

## **SEXUAL HARASSMENT**

Pursuant to Title VII of the Civil Rights Acts of 1964, Title IX of the Educational Amendments of 1972 and Massachusetts General Laws, Chapter 151B, unlawful discrimination on the basis of sex shall include, but not be limited to, sexual harassment.

Sexual harassment is also prohibited in the workplace by Massachusetts General Laws, Chapter 151B, Section 4.16A.

All persons have the right to be free from sexual harassment (M.G.L. c. 214, s. 1C) therefore, sexual harassment in any form is strictly forbidden in school, on school grounds, or at school-related activities.

Sexual harassment undermines the integrity of the school environment and the personal dignity of the individual. It is therefore, the policy of the Monson Public Schools to maintain a learning and working environment that is free from sexual harassment.

Sexual harassment is prohibited conduct which can cause serious physical or psychological damage, affecting work or educational performance. It is the further policy of the Monson Public Schools to treat all reports or incidents of sexual harassment in a serious manner.

### **I. DEFINITION OF SEXUAL HARASSMENT**

In Massachusetts, the legal definition for sexual harassment is this:

"Sexual harassment" means sexual advances, request 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 the provision of benefits, privileges, or placement services - or as the basis for the evaluation of academic achievement, or of employment, or as a basis for educational or employment decisions;
- b. such advances, requests, or conduct have the purpose or effect of unreasonably interfering with an individual's education or work performance by creating an intimidating, hostile, humiliating, or sexually offensive education or work environment.

Under these definitions, direct or implied requests by a teacher or supervisor for sexual favors in exchange for obtaining an education or for actual or promised job benefits such as favorable

reviews, salary increases, promotions, increased benefits, or continued employment constitute sexual harassment.

The legal definition of sexual harassment is broad and in addition to the above examples, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a learning or work place environment that is hostile, offensive, intimidating, or humiliating to male or female students or workers may also constitute sexual harassment.

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

Examples of sexual harassment include, but are not limited to:

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

All students and employees should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment, and retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is unlawful and will not be tolerated by this organization.

## II. CLARIFICATION AND ADDITIONAL EXAMPLES

Sexual harassment is not, by definition, limited to prohibited conduct by a male student or employee toward a female student or employee.

- a. A male as well as a female may be the victim of sexual harassment, and a female as well as a male may be the harasser.
- b. The harasser does not have to be the victim's student, teacher, or supervisor. He/she may also be an agent of the student, teacher, or supervisor, a student, teacher, or a supervisory employee who does not supervise the victim, a non-supervisory student, teacher, or employee (fellow student or coworker), or, in some circumstances, even a non-student, non-teacher, and non-employee.

- c. The victim does not have to be the opposite sex from the harasser.
- d. An adult may be the victim of sexual harassment by a student.
- e. The victim does not have to be the person at whom the unwelcome sexual conduct is directed. He/she may also be someone who is affected by such conduct when it is directed toward another person. For example, the sexual harassment of one female or male student or employee may create an intimidating, hostile or offensive learning or working environment for another female or male student or coworker or interfere with the fellow student's or coworker's education or performance. The belief that such interference has occurred must be objectively reasonable.
- f. Sexual harassment does not depend on the victim's having suffered an actual economic injury as a result of the harasser's conduct. For example, improper sexual advances which do not adversely affect academic achievement by the student or do not result in the loss of promotion by the victim or the discharge of the victim may, nonetheless, constitute sexual harassment where they interfere with the victim's learning or work or create a harmful or offensive learning or work environment. The belief that such interference occurred must be objectively reasonable.
- g. Incidents of sexual harassment may occur only once; sometimes they are repeated.

Additional examples of sexual harassment include, but are not limited to:

- a. Demanding sexual favors accompanied by overt threats concerning one's performance, evaluation, promotion, grades, etc.
- b. Engaging in reprisals (not granting promotions, assigning undesirable tasks, making negative statements about the victim's personal or work/classroom conduct, etc.), as a result of an individual's refusing to engage in social/sexual behavior.
- c. Touching any non-sexual part of the body (e.g. shoulder, etc.) after that person has verbally or otherwise indicated that such touching is unwanted.

- d. Failure or refusal to take action or to enforce disciplinary measures against a person who has been sexually harassing another staff member or student or otherwise condoning such behavior.
- e. Continuing to ask a person to socialize after school or work when that person has verbally or in writing indicated no interest in such activities.
- f. Displaying sexually suggestive pictures, objects, cartoons, posters or humor after being told they are offensive.
- g. Subtle pressure for sexual activities (e.g. continuing to write suggestive notes or letters or suggestive verbal statements after being informed they are unwelcome).
- h. Verbal harassment or abuse [e.g., referring to or calling a person an endearing, demeaning or sexualized term, or making reference to a person's physical characteristic (e.g. pregnancy) when that person has verbally or in writing indicated to the harasser or the employer he/she does not wish to be addressed or referred to in that manner].
- i. Leering (i.e. sexually surveying) at a person's body.
- j. Language of a sexual nature in another's presence or conduct even if not directed to said individual - once it is known that he/she objects.

### III. COMPLAINTS BY STUDENTS OF SEXUAL HARASSMENT

#### REPORTING PROCEDURES FOR STUDENTS

- a. Any student who believes he/she is a victim of sexual harassment should talk with his/her parents/guardians and/or an adult in a position of authority in the school as soon as possible. Students are strongly encouraged to explain the incident and ask for help. Students should avoid trying to solve the problem of sexual harassment alone.
- b. If a student is unsure if an event should be reported as sexual harassment, he/she is encouraged to discuss the event with a counselor, or teacher, or parent for clarification.

- c. All persons shall report knowledge of actual or reasonably suspected sexual harassment to the building principal or his/her designee.
- d. All complaints will be held in strict confidence to the fullest extent possible, consistent with due process.

#### INVESTIGATION OF HARASSMENT BY/OF STUDENT

- a. Within five (5) working days after receipt of a complaint or report of sexual harassment, a thorough investigation shall be completed by the building principal or his/her designee, including notifying the person who has been accused of harassment and permitting a response to said allegation(s).
- b. In determining whether alleged conduct constitutes sexual harassment, the building principal or his/her designee, should consider the surrounding circumstances, the nature of the sexual advance(s), relationships between the parties involved and the context in which the alleged incident(s) occurred. Whether a particular action or incident constitutes sexual harassment requires a determination based on all the facts and surrounding circumstances.
- c. The investigation may consist of personal interviews with the complainant, the individual(s) against whom the complaint is filed, and others who may have knowledge of the complaint. The investigation may also consist of any other methods and documents deemed pertinent by the investigator.
- d. In addition, the building principal or his/her designee may take immediate steps, at his/her discretion, to protect the complainant, students and employees pending completion of the investigation of alleged sexual harassment.

#### DISCIPLINARY HEARING AND ACTION(S)

- a. If there are reasonable grounds to believe that sexual harassment has occurred, the person accused of sexual harassment will have a disciplinary hearing before the building principal or his/her designee within ten (10) working days after the investigation is completed. The purpose of the hearing will be to determine if an act or acts of sexual harassment has/have taken place. Depending on the circumstances, the alleged victim may also be present. Each incident of sexual harassment will be handled individually and as strictly confidential as possible.

- b. If the building principal or his/her designee, after the above hearing, determines that sexual harassment has actually taken place, disciplinary and corrective action will occur to prevent any further incidents. The range of discipline and corrective action may include one or more of the following:
  - An educational component ("consciousness-raising" concerning the effects of sexual harassment on the victim, the difference between flirting and sexual harassment, the problem of sexual harassment in our schools and in our culture, etc.)
  - Apology to the victim
  - Mandatory counseling
  - Detention
  - Short-term suspension
  - Recommendation for long-term suspension or expulsion hearing
- c. The building principal or his/her designee shall forward a written report to the Superintendent of Schools within two (2) working days upon completion of the disciplinary hearing.
- d. If either the victim or person accused of sexual harassment is aggrieved by the finding(s) of and/or discipline and corrective action taken by the building principal or his/her designee, he/she may notify the Superintendent of Schools within five (5) working days after the decision is rendered that he/she wishes to appeal said action.
- e. Within ten (10) working days after he/she receives the appeal, the Superintendent shall conduct a hearing and shall indicate his/her disposition of the appeal within two (2) days of such appeal, and shall furnish a copy thereof to the grievant and the Monson School Committee.

#### NOTIFICATION TO/BY PARENTS

- a. After investigation, if there is reasonable grounds to believe that sexual harassment has occurred, the building principal or his/her designee shall notify a student's parents if the student is the victim of or is accused of sexual harassment.
- b. Parents are strongly encouraged to report incidents of sexual harassment to their son's/daughter's building principal or to the Superintendent of Schools.

#### IV. COMPLAINTS BY EMPLOYEES OF SEXUAL HARASSMENT

##### RESPONSIBILITIES OF EMPLOYEES

- a. Each employee is personally responsible for ensuring that he/she does not sexually harass any other employee, applicant for employment, or other individual in the workplace, cooperating in the investigation of complaints of alleged sexual harassment by providing any information he/she possesses concerning the matters being investigated, and otherwise cooperating with the efforts to prevent and eliminate sexual harassment and to maintain a working environment free from such unlawful discrimination.

##### PROCEDURE

- a. If any an employee believes that he/she has been subjected to sexual harassment, the employee has the right to file a complaint with our organization. This may be done in writing or orally. If one would like to file a complaint, he/she may do so by contacting his/her building principal or his/her designee, as follows:

Principal, Monson High School, 55 Margaret Street, Monson MA 01057, 413-267-4589

Principal, Granite Valley Middle School, 21 Thompson Street, Monson, MA 01057, 413-267,-4155

Principal, Quarry Hill Community School, 43 Margaret Street, Monson MA 01057, 413-267-4160

Anyone assigned to the Central Office will file a complaint with the Superintendent of Schools, who will refer the complaint to the appropriate supervisor.

These persons are also available to discuss any concerns an employee may have and to provide information to employees about our policy on sexual harassment and our complaint process.

##### SEXUAL HARASSMENT INVESTIGATION

- a. When the appropriate person receives the complaint, he/she will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practical under the circumstances. The investigation will include a private interview with the person filing the complaint and with witnesses. The person alleged to have committed sexual harassment will also be interviewed. When the investigation is completed, the administrator will, to the extent

appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

- b. The building principal or his/her designee shall take appropriate and effective action when he/she knows, or reasonably should know, that an employee is being sexually harassed. Building principals must be alert to actions which may constitute sexual harassment, whether such actions result in the filing of a complaint or not. Such misconduct and allegations of sexual harassment shall be fully investigated. If, upon investigation within five (5) working days, the building principal or his/her designee determines that there are reasonable grounds to believe that sexual harassment has or is occurring, the building administrator shall present his/her written findings and recommendations to the Superintendent of Schools. The Superintendent of Schools or his/her designee shall review the findings and recommendations and issue a final decision within ten (10) working days.
- c. Supervisory personnel are responsible for ensuring that sexual harassment does not occur in the workplace. They will be held responsible for conduct which is known or should reasonably have been known to have created sexual harassment, whether perpetrated by an employee or a third party, regardless of control, unless immediate and appropriate corrective action has been taken.
- d. If the building principal or any district wide administrator is the subject of the complaint of sexual harassment, the complaint shall be made directly to the Superintendent of Schools, 29 Thompson Street, P.O. Box 159, Monson, Massachusetts 413-2674150.
- e. If the Superintendent of Schools is the subject of the complaint of sexual harassment, the complaint shall be made directly to the Chairperson of the Monson School Committee, as follows: Chair, Monson Public Schools, 29 Thompson Street, P.O. Box 159, Monson, Massachusetts 413-267-4150.
- f. If it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct, and where it is appropriate we will also impose disciplinary action.

#### DISCIPLINARY ACTION

- a. If it is determined that inappropriate conduct has been committed by an employee, such action will be taken as is appropriate under the circumstances. Such action may range



from counseling to termination from employment, and may include such other forms of disciplinary action as we deem appropriate under the circumstances.

- b. If an employee has violated the Sexual Harassment Policy, progressive corrective action, pursuant to relevant contracted and statutory rights, depending on the seriousness of the incident, may include:
- c. Verbal warning letter or reprimand suspension termination referral to the Monson and/or State Police
- d. Any action taken by the Monson Public Schools pursuant to this policy will be consistent with the requirements of applicable collective bargaining agreements and state law.

#### V. FURTHER CONSIDERATIONS

Depending on the seriousness and frequency of incidents, the Monson and/or State Police may also be contacted by the school administration.

The report of sexual harassment will not cause any reflection upon the person making the report, and will in no way affect his/her status as a student or employee of the Monson Public Schools.

Often the damage caused by sexual harassment to both the individual and the school environment gets worse if it is not stopped.

When a complaint of sexual harassment is unfounded, frivolous, or maliciously fabricated, the complainant shall be subject to a range of disciplinary and corrective action. Depending upon the circumstances, the complainant may be subject to suspension/expulsion or termination.

Under certain circumstances, sexual harassment may constitute child abuse under Massachusetts General Laws, Chapter 119, Section 51A. The Monson Public Schools shall comply with Massachusetts law in reporting suspected cases of child abuse.

The above procedures shall not infringe upon rights guaranteed in collective bargaining agreements, town ordinances or laws, or the Constitution, statutes or regulations of the Commonwealth of Massachusetts or the United States. Complainants are cautioned that following the above procedures does not affect the 180 days/6 months for filing discrimination complaints with the Massachusetts Commission Against Discrimination or the Equal Employment Opportunity Commission referred to in VI hereinafter.

## VI STATE AND FEDERAL REMEDIES

In addition to the above, if you believe you have been subjected to sexual harassment, you may file a formal complaint with either or both of the government agencies set forth below. Using our complaint process does not prohibit you from filing a complaint with these agencies.. Each of the agencies has a short time period for filing a claim (EEOC -180 days; MCAD - 6 months).

- a. The United States Equal Employment Opportunity Commission ("EEOC")  
1 Congress Street, 10th Floor  
Boston, MA 021 14  
(617) 565-3200

- b. The Massachusetts Commission Against Discrimination ("MCAD")

Boston Office:  
One Ashburton Place, Room 601  
Boston, MA 02108  
(617) 727-3990

Springfield Office:  
436 Dwight Street, Room 220  
Springfield, MA 01 103  
(413) 739-2145

## VII. INSTRUCTION OF STUDENTS

Upon the adoption of the Monson Public Schools Policy prohibiting sexual harassment, all students, in one of their classes, will receive age-appropriate information which may include the following:

- a. A copy of this policy
- b. An explanation of the policy and its purpose
- c. A definition of sexual harassment
- d. Instruction in what to do if one is a victim of sexual harassment
- e. A clear delineation of the sanctions against anyone found to have been a perpetrator of sexual harassment
- f. Information on the consequences to individuals who are found to have made a frivolous accusation
- g. A safe and supportive forum for discussion by the students of the issue of sexual harassment and of their related concerns.

## VIII. INSTRUCTION OF STAFF

In order to maintain a safe and positive working and learning environment throughout the Monson Public Schools, all employees, contracted staff and volunteers will receive training which will include at least the following:

File: ACAB-R (also GBAA)

- a. A copy of this policy
- b. A definition of sexual harassment
- c. An explanation of this policy and its purpose
  
- d. Legal prohibition and consequences of sexual harassment
- e. Pertinent examples of sexual harassment
- f. Overview of identification and prevention
- g. Opportunities for questions and answers to/from staff

New employees and others who come into contact with students will be given a copy and explanation of this policy soon after they begin their responsibilities with the Monson Public Schools.

APPENDIX A

Principal

Monson High School

55 Margaret Street

Monson, MA 01057

413/267-4589

Principal

Granite Valley Middle School

21 Thompson Street

Monson, MA 01057

413/267-4155

Principal

Quarry Hill Community School

43 Margaret Street

Monson, MA 01057

413/267-4160

Director of Business Services

29 Thompson Street , P.O. Box 159

Monson, MA 01057-0159

413/267-4150

File: ACAB-R (also GBAA)

Superintendent of Schools

43 Margaret Street

Monson, MA 10157

413/267-4150

Monson School Committee Chair

Monson Public Schools

29 Thompson Street, P.O. Box 159

Monson, MA 01057-0159

413/267-4150

Revised: 4/25/95, 5/27/97, 6/17/02

### **C.O.R.I. REQUIREMENTS**

Applicants challenging the accuracy of the policy shall be provided a copy of the Criminal History Systems Board's (CHSB) ***Information Concerning the Process in Correcting a Criminal Record***. If the CORI record provided does not exactly match the identification information provided by the applicant, the Superintendent will make a determination based on a comparison of the CORI record and documents provided by the applicant. The Superintendent may contact the CHSB and request a detailed search consistent with CHSB policy.

If the Superintendent reasonably believes the record belongs to the applicant and is accurate, based on the information as provided in district policy, then the determination of suitability for the position or license will be made. Unless otherwise provided by law, factors considered in determining suitability may include, but not be limited to the following:

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

The Superintendent will notify the applicant of the decision and the basis of the decision in a timely manner.

Revised: 1/2/07

## **STUDENT CONDUCT ON SCHOOL BUSES**

The safety of our students is a priority.

### **Procedures for Drivers and Parents**

1. In case of any misconduct on a bus, the incident will be reported on the proper form to the school Principal or his/her designee. The Principal or his/her designee will report the incident in writing to the parent concerned, with a copy to the Transportation Department.
2. Bus Stops must be consistent 5 days per week. When necessary, bus stop changes must be requested through the Bus Changes Request Form as described in the student handbook.
3. Any violations of the rules and regulations for student behavior on school buses must be reported at the end of each trip to the Principal or his/her designee. The designee must obtain all pertinent information and report it to the school principal no later than the following day of the occurrence of the incident. The action taken by the Principal will be reported to the Transportation Coordinator.
4. Drivers must not remove any child from a bus as a disciplinary measure.
5. Bus drivers have no authority to appoint students as bus monitors and must not do so.
6. Transportation warning tickets may be issued by the bus driver when a violation of the safety and behavior rules occurs. The student will be notified by the driver, when appropriate, that they are issuing a ticket. The ticket will then be forwarded to the Principal or his/her designee. Disciplinary action up to and including suspension of bus privileges will be administered by the Principal or his/her designee. Reports must be prompt and any disciplinary action should be administered as soon as possible after it has been reported. All disciplinary issues must be reported to parents and noted on the copy of the Bus Conduct Report which is returned to the Transportation Coordinator.
7. In addition to suspension of bus privileges, discipline (e.g., detention, suspension, and/or expulsion) may also be levied in accordance with the provisions of the student handbook.

### **Safety Rules for Loading and Unloading at Bus Stop**

At the elementary level, it is required that an adult meet your child at the bus stop

assuring the bus driver and the parent of the safe delivery of the student. If no one is at the bus stop, then the student will remain on the bus until a parent or guardian can be contacted.

The bus driver is in charge of the bus and the passengers.. He/she is responsible for the safety of the pupils and for their conduct on the bus. .The bus driver will report all violations of rules. It is necessary for students to observe the following rules - which also apply to all school sponsored trips:

Be at the bus stop at least five minutes before the time at which the bus usually arrives. Bus drivers will not wait.

Riders will enter or leave the bus at regular stops only.

Orderly behavior and respect for private property will be required.

Instructions and directions of the driver must be followed by the riders when entering or leaving the bus. Upon leaving the bus, students must wait for the bus driver's hand signal before crossing the street.

#### **Required Conduct aboard the Bus**

1. No eating on buses to and from school unless medically prescribed.
2. Possession and/or use of tobacco, alcohol, weapons and drugs is prohibited.
3. Obey the driver at all times.
4. Remain absolutely quiet when the bus driver notifies you that the bus is approaching a railroad crossing.
5. Riders must remain in seats or in place when the bus is in motion and all aisles must be kept clear of all objects (e.g. backpacks, sports bags, lunch boxes, musical instruments).
6. Whistling and shouting are not permitted.
7. Profanity and obscene language are forbidden.
8. Additional behavior guidelines must be followed as listed in the school handbooks.

Parents and students will be informed of these regulations at the beginning of each school year, and parents will be asked to return signed forms indicating that the regulations have been received and read. Parents will be held responsible for any defacing or damaging of the bus by their students.

Please refer to school handbooks for further details of conduct and safety.



**HEALTH EDUCATION**  
**(Exemption Procedure)**

Exemption will be granted from a specific portion of health education curriculum on the grounds that the material taught is contrary to the religious beliefs and/or teachings of the student or the student's parent/guardian.

A request for exemption must be submitted in writing to the Principal in advance of instruction of that portion of the curriculum for which the exemption is requested. The request must state the particular conflict involved.

The Principal will confer with the teacher to determine the length of time a student will be exempt. The teacher will develop an alternative activity for which the student will receive credit.

The Principal will inform the parent/guardian of disposition of the request within a reasonable number of school days of receipt of the request.

LEGAL REF.:           M.G.L. 71:1

## HOME SCHOOLING

In March 1987, the Massachusetts Supreme Judicial Court decided the case entitled Care and Protection of Charles, 399 Mass. 324 (1987). The decision sets forth the legal standards for approval of home education programs for children of compulsory school age in Massachusetts. This advisory opinion, prepared by Rhoda E. Schneider, General Counsel of the Department of Education, is intended to inform public school officials and other interested parties of the standards set forth in the decision. It supersedes the department's January 4, 1980 Advisory Opinion on Home Education, although the approval guidelines established by the court are very similar to those in the 1980 advisory.

There are four main components to the decision, which may be summarized as follows:

- I. **The School Committee may enforce the compulsory school attendance law through a care and protection proceeding.**

The court held that the Canton School Committee had authority to file a petition for care and protection (pursuant to General Laws Chapter 119, Section 24) with respect to three school-age children whose parents had not enrolled them in public school or an approved private school, and who had not been granted permission to educate them at home. The court noted that the compulsory school attendance law (General Laws Chapter 76, Section 1) states that "the School Committee of each town shall provide for and enforce the school attendance of all children (ages 6-16) actually residing therein in accordance here-with," and concluded that one appropriate way for the School Committee to do so is a petition to find the children in need of care and protection with respect to their educational care.

- II. **The compulsory school attendance law provides adequate standards to determine a child's need for educational care and to withstand constitutional challenge.**

The court held that General Laws Chapter 76, Section 1, the compulsory school attendance law, provides the standards by which a judge may determine that a child is in need of educational care, and is neither void for vagueness nor an unlawful delegation of legislative authority. In pertinent part, the statute provides:

Every child between the minimum and maximum ages established for school attendance by the board of education (6-16) . . . shall . . . attend a public day school . . . or some other day school

approved by the School Committee . . . unless the child attends school in another town . . . **but such attendance shall not be required of a child . . . who is being otherwise instructed in a manner approved in advance by the Superintendent or the School Committee.** (Emphasis added.)

The court concluded that this grant of authority to the Superintendent or School Committee to approve an alternative manner of instruction for a child (specifically, home instruction) is not unconstitutionally vague, because the school officials may draw approval criteria from three sources. First, the legislatures established a general framework for public education, by mandating the subjects that must be taught in public schools and qualifications public school teachers must meet. (See General Laws Chapter 71, Sections 1, 2, 3 and 38G.) Second, the court stated that proposed home education programs are subject to the same standard of approval as private schools under General Laws Chapter 76, Section 1:

"For the purposes of this section, school committees shall approve a private school when satisfied that the instruction in all the studies required by law equals in thoroughness and efficiency, and in the progress made therein, that in the public schools in the same town; but shall not withhold such approval on account of religious teaching.... "

Third, the court set forth specific procedures and approval guidelines for home education programs, which are discussed in section IV of this advisory. In light of all these factors, the court concluded that the law provides reasonable standards for reviewing and approving home education programs, and therefore meets constitutional requirements.

**III. Parents have a basic right to direct their children's education, but that right is subject to reasonable regulation to promote the state's substantial interest in the education of its citizens.**

Several United States Supreme Court decisions, cited by the court, have affirmed substantial state interest in the education of its citizenry, with which parents' basic right to direct children's education must be reconciled. The court agreed with the parents: "the state interest in this regard lies in ensuring that the children residing within the state receive an education, not that the educational process be dictated in its minutest detail." However, the court concluded that the approval process required under General Laws Chapter 76, Section 1 "is necessary to promote effectively the state's substantial interest," and that the School Committee may use that statutory approval process to impose on home education programs "certain reasonable educational requirements similar to those required for public and private schools."

#### **IV. Guidelines for approval of home education plans.**

Having concluded that the approval process under General Laws Chapter 76, Section 1 is constitutionally permissible the court set forth guidelines for parents and school officials to follow in considering home education plans. They may be summarized as follows:

##### **A. Procedures.**

1. Parents must obtain approval **prior** to removing the children from the public school and beginning the home education program.
2. The Superintendent or School Committee must provide the parents with an opportunity to explain their proposed plan and present witnesses on their behalf. A hearing during a School Committee meeting is sufficient to meet this requirement.
3. In obtaining approval from the Superintendent or School Committee, the parents must demonstrate that the home education proposal meets the requirements of General Laws Chapter 76, Section 1, in that the instruction will equal "in thoroughness and efficiency, and in the progress made therein, that in the public schools in the same town."
4. If the home education plan is rejected, the Superintendent or School Committee must detail the reasons for the decision, and allow the parents to revise their proposal to remedy its inadequacies. If they begin the home education program without the necessary approval, the School Committee may initiate a truancy proceeding or a care and protection petition, in which it would have to show that the instruction in the home does not meet the statutory standard for thoroughness, efficiency and educational progress.

##### **B. Approval factors.**

The court listed the following factors that may be considered by the Superintendent or School Committee in deciding whether or not to approve a home education proposal:

1. **The proposed curriculum and the number of hours of instruction in each of the proposed subjects.**

General Laws Chapter 71, Section 1, 2 and 3 list the subjects of instruction that must be taught in the public schools. Section 1 allows the School Committee also to require such other subjects, as it may deem expedient. In addition, the Superintendent or School Committee "may properly consider the length of the proposed home school year and the hours of instruction in each subject," noting that state law requires public schools to operate for a minimum of 180 days.

**2. The competency of the parents to teach the children.**

General Laws Chapter 71, Section 1 provides that teachers shall be "of competent ability and good morals." The court noted that parents providing education at home need not be certified, nor must they have college or advanced academic degrees. However, "the Superintendent or School Committee may properly inquire as to the academic credentials or other qualifications of the parent or parents who will be instructing the children."

**3. The textbooks, workbooks and other instructional aids to be used by the children and the lesson plans and teaching manuals to be used by the parents.**

The Superintendent or School Committee need access to this material "to determine the type of subjects to be taught and the grade level of instruction for comparison purposes with the curriculum of the public schools," but they "may not use this access to dictate the manner in which the subjects will be taught."

**4. Periodic standardized testing of the children to ensure educational progress and the attainment of minimum standards.**

The Superintendent or School Committee may properly require such testing, and in consultation with the parents may decide where the testing will occur and the type of testing instrument to be used. The court noted that "where practical, a neutral party should administer the test" and that the school authorities and parents may agree to other means of measuring the children's progress, such as periodic progress reports or dated work samples. In addition, it suggested that on-site visits by public school representatives may be included, although "with appropriate testing procedures or progress reports, there may be no need for periodic on-site visits or observations of the learning environment by school authority personnel."

**V. Conclusion.**

The Supreme Judicial Court's decision provides both a legal framework and useful guidance for public school officials and parents with respect to proposals to educate a school-age child at home. We recommend that Superintendents and School Committees review their procedures

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and approval criteria for home education plans, to assure that they are consistent with the court's decision. As long as the school officials making the decision to approve or disapprove a home education program do so reasonably and in good faith, using the standards and procedures discussed above, it is likely that a court will uphold their educational judgments.

LEGAL REFS.: M.G.L. 69:1D; 76:1

## **RECONSIDERATION OF INSTRUCTIONAL RESOURCES**

Material that is challenged usually belongs to one of the three basic categories: religion, ideology, or profanity/obscenity. Board policies regarding these areas shall be as follows:

**Religion -- Factual, unbiased material on religions has a place in school libraries.**

**Ideologies -- Libraries should, with no thought toward swaying reader judgment, make available a balanced collection of primary and factual material, on the level of their students on various ideologies or philosophies which exert or have exerted a strong force, either favorably or unfavorably, in government, current events, politics, education and other phases of life.**

**Profanity/obscenity -- Materials shall be subjected to a test of literary merit and reality in context using the criteria established.**

When a problem concerning instructional resources in a school arises, the disposition of the problem will be made in a reasonable period of time using District adopted procedures.

In accordance with the statement of philosophy, no questioned materials shall be removed from the school pending a final decision. Pending the outcome of the request for reconsideration, however, access to questioned materials can be denied to the students of the parents making the complaint, if they so desire.

If the decision of the School Committee is that the questioned instructional resource be retained, the District will not convene a Review Committee relative to the same complaint for a period of three years. If a substantially different point of view is advanced, it will be investigated. (The period of three years does not apply in this instance).

If an individual or a group undertakes action to keep material from the shelves by checking it out and failing to return it, or by taking turns in keeping it checked out so that it is not available for student use, the Superintendent shall request, in writing, the return of the material. If it is not returned within thirty (30) days, a bill for the current replacement cost of the item shall be rendered to the party holding the item.

After the School Committee has adopted new materials or approved certain methods, that decision will not be reconsidered for a period of three years beginning with the end of the school year when the adoption is made.



## ACCEPTABLE USE POLICY - TECHNOLOGY

ON HOLD 5/4/15

### Administrative Procedures for Implementation

A user who violates district policy or administrative procedures will be subject to suspension or termination of system/network privileges and will be subject to appropriate disciplinary action and/or prosecution.

1. Commercial use of the system/network is prohibited.
2. The district will provide training to users in the proper use of the system/network.
3. The district will provide each user with copies of the Acceptable Use Policy and Procedures.
4. Copyrighted software or data shall not be placed on the district's system/network without permission from the holder of the copyright and the system administrator.
5. Access will be granted to employees with a signed access agreement and permission of their supervisor.
6. Access will be granted to students with a signed access agreement and permission of the building administrator or designee(s).
7. Account names will be recorded and kept on file at the building and district level.
8. Student passwords will be assigned by the network administrator. Staff passwords will be chosen by the individual staff member at the time the account is created.
9. Passwords for students in grades 5- 12 will be changed on an annual basis. Passwords for staff members will be changed at the request of an individual staff member or when deemed appropriate by a network administrator.
10. Staff passwords are confidential between individual staff members and network administrators. Student passwords are confidential between individual students, network administrators, and school administration.
11. Students completing required course work will have first priority for after hours use of equipment.
12. Principals or their designee will be responsible for disseminating and enforcing policies and procedures in the building(s) under their control.
13. Principals or their designee will ensure that all users complete and sign an agreement to abide by policies and procedures regarding use of the system/network. All such agreements are to be maintained at the building level.
14. Principals or their designee will ensure that training is provided to users on appropriate use of electronic resources.
15. The superintendent and/or his/her designee shall be authorized to monitor or examine all system activities, including electronic mail transmissions, as deemed appropriate to ensure proper use of electronic resources.
16. Network administrators shall be responsible for establishing appropriate retention and backup schedules.
17. Network administrators shall be responsible for establishing disk usage limitations, if needed.
18. Individual users shall at all times, be responsible for the proper use of accounts issued in their name.
19. The system/network may not be used for illegal purposes, in support of illegal activities, or for any activity prohibited by district policy.
20. System users shall not use another user's account.

File: IJNDB-R

21. System users should delete electronic information that is no longer needed. Network administrators will establish a schedule to purge the deleted information.
22. System users may redistribute copyrighted material only with the written permission of copyright holder or designee. Such permission must be specified in the document or in accordance with applicable copyright laws, district policy, and administrative procedures.
23. Network administrators may upload/download public domain programs to the system/network. Network administrators are responsible for determining if a program is in the public domain.
24. Any malicious attempt to harm or destroy equipment, materials, data, or programs is prohibited.
25. Deliberate attempts to degrade or disrupt system performance may be viewed as violations of district policy and/or as criminal activity under applicable state and federal laws. This includes, but is not limited to, the uploading or creation of computer viruses.
26. Vandalism will result in the cancellation of system privileges and will require restitution for costs associated with hardware, software, and system restoration, and may result in disciplinary action.
27. Forgery or attempted forgery is prohibited.
28. Attempts to read, delete, copy, or modify the electronic mail of other users or to interfere with the ability of other users to send/receive electronic mail is prohibited.
29. Use appropriate language; swearing, vulgarity, ethnic or racial slurs, and other inflammatory language is prohibited.
30. Pretending to be someone else when sending/receiving message is prohibited.
31. Transmitting or viewing obscene material is prohibited.
32. Revealing personal information (addresses, phone numbers, etc.) is prohibited.  
Users must abide by the requirements of the student records law and regulations. Confidential student information must be safeguarded, and the use of the district's system/network to transmit said information to individuals who are not authorized to possess said information is strictly prohibited.
33. The district will cooperate fully with local, state, or federal officials in any investigation concerning or relating to misuse of the district's system/network.

Previously Revised: 09/12/2005

Adoption of Revision: June 10, 2009

## **WEB SITE GUIDELINES AND PROCEDURES FOR APPROVAL**

**ON HOLD 5/4/15**

Unlike the Internet itself, schools and the District can control the type of information placed on Web pages. Documents created for the Web and linked to District Web pages shall meet the criteria for use as public information or an instructional resource. The following considerations should be considered when determining the information to include on a school or District Web page: Copyright/trademark issues; applicability to the curriculum or communication goals of the school or District; privacy issues; and related School Committee policies. Links to other Web pages should be carefully selected based on the above issues.

### **Defined Purpose**

A Web page must have a clearly defined purpose that is published on the Web page. Included in the purpose, the target audience must be specified and defined; however, all Web site users are reminded that their audience includes the worldwide community.

### **Content Standards**

All subject matter on Web pages should relate to curriculum, instruction, school-authorized activities, general information supporting student safety, growth, and learning, or public information of interest to others. Therefore, neither staff nor students may publish on the District server personal pages or pages for individuals or organizations not directly affiliated with the District. Staff or student work may be published only as it relates to a class project, course, or other school-related activity. Parent groups, partnerships, and municipal or educational cooperatives are considered affiliates of the District. No confidential information is to be published on or linked to a Web page.

### **Quality Standards**

All Web page work must be free of spelling and grammatical errors. Documents may not contain objectionable material or link directly to objectionable materials. Objectionable material is addressed in more detail in the School Committee policy for instructional material selection and reconsideration. Authors and publishers are reminded that a Web site is a virtual doorway to your school. A site and a school will be judged on its ease for the user, the design, and the content. It is strongly recommended that a school form a building committee of interested individuals including staff, administrators, parents, students, and community members for the development of the Web site. Thoughtful consideration should go into decisions regarding purpose, usefulness, and appearance of each item on the Web site. As much as possible, publishers are encouraged to include student pictures and work. As the District represents itself to the world through this medium, assurances should be provided that students are the focus of the \_\_\_\_\_ Public School District. Written student and parent consent must be secured for publication of student work.

## **Consistence Standards**

Each existing school or department Web site shall have a link to the District Web site once the District Web site is online. For consistency, all school District Web sites must contain certain elements:

- At the bottom of each page there must be a link to the home page (to be defined by the school or District home page once online).
- At the bottom of the Web page, there must be an indication of the date of the last update to that page and the name or initials of the person(s) responsible for page update. It shall be that person's responsibility to keep the Web page current. Repeated failure to do so may result in revocation of approval. It is strongly recommended that a building set up a system of checks and balances for the Web site (for example: all incoming e-mail is blind copied to the Principal or department head).
- All Web sites must display the name and approved logo of the \_\_\_\_\_ Public School District.
- All Web pages must be given names that clearly identify them.
- Links to student e-mail accounts are not allowed.
- Student directory data is prohibited from publication, except for the first name and grade level of a student in relation to a photo or work.
- Web pages may not contain links to other Web pages not yet completed. If additional pages are anticipated, but not yet developed, the text that will provide such a link should be included. However, the actual link to said page(s) may not be made until the final page is actually in place.
- All Web sites must include: the author or publisher's name; the publisher or school's e-mail address; appropriate copyright citations.
- Authors must exhibit care when creating Web pages with extensive background, large graphics, applets, animation, and audio or video clips. Such files require extensive download time, are frustrating for modem users, and slow down file servers.

## **FIELD TRIPS**

Field trips are a valuable part of the school's educational program. Field trips should be planned as an educational experience.

1. Field trips must have the approval of the Principal and the Superintendent as to general purpose and educational value in relationship to the school curriculum.
2. Field trips must be taken in properly insured buses/vans unless otherwise approved by the Superintendent's office.
3. Parental permission slips for such trips must be obtained before any student is allowed to go on a field trip.
4. All field trips must be adequately supervised by the classroom teacher and parent or other adult assistants who have completed the C.O.R.I. requirements.
5. Registered nurses may not always be available for every field trip. Therefore, the parent/guardian of a student with a life-threatening medical condition is strongly encouraged to accompany his/her child. Such notice will be included on field trip permission forms.
6. Students on field trips represent their school and should understand that they remain under school supervision and school rules during the entire field trip. They should be made to understand the standards of personal conduct expected on a field trip.

CROSS REF.: JJH, Student Travel

## **HOMEWORK**

The term "homework" refers to an assignment to be prepared during a period of supervised study in class or outside of class.

The purposes of homework are to improve the learning processes, to aid in the mastery of skills, and to create and stimulate interest on the part of the student.

Homework is a learning activity which should increase in complexity with the maturity of the student. With increased maturity, learning should become an independent activity. This should be established through consistent assignments which encourage students to investigate for themselves and to work independently as well as with others.

Homework assignments should be consistent in terms of the amount given each day and the time required for each assignment so that a pattern of meaningful homework can be established by the teacher and/or the student.

The information for any homework assignment should be clear and specific so that the student can complete the assignment.

Homework assignments should take into consideration individual differences of students such as health, ability, conditions at home, and educational resources at home. Homework should not require the use of reference materials not readily available in most homes, school libraries, or the public library, and should require the use of those materials only when the student has had instruction in the use of them.

There are many other learning activities in the life of a student besides homework. Such things as participating in school activities, pursuing cultural interests, participating in family living, and exploring personal interests should be considered by teachers when planning consistent assignments. Home work is not to be used as a form of punishment under any circumstances.

**SOURCE:** Monson

## **STUDENT RIGHTS AND RESPONSIBILITIES**

### **Rights of Students**

The right of students to freedom of expression in the public schools of the commonwealth shall not be abridged, provided that such right shall not cause any disruption or disorder within the school. Freedom of expression shall include without limitation, the rights and responsibilities of students, collectively and individually:

1. To express their views through speech and symbols
  2. To write, publish and disseminate their views
  3. To assemble peaceably on school property for the purpose of expressing their opinions.
- Any assembly planned by students during regularly scheduled school hours shall be held only at a time and place approved in advance by the school principal or his designee.

No expression made by students in the exercise of such rights shall be deemed to be an expression of school policy and no school officials shall be held responsible in any civil or criminal action for any expression made or published by the students.

For the purposes of this section and sections eighty-three to eighty-five, inclusive, the word student shall mean any person attending a public secondary school in the commonwealth. The word school official shall mean any member or employee of the local School Committee. (M.G.L. 71:82)

School officials shall not abridge the rights of students as to personal dress and appearance except if such officials determine that such personal dress and appearance violate reasonable standards of health, safety, and cleanliness. (M.G.L. 71:83)

No student shall be suspended, expelled, or otherwise discipline on account of marriage, pregnancy, parenthood or for conduct which is not connected with any school-sponsored activities; provided, however, that in the case of pregnant student, the School Committee may require that the student be under the supervision of a physician. (M.G.L. 71:84)

The State Board of Education may adopt guidelines to implement the provisions of sections eighty-two to eighty-four, inclusive. School Committees shall adopt rules and regulations consistent with guidelines of the board of education and the provisions of sections eighty-two to eighty-four, inclusive. The rules and regulations to be made by school officials shall be established only after notice to public school students and after a public hearing at which students' views shall be presented and shall be taken into consideration by such officials. Said rules and regulations shall provide that, notwithstanding the existence of the rights and responsibilities described in the three preceding sections, school committees

or school officials may take necessary action in cases of emergency. Students may petition for a hearing, to be held as soon as practicable after such emergence, as to whether such rules and regulations shall be revoked or modified. (M.G.L. 71:85)

The provisions of sections eighty-two to eighty-five, inclusive, shall apply only to cities and towns which accept the same. (M.G.L. 71:86)

LEGAL REFS.: cited above



## STUDENT CONDUCT ON SCHOOL BUSES

The safety of our students is a priority.

### Procedures for Drivers and Parents

1. In case of any misconduct on a bus, the incident will be reported on the proper form to the school Principal or his/her designee. The principal or his/her designee will report the incident in writing to the parent concerned, with a copy to the Transportation Department.
2. Bus Stops must be consistent 5 days per week. When necessary, bus stop changes must be requested through the Bus Changes Request Form as described in the student handbook.

Any violations of the rules and regulations for student behavior on school buses must be reported at the end of each trip to the principal or his/her designee. The designee must obtain all pertinent information and report it to the school principal no later than the following day of the occurrence of the incident. The action taken by the principal will be reported to the transportation coordinator.

Drivers must not remove any child from a bus as a disciplinary measure.

Bus drivers have no authority to appoint students as bus monitors and must not do so.

Transportation warning tickets may be issued by the bus driver when a violation of the safety and behavior rules occurs. The student will be notified by the driver, when appropriate, that they are issuing a ticket. The ticket will then be forwarded to the principal or his/her designee. Disciplinary action up to and including suspension of bus privileges when reported will be administered by the principal or his/her designee. Reports must be prompt and any disciplinary action should be administered as soon as possible after it has been reported. All disciplinary actions must be reported to parents and noted on the copy of the Bus Conduct Report which is returned to the Transportation Coordinator.

### Safety Rules for Loading and Unloading at Bus Stop

At the elementary level, it is required that **someone meet your child at the bus stop** assuring the bus driver and the parent of the safe delivery of the student. If no one is at the bus stop, then the student will remain on the bus until a parent or guardian can be contacted.

The bus driver is in charge of the bus and the passengers. He/she is responsible for the safety of the pupils and for their conduct on the bus. The bus driver will report all violations of rules. It is necessary for students to observe the following rules - which also apply to all school sponsored trips:

1. Be at the bus stop at least five minutes before the time at which the bus usually arrives. Bus drivers will not wait.

2. Riders will enter or leave the bus at regular stops only.
3. Orderly behavior and respect for private property will be required.
4. Instructions and directions of the driver must be followed by the riders when entering or leaving the bus. Upon leaving the bus, students must wait for the bus driver's hand signal before crossing the street.

#### **Required Conduct Aboard the Bus**

1. No eating on buses to and from school unless medically prescribed.
2. Possession and/or use of tobacco, alcohol, weapons and drugs is prohibited.
3. Obey driver at all times.
4. Remain absolutely quiet when the bus driver notifies you that the bus is approaching a railroad crossing.
5. Riders must remain in seats or in place when the bus is in motion and all aisles must be kept clear of all objects (e.g. backpacks, sports bags, lunch boxes, musical instruments).
6. Whistling and shouting are not permitted.
7. Profanity and obscene language are forbidden.
8. Additional behavior guidelines must be followed as listed in the school handbooks.

Parents and students will be informed of these regulations at the beginning of each school year, and parents will be asked to return signed forms indicating that the regulations have been received and read. Parents will be held responsible for any defacing or damaging of the bus by children under their care.

**Please refer to school handbooks for further details of conduct and safety.**

Revised: 10/16/06

## **STUDENT ACTIVITY ACCOUNTS**

A student activity account shall be used for monies raised by student organizations and which will be expended by those organizations for their benefit. Monies deposited to a student activity account are governed by MGL Ch. 66 of the Acts of 1996. Monies governed by any other laws (see section on "Relevant Laws") which specify other ways in which the money must be handled cannot be deposited to a student activity account.

### **ESTABLISHING A STUDENT ACTIVITY ACCOUNT**

The raising and expending of activity money by various student groups should have a common purpose: To promote the general welfare, education, and morale of all the students, and to finance the approved extracurricular activities of the various organizations. Prior approval of the Principal is required before a student activity account is established.

Prior approval of the Principal is required before money is collected from students or the public for a student activity account.

The management of the student activity account shall be in accordance with State law, sound business practices, and School Committee Policy.

### **OPERATING PROCEDURES**

This account is the responsibility of the School Principal, according to the statute. It is the direct responsibility of the Principal to insure that the statute School Committee policies, and administrative procedures are fully adhered to in all aspects of operating student activity accounts.

No monies shall be brought home or left in teachers' desks, file cabinets, student lockers, etc. All student activity money will be kept in the school safe until deposited with the Town Treasurer. These monies will be deposited into an interest bearing bank account called the Student Activity Agency Account. Interest earned by this account shall be retained by the account - and will be credited to the General Activities Account of the school's Student Activity Checking Account.

Money is received or collected on a weekend or vacation period at a location other than the school - and the school safe is not available, it shall be turned in on the first business day to the Principal's office.

A receipt, stating the exact amount of money, shall be issued for all monies turned into the Principal's office by students or advisors.

## **ACCOUNTING SYSTEMS, FORMS AND RECORD KEEPING**

A critical point to keep in mind with all record keeping is that persons involved should protect themselves from charges of wrongdoing by keeping detailed records with appropriate backup documents. A clear audit trail shall be left at all times. This would include the following:

- Pre-numbered tickets should be used with an inventory system for monitoring the use of such.
- Standardized forms (for deposits, disbursements, etc.) should be used - whenever possible.
- All disbursements should require a bill or some type of receipt.
- All deposits require a school deposit slip stating the source of the monies, total amount being deposited, and signature of the person making the deposit.
- Bank reconciliations and account reconciliations should be done at least quarterly with a copy of each to the Superintendent of Schools or his/her designee. Copies of the account reconciliation shall also be sent to the student officer/treasurer or advisor of each organization.
- Other reports shall be prepared as-required by the Superintendent and/or School Committee.
- Numbered tickets will be used for dances, movies, and other activities - whenever possible. The first and last tickets will be attached to the deposit slip. All tickets between the first and last ticket will be accounted for in the deposit.

## **EARNINGS**

### **Commissions**

Any monies paid to the school or to student activity organization as commissions belong to the students (ex., school pictures, yearbooks, class rings, candy sales) and shall be deposited into the student activity account. Such monies shall be expended in accordance with specific School Committee policy for the benefit of students.

### **Other Earnings**

The policy for undesignated earnings (ex., vending machine receipts) is that such earnings related to student activities will be deposited into the appropriate student activity account.

## **GIFTS**

A gift under \$1,000.00 is to be accepted by the Principal with the approval of the Superintendent of Schools. Gifts over \$1,000.00 shall be accepted by the School Committee. Gifts to recognize student activities can be deposited into the Student Activity Agency Account to be expended in accordance with this School Committee policy for expenditures from such student activity accounts.

If no specific purpose was indicated, the monetary gift shall be in accordance with the overall intent of the gift by the appropriate student activity or upon recommendation of the Principal. The Superintendent of Schools should be notified of the planned expenditure.

Gifts to other than student organizations are governed by Section 53A of Chapter 44 of the General Laws of Massachusetts, and shall be processed in accordance with such, including deposit of monetary gifts with the Town Treasurer.

## **EXPENDITURES/DISBURSEMENTS/CHECKS**

All expenditures/disbursements from student activity accounts shall be made by check.

No check may be made payable to cash.

A standardized form should accompany all requests for check issuance. This form shall accompany the invoice and/or receipt and/or all supporting documents and must state to whom the check shall be payable, the reason for the payment, the amount of the check, the account to be charged, and the approval signature of the student officer/treasurer and/or advisor.

The Principal and the Assistant Principal have the authority to sign checks. No one person will sign both the disbursement form and the check.

## **Maximum Account Balances**

### **Monson High School/Granite Valley Middle School:**

- The Student Activity Checking Account shall not exceed the limit of \$15,000.00.
- Periodically and to the extent that monies are available in the Student Activity Agency Account for the Monson High School and the Granite Valley Middle School, the Town Treasurer will reimburse the Student Activity Checking Account through the warrant process after receiving warrant approval by the School Committee.

- Occasionally, when a large invoice (more than \$2,500.00) for a student activity comes due, a warrant requesting a vendor check from the Town - charged to the Student Activity Agency Account - will be presented to the School Committee for approval. The necessary journal entry will be made to charge the appropriate Student Activity Checking Account.

#### **Quarry Hill Community School:**

- The Student Activity Checking Account shall not exceed the limit of \$1,500.00.
- Periodically and to the extent that monies are available in the Student Activity Agency Account for the elementary schools, the Town Treasurer will reimburse the Student Activity Checking Account through the warrant process after receiving warrant approval by the School Committee.
- Occasionally, when a large invoice (more than \$750.00) for a student activity comes due, a warrant requesting a vendor check from the Town - charged to the Student Activity Agency Account - will be presented to the School Committee for approval. The necessary journal entry will be made to charge the appropriate Student Activity Checking Account.

#### **Purchases**

No purchases shall be made without the prior approval of the Principal.

The upfronting of personal monies shall be avoided, whenever possible. If it is anticipated that upfronting of monies may be necessary, prior approval shall be obtained from the Principal.

#### **CLASS ACCOUNTS AT GRADUATION**

When a class graduates, the class advisor and class officers shall give the Principal instructions on the liquidation of any balance left in the class account after all outstanding bills are paid. The class account shall have a waiting period of one hundred and twenty (120) days to allow time for outstanding bills to be received and paid. After the waiting period, the class account will be liquidated as instructed.. The Principal must approve the expenditure or disposition instruction for the balance of that account.

#### **AUDITS**

The Superintendent of Schools or his/her designee shall arrange for an external audit once a year by an independent audit firm. The cost of this audit of the student activity accounts shall be paid by the School Committee.

## **RELEVANT LAWS**

The Conflict of Interest Statute and the statutes listed below are laws relevant to student activity accounts. This list is for information only; it is not intended to be all inclusive.

- Chapter 66 Acts of 1996 - Student Activity Accounts.
- Section 53 of Chapter 44 of the General Laws of Massachusetts - Lost Textbook Revolving Account.
- Section 53A of Chapter 44 of the General Laws of Massachusetts - Grants and Gifts.
- Section 53E 1/2 of Chapter 44 of the General Laws of Massachusetts - Revolving Funds.
- Section 17A of Chapter 71 of the General Laws of Massachusetts - Revolving Funds for Culinary Arts Programs.
- Section 37A of Chapter 71 of the General Laws of Massachusetts - Acceptance of Grants or Gifts.
- Section 47 of Chapter 71 of the General Laws of Massachusetts - Revolving Funds for Athletic Programs and School Organizations.
- Section 71 C of Chapter 71 of the General Laws of Massachusetts - Community School Programs Revolving Account.
- Section 71 E of Chapter 71 of the General Laws of Massachusetts - Adult Education and Continuing Education Revolving Accounts.
- Section 14B of Chapter 74 of the General Laws of Massachusetts - Culinary-Arts and other Vocational Technical Revolving Funds.
- Chapter 268A of the General Laws of Massachusetts - Conflict of interest.
- Chapter 548 of the Acts of 1948 - School Lunch Revolving Account.

SOURCE: Monson

## **STUDENT TRAVEL REGULATIONS**

### **1. Transportation**

The use of vans or private automobiles for trips planned to include late night (between the hours of midnight and 5:00 a.m.) or overnight student travel is prohibited. Late night (midnight and 5:00 a.m.) or overnight trips will use commercial motor coaches, where possible.

For trips planned to include late night travel (midnight and 5:00 A.M.) at the time of contracting with outside transportation vendors, the Director of Transportation or designee will obtain an insurance certificate naming the Town of Monson as additional insured; will verify with the carrier that drivers are school bus certified (i.e., C.O.R.I. checked) and will ensure that the selected carrier is licensed for passenger transportation by the Federal Motor Carrier Safety Administration (FMCSA). The district will not contract with any carrier that has a safety rating of "conditional" or "unsatisfactory". FMCSA ratings are available at <http://www.saferys.org>. All findings will be reported to the Superintendent.

The contract with the carrier will prohibit the use of subcontractors unless sufficient notice is given to the district that allows verification of the subcontractor's qualifications.

### **2. Trip Scheduling**

Overnight accommodations should be made in advance with student safety and security in mind. Whenever possible, trip schedulers should avoid planning student travel between the hours of midnight and 5:00 a.m.

Whenever possible, overnight trips should be scheduled on weekends or during school vacations to minimize lost classroom time. Non-academic field trips are considered "optional school programs" and do not count toward meeting structured learning time requirements. (Refer to the Massachusetts Department of Elementary and Secondary Education publication Student Learning Time Regulations Guide.)

Trip itineraries must leave enough time for drivers to rest in conformity with federal hour-of-service requirements and common sense.

Trip scheduling should take into account the likelihood of delays due to weather, traffic, stragglers, and other unanticipated factors.

If substantially all members of a class are participating in a trip, the school should provide appropriate substitute activities for any students not participating.

### **3. Fundraising**

The amount of time to be devoted to fundraising should be reasonable and commensurate with students' obligations for homework, after-school activities, and jobs.



Group fundraising activities are preferred. Students should not be assigned individual fundraising targets.

If students are charged individual fees for participation, every effort should be made to provide scholarships where needed.

LEGAL REFS.: Chapter 346 of the Acts of 2002 (et al) approved on October 9, 2002

M.G.L. 69:1B; 71:37N; 71:38R

603 CMR 27.00

CROSS REF.: IJOA, Field Trips

Adopted: 12/19/06

## **ATHLETIC CONCUSSION REGULATIONS**

### **Section I. What is a Concussion?**

A concussion is defined as a transient alteration in brain function without structural damage, but with other potentially serious long-term ramifications. In the event of a concussion, the brain sustains damage at a microscopic level in which cells and cell membranes are torn and stretched. The damage to these cells also disrupts the brain at a chemical level, as well as causing restricted blood flow to the damaged areas of the brain, thereby disrupting brain function. A concussion, therefore, is a disruption in how the brain works; it is not a structural injury. Concussions are difficult to diagnose because the damage cannot be seen. A MRI or CT Scan cannot diagnose a concussion, but they can help rule out a more serious brain injury to a student athlete. Because concussions are difficult to detect, student athletes must obtain medical approval before returning to athletics following a concussion.

### **Section II. Mechanism of Injury:**

A concussion is caused by a bump, blow or jolt to the head or body. Any force that causes the brain to bounce around or twist within the skull can cause a concussion. A bump, blow or jolt to the head or body can be caused by either indirect or direct trauma. The two direct mechanisms of injury are coup-type and contrecoup-type. Coup-type injury is when the head is stationary and struck by a moving object such as another player's helmet, a ball, or sport implement, causing brain injury at the location of impact. Contrecoup-type injury occurs when the head is moving and makes contact with an immovable or slowly moving object as a result of deceleration, causing brain injury away from the sight of impact. Indirect forces are transmitted through the spine and jaw or blows to the thorax that whip the head while the neck muscles are relaxed. Understanding the way in which an injury occurred is vital in understanding and having a watchful eye for athletes who may exhibit symptoms of a concussion so these student athletes can receive the appropriate care.

### **Section III. Signs and Symptoms:**

#### **Signs (what you see):**

- Confusion
- Forgets plays
- Unsure about game, score, opponent
- Altered coordination
- Balance problems
- Personality change
- Slow response to questions
- Forgets events prior to injury (retrograde amnesia)
- Forgets events after injury (anterograde amnesia)
- Loss of consciousness (any duration)

**Symptoms (reported by athlete):**

- Headache
- Fatigue
- Nausea or vomiting
- Double vision/ blurry vision
- Sensitivity to light (photophobia)
- Sensitivity to noise (tinnitus)
- Feels sluggish
- Feels foggy
- Problems concentrating
- Problems remembering
- Trouble with sleeping/ excess sleep
- Dizziness
- Sadness
- Seeing stars
- Vacant stare/ glassy eyed
- Nervousness
- Irritability
- Inappropriate emotions

If any of the above signs or symptoms are observed after a suspected blow to the head, jaw, spine or body, they may be indicative of a concussion and the student athlete must be removed from play immediately and not allowed to return until cleared by an appropriate allied health professional.

**Section IV. Management and Referral Guidelines:**

1. When an athlete loses consciousness for any reason, the athletic trainer will start the EAP (Emergency Action Plan) by activating EMS; check ABC's (airway, breathing, circulation); stabilize the cervical spine; and transport the injured athlete to the appropriate hospital via ambulance. If the athletic trainer is not available, the coach should immediately call EMS, check ABCs and not move the athlete until help arrives.
2. Any athlete who is removed from the competition or event and begins to develop signs and symptoms of a worsening brain injury will be transported to the hospital immediately in accordance with the EAP. **Worsening signs and symptoms requiring immediate physician referral include:**
  - A. Amnesia lasting longer than 15 minutes
  - B. Deterioration in neurological function
  - C. Decreasing level of consciousness
  - D. Decrease or irregularity of respiration
  - E. Decrease or irregularity in pulse
  - F. Increase in blood pressure

- G. Unequal, dilated, or unreactive pupils
  - H. Cranial nerve deficits
  - I. Any signs or symptoms of associated injuries, spine or skull fracture, or bleeding
  - J. Mental-status changes: lethargy, difficulty maintaining arousal, confusion, agitation
  - K. Seizure activity
  - L. Vomiting/ worsening headache
  - M. Motor deficits subsequent to initial on-field assessment
  - N. Sensory deficits subsequent to initial on-field assessment
  - O. Balance deficits subsequent to initial on-field assessment
  - P. Cranial nerve deficits subsequent to initial on-field assessment
  - Q. Post-Concussion symptoms worsen
  - R. Athlete is still symptomatic at the end of the game
3. After a student athlete sustains a concussion, the athletic trainer will use the Standardized Assessment for Concussion (SAC) to assess and document the student athlete's concussion. The athletic trainer will also report on the student athlete's signs and symptoms by using the Signs and Symptoms Check-List. On the signs and symptoms checklist, the athletic trainer will also check pulse and blood pressure of each student athlete with a suspected concussion. After the initial evaluation of a concussion, all signs and symptoms will be tracked on the computer using the ImPact Test.
  4. Any athlete who is symptomatic but stable is allowed to go home with his/her parent(s)/guardian(s) following the head injury.
    - A. If the head injury occurs at practice, parent(s)/guardian(s) will immediately be notified and must come and pick up the student athlete and talk to the certified athletic trainer in person.
    - B. If the injury occurs at a game or event the student athlete may go home with the parent/guardian(s) after talking with the certified athletic trainer.
    - C. Parent(s)/guardian(s) will receive important information regarding signs and symptoms of deteriorating brain injury/function prompting immediate referral to a local emergency room as well as return to play requirements. Parent(s)/guardian(s), as well as student athletes, must read and sign the Concussion Information and Gradual Return to Play form and bring it back to the certified athletic trainer before starting with the return to play protocol.

**V. Gradual Return to Play Protocol:**

1. Student athletes, with the consent of their parent(s)/guardian(s), will start taking the ImPact Test (**or other approved test identified by the School District**). The ImPact Test is a tool that helps manage concussions, determine recovery from injury, and is helpful in providing proper communication between coaches, parents and clinicians. The ImPact Test is a neurocognitive test that helps measure student athletes' symptoms, as well as test verbal and visual memory, processing speed and reaction time. It is **mandatory** for all student athletes to take the ImPact Test for a baseline score in accordance with Massachusetts State Law. The law states that all

public schools must develop safety protocols on concussions and all public schools must receive information on past concussion history. The ImPact Test appears to be a promising tool in monitoring a student athlete's prior concussions, as well as any future concussions.

2. Each student athlete will complete a baseline test at the beginning of their sport season. **All student athletes and club cheerleading members will undergo ImPact testing.** Student athletes will be re-tested every other year. If a student athlete plays more than one sport during the academic year, their test will remain valid. For example, if a soccer student athlete also plays basketball in the winter, the student athlete will not have to take the ImPact Baseline Test again in the winter. If a student athlete posts scores below the norm, the student athlete will be re-tested at another time with either the certified athletic trainer or school nurse. Student athletes cannot begin practice until a valid baseline score is obtained during their designated time to take the test.
  - A. At the beginning of every sport season, student athletes are required to complete a concussion history form and return it to the athletic department. This information will be recorded in the student information system for tracking purposes.
  - B. Following any concussion the athletic trainer must notify the athletic director and school nurses.
  - C. Following a concussion the student athlete will take a **post-injury test within 24 to 48 hours following the head injury. STUDENT ATHLETES WILL NOT BE ALLOWED TO MOVE ON TO FUNCTIONAL/PHYSICAL TESTING UNTIL THEIR IMPACT TEST IS BACK TO THE BASELINE SCORE AND ASYMPTOMATIC.** After a student athlete takes their first post-injury test, the student athlete will not be re-tested again for **5 days.**
  - D. If, after the first post-injury ImPact test, the athlete is not back to his/her baseline the parent/guardian(s) will be notified, and the student athlete will be referred to their healthcare provider and must have the Concussion Information and Gradual Return to Play form signed by a physician, physician assistant, licensed neuropsychologist or nurse practitioner stating when the athlete is allowed to return to play.
  - E. Following a post-injury test, the certified athletic trainer will take the Concussion Information and Gradual Return to Play form signed by the parent(s)/guardian(s) and fill in the date of all post-injury tests taken by each student athlete.
  - F. The certified athletic trainer will also document the date on which the athlete is asymptomatic and sign the document agreeing that all the above statements are true and accurate.
  - G. Once the athlete starts on the exertional post concussion tests, the parent(s)/guardian(s) will be notified and the athlete will be sent home with all signed documents relating to head injury. At this time the parent/guardian(s) must bring the student athlete to a licensed physician, licensed neuropsychologist, licensed physician assistant, nurse practitioner or other appropriately trained or licensed healthcare professional to be medically cleared for participation in the extracurricular activity.
  - H. **Student athletes who continue to exhibit concussion symptoms for a week or more must be evaluated by a physician before returning to play.**

- I. Once a student athlete's post-injury test is back at the student athlete's baseline score, the student athlete will go through 5 days of Exertional Post Concussion Tests. The student athlete must be asymptomatic for all functional and physical tests to return to play (RTP). All tests will be administered by a certified athletic trainer.

**Exertional Post Concussion Tests:**

- A. Test 1: (30% to 40% maximum exertion): Low levels of light physical activity. This will include walking, light stationary bike for about 10 to 15 minutes. Light isometric strengthening (quad sets, UE light hand weights, ham sets, SLR's, resistive band ankle strengthening) and stretching exercises.
- B. Test 2: (40% to 60% maximum exertion): Moderate levels of physical activity. Treadmill jogging, stationary bike, or elliptical for 20 to 25 minutes. Light weight strength exercises (resistive band exercises UE and LE, wall squats, lunges, step up/downs. More active and dynamic stretching.
- C. Test 3: (60% to 80% maximum exertion). Non-contact sports specific drills. Running, high intensity stationary bike or elliptical 25 to 30 minutes. Completing regular weight training. Start agility drills (ladder, side shuffle, zig-zags, carioca, box jumps, and hurdles).
- D. Test 4: (80% maximum exertion). Limited, controlled sports specific practice and drills.
- E. Test 5: Full contact and return to sport with monitoring of symptoms.

**Section VI. School Nurse Responsibilities:**

1. Assist in testing all student athletes with baseline and post-injury ImPact testing.
2. Participate and complete the CDC training course on concussions. A certificate of completion will be recorded by the nurse leader yearly.
3. Complete symptom assessment when student athlete enters Health Office (HO) with questionable concussion during school hours. Repeat in 15 minutes.
4. Observe students with a concussion for a minimum of 30 minutes.
5. If symptoms are present, notify parent/guardian(s) and instruct parent/guardian(s) that student must be evaluated by an MD.
  - (a) If symptoms are not present, the student may return to class.
6. If symptoms appear after a negative assessment, MD referral is necessary.
7. Allow students who are in recovery to rest in HO when needed.
8. Develop plan for students regarding pain management.
9. School nurse will notify teachers and guidance counselors of any students or student athletes who have academic restrictions or modifications related to their concussion.
10. Educate parents and teachers about the effects of concussion and returning to school and activity.
11. If injury occurs during the school day, inform administrator and complete accident/incident form.
12. Enter physical exam dates and concussion dates into the student information system.

**Section VII. School Responsibilities:**

1. Review and, if necessary, revise, the concussion policy every 2 years.
2. Once the school is informed of the student's concussion, a contact or "point person" should be identified (e.g. the guidance counselor, athletic director, school nurse, school psychologist or teacher).
3. Point person to work with the student on organizing work assignments, making up work and giving extra time for assignments and tests/quizzes.
4. Assist teachers in following the recovery stage for student.
5. Convene meeting and develop rehabilitative plan.
6. Decrease workload if symptoms appear.
7. Recognize that the student's ability to perform complex math equations may be different from the ability to write a composition depending on the location of the concussion in the brain.
8. Educate staff on the signs and symptoms of concussions and the educational impact concussions may have on students.
9. Include concussion information in student handbooks.
10. Develop a plan to communicate and provide language-appropriate educational materials to parents with limited English proficiency.

**Section VIII. Athletic Director Responsibilities:**

1. Provide parents, athletes, coaches, and volunteers with educational training and concussion materials yearly.
2. Ensure that all educational training programs are completed and recorded.
3. Ensure that all students meet the physical exam requirements consistent with 105 CMR 200.000 prior to participation in any extracurricular athletic activity
4. Ensure that all students participating in extracurricular athletic activity have completed and submitted their pre-participation forms, which include health history form, concussion history form, and MIAA form.
5. Ensure that athletes are prohibited from engaging in any unreasonably dangerous athletic technique that endangers the health or safety of an athlete, including using a helmet or any other sports equipment as a weapon.
6. Ensure that all head injury forms are completed by parent/guardian(s) or coaches and reviewed by the coach, athletic trainer, school nurse and school physician.
7. Inform parent/guardian(s) that, if all necessary forms are not completed, their child will not participate in athletic extracurricular activities.

**Section IX. Parent/Guardian Responsibilities:**

1. Complete and return concussion history form to the athletic department.
2. Inform school if student sustains a concussion outside of school hours. Complete new concussion history form following new injury.
3. If student suffers a concussion outside of school, complete head injury form and return it to the school nurse.
4. Complete a training provided by the school on concussions and return certificate of completion to the athletic department.

5. Watch for changes in your child that may indicate that your child does have a concussion or that your child's concussion may be worsening. Report to a physician:
  - A. Loss of consciousness
  - B. Headache
  - C. Dizziness
  - D. Lethargy
  - E. Difficulty concentrating
  - F. Balance problems
  - G. Answering questions slowly
  - H. Difficulty recalling events
  - I. Repeating questions
  - J. Irritability
  - K. Sadness
  - L. Emotionality
  - M. Nervousness
  - N. Difficulty with sleeping
6. Encourage your child to follow concussion protocol.
7. Enforce restrictions on rest, electronics and screen time.
8. Reinforce recovery plan.
9. Request a contact person from the school with whom you may communicate about your child's progress and academic needs.
10. Observe and monitor your child for any physical or emotional changes.
11. Request to extend make up time for work if necessary.
12. Recognize that your child will be excluded from participation in any extracurricular athletic event if all forms are not completed and on file with the athletic department.

**Section X. Student and Student Athlete Responsibilities:**

1. Complete Baseline ImPact Test prior to participation in athletics.
2. Return required concussion history form prior to participation in athletics.
3. Participate in all concussion training and education and return certificate of completion to the athletic department prior to participation in athletics.
4. Report all symptoms to athletic trainer and/ or school nurse.
5. Follow recovery plan.
6. **REST.**
7. **NO ATHLETICS.**
8. **BE HONEST!**
9. Keep strict limits on screen time and electronics.
10. Don't carry books or backpacks that are too heavy.
11. Tell your teachers if you are having difficulty with your classwork.
12. See the athletic trainer and/or school nurse for pain management.
13. Return to sports only when cleared by physician and the athletic trainer.
14. Follow Gradual Return to Play Guidelines.



15. Report any symptoms to the athletic trainer and/or school nurse and parent(s)/guardian(s) if any occur after return to play.
16. Return medical clearance form to athletic trainer prior to return to play.
17. Students who do not complete and return all required trainings, testing and forms will not be allowed to participate in sports.

**Section XI. Coach & Band Instructor Responsibilities:**

1. Participate in Concussion Education Course offered by the National Federation of State High School Associations (NFHS) on a yearly basis. Complete certificate of completion and return to the athletic department.
2. Ensure all student athletes have completed ImPact baseline testing before participation.
3. Ensure all student athletes have returned concussion history and health history form prior to participation in athletics.
4. Complete a head injury form if their player suffers a head injury and the athletic trainer is not present at the athletic event. This form must be shared with the athletic trainer and school nurse.
5. Ensure all students have completed a concussion educational training and returned their certificate of completion prior to participation in athletics.
6. Remove from play any student athlete who exhibits signs and symptoms of a concussion.
7. Do not allow student athletes to return to play until cleared by a physician and athletic trainer.
8. Follow Gradual Return to Play Guidelines.
9. Refer any student athlete with returned signs and symptoms back to athletic trainer.
10. Any coach, band instructor, or volunteer coach for extracurricular activities shall not encourage or permit a student participating in the activity to engage in any unreasonably dangerous athletic technique that unnecessarily endangers the health of a student athlete, including using a musical instrument, helmet or any other sports equipment as a weapon.

**Section XII. Post Concussion Syndrome:**

Post Concussion Syndrome is a poorly understood condition that occurs after a student athlete receives a concussion. Student athletes who receive concussions can have symptoms that last a few days to a few months, and even up to a full year, until their neurocognitive function returns to normal. Therefore, all school personnel must pay attention to and closely observe all student athletes for post concussion syndrome and its symptoms. Student athletes who are still suffering from concussion symptoms are not ready to return to play. The signs and symptoms of post concussion syndrome are:

- Dizziness
- Headache with exertion
- Tinnitus (ringing in the ears)
- Fatigue
- Irritability
- Frustration

- Difficulty in coping with daily stress
- Impaired memory or concentration
- Eating and sleeping disorders
- Behavioral changes
- Alcohol intolerance
- Decreases in academic performance
- Depression
- Visual disturbances

### **Section XIII. Second Impact Syndrome:**

Second impactsyndrome is a serious medical emergency and a result of an athlete returning to play and competition too soon following a concussion. Second impact syndrome occurs because of rapid brain swelling and herniation of the brain after a second head injury that occurs before the symptoms of a previous head injury have been resolved. The second impact that a student athlete may receive may only be a minor blow to the head or it may not even involve a hit to the head. A blow to the chest or back may create enough force to snap the athlete's head and send acceleration/deceleration forces to an already compromised brain. The resulting symptoms occur because of a disruption of the brain's blood autoregulatory system which leads to swelling of the brain, increasing intracranial pressure and herniation.

After a second impact a student athlete usually does not become unconscious, but appears to be dazed. The student athlete may remain standing and be able to leave the field under his/her own power. Within fifteen seconds to several minutes, the athlete's condition worsens rapidly, with dilated pupils, loss of eye movement, loss of consciousness leading to coma and respiratory failure. The best way to handle second impact syndrome is to prevent it from occurring altogether. All student athletes who incur a concussion must not return to play until they are asymptomatic and cleared by an appropriate health care professional.

### **Section XIV. Concussion Education:**

It is extremely important to educate coaches, athletes and the community about concussions. On a yearly basis, all coaches must complete the online course called "Concussion In Sports: What You Need to Know". This course is offered by the National Federation of State High School Associations (NFHS). Student athletes also need to understand the importance of reporting a concussion to their coaches, parents, athletic trainer and other school personnel. Every year student athletes and parents will participate in educational training on concussions and complete a certificate of completion. This training may include:

- CDC Heads-Up Video Training, or
- Training provided by the school district

The school district may also offer seminars, speakers, and discussion panels on the topic of concussions. Seminars offer an opportunity for the certified athletic trainer, athletic director and nurse leader to speak about concussions on the field at practices and games and to discuss the protocol and policy that the district has enacted. Providing education within the community will offer the residents and parents of athletes an opportunity to ask questions and voice their concerns on the topic of brain injury and concussions. When it comes to concussions, everyone needs to be aware of the potential dangers and remember that a concussion is a brain injury. Whenever anyone has a doubt about a student athlete with a concussion, **SIT THEM OUT and have them see the appropriate healthcare professional!**

## PHYSICAL RESTRAINT PROCEDURES

### DEFINITIONS

1. **Physical restraint** may be defined as "the use of bodily force to limit a student's freedom of movement."
2. **Extended restraint** may be defined as a physical restraint which lasts for more than twenty (20) minutes.
3. **Physical escort** may be defined as "touching or holding a student without the use of force for the purpose of directing the student." Physical escort is not physical restraint.
4. **Types of restraints** can include, but are not limited to, the use of a mechanical device to restrict movement of the entire body or portions thereof; placing a student in seclusion without access to school staff; or the administration of medication. The use of seclusion restraint is prohibited in the Monson Public Schools. The use of "time-outs" where a staff member is present or accessible by the student does not constitute seclusion restraint. The type of physical restraint used is dependent upon the special training of staff members in specific kinds of such restraints. Chemical restraint may not be used without the explicit authorization of a physician and a signed release from the parent/guardian approving its use.

## PHYSICAL RESTRAINT PROCEDURES

### Staff Training

All administrators, faculty and other program staff will receive annual training regarding this policy. Training will include the use of interventions to de-escalate problem behavior in order to avoid the use of restraints; the types of restraints and related safety issues for each; employing physical restraint in accordance with known medical or psychological limitations and/or behavioral intervention plans for individual students; and the staff member(s) who have received in-depth training with whom they may consult as needed.

Additional in-depth training for designated staff members will include:

1. Appropriate procedures for preventing the need for physical restraint; de-escalation of problem behaviors; relationship building; and the use of alternatives to restraint;
2. Description and identification of dangerous behaviors by a student which may indicate the need for physical restraint and methods for evaluating the risk of harm in individual situations to determine whether restraint is warranted;
3. Simulated experiences in administering and receiving physical restraint, instruction regarding the effects upon the person restrained, including the monitoring of physical signs of distress, and obtaining medical assistance;
4. Instruction regarding documentation and reporting requirements and the investigation of injuries and complaints; and
5. Demonstrations by participants showing that they are proficient in administering physical restraint.

Faculty and staff will review any behavior plans pertaining to special techniques to be used with identified students.

### When Physical Restraint is Used:

1. Physical restraint may be used when non-physical interventions have been attempted without success or when it is apparent that they would not be effective. It may only be used when a student's behavior poses a threat of imminent, serious physical harm to self and/or others or when otherwise outlined in a Behavioral Intervention Plan.
2. Physical restraint is limited to the use of such reasonable force as may be necessary to protect a student or other persons from assault or imminent, serious physical harm.
3. Unless specifically indicated in an agreed-upon Behavioral Intervention Plan, physical restraint may not be used as a response to property destruction, disruption of school order, a refusal to comply with a school rule or staff directive, or verbal threats which do not constitute a threat of imminent, serious physical harm. Physical restraint may never be used as a means of punishment.

4. A school staff member who uses a physical restraint on a student must use the safest method available which is most appropriate to the situation at hand, and the method for which that staff member has been trained. Staff shall review and consider any known medical or psychological limitations and/or behavior intervention plans regarding the use of physical restraint upon an individual student.
1. No physical restraint may be used which prevents a student from speaking or breathing, and must be used in such a way as to prevent or minimize physical harm. If, at any time during the restraint, the student demonstrates significant physical distress, the restraint shall be removed immediately.
2. A physical restraint must be discontinued as soon as possible when it has been determined that a student no longer poses a risk of harm to self or others.
3. Following the use of a physical restraint, the building Principal or a designated program staff member will meet with the student to address the behavior which prompted the restraint, and will also review the incident with the staff members who were involved and determine whether follow-up is needed for students who may have witnessed the incident.
4. Physical restraint regulations do not prohibit any individual from reporting a crime committed by a student to local law enforcement or other state agencies. Law enforcement officers, school security staff, or judicial authorities are not prohibited by this regulation from the exercise of their responsibilities, which may include the physical detainment of a student or other person alleged to have committed a crime or who poses a security risk. In addition, an individual who is a mandated reporter under M.G.L. c. 119, § 51A is not prohibited by this policy from complying with their responsibility to report neglect or abuse to the appropriate state agency.

LEGAL REF: M.G.L. 119:51A

## **PHYSICAL RESTRAINT PROCEDURES**

### **Reporting Requirements**

A staff member who administers a restraint shall verbally inform the Building Principal or his/her designee as soon as practical that day and by written report no later than the next school day.

1. The Building Principal or his/her designee shall verbally inform the student's parent/guardian of the use of physical restraint as soon as practical and by written report no later than three (3) school days following such use.
2. The report must include:
  - a) The names and job titles or staff who administered the restraint and the person(s) who observed it;
  - b) The date and time the restraint was used, the time it began and ended, and the name of the administrator who was verbally informed;
  - c) A description of the activity of the restrained student and other students and staff in the vicinity immediately preceding the use of the restraint; the behavior which prompted it; the efforts made to de-escalate; alternatives which were attempted first; and the justification for resorting to physical restraint;
  - d) A description of the restraint used and the reasons why; the student's behavior and reactions during the restraint; how it ended; and documentation of injury, if any, to the student or staff and any medical care provided;
  - e) For extended restraints, a description of the alternatives which were attempted first; the outcome of those efforts; and the justification for administering an extended restraint;
  - f) Information regarding any further action(s) taken by school staff, including any disciplinary actions taken toward the student;
  - g) Information regarding opportunities for the student's parent/guardian to discuss the restraint and related matters with the building Principal or his/her designee, as well as their right to file a grievance.

The Building Principal or his/her designee shall maintain an ongoing record of all reported instances of the use of physical restraint, which shall be made available to the Department of Education. A copy of the ongoing record of all reported instances shall be forwarded to the Superintendent of Schools by January 31st and June 30th of each school year.

When a restraint has resulted in a serious injury to the student or program staff member involved, or when an extended restraint has been administered, a written report must be submitted to the Department of Education within five (5) school days of the date of the restraint. School building administration must, at this time, also provide the Department of Education with a copy of the ongoing record of restraints for the thirty (30) day period preceding the date of the reported restraint. The Department will notify the school district of any required actions, if warranted, within thirty (30) calendar days of the receipt of the report.

Copies of all correspondence to the Department of Education shall be forwarded to the Superintendent of Schools.

Nothing contained herein shall relieve staff reporting requirements when a personal injury occurs within the scope of employment.

Individual Waiver of Reporting Requirements:

A school district may seek a parent/guardian's consent to waive the reporting requirements for restraints which do not result in injury or extended restraint. Such a waiver should only be sought for students who present behaviors which may require the frequent use of restraints. The parent/guardian must provide informed, written consent to the waiver, which shall specify the reporting requirements which are being waived. The informed, written consent will be kept in the student's file, along with specific information regarding when and how the parent/guardian will be informed of the administration of restraints on their child.

Students with Disabilities:

Restraints which are administered to students pursuant to their Individualized Education Programs, Section 504 Accommodation Plans, or other plans developed in accordance with state and federal law, and which has been agreed upon by both the school and the parent/guardian, shall be deemed to meet the requirements of 603 CMR 46.00. The limitations on chemical, mechanical, and seclusion restraints as specified above continue to apply to students with disabilities, as do the above reporting requirements.

LEGAL REFS.: 603 CMR 46.00



## **PHYSICAL RESTRAINT PROCEDURE**

### **Grievance Procedure**

The Monson Public Schools has established an internal procedure in order to provide for prompt and equitable resolutions of complaints regarding the administration of physical restraints.

### **Definitions:**

A "Grievance" is a complaint made pursuant to, and arising out of, the Monson Public Schools obligations to comply with state regulations regarding the use of physical restraints.

An "Aggrieved Party" is a person or persons making the complaint.

### **Purpose:**

The purpose of this grievance procedure is to secure prompt and equitable solutions to grievances which may, from time to time, arise pursuant to 603 CMR 46.00.

### **General:**

No aggrieved party will be subject to coercion, intimidation, interference, or discrimination for registering a complaint or for assisting in the investigation of any alleged complaint within the context of this grievance procedure.

All documents, communications, and records dealing with the filing of a grievance will be kept confidential to the full extent provided by law.

Forms for filing grievances will be provided upon request by building Principals or the Office of the Superintendent of Schools.

### **Procedure:**

1. The aggrieved party should complete the Grievance Form and return it to the building Principal or his/her designee at the school building in which the alleged grievance occurred. The complaint should be filed within fifteen (15) days after the complainant becomes aware of the alleged violation. Assistance will be provided, upon request, to enable an individual to complete the Grievance Form and pursue the grievance process.
2. Within (10) school days after receiving the grievance, the Building Principal or his/her designee shall meet with the aggrieved party in an effort to resolve the grievance. This investigation into the complaint is contemplated to be thorough, but informal, in nature. All interested persons and their representatives, if any, shall be afforded an opportunity to be heard and to submit evidence relevant to the complaint. If the grievance is not resolved, it will be forwarded to the Superintendent of Schools.
3. Within thirty (30) school days of receipt of an unresolved grievance, the Superintendent of Schools will conduct a hearing to determine what, if any, action shall be taken in response to the grievance. The hearing shall be held at a time and place mutually convenient to all parties. The hearing procedure will follow appropriate due process procedures, including:

- a. the opportunity for the aggrieved party to present the grievance in any suitable manner;
- b. the right of the aggrieved party to an impartial hearing officer;
- c. the right of the aggrieved party to be represented by counselor an advocate at the aggrieved party's expense;
- d. the right of the aggrieved party to a prompt decision.

Parents/legal guardians should provide advance notice to the Superintendent of Schools that they will be represented by counselor an advocate at the grievance hearing. Failure to provide such notice will likely result in a postponement of the hearing.

4. A written determination of the validity of the complaint and a description of the resolution, if any, shall be issued by the Superintendent of Schools and forwarded to the complainant no later than fifteen (15) working days after the hearing. The determination of the validity of the complaint and the description of the resolution will be provided in an alternate format, upon request, if needed for effective communication.
5. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for reconsideration should be made within fifteen (15) working days following receipt of the written determination to the Superintendent of the Monson Public Schools.
6. The right of a person to a prompt and equitable resolution for the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of an ADA, Section 504 or other complaint with the responsible federal department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.
7. These rules shall be construed to protect the substantive rights of the interested persons to meet appropriate due process standards and to assure that the Monson Public Schools comply with 603 CMR 46.00.
8. Copies of all resolutions and findings made under this procedure shall be filed with the Superintendent's office of the Monson Public Schools.

LEGAL REFS.: 603 CMR 46.00

SOURCE: Monson

## **CRISIS INTERVENTION POLICY ON HOLD 8/13/15**

### **Components of the plan:**

1. Administrative commitment to support the effort by allocating staff time, resources, and leadership.
2. Designation of responsible parties. Appropriate staff must be given the directive and resources to take action. Clear responsibilities and reporting lines will be spelled out.
3. Plan for all staff in-service education. It is imperative that all staff, including clerical, food service, and maintenance understand the goal of the plan, and learn prevention strategies.

### **LEADERSHIP**

It will be the responsibility of the Superintendent to appoint a district-wide crisis management coordinator.

The crisis management coordinator shall recruit building level teams, coordinate in-service activities for all teams and, and serve as a liaison between central office and staff.

### **PLANNING FOR CRISIS INTERVENTION**

A checklist will be provided by the Superintendent and the crisis management coordinator. This list shall be widely distributed to employees and other appropriate personnel. The checklist should be developed by the Superintendent.

### **BUILDING LEVEL TEAMS**

The building team will be composed of building staff. Candidates for membership on the team should have an interest in crisis management, be willing to serve, have the time and flexibility to be trained and to respond. (Suggested for membership; school administrators, school counselors, classroom teachers, school psychologists, school social workers, school nurses, and clerical staff.) The coordinator of the building level team is the building Principal. A designated team member will be responsible for one or more of the following: law enforcement, medical, students, parents/guardians, public information, clergy, mental health agencies, and funeral homes.

### **BUILDING LEVEL COORDINATOR (PRINCIPAL)**

#### **General**

1. Plan and support teacher in-service reviewing crisis management.
2. Plan annual presentation on identifying potential crisis situations, including identifying and responding to early and imminent warning signs.

3. Develop a procedure to assess and investigate rumors of a potential crisis situation.
4. Promote close respectful, warm communication between students and staff.
5. Identify and discuss confidentiality issues.
6. Explore ways that a signal or code could alert staff to a crisis.
7. Discuss and plan for effective and immediate ways to let the staff know what has happened, so that they can make a clear, honest and direct statement to students to help dispel rumors and assure students that they are safe.
8. Educate the staff on the principles of psychological first aid and help students cope with the initial shock of a crisis.

#### Crisis Reaction

1. Follow crisis procedure.
2. Identify those students most affected by the crisis and direct or have them escorted to the counselor's office as soon as the school is secured and safe.
3. In situations where students present other threatening behaviors parents should be informed of the concerns immediately.
4. Conduct an after school faculty meeting to debrief and tend to emotional needs and clarify events.
5. Follow-up faculty meetings to continue to debrief and review and learn from past events.
6. Coordinate appropriate memorial, remembrance or compassionate assistance to the injured student and staff or surviving family.

#### MEDIA LIAISON

##### General

1. Develop procedure concerning the media.
2. Educate faculty and students on how to handle the media.
3. Investigate ways to contain the media and discuss whether or not they will be allowed on school grounds and if so in what portions of the building.
4. Identify yourself as the media liaison in this area and have all media contact.
5. Decide under what circumstances media will be allowed to talk with students.

#### Crisis Response

1. Identify those people to be interviewed and set the location and time if possible. Make sure that the interviewer has a few minutes to anticipate and rehearse answers. Try to ascertain questions in advance.
2. Emphasis on honest clear, direct, and cooperative interview.
3. Follow-up meeting with Crisis Intervention Team
4. Follow-up discussions with faculty and students who were approached by the media.

## LAW ENFORCEMENT LIAISON

### General

1. Evaluate building security and review district policy.
2. Develop relationship with local law enforcement agencies and guidelines for how and when to contact them and what support they need on arrival.
3. Educate personnel on district security policies and what they can look for and who to contact for assistance.
4. Educate personnel on identifying and responding to imminent warning signs .
  - Threats to commit violence against oneself or others
  - Serious physical fighting with peers or family members
  - Severe destruction of property
  - Severe rage for seemingly minor reasons
  - Detailed threats of lethal violence
  - Possession and/or use of firearms and other weapons.
  - Other self injurious behaviors or threats of suicide
5. Discuss ways to isolate a dangerous individual and cordon off parts of the building if necessary.

### Crisis Response

1. Contact local law enforcement in accordance with the severity of the situation.
2. Isolate dangerous or threatening individual.
3. Review past events and analyze ways that improvement can be made.

## MEDICAL LIAISON

### General

1. Identify campus personnel who have training in CPR and emergency first aid.
2. Familiarize self with local hospitals and ambulance service.
3. Identify which entrance to the school an ambulance will be directed to stop at.
4. Discuss circumstances under which parents/guardians of an injured student will be contacted.
5. Discuss how students under the influence of drugs will be handled and contained. Be alert to possible suicide attempt.
6. Be familiar with suicide detection program and alert to self-inflicted wounds and contact appropriate counselor.

### Crisis Response

1. Assess severity of the situation and apply medical skills
2. Contact hospital and family if necessary.
3. Review and analyze crisis event.

4. Follow-up communication with hospital to monitor the medical condition of the ill or injured student or staff member. Provide correct and accurate information as to their condition to crisis coordinator for dissemination to students and faculty.

#### FUNERAL HOME/CLERGY LIAISON

##### General

1. Be familiar with school crisis plan.

##### Crisis Response

1. Assist school in maintaining confidentiality. I
2. Suggest appropriate funeral and memorial services.

#### COUNSELING/PSYCHOLOGICAL LIAISON

1. Improve ability to detect seriously disturbed and suicidal students.
2. Learn crisis counseling and psychological techniques.
3. Assess severity level of suicidal intent and in each situation contact parents/guardians to gain needed increased supervision and possible hospitalization.
4. Assist in the development of a plan to deal with large groups of students who have experienced a crisis.
5. Explore ways to assist student liaison to improve communication and trust between students and faculty.
6. Sponsor and promote activities such as support groups if deemed necessary.
7. Establish a partnership between student, school, home and community to provide sustained, multiple and coordinated interventions.

SOURCE: Monson

## **PUBLIC COMPLAINTS ABOUT SCHOOL PERSONNEL**

The following procedures are established to ensure that a citizen's complaint is given respectful attention and that the integrity of the educational program is upheld. "Complaint" in this regulation will be restricted in meaning to that criticism of particular school employees by a citizen of the school district which includes or implies a demand for action by school authorities. Other comments and suggestions will be referred informally to affected personnel:

1. If a complaint comes first to the person against whom it is directed, he/she will listen courteously and may try to resolve the difficulty by explaining the background and educational purpose involved. If the complaint remains unsatisfied, the employee will refer him/her to the building Principal or other immediate supervisor to have his/her views considered further. Whether the complaint terminates with the individual staff member involved or seems likely to go further, the staff member will immediately inform his/her supervisor of the complaint.
2. If a complaint comes first to the Principal or other supervisor of the person criticized, he/she should listen courteously or acknowledge a letter promptly and politely, but should make no commitments, admissions of guilt, or threats. If the complaint involves a particular employee, the supervisor should suggest a conference between the complainant and the person criticized and should inform that person immediately of the complaint.  
If the complainant has already met with the person criticized and remains unsatisfied, the supervisor should invite the complainant to file his/her complaint in writing and offer to send him/her the appropriate form regarding a school employee's behavior, character or qualifications.
3. If a complaint comes first to any other school employee, that employee will refer the complainant to the person criticized or his/her immediate supervisor and immediately inform both.
4. No further action on the complaint should be taken unless the complainant submits the complaint in writing.
5. When a written complaint form is received, the Principal or other supervisor will schedule a conference with himself, the complainant, the person criticized, and if advisable, the department chairperson or other personnel that either the supervisor or the person criticized feels could contribute resolution of the problem.
6. If the complainant is not satisfied with the results of the conference above, he/she should then be referred to the Superintendent, who may handle the complaint personally or refer it to other personnel, as he/she may see fit.

7. Should dissatisfaction remain after the above steps have been taken, the matter will be placed on the agenda for the next regularly scheduled Committee meeting. The decision of the Committee will be communicated in writing to all interested persons.

LEGAL REF.:           MG.L. 76:5  
                          603 CMR 26.00