

AGAWAM PUBLIC SCHOOLS

www.agawamed.org



PERSONNEL POLICY HANDBOOK

2022 -2023

"Put Children First"

Agawam Public Schools



1305 Springfield Street Suite 1
Feeding Hills, MA 01030-2198

CHERYL M. L. SALOMÃO, M.Ed.
Assistant Superintendent for
Curriculum/Instruction/Human Resources
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School Business Administrator
(413) 821-0550
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ACKNOWLEDGEMENT RECEIPT

OF

PERSONNEL POLICY HANDBOOK – 2022-2023 SCHOOL YEAR

And

ACKNOWLEDGMENT OF RECEIPT OF SUMMARY OF THE CONFLICT OF INTEREST LAW FOR
MUNICIPAL EMPLOYEES

I hereby acknowledge that I have read a copy of the Agawam Public Schools *Personnel Policy Handbook and read the Summary of the Conflict of Interest Law* as required by the district. This document is available to view on the Agawam Public Schools website at www.agawamed.org. I understand that it is my obligation to immediately read the enclosed policies and to abide by them at all times while employed by the Agawam Public Schools.

I, _____ an employee at AGAWAM PUBLIC SCHOOLS,
(First and Last name) (Name of municipal dept.)

hereby acknowledge that I received a copy of *The summary of the conflict of interest law for municipal employees, revised November 14, 2016*, on _____.
(Date)

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ACKNOWLEDGEMENT RECEIPT OF HANDBOOK

Employee's Signature: _____

Employee's Name (print): _____

School: _____

Date: _____

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Each staff member is responsible for reading the information presented in this book. After review, please sign.....

Please be aware that there are additional policies applicable to specific schools and departments, which have been approved by the Agawam School Committee. It is not possible to present all policies in this handbook. However, you may ask your building principal to see a copy of the *Agawam Public Schools Policy Manual*. If you have any questions, please direct them to your building principal.

AGAWAM PUBLIC SCHOOLS PERSONNEL POLICY HANDBOOK

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AGAWAM PUBLIC SCHOOLS

SCHOOL COMMITTEE

Mayor William P. Sapelli, Chairperson
Shelly Reed, Vice Chairperson
Kerry O'Connor, Secretary
Albert Christopher
Dawn Dematteo
Michael Perry
Shelley Reed
Wendy Rua

CENTRAL OFFICE— 1305 Springfield Street 821-0552

Sheila Hoffman, Superintendent
Cheryl M.L. Salomão, Assistant Superintendent for Curriculum, Instruction & Human Resources
Robert Clickstein, School Business Administrator
Collen DeGeorge, Executive Assistant to Superintendent
Kimberly O'Brien, Administrative Assistant to Assistant Superintendent
Mary Avery, Financial Analyst
Mackenzie Gamache, Payroll Specialist
Helen Marganti, Accounts Payable/Transportation
Mary Bourgault, Billing and Collection
Veronica Solivan, Receptionist
Pina Godek, Billing & Collections

INSTRUCTIONAL TECHNOLOGY – 760 Cooper Street 821-0534

Stephen Woicik, Information Technology Director
Barry Stacy, Network Support Technician
Jacob Myco, PC Repair Tech
Ryan Bennett, Desktop Support - PC
Ed Jacques, Information Technology Specialist . Administrative
Thomas Barrows, Information Technology Specialist .Data Management
Brendan O'Brien, IT Data Support
Pam Koudelka, IT Systems Technician

SPECIAL EDUCATION OFFICE - 760 Cooper Street 821-0557

Antonio Fazio, Director of Special Services
Erin Walsh, SPED Supervisor
Taylor Gates, BCBA Autism Program Coordinator
Stacy Wieners Secretary to Director of Special Service
Daryl Bugli, Secretary
Nicole Brady, Secretary

**ATHLETIC OFFICE _ 760 Cooper Street
821-0529**

David Stratton, Director of Athletics, Physical Education and Student Services
Maria Drake, Secretary

**EARLY CHILDHOOD CENTER —106 Perry Lane
821-0598**

Cynthia Sykes, Director of Early Childhood Programs
Laurie McCaslin, Secretary

**BENJAMIN PHELPS SCHOOL _ 689 Main Street
821-0587**

Andrew Villamaino, Principal
Maria DiLullo, Secretary

**ROBINSON PARK SCHOOL —65 Begley Street
821-0584**

Stephanie Harris, Principal
Tracey Chrisanthopoulos, Secretary

**JAMES CLARK SCHOOL —65 Oxford Street
821-0576**

Mitch Taylor, Principal
Alyssa Fortier, Secretary

**CLIFFORD GRANGER SCHOOL —31 South Westfield Street
821-0581**

Stephanie Gendron, Principal
Jenn Daponde, Secretary

**AGAWAM MIDDLE SCHOOL —68 Main Street
789-1400 ext. 448**

Thomas Schnepf, Principal
Dominic Costanzi, Assistant Principal
Jennifer Roberts, Secretary
Michelle Matland- Secretary
Rachel Richardson, Guidance Secretary

**AGAWAM JUNIOR HIGH SCHOOL — 1305 Springfield Street
821-0542**

Norman Robbins, Principal
Michael Donovan, Assistant Principal
Christine Costello, Secretary
Carrie Marino, Secretary
Laura Fallon, Guidance Secretary

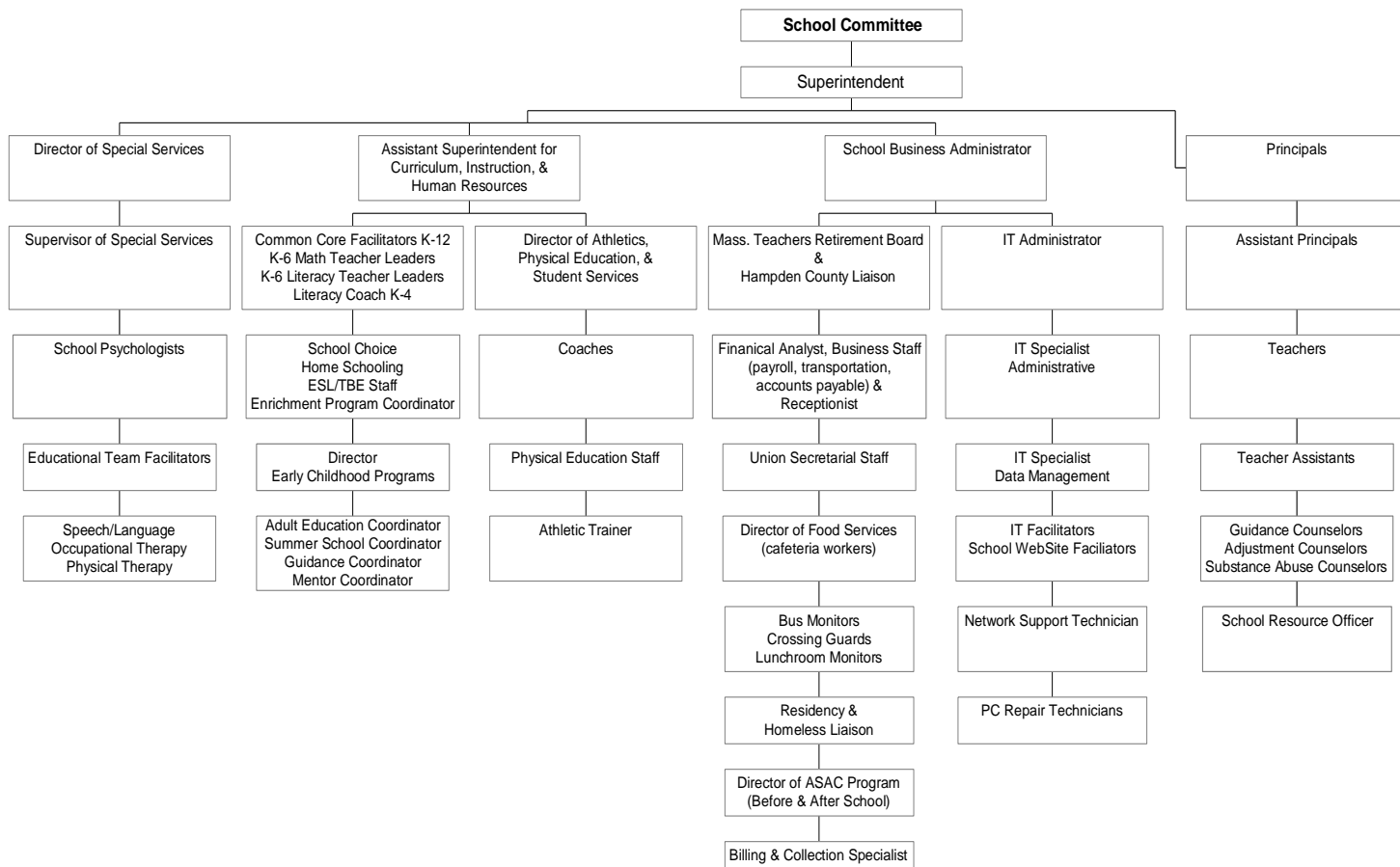
**AGAWAM SENIOR HIGH SCHOOL — 760 Cooper Street
821-0530**

Jim Blain, Principal
Susan Feyre, Assistant Principal
Tim Karetka, Assistant Principal
Chad Joyal, Assistant Principal
Officer Taylor Hartman, School Resource Officer
John Nettis, Safety & Security
Sandra Barrows, Secretary to Principal
Renee Duffus, Secretary
Gina Bishop, Secretary
Pat O'Connor, Secretary Guidance
TBD, Secretary Guidance

**FOOD SERVICES— 1305 Springfield Street
821-0559**

Elizabeth Moulton, Director of Food Services

Organizational Chart



Town and School Profile

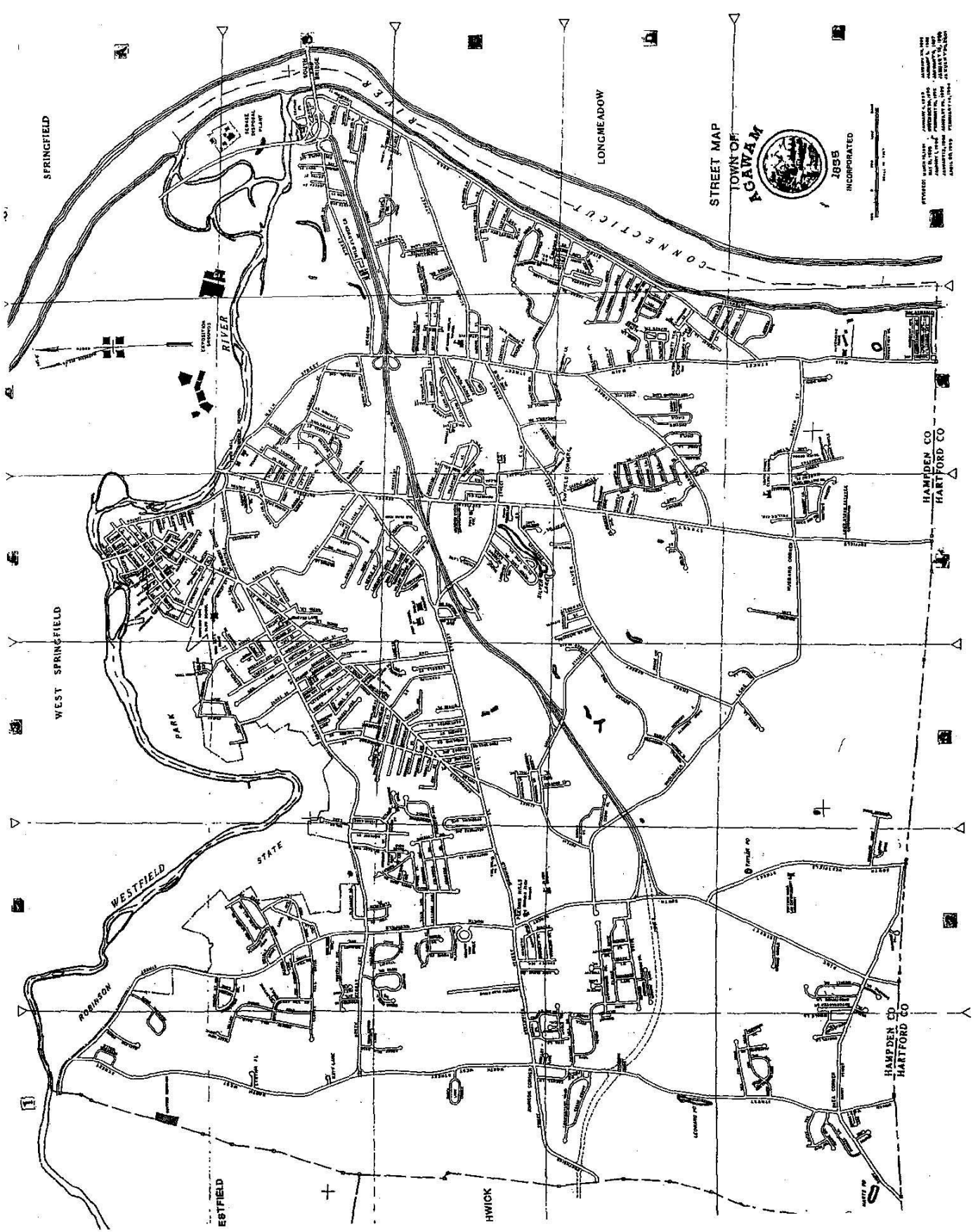
The community of Agawam originated under the jurisdiction of the City of Springfield over 300 years ago. At that time, Springfield encompassed the entire area from Northampton south to the Connecticut border. Much has changed since the community known as Agawam plantation broke away from Springfield and incorporated as a Town in 1855.

Today Agawam is still known as a home to farms, as a community where the entrepreneurial spirit is tangible and a place where neighbors still know each other. It is known for its ample industrial land, its quality schools, its skilled workforce and a quality of life unsurpassed in the Pioneer Valley.

Agawam is a community of approximately 28,485 residents and is 24 square miles. Its business/residential property tax ratio is low, making it more attractive to business than most Western Massachusetts communities. Agawam has nearly 1,000 acres of commercial and industrial land and approximately 400 of those acres are located in there primary industrial parks. The community possesses a varied and skilled work force including the professionals, those with manufacturing experience as well as workers in the so-called "new collar" service and high-tech industries. It takes less than 15 minutes to travel to Bradley International Airport from Agawam; Air Freight service is also available at Nearby Barnes Airport and Westover Air Force Base.

The school system in Agawam is fully accredited and its school programs and curriculum are among the best in the region. There are over 2,500 acres of farmland in Agawam and the community's many farms and farm stands give the community a rural feeling. There are four outstanding golf courses: Agawam Country Club, Crestview Country Club, St. Anne's Country Club, and Oak Ridge Country Club. Agawam is home to the largest amusement park in the area, Six Flags and one of North America's largest fairs, the Eastern States Exposition, "Big E", is virtually minutes away from the center of Agawam.

The sense of community in Agawam is nowhere more evident than in its neighborhoods. It's one reason so many people have moved from surrounding cities and towns into Agawam. It is the kind of community where neighbors know and care about each other. To learn about the Agawam Public Schools please visit our website at www.agawamed.org.



STREET MAP
TOWN OF
GAWAY



INCORPORATED
1895



PRINTED BY THE
AMERICAN MAP CO.
NEW YORK, N. Y.
1914

General Employment Information

EMPLOYEE CHANGE IN STATUS INFORMATION

- Verification of step change forms (Cheryl Salomão/Kimberly O'Brien)
- Licensure Certificate or Recertification (Cheryl Salomão/Kimberly O'Brien)
- Leave of Absence Request (FMLA, maternity, medical, family illness, military) – (Collen DeGeorge)
- Unpaid Leave Request (Sheila Hoffman)
- Name change (Notification to MTRS or Hampden County Retirement Board of Mass Mutual, School secretary, Mackenzie Gamache, Collen DeGeorge, Kimberly O'Brien)
- Notification of Intent to Retire (Sheila Hoffman/Collen DeGeorge)
- Notification of intent to Resign (Sheila Hoffman/Collen DeGeorge)
- Reimbursement for College Course (Cheryl Salomão/Kimberly O'Brien)
- Health, Dental, Life & AFLAC Insurance (Personnel Department – Town Hall)
- UNUM Insurance (MTA benefits website)
- Daily Absences (Absence Management system)
- Purchase Orders (Mary Avery)
- School Dude (Pina Godek)
- Fingerprinting /CORI's (Sheila Hoffman/Veronica Solivan)

GENERAL EMPLOYMENT INFORMATION

All employees are expected to demonstrate a professional, cooperative, knowledgeable and courteous demeanor in all interactions with students, parents/guardians, colleagues and members of the community. Work attire should reflect the professional responsibilities of an employee's position, exhibiting concern for safety, hygiene, neatness, cleanliness and projecting positive role models for students enrolled with the Agawam Public School. The use of profane language is prohibited and may be cause for disciplinary action.

At a minimum, it is expected that all employees will follow general and specific work and employment guidelines, carry out instructions and directions appropriately issued by supervisors or administrators and perform job responsibilities in a satisfactory manner. Employees are expected to be regular in attendance, arriving on time and adhering to designated starting and ending times for work, breaks, lunch, prep periods, etc. Employees are advised that the School Department telephones, supplies, equipment and services (including Internet access and fax machines) are for professional use. Excessive personal calls, or use of supplies, services or equipment for personal reasons are not allowed. Inappropriate use of equipment, supplies or services including electronic access may result in termination.

MEETING JOB EXPECTATIONS

In addition to maintaining an appropriate standard of conduct, it is the responsibility of the employee to fulfill the essential functions of their position in an acceptable manner. Depending on the position, these measures may be both qualitative and quantitative. Job requirements and qualification are listed on job postings/descriptions. Your supervisor will discuss and clarify the expectations and standards of your position. Employees who are having difficulty meeting job standards should discuss the issue with their supervisor. In turn, it is the supervisor's responsibility to monitor employee performance and provide support and assistance to employees in helping them meet job expectations.

Ultimately, if employees are unable to meet job requirements, corrective action may include reassignment, transfer, demotion or other disciplinary action, up to and including termination.

CELL PHONES

No cell phones should be used during classroom times, unless it is for an emergency. Your focus should be on your students and the management of your classroom. Cell phones should only be used during non teaching times.

STATEMENT OF EXPECTATIONS FOR LICENSED STAFF.

Beyond the expectation and individual commitment to adhere to and foster the Mission of the Agawam Public Schools, there are guidelines that all staff at all levels in all buildings are expected to follow. Implementation of these guidelines is the responsibility of all staff.

1. Maintain excellent attendance to ensure the success of our students. Consistent attendance of teachers is essential to providing education of the highest possible quality to the students. Therefore any excessive absenteeism or unusual pattern of absence by a teacher is contrary to the best interests of our students and our school district.
2. Develop and maintain a classroom environment conducive to effective learning within the limits of the resources provided by the district.
3. Prepare for classes assigned and show written evidence of preparation upon request to the immediate supervisor.
4. Encourage student to set and maintain high standards of classroom behavior.
5. Provide an effective program of instruction in accordance with the adopted curriculum and consistent with the physical limitations of the location provided and the needs and capabilities of the individuals or student groups involved.
6. Strive to implement by instruction the district's philosophy of education and to meet instructional goals and objectives.
7. Take all necessary and reasonable precautions to protect students, equipment, material, and facilities.
8. Maintain records as required by law, district policy, and administrative regulations.
9. Make provisions for being available to students and parents for education related purposes outside the instructional day when necessary and under reasonable terms.
10. Annually review and adhere School Committee Policies.
11. Assist in upholding and enforcing school rules and administrative regulations.
12. Attend and participate in faculty and department meetings.
13. Cooperate with other members of the staff in planning instructional goals, objectives, and methods.
14. Assist in the selection of books, equipment, and other instructional materials.
15. Work to establish and maintain open lines of communication with students, parents, and colleagues concerning both the academic and behavioral progress of all students.
16. Perform related duties as assigned by the administration in accordance with district policies and practices.

Supervision of Students

1. Classroom supervision: School personnel are legally responsible for students, who must be supervised at all times. Students should never be left in an unsupervised situation. In an emergency, call the office for assistance.
2. Supervision throughout the building: Maintaining an atmosphere conducive to optimal learning is essential. Teachers are expected to take corrective action upon observing inappropriate student behavior, wherever it is seen.
3. Supervision during assemblies and special programs: These events are an extension of the classroom. Teachers are to accompany their classes and stay within close proximity so as to ensure proper behavior and safety.
4. Injuries/Illnesses: Staff, as well as student injuries and illnesses occurring in school, are to be reported to the school nurse as soon as possible. The school nurse will contact administration when necessary.
5. Remind students to be quiet in the hallways.

Fire Regulations/Emergency Procedures

Staff is expected to:

- Be familiar with current fire regulations and to comply with such regulations in their assigned areas.
- Post evacuation routes in all classrooms.
- Maintain silence and quickly exit the building in an orderly fashion.
- Once in designated area, check class list and report any missing students to administration.

Building Security

1. In order to prevent unauthorized persons from entering the building, all exit doors are to be kept closed and locked at all times.
2. Personal Property: All staff are responsible for the security of their personal property.
3. Employees are expected to wear their school identification badges every day.

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

Each employee of the school district, including administrators, faculty, staff, coaches, and part-time employees, must wear the employee's school ID badge while on school district property. ID badges will be issued to all new employees through the individual schools or the IT department. The ID must be visible at all times during school hours. The ID shall be displayed on the assigned lanyard hanging from the neck or clipped to clothing so that it is easily visible. In the event that an office ID badge is unavailable for any employee, the front office of each school shall issue a temporary ID badge. The temporary ID shall be returned to the front office at the end of the day.

ORIENTATION

Agawam Public Schools Administrators and Supervisors want employees to be successful in their new jobs and are prepared to answer questions new employees may have about specific responsibilities, work hours and general policies and procedures relating to employment.

NEW TEACHER ORIENTATION

Agawam Public Schools sponsors a district wide orientation meeting for new teachers prior to the beginning of each school year. Each new teacher will be assigned to a mentor and will be required to attend monthly meetings. A list of the mandatory meetings will be given at the New Teacher Orientation meeting along with other informative information.

BEGINNING EMPLOYMENT

Employment Documentation

Upon acceptance of a job offer and prior to beginning work, all newly hired employees must arrange to visit the Office of Human Resources located in Central Office to ensure documentation necessary for employment has been submitted and to review for eligibility of benefits.

Federal regulations require that all new hires complete and sign a Federal I-9 Employment Eligibility and Verification form and present documents of identity and eligibility to work in US.

Pre-employment documentation may include birth certificate, social security card, US passports and educational licensure/certification. Official education transcripts are also required, depending on the nature of your position.

Teacher and Administrator Licensure/Certification

Teachers and educational administrators are required to possess Massachusetts licensure from the Department of Elementary and Secondary Education (DESE) appropriate to their position and to provide a copy of licensure to the Office of Human Resources at the time of employment as necessary. Lack of appropriate licensure may be grounds for termination. Applications for licensure must be made directly to Massachusetts DESE, as granting authority.

Reference and Background (CORI) Checks and National Criminal Background Check (Fingerprinting)

The Agawam Public Schools' employment verification process includes criminal record (CORI) checks and National Criminal Background Fingerprint checks in addition to personal and professional references, educational and employment background checks. All offers of employment are contingent upon satisfactory results of these employment screening processes as well as any others that may be required. The Agawam Public Schools reserves the right to periodically update CORI records for individual employees, employees in specific jobs categories or the school department staff as a whole. An unsatisfactory CORI or fingerprinting report may result in termination of employment. Employees who are involved in criminal proceedings that may affect employment should assure notification to the Assistant Superintendent for Curriculum, Instruction and Human Resources and take prompt action to allow update of employment records. No employee is allowed to begin employment without submitting their fingerprinting receipt to central office first.

Health Plan Enrollment

New employees who are eligible for health insurance, the health insurance waiver payment option, and/or life insurance benefits and wish to enroll in one or more of these benefit options must do so within thirty (30) calendar days of the date of appointment. Those who do not enroll within this specified time frame will not be eligible to enroll for health insurance coverage or health insurance waiver until the next annual open enrollment period. Life insurance is typically only available for enrollment at the time of initial employment. For additional information about Health Insurance, please contact the Personnel Department at Town Hall.

Employment Guidelines

Attendance and Absences

Absence Management (Formerly AESOP)

An invitation will be sent to your email from Frontline. Click on the link, click existing user and put in your user ID. Your user ID is your email address and you will create your password. The password needs to be at least 8 characters and 2 numbers long (ex. november12). At this time, you will link your professional growth (My Learning Plan- MLP) - account as well. You will have one login for both programs that you will be able to toggle between. Make sure to write down your user ID and password for future use. You are the only one that knows your password.

You must log into Absence Management any time you are going to be out of the classroom or office. The reasons in Absence Management are: *sick day - personal, sick day –personal FMLA, sick day - Family/FMLA, personal day, jury duty, bereavement day, professional development, field trip and other* (you must include an explanation in the comments section – this reason is usually just used for testing within the school). Please log your absences accordingly. Please note that the Assistant Superintendent is notified of all personal days, bereavement days, unpaid days and “other” days for approval.

Please log your absence in Absence Management as soon as you know that you are going to be out. This will give more time to find a substitute for your absence. Last minute absences are harder to secure substitutes for and often create additional work for administration and colleagues. Kim O’Brien in Central Office is in charge of all Substitutes

All employees are expected to be regular in attendance. If illness, injury or other situation prevents an employee from coming to work, he/she must notify the Absence Management system, which in turn alerts his/her supervisor of the absence as far in advance as possible so that appropriate coverage may be arranged. If an employee is absent for 5 or more days, he/she may be required to provide written medical documentation to the Superintendent to justify the absence for any additional days.

If a personal day is entered into the system with more than 48 hours notice, then a reason does not have to be put in. If the personal day is enter with less than 48 hours or falls before or after a holiday, long weekend or vacation, a reason must be put in. No substitute will be assigned until these are approved. Contact Collen DeGeorge if you need any assistance with Absence Management.

Additionally, in the event of a teacher’s absence, it is expected that lesson plans and other pertinent materials relating to curriculum and schedules can be easily accessed by the building administrator and the substitute teacher and that the absence was recorded on the Absence Management system.

Failure to notify Absence Management of an absence in a timely manner or to provide requested medical documentation can result in disciplinary action up to and including termination.

Jury Duty

Employees shall be granted time off with pay to serve Jury Duty. Appropriate documentation should be provided to the employee’s supervisor for submittal to the payroll department.

FMLA - Employee Responsibilities

Employees must provide 30 days in advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer’s normal call-in procedures. If an employee is out sick for three consecutive days, on the fourth day FMLA paperwork must be filled out. Contact Alexis Ferioli for FMLA paperwork.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer

if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Basic Leave Entitlement - FMLA requires covered employers to provide up to 12 weeks of unpaid, job protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth.
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

Purchasing

1. To submit supplies and services orders approved requisition form provided to you by your secretary.(see attached example)
2. Use department specific budget codes
3. Must use only approved vendors
4. Allow 10 business days for processing your requisition
5. Requisition originator will receive an email notification that your PO has been processed
6. Once your order is received you must notify Helen Marganti by email. Invoices will not be paid without your confirmation.
7. If you have not received your orders within 30 days you must contact the vendor to find out the status.
8. No requisitions will be processed after May 31st
9. Orders received after the last day of school **will have to be returned to the company.** We cannot pay an order(s) from one fiscal year with next fiscal year's money.
10. Mileage and PD reimbursements (**not tuition**) are due in to the Central office no later than the last day of school. **If received after that date we cannot pay. Mileage must be sent in for reimbursement on a quarterly basis**
11. Notify Helen of any orders you have received by June 1st so we can assure invoices are paid before June 30th.

Payroll

1. Time sheets are to be scanned and emailed to Kim Houle (along with the excel spreadsheets) by 3pm Tuesday before a payroll week (**note exceptions**). Keep the original timesheets on file in your office. For special pays: always send the hard copy interoffice on the due date.
2. Last time sheets of the school year are due to central office no later than the last day of school.
3. Current time sheets received in the next fiscal year will not be paid.

This summary of the conflict of interest law, General Laws chapter 268A, is intended to help municipal employees understand how that law applies to them. This summary is not a substitute for legal advice, nor does it mention every aspect of the law that may apply in a particular situation. Municipal employees can obtain free confidential advice about the conflict of interest law from the Commission's Legal Division at our website, phone number, and address above. Municipal counsel may also provide advice.

The conflict of interest law seeks to prevent conflicts between private interests and public duties, foster integrity in public service, and promote the public's trust and confidence in that service by placing restrictions on what municipal employees may do on the job, after hours, and after leaving public service, as described below. The sections referenced below are sections of G.L. c. 268A.

When the Commission determines that the conflict of interest law has been violated, it can impose a civil penalty of up to \$10,000 (\$25,000 for bribery cases) for each violation. In addition, the Commission can order the violator to repay any economic advantage he gained by the violation, and to make restitution to injured third parties. Violations of the conflict of interest law can also be prosecuted criminally.

I. Are you a municipal employee for conflict of interest law purposes?

You do not have to be a full-time, paid municipal employee to be considered a municipal employee for conflict of interest purposes. Anyone performing services for a city or town or holding a municipal position, whether paid or unpaid, including full- and part-time municipal employees, elected officials, volunteers, and consultants, is a municipal employee under the conflict of interest law. An employee of a private firm can also be a municipal employee, if the private firm has a contract with the city or town and the employee is a "key employee" under the contract, meaning the town has specifically contracted for her services. The law also covers private parties who engage in impermissible dealings with municipal employees, such as offering bribes or illegal gifts. Town meeting members and charter commission members are not municipal employees under the conflict of interest law.

II. On-the-job restrictions.

(a) Bribes. Asking for and taking bribes is prohibited. (See Section 2)

A bribe is anything of value corruptly received by a municipal employee in exchange for the employee being influenced in his official actions. Giving, offering, receiving, or asking for a bribe is illegal.

Bribes are more serious than illegal gifts because they involve corrupt intent. In other words, the municipal employee intends to sell his office by agreeing to do or not do some official act, and the giver intends to influence him to do so. Bribes of any value are illegal.

(b) Gifts and gratuities. Asking for or accepting a gift because of your official position, or because of something you can do or have done in your official position, is prohibited. (See Sections 3, 23(b)(2), and 26)

Municipal employees may not accept gifts and gratuities valued at \$50 or more given to influence their official actions or because of their official position. Accepting a gift intended to reward past official action or to bring about future official action is illegal, as is giving such gifts. Accepting a gift given to you because of the municipal position you hold is also illegal. Meals, entertainment event tickets, golf, gift baskets, and payment of travel expenses can all be illegal gifts if given in connection with official action or position, as can anything worth \$50 or more. A number of smaller gifts together worth \$50 or more may also violate these sections.

Example of violation : A town administrator accepts reduced rental payments from developers.

Example of violation : A developer offers a ski trip to a school district employee who oversees the developer's work for the school district.

Regulatory exemptions . There are situations in which a municipal employee's receipt of a gift does not present a genuine risk of a conflict of interest, and may in fact advance the public interest. The Commission has created exemptions permitting giving and receiving gifts in these situations. One commonly used exemption permits municipal employees to accept payment of travel-related expenses when doing so advances a public purpose. Another commonly used exemption permits municipal employees to accept payment of costs involved in attendance at educational and training programs. Other exemptions are listed on the Commission's website.

Example where there is no violation: A fire truck manufacturer offers to pay the travel expenses of a fire chief to a trade show where the chief can examine various kinds of fire-fighting equipment that the town may purchase. The chief fills out a disclosure form and obtains prior approval from his appointing authority.

Example where there is no violation: A town treasurer attends a two-day annual school featuring multiple substantive seminars on issues relevant to treasurers. The annual school is paid for in part by banks that do business with town treasurers. The treasurer is only required to make a disclosure if one of the sponsoring banks has official business before her in the six months before or after the annual school.

(c) Misuse of position. Using your official position to get something you are not entitled to, or to get someone else something they are not entitled to, is prohibited. Causing someone else to do these things is also prohibited. (See Sections 23(b)(2) and 26)

A municipal employee may not use her official position to get something worth \$50 or more that would not be properly available to other similarly situated individuals. Similarly, a municipal employee may not use her official position to get something worth \$50 or more for someone else that would not be properly available to other similarly situated individuals. Causing someone else to do these things is also prohibited.

Example of violation: A full-time town employee writes a novel on work time, using her office computer, and directing her secretary to proofread the draft.

Example of violation: A city councilor directs subordinates to drive the councilor's wife to and from the grocery store.

Example of violation: A mayor avoids a speeding ticket by asking the police officer who stops him, "Do you know who I am?" and showing his municipal I.D.

(d) Self-dealing and nepotism. Participating as a municipal employee in a matter in which you, your immediate family, your business organization, or your future employer has a financial interest is prohibited. (See Section 19)

A municipal employee may not participate in any particular matter in which he or a member of his immediate family (parents, children, siblings, spouse, and spouse's parents, children, and siblings) has a financial interest. He also may not participate in any particular matter in which a prospective employer, or a business organization of which he is a director, officer, trustee, or employee has a financial interest. Participation includes discussing as well as voting on a matter, and delegating a matter to someone else.

A financial interest may create a conflict of interest whether it is large or small, and positive or negative. In other words, it does not matter if a lot of money is involved or only a little. It also does not matter if you are putting money into your pocket or taking it out. If you, your immediate family, your business, or your employer have or has a financial interest in a matter, you may not participate. The financial interest must be direct and immediate or reasonably foreseeable to create a conflict. Financial interests which are remote, speculative or not sufficiently identifiable do not create conflicts.

Example of violation : A school committee member's wife is a teacher in the town's public schools. The school committee member votes on the budget line item for teachers' salaries.

Example of violation : A member of a town affordable housing committee is also the director of a non-profit housing development corporation. The non-profit makes an application to the committee, and the member/director participates in the discussion.

Example : A planning board member lives next door to property where a developer plans to construct a new building. Because the planning board member owns abutting property, he is presumed to have a financial interest in the matter. He cannot participate unless he provides the State Ethics Commission with an opinion from a qualified independent appraiser that the new construction will not affect his financial interest.

In many cases, where not otherwise required to participate, a municipal employee may comply with the law by simply not participating in the particular matter in which she has a financial interest. She need not give a reason for not participating.

There are several exemptions to this section of the law. An appointed municipal employee may file a written disclosure about the financial interest with his appointing authority, and seek permission to participate notwithstanding the conflict. The appointing authority may grant written permission if she determines that the financial interest in question is not so substantial that it is likely

to affect the integrity of his services to the municipality. Participating without disclosing the financial interest is a violation. Elected employees cannot use the disclosure procedure because they have no appointing authority.

Example where there is no violation : An appointed member of the town zoning advisory committee, which will review and recommend changes to the town's by-laws with regard to a commercial district, is a partner at a company that owns commercial property in the district. Prior to participating in any committee discussions, the member files a disclosure with the zoning board of appeals that appointed him to his position, and that board gives him a written determination authorizing his participation, despite his company's financial interest. There is no violation.

There is also an exemption for both appointed and elected employees where the employee's task is to address a matter of general policy and the employee's financial interest is shared with a substantial portion (generally 10% or more) of the town's population, such as, for instance, a financial interest in real estate tax rates or municipal utility rates.

Regulatory exemptions. In addition to the statutory exemptions just mentioned, the Commission has created several regulatory exemptions permitting municipal employees to participate in particular matters notwithstanding the presence of a financial interest in certain very specific situations when permitting them to do so advances a public purpose. There is an exemption permitting school committee members to participate in setting school fees that will affect their own children if they make a prior written disclosure. There is an exemption permitting town clerks to perform election-related functions even when they, or their immediate family members, are on the ballot, because clerks' election-related functions are extensively regulated by other laws. There is also an exemption permitting a person serving as a member of a municipal board pursuant to a legal requirement that the board have members with a specified affiliation to participate fully in determinations of general policy by the board, even if the entity with which he is affiliated has a financial interest in the matter. Other exemptions are listed in the Commission's regulations, available on the Commission's website.

Example where there is no violation: A municipal Shellfish Advisory Board has been created to provide advice to the Board of Selectmen on policy issues related to shellfishing. The Advisory Board is required to have members who are currently commercial fishermen. A board member who is a commercial fisherman may participate in determinations of general policy in which he has a financial interest common to all commercial fishermen, but may not participate in determinations in which he alone has a financial interest, such as the extension of his own individual permits or leases.

(e) False claims. Presenting a false claim to your employer for a payment or benefit is prohibited, and causing someone else to do so is also prohibited. (See Sections 23(b)(4) and 26)

A municipal employee may not present a false or fraudulent claim to his employer for any payment or benefit worth \$50 or more, or cause another person to do so.

Example of violation : A public works director directs his secretary to fill out time sheets to show him as present at work on days when he was skiing.

(f) Appearance of conflict. Acting in a manner that would make a reasonable person think you can be improperly influenced is prohibited. (See Section 23(b)(3))

A municipal employee may not act in a manner that would cause a reasonable person to think that she would show favor toward someone or that she can be improperly influenced. Section 23(b)(3) requires a municipal employee to consider whether her relationships and affiliations could prevent her from acting fairly and objectively when she performs her duties for a city or town. If she cannot be fair and objective because of a relationship or affiliation, she should not perform her duties. However, a municipal employee, whether elected or appointed, can avoid violating this provision by making a public disclosure of the facts. An appointed employee must make the disclosure in writing to his appointing official.

Example where there is no violation : A developer who is the cousin of the chair of the conservation commission has filed an application with the commission. A reasonable person could conclude that the chair might favor her cousin. The chair files a written disclosure with her appointing authority explaining her relationship with her cousin prior to the meeting at which the application will be considered. There is no violation of Sec. 23(b)(3).

(g) Confidential information. Improperly disclosing or personally using confidential information obtained through your job is prohibited. (See Section 23(c))

Municipal employees may not improperly disclose confidential information, or make personal use of non-public information they acquired in the course of their official duties to further their personal interests.

III. After-hours restrictions.

(a) Taking a second paid job that conflicts with the duties of your municipal job is prohibited. (See Section 23(b)(1))

A municipal employee may not accept other paid employment if the responsibilities of the second job are incompatible with his or her municipal job.

Example: A police officer may not work as a paid private security guard in the town where he serves because the demands of his private employment would conflict with his duties as a police officer.

(b) Divided loyalties. Receiving pay from anyone other than the city or town to work on a matter involving the city or town is prohibited. Acting as agent or attorney for anyone other than the city or town in a matter involving the city or town is also prohibited whether or not you are paid. (See Sec. 17)

Because cities and towns are entitled to the undivided loyalty of their employees, a municipal employee may not be paid by other people and organizations in relation to a matter if the city or town has an interest in the matter. In addition, a municipal employee may not act on behalf of other people and organizations or act as an attorney for other people and organizations in which the town has an interest. Acting as agent includes contacting the municipality in person, by phone, or in writing; acting as a liaison; providing documents to the city or town; and serving as spokesman.

A municipal employee may always represent his own personal interests, even before his own municipal agency or board, on the same terms and conditions that other similarly situated members of the public would be allowed to do so. A municipal employee may also apply for building and related permits on behalf of someone else and be paid for doing so, unless he works for the permitting agency, or an agency which regulates the permitting agency.

Example of violation: A full-time health agent submits a septic system plan that she has prepared for a private client to the town's board of health.

Example of violation: A planning board member represents a private client before the board of selectmen on a request that town meeting consider rezoning the client's property.

While many municipal employees earn their livelihood in municipal jobs, some municipal employees volunteer their time to provide services to the town or receive small stipends. Others, such as a private attorney who provides legal services to a town as needed, may serve in a position in which they may have other personal or private employment during normal working hours. In recognition of the need not to unduly restrict the ability of town volunteers and part-time employees to earn a living, the law is less restrictive for "special" municipal employees than for other municipal employees.

The status of "special" municipal employee has to be assigned to a municipal position by vote of the board of selectmen, city council, or similar body. A position is eligible to be designated as "special" if it is unpaid, or if it is part-time and the employee is allowed to have another job during normal working hours, or if the employee was not paid for working more than 800 hours during the preceding 365 days. It is the position that is designated as "special" and not the person or persons holding the position. Selectmen in towns of 10,000 or fewer are automatically "special"; selectman in larger towns cannot be "specials."

If a municipal position has been designated as "special," an employee holding that position may be paid by others, act on behalf of others, and act as attorney for others with respect to matters before municipal boards other than his own, provided that he has not officially participated in the matter, and the matter is not now, and has not within the past year been, under his official responsibility.

Example : A school committee member who has been designated as a special municipal employee appears before the board of health on behalf of a client of his private law practice, on a matter that he has not participated in or had responsibility for as a school committee member. There is no conflict. However, he may not appear before the school committee, or the school department, on behalf of a client because he has official responsibility for any matter that comes before the school committee. This is still the case even if he has recused himself from participating in the matter in his official capacity.

Example: A member who sits as an alternate on the conservation commission is a special municipal employee. Under town by-laws, he only has official responsibility for matters assigned to him. He may represent a resident who wants to file an application with the conservation commission as long as the matter is not assigned to him and he will not participate in it.

(c) Inside track. Being paid by your city or town, directly or indirectly, under some second arrangement in addition to your job is prohibited, unless an exemption applies. (See Section 20)

A municipal employee generally may not have a financial interest in a municipal contract, including a second municipal job. A municipal employee is also generally prohibited from having an indirect financial interest in a contract that the city or town has with someone else. This provision is intended to prevent municipal employees from having an "inside track" to further financial opportunities.

Example of violation: Legal counsel to the town housing authority becomes the acting executive director of the authority, and is paid in both positions.

Example of violation: A selectman buys a surplus truck from the town DPW.

Example of violation : A full-time secretary for the board of health wants to have a second paid job working part-time for the town library. She will violate Section 20 unless she can meet the requirements of an exemption.

Example of violation : A city councilor wants to work for a non-profit that receives funding under a contract with her city. Unless she can satisfy the requirements of an exemption under Section 20, she cannot take the job.

There are numerous exemptions. A municipal employee may hold multiple unpaid or elected positions. Some exemptions apply only to special municipal employees. Specific exemptions may cover serving as an unpaid volunteer in a second town position, housing-related benefits, public safety positions, certain elected positions, small towns, and other specific situations. Please call the Ethics Commission's Legal Division for advice about a specific situation.

IV. After you leave municipal employment. (See Section 18)

(a) Forever ban. After you leave your municipal job, you may never work for anyone other than the municipality on a matter that you worked on as a municipal employee.

If you participated in a matter as a municipal employee, you cannot ever be paid to work on that same matter for anyone other than the municipality, nor may you act for someone else, whether paid or not. The purpose of this restriction is to bar former employees from selling to private interests their familiarity with the facts of particular matters that are of continuing concern to their former municipal employer. The restriction does not prohibit former municipal employees from using the expertise acquired in government service in their subsequent private activities.

Example of violation: A former school department employee works for a contractor under a contract that she helped to draft and oversee for the school department.

(b) One year cooling-off period. For one year after you leave your municipal job you may not participate in any matter over which you had official responsibility during your last two years of public service.

Former municipal employees are barred for one year after they leave municipal employment from personally appearing before any agency of the municipality in connection with matters that were under their authority in their prior municipal positions during the two years before they left.

Example: An assistant town manager negotiates a three-year contract with a company. The town manager who supervised the assistant, and had official responsibility for the contract but did not participate in negotiating it, leaves her job to work for the company to which the contract was awarded. The former manager may not call or write the town in connection with the company's work on the contract for one year after leaving the town.

A former municipal employee who participated as such in general legislation on expanded gaming and related matters may not become an officer or employee of, or acquire a financial interest in, an applicant for a gaming license, or a gaming licensee, for one year after his public employment ceases.

(c) Partners. Your partners will be subject to restrictions while you serve as a municipal employee and after your municipal service ends.

Partners of municipal employees and former municipal employees are also subject to restrictions under the conflict of interest law. If a municipal employee participated in a matter, or if he has official responsibility for a matter, then his partner may not act on behalf of anyone other than the municipality or provide services as an attorney to anyone but the city or town in relation to the matter.

Example: While serving on a city's historic district commission, an architect reviewed an application to get landmark status for a building. His partners at his architecture firm may not prepare and sign plans for the owner of the building or otherwise act on the owner's behalf in relation to the application for landmark status. In addition, because the architect has official responsibility as a commissioner for every matter that comes before the commission, his partners may not communicate with the commission or otherwise act on behalf of any client on any matter that comes before the commission during the time that the architect serves on the commission.

Example: A former town counsel joins a law firm as a partner. Because she litigated a lawsuit for the town, her new partners cannot represent any private clients in the lawsuit for one year after her job with the town ended.

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This summary is not intended to be legal advice and, because it is a summary, it does not mention every provision of the conflict law that may apply in a particular situation. Our website, <http://www.mass.gov/ethics> contains further information about how the law applies in many situations. You can also contact the Commission's Legal Division via our website, by telephone, or by letter. Our contact information is at the top of this document.

Agawam Public Schools

Policies

NON-DISCRIMINATION

Public schools have the responsibility to overcome, insofar as possible, any barriers that prevent children from achieving their potential. The public school system will do its part. This commitment to the community is affirmed in the following statements of School Committee intent to:

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

The Agawam School Committee's policy of non-discrimination will extend to students, staff, the general public, and individuals with whom it does business; No person shall be excluded from or discriminated against in admission to a public school of any city or in obtaining the advantages, privileges, and courses of study of such public school on account of race, color, sex, religion, national origin, sexual orientation and discrimination. If a person has a complaint or feels that he/she has been discriminated against because of race, color, sex, religion, national origin, sexual orientation or disability, he/she may register his/her complaint with the Title IX compliance officer.

LEGAL REF: Title VI, Civil Rights Act of 1964
 Title VII, Civil Rights Act of 1964, as amended by the Equal Employment Opportunity Act of 1972.
 Executive Order 11246, as amended by E.O. 11375
 Equal Pay Act, as amended by the Education Amendments of 1972
 Title IX, Education Amendments of 1972
 Rehabilitation Act of 1973
 Education for All Handicapped Children Act of 1975 M.G.L. 71B:1 et seq.
 (Chapter 766 of the Acts of 1972) M.G.L. 76:5; Amended 1993
 M.G.L. 76:16 (Chapter 622 of the Acts of 1971)
 Board of Education Chapter 622 Regulations Pertaining to Access to
 Equal Educational Opportunity, adopted 6/24/75, as amended 10/24/78
 Board of Education 603 CMR 2600

NONDISCRIMINATION
Title IX and Handicap (Section 504)

Grievance Procedures for Employees and Students

Employees, who feel their rights have been violated under Title IX or Handicap (Section 504), are to follow the grievance procedure they would normally follow under their contract agreement. The school nurses, who have no written grievance procedure, are to file any grievances they may have with the City Health Agent. If the health agent cannot resolve the complaint, they are to bring the violation to the Mayor of Agawam.

Students fourteen years of age or older, who feel their rights have been violated under Title IX or Handicap (Section 504), are to contact:

1. Assistant Superintendent for Curriculum, Instruction & Human Resources
2. Director of Student Services, Agawam High School

If the grievance cannot be resolved by the Assistant Superintendent for Business/Human Resources, the following are to be contacted (in this order) to arrive at prompt and equitable resolutions of student complaints charging violations of Title IX or Handicap (Section 504):

1. Guidance Counselor (in their building)
2. Assistant Principal (in their building)
3. Principal (in their building)
4. Superintendent of Schools
5. School Committee

Students under fourteen years of age may have their parent(s) grieve on their behalf in writing to their building principal. If the grievance cannot be resolved by the building principal, the following are to be contacted (in this order) to arrive at prompt and equitable resolutions of student complaints charging violations of Title IX or Handicap (Section 504):

1. Superintendent of Schools
2. School Committee

The Title IX coordinator will be available to assist all grievance committees in arriving at prompt and equitable resolutions of student and employee complaints charging violations of Title IX. Any grievances charging violation of Handicap (Section 504) will be handled by the coordinator of Handicap (Section 504).

CONTACT REFS: Agreement with AEA, "Grievance Procedure"
 Agreement with APAA, 19
 Agreement with ASCA, 18

Agawam Public Schools, 2004

Approved by School Committee on April 27, 2004 by a vote of 6 – 0 – 1 absent.

NONDISCRIMINATION ON THE BASIS OF SEX

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

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

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

LEGAL REFS.: Title IX of the Education Amendments of 1972
45 CFR, Part 86, (Federal Register, 6/4/75)
M.G.L. 76:5; 76:16 (Chapter 622 of the Acts of 1971) Board of Education
Chapter 622 Regulations Pertaining to Access to Equal Educational
Opportunity, adopted 6/24/75, amended 10/24/78 Board of Education 603
CMR 2600

CROSS REF.: AC NONDISCRIMINATION

SEXUAL HARASSMENT

All persons associated with the Agawam public schools including, but not necessarily limited to, the committee, the administration, the staff, and the student, are expected to conduct themselves at all times so as to provide an atmosphere free from sexual harassment. Any person who engages in sexual harassment while acting as a member of the school community will be in violation of this policy. **Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating in an investigation of a sexual harassment complaint is similarly unlawful and will not be tolerated.**

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

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

Definition of Sexual Harassment: Unwelcome sexual advances; requests for sexual favors; or other verbal or physical conduct of a sexual nature may constitute sexual harassment where:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment or educational development.
2. Submission to or rejection of such conduct by an individual is used as the basis for employment or education decisions affecting such individual.
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or creating an intimidating, hostile, or offensive working or educational environment.

Considerations

By definition, sexual harassment is not limited to prohibited conduct by a male toward a female, by a supervisory employee toward a non-supervisory employee or by a teacher toward a student. The school district's view of sexual harassment includes, but is not limited to, the following considerations:

- A. A man, as well as a woman, may be the victim of sexual harassment, and a woman, as well as a man, may be the harasser.
- B. The harasser does not have to be the victim's supervisor. He/she may also be an agent of

the employer, a supervisory employee who does not supervise the victim, a non-supervisory employee (co-worker), or, in some circumstances, even a non-employee (student, parent).

- C. The victim may be the same or opposite sex as the harasser.
- D. Sexual harassment includes any verbal or physical conduct of a sexual nature which is considered offensive and directed toward another person. For example, inappropriate attempts of humor or the sexual harassment of one female (or male) employee may create an intimidating, hostile, or offensive working or educational environment for another female (or male) or may unreasonably interfere with an individual's work or educational performance.
- E. Sexual harassment does not depend on the victim's having suffered a concrete economic injury as a result of the harasser's conduct. For example, improper sexual advances which do not result in the loss of a promotion by the victim or the discharge of the victim may, nonetheless, constitute sexual harassment where they unreasonably interfere with the victim's work or education, or create a harmful or offensive work or educational environment.

All personnel will be responsible for implementing, monitoring and enforcing the above policy. All personnel are to strictly adhere to this policy and report any violations to their appropriate supervisor.

The Grievance Officer: **[Name, Office, Address, Phone Number]**

The committee will annually appoint a sexual harassment grievance officer who will be vested with the authority and responsibility of processing all sexual harassment complaints in accordance with the procedure set out below:

Procedure

1. Any member of the school community who believes that he or she has been subjected to sexual harassment will report the incident (s) to the grievance officer. **All complaints shall be investigated promptly and resolved as soon as possible.**
2. The grievance officer will attempt to resolve the problem in an informal manner through the following process:
 - a. The grievance officer will confer with the charging party in order to obtain a clear understanding of that party's statement of the facts, **and may interview any witnesses.**
 - b. The grievance officer will then attempt to meet with the charged party in order to obtain his or her response to the complaint.
 - c. The grievance officer will hold as many meetings with the parties as is necessary to facts.

- d. On the basis of the grievance officer's perception of the situation he or she may:
 - (1) Attempt to resolve the matter informally through reconciliation.
 - (2) Report the incident and transfer the record to the Superintendent or his/her designee, and so notify the parties by certified mail.
3. After reviewing the record made by the grievance officer, the Superintendent or designee **[Name, Office, Address, Phone Number]** may attempt to gather any more evidence necessary to decide the case, and thereafter impose any sanctions deemed appropriate, including a recommendation to the committee for termination or expulsion. **At this stage of the proceedings the parties may present witnesses and other evidence, and may also be represented. The parties, to the extent permissible by law, shall be informed of the disposition of the complaint.** All matters involving sexual harassment complaints will remain confidential to the extent possible. **If it is determined that inappropriate conduct has occurred, they will act promptly to eliminate the offending conduct.**
4. **The grievance officer, upon request, will provide the charging party with government agencies that handle sexual harassment matters.**

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

NONDISCRIMINATION/SEXUAL HARASSMENT COMPLAINT PROCEDURE

A formal complaint may be filed at any time by a student, employee, administrator, and/or applicant who believes that his/her rights as outlined in the sexual harassment policy have been violated. Each student, faculty member, administrator, or staff member has an obligation to make every effort to resolve problems informally as they arise. All members of the school community are urged to resolve problems fairly and informally. If a suitable solution cannot be reached informally through independent means, a formal investigation may be initiated and appropriate disciplining action taken.

Definitions

A complaint shall be an accusation by an individual that there has been a violation of the sexual harassment policy.

- A. The individual should file a written statement of the complaint within thirty (30) days of the alleged harassment. The complaint should be filed with the Superintendent of schools or, in the event that the Superintendent is the alleged harasser, with the Chairperson of the School Committee.
- B. Once the Superintendent or Chairperson receives the complaint, he/she shall conduct an appropriate investigation. At his/her discretion, the Superintendent or the Chairperson may designate some other individual to conduct the investigation.
- C. Such investigation may consist of, but may not be limited to, the following actions:
 - 1. Interview(s) with the individuals;
 - 2. Interview(s) with the person(s) alleged to be the harassers;
 - 3. Interviews with other employees or witnesses;
 - 4. Interviews with other individuals at the discretion of the Superintendent or Chairperson;
 - 5. Review of pertinent records.
- D. Within a reasonable time after receipt of the complaint, the Superintendent or Chairperson shall inform the alleged harasser and the individual of his/her decision as to whether he/she finds the written allegations to be credible.
 - 1. If the Superintendent or Chairperson determines that the allegations are not credible, the matter shall be closed. The Superintendent or Chairperson shall keep the documents, notes and other material from the investigation as a record for an appropriate period of time. The purpose for retaining this record is to enable the school district to prove that an appropriate investigation was conducted.

2. If the Superintendent or Chairperson determines that the allegations, or any part of the allegations, are credible, he/she shall take appropriate disciplinary action against the person(s) involved.
- E. If the person filing the complaint or the person who is the subject of the complaint is not satisfied with the results of the complaint procedure, he/she may appeal for a hearing before the School Committee.

Miscellaneous

- A. Individuals are not limited to a formal complaint procedure but may seek relief from other agencies, including the Equal Employment Opportunity Commission, the Massachusetts Commission Against Discrimination or the office of Civil Rights of the Department of Education.
- B. Any retaliatory action of any kind taken by an employee or student of the school district against any other employee or student of the school district as a result of that person's seeking redress under these procedures, cooperating in an investigation, or otherwise participating in any proceeding under these procedures is prohibited, and shall be regarded as a separate and distinct matter under this procedure.
- C. All complaint proceedings will, to the greatest possible extent, be held in confidence by all persons directly or indirectly involved in them.

Penalties in Cases of Sexual Harassment

Remedial actions will depend on the severity of the incidents. Because of the private nature of certain incidents, particularly those involving sexual harassment, and the emotional and moral complexities surrounding such issues, every effort will be made to resolve problems on an informal basis, if possible. When a complaint is resolved informally, only a short summary of the incident will be maintained in file.

An admission of guilt, an acknowledgment of a verbal warning, a promise not to commit such abuse again, and action taken to provide appropriate relief for the individual may be sufficient resolution. At this informal state, it is hoped to sensitize the person at fault to the effects of such behavior, to be constructive and not unduly punitive in the disciplinary action. If informal resolutions are not adhered to or if the allegations involve conduct for which informal resolutions are not appropriate, the Superintendent or Chairperson may deem it necessary to take appropriate action that can include formal letters of reprimand, suspension, discharge or other disciplinary action.

Guidelines

The school district prefers as few rules and regulations as possible. Nevertheless, it is necessary to have certain reasonable policies and procedures to govern our activities while at work so as to ensure the greatest possible comfort and safety for all.

Accordingly, the preceding guidelines have been formulated. Each employee is responsible for observing these guidelines. Similarly, all administrators are responsible for seeing that the

guidelines are observed and for taking appropriate action to correct any violations through counseling, reprimand, or through written warnings, suspension or discharge in the case of serious or repeated violations.

Disciplinary Actions

Any disciplinary action in connection with employee violations of this policy will be conducted in accordance with the provisions of any applicable collective bargaining agreements and statutes in effect at the time of such disciplinary action.

NONDISCRIMINATION ON THE BASIS OF HANDICAP

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

Definition

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

Reasonable Modification

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

Communications

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

Auxiliary Aids and Services "Auxiliary aids and services" includes (1) qualified interpreters, note takers, transcription

services, written materials, assistive listening systems, and other effective methods for making aurally delivered materials available to individuals with hearing impairments; (2) qualified readers, taped texts, audio recordings, Brailled materials, large print materials, or other effective methods for making visually delivered materials available to individuals with visual impairments; (3) acquisition or modification of equipment or devices and (4) other similar services and actions.

Limits of Required Modification The district is not required to take any action that it can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens. Any decision that, in compliance with its responsibility to provide effective communication for individuals with disabilities, would

fundamentally alter the service, program, or activity or unduly burden the district shall be made by the School Committee after considering all resources available for use in funding and operating the program, service, or activity. The decision shall be accompanied by a written statement of the reasons for reaching that conclusion.

Notice

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

Compliance Coordinator

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

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

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

CROSS REFS.: IGB, Special Instructional Programs and Accommodations IGBA,
Programs for Handicapped Students

BACKGROUND CHECKS

It shall be the policy of the school district that, as required by law, a state and national fingerprint criminal background check to determine the suitability of full or part time current and prospective school employees, who may have direct and unmonitored contact with children. School employees shall include, but not be limited to any apprentice, intern, or student teacher or individuals in similar positions, who may have direct and unmonitored contact with children. The school committee shall only obtain a fingerprint background check for current and prospective employees for whom the school committee has direct hiring authority. In the case of an individual directly hired by a school committee, the chair of the school committee shall review the results of the national criminal history check. The superintendent shall also obtain a state and national fingerprint background check for any individual, who regularly provides school related transportation to children. The school committee, superintendent or principal as appropriate may obtain a state and national fingerprint criminal background check for any volunteer, subcontractor or laborer commissioned by the school committee, school or employed by the city or town to perform work on school grounds, who may have direct and unmonitored contact with children. School volunteers and subcontractors/laborers who may have direct and unmonitored contact with children must continue to submit state CORI checks.

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

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

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

Requesting CHRI checks

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

Access to CHRI

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

Storage of CHRI

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

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

Retention and Destruction of CHRI

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

- Historical reference and/or comparison with future CHRI requests,

- Dispute of the accuracy of the record

- Evidence for any subsequent proceedings based on information contained in the CHRI.

CHRI will be kept for the above purposes in a secure location in the office of the superintendent.

When no longer needed, CHRI and any summary of CHRI data must be destroyed by shredding paper copies and/or by deleting all electronic copies from the electronic storage location, including any backup copies or files. The shredding of paper copies of CHRI by an outside vendor must be supervised by an employee of the district.

CHRI Training

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

Determining Suitability

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

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

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

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

Relying on Previous Suitability Determination.

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

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

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

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

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

Adverse Decisions Based on CHRI

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

- Provide the individual with a copy of his/her CHRI used in making the adverse decision;
- Provide the individual with a copy of this CHRI Policy;
- Provide the individual the opportunity to complete or challenge the accuracy of his/her CHRI; and
- Provide the individual with information on the process for updating, changing, or correcting CHRI.

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

If a school employer receives criminal record information from the state or national fingerprint-based background checks that includes no disposition or is otherwise incomplete, the school employer may request that an individual, after providing him a copy of said background check, provide additional information regarding the results of the criminal background checks to assist the school employer in determining the applicant's suitability for direct and unmonitored contact with children, notwithstanding the terms of General Laws chapter 151B, S.4, (9, 9 ½). Furthermore, in exigent circumstances, a school employer may, pursuant to the terms of DESE regulations (see specific regulations in legal refs), hire an employee on a conditional basis without first receiving the results of a national criminal background check.

After exhausting several preliminary steps as contained in the above referenced regulation, the district may require an individual to provide information about juvenile adjudications or sealed convictions. The Superintendent is advised to confer with legal counsel whenever he/she solicits information from an individual concerning his/her history of criminal convictions.

Secondary Dissemination of CHRI

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

The following information will be recorded in the log:

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

Reporting to Commissioner of Elementary and Secondary Education

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

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

C.O.R.I. REQUIREMENTS

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

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

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

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

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

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

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

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

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

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

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

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

42 U.S.C. § 16962

603 CMR 51.00

803 CMR 2.00

803 CMR 3.05 (Chapter 149 of the Acts of 2004)

[FBI Criminal Justice Information Services Security Policy](#)

[Procedure for correcting a criminal record](#)

[FAQ – Background Checks](#)

SOURCE: MASC 2014

Agawam Public Schools 2014 (revised by MASC October 28, 2014)

Approved by School Committee on December 9, 2014 by a vote of 7 – 0.

DCJIS MODEL CORI POLICY

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

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

CONDUCTING CORI SCREENING

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

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

ACCESS TO CORI

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

CORI TRAINING

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

USE OF CRIMINAL HISTORY IN BACKGROUND SCREENING

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

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

VERIFYING A SUBJECT'S IDENTITY

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

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

INQUIRING ABOUT CRIMINAL HISTORY

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

DETERMINING SUITABILITY

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

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

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

ADVERSE DECISIONS BASED ON CORI

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

SECONDARY DISSEMINATION LOGS

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

SMOKING ON SCHOOL PREMISES

Use of any tobacco products within the school buildings, school facilities, or on school grounds or school buses by any individual, including school personnel and students, is prohibited at all times.

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

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

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

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

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

CROSS REF.: GBED, Tobacco Use on School Property by Staff Members
JICG, Smoking by Students

SCHOOL DISTRICT WELLNESS PROGRAM

Federal Law (PL 108.265, Section 204) requires all schools to develop a local wellness policy and establish a plan for measuring the implementation of the policy. Children need access to healthful foods and educational content and experiences that promote wellness. Good health fosters student attendance and educational success. Obesity rates and chronic diseases continue to increase and challenge maximum academic performance. Participation in vigorous physical activity, quality physical education, nutrition education, and balanced food choices foster life long health habits leading to long healthy lives.

The purpose of this policy is to insure that each student is provided ongoing opportunities designed to maximize the prospect that the student will make positive decisions throughout life. Health education provides critical content for students to develop and demonstrate health-related knowledge, attitudes, and practices. Physical education and regular physical activity is an integral part of the total education of students, which contributes to the physical development of the individual through promotion and appreciation of physical fitness. School food services will provide students with a variety of affordable, nutritious, and appealing foods that meet the health and nutrition needs of the students.

I. Nutrition Education, Physical Activity, Physical Education, and Wellness Promotion

A. Nutrition Education

- Nutrition instruction will be taught as a standards-based program designed to provide students with the knowledge and skills necessary to promote and protect health. (MGL Chapter 71, Section 1)
- Nutrition instruction will be developmentally appropriate and culturally relevant
- Nutrition instruction will contain Food Pyramid Guidelines, caloric balance, and media literacy.
- Health educators will collaborate with the food service staff to strengthen and expand instruction.

B. Physical Activity

- Opportunities for physical activity will be incorporated at the elementary and middle school levels, weather permitting.
- Physical activities programs, such as intramurals (K-8), before and after school programs, extra-curricular activities, and interscholastic sports are available before and after school hours for all levels, as funding permits.
- Physical activity during the school day will not be used as punishment (e.g., running laps, pushups).
- Physical activity shall not be restricted for disciplinary reasons unless related to a violation that occurred during the time that the physical activity took place and/or that said violation involves the safety of the student and or other students and staff.
- Middle School will strive to provide time for physical activity at the end of each lunch period.

C. Physical Education

- Physical education shall be taught as a required subject in grades K-12 for all students (MGL Chapter 71, Section 3).
- Physical education will be taught by a certified physical education teacher.
- Student involvement in other activities involving physical activity will not be substituted for physical education class.
- Physical education should be taught to students during the school year to provide the maximum activity exposure and instructional continuity.

- Physical education instruction will incorporate *NASPE's Quality Physical Education Guidelines* including opportunity to learn, meaningful content, and appropriate instruction.
- The physical education program should match the Massachusetts Department of Education's Health Curriculum Framework and the National Standards for Physical Education (NASPE).

D. Wellness Promotion

- Instruction in health education shall be taught as a standards-based program and incorporate the Massachusetts Department of Education's Health Curriculum Framework standards (MGL Chapter 71, Section 1).
- The health education program should match the Massachusetts Department of Education's Health Curriculum Framework and the National Health Education Standards.
- The Wellness Policy will be available on the district's website & in school newsletters

II. All Foods Available on School Campus (during the day)

A. Beverages

"The Healthy Hunger Free Children's Act of 2010," signed into law on July 30, 2010, requires the Massachusetts Department of Public Health to establish standards for competitive foods and beverages sold or provided in public schools during the school day. The goal of the standards is to ensure that public schools offer students food and beverage choices that will enhance learning, contribute to their healthy growth and development, and cultivate life-long, healthy eating behaviors.

- All milk served will be pasteurized fluid milk, which will meet state and local standards for such milk. All milk will have vitamins A and D at levels specified by the Food and Drug Administration and is consistent with state and local standards for such milk.

The following standards will apply to all Elementary, Middle, Junior, and Senior High School students in the Agawam Public Schools:

- 100% fruit and vegetable juice: with no added sugar
- Milk: Low-fat (1% or less)
- Water: with no added sugars, sweeteners, or artificial sweeteners

B. Other Foods

- Nutritious and appealing foods such as fruits, vegetables, low and non-fat dairy products, and whole grain products will be available whenever food is sold or offered on the school campus during the school day in approved size packages.
- "A LA CARTE SNACKS" offered for sale to students during the school day will comply with the USDA regulations and will meet the *Massachusetts Action for Healthy Kids Guidelines and the Stalker Institutes A-List*.
- At all schools, the school lunch department will provide a variety of choices to students.

NOTE: The emphasis will be to increase the availability of appealing, nutritious foods.

Snacks may be brought from home for children's own consumption. However, some classrooms may need to restrict some types of recess snacks due to specific allergies that classmates or staff may have such as peanut/tree nut allergies. Parents are encouraged to send healthy snacks that will provide the "fuel" for

effective learning. Foods of high nutritional value will naturally have a significant amount of at least one of the following: calcium, vitamin C, Vitamin A, iron, or fiber.

- For any school-wide celebrations, only wrapped, store-bought foods, with ingredients listed on the labels may be sent in.
- High sugared items are not encouraged as a snack or reward.
- Staff members are expected to follow the same procedures for any food they bring in to share with their classes or allow other students to bring in and share.
- No fundraising involving the sale of food or drinks shall take place during the lunch period. Fundraisers that take place during the day involving food must comply with the Stalker Institute's A-List and must be pre-wrapped and labeled.
- School stores may not sell food or drinks.

III. School Meals

A. Reimbursable School Meals

The following standards will apply to all Elementary, Middle, Junior, and Senior High School students in the Agawam Public Schools:

- Nutritious and appealing foods such as fruits, vegetables, low and non-fat dairy products and whole grain products will be available whenever food is sold or offered on the school campus during the school day.
- A LA CARTE snacks offered for sale to students during the school day will comply with the USDA regulations and will meet the Massachusetts Action for Healthy Kids Guidelines and will be on the John C. Stalker Institute's A-List.

NOTE: The emphasis will be to increase the availability of appealing, nutritious foods while minimizing the availability of high-caloric/low-nutrient counterparts.

- B. Menus will be prepared and foods will be served to incorporate variety, appeal, taste, and safety to ensure high-quality meals.
- C. Nutritional meal data shall be available **on the district website**.
- D. Meal times and scheduling
 - Lunch periods shall be scheduled as near the middle of the school day as possible.
- E. Environment
 - Facility design should be given priority in dining facility renovations and new construction. Creative, innovative construction should be applied to minimize noise level within the eating area. The eating environment should be located such that there is convenient access to hand-washing facilities before meals **and potable water**. The food service area design should minimize the time students are waiting in line.

IV. Measuring and Implementation

- **Goal: On a rotating basis, each school will provide evidence of compliance regarding one of the five designated areas below beginning with Nutrition Education.**
 1. Nutrition Education
 2. Physical Activity
 3. Physical Education
 4. School Meals
 5. Wellness Promotion
- The Wellness Policy Committee will **provide a written** report to the School Committee **in June of each year**.

1. The report will contain evidence of each school's compliance regarding designated area for that year.
2. Each school will include progress made toward meeting their yearly area goal of the Local Wellness Policy
3. A comparison of their yearly area goal to the model Local Wellness Policy

V. Local Designation

- The Superintendent or his/her designee will be charged with the operational responsibility for ensuring that the schools meet the local Wellness Policy.
- Each school's principal will be responsible for overseeing the implementation of the Wellness Policy.
- On a yearly basis, each school principal will appoint a staff member and/or students who will be responsible for collecting evidence of that year's area of compliance.
- The Wellness Committee will meet yearly to review the policy, make revisions and recommendations to the Policy Subcommittee of the School Committee.
- The Health Education Department and Family Consumer Science Department may administer the Youth Risk Behavior Survey yearly to students at the secondary level. This data will be used to modify and improve instructional content to meet the changing needs of the student body.

VI. Public Notification

- Any changes will be addressed at a Policy Subcommittee meeting and then sent to the School Committee for approval.

VII. Local Wellness Committee – Stakeholder Involvement

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

The following individuals participated in the development of this Local Wellness Policy: Assistant Superintendent for Curriculum, Instruction, HR; Business Manager; Food Service Director; Physical Education teacher; School Committee member; School Nurse, Elementary Principal; Junior High School Assistant Principal; Health Education teacher; Family & Consumer Science teacher; AHS student; Parent; and Community Member.

References: MASC April 20, 2006
Federal Register 13443, Vol. 78, No. 40
Department of Agriculture Food & Nutrition Service
Child Nutrition Programs
Nondiscretionary Amendments Related to the Healthy, Hunger-Free Kids Act of 2010

Cross Refs: EFC, Free and Reduced-Cost Food Services
IHAMA, Teaching About Alcohol, Tobacco, and Drugs
KI, Public Solicitations/Advertising in District Facilities
JLCCB, JLCCB-E, & JLCCB-R, Students with Life-Threatening Allergies 4 of 5

Legal Refs: The Child Nutrition and WIC Reauthorization Act of 2004, Section 204,
P.L. 108 to 265.
The Richard B. Russell National School Lunch Act, 42 U.S.C. §§ 1751 – 1769h
The Child Nutrition Act of 1966, 42 U.S.C. §§ 1771 – 1789
M.G.L. Chapter 111, Section 223
7CFR Parts 210, 215, 220, 225, 226, & 245

Agawam School Committee 2016

Approved by the School Committee on June 28, 2016 by a vote of 7 – 0.

MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION

MCAD GUIDANCE PREGNANT WORKERS FAIRNESS ACT Issued 1/23/2018

The Pregnant Workers Fairness Act (“the Act”) amends the current statute prohibiting discrimination in employment, G.L. c. 151B, §4, enforced by the Massachusetts Commission Against Discrimination (MCAD). The Act, effective April 1, 2018, expressly prohibits employment discrimination on the basis of pregnancy and pregnancy-related conditions, such as lactation or the need to express breast milk for a nursing child. It also describes employers’ obligations to employees that are pregnant or lactating and the protections these employees are entitled to receive. Generally, employers may not treat employees or job applicants less favorably than other employees based on pregnancy or pregnancy-related conditions and have an obligation to accommodate pregnant workers.

Under the Act:

- Upon request for an accommodation, the employer has an obligation to communicate with the employee in order to determine a reasonable accommodation for the pregnancy or pregnancy-related condition. This is called an “interactive process,” and it must be done in good faith. A reasonable accommodation is a modification or adjustment that allows the employee or job applicant to perform the essential functions of the job while pregnant or experiencing a pregnancy-related condition, without undue hardship to the employer.
- An employer must accommodate conditions related to pregnancy, including post-pregnancy conditions such as the need to express breast milk for a nursing child, unless doing so would pose an undue hardship on the employer. “Undue hardship” means that providing the accommodation would cause the employer significant difficulty or expense.
- An employer cannot require a pregnant employee to accept a particular accommodation, or to begin disability or parental leave if another reasonable accommodation would enable the employee to perform the essential functions of the job without undue hardship to the employer.
- An employer cannot refuse to hire a pregnant job applicant or applicant with a pregnancy-related condition, because of the pregnancy or the pregnancy-related condition, if an applicant is capable of performing the essential functions of the position with a reasonable accommodation.
- An employer cannot deny an employment opportunity to take adverse action against an employee because the employee’s request for or use of a reasonable accommodation for pregnancy or pregnancy-related condition.
- An employer cannot require medical documentation about the need for an accommodation if the accommodation requested is for: (i) more frequent restroom, food or water breaks, (ii) seating, (iii) limits on lifting not more than 20 pounds; and (iv) private, non-bathroom space for expressing breast milk. An employer, may, however, request medical documentation for other accommodations.

- Employers must provide written notice to employees of the right to be free from discrimination due to pregnancy or a condition related to pregnancy, including the right to reasonable accommodation for condition related to pregnancy, in a handbook, pamphlet, or other means of notice no later than April 1, 2018.
- Employers must also provide written notice of employees' rights under the Act: (1) to new employees at or prior to the start of employment; and (2) to an employee who notifies the employer of a pregnancy or a pregnancy-related condition, no more than 10 days after such notification.

The foregoing is a synopsis of the requirements under the Act, and both employees are encouraged to read the full text of the law available on the General Court's website here:

<https://malegislature.gov/Laws/SessionLaws/Acts/2017/Chapter54>.

If you believe you have been discriminated against on the basis of pregnancy or a pregnancy-related condition, you may file a formal complaint with the MCAD. You may also have the right to file a complaint with the Equal Employment Opportunity Commission if the conduct violates the Pregnancy Discrimination Act, which amended Title VII of the Civil Right Act of 1964. Both agencies require the formal complaint to be filed within 300 days of the discriminatory act.

Boston Headquarters: One Ashburton Place, Room 601 Boston, MA 02108 | (617) 994-6000

Springfield: 436 Dwight Street, Room 220, Springfield, MA 01103 | (413) 739-2145

Worcester: 484 Main Street, Room 320, Worcester, MA 01608 | (508) 453-9630

New Bedford: 128 Union Street, Suite 206 New Bedford, MA 02740 | (774) 510-5801

SCHOOL COMMITTEE-STAFF COMMUNICATIONS

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

Staff Communications to the School Committee

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

School Committee Communications to Staff

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

Visits to Schools

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

The coding of this statement indicates that the identical sample policy is filed in the G (Personnel) section.

ADMINISTRATIVE ORGANIZATION PLAN

The legal authority of the Agawam School Committee is to be transmitted through the Superintendent along specific paths from person to person as shown by organization charts for the school system.

The Superintendent shall have the responsibility to organize and reorganize lines of authority and to revise such charts subject to Committee approval of major changes in organization.

Personnel shall be expected to refer matters requiring administrative action to the administrator to whom they are responsible. That administrator shall refer such matters to the next higher administrative authority when necessary. Additionally, all personnel are expected to keep the person to whom they are immediately responsible informed of their activities by whatever means the person in charge deems appropriate.

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

LINE AND STAFF RELATIONS

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

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

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

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

FIRST AID

The school attempts to provide a safe environment. If an accident or sudden illness occurs, school personnel will administer first aid and, if warranted, call the school physician.

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

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

1. The school nurse or another trained person will be responsible for administering first aid.
2. When the nature of an illness or an injury appears in any way serious, every effort will be made to contact the parent and/or family physician immediately.
3. No young child who is ill or injured will be sent home alone, nor will any older child unless the illness or injury is minor. A young child who is ill or injured will not be taken home unless it is known that someone is there to receive him/her.
4. In extreme emergencies, the school nurse, school physician or principal may make arrangements for immediate hospitalization of injured or ill students, contacting parent or guardian in advance if at all possible.
5. The teacher or other staff member to whom a child is responsible at the time an accident occurs will make out a report on an official form providing details about the accident. This will be required for every accident for which first aid is given.
6. All accidents to students and staff members will be reported as soon as possible to the Superintendent and the School Committee.

LEGAL REFS.: M.G.L. 71:55A; 71:56

CROSS REF.: JLC, Student Health Services and Requirements
EBBB, Accident Reports

ACCIDENT REPORTS

Accidents to students and school department employees are to be reported immediately in order to assure that all necessary procedures are followed in relation to insurance coverage claims and safety. Reports of serious accidents involving pupils or members of the school staff should be communicated as soon as possible by the principal to the Assistant Superintendent for Business/Human Resources.

The law requires that every employer keep a record of all injuries of employees. Any injury, no matter how slight, must be reported to the insurance carrier in order to comply with the law. Failure to comply may result in the Industrial Accident Board assessing the employer for all costs. If the injured employee does not make required reports, he/she may not be entitled to worker's compensation.

The responsibility for filing reports rests with the injured employee or with the teacher of an injured student. Reports should flow through normal administrative channels to the Assistant Superintendent for Business/Human Resources.

Agawam Public Schools – 2004

Approved by School Committee on June 14, 2004 by a vote of 7 - 0

EMERGENCY PLANS

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

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

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

1. A method establishing a rapid communications system linking all parts of the school campus, including outdoor facilities, to local Emergency Medical Services along with protocols to clarify when EMS and other emergency contacts will be called.
2. In case of emergencies, the Superintendent will notify the Chair, who in turn, will notify the Vice Chair or designee, who will notify the remaining members of the School Committee.
3. A determination of EMS response times to any location on the campus.
4. A list of relevant contacts with telephone numbers and a protocol indicating when each person shall be called, including names of experts to help with post-event support.
5. A method to efficiently direct EMS personnel to any location on campus, including the location of available rescue equipment.
6. Safety precautions to prevent injuries in classrooms and on the school campus.
7. A method of providing access to training in CPR and first aid for teachers, athletic coaches, trainers, and other school staff which may include CPR training for high school students; provided that School Committees may opt out of instruction in CPR pursuant to Section 1 or Chapter 71.
8. In the event the school possesses Automated External Defibrillators (AEDs), the location of all available AEDs, whether the location is fixed or portable, and a list of personnel trained in its use.

The Superintendent shall annually review the response sequence with local police and fire officials. Plans shall be submitted to local police and fire officials and the DESE at least every 3 years by September 1st or when changes occur.

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

SOURCE: MASC, August 2015

LEGAL REF: M.G.L. 69:8A
Section 363 of Chapter 159 of the Acts of 2000
Section 7 of Chapter 284 of the Acts of 2014

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

FIRE DRILLS

To ensure that students and staff realize the importance of preparing for emergency action in case of fire, all employees and students shall be instructed in regard to their conduct during a fire drill. Personnel shall conform to these procedures which are based on state regulations:

1. The principal shall formulate a plan for the protection and evacuation of all persons in the event of fire which shall include alternate means of egress for all persons.
2. The principal shall see that each class instructor or supervisor receives proper instructions in the fire drill procedure for the room or area in which that person carries out his/her duties before assuming such duties.
3. Students shall be advised of the fire drill procedure and shall take part in a fire drill in conjunction with the fire department periodically throughout the school year.

Further, an up-to-date list of handicapped children shall be maintained and responsibility for their evacuation assigned to specific school personnel.

LEGAL REF.: Massachusetts Department of Safety Regulations,
Chapter 148, Sec. G-L, #16

FACE COVERINGS

The Agawam Public Schools District is committed to providing a safe environment as schools reopen during the COVID-19 pandemic. According to public health experts, one of the best ways to stop the spread of coronavirus and to keep members of our school community safe is the use of face masks or face coverings. Therefore, in accordance with guidance from the Center for Disease Control (CDC), the Department of Elementary and Secondary Education (DESE) and the Massachusetts Department of Public Health (DPH), the following requirements are in place until further notice.

A face covering that covers the nose and mouth must be worn by students in Grades K-12 and by all individuals in school buildings, on school grounds, on school transportation, and at all school events, even when social distancing is observed. All face coverings must comply with the dress code provisions of the student handbook.

Individuals may be excused from the requirement for the following list of reasons, per CDC guidance:

The individual:

- has trouble breathing;
- is unconscious;
- is incapacitated;
- cannot remove the mask or face coverings without assistance.

In addition, masks or face coverings will not be required for anyone who has a medical, behavioral or other challenge making it unsafe to wear a face mask or face covering. A written note from a physician is required for a requested exemption. Parents may not excuse their child from the face mask requirement by signing a waiver.

Additionally, face masks or face coverings will not be required when appropriate social distancing is enforced:

- during mask breaks;
- while eating or drinking;
- during physical education classes; while outside.

Exceptions to this policy under certain circumstances, such as for students with medical, behavioral or other challenges who are unable to wear masks, must be approved by the building principal in consultation with the school nurse or local Board of Health.

A student's mask or face covering is to be provided by the student's family. Staff members are responsible for providing their own face coverings. However, the district will supply disposable face coverings for individuals who arrive at a building or board school transportation without one.

If students are in violation of this policy, the building principal will consult with the parent/guardian to determine whether an exception is appropriate, or the student may be subject to discipline in accordance with the procedures contained in the Student Handbook.

Violations of this policy by staff will be handled in the same manner as other violations of School Committee policy.

Visitors in violation of this policy will be denied entry to the school/district facility.

This policy will remain in place until rescinded by the School Committee.

LEGAL REF.: Commonwealth of Massachusetts, COVID-19 Order No. 31-
<https://www.gov/doc/may-1-2020-masks-and-face-coverings/download>

REF.: Center for Disease Control and Prevention – Considerations for Wearing Masks-
<https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-facecover-guidance.html>

Massachusetts Department of Elementary and Secondary Education – Reopening Guidelines – <http://www.doe.mass.edu/covid19/>

Commonwealth of Massachusetts – Mask Up MA!
<https://www.mass.gov/news/mask-up-ma>

SOURCE: MASC – August 2020

LEGAL REVIEW: Attorney Kimberly Roche (Dupere Law Offices)

Agawam Public Schools 2020

Approved by the School Committee on August 26, 2020, by a vote of 5 – 2

BOMB THREATS

In the event of a call or other notification to the effect that a bomb has been placed in a school building, the following procedures will be followed:

1. Police and fire departments will be notified immediately.
2. The principal or other person in charge of the building will order immediate evacuation.
3. The building custodians will assist the police and fire departments in a search of the building.
4. The building will not be re-entered until the police and fire department authorities declare that it is safe to re-enter.
5. After the above procedures have been effected and in the event that he/she may find it prudent, the Superintendent may dismiss school sessions following a bomb threat.

BUILDING AND GROUNDS SECURITY

School buildings and grounds constitute one of the greatest investments of the community. It is in the best interest of pupils and taxpayers to protect that investment.

Security means more than having locks and being certain that doors are locked at the proper times. Security also means:

1. minimizing fire hazards
2. reducing the possibility of faulty equipment
3. keeping records and funds in a safe place
4. protection against vandalism and burglary
5. the prosecution of vandals

The Superintendent will work with proper City authorities as may be needed to provide for security in the sense outlined above.

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

Protective devices designed to be used as safeguards against illegal entry and vandalism will be installed when appropriate to the individual situation.

SOURCE: MASC 2003

CROSS REF.: KGB, Public Conduct on School Property (and Trespass)

AUTHORIZED USE OF SCHOOL-OWNED MATERIALS

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

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

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

CELL PHONES AND PORTABLE COMMUNICATION DEVICES

The School Committee recognizes that today's society is different from previous generations. Cell phones and portable communication devices (PCDs) play an important part in employee and student safety and communications. Cell phones and PCDs are defined as current and emerging technologies that are wireless units that send and/or receive electronic communications in an analog or digital data transmission. The possession or use of cell phones and PCDs are prescribed for employees and students as follows:

1. Employees

- a. Employees of Agawam Public Schools are granted permission to possess and use cell phones and PCDs in the official job capacity consistent with their job description.
- b. Employees who possess the use of cell phones and PCDs in their official job functions will be provided a cell phone owned by the Agawam Public Schools. The use of these units is for school business only. Any personal calls may be charged against the employee if the call causes financial charge to the district.
- c. Designated employees who are issued school-owned cell phones should keep their phones on and charged during the school day and while conducting school business/events.
- d. Employees who own a personal cell phone and/or PCD must ensure that the device does not ring or interrupt the academic classroom environment or the job performance of the employee. Employees must take pro-active steps to ensure that the cell phones do not ring during their instructional hours.
- e. Administrators are required to have a school-issued cell phone on throughout school hours and events.
- f. The School Committee may review employee phone call records and charges for any school-owned cell phone or PCD at any time.
- g. Employees who violate this policy will be subject to disciplinary actions by the Superintendent.

2. Students

- a. Students may possess and carry cell phones and PCDs; however, these units must be **turned off and not visible** during the academic school day to ensure that disruption and interference of the instructional and academic climate of the school do not occur.
- b. Students may not use or operate cell phone or PCDs during the seven (7) instructional periods of the school day.
- c. The school administration may, in its sole discretion, grant exceptions for cell phones and PCD use based upon critical need and appropriate documentation.
- d. Students may use their cell and PCDs before and/or after school, during 4 minute passing time, and at lunch.
- e. Students who violate this policy will have their cell phones or PCDs confiscated and may face disciplinary actions by the administration. Parents may pick up confiscated items.
- f. Agawam Public Schools will not be liable for any property not picked up parents within 48 hours of notification.

Agawam Public Schools 2014

Approved by the School Committee on October 14, 2014 by a vote of 5-2 nay.

PERSONNEL POLICIES GOALS

The Agawam School District's specific personnel goals are:

1. To develop and implement those strategies and procedures for personnel recruitment, screening, and selection that will result in the employment and retention of individuals with the highest capabilities, strongest commitment to quality education, and greatest probability of effectively implementing the system's learning program.
2. To develop a general staff assignment strategy that will contribute to the learning program and to use it as the primary basis for determining staff assignments.
3. To provide positive programs of staff development that contribute both to improvement of the learning program and to each staff member's career development aspirations.
4. To provide for a genuine team approach to education.
5. To develop and use for personnel evaluation positive processes that contribute to the improvement of both staff capabilities and the learning program.

LEGAL REF.: 603 CMR 26:08 paragraph 3,7,8,9

EQUAL EMPLOYMENT OPPORTUNITY

The Agawam School Committee subscribes to the fullest extent to the principle of the dignity of all people and of their labors and will take action to ensure that any individual within the district who is responsible for hiring and/or personnel supervision understands that applicants are employed, assigned, and promoted without regard to their race, creed, color, age, sex, national origin or sexual orientation. Every available opportunity will be taken in order to assure that each applicant for a position is selected on the basis of qualifications, merit and ability.

LEGAL REFS.: Civil Rights Act of 1964, as amended in 1972, Title VI, Title VII
Executive Order 11246, 1965, as amended by Executive Order 11375
Equal Employment Opportunity Act of 1972, Title VII
Education Amendments of 1972, Title IX (P.L. 92-318)
45 CFR, Parts 81, 86 (Federal Register June 4, 1975,
August 11, 1975)

CROSS REFS.: AC, Nondiscrimination
ACA*, Nondiscrimination on the Basis of Sex
JB, Equal Educational Opportunities

CONFLICT OF INTEREST/SCHOOL COMMITTEE

The purpose of the conflict of interest law is to ensure that public employees' private financial interests and relationships do not conflict with their public obligation to act objectively and with integrity. AS AN ELECTED SCHOOL COMMITTEE MEMBER, YOU ARE CONSIDERED A PUBLIC EMPLOYEE!

The law is broadly written to prevent a public employee from becoming involved in a situation, which could result in a conflict or give the appearance of a conflict. The law also covers what you may do as a school committee member after hours (in your private capacity) and when you leave public service.

The Commission's Advisory on Nepotism explains to public officials and employees exactly what constitutes a "nepotism violation" and what the Commission's enforcement policy is regarding these violations.

The following specific acts are prohibited under the law:

1. Hiring an immediate family member (his or her spouse and each of their parents, children, brothers, and sisters).
2. Any significant involvement in the hiring process in which a family member is an applicant.
3. Any significant involvement in the reappointment, promotion, reclassification, demotion or firing of any family member.
4. Determining a family member's salary.
5. Conducting a job performance review of a family member.
6. Day-to-day supervision of a family member.
7. Delegating the task of dealing with a family member to a subordinate.

A school district shall neither:

1. Employ a member of the immediate family of a superintendent, central office administrator, or school committee member, nor
2. Assign a member of the immediate family of the principal as an employee at the principal's school unless written notice is given to the School Committee of the proposal to employ or assign such a person at least two weeks in advance of such person's employment or assignment.

As used in this section, immediate family shall have the meaning assigned by subsection (e) of section one of chapter two hundred and sixty-eight A. (M.G.L. Chapter 268A, section e).

SOURCE: MASC

LEGAL REFS.: MGL, Chapter 71:52, 71:67, & Chapter 268A, Section E

CROSS REFS.: GBEB, Staff Conduct

GCF, Professional Staff Hiring

GCO-R, Evaluation of Professional Staff

Agawam Public Schools 2004

Approved by School Committee on November 23, 2004, by a vote of 7 - 0.

STAFF CONDUCT

All staff members have a responsibility to familiarize themselves with and abide by the laws of the State as these affect their work, the policies of the School Committee, and the regulations designed to implement them.

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

Employees will not engage in work of any type where information concerning customer, client, or employer originates from any information available to them through school sources.

In the area of personal conduct, the committee expects that teachers and others will conduct themselves in a manner that not only reflects credit to the school system, but also sets forth a model worthy of emulation by students.

All staff members will be expected to carry out their assigned responsibilities with conscientious concern.

Essential to the success of ongoing school operations and the instructional program are the following specific responsibilities, which will be required of all personnel:

1. Faithfulness and promptness in attendance at work.
2. Support and enforcement of policies of the committee and their implementing regulations and school rules in regard to students.
3. Diligence in submitting required reports promptly at the times specified.
4. Care and protection of school property.
5. Concern for and attention to their own and the school system's legal responsibility for the safety and welfare of students, including the need to ensure that students are under supervision at all times.

LEGAL REFS.: M.G.L. 71:37H; 264:11; 264:14; 71:52; 268A, Section E

CROSS REFS.: GBEA, Conflict of Interest/School Committee
GCF, Professional Staff Hiring
CCF-R, Hiring Support Staff
CCF-R-1, Hiring Policy - Extracurricular Positions

Agawam Public Schools 2004

Approved by School Committee on November 23, 2004, by a vote of 7 - 0.

EDUCATOR ETHICS/PROTOCOL/BOUNDARIES

Agawam Public Schools recognizes that students need healthy, clearly-defined relationships with adults to feel safe and to develop into competent and responsible human beings. Educators are role models and should not be a student's friend, confidante, or surrogate parent. Professional behavior, values, and responsibilities must be maintained both in and outside of school. Student counseling shall be the responsibility of licensed school counselors.

Massachusetts law requires a school superintendent to report to the Commissioner of Education in writing whenever a licensed educator is dismissed, not renewed, or resigns after committing misconduct that might warrant revocation or other limitation of the educator's license.

The following protocol shall be followed by educators during school hours:

- Follow the Internet Use Policy
- Dress professionally
- Use caution with self-disclosure regarding your personal life
- Avoid being alone with students
- Be consistent in your treatment of students

The following protocol should be followed by educators outside of school:

- Remember you are always an educator and your out-of-school conduct can affect your job security. Refrain from posting personal information on the internet as it can be accessed by students. Always be careful when sending emails.
- Do not extend your contact with students outside of school. Do not send text messages or IMs, give out your telephone number, invite students to your house or allow them to show up. Do not drive students in your car. Do not give personal advice about boyfriends or girlfriends.

Educators should maintain a culture of professionalism and respect that provides a healthy atmosphere for student growth. Therefore, the following guidelines should be followed:

- Correct inappropriate behavior
- Remind students of the limits of your relationship as an educator
- Reaffirm the helping nature of the relationship
- Make a plan for getting the student appropriate help
- Immediately report any incidents of behavior or comments by students that might be misinterpreted later on and don't let situations escalate
- Be friendly but not a friend
- Conversations with students should be warm and caring while providing support for their learning and growth
- Student/teacher conduct should be appropriate and understood by the general population and not laced with "inside" references
- Support the culture of professionalism
- Don't ignore situations
- Help create a culture of intolerance for inappropriate behavior

GIFTS TO AND SOLICITATIONS BY STAFF

Gifts:

The acceptance of gifts worth \$50 or more by school personnel in a calendar year when the gift is given because of the position they hold, or because of some action the recipient could take or has taken in his or her public role, violates the Conflict of Interest Law. Acceptance of gifts worth less than \$50, while not prohibited by the Conflict of Interest Law, may require a written public disclosure to be made.

In keeping with this policy, no employee of the school district will accept a gift worth \$50 or more that is given because of the employee's public position, or anything that the employee could do or has done in his or her public position. Gifts worth less than \$50 may be accepted, but a written disclosure to the employee's appointing authority must be made if the gift and the circumstances in which it was given could cause a reasonable person to think that the employee could be improperly influenced. The value of personal gifts accepted is aggregated over a calendar year (4 gifts of \$20 value is the same as 1 gift of \$80 if given in the same calendar year).

In general, homemade gifts without retail value are permissible because a reasonable person would not expect an employee would unduly show favor to the giver, so no disclosure is required. Such gifts could include homemade food items (cookies, candy, etc.), handpicked flowers, and handmade gifts worth less than \$10 (ten) dollars.

Class Gifts:

There is a specific exception to the prohibition against accepting gifts worth \$50 or more, when the teacher knows only that the gift is from the class, not from specific donors. A single class gift per calendar year valued up to \$150 or several class gifts in a single year with a total value up to \$150 from parents and students in a class may be accepted provided the gift is identified only as being from the class and the names of the givers and the amounts given are not identified to the recipient. The recipient may not accept an individual gift from someone who contributed to the class gift. It is the responsibility of the employee to confirm that the individual offering such gift did not contribute to the class gift.

Gifts for School Use:

Gifts given to a teacher solely for classroom use or to purchase classroom supplies are not considered gifts to an individual employee and are not subject to the \$50 limit. However, an employee who accepts such gifts must keep receipts documenting that money or gift cards were used for classroom supplies.

Solicitations:

In spirit, the School Committee supports the many worthwhile charitable drives that take place in the community and is gratified when school employees give them support. However, the solicitation of funds from staff members through the use of school personnel and school time is prohibited by the Conflict of Interest Law. Therefore, no solicitations of funds for charitable purposes should be made among staff members. Staff members of course remain free to support charitable causes of their own selection.

SOURCE: MASC December 2012

LEGAL REF.: M.G.L. 268A:3; 268A:23; 930 CMR 5.00

CROSS REFS.: KHA, Public Solicitations in the Schools
JP, Student Donations and Gifts

EDUCATOR ETHICS/PROTOCOL/BOUNDARIES

The Agawam Public Schools Educator Ethics/Protocol/Boundaries Policy was developed to assist staff members, school committee members, and the general public in understanding what constitutes a safe learning environment that meets the needs of the whole child.

The following boundaries/guidelines should be followed by all staff members:

1. Don't date students, instant message (IM) students, visit student "my space" profiles, invite students to your "tech space", or become personal with students.
2. Emails to students should only pertain to homework and assignments.
3. Boundaries between students and adults should be clear and maintained. Eighteen year-old students are "kids", and 19 year-old students are "adults." Adults should speak, dress, and respond as adults.
4. Don't give students any medicine, drug, or herbal remedy.
5. Don't allow students to sleep in class, as it sends the message that you condone it.
6. Don't lock a student in any room, place, or space.
7. Don't drive students.
8. Don't allow conversations about student alcohol use, drug use, partying, or inappropriate activities to continue in your presence. Silence is validation.
9. Take every indication, comment, notes, essay, or journal entry of suicide intention, drug use, illicit activity, or anger to the point of attack seriously. Immediately report it to an administrator.
10. Interrupt actions and comments that are racist, sexist, or discriminatory in any way. Confront put-downs and bullying.
11. Don't use sarcasm, as it creates an unsettled feeling like public humiliation.
12. Be aware of the school district's Acceptable Use Policy. The school's internet is for school work.
13. Don't make assumptions that could be hurtful, such as "Are you supposed to be in this honors class? Do you need to see the nurse to take your medication?"
14. Respect the "needs to know" limits regarding student information. Do not share the details of a student's discipline case or situation with others.

Agawam Public Schools 2009 - 2010

Approved by School Committee on June 8, 2010, by a vote of 6 – 0 – 1 absent.

DRUG-FREE WORKPLACE POLICY

The School District will provide a drug-free workplace and certifies that it will:

1. Notify all employees in writing that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance, is prohibited in the District's workplace, and specify the actions that will be taken against employees for violation of such prohibitions.
2. Establish a drug-free awareness program to inform employees about the dangers of drug abuse in the workplace; the District's policy of maintaining a drug-free workplace; and available drug counseling, rehabilitation, and employee assistance programs; and the penalty that may be imposed on employees for drug abuse violations occurring in the workplace.
3. Make it a requirement that each employee, whose employment is funded by a federal grant, be given a copy of the statement as required.
4. Notify the employee in the required statement that, as a condition of employment under the grant, the employee will abide by the terms of the statement and will notify the District of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) days after such conviction.
5. Notify the federal agency within ten (10) days after receiving notice from an employee or otherwise receiving notice of such conviction.
6. Take one of the following actions within 30 days of receiving notice with respect to any employee who is so convicted; take appropriate personnel action against such an employee up to and including termination; or require such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a federal, state, or local health law enforcement or other appropriate agency.
7. Make a good faith effort to continue to maintain a drug-free workplace through implementation of all the provisions of this policy.

SOURCE: MASC

LEGAL REFS.: The Drug-Free Workplace Act of 1988

CROSS REFS.: Policy IHAMB, *Teaching About Drugs, Alcohol, and Tobacco*
Policy JICH, *Drug and Alcohol Use by Students*

STAFF PARTICIPATION IN POLITICAL ACTIVITIES

The Agawam School Committee recognizes that employees of the school system have the same fundamental civic responsibilities and privileges as other citizens. Among these are campaigning for an elective public office and holding an elective or appointive office.

In connection with campaigning, an employee will not engage in the following: use school system facilities, equipment or supplies; discuss his campaign with school personnel or students during the working day; use any time during the working day for campaigning purposes. Under no circumstances will students be pressured into campaigning for any staff member.

LEGAL REF.: M.G.L. 71:44

PERSONNEL RECORDS

Information about staff members is required for the daily administration of the school system, for implementing salary and other personnel policies, for budget and financial planning, for responding to appropriate inquiries about employees and for meeting the Committee's educational reporting requirements. To meet these needs, the superintendent shall implement a comprehensive and efficient system of personnel records maintenance and control under the following guidelines:

1. A personnel folder for each present and former employee shall be accurately maintained in the central administrative office. In addition to the application for employment and references, the folder shall contain records and information relative to compensation, payroll deductions, evaluations, and other pertinent information.
2. The superintendent shall be the official custodian for personnel files and shall have overall responsibility for maintaining and preserving the confidentiality of the files within the provisions of the law.
3. Personnel records are considered confidential under the law and shall not be open to public inspection. Access to personnel files shall be limited to persons authorized by the superintendent to use the files for the reasons cited above.
4. Each employee shall have the right, upon written request, to review the contents of his/her own personnel file.
5. Employees may make written objections to any information contained in the file. Any written objection must be signed by the staff member and shall become part of the employee's personnel file. Further, no negative comment shall be placed in a staff member's file unless it is signed by the person making the comment and the staff member is informed of the comment and afforded the opportunity to include his/her written response in the file.
6. Lists of school system employees' names and home addresses shall be released as required by law for a nominal fee.

LEGAL REFS.: Family Educational Rights and Privacy Act, Sec. 438,
P. L. 90-247, Title IV, as amended 88 Stat. 571-574
[20 U.S.C.1232g] and regulations
M.G.L. 4:7; 71:42C

CONTRACT REF.: Agreement with AEA, 'Personnel File'

STAFF COMPLAINTS AND GRIEVANCES

The Agawam School Committee will encourage the administration to develop effective means of resolving differences that may arise among employees and between employees and administrators; reduce potential areas of grievances; and establish and maintain recognized channels of communication between the staff, administration, and School Committee.

It is the committee's desire that grievance procedures provide for prompt and equitable adjustment of differences at the lowest possible administrative level, and that each employee be assured opportunity for an orderly presentation and review of complaints and concerns.

Channels established will provide for the following:

1. That teachers and other school employees may appeal a ruling of a principal or other administrator to the superintendent.
2. That all school employees may appeal a ruling of the superintendent to the committee, except in those areas where the law has specifically assigned authority to the principal and/or the superintendent and committee action would be in conflict with that law.
3. That all hearings of complaints before the superintendent or committee be conducted in the presence of the administrator who made the ruling that is the subject of the grievance.

The process established for the resolution of grievances in contracts negotiated with recognized employee bargaining units will apply only to "grievances" as defined in the particular contract.

LEGAL REFS.: M.G.L. 150E:5; 150E:8

CONTRACT REFS.: All Contract Agreements

PROFESSIONAL STAFF LEAVES AND ABSENCES

Except as otherwise provided in negotiated agreements, leaves and absences will not be granted to teachers except in extreme extenuating circumstance as determined by the Superintendent to be in the best interest of the Agawam Public School system.

LEGAL REF: MGL 149:1500

CONTRACT REFS: Agreement with AEA, 'Workers' Compensation', 'Sabbatical Leave', 'Leaves and Absences', 'Use of Preparation Time', 'Payment for Accumulated Sick Leave on Retirement', and 'Maternity Leave'. Agreement with APAA, 8, 10, 11, 13, and 14

CROSS REF: GCEA, Arrangements for Professional Staff Substitutes

Agawam Public Schools

EMPLOYEE FAMILY AND MEDICAL LEAVE

The Agawam Public Schools shall comply with the mandatory provisions of the Family and Medical Leave Act of 1993. The Superintendent shall ensure compliance with those regulations either personally or by delegation, or by some combination of personal oversight and delegation.

LEGAL REF.: P.L. 103-3, "Family and Medical Leave Act of 1993"

P.L. 110-181, "National Defense Authorization Act"

Agawam Public Schools 2010

Approved by School Committee on June 8, 2010, by a vote of 6-0-1 absent.

FAMILY AND MEDICAL LEAVE

A. Leave Without Pay:

1. Employees may take leave without pay when they have exhausted their leave benefits and need additional leave to cover personal illness; the illness of a spouse, child, or parent; the birth or adoption of a child; for any “qualifying exigency” arising out of the fact that the employee’s spouse, son, daughter, or parent is on active duty, or has been notified of an impending call or order to active duty as a member of the National Guard or Reserves, in support of a contingency operation; or to care for a covered service member with a serious injury or illness if the employee is the service member’s spouse, son, daughter, parent, or next of kin.
2. An employee is not entitled to leave without pay unless:
 - (a) that employee has been employed for at least 12 months by the School Committee*, and
 - (b) that employee has worked at least 1250 hours in the previous 12-month period or has a salaried position of at least .5 FTEs.

* While the 12 months of employment need not be consecutive, employment periods prior to a break in service of 7 years or more need not be counted unless the break is occasioned by the employee’s fulfillment of his/her National Guard or Reserve military obligation (as protected under the Uniformed Services Employment and Reemployment Rights Act (USERRA), agreement, exists concerning the employer’s intention to rehire the employee after the break in service.

3. Extent of leave:
 - (a) An eligible employee may take up to 12 weeks (or 26 weeks if leave to care for a covered service member with a serious injury or illness is also used) of leave total during a 12-month period, including any paid leave used. The employee must exhaust all sick leave as per contract, available paid vacation leave and personal leave before being entitled to take leave without pay.
4. Definitions:
 - a. “Child means a son or daughter, whether biological, adopted, foster child, a stepchild, legal ward, or child to whom the employee stands *in loco parentis*, if the child is either under the age of 18 years or is incapable of self-care because of a mental or physical disability.
 - b. “Health Care Provider” means a doctor of medicine or osteopathy who is authorized to practice medicine or surgery by the state where the doctor practices, or any person determined by the Secretary of Labor to be capable of providing health care services.
 - c. “Intermittent Leave” means leave taken in whole day periods but less than a whole work week.
 - d. “Parent” means a biological parent of an employee or an individual who stood *in loco parentis* to an employee when the employee was a child.

- e. "Reduced Leave Schedule" means a leave schedule that reduces the usual number of hours per work week, or hours per workday, of an employee.
- f. "Serious Health Condition" means an illness, injury, impairment, or physical or mental condition, which involves either:
 - (1) inpatient care (i.e. an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity (i.e. inability to work, attend school, or perform other regular daily activities) or subsequent treatment in connection with such inpatient care;
or
 - (2) continuing treatment by a health care provider, which includes;
 - a. A period of incapacity lasting more than three (3) consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also includes:
 - Treatment two (2) or more times by or under the supervision of a health care provider (i.e. in-person visits, the first within seven (7) days and both within thirty (30) days of the first day of incapacity); or
 - One (1) treatment by a health care provider (i.e. an in-person visit within seven (7) days of the first day of incapacity) with a continuing regimen of treatment (e.g. prescription medication, physical therapy);
or
 - b. Any period of incapacity related to pregnancy or for prenatal care. A visit to the health care provider is not necessary for each absence; or
 - c. Any period of incapacity or treatment for a chronic serious health condition, which continues over an extended period of time, requires periodic visits (at least twice a year) to a health care provider, and may involve occasional episodes of incapacity. A visit to a health care provider is not necessary for absence; or
 - d. A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective. Only supervision by a health care provider is required, rather than active treatment; or
 - e. Any absences to receive multiple treatments for restorative surgery or for a condition that would likely result in a period of incapacity of more than three (3) days if not treated.
 - g. "Spouse" means a husband or wife, as defined by state law.
 - h. "Twelve-Month Period" is the preceding 12-month period from when the leave commences.

B. Types of Leave Without Pay

1. Personal Medical Leave without Pay:

The Superintendent may grant a medical leave of absence without pay to an employee who, because of a serious health condition, is unable to perform the functions of his or her job.

- a. An employee must exhaust all available sick leave before taking leave without pay.
 - b. Medical Certification:
- (1) The Superintendent may require a medical certification from the employee's health care provider stating the following:
 - the date on which the health condition began,
 - the probable duration of the condition,
 - the appropriate medical facts within the health care provider's knowledge regarding the condition,
 - a statement that the employee is unable to perform the functions of his/her job.
 - (2) If the Superintendent has reason to doubt the validity of the medical certification provided by the employee's health care provider, he or she may require, at the School Committee's expense, a second opinion. The employee must obtain the opinion of the School Committee's designated health care provider concerning the information in letter "b" above.

The health care provider giving the second opinion may not be a person regularly employed by the School Committee.

- (3) If the second opinion conflicts with the first, the School Committee may require, at the School Committee's expense, a third opinion. The third health care provider's opinion shall be final and binding on the School Committee and the employee.
- (4) The Superintendent may require an employee on medical leave without pay to provide medical certifications at reasonable intervals.
 - a. If the necessity for leave is foreseeable based on planned medical treatment, the employee shall:
 - make a reasonable effort to schedule the treatment so as not to disrupt unduly the operations of the school, subject to the approval of the employee's health care provider.
 - give the employee's supervisor at least thirty (30) days' notice, before the date the leave is to begin, of the employee's intention to take personal medical leave without pay, except that if the date of treatment requires the leave to begin in less than thirty (30) days, the employee shall provide such notice as practicable.
 - b. If the necessity for leave is foreseeable less than thirty (30) days in advance, the employee must provide notice as soon as practicable – generally, either the same or next business day.
 - c. If the necessity for leave is not foreseeable, the employee must provide notice to the employer as soon as practicable under the facts and circumstances of the particular case. Absent unusual circumstances, employees must comply with the employer's usual and customary notice and procedural requirements for requesting leave.
 - d. The employee may take intermittent leave or take leave on a reduced leave schedule when medically necessary.

- e. Before the employee may resume work, the employee must present his or her supervisor with written medical certification from the employee's health care provider that the employee is able to resume work. If reasonable safety concerns exist, the School Committee may, under certain circumstances, require such a certification for employees returning from intermittent FMLA leave.

2. Family Medical Leave Without Pay:

The Superintendent may grant a medical leave of absence without pay to an employee who needs the time off to care for the employee's spouse, child, or parent, if the spouse, child, or parent has a serious health condition.

a. Medical Certification

- (1) The School Committee may require a medical certification from the health care provider for the spouse, child, or parent, as the case may be, stating –
 - the date on which the health condition began,
 - the probable duration of the condition,
 - the appropriate medical facts within the health care provider's knowledge regarding the condition,
 - that the employee is needed to care for the spouse, child, or parents, as the case may be, and an estimate of the amount of time that such employee is needed to care for the spouse, child, or parent.
- (2) If the School Committee has reason to doubt the validity of the medical certification provided by the employee's health care provider, he or she may require, at the School Committee's expense a second opinion. The employee must obtain the opinion of the School Committee's designated health care provider concerning the information in letter "b" above. The health care provider giving the second opinion may not be a person regularly employed by the School Committee.
- (3) If the second opinion conflicts with the first, the School Committee may require, at the School Committee's expense, a third opinion. The third provider's opinion shall be final and binding on the School Committee and the employee.
- (4) The Superintendent may require an employee on medical leave without pay to provide medical certification at reasonable intervals.

b. If the necessity for leave is foreseeable based on planned medical treatment, the employee –

- (1) Shall make a reasonable effort to schedule the treatments so as not to disrupt unduly the operations of the school, subject to the approval of the health care provider for the spouse, child, or parent of the employee, as the case may be, and
- (2) Shall give the employee's supervisor at least thirty (30) days notice, before the date the leave is to begin, of the employee's intention to take family medical leave without pay, except that if the date of the treatment requires the leave to begin in less than thirty days, the employee shall provide such notice as practicable.

- c. If the necessity for leave is foreseeable less than thirty (30) days in advance, the employee must provide notice as soon as practicable – generally, either the same or next business day.
- d. If the necessity for leave is not foreseeable, the employee must provide notice to the employer as soon as practicable under the facts and circumstances of the particular case. Absent unusual circumstances, employees must comply with the employer’s usual and customary notice and procedural requirements for requesting leave.
- e. The employee may take intermittent leave or take leave on a reduced leave schedule when medically necessary.

3. Parental Leave Without Pay:

An employee may take parental leave without pay within one (1) year of the birth of the child in order to care for that child. An employee may take parental leave without pay within one (1) year of the placement of a child with the employee for adoption or foster care.

- a. When the need for parental leave without pay is foreseeable based on expected birth or placement, the employee shall give his or her supervisor at least thirty (30) days notice before the date the leave is to begin. If the date of the birth or placement requires leave to begin in less than thirty days, the employee shall provide such notice as is practicable. Absent unusual circumstances, employees must comply with the employer’s usual and customary notice and procedural requirements for requesting leave.
- b. An employee taking parental leave without pay may not take intermittent leave or work on a reduced leave schedule without the express consent of the Superintendent in writing.

4. Qualifying Exigencies Leave Without Pay:

An employee may take leave without pay for qualifying exigencies arising out of the fact that the employee’s spouse, son, daughter, or parent is on active duty or call to active duty status as a member of the National Guard or Reserves in support of a contingency operation. Qualifying exigency leave is not available to family members of military members in the Regular Armed Forces. A qualifying exigency is defined as follows:

- Short-notice deployment (i.e. deployment on 7 or less days notice) for a period of 7 days from the date of notification.
- Military events and related activities
- Childcare and school activities
- Financial and legal arrangements
- Counseling
- Rest and recuperation
- Post-deployment activities
- Additional activities not encompassed in the other categories, but agreed to by the employer and employee

a. Certification

(1) Leave for a qualifying exigency must be supported by a copy of the covered military member's active duty orders and certification providing the appropriate facts related to the particular qualifying exigency for which leave is sought, including contact information if the leave involves meeting with a third party. A second and third opinion and recertification are not permitted for certification of a qualifying exigency. The employer may contact the individual or entity named in a certification of leave for a qualifying exigency for purposes of verifying the existence and nature of the meeting.

- b. An employee must provide notice of the need for foreseeable leave due to a qualifying exigency as soon as practicable. When the need is not foreseeable, the employee must provide notice to the employer as soon as practicable under the facts and circumstances of the particular case. Generally, it should be practicable to provide notice for unforeseeable leave within the time prescribed by the employer's usual and customary notice requirements.
- c. Leave may be taken intermittently for a qualify exigency.

5. Care for Service Member Leave Without Pay:

An employee who is a spouse, son, daughter, parent, or next of kin of a current member of the Armed Forces, including a member of the National Guard or Reserves, with a serious injury or illness may take leave without pay for up to a total of twenty-six (26) work weeks during a single twelve (12) month period to care for the service member.

A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves who is undergoing medical treatment, recuperation, or therapy, is otherwise in out-patient status, or is otherwise on the temporary disability retired list for a serious injury or illness. A serious injury or illness is one that was incurred by a service member in the line of duty on active duty that may render the service member medically unfit to perform the duties of his or her office, grade, rank, or rating. The "single 12-month period" for leave to care for a covered service member with a serious injury or illness begins on the first day the employee takes leave for this reason and ends 12 months later, regardless of the 12-month period established by the employer for other types of FMLA leave. An eligible employee is limited to a combined total of 26 work weeks of leave for any FMLA-qualifying reason during the "single 12-month period." (Only 12 of the 26 total weeks may be for a FMLA-qualifying reason other than to care for a covered service member).

a. Medical Certification

Leave to care for a covered service member with a serious injury or illness must be supported by a certification completed by an authorized health care provider or by a copy of an Invitational Travel Order (ITO) or Invitational Travel Authorization (ITA) issued to any member of the covered service member's family. Second and third opinions and recertification are not permitted. The employer may use a health care provider, a human resource professional, a leave administrator, or a management official, but not the employee's direct supervisor, to authenticate or clarify a medical certification of a serious injury or illness, or an ITO or ITA.

i.

- a. Employees seeking to use military caregiver leave must provide 30 days advance notice of the need to take FMLA leave for planned medical treatment for a serious injury or illness of a covered service member. If leave is foreseeable, but 30 days advance notice is not practicable, the employee must provide notice as soon as practicable – generally, either the same or next business day. When the need is not foreseeable, the employee must provide notice to the employer as soon as practicable under the facts and circumstances of the particular case. Generally, it should be practicable to provide notice for unforeseeable leave within the time prescribed by the employer’s usual and customary notice requirements.
- b. Leave may be taken intermittently whenever medically necessary to care for a covered service member with a serious injury or illness. When leave is needed for planned medical treatment, the employee must make a reasonable effort to schedule treatment so as not to unduly disrupt the employer’s operation.

C. Special Rules:

1. Rules Applicable to Instructors in Periods Near the Conclusion of the Academic Term:

The following rules apply to any employee who takes leave without pay under this policy and who is employed principally in an instructional capacity.

- a. If leave without pay begins more than five (5) weeks before the end of an academic term, the principal may require the employee to continue taking leave until the end of that academic term if –
 - The leave is of at least three (3) weeks duration, and
 - The return to work would occur during the three-week period before the end of the academic term.
- b. If Parental or Family Medical leave without pay begins within five (5) weeks before the end of an academic term, the principal, may require the employee to continue taking leave until the end of that term if –
 - The leave is of a least two (2) weeks duration, and
 - The return to work would occur during the two-week period before the end of the academic term.
- c. If Parental or Family Medical leave without pay begins within three (3) weeks before the end of an academic term, the principal may require the employee to continue taking leave until the end of that term, if the leave is for more than five (5) working days.
- d. The extended leave is counted against the teacher’s FMLA allotment. If the teacher’s FMLA allotment expires during the extension, the additional time is nevertheless deemed FMLA leave.

2. Intermittent Leave and Reduced Leave Schedules:

- a. If the intermittent leave or reduced leave schedule is foreseeable based on planned medical treatment, the Superintendent may require the employee to transfer temporarily to an available alternate position –
 - which is offered by the Superintendent,
 - for which the employee is qualified,
 - which has equivalent pay and benefits, and
 - which better accommodates recurring periods of leave than the regular employment position of the employee.
- b. If a teacher does not give the School Committee the required thirty (30) days notice for intermittent leave or a reduced leave schedule which is foreseeable, he or she must delay the taking of leave until the notice provision is met.
- c. If a teacher takes intermittent leave or a reduced leave schedule which is for more than 20% of the normal working days over the period of the leave, that teacher must instead take the entire period as FMLA leave.

3. Benefits during Leave:

- a. While the employee is on leave, the Agawam Public Schools shall maintain coverage of that employee under its group health plan at the level and under the conditions which would have been provided if the employee had continued in employment instead of being on leave.
- b. If the employee normally had a monthly payment to that plan, the employee must make that monthly payment. If the employee fails to make such payments, the Agawam Public Schools shall, if possible, continue the benefits at the reduced rate. If such a reduced rate is not possible, then the employee shall be excluded from the group health plan.

4. Employment and Benefits upon Return to Work:

- a. Any employee who takes leave under this Policy for the intended purpose of the leave shall be entitled, on return from leave –
 - to be restored to his or her former job, or
 - to be placed in an equivalent position with equivalent benefits, pay, and other terms and conditions of employment.
- b. The taking of leave under this policy shall not result in the loss of any employment benefit accrued before the date on which the leave began, nor be counted against the employee under a “no fault” attendance policy. If a bonus or other payment, however, is based on the achievement of a specified goal such as hours worked, products sold, or perfect attendance, and the employee has not met the goal due to FMLA leave, payment may be denied unless it is paid to an employee on equivalent leave status for a reason that does not qualify as FMLA leave.

- c. No employee shall accrue seniority or employment benefits during any period of leave, nor shall the employee be entitled to any right, benefit, or position of employment other than those to which the employee would have been entitled if the employee had not taken the leave. This policy does not change the legal status of probationary teachers or the Superintendent's authority under M.G.L. Chapter 71, sec. 41 and 42.

5. Failure to Return from Leave:

The Agawam Public Schools may recover the premium which it paid for maintaining coverage of the employee under its group health plan during the employee's unpaid leave under this policy if –

- a. the employee fails to return from unpaid leave under this policy after the period of leave to which the employee is entitled has expired; and
- b. the employee fails to return to work for a reason other than –
 - the continuance, recurrence, or onset of a serious health condition which would entitle the employee to personal or family medical leave without pay, or
 - other circumstances beyond the control of the employee.

6. Prohibited Acts:

- a. No employee of the Agawam Public Schools shall interfere with, restrain, or deny the exercise of or the attempt to exercise any right provided under this title.
- b. No employee of the Agawam Public Schools shall discriminate against any individual for opposing any practice contrary to this policy.
- c. No employee of the Agawam Public Schools shall discriminate against any individual for:
 - filing any charge, instituting or causing to be instituted any proceeding, under or related to this policy,
 - giving, or being about to give, any information in connection with any injury or proceeding relating to any right provided under this policy, or
 - testifying, or being about to testify, in any inquiry or proceeding relating to any right provided under this policy.

LEGAL REFS.:

P.L. 103-3 "Family and Medical Leave Act of 1993"

29 U.S.C. S2601 et seq.

Department of Labor Relations, 29 C.P.R. Part 825

Va Code S22.1-303

P.L. 110-181, "National Defense Authorization Act"

DOMESTIC VIOLENCE LEAVE POLICY

It shall be the policy of the school district to permit an employee to take up to 15 days of domestic violence leave from work in any 12 month period. In order to be eligible for said leave:

- i. the employee , or a family member of the employee must be a victim of abusive behavior;
- ii. the employee must be using the leave from work to seek or obtain medical attention, counseling , victim services or legal assistance; secure housing; obtain a protective order from court; appear before a grand jury; meet with a district attorney or other law enforcement official; or attend child custody proceedings or address other issues directly related to the abusive behavior against the employee or family member of the employee; and
- iii. the employee must not be the perpetrator of the abusive behavior against such employee's family member.

The employer shall have the sole discretion to determine whether this leave shall be paid or unpaid. An employee seeking such leave shall exhaust all annual or vacation leave, personal leave and sick leave available to the employee, prior to requesting or taking domestic violence leave, unless the employer waives this requirement.

Except in cases of imminent danger to the health or safety of an employee, advanced notice of domestic violence leave shall be required. If such imminent danger exists the employee shall notify the employer within 3 workdays that the leave was taken. The notification may be communicated to the employer by the employee, a family member of the employee or the employee's counselor, social worker, health care worker, member of the clergy, shelter worker, legal advocate or other professional who has assisted the employee in addressing the effects of the abusive behavior. If an unscheduled absence occurs, an employer shall not take any negative action against the employee if the employee, within 30 days from the unauthorized absence or within 30 days from the employee's last unauthorized absence in the instance of consecutive days of unauthorized absences, provides any of the documentation found in (1) to (7) below. An employer may require documentation that the employee or employee's family member has been a victim of abusive behavior and that the leave is consistent with clauses (i) to (iii) as above referenced; provided, however, that an employer shall not require an employee to show evidence of an arrest, conviction or other law enforcement documentation for such abusive behavior. The documentation shall be provided to the employer within a reasonable period after the employer requests it.

An employee shall satisfy this documentation requirement by providing anyone of the following documents to the employer:

- (1) a protective order, order of equitable relief or other documentation issued by a court of competent jurisdiction as a result of abusive behavior against the employee or employee's family member;
- (2) a document under the letterhead of the court, provider or public agency which the employee attended for the purposes of acquiring assistance as it relates to the employee or family member;
- (3) A police report or statement of a victim or witness provided to police documenting the abusive behavior;
- (4) documentation that the perpetrator of the abusive behavior has admitted to sufficient facts to support a finding of guilt ; or has been convicted of , or has been adjudicated a juvenile delinquent by reason of any offense constituting abusive behavior;
- (5) medical documentation of treatment as a result of the abusive behavior;
- (6) a sworn statement, signed under the penalties of perjury, provided by a counselor, social worker, health care worker, member of the clergy, , shelter worker, legal advocate or other professional who has assisted the employee in addressing the effects of the abusive behavior;
- (7) a sworn statement, signed under the penalties of perjury, from the employee attesting that the employee has been a victim of or is a family member of a victim of abusive behavior.

All information related to the employee's leave shall be kept confidential and shall not be disclosed, except to the extent that disclosure is:

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

The Superintendent shall ensure that notice is provided to all employees in the next school year and beyond by appropriately amending the district's employee handbooks, by whatever title they may be known, or by direct notice about the Domestic Violence Law and securing the employees signature acknowledging receipt of the handbook/notice. The Superintendent shall be responsible for notifying all current employees, unless they have been notified through the handbook, of this policy in a manner that he/she deems appropriate.

No employer shall coerce, interfere with, restrain or deny the exercise of, or any attempt to exercise, any rights provided herein or to make leave requested or taken contingent upon whether or not the victim maintains contact with the alleged abuser. No employer shall discharge or in any other manner discriminate against an employee for exercising the employee's rights under law. The taking of domestic violence leave shall not result in the loss of any employment benefit accrued prior to the date of such leave. Upon the employee's return from such leave, he/she shall be entitled to restoration to the employee's original job or to an equivalent position. Definitions of 'abuse', 'abusive behavior', 'domestic violence', 'employees' and 'family members' may be found in the laws referenced below.

PROFESSIONAL STAFF RECRUITING/POSTING OF VACANCIES

It is the responsibility of the superintendent, with the assistance of the administrative staff, to determine the personnel needs of the school system and it is the responsibility of the principal, in consultation with the superintendent to determine the personnel needs of the individual schools. In addition, school councils may review personnel requirements as a means of evaluating the needs of a school. Any recommendations for the creation or elimination of a position must be approved by the School Committee.

The search for good teachers and other professional employees will extend to a wide variety of educational institutions and geographical areas. It will take into consideration the characteristics of the town and the need for a heterogeneous staff from various cultural backgrounds.

Recruitment procedures will not overlook the talents and potential of individuals already employed by the school system. Any current employee may apply for any position for which he or she has certification and meets other stated requirements.

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

REFS.: Collective Bargaining Agreements

PROFESSIONAL STAFF HIRING

Through its employment policies, the district will strive to attract, secure, and hold the highest qualified personnel for all professional positions. The selection process will be based upon an awareness to candidates who will devote themselves to the education and welfare of the children attending the schools.

It is the responsibility of the superintendent, and of persons to whom he or she delegates this responsibility, to determine the personnel needs of the school system and to locate suitable candidates. No position may be created without the approval of the School Committee. The district's goal is to employ and retain personnel who are motivated, will strive always to do their best, and are committed to providing the best educational environment for the children

It will be the duty of the superintendent to see that persons considered for employment in the schools meet all certification requirements and the requirements of the committee for the type of position for which the nomination is made.

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

1. There will be no discrimination in the hiring process due to age, sex, creed, race, color, national origin, disability, sexual orientation or place of residence.
2. The quality of instruction is enhanced by a staff with a wide variation in background, educational preparation, and previous experience.
3. The administrator responsible for the hiring of a staff member (In the case of district-wide positions, for the position of principals, it is the superintendent. For building based personnel, it is the principal.) is directed to establish a representative screening committee. The administrator has the final say in determining who will be hired but it is expected that the screening committee's input will be a factor in the decision.

LEGAL REFS.: M.G.L. 69:6; 71:38; 71:38G; 71:39; 71:45; 71:55B
Massachusetts Board of Education Requirements for
Certification of Teachers, Principals, Supervisors,
Directors, Superintendents and Assistant Superintendents in the Public
Schools of the Commonwealth of Massachusetts, revised 1994
603 CMR 7:00 and 44:00

HIRING POLICY SUPPORT STAFF

1. Vacancies will be posted in all buildings.
2. Vacancies to be filled by other than system transfers will be advertised in the press.
3. A copy of the vacancy notice will be forwarded to the appropriate association/union president.
4. Within-building transfers will be made at the principal's discretion with the approval of the superintendent.
5. Transfers within the system will be filled at the superintendent's discretion with notification being made to the School Committee.
6. Vacancies which are not filled by system transfers will be filled as follows: The building principal will interview candidates and recommend two or three finalists to the superintendent. The superintendent will not select the candidate to fill the position. The superintendent will discuss the finalists with the principal, and the principal will then recommend a finalist. The superintendent retains his/her right to veto recommended candidate. The principal will continue to submit a candidate until the superintendent agrees to appoint.
7. Local qualified candidates will be interviewed. A local candidate is either a currently-employed staff member which includes staff members on leave, or a local resident.
8. Candidates for teaching positions should have the highest of academic records, excellent recommendations, state certification, cleanliness, appropriate dress, etc.
9. The use of political, social, or other pressures automatically disqualifies the applicant for the position from any further consideration.

HIRING POLICY - EXTRA CURRICULAR POSITIONS

1. Vacancies will be posted in all buildings.
2. Vacancies to be filled by other than system transfers will be advertised in the press.
3. A copy of the vacancy notice will be forwarded to the appropriate association/union president.
4. Vacancies which are not filled by system transfers will be filled as follows: The extra curricular supervisor will interview candidates and recommend two or three finalists to the superintendent. The superintendent will not select the candidate to fill the position. The superintendent will discuss the finalists with the extra curricular supervisor, and the extra curricular supervisor will then recommend a finalist. The superintendent retains his/her right to veto recommended candidate. The extra curricular supervisor will continue to submit a candidate until the superintendent agrees to nominate a recommended candidate to the School Committee for appointment.
5. Local candidates will be interviewed. A local candidate is either a currently-employed staff member which includes staff members on leave, or a local resident.
6. The use of political, social, or other pressures automatically disqualifies the applicant for the position from any further consideration.

A vacancy will be declared at least six weeks prior to the beginning of the next season and/or school year if and when:

- a) the incumbent coach, advisor, etc. declines to be considered for the posted position
- b) the responsible supervisor declares the position open.

PART-TIME AND SUBSTITUTE PROFESSIONAL STAFF EMPLOYMENT

Part-Time Teachers

Teachers may be employed on a part-time basis. The salary of part time teachers will bear the same ratio to the first step of the salary schedule that the teacher would earn if employed fulltime as the hours worked bear to the hours the teacher would work if employed full-time (for example, a teacher employed for half the number of hours would receive half the salary of a full-time teacher).

Substitute Teachers

Each building principal will have the authority to employ as many substitute teachers as may be necessary to take the place of teachers who are temporarily absent. Periodically he/she will submit to the superintendent a list of qualified substitutes for approval.

The school system will employ as substitute teachers, to the extent possible, persons who meet the requirements for teacher appointments and will assign teachers substitute teaching positions on the basis of their areas of competence. When the supply of potential substitutes in a particular subject area is too limited to meet school department needs, there will be active recruitment for substitutes in those areas. All substitute teachers will be expected to provide educational services, rather than to assume merely a student-supervisory role. They will be provided with as much support as possible by building administrators and teachers.

The School Committee will set the daily rate of pay for substitute teachers, including extended term substitutes. The latter will be granted such additional benefits as approved by the School Committee.

PHILOSOPHY OF STAFF DEVELOPMENT

All staff members of the Agawam Public Schools will be encouraged in and provided with suitable opportunities for the development of increased competencies beyond those they may attain through the performance of their assigned duties and assistance from supervisors.

Opportunities for professional growth may be provided through such means as the following:

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

The superintendent will have authority to approve or deny released time for conferences and visitations, and reimbursements for expenses, provided such activities are within budget allocations for the purpose.

PROFESSIONAL TEACHER STATUS

Teachers and certain other professional employees who have served in the school district for three consecutive years shall be entitled to professional teacher status. The superintendent, upon recommendation of the principal, may award such status to a teacher who has served in the principal's school for not less than one year or a teacher who has obtained such status in any other public school district in the Commonwealth. The superintendent will base his/her decisions on the results of evaluation procedures conducted according to committee policy.

At the end of each of the first three years of a teacher's employment, it will be the responsibility of the superintendent to notify each employee promptly in writing of the decision on reappointment. Notification to a teacher not being reappointed must be made by June 15 or at an earlier date if required by a collective bargaining agreement.

A teacher who attains professional teacher status will have continuous employment in the service of the school system. A teacher with professional teacher status whose position is abolished by the School Committee may be continued in the employ of the school system in another position for which he/she is legally qualified.

Nothing in these provisions will be considered as restricting the superintendent from changing teaching assignments or altering or abolishing supervisory assignments except that, by law, no teacher may be assigned to a position for which he/she is not legally qualified.

Established by law and Committee policy

LEGAL REFS.: M.G.L. 71:38; 71:38G; 71:38H; 71:41; 71:42; 71:43

EVALUATION OF PROFESSIONAL STAFF

M.G.L. 71:38 reads in part:

Performance standards for teachers and other school district employees shall be established by the school committee upon the recommendation of the superintendent, provided that where teachers are represented for collective bargaining purposes, all teachers performance standards shall be determined as follows:

The school committee and the collective bargaining representative shall undertake for a reasonable period of time to agree on teacher performance standards.

Prior to said reasonable period of time, the school district shall seek a public hearing to comment on such standards.

In the absence of an agreement, after such reasonable time teacher performance standards shall be determined by binding interest arbitration

Either the school district or the teachers' collective bargaining representative may file a petition seeking arbitration with the commissioner of education.

The performance standards developed either by mutual agreement or as a result of arbitration will be incorporated in the collective bargaining agreement and may be used in decisions to dismiss, demote or remove a teacher or administrator pursuant to M.G.L. 71:42; 71:42A and 71:63.

EVALUATION OF PROFESSIONAL STAFF TEACHERS

To bring a desirable degree of consistency and uniformity to the evaluation process, the following procedures will be observed:

1. Evaluations may be initiated by the superintendent, the assistant superintendents, principals, assistant principals, and department heads or coordinators. These personnel will have the privilege of observing a teacher at any time.
2. The evaluation instruments will be the Teacher Evaluation Criteria booklet and the Evaluation Work sheet. Each staff member will be provided with a copy of these materials. The work sheet will be used by the evaluator who will provide the teacher with a copy.
3. Teachers will be evaluated through classroom observation during a school year.
4. Conferences will be arranged by the evaluator following each classroom observation. The work sheets will be reviewed and discussed at this time. Teachers may file written comments with the summary of each conference.
5. It is the teacher's responsibility to request assistance; the evaluator's responsibility to give assistance. A program designed to bring about needed improvement should be developed by the teacher and the evaluator.
6. The evaluation process will be subject to periodic revision.

The substance of the teacher's evaluation will be based on the basic function of the teacher as it is understood by the school committee. Specifically, the teacher must institute and direct learning activities compatible with the philosophy of the school system. These learning activities should lead to the acquisition of knowledge and promote the maximum development of desirable behavior, skills, habits, attitudes, appreciation, beliefs, and standards. Therefore, teachers will be appraised in terms of the following characteristics, qualities, and demonstrated skills:

1. Extent and currency of knowledge and understanding of subject matter, the learning process, and general education.
2. Development and use of effective techniques for motivation and instruction.
3. Daily preparations as evidenced in thorough planning and preparation.
4. Quality of student-teacher relationships.
5. Classroom management.
6. Professional appearance and manner.

7. Personal development.
8. Effective guidance procedures and use of professional support personnel.
9. Quality of teacher-home-community relationships.
10. Loyalty to, and conscientious support of, all personnel, the objectives of the school committee, and the philosophical principles of the school system.

LEGAL REFS.: Collective Bargaining Agreement

EVALUATION OF TEACHERS AND ADMINISTRATORS

Authority, Scope and Purpose:

The specific purposes of evaluation under M.G.L. c. 71, & 38 and 603 CMR 35:00 are:

- (A) to provide information for the continuous improvement of performance through an exchange of information between the person being evaluated and the evaluator, and
- (B) to provide a record of facts and assessments for personnel decisions.

The purpose of 603 CMR 35:00 is to ensure that every school committee has a system to enhance the professionalism and accountability of teachers and administrators which will enable them to assist all students to perform at high levels. 603 CMR 35:00, together with the Principles of Effective Teaching and Principles of Effective Administrative Leadership adopted by the Board of Education, set out what Massachusetts teachers and administrators are expected to know and be able to do. 603 CMR 35:00 requires that school committees establish a rigorous and comprehensive evaluation process for teachers and administrators, consistent with these principles. To assure effective teaching and administrative leadership in the Commonwealth's public schools.

Definitions

Administrator: shall mean any person employed in a school district in a position requiring a certificate as described in 603 CMR 7.10 (34) through (38) or who has been approved as an administrator in the area of vocational education as provided in 603 CMR 4.00 et seq.

Evaluation: shall mean the ongoing process of defining goals and identifying, gathering and using information as part of a process to improve professional performance (the "formative evaluation") and to assess total job effectiveness and make personnel decisions (the "summative evaluation").

Evaluator: shall mean any person designated by a superintendent, consistent with the procedures set out in 603 CMR 35.06, who has responsibility for evaluation.

Performance Standards: shall mean the performance standards locally developed pursuant to M.G.L. c.71,& 38, 6093 CMR 35:00, and the Principles of Effective Teaching and Principles of Effective Administrative Leadership adopted by the Board of Education.

School Committee: shall mean the school committee in all cities, towns and regional school districts, local and district trustees for vocational education, educational collaborative boards and boards of trustees for the county agricultural schools.

Superintendent: shall mean the person employed by the school committee pursuant to M.G.L. c. 71, & 59, or &59A. The superintendent is responsible for the implementation of 603 CMR 35:00

S/he shall be evaluated by the school committee pursuant to 603 CMR 35.00 and such other standards that may be established by the school committee.

Teacher: shall mean any person employed in a school district in a position requiring a certificate as described in 603 CMR 7.10 (I) through (33), and 603 CMR 7.10 (39) through (42) or who has been approved as an instructor in the area of vocational education as provided in 603 CMR 4.00 et seq.

Principles of Evaluation

- (1) The performance standards shall be measurable.
- (2) The performance standards shall reflect and allow for significant differences in assignments and responsibilities. These differences shall be described in evaluation reports.
- (3) The performance standards shall be shared with the person being evaluated in advance of the evaluation process.
- (4) The purpose of evaluation shall be stated clearly, in writing, to the person being evaluated.
- (5) The evaluation process shall be free of racial, sexual, religious and other discrimination and biases as defined in state and federal laws.
- (6) The person being evaluated shall be allowed to gather and provide additional information on his/her performance. Such information must be provided in a timely manner and must be considered by the evaluator.
- (7) The person being evaluated shall have an opportunity to respond in writing to the evaluation reports.

Performance Standards for Teachers and Administrators

- (1) School committees shall establish performance standards for teachers upon the recommendation of the superintendent and in accordance with the process described in M.G.L. c. 71 & 38, including conducting a public hearing and engaging in collective bargaining and, if necessary, binding interest arbitration. All performance standards established for teachers shall be consistent with and meet the Principles of Effective Teaching adopted by the Board of Education.
- (2) School committees shall establish performance standards for the evaluation of all administrators upon the recommendation of the superintendent. Performance standards for those administrators who are subject to collective bargaining shall be developed in accordance with M.G.L. c. 150E. All performance standards established for

administrators shall be consistent with and meet the Principles of Effective Administrative Leadership adopted by the Board of Education.

- (3) School committees are encouraged to establish programs and standards which provide for a rigorous and comprehensive evaluation process for teachers and administrators. The evaluation process may include the extent to which students assigned to teachers and administrators satisfy student academic standards or individual education plans, and the successful implementation of professional development plans, as provided in M.G.L. c. 69 & 1B and c. 71, & 38.

LEGAL REFS.: M.G.L. c.69, & 1B; c. 71, &38
603 CMR 35.00

SUSPENSION AND DISMISSAL OF PROFESSIONAL STAFF MEMBERS

The Superintendent will strive to assist personnel to perform their duties efficiently. However, the Superintendent may dismiss any employee in accordance with state law. Further, the committee recognizes the constitutional rights of the district's employees and assures them the protection of due process of law. To guarantee such rights, a system of constitutionally and legally sound procedures will be followed in each case of suspension or dismissal of an employee.

When the superintendent or a principal determines that sufficient cause exists that a professional employee be suspended or dismissed from service in the school system, he or she will:

1. Be certain that each such case is supported by defensible records.
2. Determine if the individual is to be suspended immediately with the understanding that the suspension will be subject to restoration of salary and position if an appeal is decided in favor of the individual.
3. Follow the procedures for dismissal or suspension that are contained in applicable laws as well as those included in the current agreement with the teachers' bargaining unit.
4. Provide the individual involved with a written statement that will:
 - a. Indicate whether the action the superintendent is taking is dismissal or suspension.
 - b. State the reason for the suspension or dismissal.
 - c. Guarantee that all procedures will be in accord with due process of law.
 - d. Inform employees who have a right to request a hearing under appropriate laws that they may be represented at such a hearing by counsel of their choice.

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

TUTORING FOR PAY

Definition: "Tutoring" means giving private instruction or help to an individual or group for which the teacher receives remuneration other than through the school committee.

Tutoring is not to be recommended for a student unless the appropriate teacher of the student involved is consulted and agrees that it will be of real help. If tutoring seems advisable, the principal may give the parents a list of persons who are willing to tutor. This list may include teachers, but not the student's teacher of the subject in which he or she is to be tutored.

Tutoring for pay is not to be done in the school building.

LEGAL REF.: Teacher Contract

CROSS REF.: AEA, Tutors

SUPPORT STAFF PROBATION

Each support staff employee will serve a probationary period of six months in any position for which he/she is newly hired or in any new classification to which he is transferred or promoted. During that time, the employee will be adequately assisted and supervised so that his/her abilities to carry out the duties required, and job performance, may be ascertained. Should his/her performance be unsatisfactory, a new employee may be released at any time during the probationary period, or an employee who has been transferred to a new classification may be returned to his/her former position.

ACADEMIC FREEDOM

The Agawam School Committee seeks to educate students in the democratic tradition, to foster a recognition of individual freedom and social responsibility, to inspire meaningful awareness of and respect for the Constitution and the Bill of Rights.

Fairness in procedures will be observed both to safeguard the legitimate interests of the schools and to exhibit by appropriate example the basic objectives of a democratic society as set forth in the Constitutions of the United States and the State.

LEGAL REFS.: Constitution of the Commonwealth of Massachusetts

EMPOWERED DIGITAL USE POLICY

Purpose

The School Committee recognizes the need for students to be prepared to contribute to and excel in a connected, global community. To that end, the district provides ongoing student instruction that develops digital citizenship skill sets for using technology as a tool. Information and communication technology are an integrated part of our curriculum across subjects and grades in developmentally appropriate ways and are aligned with the Massachusetts Curriculum Frameworks and standards, including seeking knowledge and understanding; thinking critically and solving problems; listening, communicating, and interacting effectively; and engaging and competing in a global environment.

Availability

The Superintendent or designee shall implement, monitor, and evaluate the district's system/network for instructional and administrative purposes.

All users shall acknowledge that they understand that using digital devices, whether personal or school owned, and the school district network is a privilege and when using them in accordance with School District guidelines they will retain that privilege.

The Superintendent or designee shall develop and implement administrative guidelines, regulations, procedures, and user agreements, consistent with law and policy, which shall include but not limited to the following:

- Digital devices, software, and networks shall be used in school for educational purposes and activities.
- An individual's personal information (including home/mobile phone numbers, mailing addresses, and passwords) and that of others shall be kept private.
- Individuals will show respect for themselves and others when using technology, including social media.
- Users shall give acknowledgement to others for their ideas and work.
- Users shall report inappropriate use of technology immediately.

These procedures shall be reviewed annually by district administration together with students and teachers and shall provide a springboard for teaching and learning around topics such as internet safety, digital citizenship, and ethical use of technology.

SOURCE: MASC

ADOPTED: August 2015

Agawam School Committee 2016

Approved by the School Committee on April 26, 2016, by a vote of 7 – 0.

**EMPLOYEE USER AGREEMENT FOR PARTICIPATION IN AN
ELECTRONIC COMMUNICATIONS SYSTEM**

As an employee of the Agawam Public Schools, I recognize and understand that the school district's e-mail and internet systems are to be used for conducting the school district's business only. I understand that use of the e-mail system for private purposes is strictly prohibited with the exception of forwarding unsolicited personal e-mails received at my school address to my personal e-mail account.

Further, I agree not to access a file or retrieve any stored communication other than where authorized unless there has been prior clearance by an authorized school department administrator. I understand that any e-mail messages that I send will not be sent anonymously, from a group, or using another employee's identity without permission.

I am aware that Agawam Public Schools reserves and will exercise the right to review, audit, intercept, access, and disclose all matters on the school district's e-mail and internet systems at any time with or without employee notice, and that such access may occur during or after working hours. I am aware that use of an Agawam Public Schools provided password or code does not restrict the school district's right to access electronic communications. I am aware that violations of this agreement may subject me to disciplinary action up to and including discharge from employment.

I authorize that I have read, and that I understand the Agawam Public Schools' *Employee User Agreement for Participation in an Electronic Communications System*.

Employee Signature

Date Signed

PLEASE RETURN THIS FORM TO YOUR BUILDING PRINCIPAL

Agawam Public Schools 2004

Approve by the School Committee on May 25, 2004, by a vote of 6 – 0 – 1 absent

ACCEPTABLE USE POLICY - TECHNOLOGY

Administrative Procedures for Implementation

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 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 on access agreements and kept on file at the building level.
8. Initial passwords provided by the network administrator should be set to expire on login.
9. Passwords shall be changed every 15 days and all passwords shall be expired at the end of each school year.
10. Passwords are confidential. All passwords shall be protected by the user and not shared or displayed.
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. Principals or their 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. Principals or their designee shall be responsible for establishing appropriate retention and backup schedules.
17. Principals or their designee 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.
21. System users should purge electronic information according to district retention guidelines.
22. System users may redistribute copyrighted material only with the written permission of the 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. System administrators may upload/download public domain programs to the system/network. System 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.
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.
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.

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.

**ACCEPTABLE USE POLICY
STAFF ACCESS
TO
NETWORKED INFORMATION RESOURCES PROCEDURES**

Use of network is a **PRIVILEGE**, which is provided to staff and students to conduct research and support educational endeavors. Communications over the network are often public in nature; therefore, general rules and standards for professional behavior and communications will apply. The network, electronic mail, and telecommunications shall not be utilized by employees to share confidential information about students or other employees. The Superintendent or his/her designee must approve any publication of Web Pages on the Agawam Public Schools system network.

Network administrators, those responsible for managing the local area network, may review files and communications to maintain system integrity and to ensure that staff members are using the system responsibly. Staff should not expect files stored on district servers to be private.

The following behaviors are not permitted on district networks:

1. Sharing confidential information about students or employees
2. Sending or displaying offensive messages or pictures; accessing, transmitting, displaying or using obscene language and material
3. Participating in partisan politics
4. Participating in any communication that facilitates gambling, the illegal sale or use of drugs and alcohol, criminal gang activity, or any other violation of the law. This includes threatening, intimidating, or harassing any other person or engaging in "Spamming" (i.e. sending annoying or unnecessary messages to large numbers of people)
5. Engaging in any form of discrimination including sexual harassment
6. Engaging in practices that threaten the integrity of the network (i.e. loading files that may introduce a virus)
7. Violating copyright laws
8. Using the passwords of others without express authorization
9. Trespassing in other's folders, documents, or files
10. Intentionally wasting limited resources
11. Employing the network for commercial purposes or financial gain
12. Violating regulations prescribed by the network provider
13. Conducting union business unless permitted under collective bargaining

The Superintendent or his/her designee will report any inappropriate behavior to the employee's supervisor and/or administrator, who will take appropriate disciplinary action. Any other reports or inappropriate behavior violations or complaints will be routed to the employee's supervisor for appropriate action. Violations may result in the loss of access and/or disciplinary action

consistent with the local, state, and federal law. When applicable, law enforcement agencies may become involved. Each employee will be given copies of this policy and procedures and will sign an *Acceptable Use Agreement* before establishing an account.

PROCEDURES TO BE FOLLOWED

1. Staff will review the administrative procedures in the Acceptable Internet Use Policy and will sign the employee *Acceptable Use Agreement*.
2. Staff will review and be familiar with the Student Individual Responsibility Policy as outlined in the *Acceptable Internet Use Policy*.

Agawam Public Schools 2004

Approved by School Committee on April 27, 2004 by a vote of 6 – 0 – 1 absent.

**APPROPRIATE USE OF MOBILE DEVICE BY EMPLOYEES
SIGNATURE FORM**

Sign-out Date: _____ Device Type: _____

Serial Number: _____ Peripherals Returned: _____

Device in acceptable condition upon release: _____
(Signature of APS staff member distributing device)

Device in acceptable condition upon release: _____
(Signature of APS staff member receiving device)

Special comments regarding release condition: _____

Assignee's Name (please print): _____

Assignee's Signature: _____

School/Department: _____

Assignee may take device home for use (circle one) YES NO

Principal/Director Signature: _____

Expected date of return: _____ Actual return date: _____

Device returned in acceptable condition: _____
(Signature of APS staff member returning device)

Device returned in acceptable condition: _____
(Signature of IT staff member receiving returned device)

Agawam Public Schools 2014

Approved by School Committee on May 13, 2014 by a vote of 7 - 0

APPROPRIATE USE OF MOBILE DEVICE BY EMPLOYEES

As an employee of the Agawam Public Schools, I recognize and understand that the school district's mobile devices are to be used for school work only. I also understand that it is my responsibility to take proper care of any mobile device in my possession and agree to abide by the following:

Guidelines:

1. I will comply with school committee policies related to the acceptable use of technology while using a mobile device during school hours and after school hours.
2. Consequences of inappropriate use will be determined by the building principal.
3. Mobile devices will not be used for social media or games that are not part of the Agawam Public Schools curriculum.
4. A police report shall be filed if this device is stolen. The building principal and IT Department shall also be notified of the theft.
5. I will be responsible for any loss or damage to the mobile device at the replacement cost.
6. I will keep the mobile device with me or in a secured, locked location.
7. I will be the sole user of the assigned device and will not share it with anyone else without permission from the building principal or IT Director.
8. I will charge the device daily and bring it to school fully charged.
9. I will restrict taking my device into areas that are designated as high-traffic areas to minimize the chance of damage such as cafeterias, playgrounds, and gymnasiums.
10. I will not place food or drink near the mobile device.
11. I will use the protective cover or case provided with the device to ensure its safety.
12. I will not attempt to repair or take apart the device if it breaks. Rather, I will report the breakage to the building principal or IT Department at support@agawampublicschools.org.
13. If a camera is provided with the device, I will use it for educational purposes only.
14. The district will load apps or software required for instruction on the device. The district will not be responsible for any other apps or software loaded by staff. Once the device is returned to the district, any apps or software loaded by staff will not be reimbursed.
15. Staff purchases of apps or software shall be approved by the principal or IT Director.
16. If the device requires backup or syncing, I will only sync the device with the computer designated by the IT Department.
17. I will keep the internet content filter in place and will not attempt to override its filtering of appropriate content.
18. I will not place decorations of any type on this device such as stickers or markers.
19. I understand that this device is the property of the Agawam Public Schools and is subject to inspection at any time without notice.
20. I agree to return the device in good working condition with all associated cords and peripherals. Devices are required to be returned to the IT Department at the designated inventory time at the end of the school year or upon request.
21. The principal or IT Director must approve that a device can be taken home for use. There will be limited support for devices at home.

Social Media and Electronic Communication Policy

Purpose:

The Agawam School Committee recognizes the increasing importance of electronic communication and social media for social interaction and education. As the Agawam Public Schools continues working to provide a 21st century education, which prepares students for life in a global economy, it has become apparent that we need to move ahead with both enthusiasm and caution. With the expansion of means and ease of communication comes a heightened concern for student safety and well being.

While the Committee sees the value of social media and electronic communication, the Committee also recognizes that the opportunity for impropriety is increased through this ease of access. This accessibility can provide a forum for cyber bullying, inappropriate behavior, and other potential dangers. The Committee finds that the rapid progress of technology leaves it and the District frequently facing new challenges regarding social media and electronic communication.

The Committee is charged with ensuring our schools' educational environments are safe and conducive to learning. Recognizing this, the Committee has adopted this policy.

Definitions:

Social Media: Any medium hosted on the Internet, on which interactions between students or between the staff of the Agawam Public Schools and students can be conducted. This includes web and mobile-based technologies that support interactive communication between organizations, communities, and individuals that allow the creation and exchange of user-generated content. Social media technologies take on many different forms including, but not limited to, on-line magazines, Internet forums, weblogs, social blogs, micro blogs, wikis, social networks, podcasts, photographs or pictures, video, rating and social bookmarking, and message boards. Examples of social media websites include, but are not limited to, Facebook, Twitter, Flickr, Instagram, YouTube, MySpace, Wiki, and Wikipedia.

Electronic Communication: Any communication or interaction, which occurs through electronic means. Such electronic means include, but are not limited to, computers, tablets, cellular devices, so-called "smart phones," iPads, iPods, and Internet capable MP3 players, etc. Such communications and interactions include, but are not limited to, email, texts, posts on social media websites (including text, video, and audio), private messages on social media websites, instant messages, video chat, and blogs, etc. Electronic communications include communications that have no specific intended recipient (i.e., posting a "status" on Facebook that, depending on privacy settings, may be viewed by a group of users).

Student: Any individual currently enrolled in the Agawam Public Schools.

Prohibited Conduct: Staff shall not engage in the following types of conduct, which are strictly prohibited. The following are examples of conduct only and are not intended to be all inclusive. Any conduct, which is similar to that listed below, is likewise prohibited.

- a. Fraternalization with students using any social media or electronic communication. Staff may not invite/accept current Agawam Public School students as “friends” on social media websites. Classroom participation on educational websites or professional pages (described herein) for instructional purposes is permitted with prior approval of the principal or his/her designee.
- b. Electronic communication to student(s) of content of a sexual or explicit nature. This includes posts on social media websites that are publicly visible or accessible, and/or visible or accessible to any student or group of students.
- c. Electronic communication to a student(s) of content advocating the use of alcohol, drugs, and/or other illicit or illegal activities between students and staff. This includes posts on social media websites that are publicly visible or accessible, and/or visible or accessible to any student or group of students.
- d. Electronic communication to student(s) of content encouraging or constituting hazing or bullying. This includes posts on social media websites that are publicly visible or accessible, and/or visible or accessible to any student or group of students.
- e. Electronic communication of private information regarding students or other staff, including, but not limited to, student record information, private cell phone numbers, and private email addresses. This includes posts on social media websites that are publicly visible or accessible, and/or visible or accessible to any student or group of students.

The District: The Agawam Public Schools and its staff.

The Committee: The Agawam School Committee and its members.

Staff: All employees of the Agawam Public Schools and any contractor or individual employed by a contractor who provides services in or to the Agawam Public Schools.

Section 1. Statement to Agawam Public Schools Staff

The Committee recognizes that social media and electronic communications have valuable functionality both in and outside of the classroom. This policy is not intended to limit any staff member’s right to speak publicly as a citizen on matters of public concern, or to communicate with fellow union members on workplace issues, so long as such communication adheres to appropriate time, place, and manner restrictions and does not interfere with the performance of job duties.

Notwithstanding this, when staff members speak through social media on matters concerning their work, they are speaking as employees, and, as such, restrictions may be placed upon their freedom to express themselves. Staff members are role models, not students' friends, and should always conduct themselves in accordance with this understanding.

Section 2. Responsibilities of the Committee, the Superintendent, and the Administration

a. Responsibilities of the Committee:

1. The Committee is responsible for maintaining, implementing, and updating this policy.
2. The Committee will support the efforts of the Superintendent and the Administration to act upon this policy in a timely manner.
3. The Committee will require the Superintendent to periodically report upon the results, consequences, and concerns related to this policy.
4. When necessary, the Committee will update this policy, pursuant to the recommendations of the Superintendent or other relevant parties.

b. Responsibilities of the Superintendent and the Administration:

1. The Superintendent of Schools will develop and maintain a technology Acceptable Use Policy (AUP). It will be the responsibility of the Superintendent to work with representatives from the staff to review this policy annually and propose updates when appropriate.
2. The Superintendent and the Administration retain the right to monitor all activity on district related social media, all activity on Agawam Public Schools owned equipment (i.e., computers, tablets, etc.), and all activity on the Agawam Public Schools network for the purpose of maintaining the safety of students and staff and to ensure that this policy is followed by all staff members.
3. The Superintendent and the Administration will offer an orientation on this policy to all new staff members at the beginning of each school year.
4. The Superintendent and the Administration will distribute this policy to current staff members annually and will notify all staff of updates and changes to this policy as they occur.

Section 3. Communication Media

a. Cellular Telephones and Text Messaging

Background:

Staff employed by the Agawam Public Schools are charged with, among many things, maintaining a safe educational environment for students. Although staff members should not generally provide their personal contact information such as cellular and home telephone numbers, there are limited instances described herein where it is appropriate to give out this information. Staff who lead school-sponsored trips, or organize events that require travel shall maintain a line of communication with students and parents by providing their personal cell phone number to all student participants and their parents. Students may also provide their personal cell phone numbers to staff who lead school-sponsored trips or organize events that require travel to facilitate ease of communication during travel. The purpose of this limited exchange of personal information is to protect student safety during travel.

Procedures:

1. Prior to providing any student with his/her home and/or personal cell phone number, a staff member shall inform the school's principal or his/her designee and obtain prior authorization.
3.
2. Staff members shall communicate to students and their parents that the staff member's personal cell phone number is being provided for educational, informational, or safety purposes only.
3. Staff members shall only contact students via their personal cell phones for specific purposes (i.e., the student has not returned to a bus on a field trip). The Agawam Public Schools prefers communication related to academic issue occur in class or be directed through district provided email addresses.
4. Staff members who provide students with personal contact information shall explain the limited reason it is being provided and shall report any unauthorized use of this information by students (i.e., a student contacts the staff member via personal cell phone for an unauthorized purpose) to the principal or his/her designee immediately.

b. Email Communication

Background:

Email communication has become a standard way of conveying information between parties. Email communication refers to any electronic mail or messaging done over the Internet.

Procedures:

1. Staff may communicate with students, staff, parents, PTOs, members of the Committee, and members of the community through district owned email addresses regarding issues pertaining to their role as employees of the Agawam Public Schools. Other professional communication may include blogs, wikis, webpages, virtual classrooms, and similar forums. All communication is to remain professional in nature at all times.
2. Staff shall not provide their personal email addresses to students.
3. Staff shall not request students' personal email addresses, nor shall they direct any communication to personal email addresses provided by students unless it pertains to academics and/or school-related activities.
4. All email communication sent from a public entity (i.e., using an Agawam Public Schools owned computer, network, email address, etc.) are part of the public record, may be disclosed, and may be monitored by the District for any reason without notice. Users of district-owned email addresses should have no expectation of privacy in the content of communications on district-owned email addresses.

c. Social Media, Webpages, and Applications

The increased proliferation of social media has provided the Agawam Public Schools with the opportunity to utilize these websites and applications as educational tools. It is a goal of the District's strategic plan to engage students through both traditional media as well as through the use of technological immersion, creating 21st century global citizens. Our goal is to integrate technology with the curriculum through modeling best practices, mentoring, using study groups, developing online formats, and creating and updating technology-related policies.

In accordance with the District's technology plan, the Agawam Public Schools will continue to implement a tablet based technology format. Recognizing that some applications or "apps" may have social networking properties, the use of any application where students must register personal information must be documented with the principal or his/her designee and the Instructional Technology Director. COPA law prohibits the use of services, which require personal information of children under 13. The use of social media, webpages, and applications by staff and students together shall be strictly for educational purposes only. Personal communication between students and staff via social media, webpages, and applications shall be limited to educational purposes.

d. Use of Photographs

1. Staff shall not, without the prior, express written permission of the Superintendent or his/her designee, electronically communicate (including, but not limited to, posting on social media

websites) the logo of the school or school district, any photo of the school, or its likeness, or any photo of any other property belonging to the Agawam Public Schools.

2. Staff shall not use, copy, disseminate, or share in any manner, including via social media, photos, or videos of students where the parent(s) or legal guardian(s) has failed to fill out the form titled, "Permission to Photo/Video Students" as provided by the Agawam Public Schools, or has chosen to "opt out" as allowed by the form entitled, "Permission to Photo/Video Students."
3. Staff must keep in mind that videos and images of students may constitute "student records" within the meaning of federal and state law.
4. Staff shall not identify students by their full name in any photograph at any time.

e. Social Networking Websites

With nearly one billion users worldwide, Facebook, Twitter, and other social networks have become ubiquitous.

1. Staff shall not "friend", follow, message, or engage students in any way on social media websites via their personal accounts.
2. Staff wishing to use a social media profile for both personal and educational purposes must maintain separate personal and professional work profiles.
3. Staff shall use privacy settings on individual social media websites to prohibit access by students and parents to their personal social networking pages.
4. Staff may only create professional social media accounts (i.e., accounts used exclusively for educational purposes) on district-approved websites and platforms. The direct link to these pages must be provided to the principal or his/her designee and to the Agawam Public Schools Instructional Technology Director once it is created.
5. Staff shall not communicate with students via the direct messaging feature of any social media site, but rather only communicate through district-provided email accounts or social media posts that are publicly accessible via the staff member's professional account on a district-approved website or platform.
6. Staff shall report any inappropriate use of these sites by students or by fellow staff members to their district administrator immediately.
7. Staff must cite links to all sources of information from third parties posted on professional social media webpages.

8. Staff must notify parents of the use of professional accounts on social media sites, and provide students who are unable to access content hosted on these sites with the relevant information necessary for participation in the class through other means (i.e., hand-outs, email, etc.).

f. Blogs, Wikis, Class Pages, etc.

1. Staff may use blogs, wikis, or any other website for instructional purposes, including but not limited to, homework pages and blog pages.
2. Staff shall provide the web address of his/her page to the principal or his/her designee before disseminating the address to students.
3. Staff shall identify students only by their first names on these pages.
4. Staff shall notify parents of the use of these pages and provide students who do not have access with alternative means of obtaining the information provided over these pages (i.e., hand-outs, email, etc.).
5. Staff shall cite all sources of content they provide on these pages and comply with applicable copyright laws and other applicable intellectual property laws.

Section 4. Public Records Law and Copyright Protection

The Attorney General of the Commonwealth of Massachusetts has determined that any document created or received by a public employee in his or her capacity as such is subject to retention and perhaps disclosure under the public records law.

- a. Staff shall not delete any message posted on a social media site, webpage, blog, homework page, etc.
- b. Staff shall save all direct messages and communications conveyed through social media sites and through their own district email address.
- c. Staff shall comply with applicable copyright laws when posting information produced by another person or entity and shall cite all third-party sources of information posted or shared.

Section 5. Student and Staff Conduct

The district has multiple policies regarding student and staff conduct which overlap with this policy. The Committee and Administration recognize that the use of electronic communication technology in an educational setting presents new challenges to appropriate student and staff conduct. However, behavioral expectations will not be diminished in these settings and 6. appropriate professional boundaries shall be maintained at all times and through all means of communication. As such, the District retains the right to moderate and restrict student and staff use on District-related pages. The Committee and the Administration expect staff and students to maintain the same level of decorum in electronic communications, including the use of social media, as in face-to-face interactions. This policy is intended to supplement existing policies, not to supersede them.

a. Bullying and Cyber Bullying

The Committee and the Agawam Public Schools are committed to maintaining a safe learning environment for all students. With regard to bullying, please see Policy JBA, *Sexual Harassment, Bullying, and Hazing Policy*, and, in particular, references to cyber bullying. Cyber bullying of any kind will not be tolerated.

b. Acceptable Use of School Equipment and Networks

The Committee and the Agawam Public Schools are committed to maintaining the security of the Agawam Public Schools networks, the quality of Agawam Public Schools equipment, and the privacy of Agawam Public Schools students. See Policy IJNDB-R, *Acceptable Use Policy Technology*.

c. Student Handbooks

At the beginning of each school year, the building administrator or homeroom teacher shall distribute student handbooks which detail the expectations of behavior for Agawam Public School students and set rules for student conduct. Nothing contained in this Policy shall diminish those expectations and rules. The on-line behavior of both students and staff shall reflect the same standards as those used for face-to-face communications at the Agawam Public Schools.

Section 6. Discipline

The Superintendent or assigned designees may conduct internet searches to determine whether staff members have used social media in ways that violate this Policy. If a violation of the Policy is determined to have occurred, the Superintendent or assigned designee shall bring the violation to the attention of the staff member and shall consider and apply disciplinary measures up to and including termination. The disciplinary process for staff shall proceed in accordance with any applicable collective bargaining agreement under which the staff member is covered.

The Agawam Public Schools and the Committee disclaim all liability for the content of materials that users access on Social Media, for damages suffered in the course of or as a result of social media use, and for any related consequences. The Agawam Public Schools shall not be responsible for any unauthorized use of the District's network, including any and all unauthorized costs, financial obligations, fees, charges, or purchases.

Agawam Public Schools 2013 – 2014

7.

Approved by School Committee on October 22, 2013 by a vote of 5 – 2 (Nay)

APPROPRIATE USE OF MOBILE DEVICE BY EMPLOYEES

As an employee of the Agawam Public Schools, I recognize and understand that the school district's mobile devices are to be used for school work only. I also understand that it is my responsibility to take proper care of any mobile device in my possession and agree to abide by the following:

Guidelines:

1. I will comply with school committee policies related to the acceptable use of technology while using a mobile device during school hours and after school hours.
2. Consequences of inappropriate use will be determined by the building principal.
3. Mobile devices will not be used for social media or games that are not part of the Agawam Public Schools curriculum.
4. A police report shall be filed if this device is stolen. The building principal and IT Department shall also be notified of the theft.
5. I will be responsible for any loss or damage to the mobile device at the replacement cost.
6. I will keep the mobile device with me or in a secured, locked location.
7. I will be the sole user of the assigned device and will not share it with anyone else without permission from the building principal or IT Director.
8. I will charge the device daily and bring it to school fully charged.
9. I will restrict taking my device into areas that are designated as high-traffic areas to minimize the chance of damage such as cafeterias, playgrounds, and gymnasiums.
10. I will not place food or drink near the mobile device.
11. I will use the protective cover or case provided with the device to ensure its safety.
12. I will not attempt to repair or take apart the device if it breaks. Rather, I will report the breakage to the building principal or IT Department at support@agawampublicschools.org.
13. If a camera is provided with the device, I will use it for educational purposes only.
14. The district will load apps or software required for instruction on the device. The district will not be responsible for any other apps or software loaded by staff. Once the device is returned to the district, any apps or software loaded by staff will not be reimbursed.
15. Staff purchases of apps or software shall be approved by the principal or IT Director.
16. If the device requires backup or syncing, I will only sync the device with the computer designated by the IT Department.
17. I will keep the internet content filter in place and will not attempt to override its filtering of appropriate content.
18. I will not place decorations of any type on this device such as stickers or markers.
19. I understand that this device is the property of the Agawam Public Schools and is subject to inspection at any time without notice.
20. I agree to return the device in good working condition with all associated cords and peripherals. Devices are required to be returned to the IT Department at the designated inventory time at the end of the school year or upon request.
21. The principal or IT Director must approve that a device can be taken home for use. There will be limited support for devices at home.

Agawam Public Schools 2014

Approved by School Committee on May 13, 2014 by a vote of 7 – 0

FIELD TRIPS

The Agawam School Committee recognizes that firsthand learning experiences provided by field trips are a most effective and worthwhile means of learning. It is the desire of the Committee to encourage field trips as part of and directly related to the total school program curriculum.

Specific guidelines and appropriate administrative procedures shall be developed to screen, approve, and evaluate trips and to ensure that all reasonable steps are taken for the safety of the participants. Said guidelines and procedures must be developed by the Administration and reviewed and approved by the Agawam School Committee.

These guidelines and appropriate administrative procedures shall ensure that all field trips have the approval of the principal and that all overnight trips have the prior approval of appropriate Administration level and the Agawam School Committee.

Agawam Public Schools 2004

Approved by School Committee on June 14, 2004 by a vote of 7-0

FIELD TRIPS AND EXCURSIONS

Field trips designed to stimulate student interest and inquiry and provide opportunities for social growth and development are considered appropriate extensions of the classroom. To the extent that they provide the most effective means for accomplishing general curriculum objectives of the schools, field trips may be authorized by the building principal, subject to requirements established by the Agawam School Committee and/or the Superintendent.

To be educationally beneficial, a field trip requires thoughtful selection, careful advance preparation of the class, and opportunities for students to assimilate the experience during and at the conclusion of the trip. To this end, teachers and principals will be expected to consider the following factors in selection of field trips: (a) value of the activity to the particular class group(s); (b) relationship of the field trip activity to a particular aspect of classroom instruction; (c) suitability of the activity and distance traveled in terms of the age level; (d) mode and availability of transportation; and (e) cost.

Additionally, the Committee requires the following:

1. Each student who goes on a field trip must have written parental permission and a signed indemnity form on file.
2. School bus transportation may be used when arrangements can be made to do so without disrupting regular school bus schedules.
3. Enough supervision must be provided so that discipline on the trip is effective.
4. All extended (overnight) field trips must have a 30-day advance approval of the Committee.

CROSS REFS.: EEAE, Student Transportation in Private Vehicles
IGDD, Student Performances

Agawam Public Schools 2004

Approved by School Committee on June 14, 2004 by a vote of 7 - 0

LATE NIGHT & OVERNIGHT SCHOOL SPONSORED STUDENT TRAVEL

A. Trip Approval Process:

1. Advance approval by the school committee must be required for any student trip involving late night or overnight travel.
2. The approval process should be completed 30 days prior to engaging students in fundraising activities or other preparations for the trip.
3. Overnight trips should offer significant educational benefit to students that clearly justify the time and expense of the trip. Such trips should be appropriate for the grade level.
4. Teachers and other school staff should be prohibited from soliciting privately run trips through the school system. The trip approval process should apply only to school sanctioned trips; school committees should not approve trips that are privately organized and run without school sanctioning.
5. Policies and procedures for trip approval should take into account all logistical details involving transportation, accommodations, fundraising required of students, and the educational value of the trip in relation to its costs.

B. Transportation:

1. The use of vans or private automobiles for trips planned to include late night or overnight student travel is prohibited. Such trips should generally use commercial motorcoaches. An exception will be made for MIAA sanctioned activities/events.
2. Trips planned to include late night or overnight student travel should involve pre-trip checks of companies, drivers, and vehicles.
3. School officials should ensure that the selected carrier is licensed for passenger transportation by the Federal Motor Carrier Safety Administration (FMCSA). The district should not contract with any carrier that has an FMCSA safety rating of "conditional" or "unsatisfactory." FMCSA carrier ratings are available at <http://www.safersys.org/>.
4. Districts which are unable to conduct their own in-depth reviews of bus carrier qualifications may elect to use rating and pre-qualifications established by other public entities, such as the Department of Defense's approved list of motor carriers for troop transport. (<http://www.mtmc.army.mil/content/504/approvedlist.pdf>)

5. The contract with the carrier should prohibit the use of a subcontractor unless sufficient notice is given to the district to allow verification of the subcontractor's qualifications.

C. Trip Scheduling:

1. Overnight accommodations must be made in advance with student safety and security in mind. Whenever possible, the trip schedulers should avoid planning student travel between the hours of midnight and 6 a.m., due to the increased risk of vehicular accidents during this time period.
2. 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 under 603 CMR27.00. However, academic field trips may be considered structured learning time (see the Department's Student Learning Time Regulations Guide). School districts may consider travel for field trips as included in students' schedules, but the Department recommends that schools consider scheduling additional structured learning time when significant travel time is anticipated (i.e., time outside the hours of the regular school day).
3. Trip itineraries must leave enough time for drivers to rest in conformity with federal hour-of-service requirements and common sense.
4. Trip scheduling should take into account the likelihood of delays due to weather, traffic, stragglers, and other unanticipated factors.
5. If substantially all members of a class are participating in a trip, the school should provide appropriate substitute activities for any students not participating.

D. Fundraising:

1. The amount of time to be devoted to fundraising should be reasonable and commensurate with students' obligations for homework, after-school activities, and jobs.
2. Group fundraising activities are preferred. Students should not be assigned individual fundraising targets.
3. If students are charged individual fees for participation, the district should make every effort to provide scholarships where needed.

E. Student Supervision:

1. Students shall be accompanied by a sufficient number of chaperones, taking into account the trip scheduling and logistics. All chaperones, including parents and volunteers, must have a CORI check in accordance with M.G.L. c.71 s. 38R.

2. CORI checks must be conducted for bus drivers who do not regularly work for the school district.
3. All participating students must submit a signed parent/guardian permission form. Such form shall include appropriate authorization for emergency medical care and administration of medication.
4. Advisor must meet with building principal to review trip preparation plans and to ensure all requirements have been met.

Mass. Department of Education December 16, 2003

Agawam Public Schools 2004

Approved by School Committee on June 14, 2004 by a vote of 7 - 0

FIELD TRIPS AND EXCURSIONS

Field Trip Check List

For field trip to be held on _____ to _____

1. _____ Chaperone supervision has a ratio of at least 1 to 10 and all chaperones have been CORI checked.
2. _____ Permission slips and signed indemnity forms have been received from all students.
3. _____ Field Trip Substance Abuse Policy permission slips have been received from all students (when applicable).
4. _____ Complete itinerary, including all unsupervised time, is included with the field trip request and has been made known to parents.
5. _____ Reasonable efforts have been taken to insure the safety and welfare of all students.

If any of the above have not been checked, please give reasons why.

School _____

Teacher's Signature _____

Principal's Signature _____

Agawam Public Schools 2004

Approved by School Committee on June 22, 2004 by a vote of 7 - 0

OVERNIGHT FIELD TRIPS

Parent/Guardian Approval Form

Date _____

The students in _____ will be participating in a field trip to:

Destination: _____ City & State: _____

We plan to leave from _____ on _____ at _____
(place) (date) (time)

and return to _____ on _____ at _____
(place) (date) (time)

Teacher/Advisor Signature

GENERAL INFORMATION

If your child is participating in an overnight field trip, you will find attached to this letter a complete itinerary including all unsupervised time. Information concerning costs for each participant is also attached.

Reasonable efforts shall be taken to secure the safety and welfare of students on school-approved field trips, not only enroute, but also during stopover activities. The teachers, advisors, and administrators shall be responsible for seeing that responsible safety and welfare measures are taken. It shall be the responsibility of the person in charge of their trip to acquaint chaperones with their duties and responsibilities.

Please be advised that there may be times when your child is unsupervised. We expect that he/she will always act in a mature and responsible manner.

Inasmuch as the advisor and chaperone duties include attempting to safeguard the well-being of students on the trip, it is of paramount importance that students and parents agree that the student will abstain from the use, purchase, or possession of chemical intoxicants. The legal and personal jeopardy involved with the use of alcohol or other drugs is unacceptable, and it is essential that steps be taken to remove an offending student from the trip for a return to the home as quickly as possible. **To accomplish this end, we ask you, the parent or guardian, to read and sign the following agreement:**

I agree that, if my child/ward is found to be in possession of alcohol or any illegal or nonprescribed substance (including alcohol) or drug paraphernalia at any time on the field trip, that he/she will be removed immediately from the group and sent home. I also agree that, if the chaperones and/or any other party they consult with (such as hotel physician or convention nurse) determine that my child/ward is under the influence of alcohol or other drugs, he/she will be removed from the group and sent home.

At this point, the chaperones will call me or my designee, as given below, to arrange for an immediate return of my child/ward on the next available transportation to Agawam for which I agree to pre-pay a ticket by telephone. My child/ward will be met in Agawam by me or by my designee and brought to my home or that of my designee. I will also be responsible for all losses, which may be incurred as a result of nonrefundable ticket prices and for any expenses incurred by the chaperone or his/her designee in escorting my child to the transportation.

Parent/Guardian Signature

Date

Name of Parent/Guardian: _____

Address: _____

Telephone #'s: _____ Home _____ Work _____ Cell _____

Designee's Name: _____

Address: _____

Telephone #'s: _____ Home _____ Work _____ Cell _____

PARENT/STUDENT CONSENT/RELEASE FROM & INDEMNITY AGREEMENT FOR LEAVE OF STUDENT FROM SCHOOL VOLUNTARY ATHLETIC ACTIVITY AND/OR SCHOOL EXTRA-CURRICULAR ACTIVITY AND/OR SCHOOL TRIP

I/we, the undersigned, parent, guardian(s)/legal representative(s) of _____, (Student), and the student do severally and individually hereby consent to his/her leave and travel from _____ (Designated school voluntary athletic activity/extra-curricular activity, and/or trip destination), on _____, to _____.

The particulars of the date, time, and departure of the student from the designated school activity/extra-curricular activity and/or trip destination location in this consent are as follows:

In consideration of the student being allowed to separate from the designated school voluntary athletics activity, extra-curricular activity, and/or school trip destination location, do for myself/ourselves and as parent/guardian of said minor, heirs, my agents, my representatives and on behalf of _____, do forever release, acquit, and discharge and covenant to hold harmless the said City of Agawam, its Public Schools and their employees, servants, and agents, as well as the Agawam School Committee, its former and current members, and its employees, servants, and agents from any and all actions, rights of action, causes of action, charges and/or claims in any way related to, arising from, and/or growing out of, directly or indirectly, all known or unknown personal injuries or property damage or death, which I/we may now or hereafter have as the parent(s)/guardian(s)/legal representative(s) of said minor, as well as any actions, rights of action, causes of action, charges and/or claims, which said minor has or hereafter may acquire, either before or after he/she reaches the age of majority, resulting from, relating to, or in any way connected to, his/her separation from the designated school voluntary athletics, extra-curricular activity, and/or trip destination location related to the City of Agawam, its Public Schools, and their employees, servants, and agents, as well as the Agawam School Committee, its former and current members and its employees, servants, and agents.

In addition, I/we as parent(s)/guardian(s)/legal representative(s) of said minor, agree to indemnify the City of Agawam, its Public Schools and their employees, servants, and agents, as well as the Agawam School Committee, its former and current members, and its employees, servants, and agents in the event that any action, charge, and/or claim is brought against the foregoing, which is in any way related to, arising from, and/or growing out of, directly or indirectly, my son/daughter's said separation from the designated school voluntary athletics, extra-curricular activity, and/or trip destination location related to the City of Agawam, its Public Schools, or its School Committee.

The signer(s) of this form state(s) that they have read it, understand its contents, and that participation by the student/pupil in said separation from the designated school voluntary athletics, extra-curricular activity, and/or trip destination location as particularly set forth herein, with full knowledge that said City of Agawam, its Public Schools, and School Committee will not be liable to anyone, including my

child and me, for personal injuries and property damage my child or I may suffer related in any way to said separation from the designated school voluntary athletics, extra-curricular activity, and/or trip destination location.

Signature of Parent(s)/Guardian(s)/Legal Representative(s)

Date

Student Signature

Date

HOMEWORK

The Agawam School Committee recognizes the worth of homework for students and encourages flexibility on the part of administrators and teachers in providing for homework.

Communication among teachers of the same students is an important aspect in solving problems related to homework. An internal "school policy" on homework should be developed by each school staff as part of the inservice program for teachers. Continuous inservice work must focus attention on good practices.

Homework assignments can be one of the best sources of public good will. The development of a sensible philosophy of homework in each school requires the careful attention of teachers, principals, and curriculum workers.

PROMOTION GUIDELINES

GRADES PREK – 6

A student may be retained if he/she fails two or more academic subjects, one of which is Reading, for the school year with an average less than 65 in these subjects, unless their retention is not deemed to be warranted or beneficial by the building principal.

Academic subjects include the following: English Language Arts (includes Reading), Mathematics, Science & Technology Education, and Social Studies.

The decision concerning student grade placement for the next school year shall be made in relation to the specific situation. The following factors will be taken into account:

1. Age
2. Academic achievement in all subject areas, especially the basic skills as determined by test and teacher judgement (i.e. MCAS)
3. Physical development
4. Social development
5. Emotional development
6. Work and study habits
7. Attendance record
8. Progression to the next grade
9. Evaluation of student's progress in relation to ability

Process Regarding Student Placement For The Next School Year

- Teachers will submit to the principal a list of students who at mid-year present substantial risk of non-promotion.
- Teachers will meet with parents/guardians to discuss situation and possible strategies.
- Student will be referred to the Instructional Support Team and/or Special Services.
- Team will meet with principal and parent(s)/guardian(s) to discuss student and to review the recommendations.
- The principal reserves the right to make the final decision relative to a child's promotion or retention.

PROMOTION GUIDELINES GRADES 9 - 12

Agawam High School utilizes the nationally recognized and universally accepted Carnegie unit system.

Beginning with the Class of 2010, graduation requirements will include the following:

GRADUATION REQUIREMENTS FOR ALL STUDENTS

1. Four years of English (4 credits)
2. Three years of Mathematics (3 credits)
3. Three years of Science (3 or 4 credits)
4. Three years of Social Studies (3 credits including 2 years of U.S. History).
5. Two years of a foreign language (2 credits)
6. One course in a visual or performing art (.5 credit)
7. One course in instructional technology (.5 credit)
8. Four semesters of physical education/health education (2 credits)
- 9.

Total number of required credits above = 18. All students **MUST take and pass** 24 units (credits) in order to graduate. All students must carry a minimum of seven (7) credits per year.

CREDIT REQUIREMENTS

Students will be required to accumulate 24 Carnegie units (24 credits) in order to graduate.

- One Carnegie unit is a full-year course taken every day = 1 credit
- ½ Carnegie unit is a half-year course = .5 credit

A significant portion of the total credits must include specific course requirements. Promotion will take place only at the end of the school year or after the successful completion of summer school. Students may not be re-classed from Grade 9 to Grade 11 despite earning the required 12 credits due to the MCAS requirements in Grade 10. If declassified Grade 10 students pass the MCAS exams, achieve the required 18 credits, and pass their required courses (including English 9 & English 10 and their Math courses), they may be re-classed from Grade 10 to Grade 12. De-classed tenth grade students with 18 credits who have **not** passed their MCAS exams may only be promoted to Grade 11.

Students will be required to pass the following number of credits to be promoted to the next grade level:

- 5 credits to move from Grade 9 to Grade 10, and this must include the successful completion of English and Math
- 12 credits to move from Grade 10 to Grade 11, and this must include the successful completion of English and Math
- 18 credits to move from Grade 11 to Grade 12, and this must include the successful completion of English and Math

- 24 total credits to graduate

Note: Students must earn credits in the required courses (see Graduation Requirements for All Students) as well as in electives.

STUDENTS PLACED OUT-OF-DISTRICT

If a student with a disability is placed in an approved or unapproved private special education program through the recommendation of an IEP Team, the District will ensure that the private educational program is sufficient to meet the local requirements for graduation and accept the grades, courses, and credits awarded by the private educational program, as a way of meeting local requirements for graduation. Therefore, if the student meets all graduation standards of the out-of-district program and passes the MCAS test, the student will be eligible to receive an Agawam High School Diploma.

WAIVERS FROM GRADUATION REQUIREMENTS

Only the Principal can grant waivers exempting individual students from specific graduation requirements. These waivers require identification by the Principal of extenuating circumstances, e.g., a student who attends a full day or partial day collaborative program that necessitates a waiver. No graduation waiver can be granted without this permission and will be issued on a case-by-case basis.

All Agawam High School students or students educated in out-of-district placements, who have not yet passed the MCAS but have met local graduation requirements, as well as the criteria for the state-endorsed credential, will receive a “Certificate of Attainment” and be eligible to walk across the stage on graduation day with their classmates.

PROMOTION AND RETENTION OF STUDENTS

The Agawam School Committee is dedicated to the best total and continuous development of each student enrolled. The professional staff is expected to place students at the grade level best suited to them academically, socially, and emotionally.

In evaluating student achievement, each teacher will make use of all available information, including results of teacher-made tests and other measures of skill and content mastery, standardized test results, and teacher observation of student performance. The principal will direct and aid teachers in their evaluations and review grade assignments in order to ensure uniformity of evaluation standards.

Students will normally progress annually from grade to grade. Exceptions may be made when, in the judgment of the professional staff, such exceptions are in the best educational interest of the students involved. Exceptions will only be made after prior notification and explanation to each student's parents, but the final decision will rest with the building principal.

TEACHING ABOUT CONTROVERSIAL ISSUES/CONTROVERSIAL SPEAKERS

An important goal of the schools is to help prepare students for intelligent and conscientious participation as citizens in our democratic society. One step toward meeting this goal is to introduce students to reasoned and dispassionate approaches to the analysis of contemporary social and political issues. To insure that these issues can be examined in an atmosphere as free from emotion and prejudice as the times permit, the School Committee establishes the following guidelines for discussion of controversial issues in the schools.

Teacher-Planned Classroom Discussions

1. Controversial issues selected by teachers for classroom discussion must relate directly to the objectives and content of courses approved by the School Committee for inclusion in the curriculum.
2. The teachers' right to introduce controversial issues in classroom presentations does not include the right of advocacy. Teachers must refrain from using their positions to express partisan points of view.
3. The approach to discussion of these issues in the classroom must be objective and scholarly with minimum emphasis on opinion and maximum emphasis on intelligent analysis.
4. Teachers must ensure that the reasoned arguments of all sides of an issue are given equal presentation and emphasis in classroom discussions.
5. Teachers may invite visitors from outside the schools to give presentations on controversial issues when the visitors offer qualifications and resources not available in the schools. All visitors are to be guided by the standards of language usage that prevail in the classrooms and by the standards of scholarly inquiry set forth above. Whenever possible, teachers who invite visitors to present one side of an issue will also invite visitors to present the other side(s).
6. In all cases teachers must obtain from the appropriate principal permission to invite visitors for classroom presentations. Permission must be requested at least 48 hours before the scheduled time of presentation.

Student-Initiated Forums on Controversial Issues

Student groups may request permission to conduct forums on controversial issues in the schools. The principal may grant such requests under the following conditions:

1. Preparation for presentation of a forum will not cause any student or teacher to miss class and will not cause the cancellation of any class.
2. Adequate advance planning must be conducted for each forum. A request to hold a forum must be received by the principal at least three weeks before the scheduled date of presentation. For each request the principal will appoint, after consultation with the requesting student group, an adult advisory group consisting of at least two parents and two faculty members.
3. The standards for approach to discussion, style of presentation, and use of visitors as defined above will apply to student-initiated forums.

Requests from Groups or Individuals Outside the Schools

No permission will be granted non-school groups or individuals to make presentations on controversial issues in the schools during school hours. Requests for after-school or evening use will be processed in accordance with the committee's policy on community use of school facilities.

No permission will be granted outsiders for distribution of literature on controversial issues to students in general or to class groups.

SCHOOL CEREMONIES AND OBSERVANCES

The United States Constitution and the Constitution of the State of Massachusetts and related court rulings clearly establish the concept of "church and state separation" and the "preclusion of sectarian instruction in public schools."

In order to help staff members abide by the spirit and letter of the law, and to avoid compromising any student's religious or conscientious beliefs or freedoms, the following guidelines have been established:

The observance of religious holidays is not the responsibility of the public schools.

While it is recognized that many activities are initiated with the approach of major holidays in order to capitalize on the readiness and interest that is generated at these times, it should be understood that such occasions frequently have religious underpinnings. Care should be taken to relate only to secular aspects of these holidays.

Music programs given at times close to religious holidays should not use religious aspect of these holidays as the underlying motive or theme. Although religious music is appropriate in the schools to the extent that it is sung or presented for musical rather than religious content, its use should not violate the secular nature of the school. Pageants, plays, recitals, and other literary or dramatic activities should not be used to convey religious messages. While the holidays represent a valid source of ideas for meaningful school art experiences, teachers should avoid assigning or encouraging art work that promotes religious aspects of such holidays. If, however, individual students choose to use a religious personage, event, or symbol as the vehicle for an artistic expression, they should be allowed to take this action.

The above statements should not be interpreted to preclude the factual and objective teaching about religions, religious holidays, and religious differences. Such instruction will be permitted in the schools since insights in this area can enhance the mutual understanding needed by all the people in a pluralistic society.

LEGAL REF.: 603 CMR 26:05

PRAYER IN PUBLIC SCHOOLS

The school committee of any city or town may permit any child attending its public schools to participate in voluntary prayer with the approval of such child's parents before the commencement of each daily school session. Notwithstanding any provision of law to the contrary no city or town which permits such prayer shall be denied any funds for school purposes which it may be entitled from the commonwealth.

LEGAL REF.: M.G.L. Chapter 71, Section 1B

Agawam Public Schools 2003

Approved by Agawam School Committee on August 26, 2003, by a vote of 6 – 0 – 1 absent.

ANIMALS IN THE CLASSROOM

Animals can be effective teaching aids, and the benefits of the human-animal bond are well established. However, animals in the classroom necessitate certain safeguards. Because diseases can be transmitted from animals to people, consideration should be given to potential health issues before bringing animals into the classroom.

The following criteria shall be met prior to bringing an animal into the classroom:

- Clear parent/guardian notification guidelines and safety protocols will be in place before allowing animals in the classroom.
- Classroom pets or visiting animals must be in good health.
- Pets or visiting animals shall have documentation from a veterinarian or an animal shelter to show that the animals are fully immunized (if the animal should be so protected), and the animal is suitable for contact with children.
- Teaching staff will supervise all interactions between children and animals and instruct children about safe behavior when in close proximity to animals.
- School nurse will be notified, prior to pet or visiting animals entering the school, to make sure that any child who is allergic to a type of animal is not exposed to that animal.

No wild animal, no matter how tame, will be brought into a classroom except under the direct supervision of a qualified animal care professional. No reptiles will be allowed as classroom pets because of the risk of salmonella infection.

Parents, students, and teachers must make a written request to the building principal one (1) week prior to the animal visit. The principal will give final approval for all animal visits.

REF: Mass. Dept. of Public Health 2007, Comprehensive School Health Manual, Ch. 8

NAEYC Accreditation Criteria for Health Standards, 5.C.05

EQUAL EDUCATIONAL OPPORTUNITIES

In recognition of the diversified characteristics and needs of our students and with the keen desire to be responsive to them, the School Committee will make every effort to protect the dignity of the students as individuals. It also will offer careful consideration and sympathetic understanding of their personal feelings, particularly with reference to their race, creed, sex, religion, nationality, and physical and intellectual differences.

To accomplish this, the committee and its staff will make every effort to comply with the letter and the spirit of the Massachusetts equal educational opportunities law (known as Chapter 622 of the Acts of 1971), which prohibits discrimination in public school admissions and programs. The law reads as follows:

No child shall be excluded from or discriminated against in admission to a public school of any city, or in obtaining the advantages, privileges and course of study of such public school on account of race, color, sex, religion, national origin or sexual orientation.

This will mean that every student will be given equal opportunity in school admission, admissions to courses, course content, guidance, and extracurricular and athletic activities.

All implementing provisions issued by the Board of Education in compliance with this law will be followed.

LEGAL REFS.: Title VI, Civil Rights Act of 1964
Title VII, Civil Rights Act of 1964, as amended by the Equal
Employment Opportunity Act of 1972
Executive Order 11246, as amended by E.O. 11375
Title IX, Education Amendments of 1972
M.G.L. 76:5; 76:16 (Chapter 622 of the Acts of 1971)
Board of Education Chapter 622 Regulations Pertaining to Access to
Equal Educational Opportunity, adopted 6/24/75, amended 10/24/78
Board of Education, Chapter 766 Regulations 10/74 - amended through
3/28/78, 603 CMR 26:00

CROSS REF.: AC, Nondiscrimination

AGAWAM PUBLIC SCHOOLS

SEXUAL HARASSMENT, BULLYING, & HAZING POLICY

I. Policy:

- A. It is the policy of the Agawam Public Schools to provide a learning and working atmosphere for students, employees, and visitors free from sexual harassment, bullying, hazing, and intimidation. These terms are referenced herein as "harassment." Such action may occur on the basis of race, color, religion, national origin, age, gender, sexual orientation, disability, or for any other reason.
- B. It is a violation of this policy for any administrator, teacher, or other employee, or any student to engage in or condone harassment in school or to fail to report or otherwise take reasonable corrective measures when they become aware of an incident of harassment.
- C. This policy is not designed or intended to limit the school's authority to take disciplinary action or take remedial action when such harassment occurs out of school but has a nexus to school, or is disruptive to an employee's or student's work or participation in school-related activities.

Reports of cyber bullying by electronic or other means, occurring in or out of school will be reviewed and, when a nexus to work or school exists, will result in discipline. Parents of students alleged to have engaged in cyber harassment will be invited to attend a meeting at which the activity, words, or images subject to the complaint will be reviewed. A student disciplined for cyber bullying will not be re-admitted to the regular school program until his or her parent(s) attend such meeting.

- D. It is the responsibility of every employee, student, and parent to recognize acts of harassment and take every action necessary to ensure that the applicable policies and procedures of this school district are implemented.
- E. Any employee or student who believes that he or she has been subjected to harassment has the right to file a complaint and to receive prompt and appropriate handling of the complaint. Further, all reasonable efforts shall be made to maintain the confidentiality and protect the privacy of all parties, but proper enforcement of this policy may require disclosure of any or all information received.
- F. The Building Principal/Designee shall be responsible for assisting employees and students seeking guidance or support in addressing matters relating to any form of harassment.

II. Procedures:

A. Definitions – Sexual Harassment Prohibited:

"Sexual Harassment" means unwelcome sexual advances, requests for sexual favors, and other inappropriate verbal, written, electronically transmitted, or physical conduct of a sexual nature including, but not limited to, unwelcome comments, touching, written notes, pictures/cartoons, or other inappropriate conduct such as leering, whistling, brushing up against the body, commenting on sexual activity or body parts, or other activity referred to by the Model MCAD policy prohibiting such behavior. Harassment has the effect of creating an intimidating, hostile, or offensive work or learning environment that takes place under any of the following circumstances:

1. When submission to such conduct is made, explicitly or implicitly, a term or condition of employment, instruction, or participation in school activities or programs;
2. When submission to or rejection of such conduct by an individual is used by the offender as the basis for making personal or academic decisions affecting the individual subjected to sexual advances;
3. When such conduct has the effect of unreasonably interfering with the individual's work, attendance at school, or participation in academic or curricular activities, or;
4. When such conduct has the effect of creating an intimidating, hostile, or offensive work environment.

B. Definitons – Bullying Prohibited:

Bullying may take a variety of forms. It is unacceptable in a school or work environment. As a result, no student or employee shall be subjected to harassment, intimidation, bullying, or cyber bullying in any public educational institute:

1. "Bullying and cyber bullying," means unwelcome written, electronic, verbal or physical acts, or gestures where a student or employee feels coerced, intimidated, harassed, or threatened and under the circumstances (1) may cause a reasonable person to suffer physical or emotional harm to a student or employee, (2) may cause damage to another student's or employee's property, or (3) may cause a disruptive or hostile school environment. The behavior must interfere with an employee's ability to perform his or her duties or with a student's academic performance or ability to learn, or interfere with a student's ability to participate in or benefit from services, activities, or privileges:
 - a. that are being offered through the school district; or
 - b. during any education program or activity; or
 - c. while in school, on school equipment or property, in school vehicles, on school buses, at designated school bus stops, at school-sponsored activities, at school-sanctioned events; or
2. Through the use of data, telephone, or computer software that is accessed through a computer, computer system, or computer network or any public education institute.
3. As used in this section, "electronic communication" means any communication through an electronic device including a telephone, cellular phone, computer, or pager.

C. Definitions – Hazing Prohibited:

The term "hazing" shall mean any conduct or method of initiation, even if consented to, into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person.

1. Such conduct shall include, but is not limited to, whipping, beating, branding, forced calisthenics, exposure to weather, forced consumption of any food, liquor, beverage, drug, or other substance or any brutal treatment or forced physical activity, which is likely to adversely affect the physical health or safety of any such student or person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.
2. Whoever know that another person is the victim of hazing and is at the scene of such activity, shall, to the extent that such person can do so without danger or peril to himself or others,

report such activity to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such behavior shall be subject to discipline.

D. Guidelines for Investigating Harassment Claims:

In school systems, harassment may take many forms and cross many lines. The situation may be an instance of staff member-to-staff member, staff member-to-student, student-to-staff member, or student-to-student. Guidelines for dealing with any charge of harassment are as follows:

1. By law, harassment is defined by the victim's perception in combination with objective standards or expectations. What one person may consider acceptable behavior may be viewed as harassment by another person. Therefore, in order to protect the rights of both parties, it is important that the victim make it clear to the harasser that the behavior is objectionable.
2. In all charges of harassment, the victim should describe, in writing, the specifics of the complaint to ensure that the subsequent investigation is focused on the relevant facts. Oral and anonymous complaints will be reviewed but are inherently difficult to investigate and may not be procedurally fair; as a result no disciplinary action shall be taken on anonymous complaints unless verified by clear and convincing evidence. All other complaints will be reviewed based on a preponderance of evidence standard.
3. Any school employee who has reliable information that would lead a reasonable person to suspect that a person is a target of harassment, bullying, or intimidation shall immediately report it to the administration; each school shall document any prohibited incident that is reported and confirmed, and report all incidents of discrimination, harassment, intimidation, bullying, or cyber bullying and the resulting consequences, including discipline and referrals to the Superintendent's office as they occur.
4. A good faith report from a staff member renders the staff member immune from discipline for making a report and is considered to have been made in the course of the staff member's employment for purposes of M.G.L. c. 258. As a result, the school district shall indemnify staff members from any cause of action arising out of a good faith report of harassment or the district's subsequent actions or inaction in connection thereto.
5. If an instance of student-to-student harassment is reported to a staff member other than an administrator, the staff member must inform the Assistant Principal or the Building Principal.
6. If a situation involving a charge of staff member-to-student harassment is brought to the attention of any staff member, the staff member should notify the Building Principal or Assistant Superintendent immediately.
7. In a situation involving a charge of student-to-staff member sexual harassment, the staff member should notify the Building Principal or Assistant Principal.
8. In a situation involving a charge of staff member-to-staff member harassment, the staff member should notify the Building Principal or the Assistant Superintendent.
9. Once a charge of harassment has been made, including charges of mental, emotional, or physical harassment, as well as threats to a person's safety or position in the school or work environment, the following course of action should be taken:

- a. The Building Principal should investigate the charge through discussions with the individuals involved. In situations involving allegations against a staff member, he/she should be informed of his/her rights to have a third party present at the time of the discussion. In situations involving students, the Principal should engage the appropriate classroom or special subject area teacher. Parents will be informed of the situation and invited to participate in resolution discussions. It is important that the situation be resolved as confidentially and as quickly as the circumstances permit.
 - b. If the harasser and the victim are willing to discuss the matter at a resolution meeting in the presence of the Principal/designee or Assistant Superintendent, a supportive faculty member and/or parent should be included in the discussion. During this discussion, the offending behavior should be described by the victim and administration, a request for a change in behavior should be made, and a promise should be made that the described behavior will stop. If circumstances do not permit a face-to-face meeting, the administration will present the victim's position. Follow-up verification procedures will be explained. Failure to comply after a resolution meeting will result in appropriate discipline.

10. If after a resolution meeting with the involved parties, the Building Principal determines that further disciplinary action must be taken, the following could occur:
 - a. In instances involving student-to-student or student-to-staff member harassment, the student may be subject to discipline including, but not limited to, counseling, suspension, and, in appropriate cases, expulsion.
 - b. In instances involving staff member-to-student and staff member-to staff member harassment, findings will be reported to the Superintendent of Schools for further action. Personnel action may also be initiated at this point, consistent with the applicable law and collective bargaining agreement.
 - c. In all cases, a referral to law enforcement will be considered by the Principal or Superintendent based on the circumstances. School officials will coordinate with the Police Department to identify a police liaison for harassment cases.

11. Retaliation:

Retaliation in any form against any person who has made or filed a complaint relating to harassment is forbidden. If it occurs, it could be considered grounds for dismissal of staff personnel and/or removal from the educational setting for a student. A referral to law enforcement may be made.

12. Confidentiality:

Reports of harassment should be kept completely confidential, consistent with necessary investigation procedures, with the goal of protecting the victim and stopping the behavior.

For further information about these guidelines or help with sexual harassment problems or any other form of harassment, consult:

If the alleged harasser is responsible for conducting an investigation, the Superintendent or Committee shall designate an alternative Harassment Coordinator, who is:

LEGAL REF.: Title VII of the 1964 Civil Right Act, Section 703
Title IX of the 1972 U.S. Civil Rights Act
Chapter 151C, Massachusetts General Laws
M.G.L. Chapter 76 § 5

Agawam Public Schools 2010

Approved by the School Committee on April 13, 2010, by a vote of 5 – 0 – 2 absent.

HOMELESS STUDENTS: ENROLLMENT RIGHTS AND SERVICES

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

Homeless students are defined as lacking a fixed, regular and adequate nighttime residence, including:

1. Sharing the housing of other persons due to loss of housing or economic hardship;
2. Living in motels, hotels, trailer parks or camping grounds due to the lack of alternative adequate accommodations;
3. Living in emergency or transitional shelters;
4. Being abandoned in hospitals;
5. Awaiting foster care placement;
6. Living in public or private places not designed for or ordinarily used as regular sleeping accommodations for human beings;
7. Living in cars, parks, public spaces, abandoned buildings, substandard housing, transportation stations or similar settings;
8. Migratory children living in conditions described in the previous examples.

The superintendent shall designate an appropriate staff person to be the district's liaison for homeless students and their families.

To the extent feasible, homeless students will continue to be enrolled in their school of origin while they remain homeless or until the end of the academic year in which they obtain permanent housing. Instead of remaining in the school of origin, parents or guardians of homeless students may request enrollment in the school in the attendance area in which the student is actually living, or other schools. Attendance rights by living in attendance areas, other student assignment policies, or intra and inter-district choice options are available to homeless families on the same terms as families resident in the district.

If there is an enrollment dispute, the student shall be immediately enrolled in the school in which enrollment is sought, pending resolution of the dispute. The parent or guardian shall be informed of the district's decision and their appeal rights in writing. The district's liaison will carry out dispute resolution as provided by state rule. Unaccompanied youth will also be enrolled pending resolution of the dispute.

Once the enrollment decision is made, the school shall immediately enroll the student, pursuant to district policies. If the student does not have immediate access to immunization records, the student shall be admitted under a personal exception. Students and families should be encouraged to obtain current immunization records or immunizations as soon as possible, and the district liaison is directed to assist. Records from the student's previous school shall be requested from the previous school pursuant to district policies. Emergency contact information is required at the time of enrollment consistent with district policies, including compliance with the state's address confidentiality program when necessary.

Homeless students are entitled to transportation to their school of origin or the school where they are to be enrolled. If the school of origin is in a different district, or a homeless student is living in another district, but will attend his or her school of origin in this district, the districts will coordinate the transportation services necessary for the student or will divide the costs equally.

The district's liaison for homeless students and their families shall coordinate with local social service agencies that provide services to homeless children and youths and their families; other school districts on issues of transportation and records transfers; and state and local housing agencies responsible for comprehensive housing affordability strategies. This coordination includes providing public notice of the educational rights of homeless students in schools, family shelters, and soup kitchens. The district's liaison will also review and recommend amendments to district policies that may act as barriers to the enrollment of homeless students.

LEGAL REFS.: Title I, Part C
No Child Left Behind Act, 2002

Agawam Public Schools 2004

Approved by Agawam School Committee on May 25, 2004, by a vote of 6 – 0 – 1 absent

INFORMATION FORM FOR
HOMELESS EDUCATION ASSISTANCE ACT - MCKINNEY-VENTO

NAME OF STUDENT _____ DATE _____

CURRENTLY LIVING AT _____

PRESENT GRADE LEVEL _____ DATE OF BIRTH _____

NAME OF SCHOOL THAT YOU ARE ENROLLING AT _____

WHERE CAN WE REACH YOU BY PHONE _____

PREVIOUS SCHOOL ATTENDED _____

ADDRESS OF SCHOOL _____

PREVIOUS ADDRESS _____

LAST DATE THAT YOU ATTENDED SCHOOL _____

REQUESTING TRANSPORTATION FROM _____

TO _____ SCHOOL IN _____
City/Town

DATE RECEIVED TRANSFER OF SCHOOL RECORDS _____

SIGNATURE OF PARENT/GUARDIAN _____

PRINT NAME OF PARENT/GUARDIAN _____

YOUR CHILD HAS THE RIGHT TO:

- Access the same free and appropriate public education, including a public preschool education, as provided to all other children.
- Remain in the school he/she attended before becoming homeless.
- Receive transportation to the school they attend before your family became homeless or the school they last attended if you or a guardian requests such transportation.
- Enroll in school without giving a permanent address. Schools cannot require proof of residency that might prevent or delay school enrollment.
- Enroll and attend classes while the school arranges for the transfer of school and immunization records or any other documents required for enrollment.
- Enroll and attend classes in the school of your choice even while the school and you seek to resolve disputes over enrolling your child.
- Receive the same special programs and services, if needed, as provided to all other children.

PLEASE RETURN TO JOHN KANE, ASSISTANT SUPERINTENDENT FOR BUSINESS/HUMAN RESOURCES AS SOON AS POSSIBLE.

OVER

TO BE COMPLETED BY BUILDING PRINCIPAL/DIRECTOR

Student has been defined as homeless by nature of his/her current living arrangements:

- Family is sharing housing of other persons due to loss of housing, economic hardship or similar reason.
- Family is living in motel, hotel, trailer park, or camping ground due to the lack of alternative adequate accommodations.
- Family is living in an emergency or transitional shelter.
- Child is abandoned in the hospital
- Child is awaiting foster placement
- Child or youth has a primary nighttime residence that is a public or private place not designated for or ordinarily used as a regular sleeping accommodation.
- Child or youth is living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.
- Migratory child is living in circumstances described above.
- Runaway

The following registration documentation is lacking (check all that apply).

- Proof of Residence (if not living in shelter)
- Birth Certificate
- Social Security
- Physical Examination (or confirmed appt. card)
- Immunization Record
- Confirmation of Grade Level
- Massachusetts Transfer
- Language Assessment (if a language other than English has been indicated on the application.
- Special Education Documentation (IEP) if applicable).
- Legal guardianship documentation (applicable if someone other than custodial parent is registering student).

STUDENT DRESS CODE

Agawam Public Schools strives to provide an environment focused on instruction and learning. Appropriate student dress has a positive impact on student learning, student behavior, and the overall educational environment.

All students are required to be dressed in a manner that does not interfere with the health, safety, and welfare of themselves or other students. Students' dress should be appropriate for a working environment and conducive to learning as interpreted by the school building administration. Clothing and grooming habits should not be detrimental to students' health and safety and should be weather appropriate.

Dress that distracts/disrupts the educational process and the mission of the school is prohibited. Students may not dress in scantily clad attire such as halter tops, excessively short skirts, half or mesh shirts, or shirts that expose the midriff area. Students may wear loose fitting shorts, but bathing suits and short shorts are prohibited. Tank tops should not be low cut or excessively open.

To ensure student safety, appropriate footwear must be worn and should not damage floors. Outdoor apparel (jackets, coats, and hats) will be stored in lockers and classrooms during the school day except in unusual circumstances. Apparel that carries offensive or violent messages is not allowed. Accessories that create a danger to self or others are not allowed.

Students are not permitted to wear hats, bandannas, or other head covering in school. Exemptions will be granted for students who need to wear a head covering because of accepted religious practices or who have a specific medical need as validated by the nurse.

In addition, clothing or accessories found to be disruptive or distracting to the educational process or which has affected the safety of students will be determined a violation of the dress code by the school administration. If a student's attire is in violation of this code, the student will be required to change attire.

The parents/guardians of students who are not appropriately dressed will be notified and asked to bring an acceptable change of clothes to school.

Agawam Public Schools 2004

Approved by School Committee on November 23, 2004, by a vote of 7 - 0.

JEWELRY IN PHYSICAL EDUCATION

The wearing of jewelry in physical education classes creates a potential safety hazard. The Massachusetts Interscholastic Athletic Association (M.I.A.A.) endorses game rules and regulations, which do not allow jewelry to be worn during athletic competition.

To ensure the safety of all students, the School Committee prohibits the wearing of jewelry in physical education classes for grades K – 12.

REF.: SCR-97-14

Agawam Public Schools 2004

Approved by School Committee on June 14, 2004 by a vote of 7 - 0

BULLYING

Bullying and harassment are major distractions from learning. The grades of victims can suffer. Fear can lead to chronic absenteeism, truancy, or even dropping out of school. Bystanders feel both guilty and helpless for not confronting the bully.

As a rule, bullying behavior starts in elementary school and peaks in the middle school years. However, it attracts more attention from adults when it appears in high school. Because the students are older and physically larger, the behavior is recognized as being less tolerable and more inappropriate. Also, sexual harassment is, in fact, a form of bullying.

Bullying of any type has no place in a school setting. The Agawam Public Schools district will endeavor to maintain a learning and working environment free of bullying.

Bullying is defined as the act of one or more individuals intimidating one or more persons through verbal, physical, mental, or written interactions. Bullying can take many forms and occur in virtually any setting. It can create unnecessary and unwarranted anxiety that will affect attending school, walking in corridors, eating in the cafeteria, playing in the school yard or recreation areas, participating in or attending special and extra-curricular activities, or riding on the bus to and from school each day.

Examples of bullying include but are not exclusive to:

1. Intimidation either physical or psychological
2. Threats of any kind stated or implied
3. Assaults on students including those that are verbal, physical, psychological, and emotional
4. Attacks on student property

The School Committee expects administrators and supervisors to make clear to students and staff that bullying in the school building, on school grounds, on the bus or school-sanctioned transportation, or at school-sponsored functions will not be tolerated and will be grounds for disciplinary action up to and including suspension and expulsion for students, and termination for employees.

The district will promptly and reasonably investigate allegations of harassment including bullying. The principal of each building will be responsible for handling all complaints by students alleging harassment including bullying.

The Superintendent will develop administrative guidelines and procedures for the implementation of this policy.

Agawam Public Schools 2004

Approved by Agawam School Committee on May 25, 2004, by a vote of 6 – 0 – 1 absent

CHEMICAL HEALTH POLICY

The Agawam School Committee recognizes that the use of drugs/alcohol illegally and/or inappropriately constitutes a hazard to the positive development of students, and that the welfare of certain students is being compromised by drugs/alcohol-related problems. Accordingly, the School Committee shall attempt to clarify through this policy and the accompanying administrative rules the rights and responsibilities of the principals, teachers, students, and parents in dealing with the complex legal, social, educational, and emotional conditions associated with drug/alcohol use and abuse.

At the same time, the School Committee shall attempt to make clear the different forms of actions, which depending upon the severity of a drug/alcohol-related incident, must be taken and those which shall be left to the discretion of the principal, teachers, and students.

While the School Committee cannot and shall not allow the sale, use, or possession of illegal drugs/alcohol on school property, the School Committee strongly desires to demonstrate its abiding concern for the welfare of an individual student and the general welfare of the school population by offering expert, continued, and supportive advice and counsel to its students.

In cases where a student violates this policy by the use of drugs/alcohol illegally or is involved in the sale, possession, or exchange of drugs/alcohol within the school or within the school boundaries and/or at school-sponsored events/activities, the student will be disciplined in accordance with the School Committee approved policy governing student drug/alcohol abuse.

In order to ensure safety, a search of a student's person may include the use of a breathalyzer or a urinalysis drug screen by trained school professionals, and in the presence of the parent/guardian when there is reasonable suspicion to believe that the student is under the influence of and/or in possession of alcohol or a controlled substance. The refusal of a student to participate in the breathalyzer or urinalysis drug screen may lead to disciplinary penalty equal to the offense of which the student is suspected. Parents/guardians will be notified when a urinalysis drug screen is necessary and/or deemed appropriate

If the student tests positive, the student will be disciplined according to the discipline policies outlined in the Agawam Public Schools *Code of Conduct Handbook* for students. **If the student is found to be in possession** of alcohol or a controlled substance, the student will be disciplined according to the discipline policies outlined in the Agawam Public Schools *Code of Conduct Handbook* for students.

In addition to the above, under the Mass. Ed. Reform Act of 1993, any student found in possession of drugs is subject to expulsion and a mandatory expulsion hearing will be held. Consequences could include expulsion from school, suspension, community service to the school, meeting with an outside agency, and/or an assessment done by an outside agency with a plan of action (such as an in-patient or out-patient treatment program) submitted to the school.

Because supportive action by the parents/guardians is crucial to the success of any counseling, the parents/guardians will be encouraged to contact the principal if they are concerned about their child's possible drug/alcohol related behavior, and the principal will encourage the parents/guardians to become involved in any aspect of drug/alcohol counseling deemed desirable.

Agawam Public Schools 2007-2008

Approved by the Agawam School Committee on January 8, 2008, by a vote of 7 - 0.

INTERROGATIONS AND SEARCHES

Searches by Staff

The right of inspection of students' school lockers is inherent in the authority granted School Committees and administrators. This authority may be exercised as needed in the interest of safeguarding children, their own and school property.

Nevertheless, exercise of that authority by school officials places unusual demands upon their judgment so as to protect each child's constitutional rights to personal privacy and protection from coercion and to act in the best interest of all students and the schools.

Searches by school officials of students' automobiles or the student will be conducted in a way that protects the students' rights consistent with the responsibility of the school system to provide an atmosphere conducive to the educational process.

Interrogations by Police

The schools have legal custody of students during the school day and during hours of approved extracurricular activities. It is the responsibility of the school administration to make an effort to protect each student's rights with respect to interrogations by law enforcement officials.

Therefore:

1. When law enforcement officials find it necessary to question students during the school day or periods of extracurricular activities, the school principal or his/her designee will be present when possible. An effort will be made to contact the student's parent or guardian so that the responsible individual may be notified of the situation.
2. If custody and/or arrest is involved, the principal will request that all procedural safeguards, as prescribed by law, be observed by the law enforcement officials.

STUDENT TRAVEL

All student trips, which include late night or overnight travel, must have prior approval of the School Committee. Initial approval by the School Committee is required before engaging students in fundraising activities. The School Committee will also consider the educational value of the trip in relation to the cost prior to granting initial approval. Overnight trips should offer significant educational benefits to students that clearly justify the time and expense of the trip. Such trips should be appropriate for the grade level.

Final approval will not be granted until all preparations for the trip have been completed including, but not limited to, all logistical details involving transportation, accommodation arrangements, and fund-raising efforts. The School Committee requires that final approval be sought no less than 30 days prior to the scheduled trip dates. An exception will be made for MIAA sanctioned activities/events.

Teachers and other school staff are prohibited from soliciting for privately run trips through the school system and in the schools. The School Committee will only review for approval school-sanctioned trips. The School Committee will not review or approve trips that are privately organized and run without school sanctioning.

SOURCE: MASC

APPROVED: March 10, 2004

CROSS REFS.: IJOA, Field Trips

IJOA-1

IJOA-2

LEGAL REFS.: CHAPTER 346 OF THE ACTS OF 2002 (et al) approved on October 9, 2002
M.G.L. 69:1B; 71:37N

Massachusetts Association of School Committees - 2004

Agawam Public Schools 2004

Approved by School Committee on June 14, 2004 by a vote of 7 - 0

STUDENT TRAVEL REGULATIONS

1. Transportation

The use of vans or private automobiles for trips planned to include late night or overnight student travel is prohibited. Late night or overnight trips will use commercial motor coaches. An exception will be made for MIAA sanctioned activities/events.

Trips planned to include late night or overnight student travel will include a pre-trip check of companies, drivers, and vehicles. CORI checks will be conducted in accordance with Massachusetts General Laws Chapter 71, section 38R

The Superintendent or designee will ensure that the selected carrier is licensed for passenger transportation by the Federal Motor Carrier Safety Administration (FMCSA). The district will not contract with any carrier that has a safety rating of "conditional" or "unsatisfactory." FMCSA ratings are available at www.saferys.org/.

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 must be made in advance with student safety and security in mind. Whenever possible, trip schedulers should avoid planning student travel between the hours of midnight and 6:00 a.m., due to the increased risk of vehicular accidents during this time period.

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

SOURCE: MASC

APPROVED: March 10, 2004

CROSS REFS. : IJOA-1

IJOA-2

LEGAL REFS.: CHAPTER 346 OF THE ACTS OF 2002 (et al) approved on October 9, 2002
M.G.L. 69:1B; 71:37N

Massachusetts Association of School Committees – 2004

Agawam Public Schools 2004

Approved by School Committee on June 14, 2004 by a vote of 7 - 0

STUDENT ACIVITY ACCOUNTS

Student funds may be raised to finance the activities of authorized student organizations. Student activity funds are considered a part of the total fiscal operation of the district and are subject to policies established by the School Committee and the office of the superintendent. The funds shall be managed in accordance with sound business practices which include accepted budgetary and accounting practices.

In compliance with Massachusetts General Law Chapter 71, Section 47, the School Committee;

1. authorizes the principals to accept money for recognized student activity organizations which currently exist or as from time-to-time may be revised.
2. authorized the City Treasurer to establish and maintain a Student Activity Agency Account(s) which is to be audited as part of the City's annual audit. The interest that is earned on such accounts shall be maintained in the Agency Account and distributed annually among the Student Activity Checking Accounts as directed by the regulations established by School Committee policy.
3. authorizes Student Activity Checking Accounts for use by the principals with specific maximum balances established for each school by School Committee policy.
4. directs principals to provide the Treasurer with a bond in an amount agreeable to the Treasurer.

For accounts with limits that exceed \$25,000.00, the Massachusetts Department of Education recommends districts to consider an audit conducted by an outside accounting firm every two to three years.

LEGAL REF.: M.G.L. 71:37
OTHER REF.: MA Commissioner of Education Memo, May 3, 1996

INTERSCHOLASTIC ATHLETICS/INTRAMURAL PROGRAMS

Interscholastic and intramural sports are recognized as an integral part of the educational instructional program. Athletics will be used to develop and promote worthwhile educational goals. The following principles will govern athletic programs in the Agawam Public Schools:

1. Athletics are an integral part of the educational program and shall receive full financial support as is the case with other recognized parts of the total educational program.
2. The physiological and social benefits to be gained through physical activity and sport competition shall be made available to both male and female participants. When no comparable program exists or where limited staff and facilities do not permit separate programs, competing together in non-contact sports will be a temporary solution (i.e. intramurals).
3. The extent of different interscholastic sports available in Agawam should be governed by the interest and needs of all boys and girls and will receive equal attention for field allocations, equipment, budget and coaching expertise.
4. Every reasonable precaution shall be taken to safeguard the health and welfare of all participating pupils. Playing fields will be kept and maintained in good, safe playing condition; quality protective equipment shall be provided; complete physicals for all athletics and medical coverage at all events where contact sports are scheduled shall be provided; and adequate medical insurance for all athletic participants will be provided. The school system employs an athletic trainer.
5. In each sport starting with the opening day of practice, a short conditioning period shall be held. Prudence in early practice sessions is essential. It is not permissible to practice before the opening date. Proper hydration of athletes will take place. Team tryouts with open participation and close scrutiny will be held before cutting the team for final team formation. All participants will be assigned to a specific team (fresh, JV, varsity).
6. Interscholastic programs will be conducted in accordance with the regulations and recommendations of the Massachusetts Interscholastic Association (M.I.A.A.). The academic standards set by the association will be observed.
7. Intramural programs will be provided at the middle and junior high schools. The emphasis of these programs will be to develop skills and to promote group competition.

Coaches

Coaches are hired by the principal upon the recommendations of the athletic director and subject to the approval of the Superintendent.

It is the meaningful interaction between coach and athlete as well as the many hours of practice that serve as a basis for athletic achievement. The coach as educator, teacher and trainer has the

primary responsibility for developing skilled athletes and better human beings. In recognition of these factors, the School Committee advances the following principles as guidance for coaches:

1. Competition and cooperation are factors found in all athletic situations and are necessary to elevate motivation and improve performance. Equal emphasis on these two factors will be in accordance with the criteria associated with the nature of the athlete and the sport.
2. The coach will work for high morale and spirit through exemplary personal behavior and leadership which emphasizes acceptance and confidence in members of the team working toward a common goal.
3. The major contributions of sports to all participants should be competition, cooperation, spirit, mind and body development, enjoyment, and development of social skills.
4. At all times the welfare of the athlete will be the ultimate goal of the program and not the economic or public status of the school.
5. Selection of team players will be made with fair consideration to all after an appropriate observation period in a team situation.

CROSS REFS.: JFC, Student Conduct
JFG, Interrogations and Searches

INTRAMURAL PROGRAMS/INTERSCHOLASTIC ATHLETICS
Hydration Policy

The School Committee recognizes the importance of having student athletes maintain proper hydration before, during and after participation in athletics. It also recognizes that if a student athlete suffers a fluid loss of three to five per cent of body weight, then there is a corresponding reduction in blood volume which can cause a serious threat to the student athlete's well being and that the lack of proper hydration can lead to heat cramps, heat exhaustion and/or heat stroke.

HYDRATION REGULATIONS

The following guidelines shall be distributed to all coaches, student athletes and parents as part of the normal sign-up process. All coaches shall discuss these guidelines with their student athletes prior to the beginning of the first practice/tryout session. All coaches shall encourage their student athletes to discuss these guidelines with their parents to insure proper pre-practice/tryout and post-practice/tryout hydration. The guidelines are broken down into the following three sections.

1. Coaches - Guidelines for practice/tryout session hydration
2. Student Athletes - Guidelines for pre-practice/tryout, practice/tryout and post-practice/tryout hydration
3. Parents - Guidelines for pre-practice/tryout and post-practice/tryout hydration

COACHES

1. During the hot summer months, practice/tryout sessions should be conducted during the cooler part of the day (early morning or early evening).
2. Student athletes should be allowed to acclimatize - coaches should start with light, short practices/tryouts with minimal gear and gradually work up to full-gear sessions.
3. Coaches should make every effort to limit practice/tryout sessions to two (2) hours or less. Multiple sessions are permitted during the same day if separated by six hours.
4. No student athlete in visible distress should be denied rest and/or water. Student athletes should be encouraged to consume 8-12 oz. of cool water every thirty (30) to forty-five (45) minutes during practice/tryout sessions.
5. Coaches should not distribute salt tablets - student athletes need to replace fluid loss, not salt - a proper diet will replenish any salt loss.

STUDENT ATHLETES

1. Students athletes should wear light-weight, loose fitting clothing to practice/tryout sessions.
2. Student athletes should not wear rubberized clothing or heavy sweat suits during practice/tryout sessions.
3. On hot humid days, student athletes should try to consume approximately two glasses of cool water two hours before practice/tryout.
4. Student athletes should try to consume 8-12 oz. of cool water every thirty (30) minutes during practice/tryout.

5. Student athletes should try to consume cool water as thirst demands during the two-hour period after practice/tryout.
6. Student athletes are encouraged to utilize cool water for the replacement of fluids. If electrolyte drinks are utilized, it is suggested that they be diluted with cool water to a greater extent than called for by the respective manufacturer.
7. Student athletes who are overweight and/or light-skinned should be more careful as they are more susceptible to heat stress.

PARENTS

1. Parents should encourage their children to wear light weight, loose-fitting clothing to practice/tryout sessions.
2. Parents should discourage their children from wearing rubberized clothing or heavy sweat suits during practice/tryout sessions.
3. Parents should encourage their children to consume approximately two to three glasses of cool water two hours before practice/tryout.
4. Parents should encourage their children to consume approximately 34 oz. of cool water during the two hour period after practice/tryout.

All parties (coaches, student athletes, and parents) should watch for the following problems caused by the lack of proper hydration:

Heat Cramps

Symptoms: Characterized by cramping and severe muscle spasms

Suggestion: Consume liquids and engage in gentle stretching of the muscle

Heat Exhaustion

Symptoms: Characterized by extreme weakness, headache, dizziness or fainting, profuse sweating, cold and clammy skin, a rapid but weak pulse and near normal temperature

Suggestion: Call ambulance for transport to Emergency Room

Heat Stroke

Symptoms: Warm/dry skin, lack of sweating, rapid and full pulse, high rectal temperature, serious disorientation and unconsciousness

Suggestion: CALL AMBULANCE IMMEDIATELY! Cool body by whatever means possible (e.g. hose, ice, water, cold shower).

STUDENT WELFARE

Supervision of Students

School personnel assigned supervision are expected to act as reasonably prudent adults in providing for the safety of the students in their charge.

In keeping with this expected prudence, no teacher or other staff member will leave his/her assigned group unsupervised except as an arrangement has been made to take care of an emergency.

During school hours or while engaging in school-sponsored activities, students will be released only into the custody of parents or other persons authorized in writing by a parent or guardian.

Reporting to Authorities - Suspected Child Abuse or Neglect

Any school official or employee shall report any suspected child abuse or neglect as required by M.G.L. Ch. 119, S 51A.

In accordance with the law, the District shall establish the necessary regulations and procedures to comply with the intent of the Act consistent with the District's responsibility to the students, parents, District personnel, and the community.

Student Safety

Instruction in courses in industrial arts, science, homemaking, art, physical education, health, and safety will include and emphasize accident prevention.

Safety instruction will precede the use of materials and equipment by students in applicable units of work, and instructors will teach and enforce all safety rules set up for the particular courses. These include the wearing of protective eye devices in appropriate activities.

Safety on the Playground and Playing Field

The District shall provide safe play areas. Precautionary measures which the District requires shall include:

- A periodic inspection of the school's playground and playing fields by the principal of the school and others as may be deemed appropriate;
- Instruction of students in the proper use of equipment;
- Supervision of both organized and unorganized activity;

Fire and Evacuation Drills

The District shall cooperate with appropriate fire departments in the conduct of fire and evacuation drills.

**RESPONSIBILITIES OF THE AGAWAM SCHOOL DEPARTMENT,
SCHOOL PERSONNEL, PARENTS, & STUDENTS**

I. Responsibilities of the Agawam School Department:

- Create a system wide emergency plan for addressing life-threatening allergies
- Provide annual training to staff in the areas of common allergens that cause life-threatening allergies
- Identify signs and symptoms of an allergic reaction
- Outline steps to take in the event of an allergic reaction emergency
- Create a system wide “No food trading/ utensil sharing policy”
- Maintain a system wide “No eating food or drinking beverages on the school bus”
- Purchase Epi-Pens for nurses’ office, main school, cafeteria, and physical education emergency kit at each school.

II. Responsibility of the School Nurse:

- Prior to the first day of school, send a letter to all PreK – 12 parents/guardians encouraging them to notify the school if their child/children have any life-threatening allergies. In the letter, be sure to state that a signed letter from the child’s physician/allergist is needed to verify that the student has life-threatening allergies.
- The letter must also list the allergens that the child is allergic to and the course of treatment that is required in case of allergic reaction.
- Arrange to meet with parent/guardian of student with LTA to develop an Allergy Action Plan/Individual Health Care Action Plan for the student. During meeting, encourage the use of MEDIC-ALERT bracelets and other methods of identification for the student.
- Maintain updated AAP/HCPs in the nurse’s office.
- Discuss with parents about providing the nurse’s office with Epi-Pens and/or other medications as prescribed.
- Encourage parent/guardian to stress the importance of having their child/children (age appropriate) carry an Epi-Pen with them at all times.
- Inform your school’s Administrative staff about student with life-threatening allergies.
- Send a “Student Allergy Identification List” of students who have life-threatening allergies to teachers, coaches, and the cafeteria manager.
- Send updated list of students with LTAs to teachers/coaches/cafeteria manager throughout the school year.
- Nurses will wear NON LATEX GLOVES.
- Provide list of students with LTAs to the Athletic Director and Athletic Trainer.

III. Responsibility of Teacher:

- The “Student Allergy Identification List” should be kept in a prominent and accessible place for substitute teachers such as the Teacher’s Plan Book.
- Participate in annual training.
- In the event of an emergency with a LTA, contact principal and school nurse immediately.

IV. Responsibility of Parent/Guardian:

- Inform the school nurse of your child's allergies prior to the opening of school or immediately after a diagnosis.
- Arrange for a meeting with the school nurse to develop an Allergy Action Plan/Health Care Plan for the student and provide for the nurse a signed letter from the child's physician/allergist verifying that the child has life-threatening allergies. Provide letter from child's physician listing the allergens that the child is allergic to and the course of treatment that is required in case of an allergic reaction. Medical orders from physician must be included.
- Provide school nurse with enough up-to-date medications including Epi-Pens, if required.
- Complete all required medication forms along with current emergency contact names and telephone numbers,
- Provide a MEDIC-ALERT identification bracelet for your child.
- Encourage your child to wash his/her hands before eating.
- Teach your child to read ingredient labels (age appropriate).
- Require your child to carry an Epi-Pen on his/her person (age appropriate).
- Communicate immediately any symptoms of an allergic reaction.
- Encourage your child NOT TO SHARE snacks, lunches, drinks, or utensils.
- Notify school if child no longer has allergies. Again, a signed letter from the child's physician/allergist is required.
- Provide your child with a bag lunch.
- Provide your child with a safe snack for their consumption during classroom celebrations.

V. Responsibility of Student as Communicated by Parent:

- Take responsibility for avoiding known allergens.
- Do not share snacks, lunches, beverages, or utensils.
- Wash hands before eating.
- Learn to recognize symptoms of an allergic reaction.
- Communicate immediately when symptoms appear.
- Carry an Epi-Pen at all times (age appropriate).

VI. Responsibility of School Principal:

To the extent possible, the principal of each school shall be responsible for the following:

- In conjunction with nurses, provide in-service training and education for staff regarding life-threatening allergies, symptoms, risk reduction procedures, and emergency procedures including demonstration on how to use the Epi-pen.
- The protocol that explains Life Threatening Allergies and the application of the protocol at the school concerning Life Threatening Allergies will be discussed at Kindergarten orientation.
- Post the school's emergency protocol on LTAs in appropriate locations.
- Notify staff about the locations of Epi-pens in the school.
- A contingency plan will be in place and understood by all staff and students in the event the nurse is not in her/his office or in the building. Call 911.
-

VII. Responsibility of Food Service Personnel:

- All food service staff will participate in annual training in August for students with life-threatening allergies. Annual training will include following sound food handling practices to prevent allergic reactions and will ensure staff is prepared to take appropriate emergency action if necessary.
- All kitchen staff and food handlers will wear non-latex gloves.

- The Director of Food Services and all cafeteria managers will routinely read and recheck food labels for potential food allergens.
- The Director of Food Services will provide monthly copies of the lunch menu to staff and parents.
- All cafeteria tables in schools will be cleaned and sanitized before and after lunch periods.
- A peanut-free table will be established in all school cafeterias and will be designated by a universal symbol.
- The Director of Food Services and all cafeteria managers will continue to work with students, parents, school nurses, and other school personnel to ensure that they understand what the food contains and to promote allergy safety.

VIII. Responsibilities of Staff in Charge of Conducting Before/After School Programs:

- The Allergy Action Plan/Individual Health Care Plan will be available for parents to copy to give to those who assume responsibility for their child/children in the school-sponsored before and after school daycare program.

X. Responsibilities of School Transportation Services:

- Provide functioning emergency communication devices (e.g. cell phones, two-way radios, etc.) on each school bus.
- Maintain a policy of no food eating on the school bus.

NON-CUSTODIAL PARENTS RIGHTS

As required by G.L. Ch: 71, Sec. 34H, a non-custodial parent may have access to the student record in accordance with law and Department of Education Regulations. The school district will follow the law and the regulations developed by the Massachusetts Department of Education to standardize the process by which public schools provide student records to parents who do not have physical custody of their children ("non-custodial parents").

As required by M.G.L. c.71, § 34H, a non-custodial parent may have access to the student record in accordance with the following provisions.

- (a) A non-custodial parent is eligible to obtain access to the student record unless the school or district has been given documentation that:
 1. The parent has been denied legal custody or has been ordered to supervised visitation based on a threat to the safety of the student and the threat is specifically noted in the order pertaining to custody or supervised visitation, or
 2. The parent has been denied visitation, or
 3. The parent's access to the student or to the custodial parent has been restricted by a temporary or permanent protective order, unless the protective order (or any subsequent order modifying the protective order) specifically allows access to the information contained in the student record.
 4. There is an order of a probate and family court judge which prohibits the distribution of student records to the parent.
- (b) The school shall place in the student's record documents indicating that a non-custodial parent's access to the student's record is limited or restricted pursuant to 603 CMR 23.07 (5)(a).
- (c) In order to obtain access, the non-custodial parent must submit a written request for the student record to the school principal.
- (d) Upon receipt of the request, the school must immediately notify the custodial parent by **certified and first class mail, in English and the primary language of the custodial parent** that it will provide the non-custodial parent with access after 21 days, unless the custodial parent provides the principal with documentation that the non-custodial parent is not eligible to obtain access as set forth in 603 CMR 23.07 (5) (a).
- (e) The school must delete the electronic and postal address and telephone number information relating to either work or home locations of the custodial parent from student records provided to non-custodial parents. In addition, such records must be marked to indicate that they shall not be used to enroll the student in another school.
- (f) Upon receipt of a court order which prohibits the distribution of information pursuant to M.G.L. c. 71, §34H, the school shall notify the non-custodial parent that it shall cease to provide access to the student record to the non-custodial parent.

SOURCE: MASC - Revised January 25, 2007

LEGAL REF.: M.G.L. 71:34D; 71:34F; 71:34H
603 CMR 23.07 (5) Access Procedures for Non-Custodial Parents
20 U.S.C. §1232g Family Education Rights and Privacy Act (FERPA)

Agawam Public Schools 2008

Approved by School Committee on April 8, 2008, by a vote of 7 – 0.

PUBLIC PARTICIPATION AT SCHOOL COMMITTEE MEETINGS

The Committee desires citizens of the Agawam School System to attend its sessions so that they may become better acquainted with the operation and programs of the schools and that the Committee may have opportunity to hear the wishes and ideas of the public. All official meetings of the Committee shall be open to the press and public as provided in the Open Meeting Law.

In order to insure that persons who wish to appear before the Committee may be heard, 15 minutes will be set aside prior to the beginning of all regularly scheduled Committee meetings.

Anyone wishing to speak before the committee either as an individual or as a spokesperson for a group may do so subject to the following:

1. Any individual desiring to speak shall give His/her name, address, and the group (if any that is represented to the chairperson prior to the meeting.
2. The presentation should be as brief as possible. Normally, a speaker will be limited to five minutes.
3. If the individual's concern is with the operation, programs, or decisions of the schools-- that individual must clearly demonstrate (before any remarks are offered) that He/she has attempted to settle the concern at the teacher/administrator level prior to addressing the Committee.

The Committee vests in its Chairperson or other presiding officer, authority to terminate the remarks of any individual when they do not adhere to the rules established above.

Persons appearing before the Committee are reminded, as a point of information, that members of the Committee are without authority to act independently as individuals in official matters. A dialogue between Committee members and individuals, through the Chairperson, may take place.

The following statement is to be read at each meeting prior to speak time:

"In accordance with Agawam School Committee Policy BDDH, the next 15 minutes will be devoted to CITIZENS' SPEAK TIME. Anyone wishing to address the Committee may do so. Please be reminded that the Agawam School Committee is a policy-making board and that concerns dealing with teach/administrative decisions should have been thoroughly discussed at that level prior to your appearance tonight. With that in mind, who would like to speak first?"

CROSS REF.: BD, Agawam School Committee Meetings
 BDDB/BDDC, Agenda Format/Preparation and Dissemination

PUBLIC COMPLAINTS

Although members of the community will not be denied the right to bring their complaints to the committee, they will be referred through the proper administrative channels for solution before investigation or action by the committee. Exceptions will be made when the complaints concern committee actions or committee operations only.

The committee believes that complaints are best handled and resolved as close to their origin as possible and that the professional staff should be given every opportunity to consider the issues and attempt to resolve the problem prior to involvement by the committee. Therefore, the proper channeling of complaints involving instruction, discipline or learning materials will be as follows:

1. Teacher
2. School building administrator
3. Assistant Superintendent for Business/Human Resources
4. School Committee

If a complaint, which was presented to the committee and referred back through the proper channels, is adjusted before it comes back to the School Committee, a report of the disposition of the matter will be made to the committee and then placed in the official files.

Matters referred to the Assistant Superintendent for Business/Human Resources and/or School Committee must be in writing and should be specific in terms of the action desired.

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

LEGAL REF: 603 CMR 26:09 and 26.10

Agawam Public Schools – 2004

Approved by School Committee on April 27, 2004 by a vote of 6 – 0 – 1 absent.

PUBLIC COMPLAINTS

Complaint Procedure

- (1) A parent/guardian, or other person or group who believes that M.G.L.c. 76, & 5 or 603 CMR 26.00 has been or is being violated, may request a written statement of the reasons therefor from the responsible School Committee through the Assistant Superintendent for Business/Human Resources and may submit a copy of such request to the Bureau of Equal Educational Opportunity of the Department of Education. If such request is made, a copy of such request shall be sent by the School Committee to the Bureau of Equal Educational Opportunity.
- (2) The School Committee shall respond promptly, but no later than 30 days, in writing to the complaining party. The School Committee shall also send a copy of its response to the Bureau of Equal Educational Opportunity.
- (3) The Bureau of Equal Educational Opportunity shall act as the representative of the Board of Education for the purpose of receiving complaints to pursuant to 603 CMR 26.00.
- (4) The Bureau of Equal Educational Opportunity shall, pursuant to a complaint received under 603 CMR 26.09 (1) or on its own initiative, conduct reviews to insure compliance with M.G.L.c. 76 & 5 and 603 CMR 26.00. The School Committee and the specific school (s) involved shall cooperate to the fullest extent with such review.
- (5) In the event of non-compliance with M.G.L.c. 76 & 5 or 603 CMR 26.00 the Board of Education may take such action as it sees fit, including, but not limited to, withholding of funds or referral of the matter to the Office of the Attorney General for appropriate legal action.

Private Right of Enforcement

Nothing in 603 CMR 26.00 shall abridge or in any way limit the right of a parent, guardian, or person affected to seek enforcement of St. 1971, c.662 in any court or administrative agency of competent jurisdiction.

LEGAL REFS.: 603 CMR 26.09 AND 26.10

Agawam Public Schools – 2004

Approved by School Committee on April 27, 2004 by a vote of 6 – 0 – 1 absent.

PUBLIC COMPLAINTS ABOUT SCHOOL PERSONNEL

Complaints about school personnel will be investigated fully and fairly. However, before any such complaint is investigated, the complainant must submit his/her complaint in writing. Anonymous complaints will be disregarded.

Whenever a complaint is made directly to the School Committee as a whole or to a committee member as an individual, it will be referred to the school administration for study and possible solution.

The Assistant Superintendent for Business/Human Resources will develop, for approval by the committee, procedures that assure prompt and fair attention to complaints against school personnel. The procedures will require that an employee who is the object of a complaint be informed promptly and be afforded the opportunity to present the facts as he/she sees them.

If it appears necessary, the administration, the person who made the complaint, or the employee involved may request an executive session of the committee for a formal hearing and decision. Statutory restrictions on executive sessions will be observed.

LEGAL REF.: 603 CMR 26.09 and 26.10

CROSS REF.: BEC, Executive Sessions

PUBLIC COMPLAINTS ABOUT THE CURRICULUM OR INSTRUCTIONAL MATERIALS

The Agawam School Committee, though it is ultimately responsible for all curriculum and instructional materials (including library books), recognizes the need and right of students to free access to many different types of books and materials. It also recognizes the right of the professional staff to select books and other materials supportive of the school system's educational philosophy and goals.

Criticism of a book or other materials used in the schools may be expected from time to time. In such instances:

1. If a parent requests that his/her own child not read a given book, the teacher and/or school administrator should resolve the situation, perhaps by arranging for use of alternative material meeting essentially the same instructional purpose. This does not apply however, to basic program texts and materials that the School Committee has adopted.
2. The School Committee will not permit any individual or group to exercise censorship over instructional materials and library collections but recognizes that at times a reevaluation of certain material may be desirable. Should an individual or group ask to have any book or other material withdrawn from school use:
 - a. The person who objects to the book or other material will be asked to sign a complaint on a standard form on which he/she will document his/her criticism.
 - b. Following receipt of the formal complaint, the Assistant Superintendent for Curriculum & Instruction will provide for reevaluation of the material in question. He/she will arrange for the appointment of a review committee from among the faculty to consider the complaint.
 - c. The Assistant Superintendent for Curriculum & Instruction will review the complaint and the Review Committee's reevaluation and will render a decision in the matter. Should the decision be unsatisfactory to the complainant, he/she may appeal it to the School Committee.

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

LEGAL REF.: 603 CMR 26.09 and 26.10

CROSS REFS.: Instructional Materials
IJL, Selection and Adoption of Textbooks
IJL, Selection and Adoption of Library Materials

Agawam Public Schools 2004

Approved by School Committee on April 27, 2004 by a vote of 6 – 0 – 1 absent.

PARENT OBSERVATIONS IN CLASSROOMS

The Agawam Public Schools believes parents are important partners in educating students and welcomes parental participation in determining a child's appropriate educational program. To that end, we open our classrooms to parents or a *parent representative who want to observe a child in the school setting.

The following procedures shall be followed when an observation is requested:

1. All requests to observe a child in school shall be responded to in a timely manner;
2. All observations must be scheduled through the building principal;
3. Observations during MCAS testing or the first or last several weeks of school are highly discouraged and will generally not be scheduled;
4. The parent and/or parent representative will discuss the purpose(s) of the observation with the principal prior to the observation being scheduled;
5. The observation will be scheduled at a mutually agreed-upon time and date after consultation with the classroom teacher(s);
6. The principal and parent/parent representative shall determine the parameters of the observation;
7. The duration and extent of the observation shall be determined on an individual basis;
8. The parent or parent representative must report to the school office (as do all visitors) as part of the School District's Safe Schools Program. The parent or parent representative will be directed to the classroom by the administration. The principal or his/her designee(s) may accompany the parent or parent representative during the observation;
9. The parent or parent representative must sign the attached Observation Agreement so that both the School District and classroom parents have assurance that information concerning other students' education remains in the classroom and is not discussed publicly;
10. The parent or parent representative may only observe a classroom in which the parent's child is enrolled and in attendance that day or in a specific program proposed by the School District for the child;
11. The parent or parent representative must be a silent observer at all times and not interrupt or disrupt the educational process in the classroom;
12. The parent or parent representative must refrain from using the observation to critique or evaluate teacher performance;

13. The parents or parent representative may schedule a time to meet with the teacher(s) or administrator(s). The principal or his/her designee(s) has a right to be present at all parent-teacher meetings;
14. The principal has the right to limit the number of parent observations in a school setting.

OBSERVATION AGREEMENT

Parent observers in classrooms, and their designees, are required by law to maintain confidentiality of all information about students in the class. As an observer, you will have the opportunity to see students in a variety of interactions. By signing this statement, you are acknowledging your understanding of this confidentiality requirement.

I have read the Agawam Public Schools outline of procedures regarding “Parent Observations in Classrooms” and agree to fully abide by all terms therein.

I also agree to maintain strict confidentiality regarding information or observations about all students in the classroom where I am observing.

I further agree that the observation of the child is in no way an evaluation of staff performance.

(Parent or Designee Signature)

(Date)

* For the purposes herein, parent representative means an independent evaluator, educational consultant, or an individual who preferably holds certification or licensure from the Commonwealth of Massachusetts in a field directly related to the child’s educational program.

Employee Procedures

AGAWAM PUBLIC SCHOOL PROCEDURES
RESEARCH AND EXPERIMENTATION PROPOSALS

No research and/or experimentation projects will be conducted within the elementary and secondary schools of the Agawam Public Schools by universities or other institutions without adherence to the following stipulations.

1. All research/experimentation projects must be submitted in writing to the Superintendent of Schools or designee at least one (1) month prior to desired starting dates.
 - a. Included in project description shall be objectives of project, anticipated outcomes, description of approach to be used (questionnaire, interview, observation, etc.), explanation of any aids to be included (A/V materials, researcher-developed materials, etc.), number of children to be involved, age and/or grade range, requested school, explanation of when, where, how often each child will be involved, length of project (weeks, months), benefits from research/experimentation to the Agawam Public Schools.
2. Duplicates of all questionnaires to be used are to be submitted with project request.
3. Parental/guardian permission forms are to be developed by researcher, a copy of which is to be included with original request.
4. Research/experimentation project must be approved by the Superintendent of Schools, the Assistant Superintendent for Curriculum/Instruction, specific discipline Director or Coordinator (if appropriate) and the proper building administrator whose students would be participants in the research.
5. Any student whose parent/guardian does not indicate voluntary participation in a given project will not be included in that project.
6. At no time during, or after the project shall any student involved in the project be identified in the researcher's description or conclusions. The student's name is not to be used whenever referring to this project or its conclusions.
7. A copy of the conclusion of the research/experimentation is to be submitted to the Superintendent of Schools upon completion of the project.
8. The Superintendent or Assistant Superintendent for Curriculum/Instruction reserves the right to withhold approval, or direct the project to other than the requested school, if said school has had those specific children involved in a prior research project during the same school year.
9. Such approval/disapproval for the initiation of the project will be indicated in writing by the Superintendent of Schools.
10. The provisions of the Agawam Public Schools Student Privacy Policy shall be adhered to in connection with all research projects that are approved.

AGAWAM PUBLIC SCHOOLS

WASTE REDUCTION AND RECYCLING PROCEDURE

It is important for the Agawam Public School community to have an awareness and understanding of the effects of their actions upon the environment in which in which we live. This procedure applies to all students, employees and facilities under the jurisdiction of the Agawam Public Schools.

To the maximum extent practicable, the following standards should be adhered to within but not limited to, classrooms, offices, libraries, kitchens, cafeterias, gymnasiums, hallways and school grounds. Procedures are to support a Zero Waste approach; maximize recycling, minimize waste, reduce consumption and ensure that products are made to be reused, repaired or recycled back into nature or the marketplace.

A. Recycling

In support of the Massachusetts Department of Environmental Protection's waste ban, which prohibits the disposal of mixed paper, cardboard, glass, plastic, aluminum and tin bottles and cans, all Agawam Public School employees and students shall be responsible to participate in and support the town recycling efforts.

Teachers and staff are encouraged to include education lessons and practices on waste reduction and recycling where appropriate.

B. Waste Reduction

All staff shall implement and encourage paper reduction techniques through the use of electronic emails, sharing and circulating materials, prioritizing double sided printing and photocopying, and the reuse of discarded paper for scrap paper and internal messages. Cafeteria staff shall implement and encourage the use of reusable plates, cutlery, glasses and coffee mugs instead of paper, Styrofoam or disposable products.

C. Recycled Product Purchasing

In accordance with Town Executive Order #621-Recycled Product Procurement Procedure, for all purchases of printing and writing paper for in-house use or customized printed materials by professional printers, including, but not limited to, copy paper, forms, stationary, envelopes, tablets, notepads and file folders, the minimum content standards shall be no less than 30% post-consumer recycled materials to meet the current state and federal minimum standards.

D. Composting

Composting is the natural process of decomposition and recycling of organic material into a rich soil amendment. All compostable food and paper waste within the kitchens and cafeterias shall be source separated by students and staff for composting and future use.

E. Trash

Trash is only those materials that cannot be recycled or reused. All departments working with the Agawam School District shall implement and encourage trash reduction techniques as to support the towns' mandatory recycling procedure as well as to help reduce disposal costs.

