms in their program specifications whenever possible. Similarly, SWCEC will consider ways to contribute to the cost of construction and/or renovation whenever possible.

These guidelines carry no obligation other than to suggest how, as a Collaborative, SWCEC member districts can provide programs that will ultimately benefit all members.

Adoption date: June 2018

## **VI-B RENTAL/LEASE OF CLASSROOM SPACE**

In an effort to share the costs associated with maintaining and operating classrooms used for tuition-based programs, the Collaborative will pay a rental fee to each district that houses a program or set of programs.

The fee shall be based on a per-classroom assessment set by the Board of Directors. Rates will be reviewed during the budget process by the Standing Committee of Finance.

Adoption date: June 2018

# **SECTION VII**

## **Personnel**

- VII-A Employee handbook
- VII-B Staff conduct
- VII-C Staff Ethics/Conflict of Interest
- VII-D Gifts to and solicitations by staff
- VII-E Online fundraising and solicitations - crowdfunding
- VII-F Drug-free workplace policy
- VII-G Tobacco use on school property by staff
- VII-H Staff personal security and safety
- VII-I Domestic violence leave
- VII-J Family and medical leave
- VII-K Staff participation in political activities
- VII-L Personnel records
- VII-M Staff complaints and grievances
- VII-N Staff position
- VII-O Staff recruiting/posting of vacancies
- VII-P Professional staff certification requirements
- VII-Q Staff hiring
- VII-R Background checks
- VII-S CORI policy
- VII-T Staff development
- VII-U Staff assignment and transfers
- VII-V Evaluation of staff
- VII-W Resignation of staff members
- VII-X Retirement of staff members
- VII-Y Suspension and dismissal of staff members
- VII-Z Tutoring for pay

## **VII-A EMPLOYEE HANDBOOK**

The Executive Director shall annually update and publish the SWCEC Employee's Handbook. New employees will receive a handbook prior to or on their first day of employment. Current employees will receive a handbook update with all changes and/or updates at a staff meeting before the start of each school year. The full employee handbook is available on the SWCEC website.

In addition to referencing all state and federal requirements governing employment in Massachusetts, the handbook shall specify any unique policies or procedures that govern the administration of one or several programs offered through SWCEC. It shall also describe the various benefits programs and opportunities offered to employees through the Collaborative.

Adoption date: June 2018

## **VII-B STAFF CONDUCT**

All SWCEC employees have a responsibility to familiarize themselves with and abide by the laws of the Commonwealth as these affect their work, the policies of the Board of Directors, and the procedures designed by administration to implement them.

In the area of personal conduct, the Board expects that employees will conduct themselves in a manner that not only reflects credit to the Collaborative 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.

Adoption date: June 2018

MASC policy reference: GBEB



## **VII-C STAFF ETHICS/CONFLICT OF INTEREST**

The Board of Directors 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, coworkers, and officials of the school system.

No employee of SWCEC will engage in or have a financial interest in, directly or indirectly, any activity that conflicts or raises a reasonable question of conflict with his duties and responsibilities in the school system. Nor will any staff member engage in any type of private business during school time or on school property.

Employees will not engage in work 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 him/her.

Every 2 years, all current employees, including Board of Directors 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 Executive Director's office.

In order to avoid the appearance of any possible conflict, it is the policy of the Board of Directors that when an immediate family member, as defined in the Conflict of Interest statute, of a Board member or district administrator is to be hired into or promoted within SWCEC, the Executive Director shall file public notice with the Board least two weeks prior to executing the hiring in accordance with the law.

Adoption date: November 2009

Revision date: June 2018

Legal Ref: M.G.L. [71:52](#); [268A:1](#) et seq

MASC policy reference: GBEA

## **VII-D GIFTS TO AND SOLICITATIONS BY STAFF**

The acceptance of gifts worth \$50 or more by collaborative 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 his or her 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 SWCEC 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 his/her 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).

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, handpicked flowers, and handmade gifts worth less than \$10 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 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 Board of Directors 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.

Adoption date: June 2018

Legal Ref: M.G.L. [268A:3](#); [268A:23](#); 930 CMR [5.00](#)  
MASC policy reference: GBEC

## **VII-E ONLINE FUNDRAISING AND SOLICITATIONS - CROWDFUNDING**

SWCEC 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 Executive Director shall have final authority to approve any online fundraising activities by Collaborative employees and shall determine and communicate to Principals/Director the circumstances under which online fundraising proposals shall require Executive Director or Board of Directors approval in accordance with law and school district policy. The Principal/Director 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 Technology Coordinator 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 of student's in a teacher's classroom - the solicitation can say "Classroom X needs tissues and crayons," but it shouldn't be directed to parents 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 Executive Director 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 Executive Director 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. Unless otherwise approved by the Executive Director in writing, all goods and/or proceeds solicited and received through any online solicitation shall become the property of the Board, 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 Executive Director's written approval.

Adoption date: June 2018

Legal Ref: MGL [44:53A](#); [71:37A](#); [268A:3](#); [268A:23](#); Ethics Commission Advisory Opinion EC-COI-12-1  
MASC policy reference: GBEBD

**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.**

## **VII-F DRUG-FREE WORKPLACE POLICY**

SWCEC 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 SWCEC's workplace, and specify the actions that will be taken against employees for violation of such prohibitions.
2. Make it a requirement that each employee whose employment is funded by a federal grant be given a copy of the statement as required.
3. 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 SWCEC of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
4. 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.
5. Make a good faith effort to continue to maintain a drug-free workplace through implementation of all the provisions of this policy.

Adoption date: November 2009

Revision date: June 2018

Legal Ref: The Drug-Free Workplace Act of 1988, M.G.L. 71:37H

MASC policy reference: GBEC

## **VII-G TOBACCO USE ON SCHOOL PROPERTY BY STAFF MEMBERS PROHIBITED**

Use of any tobacco 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.

Adoption date: June 2018

Legal Ref: M.G.L. [71:37H](#)

MASC policy reference: GBED

## **VII-H STAFF PERSONAL SECURITY AND SAFETY**

The Board will seek to assure the safety of employees during their working hours and assist them in the maintenance of good health.

Prospective employees who will be taking the written examination for a teaching position must also file with the Executive Director's office a record of having passed a physical examination taken not more than 90 days prior to the date of the written examination.

The Executive Director may require an employee to submit to a physical examination by a physician appointed by the Collaborative whenever that employee's health appears to be a hazard to children or others in the school system or when a doctor's certificate is needed to verify need for sick leave.

Adoption date: June 2018

Legal Ref: M.G.L. 71:54; 71:55B; 71:55C  
MASC policy reference: GBGB

## **VII-I DOMESTIC VIOLENCE LEAVE POLICY**

It shall be the policy of SWCEC 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:

1. the employee, or a family member of the employee must be a victim of abusive behavior;
2. 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
3. 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 (1) to (3) 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:

1. requested or consented to, in writing, by the employee;
2. ordered to be released by a court of competent jurisdiction;
3. otherwise required by applicable federal or state law;
4. required in the course of an investigation authorized by law enforcement, including, but not limited to, an investigation by the Attorney General; or
5. necessary to protect the safety of the employee or others employed at the workplace

The Executive Director shall ensure that notice is provided to all employees in the next school year and beyond by appropriately amending the Collaborative'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 Executive Director shall be responsible for notifying all current employees, unless they have been notified through the handbook, of this policy in a manner that he/she deems 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, he/she 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.

Adoption date: June 2018

Legal Ref: M.G.L. [149:52E](#); Section 10, Chapter 260 of the Acts of 2014  
MASC policy reference: GBGE

## **VII-J FAMILY AND MEDICAL LEAVE**

SWCEC shall comply with the mandatory provisions of the Family and Medical Leave Act of 1993. The Executive Director shall issue, and from time to time amend, procedures setting forth the rights and procedures granted by the Act, and shall ensure compliance with those procedures either personally or by delegation, or by some combination of personal oversight and delegation.

Adoption date: June 2018

Legal Reg: P.L. 103-3, "Family and Medical Leave Act of 1993"  
MASC policy reference: GBGF

## **VII-K STAFF PARTICIPATION IN POLITICAL ACTIVITIES**

The Board of Directors recognizes that employees of the Collaborative have the same fundamental civic responsibilities and privileges as other citizens. Among these privileges are campaigning for an elective public office and/or holding an elective or appointive office.

In connection with campaigning, employee must not:

1. use school system or state facilities, equipment or supplies;
2. discuss his/her campaign with Collaborative personnel or students during the working day;
3. use any time during the working day for campaigning purposes.

Under no circumstances, should students be pressured into campaigning for any staff member.

Adoption date: June 2018

Legal Ref: M.G.L. 71:44

MASC policy reference: GBI

## **VII-L PERSONNEL RECORDS**

Information about SWCEC employees is required for the daily administration of the Collaborative and/or its programs, for implementing salary and other personnel policies, for budget and financial planning; for responding to appropriate inquiries about employees; and for meeting the Board of Directors' education reporting requirements. To meet these needs, the Executive Director 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 Executive Director and/or his/her designee 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 Executive Director or his/her designee to use the files for the reasons cited above.
4. Each employee will have the right, upon written request, to review the contents of his/her own personnel file.
5. Employees may make written objections to any information contained in the file. Any written objection must be signed by the employee 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 his written response in the file.
6. Lists of school system employees' names and home addresses will be released only to governmental agencies as required for official reports or by the laws.

Adoption date: November 2009

Revision date: June 2018

Legal Ref: 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

MASC policy reference: GBJ

## **VII-M STAFF COMPLAINTS AND GRIEVANCES**

The Board of Directors 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 the Board.

It is the Board'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 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 Executive Director.
2. That all school employees may appeal a ruling of the Executive Director to the Board, except in those areas where the law has specifically assigned authority to the Principal and/or the Executive Director and Board action would be in conflict with that law.
3. That all hearings of complaints before the Executive Director or Board 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.

Adoption date: June 2018

Legal Ref: M.G.L. [150E:5](#) and [8](#)

MASC policy reference: GBK

## **VII-N STAFF POSITIONS**

Education is a cooperative enterprise in which all employees must participate intelligently and effectively for the benefit of the children.

All staff positions in SWCEC will be created initially by the Board of Directors. It is the Board's intent to activate a sufficient number of positions to accomplish the school system's goals and objectives and to provide for the equitable staffing of each school building. 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 Board may abolish a position it has created.

Each time a new position is established by the Board, the Executive Director will present for the Board's approval a job description for the position, which specifies the jobholder's qualifications and the job's performance responsibilities. The Executive Director will maintain a comprehensive set of job descriptions for all positions.

Adoption date: June 2018

MASC policy reference: GCA

## **VII-O STAFF RECRUITING/POSTING OF VACANCIES**

It is the responsibility of the Executive Director, with the assistance of the administrative staff, to determine the personnel needs of the Collaborative and it is the responsibility of the Principal, in consultation with the Executive Director, to determine the personnel needs of the individual schools. Any recommendations for the creation or elimination of a position must be approved by the Board of Directors.

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 Collaborative. Any current employee may apply for any position for which he/she has certification and meets other stated requirements.

Openings within the Collaborative will be posted in sufficient time, before the position is filled, to permit current employees to submit applications.

Adoption date: June 2018

Contract Ref: Collective Bargaining Agreement  
MASC policy reference: GCE

## **VII-P PROFESSIONAL STAFF CERTIFICATION REQUIREMENTS**

It is the responsibility of the Executive Director to ensure that all professionals employed by the Collaborative are to be properly licensed by the Massachusetts Department of Elementary and Secondary Education for the position to which the person is appointed. Documentation of current licensure must be on file with the Executive Director's office.

Obtaining and renewing a license is the responsibility of the professional.

Licensure should be acquired prior to appointment.

Adoption date: November 2009

Revision date: June 2018



## **VII-Q STAFF HIRING**

Through its employment policies, the Collaborative will strive to attract, secure, and retain the highest qualified personnel for all positions. The selection process will be based in part on seeking candidates who will devote themselves to the education and welfare of the students and or adults participating in SWCEC programs.

It is the responsibility of the Executives Director, and of persons to whom he/she delegates this responsibility, to determine the personnel needs of the Collaborative and to locate qualified candidates. No position may be created without the approval of the Board of Directors. The Collaborative's goal is to employ and retain personnel who are motivated, who will strive always to do their best, and who are committed to providing the best educational environment for every client.

It will be the duty of the Executive Director to see that persons considered for employment will meet the certification and contract requirements called for in position sought.

The following guidelines will be used in the selection of personnel:

1. There will be no discrimination in the hiring process due to age, sex, creed, race, color, national origin, disability, sexual orientation, pregnancy or place of residence.
2. The quality of instruction is enhanced by a staff with a wide variation in background, educational preparation, and previous experience.

Final determination of salary and benefits for new hires shall rest with the Executive Director.

Adoption date: November 2009

Revision date: June 2018

Legal Ref: 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](#)

MASC policy reference: GCF

## **VII-R BACKGROUND CHECKS**

It shall be the policy of SWCEC 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 children. 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 children. The Board of Directors shall only obtain a fingerprint background check for current and prospective employees for whom the Board has direct hiring authority. In the case of an individual directly hired by a board, the chair of the Board shall review the results of the national criminal history check. The Executive Director shall also obtain a state and national fingerprint background check for any individual who regularly provides school related transportation to children. The Board, Executive Director or Principal/Director, as appropriate, may obtain a state and national fingerprint criminal background check for any volunteer, subcontractor or laborer commissioned by the Board, who may have direct and unmonitored contact with children. School volunteers and subcontractors/laborers who may have direct and unmonitored contact with children 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 SWCEC who may have direct and unmonitored contact with children.

Direct and unmonitored contact with children 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.

### 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 Executive Director. 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.

#### 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 his or her 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 his/her 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 his/her CHRI;
- 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.

If SWCEC receives criminal record information from the state or national fingerprint-based background checks that includes no disposition or is otherwise incomplete, SWCEC may request that an individual, after providing him/her a copy of said background check, provide additional information regarding the results of the criminal background checks to assist SWCEC in determining the applicant's suitability for direct and unmonitored contact with children, notwithstanding the terms of General Laws chapter 151B, S. 4,( 9,9 ½). Furthermore, in exigent circumstances, SWCEC may, pursuant to the terms of DESE regulations (see specific regulations in legal references), hire an employee on a conditional basis without first receiving the results of a national criminal background check. After exhausting several preliminary steps as contained in the above referenced regulation the district may require an individual to provide information regarding the individual's history of criminal convictions; however, the individual cannot be asked to provide information about juvenile adjudications or sealed convictions. The Executive Director is advised to confer with legal counsel whenever he/she solicits information from an individual concerning his/her history of criminal convictions.

#### 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 Executive Director 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 Executive Director 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.

### CORI Requirements

It shall be the policy of the SWCEC 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 children, who may have direct and unmonitored contact with children, 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 Executive Director 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 children, including taxicab company employees, and volunteers who may have direct and unmonitored contact with children, during their term of employment or volunteer service.

The Executive Director 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 children, 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 children’ 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 children 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 children if he or she has 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 children 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 Executive Director; 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 Board, Executive Director 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 children.

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 Executive Director 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 Executive Director 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 children. Current employees, persons regularly providing school related transportation, and volunteers shall also be informed in writing by the Executive Director prior to the periodic obtaining of their Criminal Offender Record Information.

The Executive Director 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 compliant 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 Executive Director 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 children.

Adoption date: June 2018

Legal Ref: 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](#)  
MASC policy reference: ADDA

## **VII-S      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 his/her 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.

### Verifying a Subjects 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 his or her 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:

1. Relevance of the record to the position sought;
2. The nature of the work to be performed;
3. Time since the conviction;
4. Age of the candidate at the time of the offense;
5. Seriousness and specific circumstances of the offense;
6. The number of offenses;
7. Whether the applicant has pending charges;
8. Any relevant evidence of rehabilitation or lack thereof; and
9. 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.

### 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.

Adoption date: June 2018

MASC policy reference: ADDA-R



## **VII-T STAFF DEVELOPMENT**

Professional development is one of SWCEC's most important activities and an essential part of recruiting and retaining highly qualified personnel. All staff members will be encouraged to increase their skills and 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 activities as follow:

1. Planned in-service programs and workshops offered within the Collaborative from time to time; these may include participation by outside consultants.
2. Membership on curriculum development committees drawing personnel from within and without the Collaborative.
3. Released time for visits to other classrooms and programs and for attendance at conferences, workshops, and other professional meetings.
4. Leaves of absence for graduate study, research, and travel.
5. Partial payment of tuition for approved courses.

Aligned with the procedures developed by SWCE administration, the Executive Director 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.

Adoption date: November 2009

Revision date: June 2018

MASC policy reference: GCIA

## **VII-U STAFF ASSIGNMENT AND TRANSFERS**

The basic consideration in the assignment of staff members will be the needs of the students and the instructional program.

Therefore, the assignment and transfer of staff members will be accomplished by the Executive Director on the basis of the employee's qualifications, the needs of the school system, and the employees' expressed desires.

Care will be exercised by the Executive Director to assure that all schools are staffed with effective teachers.

Within an individual school, the building Principal will have the authority to assign classes and courses, provided this is done with full regard for the teacher's area of certification and the policies delineated above.

Adoption date: June 2018

Contract Ref: Collective Bargaining Agreement  
MASC policy reference: GCK

## **VII-V EVALUATION OF STAFF**

In order to assure a high quality of faculty and administrator performance and to advance the instructional programs of the schools, a continuous program for evaluation will be established by the Board of Directors.

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 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 employee'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.

Adoption date: June 2018

Legal Ref: M.G.L. [69:1B](#); [71:38](#); [71:38Q](#); [150E](#); [152B](#), 603 CMR [35:00](#)  
MASC policy reference: GCO

## **VII-W RESIGNATION OF STAFF MEMBERS**

Staff members may discontinue their service in the Collaborative during the school year by submitting a written notice of intent to resign to the appropriate hiring authority.

Such written notice of intent to resign will be given to the Executive Director. The staff member will be notified in writing of the Executive Director's action on the resignation.

When a resignation is accepted by the Executive Director the employee may be expected to continue in service at his or her assigned duties for a period of 30 days after submission of the resignation.

Adoption date: June 2018

MASC policy reference: GCQD

## **VII-X RETIREMENT OF STAFF MEMBERS**

Annually, the Executive Director will inform the Board of Directors of the staff members who have indicated their intention to retire at the end of the current school year.

Adoption date: June 2018

Legal Ref: Age Discrimination in Employment Law, P.L. 95-256  
MASC policy reference: GCQE

## **VII-Y      SUSPENSION AND DISMISSAL OF STAFF MEMBERS**

The Executive Director will strive to assist personnel to perform their duties efficiently. However, the Executive Director may dismiss any employee in accordance with state law. Further, the Board of Directors recognizes the constitutional rights of Collaborative 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 Executive Director or a Principal/Administrator determines that sufficient cause exists that an employee be suspended or dismissed from service in the collaborative, he/she 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 collective bargaining unit.
4. Provide the individual involved with a written statement that will:
  - a. Indicate whether the action the Executive Director 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.

Adoption date: June 2018

Legal Ref: M.G.L. [71:42](#); [71:42D](#)

MASC policy reference: GDQD

## **VII-Z TUTORING FOR PAY**

Definition: "Tutoring" means giving private instruction or help to an individual or group for which the faculty member receives remuneration other than through the Board of Directors.

A faculty member cannot recommend that one of his/her own students get tutoring, and then be paid to tutor that same student in a second job.

A faculty member may not tutor students who are currently in his/her class. Even if the faculty member does not recommend that the current student receive private tutoring, they are not able to tutor the current student.

Faculty members may not approach a student, or the student's parents, seeking private tutoring work. A faculty member may provide tutoring when the relationship is initiated by the parents or a student, but, if the student is, or in the future may be, under the faculty member's authority, a written disclosure will be needed.

Faculty members cannot use school resources such as classrooms or materials in connection with a private tutoring business. Faculty members cannot use the collaborative website to advertise private tutoring services. The Collaborative will not 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 a list of persons who are willing to tutor. This list will not include the student's teacher of the subject in which he/she is to be tutored.

Adoption date: June 2018

Legal Ref: M.G.L. [268A](#) Mass. Ethics Commission FAQs for Public School Teachers  
MASC policy reference: GCRD

# **SECTION VIII**

## **Negotiations**

VIII-A Negotiation Legal Status



## **VIII-A NEGOTIATION LEGAL STATUS**

All negotiations between the Board of Directors and recognized employee groups are conducted subject to Massachusetts General Laws. The legal status of negotiations is defined in part by Section 2 of that chapter, as follows:

"shall have the right of self-organization and the right to form, join, or assist any employee organization for the purpose of bargaining collectively through representatives of their own choosing on questions of wages, hours, and other terms and conditions of employment, and to engage in lawful, concerted activities for the purpose of collective bargaining or other mutual aid or protection, free from interference, restraint, or coercion. An employee shall have the right to refrain from any or all of such activities, except to the extent of making such payment of service fees to an exclusive representative as provided in section twelve."

Basic to all employer/employee negotiations is the concept of "bargaining in good faith." It is the legal responsibility of both the Board 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.

Adoption date: June 2018

Legal Ref: M.G.L. [150E:1](#) et seq.  
MASC policy reference: HB

# **SECTION IX**

## **Instruction**

- IX-A Basic instructional program
- IX-B Teaching about alcohol, tobacco, and drugs
- IX-C Special instructional programs and accommodations  
(programs for children with special needs)
- IX-D English language learners
- IX-E Reconsideration of instructional resources
- IX-F Acceptable use policy
- IX-G Policy on Social Media
- IX-H Field Trips
- IX-I School Volunteers
- IX-J Student Submission to Educational Surveys and Research

## **IX-A BASIC INSTRUCTIONAL PROGRAM**

State law requires that all Massachusetts schools:

...shall give instruction and training in orthography, reading, writing, the English language and grammar, geography, arithmetic, drawing, music, the history and Constitution of the United States, the duties of citizenship, health education, physical education and good behavior. . .

The law further states that American history and civics, including the Constitution of the United States, the Declaration of Independence, the Bill of Rights, local history and government will be taught as required subjects in the public schools.

Physical education is compulsory for all students, except that no student will be required to take part in physical education exercises if a physician certifies in writing that such exercises would be injurious to the student.

### The Fundamental Skills

The business of the Collaborative is to equip all children served with the skills, tools, and attitudes that will lay the basis for learning now and in the future. This means giving highest priority to developing skills in reading, writing, speaking, listening, and solving numerical problems.

The first claim of the community's resources will be made for the realization of these priorities. Collaborative dollars, talent, time, and whatever innovations is required must be focused on these essential priorities. No student should be bypassed or left out of the school's efforts to teach the fundamental skills. Schooling for basic literacy must reach all students, in all neighborhoods, and from all homes.

### Curricula

1. The curricula of all SWCEC programs shall present in fair perspective the culture, history, activities, and contributions of persons and groups of different races, nationalities, sexes, and colors.
2. All school books, instructional and educational materials used in Collaborative programs shall be reviewed for sex-role and minority group stereotyping. Appropriate activities, discussions and/or supplementary materials shall be used to counteract the stereotypes depicted in such materials.
3. School books, instructional and educational materials purchased after the date of 603 CMR 26.00 shall in the aggregate, include characterizations and situations which depict individuals of both sexes and of minority groups in a broad variety of positive rolls.
4. Each school and/or program shall provide equal opportunity for physical education for all students. Goals, objectives and skill development standards, where used, shall neither be designated on the basis of sex nor designed to have an adverse impact on members of either sex.

Adoption date: June 2018

Legal Ref: M.G.L. 71:1; 71:2; 71:3; 71:13, 603 CMR 26:05

MASC policy reference: IHA

## **IX-B TEACHING ABOUT ALCOHOL, TOBACCO, AND DRUGS**

In accordance with state and federal law, the Collaborative 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 program-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 curriculum, instructional materials, and outcomes used in this program shall be recommended by the Executive director and approved by the Board of Directors.

This policy shall be posted on the Collaborative's website and notice shall be provided to all students and parents in accordance with state law. Additionally, the Collaborative shall file a copy of this policy with DESE in accordance with law in a manner requested by DESE.

Adoption date: June 2018

Legal Ref: M.G.L. 71:1; 71:96  
MASC policy reference: IHAMB

## **IX-C SPECIAL INSTRUCTIONAL PROGRAMS AND ACCOMMODATIONS (PROGRAMS FOR CHILDREN WITH SPECIAL NEEDS)**

The goals of SWCEC's special education programs are to allow each child to grow and achieve at his/her own level, to gain independence and self-reliance, and return to the mainstream of school society as soon as possible. In keeping with the intention of the Commonwealth of Massachusetts to offer educational opportunities to all students which will enable them to lead fulfilling and productive lives, the Collaborative shall provide appropriate educational opportunities to all resident students in accordance with the requirements of state and federal statutes.

The requirements of Chapter 71B and the Massachusetts General Laws and state regulations (603 CMR 28.00) 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 through 21 who have not attained a high school diploma or its equivalent will be eligible for special education.

The Board of Directors 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 system's non-academic and extracurricular activities.

The Board recognizes that the needs of certain children are so great that special programs, special classes or special schools may be necessary.

It is the desire of the Board that the Collaborative work closely with member schools in designing and providing programs and services to children with special needs. Parents 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 will be accorded the right of due process.

The Board will secure properly trained personnel to work with the children with special needs.

Adoption date: June 2018

Legal Ref: The Individuals with Disabilities Ed. Act (PL 94-142 adopted 1/1/91) Rehabilitation Act of 1973, M.G.L. 71B:1 et seq. (Chapter 766 of the Acts of 1972), Board of Education Chapter 766 Regulations, adopted 10/74, as amended through, 7/1/81 also 603 CMR 28:00 inclusive  
MASC policy reference: IHB

## **IX-D ENGLISH LANGUAGE LEARNERS**

SWCEC 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 Dept. of Elementary and Secondary Education regulations and guidance.

SWCEC will work with sending districts to provide services and supports to students that dominant language is not English.

The District shall provide additional information as required by the Massachusetts Dept. of Elementary and Secondary Education to comply with federal law.

Adoption date: June 2018

Legal Ref: PL114-95 Every Student Succeeds Act, 42 U.S.C. 2000d (Title VI of the Civil Rights Act of 1964), 603 CMR [14.00](#)

MASC policy reference: IHBEA

## **IX-E RECONSIDERATION OF INSTRUCTIONAL RESOURCES**

From time to time, parents, parent advocacy group, or concerned citizens may challenge the appropriateness and suitability of instructional materials being used in at SWCEC. Following are the policies and procedures for reviewing the materials in question.

Teaching and/or multimedia material that is challenged as unsuitable for students usually belong to one of three basic categories: religion, ideology, or profanity/obscenity. Board policies regarding these areas are as follows:

1. Religion -- Factual, unbiased material on religions has a place in school libraries.
2. 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.
3. 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 by the Executive Director and/or his/her designee. No questioned materials shall be removed from the school pending the Executive Director's final decision. Pending the outcome of the request for reconsideration, however, access to questioned materials can be denied to the students of the parents making the complaint, if they so desire.

If the decision of the Executive Director is that the questioned instructional resource be retained, the Collaborative 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 Executive Director 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.

Adoption date: June 2018

MASC policy reference: IJ-R

## **IX-F ACCEPTABLE USE POLICY**

Use of the SWCEC network is a privilege, not a right, and will be extended to individuals as long as they observe the rules of acceptable use as outlined below. SWCEC has established certain protocols to ensure the safety of our school communities, the security of the computer networks, and compliance with applicable laws. All users should be aware of the following provisions:

1. Network and Internet monitoring:
  - a. SWCEC locations and/or their host districts have software and systems in place that monitor and record all Internet usage. Users should have no expectation of privacy when browsing the web, sending or receiving e-mail, or using other electronic resources.
2. Filtering:
  - a. In accordance with the Children's Internet Protection Act (CIPA), passed by the U.S. Legislature in January 2001 (Public Law 106-554), SWCEC shall employ filtering software to block access to inappropriate content on all computers with Internet access. SWCEC, its schools, and districts certify that a policy of Internet safety and technology protection measures shall be enforced. Users are restricted from accessing visual depictions of subject matter that are obscene, pornographic, or harmful to minors. In compliance with CIPA, SWCEC policy, and, if applicable, host districts policy, shall, in furtherance of this set of Acceptable Use Procedures regarding Internet safety, monitor the online activities of users.

SWCEC and host districts cannot be held responsible for misuse of material downloaded from any online service, or for inappropriate or sexually explicit material being obtained through the network.

### User-specific Provisions

Students, administrators, staff and faculty shall not:

1. Use the network to access and/or transmit material in violation of any U.S. or Commonwealth law, including copyrighted material.
2. Access, download, display, transmit, produce, generate, copy or propagate any material that is obscene or pornographic; advocates illegal acts; contains ethnic slurs or racial epithets; or discriminates on the basis of gender, national origin, sexual orientation, race, color, ancestry, religion, handicap or age.
3. Degrade, damage or disrupt equipment or system/network performance (for example excessive bandwidth use that disrupts the network for other users).
4. Gain unauthorized access to network resources.
5. Permit or authorize any other person to use their name or login password.
6. Use an account of any other person or vandalize another user's data.
7. Waste electronic storage space by saving unnecessary files or programs.
8. Download, install, load or use programs without written permission of the Technology Coordinator or his/her designee.
9. Use the Internet for personal commercial purposes or for political lobbying.
10. Use inappropriate, offensive, foul or abusive language.
11. Harass or annoy any other party with obscene, libelous, threatening or anonymous messages, objectionable information, images or language.
12. Knowingly make use of pirated software or violate software-licensing agreements.
13. Engage in the practice of "hacking" or knowingly engage in any other illegal or inappropriate activity using the network.

Students, staff and faculty must:

1. Use the Internet and other electronic resources only for legitimate educational and Collaborative business purposes.



2. Respect commonly accepted practices of Internet etiquette including, but not limited to, use of appropriate language.
3. Be aware of potential security risks at all times and take all reasonable steps to minimize risks by, at minimum, logging off the network when a computer is unattended and reporting all unauthorized use of one's account to Technology Coordinator.
4. Avoid bulk e-mailing and forwarding e-mails of broad interest, such as virus alerts to the larger community without prior approval from the Technology Coordinator.
5. Treat all computer areas and equipment with the utmost care and respect.
6. Protect their own and respect other users ID's and passwords including practicing regular replacement of passwords.
7. Students may access the Internet only with adult supervision for a specific task.
8. Abide by this procedure and specific host district policies where applicable.

### Electronic Communication

Collaborative resources for electronic communication shall be used for educational purposes. Electronic communication done for and on behalf of SWCEC must be done with official SWCEC email accounts provided to users and should not use any personal accounts. Prohibited electronic communications include, but are not limited to:

1. Use of electronic communications to send copies of documents in violation of privacy or copyright laws.
2. Use of electronic communications to intimidate others or to interfere with the ability of others to conduct school/district business.
3. Constructing electronic communications to appear to be from someone else.
4. Obtaining access to the files or communications of others for the purpose of satisfying idle curiosity, with no substantial school/district business purpose.
5. Users will conform to the rules of e-mail archiving and document retention set forth by policy or applicable laws.

### Software

Software which SWCEC has standardized and use widely will be given priority in terms of installation, troubleshooting and training. Installation, troubleshooting and training for all other software used by faculty, staff and students will be supported as time permits. Software to be used in the curriculum or in a lab environment must be purchased in "lab packs" of sufficient quantities to account for the greatest number of simultaneous users or as site licenses, and must be owned by SWCEC or host school/district. Single copies of software are considered evaluation copies and will not be supported, installed on multiple computers, or made available from the network to multiple computers.

Software that makes the computers and network harder to maintain and support and that offers little or no benefit over comparable software will not be supported. Do not install any software on any SWCEC computer without prior permission from the Technology Coordinator or his/her designee. The Technology Coordinator reserves the right to uninstall unsupported software or reimage any computer as necessary.

### Data Storage and Backup

The Technology Coordinator has the right to reimage any computer as necessary. No personal data or files should be stored on a local machine or network server.

SWCEC makes every effort to run regular backups on data and e-mail hosted on its systems and networks; however, it cannot guarantee that in the event of data loss or catastrophic failure all information will be recovered.

## Hardware

Use of equipment other than that owned by the SWCEE or the host school/district:

1. SWCEC provides limited support for equipment brought in from the outside by any user.
2. If a computer network is provided that is designated for guests, users must only connect outside devices to these networks.
3. The Technology Coordinator has the right to confiscate or disconnect any outside equipment that interferes with operation of the system/network.
4. SWCEC and host school/district are not responsible for damage to or loss of equipment brought in from the outside.

Any violations of this policy may result in disciplinary action including but not limited to the loss of network privileges or termination from employment.

Note: The SWCEC Acceptable Use Policy pertains to both staff and students. It is printed in its entirety on the SWCEC website ([swcec.org](http://swcec.org)). SWCEC reserves the right to change this policy without prior notice.

Adoption date: June 2018

## **IX-G POLICY ON SOCIAL MEDIA**

The Executive Director 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 SWCEC's computer and telephone system, except emergency situations.
  - c. Team, class, or student organization pages, accounts, or groups will be created only in conjunction with faculty advisors. All groups must include the appropriate administrator as a member. Access to the page will remain with faculty advisors.
  - d. Teachers will not give out their private cell phone or home phone numbers without prior approval of the SWCEC Administration.
2. Inappropriate contact via phone or electronic devise is prohibited.
3. Inappropriateness of posting items with sexual content.
4. Inappropriateness of posting items exhibiting or advocating use of drugs and alcohol.
5. Monitoring and penalties for improper use of SWCEC computers and technology.
6. The possibility of penalties, including dismissal from employment, for failure to exercise good judgment in on-line conduct.

The Executive Director or his/her designees will periodically conduct internet searches to see if employees have posted inappropriate materials on-line. When inappropriate use of computers and websites is discovered, the School Principals/Director and Executive Director 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.

Adoption date: June 2018

MASC policy reference: IJNDD

## **IX-H 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 Board of Directors will also encourage field trips as an integral part of the instructional programs at SWCEC.

All field trips must be approved in advance and should be well planned to include both instructional preparation and follow-up for students. Prior planning will include educational objectives; cost and sources of funding, including transportation; supervision; schedule; emergency notification procedure; provision for nursing services; and notice to parents.

The Executive Director will establish regulations to assure that:

1. All students have parental/guardian permission 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 of family ability to pay.

All out-of-state or extended (overnight) trips and excursions must have advance approval of the Board of Directors. Fundraising activities for such trips will be subject to approval by the appropriate Administrator.

Adoption date: November 2009

Revision date: June 2018

MASC policy reference: IJOA

## **IX-I SCHOOL VOLUNTEERS**

The Board of Directors recognizes the value of community volunteers who may provide services that support students' academic and social growth.

It is the policy of the Board 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.

All volunteers must participate in an orientation session during which issues regarding student confidentiality and other relevant issues will be discussed. All volunteers are required to complete a criminal background check and be approved prior to serving the Collaborative in any capacity.

The volunteer program will be coordinated in cooperation with building administrators.

Adoption date: November 2009

Revision date: June 2018

Legal Ref: M.G.L. c.71 38R

MASC policy reference: IJOC

## **IX-J 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 he/she is 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
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; 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 may inspect, upon request, a survey created by a third party before the survey is administered or distributed to a student.

The Executive Director or designee will be responsible for implementing any procedures necessary to protect the privacy of participating students and to provide parents with access to surveys within a reasonable time before administration or distribution.

SWCEC will notify parents of this policy at least annually at the beginning of the school year and within a reasonable time of any substantive change in policy. Where practical, the Collaborative will also directly notify parents annually at the beginning of the school year when surveys, analyses, or evaluations are scheduled or anticipated. Parents 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 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.

Adoption date: June 2018

Legal Ref: Protection of Pupil Rights Amendment, 20 U.S.C. § 1232h  
MASC policy reference: ILD

# **SECTION X**

## **Students**

- X-A Harassment
- X-B Homeless students: enrollment rights and services
- X-C Hazing
- X-D Bullying prevention and intervention
- X-E Alcohol, tobacco, and drug use by students prohibited
- X-F Pregnant students
- X-G Student fund-raising activities
- X-H Student travel
- X-I Restraint prevention and intervention
- X-J Administering medicines to students
- X-K Management of potential life threatening opioid overdose program
- X-L Student records management
- X-M Special education program observation

## **X-A HARASSMENT**

Harassment of students by other students will not be tolerated at SWCEC. This policy is in effect while students are on program grounds, Collaborative property or property within the jurisdiction of the Collaborative, school buses, or attending or engaging in collaborative activities.

Harassment prohibited by the Collaborative includes, but is not limited to, harassment on the basis of race, sex, gender identity, creed, color, national origin, sexual orientation, pregnancy, religion, marital status or disability. 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.

Harassment means conduct of a 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 collaborative programs or activities;
- Submission to or rejection of such conduct by a student is used as the basis for decisions affecting the student, or;
- 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:

- Verbal, physical or written (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.

The Collaborative will promptly and reasonably investigate allegations of harassment. The Principal/Director of each building will be responsible for handling all complaints by students alleging harassment. Retaliation against a student, because a student has filed a harassment complaint or assisted or participated in a harassment investigation or proceeding, is also prohibited. A student who is found to have retaliated against another in violation of this policy will be subject to disciplinary action up to and including suspension and expulsion.

The Executive Director will develop guidelines and procedures for this policy implementation.

The Grievance Officer for all issues (including section 504/Americans with Disabilities: SWCEC Executive Director

Adoption date: December 1994

Revision date: June 2018

Legal Ref: Title VII, Section 703, Civil Rights Act of 1964 as amended 45 Federal Regulation 74676 issued by EEO Commission, Education Amendments of 1972, 20 U.S.C. 1681 et seq. (Title IX) Board of Education 603 CMR 26:00



## **X-B HOMELESS STUDENTS: ENROLLMENT RIGHTS AND SERVICES**

The Collaborative is dedicated to working with districts to identify and serve homeless students. The Collaborative will comply with federal and state laws and regulations and work with school districts in the identification and education of children who are in homeless situations. The intent of this policy is to provide each child and youth equal access to the same free appropriate public education as provided to other children and youth.

To the extent practical and as required by law, the Collaborative will work with homeless students and their families to provide stability in program attendance and other services. Special attention will be given to ensuring the enrollment and attendance of homeless students not currently attending program. Homeless students will be provided Collaborative services for which they are eligible, including Head Start and comparable pre-program programs, Title I, similar state programs, special education, bilingual education, vocational and technical education programs, gifted and talented programs and program nutrition programs.

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 or economic hardship;
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. Awaiting foster care placement;
6. Living in public or private places not designed for or ordinarily used as regular sleeping accommodations for human beings;
7. Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations or similar settings;
8. Migratory children living in conditions described in the previous examples.

The Collaborative shall coordinate with local social service agencies that provide services to homeless children and youths and their families; other program Collaboratives on records transfers; and state and local housing agencies responsible for comprehensive housing affordability strategies. The Collaborative will also review and recommend amendments to Collaborative policies that may act as barriers to the enrollment of homeless students.

Adoption date: June 2018

Legal Ref: Title I, Part C, No Child Left Behind Act, 2002  
MASC policy reference: JFABD

## **X-C HAZING**

In accordance with Massachusetts General Laws, Chapter 536 of the Acts of 1985, SWCEC hereby deems that no student, employee or school organization under the control of the Collaborative 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 Collaborative shall engage in the activity of hazing any person while on school property.

Hazing is defined in Chapter 269, Section 17 of the Massachusetts General Laws as follows: The term “hazing” 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.

Hazing is a serious offense in the state of Massachusetts and any student found to have been involved in an incident of hazing may be suspended from the school and any school related groups or events. Their parent/guardian will be notified in writing and by phone of the infraction and administration at the student’s LEA will be notified as well. Furthermore, the student and the incident will be reported to the local police. Punishments for hazing in Massachusetts may include fine or imprisonment.

Adoption date: June 2018

Legal Ref: M.G.L. 536 of the Acts of 1985, M.G.L. 269:17, 18, 19

## **X-D BULLYING PREVENTION AND INTERVENTION**

SWCEC 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 within the program community.

SWCEC complies with the Massachusetts Bullying Prevention Law, M.G.L. Ch. 71, s. 37O, and in accordance with this law, has adopted a Bullying Prevention and Intervention Plan. It is the policy of the SWCEC to take pro-active, reasonable measures designed to provide a learning and working atmosphere for students, employees and other members of the school community free from sexual harassment, bullying, hazing and intimidation. These terms are referenced herein as “harassment”, which is more particularly defined below. The Collaborative, in the strongest possible terms, condemns harassment. We recognize that certain students may be more vulnerable to become targets of bullying, harassment, or teasing based on actual or perceived characteristics, including race, color, religion, ancestry, national origin, sex, pregnancy, socioeconomic, status, homelessness, academic status, gender identity or expression, physical appearance, or sensory, disability, or by association with a person who has or is perceived to have one or more of these characteristics. The school will identify specific steps it will take to create a safe, supportive environment for vulnerable populations in the school community, and provide all students with the skills, knowledge, and strategies to prevent or respond to bullying, harassment, or teasing.

It is a violation of policy for any administrator, teacher or other employee, or any student or other member of the school community, to engage in or condone harassment in school, on school grounds or at or in a school-related function, activity, communication or contact, or to fail to report or otherwise take reasonable corrective measures when they become aware of an incident of harassment.

This policy is not designed or intended to, nor shall it limit the school’s authority to take disciplinary action to take remedial action when such harassment occurs out of school, but has a sufficient nexus to school under applicable law, or is disruptive to an employee’s or student’s work or participation in school-related activities.

Reports of harassment, including, but not limited to, cyber-bullying by electronic or other means, occurring in or out of school will be reviewed, and, when a sufficient nexus to school or school-related work exists, will result in discipline.

It is the responsibility of every employee, student and parent to recognize acts of harassment and take reasonable action to see that the applicable policies and procedures of SWCEC are implemented. All members of the school community are and must act as partners in such efforts if we are to have any reasonable chance of success in preventing or minimizing activity of this type, which is harmful to both the victim and the perpetrator.

Any employee or student who believes that he or she has been subjected to harassment has the right to file a complaint and to receive reasonably prompt and appropriate handling of the complaint. While proper enforcement of this policy foreseeably may require disclosure of any or all information received, all reasonable efforts will be made to maintain confidentiality to the extent consistent with such enforcement.

The Executive Director or designee shall be responsible for assisting employees and students seeking guidance or support in addressing matters relating to any form of harassment.

### Prohibition and Definitions

Harassment, including bullying, may take a variety of forms. It is utterly unacceptable in a school or work environment. As a result, neither any student, nor employee nor other member of the school community shall be subjected to harassment, intimidation, bullying, or cyber-bullying in any public educational institute.

"Bullying", the repeated use by one or more students or by a member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a victim that: (i) causes physical or emotional harm to the victim or damage to the victim's property; (ii) places the victim in reasonable fear of harm to himself or of damage to his property; (iii) creates a hostile environment at school for the victim; (iv) infringes on the rights of the victim at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school. For the purposes of this section, bullying shall include cyber-bullying.

"Harassment", including "Bullying", the latter including but not limited to "cyberbullying", as used in this policy means an unwelcome written, electronic, verbal or physical communication, act or gesture which: (1) reasonably causes a student or employee to feel coerced, intimidated, harassed or threatened and (2) under the circumstances foreseeably may cause: (a) a reasonable person to suffer physical or emotional harm, or (b) damage to a student's or employee's property, or (c) a disruptive or hostile school environment. The behavior must interfere with an employee's ability to perform his or her duties or with a student's academic performance or ability to learn, or interfere with a student's ability to participate in or benefit from services, activities, or privileges:

1. That are being offered by or through the Collaborative; or
2. during any Collaborative-related educational program or activity; or
3. while in school, on or using Collaborative property or equipment, in a school vehicle, on a school bus, at school-designated bus stops, at school sponsored activities, at school-sanctioned events; or
4. through the use of data, telephone or computer software that is accessed through a computer, computer system, or computer network or any public education institute related to or provided or facilitated by the Collaborative; or
5. in circumstances otherwise having a sufficient nexus with the Collaborative.

"Electronic communication" as used in this policy means any communication through an electronic device, including but not limited to a telephone, cellular phone, computer or pager.

Adoption date: June 2018

Legal Ref: M.G.L. Ch. 71, s. 37O

## **X-E 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 Board of Directors prohibits the use or consumption by students of alcohol, tobacco products, or drugs on program property or at any program function.

Additionally, any student who is under the influence of drugs or alcoholic beverages prior to, or during, attendance at or participation in a program-sponsored activity, will be barred from that activity and may be subject to disciplinary action.

Subject to appropriation, the Collaborative shall utilize, in accordance with Massachusetts state 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 two grade levels.

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.

This policy shall be posted on the Collaborative's website and notice shall be provided to all students and parents of this policy in accordance with state law. Additionally, the Collaborative shall file a copy of this policy with DESE in accordance with law in a manner requested by DESE.

Adoption date: November 2009

Revision date: June 2018

Legal Ref: M.G.L.71:2A; 71:96; 272:40A

MASC policy reference: JICH

## **X-F PREGNANT STUDENTS**

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, provided however that a pregnant student comply with any and all requirements pertaining to all students with respect to physical examinations prior to participation.

SWCEC Collaborative does not require a pregnant student to obtain an additional certification of a physician that the student is physically and emotionally able to continue in program, provided however a pregnant student must adhere to any and all requirements pertaining to all students with respect to physical examinations required for attendance.

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 program after leave is encouraged; and that every opportunity to complete high program is provided.

Adoption date: June 2018

Legal Ref: M.G.L. 71:84, Title IX: 20 U.S.C. § 1681, 34 CFR§ 106.40(b)  
MASC policy reference: JIE

## **X-G            STUDENT FUND-RAISING ACTIVITIES**

In general, the Board of Directors disapproves of fund-raising in the community by students for program activities. Especially discouraged is the sale of goods produced by companies for profit, such as magazines, candy, and similar items.

Exceptions to this policy will be:

- Sale of tickets to scheduled athletic events and program dramatic and musical performances.
- Sale of advertising space in program publications.

A fund-raising activity approved by the Executive Director or his/her designee.

Proposals to raise funds for charitable purposes or for benefit of the program or community (for example: American Field Service activities, United Nations, or scholarship funds) provided such proposals have been individually approved by the building principal and executive director.

No money collections of any kind may be held in SWCEC programs without the specific consent of the Board.

Adoption date: June 2018

MASC policy reference: JJE

## **X-H STUDENT TRAVEL**

All student trips which include late night or overnight travel must have prior approval of the Board of Directors. Initial approval by the Board of Directors is required before engaging students in fundraising activities. The Board of Directors 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 Board of Directors requires that final approval be sought no less than 30 days prior to the scheduled trip dates.

Teachers and other program staff are prohibited from soliciting for privately run trips through the program system and in the programs. The Board of Directors will only review for approval program-sanctioned trips. The Board of Directors will not review or approve trips that are privately organized and run without program sanctioning.

Adoption date: June 2018

Legal Ref: Chapter 346 of the Acts of 2002 (et al) approved on October 9, 2002, M.G.L. 69:1B; 71:37N  
MASC policy reference: JJH



## **X-I RESTRAINT PREVENTION AND INTERVENTION**

SWCEC complies with all applicable laws and regulations regarding the use of restraint within public school programs. 603 CMR 46.00 governs the use of physical restraint in publicly funded elementary and secondary education programs, including all Massachusetts public collaboratives, charter schools, virtual schools, collaborative education programs, and the school day of special education schools approved under 603 CMR 28.09, as provided in 603 CMR 18.05(5)(h). No student shall be denied admission to SWCEC programs solely on the basis of a parent's or guardian's objection to SWCEC's policies and procedures regarding the use of restraint.

It is the policy of the Collaborative that physical restraint shall be used only in emergency situations, after other less intrusive alternatives have failed or been deemed inappropriate and with extreme caution.

- 1) Physical restraint may only be used in the following circumstances:
  - a) When non-physical interventions would be ineffective; and
  - b) The student's behavior poses a threat of assault or imminent, serious, harm to self and/or others.
- 2) Physical restraint is prohibited in the following circumstances:
  - a) As a means of discipline or punishment;
  - b) When the student cannot be safely restrained because it is medically contraindicated for reasons including, but not limited to, asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting;
  - c) As a response to property destruction, disruption of school order, a student's refusal to comply with a public education program rule or staff directive, or verbal threats that do not constitute a threat of imminent, serious, physical harm. However, if the property destruction or the refusal to comply with a school rule or staff directive could escalate into, or could itself lead to serious, imminent harm to the student or to others, physical restraint is appropriate; or
  - d) As a standard response for any student. No written individual behavior plan or IEP may include use of physical restraint as a standard response to any behavior. Physical restraint is an emergency procedure of last resort.
- 3) Only school personnel who have received required training or in-depth training pursuant to this policy shall administer physical restraint on students with, whenever possible, one adult witness who does not participate in the restraint. The training requirements, however, shall not preclude a teacher, employee or agent of the school from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.
- 4) Physical restraint shall be limited to the use of such reasonable force as is necessary to protect a student or others from assault or imminent, serious, physical harm.
- 5) A person administering physical restraint shall use the safest method available and appropriate to the situation. Floor restraints may only be administered by a staff member who has received in-depth training as specified in this policy and, when in the judgment of the trained staff member, such method is required to provide safety for the student or others.
- 6) Physical restraint shall be discontinued immediately upon the determination that the student is no longer at risk of causing imminent, serious physical harm to self or others.
- 7) Additional safety requirements:
  - a) Restrained student shall not be prevented from breathing or speaking. A staff member will continuously monitor the physical status of the student, including skin temperature and color and respiration, during the restraint.
  - b) If at any time during a physical restraint the student demonstrates significant physical distress, including but not limited to, difficulty breathing, as determined by the staff member, the student shall be released from the restraint immediately, and school staff shall take steps to seek medical assistance.
  - c) Program staff shall review and consider any known medical or psychological limitations, known or

suspected trauma history, and/or behavioral intervention plans regarding the use of physical restraint on an individual student.

- 8) At an appropriate time after release of a student from physical restraint, a school administrator or other appropriate school staff shall:
  - a) Review the incident with the student to address the behavior that precipitated the restraint.
  - b) Review the incident with the staff person(s) who administered the restraint- to discuss whether proper restraint procedures were followed.
- 9) Consider whether any follow-up is appropriate for students who witnessed the incident.
- 10) The staff member who administered such a restraint shall verbally inform the principal of the restraint as soon as possible and by written report no later than the next school working day.
- 11) The principal or designee shall verbally inform the student's parent(s)/guardian(s) of such restraint as soon as possible but no later than 24 hours after the event, and by written report postmarked no later than three school working days following the use of restraint. The principal or designee shall provide the student and the parent an opportunity to comment orally and in writing on the use of the restraint and on information in the written report.
- 12) Written reports will be completed within one school working day of the restraint and reviewed by the principal. They will be sent to parent/guardian within three school working days. The written report will indicate the date signed by the principal and the date sent to parent/guardian. The postmark date on the letter will be logged in the restraint reporting log. This log is maintained by the principal or designee.
- 13) Restraints may be administered to a student with a disability pursuant to the student's Individualized Education Program or other written and agreed upon plan developed in accordance with state and federal law, subject to the following exceptions:
  - a) The limitations on chemical, mechanical, and seclusion restraint as stated above shall apply; and
  - b) The training and reporting requirements described in this policy shall apply.

### **Use of Physical Restraint**

Training regarding SWCEC's restraint policy occurs at the start of each school year; for staff hired after the school year begins, such training is provided within a month. Training includes information on the following:

- 1) SWCEC's restraint policy;
- 2) Interventions that may preclude the need for restraint, including de-escalation of problematic behaviors;
- 3) Types of restraints and related safety considerations;
- 4) Physical escort: a temporary touching or holding, without the use of force, of the hand, wrist, arm, shoulder or back for the purpose of inducing a student who is agitated to walk to a safe location
- 5) Physical restraint: direct physical contact that prevents or significantly restricts a student's freedom of movement  
Prohibitions: The use of mechanical restraint, medication restraint, and seclusion are prohibited in public education programs.
  - a) *Mechanical Restraint*: The use of any device or equipment to restrict a student's freedom of movement. The term does not include devices implemented by trained school personnel, or utilized by a student that have been prescribed by an appropriate medical or related services professional, and are used for the specific and approved positioning or protective purposes for which such devices were designed. Examples of such devices include: adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; vehicle safety restraints when used as intended during the transport of a student in a moving vehicle; restraints for medical immobilization; or orthopedically prescribed devices that permit a student to participate in activities without risk of harm.
  - b) *Seclusion*: Shall mean the involuntary confinement of a student alone in a room or area from which the student is physically prevented, or reasonably believes he or she will be prevented, from leaving. Seclusion does not include a time-out as defined in 603 CMR 46.02. The use of "time out" procedures during which a staff member remains accessible to the student will not be considered "seclusion."
  - c) *Medication restraint*: The administration of medication for the purpose of temporarily controlling

behavior. Medication prescribed by a licensed physician and authorized by the parent for administration in the school setting is not a medication restraint. This is not in use for SWCEC students but in case entering students have experienced this type of procedure, staff need to be aware of it.

Utilizing physical restraint is always conducted in accordance with known medical or psychological limitations applicable to each individual student. SWCEC programs do not employ any forms of mechanical, seclusion, or chemical restraint. Some students, under specific circumstances that are approved by a physician and parents or guardians in writing, are administered PRN medications on a voluntary basis to aid in behavior regulation (see Medical Policy). No SWCEC student is ever forcibly given medication as a means of controlling behavior.

Members of the SWCEC Administration are designated to serve as a resource to assist in ensuring proper administration of physical restraint. The Restraint Trainers are responsible for providing in-depth training in the proper administration of physical restraint, including:

- 1) Appropriate procedures for preventing the need for physical restraint, including de-escalation of problematic behavior, relationship building, and the use of alternatives to restraint;
- 2) A description and identification of dangerous behaviors on the part of students that may indicate the need for physical restraint and methods for evaluating the risk of harm in individual situations in order to determine whether the use of restraint is warranted;
- 3) The simulated experience of administering and receiving physical restraint, instruction regarding the effect(s) on the person restrained, including instruction on monitoring physical signs of distress and obtaining medical assistance;
- 4) Instruction regarding documentation and reporting requirements and investigation of injuries and complaints; and
- 5) Demonstration by participants of proficiency in administering physical restraint.

#### **Proper Administration of Physical Restraint**

- 1) Only school personnel who have received in-depth training will administer physical restraint with students. Whenever possible, the administration of a restraint will be witnessed by at least one adult who does not participate in the restraint. The training requirements contained in 603 CMR 46.00 does not preclude a teacher, employee or agent of a public education program from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.
- 2) Staff administering a physical restraint will use only the amount of force necessary to protect the student or others from physical injury or harm.
- 3) Staff administering physical restraint will use the safest method available and appropriate to the situation.
- 4) Staff administering physical restraint will discontinue such restraint as soon as possible. If, due to unusual circumstances, a restraint continues for more than twenty (20) minutes, it will be considered an "extended restraint" for purposes of the reporting requirements.
- 5) Additional requirements for the use of physical restraint:
  - a) No restraint will be administered in such a way that the student is prevented from breathing or speaking. During the administration of a restraint, a staff member will continuously monitor the physical status of the student, including skin temperature and color and respiration. A restraint will be released immediately upon a determination by the staff member administering the restraint that the student is no longer at risk of causing imminent physical harm to him or herself or others.
  - b) Restraint will be administered in such a way so as to prevent or minimize physical harm. If, at any time during a physical restraint, the student demonstrates significant physical distress, the student will be released from the restraint immediately, and staff will take steps to seek medical assistance.
  - c) If a student is restrained for a period longer than 20 minutes, program staff shall obtain the approval of the principal. The approval shall be based upon the student's continued agitation during the restraint and need for continued restraint.
  - d) Staff will review and consider any known medical or psychological limitations, known or suspected trauma history and/or behavioral intervention plans regarding the use of physical restraint on an individual student.

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

### **Restraint Notification and Documentation Procedure**

- 1) If a SWCEC student is restrained, the SWCEC Director or designee must be notified at the time of the restraint as well as the parent.
- 2) Following any restraint, the student involved must be offered the opportunity to complete a Grievance form. Any comment or communication regarding the restraint made by the student must be documented and attached to the Restraint Report.
- 3) If not already informed, staff will notify the student's SWCEC Director or designee immediately following the restraint.
- 4) The staff member who administered the restraint will verbally inform the SWCEC Director or designee of the restraint as soon as possible and by written report no later than the next school day.
- 5) SWCEC's Restraint procedures require the Collaborative to maintain an on-going record of all reported instances of physical restraint, which will be made available for review by the Department of Elementary and Secondary upon request.
- 6) All incidents of restraint must be documented using both the Behavior Incident Report form. The Behavior Incident Report must be submitted to the SWCEC Director or designee within 24 hours of the incident.
- 7) Notification to Parents: The principal or his/her designee shall make reasonable efforts to verbally inform the student's parents within 24 hours of the event, and shall notify the parent by written report sent either within three school working days of the restraint to an email address provided by the parent for communications about the student, or by regular mail postmarked no later than three school working days of the restraint. Restraint Report mailings will be completed by the SWCEC Director or designee. If written communication is customarily provided to a parent or guardian in a language other than English, the written restraint report will be provided to the parent or guardian in that language.
- 8) The written report will include:
  - a) The names and job titles of the staff who administered the restraint, and observers, if any; the date of the restraint; the time the restraint began and ended; and the name of the administrator who was verbally informed following the restraint, and as applicable, the name of the principal or designee who approved continuation of the restraint beyond 20 minutes.
  - b) A description of the activity in which the restrained student and other students and staff in the same room or vicinity were engaged immediately preceding the use of physical restraint; the behavior that prompted the restraint; the efforts made to prevent escalation of behavior, including the specific de-escalation strategies used; alternatives to restraint that were attempted; and the justification for initiating physical restraint.
  - c) A description of the administration of the restraint including the holds used and reasons such holds were necessary; the student's behavior and reactions during the restraint; how the restraint ended; and documentation of injury to the student and/or staff, if any, during the restraint and any medical care provided.
  - d) Information regarding opportunities for the student's parents or guardians to discuss with school officials the administration of the restraint, any consequences that may be imposed on the student and/or any other related matter.

The Principal shall conduct a weekly review of restraint data to identify students who have been restrained multiple times during the week.

SWCEC will report all physical restraints to the Department on an annual basis as directed by the Department. In addition, SWCEC will report to the Department any restraint-related injury to students or staff within 3

school working days of the administration of the restraint.

Adoption date: June 2018

Legal Ref: 603 CMR 46.00, 603 CMR 28.09, 603 CMR 1 8.05(5)(h).

## **X-J ADMINISTERING MEDICINES TO STUDENTS**

Medication may not be administered to students while at program unless such medicine is given to them by the program nurse acting under specific written request of the parent or guardian and under the written directive of the student's personal physician (see below for exceptions). When the program nurse is not present, a student who needs medication during the program day may be called to the office at the scheduled hour and reminded by the secretary to take the medicine. This provision only applies when the correct dosage of the medication has been placed in an individual container clearly marked with the student's name, the dosage to be administered, and the time and/or conditions under which the medicine is to be taken. In addition, the student must be able to recognize the medicine that he/she or she is taking. No one but the program nurse, and those others listed in the medical administration plan acting within the above restriction, may give any medication to any student.

### Exceptions:

The program shall, through the collaborative nurse leader, register with the Dept. of Public Health and train personnel in the use of epinephrine auto-injectors.

The program may, in conjunction with the Program Physician and the Nurse Leader, stock nasal naloxone (Narcan) and trained medical personnel and first responders may administer nasal naloxone to individuals experiencing a life threatening opiate overdose in a program setting.

If the program wishes medical personnel to train non-medical staff in the administration of nasal naloxone, the Board of Directors shall vote to approve such training and the Executive Director shall ensure that medical personnel have a written protocol which complies with medical directives and regulations from the Dept. of Public Health.

Following consultation with the program 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 self-administer epinephrine auto-injectors.

Adoption date: June 2018

Legal Ref: M.G.L. 71:54B, 105 CMR 210.00; 244 CMR 3.00

MASC policy reference: JLCD

## **X-K            MANAGEMENT OF POTENTIAL LIFE THREATENING OPIOID OVERDOSE PROGRAM**

In order to recognize and respond to a potential life threatening opioid overdose as part of the MDPH opioid overdose prevention pilot program, SWCEC will maintain a system-wide plan for addressing potential threatening opioid overdose reactions.

This plan shall include:

1. A building-based general medical emergency plan; for those programs that operate within a public school building, the directors of those programs will follow the school building's medical emergency plan.
2. A designated registered nurse who is a DESE certified nurse will have the responsibility for the development and management of the naloxone administration program in the school setting in accordance with the MDPH protocols.
3. The school physician will provide oversight to monitor the program and ensure quality improvement and quality control.
4. Training per MDPH protocols will be provided for all school nurse responders.
5. Integration with the local emergency medical services (EMS) system will be included in the implementation of this program.

### Background

It is strongly recommended that school nurses have access to naloxone medication in the school setting to ensure its immediate availability to students, staff and building visitors.

Recognizing the fatal and non-fatal overdose from opioids play an increasing role in the mortality and morbidity of Massachusetts residents, the MDPH launched an Overdose Education and Naloxone Distribution (OEND) prevention program using intra-nasal Narcan (naloxone) in an attempt to reverse this trend. Naloxone is an opioid antagonist, which means it displaces the opioid from receptors in the brain. An overdose occurs because the opioid is on the same receptor site in the brain that is responsible for breathing. Naloxone usually acts dramatically, allowing slowed or absent breathing to resume. It is both safe and effective and has no potential for abuse. Naloxone has been used by paramedics in ambulances and by emergency room clinicians' for decades. While not a controlled substance, naloxone is what is known as a "scheduled" drug and therefore does require a prescription.

The Department of Public Health is operating a naloxone distribution program as a pilot program in accordance with M.G.L. c. 94C and DPH/Drug Control Program regulations at 105 CMR 700.00. The distribution of naloxone by approved trainers is authorized by the Department of Public Health and the standing orders issued by the Medical Director of the naloxone pilot.

Adoption date: June 2018

Legal Ref: M.G.L. c. 94C, 105 CMR 700.00

## **X-L STUDENT RECORDS MANAGEMENT**

The Executive Director insures that student records under the supervision of SWCEC personnel are kept physically secure; that any computerized systems employed are electronically secure; and that authorized program personnel are informed of the provisions of 603 CMR 23.00 and M.G.L. c. 71, § 34H and are educated as to the importance of information privacy and confidentiality. Access to student records by students, parents, authorized and non-authorized personnel will comply with all federal and state laws and regulations.

All students attending SWCEC are publicly funded students enrolled in a Massachusetts program Collaborative; as such it is the responsibility of the local Collaborative to maintain a complete student record while the student is enrolled. SWCEC personnel maintain copies of students' current IEP's and other information necessary to provide appropriate educational programming. SWCEC personnel send to the student's local program Collaborative all original documents generated by program staff that are required by state and federal laws and regulations for compliance with the IEP process. When a student graduates, withdraws or transfers from SWCEC, SWCEC personnel will forward the student records to the student's school district by registered mail.

The Board wishes to make clear that all individual student records of students attending SWCEC programs are confidential. This extends to giving out individual addresses and telephone numbers.

Adoption date: November 2009

Revision date: June 2018

Legal Ref: Family Educational Rights and Privacy Act, M.G.L. 66:10 71:34A, B, D, E 603 CMR 23.00



## **X-M SPECIAL EDUCATION PROGRAM OBSERVATION**

Effective January 8, 2009, Massachusetts General Law Chapter 71B, Section 3, was amended to grant timely and sufficient access by parents/guardians and/or consultants designated by a parent/guardian to a child's current and/or proposed special education program so that the parent/guardian can observe the child in the current program and/or a program that has been recommended by the child's IEP Team. Section 3, as amended, limits the restrictions or conditions that schools may impose on these observations. The purpose of the law is to ensure that parents/guardians can participate fully and effectively in determining the child's appropriate educational program.

The goal of the procedures outlined below is to support a parent/legal guardian, consultant to the collaborative, or evaluator in observing a student or program in order to gain the information the observer is seeking with as little disruption as possible to the students, staff and educational process.

1. Parent(s)/guardian(s)' request to observe (or to have their designee observe) their child's educational program or a program that has been recommended by the child's IEP Team must be submitted in writing to the Principal/Director no less than five (5) school days in advance of the proposed observation. If the IEP Team has not recommended the particular program that parent/guardian is requesting to observe, the Principal/Director will inform parent that the special education administrator of the collaborative of residence will be contacted to inform them of the observation.
2. The Principal/Director and/or designee will work with the observer to set up the specifics of the observation (including and not limited to scheduling and placement of the observer in the classroom).
3. The Principal/Director and/or designee shall contact the parent(s)/guardian(s) for an initial scheduling conversation within five (5) school days of receipt of the parent/guardian request for observation. Parents/guardians or their designees will be offered observation dates and times that are mutually convenient and without undue and unnecessary delay.
4. The Principal/Director or Executive Director shall have the sole discretion to approve observations and to determine the number, times and dates of observations; such decisions will be determined on an individual student basis in accordance with law and regulation. Every effort will be made to accommodate the preferences of the observer when possible. The start and end time of observation periods and a schedule of observations periods will be stated in advance. Where appropriate and on a case-by-case basis, additional observation time shall be provided. Parents/guardians and/or their designees shall be allowed to observe the specific student's academic classes as well as the non-academic components of the child's educational program.
5. Under ordinary circumstances, observations are strongly discouraged during the first two weeks of school in September and January and during the month of June. In addition, certain periods of the school year, such as during MCAS testing, are times when observations are not typically scheduled. Approval for an observation may only be withheld for those reasons outlined with law and DESE regulation. The number of observers at any one time may be limited to avoid disruption of the classroom to be observed and to ensure the integrity of the educational program for the students within the classes to be observed.
6. If the observer is not the parent/guardian, the parent/guardian must sign a release authorizing an observation by the parent(s)/guardian(s)' designee and permitting communication and the exchange of information regarding the child with the parent(s)/guardian(s)' designated observer. That written release shall be submitted to the building Principal/Director and/or the Executive Director and/or designee prior to the scheduling of the observation.
7. The observing parent/guardian or designee shall be required to sign a Student Observation Confidentiality Agreement prior to the start of the observation.
8. The observing parent/guardian or designee will be accompanied at all times by a designated program staff person while in the program setting. The observer will not be permitted to interrupt, disrupt or otherwise interfere with the educational environment of the classroom. In the event of improper or

disruptive conduct, program/classroom staff may suspend the observation and shall immediately notify the building Principal/Director. Upon such notice, the Principal/Director or his/her designee may exercise the authority to terminate the observation.

9. The observer shall be situated in a location in the classroom that does not interfere with the class or the delivery of instruction/services to students.
10. The observing parent/guardian or designee will not be provided with access to the student record information of any student other than the specific student under observation. During any such observation, the program staff is encouraged to refrain from using students' last names and to avoid disclosing or revealing personal or private information pertaining to any student other than the specific child under observation.
11. The observing parent/guardian or designee will be informed that he/she is 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.
12. Requests for observations and access to a child's classroom or program by a non-custodial parent (parent without physical custody of the child) shall be responded to in a manner consistent with the requirements of M.G.L. c. 71, 34H.

Adoption date: June 2018

Legal Ref: MGL 71B:3, DESE Educational Technical Assistance Advisory SPED 2009-2 dated January 8, 2009

## **SECTION XI**

### **Community Relations**

- XI-A Public Gifts to the Collaborative
- XI-B News media relations/news releases
- XI-C Public complaints about collaborative personnel
- XI-D Public complaints about curriculum or instructional materials
- XI-E Visitors to the collaborative's programs

## **XI-A PUBLIC GIFTS TO THE COLLABORATIVE**

The Executive Director will have authority to accept gifts and offers of equipment for the collaborative in the name of the Board of Directors when the gift is of educational value. 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 that would involve changes in school plants or sites will be subject to Board approval.

Gifts will automatically become the property of SWCEC. Any gift of cash, whether or not intended by the donor for a specific purpose, will be accepted by vote of the Board, expended at the discretion of the Board, as provided by law.

The Board directs the Executive Director to assure that an appropriate expression of thanks is given all donors.

Adoption date: June 2018

Legal Ref: M.G.L. [71:37A](#)  
MASC policy reference: KCD

## **XI-B 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 programs, problems, planning, and activities of the Collaborative.

All representatives of the media will be given equal access to information about the Collaborative. 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 problems.

In order that Collaborative 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 Board of Directors chairperson will be the official spokesman for the Board, except as this duty is delegated to the Executive Director.
2. News releases that are of a system-wide or a sensitive nature or pertain to established Board policy are the responsibility of the Executive Director.
3. All statements made to the press by other staff members of the particular program must be coordinated through the Executive Director's office.

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 Collaborative activities that will create and maintain a dignified and professionally responsible image for the agency.

Adoption date: June 2018

MASC policy reference: KDD

## **XI-C PUBLIC COMPLAINTS ABOUT COLLABORATIVE PERSONNEL**

Although no member of the community will be denied the right to bring their complaints to the Board of Directors, they will be referred through the proper administrative channels for solution before investigation or action by the Board. Exceptions will be made when the complaints concern Board actions or Board operations only.

The Board 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 Board. Therefore, the proper channeling of complaints involving instruction, discipline or learning materials will be as follows:

1. Teacher
2. School building administrator
3. Executive Director
4. Board of Directors

If a complaint, which was presented to the Board and referred back through the proper channels, is adjusted before it comes back to the Board, a report of the disposition of the matter will be made to the Board 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 his/her complaint in writing. Anonymous complaints will be investigated to the extent possible but may be disregarded.

Matters referred to the Executive Director and/or Board must be in writing and should be specific in terms of the action desired.

The Board expects the professional staff to receive complaints courteously and to make a proper reply to the complainant.

Adoption date: June 2018

Legal Ref: M.G.L. [76:5](#), 603 CMR [26.00](#)

MASC policy reference: KE

## **XI-D PUBLIC COMPLAINTS ABOUT CURRICULUM OR INSTRUCTIONAL MATERIALS**

The Board of Directors is ultimately responsible for all curriculum and materials (including library books) used for instructional purposes in the Collaborative. The Board also recognizes the need and right of students to free access to many different types of books and materials and the right of the professional staff to select books and other materials supportive of the Collaborative's educational philosophy and goals.

Criticism of a book or other materials used in classes may be expected from time to time. In such instances: If a parent requests that his/her own child not read a given book, the teacher and/or school administrator should resolve the situation, perhaps by arranging for use of alternative material meeting essentially the same instructional purpose. This does not apply however, to basic program texts and materials that the Board has adopted.

The Board will not permit any individual or group to exercise censorship over instructional materials and library collections, but recognizes that at times a reevaluation of certain material may be desirable. Should an individual or group ask to have any book or other material withdrawn from school use:

1. The person who objects to the book or other material will be asked to document in letter form his/her complaint.

Following receipt of the formal complaint, the Executive Director will provide for a reevaluation of the material in question. He will arrange for the appointment of a review committee from among the faculty to consider the complaint.

The Executive Director will review the complaint and the Board's reevaluation and will render a decision in the matter. Should the decision be unsatisfactory to the complainant, he may appeal it to the Board.

In summary, the Board assumes final responsibility for all books and instructional materials it makes available to students; it holds its professional staff accountable for their proper selection. It recognizes rights of individual parents with respect to controversial materials used by their own children; it will provide for the reevaluation of materials in library collections upon formal request. On the other hand, students' right to learn and the freedom of teachers to teach will be respected.

Adoption date: June 2018

Legal Ref: 603 CMR 26.09 and 26.10

## **XI-E VISITORS TO THE COLLABORATIVE'S PROGRAMS**

The Board of Directors encourages parents and guests to visit classrooms to observe and learn about the instructional programs taking place in our Collaborative. Such visits can help promote greater school-home cooperation and community understanding of how we carry out the mission and goals of the Collaborative.

The following guidelines to classroom and school/program visits should be followed:

1. Parental requests for classroom visitations will be welcomed as long as the educational process is not disrupted. To this end we request that such requests be made at least forty-eight hours in advance to allow for proper arrangements to be made.
2. The building principal/administrator 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.
3. For security purposes it is requested that all visitors report to the principal's office upon entering and leaving the building and sign a quest log showing arrival and departure times. Teachers are encouraged to ask visitors if they have registered in the principal's office.
4. Under ordinary circumstances classroom observations will be strongly discouraged during the first three weeks of school in September and during the month of June. In addition, certain periods of the school year, such as during MCAS testing, are times when observations are not typically scheduled.

Adoption date: June 2018

MASC policy reference: KI



## **SECTION XII**

### **Education Agency Relations**

XII-A Student Teaching and Internship

## **XII-A      STUDENT TEACHING AND INTERNSHIP**

The Board of Directors encourages the administration to cooperate with teacher-training institutions in the placement of student teachers in the school system. All initial arrangements with the colleges and universities will be subject to Board approval.

The Board authorizes the administration to honor the reasonable rules and training guidelines of the sending institution.

In all arrangements made with colleges and universities, the Collaborative will be given the privilege of interviewing and accepting or rejecting individual candidates for student teaching and internships.

The Collaborative administration will ensure there are procedures for evaluating the performance of student teachers that meet requirements of the sending institution and fit with the Board's policies.

Adoption date: June 2018

MASC policy reference: LDA