



ESSEX NORTH SHORE AGRICULTURAL & TECHNICAL SCHOOL

Employee Handbook



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Principal
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CTAE Coordinator
Assistant Principal
Director of School Counseling
Coordinator of Athletics, Wellness and Health Services
Assistant Manager of Food Services
CTAE Executive Director
Manager of Food Services
Assistant Principal
Director of Special Education
CTAE Coordinator

School Committee

Name

Mark B. Strout, *Chairperson*
Beverley Ann Griffin Dunne, *Vice Chairperson*
Alice McDonald, *Secretary*
Francis A. DiLuna
Lisa Colby
James P. O'Brien
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Community

Town of Marblehead
City of Peabody
Town of Swampscott
Department of Agriculture
Department of Agriculture
Department of Agriculture
City of Beverly
Town of Boxford
Town of Danvers
Town of Essex
City of Gloucester
Town of Hamilton
Town of Lynnfield
Town of Manchester-by-the-Sea
Town of Middleton
Town of Nahant
City of Salem
Town of Topsfield
Town of Wenham

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INTRODUCTION

We are pleased to have you as a member of the staff of the Essex North Shore Agricultural & Technical School District. Whether you work full-time, part-time, in an administrative, teaching, professional, or support category, the skills and commitment you bring to your job make an important contribution to our goals of achievement, belonging, and community for all children and for learning community members.

This *Employee Handbook* has been written to provide information and guidance to our employees. The Essex North Shore Agricultural & Technical School District reserves the right to change, add or delete any of the provisions in this handbook at any time. Also, the handbook is not all-inclusive. It is intended to provide relevant information regarding policies and procedures to all employees. Employees will need to work closely with their supervisors so that school-based expectations are clear. ***This handbook is not a contract. Those employees covered under collective bargaining agreements should consult the actual agreements and/or speak with building-based union representatives for detailed information about working conditions and benefits.*** Like any public agency, the district is governed by federal and state laws and adheres to the policies of the School Committee.

Employees new to the district are likely to have many questions relating to their specific job functions and responsibilities. Please direct any inquiries you might have to your immediate Supervisor, the Principal, or the Director of Human Resources for further assistance.

TRANSLATION AND INTERPRETATION SERVICES

Essex North Shore Agricultural & Technical School strives to ensure that all community members have meaningful access to all aspects, programs, opportunities, and services. We do this by providing a multitude of language services via internal and external resources to safeguard communications; including the translation of written communications and interpretation services for verbal communications.

To request documents in another language or request interpretation services, please email translation@essextech.net or call (978) 304-4700.

EQUAL EMPLOYMENT OPPORTUNITY

Essex North Shore Agricultural & Technical School District is an equal opportunity employer that is committed to diversity and inclusion in the workplace. We prohibit discrimination and harassment of any kind based on race, color, sex, religion, sexual orientation, national origin, disability, genetic information, pregnancy, or any other protected characteristic as outlined by federal, state, or local laws.

This policy applies to all employment practices within our organization, including hiring, recruiting, promotion, termination, layoff, recall, leave of absence, compensation, benefits, training, and apprenticeship. Essex North Shore Agricultural & Technical School District makes hiring decisions based solely on qualifications, merit, and business needs at the time.

SCHOOL MISSION

The mission of Essex North Shore Agricultural & Technical School is to create a culture of academic, technical, and agricultural excellence, encourage continuous intellectual growth, and promote professionalism, determination, and citizenship for all students, as they develop into architects, artisans, and authors of the 21st-century community. This will be accomplished through a four-tiered approach, requiring both commitment and investment from all members of our learning community:

Students will ...

- take ownership for their learning by being active participants in their own education.
- be respectful and considerate citizens both in school and in the community.

- encourage and support growth in themselves and others.

Staff will ...

- equip students with the skills necessary to have an array of college and/or career choices upon graduation.
- model improvement of skills while implementing a rigorous, relevant, and rich curriculum.
- encourage and support each other in order to create an environment where everyone feels safe to grow and take intellectual risks.

Caregivers will ...

- provide the at-home support necessary to be partners in education.
- maintain clear and high expectations for student performance, in all areas, to foster the continual growth of each student.
- guide their students towards continuous improvement.

General Advisory will ...

- review and evaluate curriculum and instruction in order to advise on course materials.
- support career and technical education with the current industry trends.
- make administrators and instructors aware of potential internships and co-op opportunities for students.

SCHOOL COMMITTEE

Current School Committee membership is available on the school's webpage www.EssexNorthShore.org

SCHOOL ADMINISTRATION CHART

Current School Administration is available on the school's webpage www.EssexNorthShore.org

ADMINISTRATION CHART

Current organizational chart is available on the school's webpage www.EssexNorthShore.org

GENERAL EMPLOYMENT INFORMATION

Essex North Shore Agricultural & Technical School District is an equal opportunity employer. We do not discriminate on the basis of race, color, religion, sex, sexual orientation, gender identity or expression, age, disability, national origin, military service, genetic information, or any other characteristic protected by federal, state, or local laws. Neither do we tolerate discrimination or harassment based on protected characteristics from supervisors, co-workers, clients, or customers. Nor do we tolerate retaliation against employees who report violations of this policy to the human resource office. For reporting information, contact the Human Resource Office.

A. Employment Expectations

All employees are expected to demonstrate a professional, cooperative, knowledgeable, and courteous demeanor in all interactions with students, caregivers, colleagues, and members of the community.

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 consistent with job descriptions.

All employees represent Essex North Shore Agricultural & Technical School District. As such employees are to dress in attire that is appropriate to their position and behave in a business like manner. Staff shall wear clothing consistent with a business casual environment, consistent with their instructional assignment, and environmental conditions. CTAE staff should model the clothing requirements for the program. Facilities, Farm, and Grounds employees should wear clothing and footwear consistent with the requirements and guidelines of the department. All clothing shall be free from visual wear and tear, be of appropriate length, and not excessively tight fitting. It is understood that certain events and environmental conditions (field trips, special events, weather) may necessitate varying from these guidelines.

Employees are expected to have regular attendance, arrive to work on time, and adhere to designated starting and ending times for work, lunch, etc. Employees should be conscious about district telephones, supplies and equipment and services (including internet access) that are for professional use only. 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. Please refer to the Technology Responsible Use Policy contained in this manual.

Employees should not use personal cell phones to contact students and students should not have staff member's cell phone numbers. The Zoom Phone App should be used to communicate with students as this uses the staff member's District issued extension.

B. Confidentiality

As an employee of the district, you may have access to confidential, protected, or privileged information. It is expected that employees will protect others' rights to privacy by not releasing confidential information to unauthorized individuals or groups. Failure to protect confidentiality may result in disciplinary action. Employees should consult their supervisors with any questions regarding confidentiality.

The following key points are emphasized:

- No school employee has the right to assert any statutory privilege pursuant to M.G.L., C112, C135A, or any other applicable statute.
- All staff are required to advise every student and parent with whom they communicate during the course of providing services, that there is a mandatory reporting requirement to share information with school administrators when it is determined to be in the best interest and safety of the school district.
- All staff have an additional obligation to disclose information obtained during the course of a relationship when there is a possibility of harm to either students or anyone else.

Employees will be required to release confidential, privileged, or protected information to school administrators when the administrator determines it is in the best interest of the district. Any employee who fails to release the information requested may be subject to discipline up to and including dismissal.

C. Smoking/Vaping

Smoking, vaping, or the use of any tobacco products, including but not limited to cigarettes, electronic cigarettes, pipes, and chewing tobacco, within the school buildings, school facilities, on school grounds or on school buses by any individual, including school personnel, is prohibited by law and is strictly enforced.

D. Drug Free Workplace

The Essex North Shore Agricultural & Technical School District acknowledges the strong commitment of the District to its employees to provide a safe workplace and to establish programs promoting high standards of employee health. The goal of this policy is to establish and maintain a work environment that is free from the effects of alcohol and drug use. The district further acknowledges that employees impaired by drugs and alcohol pose a danger to their fellow employees and to students, and impair their own health and safety. The district also recognizes that educators and staff are role models for students, and must behave accordingly.

Employees are prohibited from engaging in the unlawful manufacture, distribution, dispensing, possession or use of any controlled substance, including but not limited to marijuana, or the possession, use, purchase, sale or other transfer of alcohol by any employee while on School premises or while performing any job-related activity, whether on or off school premises. Employees are also prohibited from reporting for work or performing any job-related activities, on or off school premises, while under the influence of alcohol or an illegal controlled substance. An employee who violates this policy is subject to disciplinary action, up to and including dismissal.

The District has the right to search for alcohol or drugs on district owned or controlled premises, including desks, closets, file cabinets, toolboxes, lockers, and in district owned vehicles.

This policy does not prohibit the use or possession of a drug prescribed for the employee by a licensed prescriber and used in a therapeutic dosage in accordance with the licensed prescriber's instruction; however, employees are required to disclose to the Superintendent-Director or designee the use of any prescribed drug that may impair the employee's ability to perform their job safely and effectively.

Any employee who is criminally charged or convicted of any drug and/or alcohol offense will notify the school district no later than two (2) calendar days after charge or conviction.

E. Possession of a Firearm

Only law enforcement officers are authorized to have a firearm in their possession in any school building or on school property.

It is illegal to be in possession of such an instrument on school property and any person found with a firearm in violation of the law will be subject to disciplinary action up to and including termination.

F. Employee Assistance Program

Employees of the Essex North Shore Agricultural & Technical School District and their families are covered by an Employee Assistance Program. If you need assistance with a drug, alcohol, or other problem, employees may call Perspectives EAP at 1-800-456-6327. The program provides benefits and solutions to assist you and your family with a wide variety of personal and professional issues. Referral to the program can be made directly by the employee or family member.

G. Ethics / Conflict of Interest Law

The District expects members of its professional staff to be familiar with the code of ethics that applies to their profession and to adhere to it in their relationships with students, caregivers, coworkers, and officials of the school district. No employee of the school district will engage in or have a financial interest in, directly or indirectly, any activity in which the school district has an interest or that conflicts or raises a reasonable question of conflict with their duties and responsibilities in the school district. Nor will any staff member engage in any type of private business during school time or on school property.

Employees will not engage in work of any type where information concerning customers, clients, students, or employers originates from any information available to them through school sources. Moreover, as there should be no conflict of interest in the supervision and evaluation of employees, at no time may an administrator be responsible for the supervision and/or evaluation of an employee directly related to them, including individuals who reside in the same household.

For the purpose of this practice, a relative is defined to include spouse, parent, child, adopted child, brother, sister, brother-in-law, sister-in-law, father-in-law, mother-in-law, step-parent, step-sibling, step-child, uncle, aunt, nephew, and niece.

H. Video Surveillance

Please be advised that when in the hallways and common areas (i.e., gymnasium, cafeteria, library/media center, etc.) of Essex North Shore Agricultural & Technical School District buildings, as well as the exterior, you will be under video surveillance.

I. Student Handbook

Please be advised that all employees must be familiar with certain components of the Student Handbook, which can be found online. The handbook contains several policies that are not outlined in the Employee Handbook:

- Student Discipline and Dress Codes
- Student Attendance Policy/Tardy/Dismissal/Class Cuts

J. School Discipline

Discipline is a staff wide responsibility and all staff members are responsible for monitoring student behavior. Such persons have been directed to send an offending student to the Assistant Principal's Office and/or report any infraction.

K. Staff Parking

Staff driving to school must fill out a form listing descriptive information about the vehicle or vehicles they will be operating and parking on school property. Parking passes will be issued for these vehicles. Parking spaces will be assigned for staff use and all staff members are expected to park in their assigned parking space.

**STARTING EMPLOYMENT WITH THE
ESSEX NORTH SHORE AGRICULTURAL & TECHNICAL SCHOOL DISTRICT**

A. Employment Paperwork

Upon acceptance of a job offer and prior to beginning work, all new employees must arrange to visit Human Resources Office to ensure that documentation necessary for employment has been submitted. At this time, employees can review their eligibility to receive benefits. Employees must provide proof of eligibility to work in the US by completing the Employment Eligibility Verification, I-9 form. Depending on the nature of your position within the district, official education transcripts may be required.

B. Employment Status

Probationary employees: New, rehired, or promoted employees will serve a prescribed period of close supervision and evaluation in order to assess their ability and adaptation. Probationary employment may be terminated at will. Termination is at the discretion of the Superintendent-Director without advance notice, or by the employee.

Regular full-time employees: Employees who regularly work a minimum of forty (40) hours or the minimum required by contract per week on a continuous basis following satisfactory completion of a probationary period.

Regular part-time employees: Employees who complete a satisfactory probationary period and regularly work less than forty (40) hours per week on a continuous basis. Employees must work a minimum of twenty (20) hours per week on a continuous basis in order to receive benefits.

Temporary employees: Employees holding jobs of limited or specified duration arising out of special projects, position vacancy pending appointment, the absence of a position incumbent, abnormal workloads, emergencies, or other reasons determined by the Superintendent-Director. Temporary employees may work either full- or part-time work schedules, but will not be eligible to receive district-sponsored benefits, accrue any form of service credit, or file formal grievances except in matters pertaining to alleged discrimination.

Nonexempt employees: Employees covered by overtime pay and other distinctive positions of the Fair Labor Standards Act or applicable state laws. Such employees are entitled to overtime pay for work required to be performed over forty (40) hours per work week. Overtime must be authorized in advance by a designated authority.

Exempt employees: Employees classified as exempt are ineligible for overtime pay and other employment conditions as provided in the Fair Labor Standards Act and applicable state laws. Generally, such employees are those occupying executive, administrative, or professional positions.

C. Background & Reference Checks

Every person applying for a position as an employee or volunteer in the Essex North Shore Agricultural & Technical School District will supply references who will attest to the sound character of the applicant.

The Principal or Director of Human Resources will review the employment history of each applicant recommended for employment. An employment history check will be conducted on each applicant and will include, but not be limited to, telephone contact with former employers.

D. Criminal Records Checks

The policies of the Essex North Shore Agricultural & Technical School District require that Criminal Offender Record Information (CORI) checks are conducted on all employees, substitutes, cooperative education employers, sub-contractors, tutors, and regular volunteers. The Superintendent-Director or designee will be responsible for conducting these at the time of the job offer, and all offers of employment are contingent upon satisfactory results as determined by the employer. All criminal record checks will be done on a voluntary basis with the prior written approval of the applicant. However, failure to comply with the request for a criminal record check will disqualify an applicant from further consideration for employment. Documentation for the requirements of this policy will be the responsibility of the Superintendent-Director and will be stored in a secure cabinet.

In addition, each employee must, as a condition of employment, provide an authorization properly completed, signed, and dated, that permits the district to obtain CORI information every three years thereafter. An unsatisfactory CORI report may result in termination of employment.

Employees who reside outside of Massachusetts will be required to submit a criminal record check from the state in which they reside prior to employment and at least every three years at their own expense. The employee is required to submit the criminal record results to the Superintendent-Director or designee.

Background Checks Law

Massachusetts General Law requires that school officials obtain criminal background information to determine the suitability of all school employees. In addition to CORI background checks which include an individual's criminal history for Massachusetts run once every three years for all employees, substitutes, co-operative employers, sub-contractors, tutors, and regular volunteers, employees are subject to fingerprint based checks through the Statewide Applicant Fingerprint Identification Services (SAFIS) program through the FBI's national criminal history database.

Both the Massachusetts CORI and national fingerprint-based criminal background checks are considered pre-qualifications to an offer of employment.

For all **newly hired employees, including educators, maintenance staff, cafeteria workers, bus drivers, substitutes** and employees or contractors who work in the schools and may have direct and unmonitored contact with students there is a requirement to complete the SAFIS background check.

The fee charged for running the national background check will be up to \$55.00 for school employees licensed under Section 38G (licensed educators and specialists) and up to \$35.00 for all others (i.e., school secretaries, cafeteria workers, janitors, bus drivers, etc.). As is the case in almost every other state that conducts fingerprinting-based national criminal history checks, the fee will be paid by the individual employee or educator. Substitute educators are school employees under the law and therefore, must submit their fingerprints for state and national checks. If substitute educators hold educator licenses issued under M.G.L. c. 71, § 38G, they will pay a fee of up to \$55.00; otherwise, substitutes will pay a fee up to \$35.00.

E. Sexual Offender Registry Information (SORI)

The Sexual Offender Registry Law, M.G.L. c. 6, §178C-1780, requires that all convicted sex offenders in the Commonwealth of Massachusetts register with the police departments in the cities and towns where they live and work.

SORI is available to school departments when a formal request is made to the local police department. Consistent with the statute, the Superintendent-Director or designee will request available SORI information from the Danvers Police

Department. In making this request, the Superintendent-Director or designee will seek information on registrants who live within one mile of the school facility and/or within one mile of any school bus stop. Further, the Superintendent-Director or designee will request that all updates and/or changes to registrant information be sent to them directly.

SORI information received from the Danvers Police Department will be collated and kept in the Principal's office. The Principal will take the responsibility for ensuring that all staff has access to SORI information. SORI information provided to the school cannot be reproduced, nor can SORI information be used to commit a crime, or to engage in illegal discrimination or harassment of a sex offender. Further, SORI information received by the school shall be considered to be confidential, will be maintained in a secure manner, and will not be available to any individual other than a school employee. Requests by individuals for SORI information who are not professional staff members should be directed to the Danvers Police Department.

The Principal will arrange for the training of professional staff members in the proper use of SORI information through the Danvers Police Department. Said training shall include information related to compliance with the dissemination provisions of the law so that the Town would not be subject to any form of legal action for improper release of such information.

F. Orientation

The District recognizes that an appropriate orientation program can aid in the assimilation of new staff members into the school system. Providing an Orientation Program is the responsibility of the Administration. New educators to the District are required to attend three (3) days of orientation prior to the first scheduled workday.

Orientation of personnel new to the school system may extend over a period of time and will provide a broadly based effort to supply information and background details which will improve a new staff person's understanding of the district's framework, including state laws relating to public schools, policies of the School Committee, and the instructional program.

The Principal or designee shall orient all new educators to the evaluation procedures and standards during the first two weeks of their assignment to their respective programs. No formal observations shall take place until such orientation has been completed.

EMPLOYMENT GUIDELINES

A. Attendance & Absences

All employees are expected to be in attendance and arrive on time. If illness, injury, or other situations prevent an employee from reporting to work, they must notify their supervisor of the absence as far in advance as possible so that appropriate coverage may be arranged. If an employee is absent for three (3) or more consecutive days, they may be required to provide written medical documentation to their supervisor to justify the absence. An employee may be required to provide medical documentation to support an absence at any time. Failure to notify a supervisor of an absence in a timely manner or to provide requested medical documentation may result in disciplinary action up to and including termination. An employee who fails to report to work, without notifying the District, for three (3) or more consecutive workdays will be considered to have abandoned their job unless the employee can demonstrate that compelling circumstances made it impossible to contact the District. In the case of job abandonment, the District will provide written notice to the employee at their last known address and treat the employee as having resigned from employment.

Some employees submit individual timesheets that must be approved by their supervisor. If timesheets are not submitted on schedule, an employee may experience delays in receiving pay.

B. School Cancellations

Weather or other emergency conditions may necessitate that the school be closed. Such closings are announced through an automated notification system, school email, District social media, school website, and local television stations

(WBZ/WCVB/WHDH/FOX). Certain employees may be required to report to work, even in severe weather. Your supervisor will advise you if your position falls within this category.

PAYROLL DEDUCTIONS

A. Direct Deposit / Deductions

ENSATSD requires all employees to receive their pay by direct deposit. All payroll deductions are itemized on the direct deposit receipt for payroll. To ensure that an employee is paid accurately, they should report any change in name, and address to Human Resources using the Employee Information Change [form](#). Changes in marital status or the number of exemptions should be reported to the Payroll and Benefits Coordinator.

B. Pension Contributions

Employees who qualify for membership in either the Massachusetts Teachers' Retirement System or in the Salem Contributory Retirement System are required to contribute a percentage of salary to the Plan. The required amount will be deducted each pay period.

C. Deferred Compensation Plan

Employees who do not qualify for membership in either the Massachusetts Teachers' Retirement System or the Salem Contributory Retirement System are required under Internal Revenue Service (IRS) regulations to make a 7.5% contribution to a Deferred Compensation Plan (DCP) as an alternative to Social Security (FICA) contributions. Upon leaving the employ of the district, individuals have the option to withdraw DCP contributions.

D. Credit Union

All employees of the District are eligible to join the Beverly Municipal Federal Credit Union. Information and forms, including payroll withholding forms, are available directly from the Credit Union by calling 978-922-5254.

EMPLOYEE BENEFITS

A. Eligibility

Regular full-time and part-time employees who regularly work a schedule of 20 hours or more per week are eligible to participate in medical, life, long-term disability, dental insurance, and flexible spending.

B. Health Plan Enrollment

New employees who regularly work 20 or more hours per week are eligible for health insurance benefits and must enroll within ten (10) calendar days from the date of hire. Those who do not enroll within this timeframe will not be eligible to enroll for health insurance coverage until the next annual open enrollment period, with the exception of certain qualifying events.

C. Health Care Plan Options & Cost

District employees who qualify for medical coverage have the option of selecting from one of the Group Insurance Commission (GIC) health plans. For further information, please contact the Payroll and Benefits Coordinator or visit <https://www.mass.gov/gic-state-employee-benefits>

Pursuant to Chapter 32B of the General Laws, the District shall maintain a group insurance advisory committee on which educators shall be represented.

The District shall contribute 75% of the cost of health insurance plans offered through the GIC (80% for those hired before July 1, 2003) subject to any changes negotiated through collective bargaining or in accordance with Chapter 69 of the Acts of 2011.

Eligible employees may elect either individual or family coverage. Family coverage provides for spouses and/or dependents up to age 26.

An employee may change from individual to family coverage, or add additional members to the plan within sixty (60) days of a qualifying event. The Payroll and Benefits Coordinator must receive notification and documentation of the qualifying event and it must be submitted to GIC within sixty (60) days of such an event to effect a change in coverage outside of the open enrollment period.

Upon written request to the Superintendent-Director, any employee who retires, as well as their surviving spouse and dependent(s), as defined by the Group Insurance Commission, shall continue as a member of those health insurance plans, by completing the appropriate GIC enrollment forms.

In the event that an employee has retired having reached the age required for Medicare benefits, they are eligible for Medicare benefits and shall be required to file for Medicare Parts A and B and to select a Medicare “Supplement” offered by the GIC. The State will contribute 80% of the cost for a Medicare “Supplement” plan.

A retiree who is not Medicare eligible will be entitled to an 80% contribution by the State to their “premium” plan.

To obtain detailed information about available health insurance options, including surviving spouse and dependents, contact the Group Insurance Commission or refer to the *GIC Benefit Decision Guide for Retirees & Survivors*.

D. COBRA

If employment should terminate, except for gross misconduct, or an employee becomes ineligible to participate in a group health insurance plan, they and/or their dependents have the right to continued participation in the district group health insurance plan for up to eighteen months (thirty-six months under certain circumstances) under federal COBRA legislation. The employee will be required to pay the full cost of the premium plus an administrative fee. Under COBRA continuation, the district will no longer contribute to the cost of health insurance premiums. For additional information about this option, please contact the Payroll and Benefits Coordinator and/or the Group Insurance Commission.

E. Life Insurance

The Group Insurance Commission (GIC) offers a \$5,000 basic life insurance plan with enrollment in health insurance coverage. Employees enrolled in GIC health insurance can also choose additional “Optional Life” insurance through the GIC.

F. Tax Shelter Annuities

Tax shelter annuities (403b) plans are available to employees wishing to supplement their retirement and defer federal and state income taxes. Such plans are established as a salary reduction agreement. This contract is between the employee and an authorized investment firm. These plans are 100% employee funded. For information about these funds, consult a financial advisor. Authorized investment providers can be found on the [TSA Consulting Group](#) website.

G. Retirement Plans

- **Massachusetts Teachers’ Retirement System**

Eligible educators and administrators participate in the Massachusetts Teachers Retirement System (MTRS) pension plan, a State-administered plan. If an employee is eligible for this plan, after completing and submitting the application, they will be enrolled at the time they completed their new hire paperwork. Information on the provisions of this Plan may be obtained from the MTRS.

- **Salem Contributory Retirement System**

Other regular full-time and part-time employees who work a minimum of 20 hours per week participate in the Salem Contributory Retirement System. Participation in the Plan begins on the first day of qualified employment. New employees will be enrolled in the Plan through the Business Office.

Salem Contributory Retirement System provides a monthly pension benefit to eligible employees who have completed sufficient service upon retirement. This Plan provides a provision for vested minimum retirement as early as age 55 with 10 years of creditable service. The amount of pension benefit increases as age and the amount of creditable service increase. Disability Retirement benefits are also available for permanently disabled

employees who meet certain other qualifications. Detailed information about employee contributions, vesting, plan administration, etc. is available through the Salem Contributory Retirement System Office.

- **Massachusetts Deferred Compensation SMART (Save Money And Retire Tomorrow) Plan**
Part-time employees working less than 20 hours per week participate in the Massachusetts Deferred Compensation SMART Plan. Part-time, seasonal or temporary employees are required to participate in the SMART Plan. The SMART Plan is an alternative to Social Security as permitted by the federal Omnibus Budget Reconciliation Act of 1990 (OBRA). OBRA, passed by the U.S. Congress, requires that beginning July 1, 1991, employees not eligible to participate in their employer's retirement program be placed in Social Security or another program meeting federal requirements. The SMART Plan meets those federal requirements. An OBRA Information Guide can be found [here](#).

H. Workers' Compensation

Workers' Compensation is designed to provide benefits in the event that an individual is injured in connection with his or her employment. If an employee is injured, they should immediately notify their supervisor and report the accident, no matter how minor it may seem through the completion of an [Incident/Near Miss Report form](#).

I. Unemployment Insurance

Unemployment Insurance provides temporary income for those who have lost their jobs under certain conditions. For more information about Unemployment Insurance, or to apply for benefits, contact the [Massachusetts Department of Unemployment Assistance](#).

TIME OFF

A. Holidays

Paid holidays for employees are specified in various union contracts. Educators and certain other salaried staff who work on a school calendar basis do not receive separate paid holidays. Other employees may be eligible for paid holidays. The school district recognizes the following holidays:

New Year's Day	Memorial Day	Columbus Day
Martin Luther King, Jr. Day	Juneteenth	Veterans' Day
Presidents' Day	Independence Day	Thanksgiving Day
Patriots' Day	Labor Day	Christmas Day

All holidays shall be observed on the Commonwealth's legal holiday unless the employer designates an alternative day.

In order to be eligible for paid holidays, the holiday must fall within the employee's regular work week. For instance, an employee whose regular work year is from September to June would not be eligible for the July 4th holiday. Similarly, an employee who normally works a three-day schedule consisting of Wednesdays, Thursdays, and Fridays would not be eligible to be paid for Labor Day, which traditionally falls on a Monday.

Employees who are on an unpaid leave of absence or are otherwise absent without pay are not eligible to be paid for holidays.

PARENTAL LEAVE

The Massachusetts Parental Leave Act ("MPLA"), M.G.L. c. 149, § 105D, provides eight (8) weeks of unpaid parental leave for employee if: 1. The employee is employed full time; 2. The employee has completed the initial probationary period; and 3. The employee gives the employer at least two weeks' notice of the anticipated date of departure and intention to return to work, or the employee gives notice as soon as practicable if the delay is for reasons beyond the employee's control. Parental leave is available for the purpose of giving birth and/or caring for a newborn, intending to or adopting a child under the age of eighteen (18), or adopting a child under the age of twenty-three (23), if the child is mentally or physically disabled. If both parents are employed by the District, the eight (8) weeks are in the aggregate.

The MPLA requires that an employee on leave be restored to the employee's previous or a similar position upon return to employment following leave. That position must have the same status, pay, length of service credit and seniority as the position the employee held prior to the leave.

Accrual of sick leave benefits shall be provided for such parental leaves under the same terms and conditions which apply to other temporary medical disabilities. An employee on maternity leave who desires to use accrued sick leave shall submit medical certification of disability.

Certain public school employees are entitled to professional teacher status after three consecutive years of service which provides these employees with a degree of job protection. M.G.L. c. 71, § 41. Taking parental leave under the MPLA does not terminate the continuity of a teacher's service toward professional teacher status. However, the employer is not required to credit the employee's time spent on parental leave towards the amount of time for tenure.

Concurrent with FMLA

When applicable, maternity leave under MPLA and leave provided under the Family and Medical Leave Act ("FMLA") shall run concurrently.

FAMILY AND MEDICAL LEAVE ACT AND MILITARY FAMILY LEAVE

The District will grant family and medical leave in accordance with the requirements of applicable federal and state law in effect at the time the leave is granted. Although the federal and state laws have different names, the District refers to these types of leaves collectively as "FMLA Leave." In any case, employees will be eligible for the most generous benefits available under applicable law. The Family and Medical Leave Act (FMLA) provides eligible employees up to twelve (12) weeks of unpaid leave a year, and requires employers to continue an employee's group health benefits during the leave as if the employee continued to work. The FMLA also provides certain military family leave entitlements. Eligible employees may take FMLA leave for specified reasons related to certain military deployments of their family members. Additionally, they may take up to twenty-six (26) weeks of FMLA leave in a single twelve (12) month period to care for a covered service member with a serious injury or illness.

Covered Employees

Employees who have been employed for a minimum of twelve (12) months, who have worked a minimum of 1250 hours (excluding non-working hours such as holiday, sick, vacation, and personal) during the twelve month period preceding the commencement of the leave, and who have not otherwise used all of their available FMLA leave during the preceding twelve (12) months.

Family and Medical Leave

Covered employees may take up to twelve (12) weeks of leave in a twelve (12) month period for:

- The birth of a child and to bond with a newborn child within one year of birth;
- The placement with the employee of a child for adoption or foster care and to bond for the newly placed child within one year of placement;
- To care for the employee's spouse, child, or parent who has a serious health condition including incapacity due to pregnancy and for prenatal medical care;
- A serious health condition that makes the employee unable to perform the essential functions of their job;
- Any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a military member on covered active duty or call to covered active duty status.

Employees may take no more than twelve (12) weeks of leave in a twelve (12) month period. The twelve (12) month period is a rolling twelve (12) months beginning twelve (12) months prior to the proposed commencement of the requested leave.

If both spouses are employed by the District, they are together entitled to a total of twelve (12) weeks of leave for the birth or placement of a child or the care of a sick parent. This limitation does not apply where the reason for the leave is the

serious health condition of either spouse or the serious health condition of a child. The limitations also do not apply to employees who are not married.

Military Family and Military Caregiver Leave

Covered employees may take up to twelve (12) weeks of leave in any twelve (12) month period for any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on "covered active duty;" or

Covered employees may take military caregiver leave (MCL), which includes twenty-six (26) weeks of leave in a single twelve (12) month period to care for a family member who is a covered veteran with a serious illness or injury incurred in the line of duty while on active duty.

For employees eligible for twenty-six (26) weeks of leave under this policy, the single twelve (12) month period for leave begins on the first day the employee takes leave for this reason and ends twelve (12) months later. An eligible employee is limited to a combined total of twenty-six (26) weeks of leave for any FMLA-qualifying reason during the single twelve (12) month period. Only twelve (12) weeks of the leave can be for reasons other than covered veteran care/MCL.

Definitions

- **Serious Health Condition:** "Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves inpatient care, and in some instances outpatient care, by a medical provider. Inpatient care means an overnight stay in a hospital, hospice, or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care.

A serious health condition is also defined as one that incapacitates an individual for more than 3 consecutive days and which requires ongoing medical treatment with a health care provider, or a chronic condition that causes occasional periods of incapacity and which requires treatment by a health care provider at least twice a year. The definition is not meant to cover short-term conditions where treatment and recovery are brief. It includes conditions that require absences on a recurring basis or for more than a few days.

- **Eligible Family Member:** An eligible family member includes a spouse, parent(s), and natural, adopted, step, or foster children.
- **Son or daughter:** Son or daughter means a biological, adopted, or foster child, a stepchild, a legal ward, or a child of a person standing in loco parentis, who is under 18 years of age or who is 18 years of age or older and incapable of self-care because of a mental or physical disability at the time that FMLA leave is to commence. The onset of a disability may occur at any age for purposes of the definition of an adult "son or daughter" under the FMLA.
- **Spouse:** Spouse means a husband or wife as defined or recognized in the state where the individual was married, including in a common law marriage or same-sex marriage. Spouse also includes a husband or wife in a marriage that was validly entered into outside of the United States, if the marriage could have been entered into in at least one state. In Massachusetts, this includes same-sex marriage.
- **Parent:** Parent means a biological, adoptive, step or foster father or mother, or any other individual who stood in loco parentis to the employee when the employee was a child. This term does not include "parents-in-law."
- **Covered Veteran:** Covered Veteran means a former member of the Armed Forces or National Guard who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness, and who was discharged or released from service under conditions other than dishonorable at any time during the five (5) year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran.
- **Covered Active Duty:** For members of the Regular Armed Forces, covered active duty is duty during deployment of the member with the Armed Forces to a foreign country.

For members of the Reserve components of the Armed Forces (members of the National Guard and Reserves), covered active duty is duty during deployment of the member with the Armed Forces to a foreign country under a call or order to active duty in a contingency operation. Deployment to a foreign country means deployment to areas outside of the United States, the District of Columbia, or any Territory or possession of the United States. It also includes deployment to international waters.

- **Qualifying Exigency Leave:** Up to twelve (12) weeks of FMLA Leave (in some cases less as defined by regulations, i.e., Rest and Recuperation qualifying exigency leave provides a maximum of fifteen (15) days) is available for certain exigencies arising out of the fact that a covered military member is on active duty or called to active duty status in support of a contingency operation in a foreign country. The exigencies that may qualify for leave are: (1) Short-notice deployment; (2) Military events and related activities; (3) Childcare and school activities; (4) Financial and legal arrangements; (5) Counseling; (6) Rest and recuperation; (7) Post-deployment activities; (8) Arranging for Parental Care, and (9) Additional activities not encompassed in the other categories, but agreed to by the employer and employee. Qualifying exigency leave is available to a family member of a military member in the Reserves, National Guard, or the regular Armed Forces. These categories of leave are further defined and limited by Federal regulations.
- **Covered Veteran Care Leave:** Leave to care for a family member who is a covered veteran (as defined by regulations) is limited to a one-time leave of up to twenty-six (26) weeks within a single twelve (12) month period. An eligible employee must be needed to care for a family member injured in the course of duty while on active duty with the military. The leave is available on a one-time basis for an injury or incident befalling that family member. For purposes of this leave only, the definition of family member is extended to encompass “next of kin” to the extent not already encompassed by the applicable definition of a family member under the FMLA.

Applying for FMLA Leave of Absence

Employees who need to take FMLA leave must submit a request in writing to the Director of Human Resources. Such requests must include the reason(s) associated with the leave request, the anticipated start of the leave, and the anticipated length of the leave. As described below, requests should be made thirty (30) days in advance of the commencement of the leave, but in any event, as soon as practicable.

Within fifteen (15) days of the request, the employee must submit a completed Certification of Health Care Provider form to the Employer. An eligible employee with a qualifying condition who provides sufficient certification of that condition from a healthcare provider will be granted medical leave under the FMLA for up to twelve (12) weeks.

In some instances, employees who have disclosed FMLA qualifying conditions or events will be asked to complete the necessary paperwork whether or not they have submitted a written request. The District reserves the right to designate qualifying leaves as FMLA leaves.

When planning medical treatment, employees should consult with the District and make reasonable efforts to schedule leave so as not to unduly disrupt the school’s operations.

Medical Certification

Employees requesting FMLA leave for their own serious health condition or to care for a seriously ill child, spouse, or parent must provide medical certification to support a claim for leave. A completed Certification of Health Care Provider must be provided within fifteen (15) calendar days of the request for leave, and must set forth: the date on which the serious health condition commenced; the probable duration of the condition; and the appropriate medical facts within the knowledge of the health care provider that support the employee’s incapacity for work.

At its discretion, the Employer may require a second medical opinion and periodic recertification at its own expense. In any case, in which the second opinion differs from the original certification, the District may require, at its own expense, that the employee obtain the opinion of a third healthcare provider designated by the District. The opinion of the third healthcare provider shall be considered final and shall be binding on the District and the employee.

Employees returning to work after FMLA leave may be required to provide another medical opinion at the end of their leave certifying that they are cleared to return to work.

Return to Duty

Employees returning from FMLA leave in accordance with this policy will be restored to the same or a substantially similar position (with equivalent pay and benefits), provided that such a position is still available;

- The employee is still qualified for the job as determined by the District; and
- The employee returns to work at the end of the approved leave.

Employees should contact the Human Resources Office at least two weeks before their return date to make arrangements.

Employees may be required to provide a Return to Work Form or medical opinion from a treating physician certifying their fitness for duty. If the medical opinion or Return to Work Form indicates any limitation on the employee's ability to perform normal duties and return to full time, active employment will be at the discretion of the District, consistent with applicable state and federal laws, and the terms of any collective bargaining agreement that may apply. The District reserves the right to send an employee to its physician in any case where there is a good faith question as to the employee's fitness to perform the essential functions of the position with or without reasonable accommodation.

Limitations on Reinstatement

- (a) The District is not required to reinstate an employee who exhausts his or her FMLA leave entitlement and is unable to return to work.
- (b) An employee on FMLA leave is not protected from actions that would have affected him or her if the employee was not on FMLA leave.
- (c) The District may deny reinstatement if there is a reduction in force and the employee's position or shifts would have otherwise been eliminated even if they had not been on leave.

FMLA Qualifying Exigency Leave and Military Caregiver Leave of Absence

The rules for determining employee eligibility for FMLA qualifying exigency leave or MCL are the same as they are for traditional FMLA leave (must have worked twelve (12) months and 1,250 hours). In addition, for the most part, requests for FMLA qualifying exigency leave or MCL must comply with the same timelines and requirements as requests for traditional FMLA leave. Exceptions exist for emergencies and compliance with invitational travel orders (ITO) or invitational travel authorizations (ITA) issued by the military.

Applying for FMLA Qualifying Exigency Leave and MCL

Employees wishing to take MCL or FMLA leave due to a qualifying exigency must provide notice of the need for leave to the extent practicable, at least thirty (30) days advance notice.

The employee must submit a written request for leave that provides sufficient information to make the employer aware of the need for FMLA leave and the anticipated timing and duration of the leave. When leave qualifies as both caregiver leave and military caregiver leave under traditional and military FMLA leave rules, the leave will be designated as military caregiver leave first.

Certification

The same timing requirements for certification apply to all requests for FMLA leave, including those for military family leave. Which certification form is required depends on the purpose of the leave that is being requested. Where available, the Employer will use forms promulgated by the U.S. Department of Labor. A military issued ITO or ITA is sufficient certification for the purpose of establishing the need for MCL for the duration of the time designated in the ITO or ITA.

The District is entitled to verify qualifying exigencies that involve meeting with a third party. For instance, the District may verify the schedule and purpose of the meeting with the third party. In addition, the District may contact the Department of Defense to confirm a military member is on covered duty or has been called to covered active duty status.

With MCL certifications, the District may request a second or third opinion of a covered veteran's serious injury or illness when the Certification is provided by a non-military-affiliated health care provider.

Return to Duty

Same as under traditional FMLA leave.

Requirement to Take Paid Leave

In all circumstances, the District requires employees to use accrued vacation and personal leave, as part of the twelve (12) weeks of FMLA leave, before commencing the unpaid portion of the leave. The remainder of the twelve (12) week period, after the exhaustion of available paid leave, will be considered unpaid leave. Paid leave of a certain type will generally be granted if the need for FMLA leave meets the requirements for taking that type of leave.

FMLA leave covered by this policy will run concurrently with other leave for which pay is available. Employees who are out of work for reasons that would qualify for leave under this policy, irrespective of whether leave has been requested under this policy, are required, upon request, to provide the Employer with the information and certifications required by this policy. The Employer shall designate all such qualifying leave as FMLA leave, which shall run against the twelve (12) weeks allowed under this policy.

Benefits While on Leave

Employees on leave are entitled to the continuance of group health coverage under the same conditions they received coverage prior to the leave. The District will cease health and welfare benefits if:

- The employee informs the District that he or she intends not to return to work at the end of the FMLA leave period;
- The employee's premium payment is more than thirty (30) days late (after advance notice to the employee that coverage will cease if payment is not received within five (5) business days); or
- The employee fails to return to work after his or her FMLA leave is exhausted.

SMALL NECESSITIES LEAVE ACT

Under the Small Necessities Leave Act, M.G.L. c. 149, § 52D, an employee is entitled to a total of twenty-four (24) hours of unpaid leave during a twelve (12) month period. This is a rolling twelve (12) months beginning twelve (12) months prior to the proposed commencement of requested leave, in addition to leave available under FMLA, for the following purposes:

- (1) To participate in school activities directly related to the educational advancement of a son or daughter.
- (2) To accompany the son or daughter of the employee to routine medical or dental appointments, such as check-ups or vaccinations; or
- (3) To accompany an elderly relative of the employee to routine medical or dental appointments or appointments for other professional services related to the elder's care.

Requirement to First Exhaust Paid Time

Employees who have accumulated sick, personal, or vacation time must use such time as part of the twenty-four (24) hours before becoming eligible for unpaid time.

MILITARY LEAVE

District employees who are members of a Reserve Unit of the Army, Navy, Marine Corps, Coast Guard, or Air Force of the United States or National Guard, shall be entitled to leave, while engaged in the uniformed service. Such leave shall be granted in accordance with applicable state or federal laws.

Unless military necessity prevents it or is otherwise impossible or unreasonable, an employee should provide the District with notice of the need for leave as far in advance as is reasonable under the circumstances. Written notice is preferred, but not required under the law or this policy.

To request a temporary or extended military leave of absence, the employee should generally obtain a request for Military Leave of Absence form from HR. However, a written application is not required under the law or this policy.

HR will review and sign the request for leave of absence form, collect any applicable insurance premiums from the employee, generate other applicable documents, and process the leave of absence accordingly. In the event of verbal notice by the employee, HR will document the military leave on a Military Leave of Absence form.

Employees on temporary or extended military leave may, at their option, use any or all accrued paid vacation or personal leave during their absence.

Returning From Military Leave

Any employee who takes leave for the purpose of entering the armed forces of the United States shall be reinstated in his or her former position and duties, provided they make an application for return to such service within the time period required by the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA), 38 U.S.C. §§ 4301-4335. Any employee returning to the service of the District shall receive credit for the period of service in accordance with the law.

EMAIL GUIDELINES

Email is an effective and powerful tool that facilitates communication, planning, and ensures that information is shared quickly and efficiently. The Essex North Shore Agricultural & Technical School District provides an email account for each staff member and encourages the appropriate and regular use of email. Email is a public document and subject to public records release. All email will be archived for several years. The following guidelines are suggested to assist staff as they use and manage email. Staff members who follow these guidelines will have the full support of administrators if an issue arises.

A. Expectations Regarding Use of Email

- Your school email account is a public record; routine communications are not monitored, but at any time a request could be made for your email content
- Print and file any email to comply with record retention laws
- Your school email account is for school business only, not for personal business or entertainment
- Before using the cc command, ask whether each of those people absolutely need to be included in the communication
- Email messages should be responded to as soon as practically possible
- Resist including emotional content in email
- Use “Urgent” command sparingly and **do not “reply all”** unless absolutely necessary
- Never use your personal email account for school-related business
- Seek support and advice before responding to confrontational email

B. Email Guidelines for Faculty on Home - School Communication

Email can be an effective tool to increase communication, cooperation, and teamwork toward improving learning. It should be considered a complement to, rather than a replacement for, direct conferencing with caregivers. **Conversations should not be replaced with email. Caregiver communication that is verbal versus electronic is strongly encouraged and the preferred medium.**

C. Precautions:

- **Email is not private and can be read by others.** Any email that discusses a student becomes part of that student’s file and could be accessed by the parent(s) upon request
- Deleted email can still be retrieved from the school’s email archive system
- Rules of confidentiality that apply to other written or spoken communication must always be heeded
- Student names or identifiers (e.g. initials) should only be included in educator-to-educator emails (i.e. if included, the email becomes part of the student’s record) when absolutely necessary.
- Information that is sensitive, contentious, or negative in nature would be better communicated in other ways

- Positive email messages tend to be interpreted as more neutral, and neutral emails are interpreted as more negative than the sender intends
- Keep correspondences fact-centered and avoid personality issues of a student (i.e. tone is difficult to convey over email)

SOCIAL MEDIA GUIDELINES

A. Introduction /Purpose

Social media technology can serve as a powerful tool to enhance education, communication, and learning. This technology can provide both educational and professional benefits, including preparing our students to be successful in a 21st century college and/or work environment. The ENSATSD is committed to ensuring that all stakeholders who utilize social media technology for professional purposes, including staff and students, do so in a safe and responsible manner. However, due to the nature of social networking or social media sites, there exists a risk of misuse. Staff members should always be mindful of how they present themselves to the world, online and otherwise. A staff member's conduct in the social media area is viewed as an extension of classroom behavior. Therefore, any online behavior by school employees must meet the same standards as those used for face-to-face communications at the ENSATSD.

B. Definition of Social Media

Social media is defined as any form of online publication or presence that allows interactive communication, including but not limited to, cell phones, social networks, blogs, internet websites, internet forums, and wikis. Specific networking sites include such websites as Facebook, Instagram, Twitter, LinkedIn, YouTube, Snapchat, and the like. A distinction is drawn between professional social media, which is work-related social media activity, and personal social media, which is a non-work-related social media activity.

C. Applicability

This policy applies to all ENSATSD employees. The school district will ensure that staff members are reminded of, and that new staff members are oriented to, the importance of maintaining proper decorum in the online digital world, as well as in person.

D. District Related Social Media Use

ENSATSD employees who engage in District related social media activities should maintain separate District and personal email addresses. As such, employees should not use their personal email address for social media activities. The District related social media presence should utilize your District email address and should be completely separate from any personal social media presence maintained by the employee.

ENSATSD employees who work with students and communicate with students through professional social media sites should ensure that these sites are school based and designed to address reasonable instructional, educational, or co-curricular program matters. Professional social media sites that are non-school based should have a reasonable relationship to the mission and goals of the program or group creating the site.

All contact and messages by coaches with team members will be sent to all team members, except for messages concerning media or academic privacy matters, in which case the messages will be copied to the athletic director and/or the school principal.

Staff members are prohibited from engaging in any of the following conduct or uses of the school district's network:

- Fraternizing with students using any social media. **Staff members may not invite/accept or list current students as "friends" on networking sites**, unless the page is dedicated to educational use only. This prohibition extends, as well, to cell phone or texting use.
- Posting items with sexual content.
- Posting items exhibiting or advocating the use of drugs, alcohol or tobacco.
- Posting items encouraging or constituting hazing or bullying.

- Knowingly posting or communicating inaccurate or false information.
- Providing students with home telephone numbers or with private cell phone numbers without prior approval of the school district.
- Accessing inappropriate websites, including but not limited to material that is sexually explicit, pornographic, advocates illegal acts, or advocates violence, harassing bullying, or discriminatory behavior.
- Accessing social media or video streaming sites for personal reasons during work hours.
- Posting information that is reasonably considered to be proprietary, copyrighted, defamatory, libelous, or obscene.
- Posting names or any information about students, including but not limited to “student records” information as defined by law.
- Providing any confidential or private information regarding students or other employees.

The above are examples of prohibited conduct or unacceptable uses and are not intended to be all inclusive.

E. Personal Social Media Use

In order to maintain a professional and appropriate relationship with students, **ENSATSD employees should not communicate on personal social media sites with students who are currently enrolled.** Communications include but are not limited to, “friending,” “following,” “commenting,” or posting messages.

Employees of the district are encouraged to use appropriate privacy settings to control access to their personal social media sites. There are limitations to privacy settings, as private information published on the internet can easily become public. Employees have an individual responsibility to understand the rules of the social media site being used.

If a staff member is communicating as an employee of the district in online communications, they must be aware that readers will assume that they speak for the school district. Therefore, all online communications, when in which employees are actually acting on behalf of the district, or creating the appearance that they are doing so, must be professional at all times and reflect positively on the district.

This policy is not intended to infringe upon a staff member’s right to speak publicly as citizens 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. However, when a staff member speaks through social media sites or tools on matters concerning their work, they are speaking as employees and as such, restrictions may be placed upon their freedom to express themselves. Those restrictions are intended to preserve student confidentiality, maintain staff members’ status as employees who should command and receive the respect of students, be able to maintain order and discipline in their classrooms, remain objective with respect to their students, and to further the efficient and effective operation of the school district in its educational mission.

Employees should not ‘tag’ photos or videos of other ENSATSD employees without the prior permission of the individual being tagged.

Personal social media use should not interfere with or disrupt the school day.

The posting or disclosure of personally identifiable student information or confidential information via personal social media sites is prohibited.

In the use of personal social media sites, you may not use the school’s logo, likeness, or any school photographs or other property that belongs to the school or district.

F. Inappropriate Use of Social Media / Discipline

The Superintendent-Director or assigned designees may conduct Internet searches to see if staff members have posted inappropriate materials online. When inappropriate use of school computers and websites is discovered, the Superintendent-Director or assigned designees will promptly bring that inappropriate use to the attention of the staff member. Employees in violation of the social media policy may be subject to discipline up to and including

dismissal.

CHILD ABUSE & NEGLECT

(Mandatory Reporting under Mass. Law Ch. 119, Section 51A)

A. Who is a “Mandated Reporter?”

All educators, medical practitioners, counselors, day care workers, police and almost all professionals in a care-taking role with children are mandated reporters.

B. What Needs to be Reported?

All suspicions of child abuse or neglect of children under age 18, including suspicions of sexual assault and teen dating violence, must be reported. Failure on the part of a mandated individual to report a suspected case of abuse or neglect can result in a fine of up to \$1,000.

C. To Whom are Suspected Incidents of Abuse or Neglect Sent?

Reports are sent to the Department of Children and Families area office based on the town/city of student residency:

Cape Ann Area Office	978-825-3800	Greater Lowell Area Office	978-275-6800
Haverhill Area Office	978-469-8800	Lynn Area Office	781-477-1600
Lawrence Area Office	978-557-2500	Metro North Area Office	781-388-7100

If you have additional questions, please see the Director of Student Counseling.

D. What Should I Do if I Suspect the Abuse or Neglect of a Student?

Foremost, remember that you merely need to have the *suspicion* that the student has been abused or neglected. It is the role of others to investigate your suspicion. In the ENSATSD the reporting sequence will be as follows:

- Immediately share your concerns directly with the student’s School Counselor, School Adjustment Counselor, or an Administrator. Once you have reported your concerns to the counselor, your obligations as a mandated reporter have been fulfilled.
- The counselor or Administrator will report to the Principal and the Director of School Counseling.
- The counselor reports suspected abuse over the phone to DCF to be followed up within 48 hours by a written “51A” report.
- A building-based team (counselor, principal, and others as indicated) will decide what actions should be taken by the school during an investigation process.
- DCF decides whether to substantiate the allegations by “screening in” the case for further investigation or to “screen out” the case.

E. Will the Name of the Reporter be Kept Confidential?

DCF will not share the name of the reporter to the alleged perpetrator, but must, if asked, supply a copy of the report with the name omitted. In most instances, however, the reporter’s identity can be deduced from the context of the report. The Principal or Director of School Counseling can sign a report to protect the identity of the reporting staff member, if desired.

F. Do reporting educators have protection from the legal recourse of alleged perpetrators?

Yes, no civil or criminal actions can be taken against you as a mandated reporter, as long as you have acted in good faith.

G. What happens to the 51A reports that are sent to DCF?

All reports are kept for a period of one year, after which all unsupported reports are disposed of. Reports which are supported are kept for a period of 75 years. Reports of some forms of abuse (such as sexual assault, rape, etc.) may be sent from DCF to the District Attorney’s Office and/or the State/Local Police. In some cases, joint investigations will follow.

H. Important things to remember when talking with students:

Confidentiality should never be guaranteed. Students need to know that, in the interest of the student's safety, all educators are mandated to share any information, which may indicate that a student has been abused, neglected, or is at risk. Students' trustful relationships with staff members are certainly desirable, but educators must always be mindful of their responsibilities under the law.

STUDENT RECORDS

(Massachusetts Regulations at 603 CMR 23:00)

A. What are "Student Records?"

A student record is any information kept by a school or school district in a manner in which the student may be individually identified.

B. Who has Access to Student Records?

- "Authorized school personnel" (administrators, educators, counselors, and other staff providing services to those students), office and clerical staff, and those on special education Evaluation Teams
- Parents, legal guardians
- Students 14-17 years old, or in the 9th grade, with parent permission
- Students 18 or over may, themselves, access and may prohibit access to a parent, providing that they provide such requests in writing
- Third parties with the informed, specific written consent of the eligible student or parent, Courts, probation officers, DCF, DYS
- Schools to which the student is transferring

C. What Procedures Must be Taken to Ensure the Confidentiality of Student Records?

Student records must be kept in a secure location. A log shall be kept with each student record. It shall indicate all persons (other than school personnel) who have obtained access to the record, stating: the name, position, signature, and affiliation of the person. As with any student information, employees must be careful about discussing students in corridors, classrooms, or public places.

D. How Does a Parent or Student Gain Access?

A parent or eligible student may request in writing to access the record. They must be given this opportunity within five (5) days of making such a request. The parent or eligible student also has the right to receive copies of any part of the record, and the school may charge a reasonable fee for the cost of duplicating the materials.

E. May a Parent Amend the Student Record?

Yes, the eligible student or parent shall have the right to add information, comments, data or any other relevant information to the student record and may also request in writing to the Principal that certain information be deleted or amended, which is subject to the Principal's discretion.

F. How Long are Records Kept?

The student's transcript may be destroyed only after 60 years following their graduation, transfer, or withdrawal from the school. Other records shall be destroyed no later than 7 years after the student graduates, is transferred or withdraws, and only after written notice shall go to the eligible student and their parent.

G. Do These Rules Apply to Computerized Records?

Yes, computerized records including e-mail are subject to the same restrictions and access as any other form of student record.

H. Are an Educator's Personal Files Considered Student Records?

The term student record does not include notes, memory aids, and other similar information that are maintained in the personal file of a school employee and is not accessible or revealed to any third party.

I. Tests and Other Material Placed in Student Records...

All tests and test records and other materials placed in the students' folders should be filed carefully, and should not be discarded except with the Principal's approval. During the time a student is enrolled in a school, the principal and their designee will periodically review and destroy misleading, outdated, or irrelevant information contained in the temporary record provided that the eligible student and their parent are notified in writing and are given an opportunity to receive the information or a copy of it prior to its destruction. A copy of such notice shall be placed in the temporary record (cumulative folder).

PHYSICAL RESTRAINT BEHAVIOR AND SUPPORT POLICY AND PROCEDURES

603 CMR 46.00

Physical Restraint Regulations

Effective January 1, 2016

I. GENERAL INFORMATION (46.01)

Essex North Shore Agricultural & Technical School shall abide by the provisions of 603 CMR 46.00, which regulates the use of physical restraint on students in publicly funded elementary and secondary education programs. Essex North Shore Agricultural & Technical School has developed restraint prevention and behavior support procedures, in compliance with 603 CMR 46.04, which shall be annually reviewed, provided to school staff, and made available to parents.

Physical restraint shall be used only in emergency situations of last resort after other lawful and less intrusive alternatives have failed or been deemed inappropriate, and with extreme caution. School personnel shall use physical restraint with two goals in mind:

- (a) To administer a physical restraint only when needed to protect a student and/or a member of the school community from assault or imminent, serious, physical harm; and
- (b) To prevent or minimize any harm to the student as a result of the use of physical restraint.

603 C.M.R. 46.01(3)(a) & (b).

Further nothing in 603 C.M.R. 46.00, Essex North Shore Agricultural & Technical School Physical Restraint Policy and/or Administrative Procedures and Guidelines shall be construed to limit the protection afforded to publicly funded students under other federal and state laws, including those laws that provide for the rights of students who have been found eligible to receive special education services. Additionally, nothing in 603 C.M.R. 46.00, Essex North Shore Agricultural & Technical School Policy and/or Administrative Procedures and Guidelines precludes any teacher, employee, or agent of a public education program from using reasonable force to protect students, other persons, or themselves from assault or imminent, serious, physical harm. 603C.M.R. 46.01(4).

In addition, each staff member will be trained annually regarding the school's physical restraint policy and accompanying procedures. The Principal or designee will arrange training to occur each school year, or for staff hired after the beginning of the school year, within a month of their employment.

II. DEFINITIONS (46.02)

As used in 603 CMR 46.00, the following terms shall have the following meanings:

Commissioner shall mean the commissioner of the Department of Elementary and Secondary Education appointed in accordance with G.L. c.15, §1F, or his or her designee.

Consent shall mean agreement by a parent who has been fully informed of all information relevant to the activity for which agreement is sought, in his or her native language or other modes of communication, that the parent understands and agrees in writing to carrying out of the activity, and understands that the agreement is voluntary and may be revoked at any time. The agreement describes the activity and lists the records (if any) which will be released and to whom. In

seeking parental consent, a public education program shall not condition admission or continued enrollment upon agreement to the proposed use of any restraint.

Department shall mean the Department of Elementary and Secondary Education.

Mechanical restraint shall mean the use of any device or equipment to restrict a student's freedom of movement. The term does not include devices implemented by trained school personnel, or utilized by a student that has been prescribed by an appropriate medical or related services professional, and are used for the specific and approved positioning or protective purposes for which such devices were designed. Examples of such devices include adaptive devices or mechanical supports used to achieve proper body position, balance, or alignment to allow greater freedom of mobility than would be possible without the use of such devices or mechanical supports; vehicle safety restraints when used as intended during the transport of a student in a moving vehicle; restraints for medical immobilization; or orthopedically prescribed devices that permit a student to participate in activities without risk of harm.

Medication restraint shall mean the administration of medication for the purpose of temporarily controlling behavior. Medication prescribed by a licensed physician and authorized by the parent for administration in the school setting is not medication restraint.

Parent shall mean a student's father, mother, or legal guardian or person or agency legally authorized to act on behalf of the student in place of or in conjunction with the father, mother, or legal guardian.

Physical escort shall mean a temporary touching or holding, without the use of force, of the hand, wrist, arm, shoulder, or back for the purpose of inducing a student who is agitated to walk to a safe location.

Physical restraint shall mean direct physical contact that prevents or significantly restricts a student's freedom of movement. Physical restraint does not include: brief physical contact to promote student safety, providing physical guidance or prompting when teaching a skill, redirecting attention, providing comfort, or a physical escort.

Principal shall mean the instructional leader or headmaster of a public education school program or his or her designee. The board of directors of a charter school or virtual school, or special education school or program approved under 603 CMR 28.09, shall designate in the restraint prevention and behavior support policy who will serve as principal for purposes of 603 CMR 46.00.

Prone restraint shall mean a physical restraint in which a student is placed face down on the floor or another surface, and physical pressure is applied to the student's body to keep the student in the face-down position.

Public education programs shall mean public schools, including charter schools, virtual schools, collaborative education programs, and the school day of special education schools approved under 603 CMR 28.09, as provided in 603 CMR 18.05(5)(h), and school events and activities sponsored by such programs. The term "programs" may be used in 603 CMR 46.00 to refer to "public education programs." For purposes of 603 CMR 46.00, public education programs shall not include the educational services provided within the Department of Youth Services, Department of Mental Health, Department of Public Health, and County Houses of Correction operated or contracted facilities.

School Working Day shall mean a day or partial day that students are in attendance at the public education program for instructional purposes.

Seclusion shall mean the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving. Seclusion does not include a time-out as defined in 603 CMR 46.02.

Time-out shall mean a behavioral support strategy developed pursuant to 603 CMR 46.04(1) in which a student temporarily separates from the learning activity or the classroom, either by choice or by direction from staff, for the purpose of calming. During a time-out, a student must be continuously observed by a staff member. Staff shall be with the student or immediately available to the student at all times. The space used for time-out must be clean, safe, sanitary, and appropriate for the purpose of calming. Time-out shall cease as soon as the student has calmed.

III. USE OF RESTRAINT (46.03)

(1) Prohibition.

- (a) Mechanical restraint, medication restraint, and seclusion shall be prohibited in public education programs.
- (b) Prone restraint shall be prohibited in public education programs except on an individual student basis, and only under the following circumstances:
 - 1. The student has a documented history of repeatedly causing serious self-injuries and/or injuries to other students or staff;
 - 2. All other forms of physical restraints have failed to ensure the safety of the student and/or the safety of others;
 - 3. There are no medical contraindications as documented by a licensed physician;
 - 4. There is psychological or behavioral justification for the use of prone restraint and there are no psychological or behavioral contraindications, as documented by a licensed mental health professional;
 - 5. The program has obtained consent to use prone restraint in an emergency as set out in 603 CMR 46.03(1)(b), and such use has been approved in writing by the principal; and,
 - 6. The program has documented 603 CMR 46.03(1)(b) 1 - 5 in advance of the use of prone restraint and maintains the documentation.
- (c) Physical restraint, including prone restraint where permitted, shall be considered an emergency procedure of last resort and shall be prohibited in public education programs except when a student's behavior poses a threat of assault or imminent, serious, physical harm to self or others and the student is not responsive to verbal directives or other lawful and less intrusive behavior interventions, or such interventions are deemed to be inappropriate under the circumstances.
- (d) All physical restraints, including prone restraint where permitted, shall be administered in compliance with 603 CMR 46.05.

(2) Physical restraint shall not be used:

- (a) As a means of discipline or punishment;
- (b) When the student cannot be safely restrained because it is medically contraindicated for reasons including, but not limited to, asthma, seizures, a cardiac condition, obesity, bronchitis, communication-related disabilities, or risk of vomiting;
- (c) As a response to property destruction, disruption of school order, a student's refusal to comply with a public education program rule or staff directive, or verbal threats when those actions do not constitute a threat of assault or imminent, serious, physical harm; or
- (d) As a standard response for any individual student. No written individual behavior plan or individualized education program (IEP) may include the use of physical restraint as a standard response to any behavior. Physical restraint is an emergency procedure of last resort.

(3) Limitations on the use of restraint. Physical restraint in a public education program shall be limited to the use of such reasonable force as is necessary to protect a student or another member of the school community from assault or imminent, serious, physical harm.

(4) Referral to law enforcement or other state agencies. Nothing in these regulations prohibits:

- (a) The right of any individual to report to appropriate authorities a crime committed by a student or other individual;
- (b) Law enforcement, judicial authorities, or school security personnel from exercising their responsibilities, including the physical detainment of a student or other person alleged to have committed a crime or posing a security risk; or

(c) The exercise of an individual's responsibilities as a mandated reporter pursuant to G.L. c. 119, § 51A. 603 CMR 46.00 shall not be used to deter any individual from reporting neglect or abuse to the appropriate state agency.

IV. USE OF RESTRAINT (46.04)

(1) Procedures

A. Methods for preventing student violence, self-injurious behavior, and suicide, including individual crisis planning and de-escalation of potentially dangerous behavior occurring among groups of students or with an individual student.

School-Level Supports

The school will provide school-wide professional development focused on identifying and preventing student violence, self-injurious behavior, and suicide, including individual behavior crisis planning and de-escalation of potentially dangerous behavior occurring among groups of students or with an individual student. In addition, the school-level crisis team will participate in professional development focused on preventative measures to prevent student violence, self-injurious behavior, and suicide, including individual behavior crisis planning and de-escalation of potentially dangerous behavior occurring among groups of students or with an individual student. The crisis team along with teachers and other school personnel will identify students who are potentially at-risk and review student social, emotional, and behavior progress monthly at the Student Support Team Meeting (SST) and/or leadership team meeting to plan interventions and supports for students. The monthly meetings will include school counselors, school nurses, administration, and if necessary the school psychologist as a resource to plan appropriate interventions and supports for the students.

Each school has a crisis team, which includes the administrative team, school counselors, nurse(s), and school psychologist when necessary. All members of the school's crisis team are trained in Crisis Prevention Intervention (CPI).

For any student with a history of significant emotional/ behavior including at-risk behavior (harm to self and/or others) and/or a student who required a physical restraint, the Team should develop a safety behavior intervention plan or crisis plan. The plan should include strategies and supports which may include specific de-escalation strategies, counseling services, monitoring protocol, data collection, frequent review meetings (at least 2x monthly), etc. for the purpose of assessing progress and making necessary adjustments. Teams can request a functional behavioral assessment (FBA) or safety assessment and can refer to outside agencies if needed. Each school has a functioning SST, which meets monthly (or more as needed) to discuss individual students and/or groups of students demonstrating problem behavior and mental health concerns. The team should include an administrator, teachers, school counselor, school psychologist, and, if necessary, may include an outside agency representative.

School staff should utilize the school district's various tools to help students who are exhibiting aggressive behavior.

General De-Escalation Guidelines

General guidelines for de-escalating potentially dangerous behavior occurring among groups of students or with an individual student include the following:

1. Remain calm -To possibly help prevent the likelihood of a student experiencing distress from escalating their behavior use a neutral and level tone of voice, control one's facial expressions and use supportive non-threatening body language.
2. Obtain Assistance - Whenever possible, school personnel should immediately take steps to notify school administrators, the school's administrative response team, and/or other school personnel of a potentially dangerous situation and to obtain additional assistance.
3. One Person Speaks - In order to minimize the likelihood of confusion and/or the likelihood of a student experiencing distress from escalating their behavior having one person providing overall direction to the response and the follow-up procedures is advisable. This often may be either the first trained staff person on the scene or the staff person with the most information about the particular situation.

4. Remove Student If Possible - The feasibility of having a student experiencing distress leave an area with other students and move to another more private and safe area in order to de-escalate should be considered.
5. Remove Other Students - If it is not feasible to have a student experiencing distress move to a more private and safe area in order to de-escalate, consider the feasibility of having other staff assist and monitor the removal of other students to another area within the school until the student de-escalates.

B. Methods for engaging parents/guardians and youth in discussions about restraint prevention and use of restraint solely as an emergency procedure.

The Principal should provide all families and students with information about behavioral supports and restraint prevention efforts that are utilized within their school annually. Additionally, the Principal is expected to follow these administrative procedures with respect to identifying students who may be at risk of restraint and work with the student and their family along with the school counselor to identify and work on behavioral supports to prevent restraint from occurring. If a student is restrained, the Principal is expected to follow these administrative procedures with respect to engaging the student and their family about the use of the restraint, the report regarding the restraint, any disciplinary sanctions that may be imposed, and/or any other related matters. Additionally, the school counselor also should follow up with the student and their family regarding behavioral support.

C. Description and explanation of the program's alternatives to physical restraint and method of restraint in emergency situations.

There are a variety of appropriate responses to student behavior that may require immediate intervention. These alternative methods should be used first when seeking to prevent student violence, self-injurious behavior, and/or de-escalating potentially dangerous behavior occurring among groups of students or with an individual student. Physical restraints only should be used as a last resort in emergency situations after these other less intrusive alternatives have failed or been deemed inappropriate.

Examples of interventions and less intrusive methods that may preclude the need for the use of physical restraint include but are not limited to, the following:

1. Active listening
2. Use of a low non-threatening voice
3. Limiting the number of adults providing direction to the student
4. Offering the student a choice
5. Not blocking the student's access to an escape route
6. Suggesting possible resolutions to the student
7. Avoid dramatic gestures (waving arms, pointing, blocking motions, etc.)
8. Verbal prompt - A verbal prompt is communicating what is expected behavior by clearly stating instructions and expectations.
9. Full or partial physical cue - A full or partial physical cue is anytime an adult needs to temporarily place their hands on a student or physically redirects a student without force. These are used at increasing levels as needed to return a student safely back to the task. See Physical Redirection and Physical Escort below.
10. Physical Escort - A physical escort is a temporary touching or holding, without the use of force, of the hand, wrist, arm, shoulder, or back, for the purpose of inducing a student who is agitated to walk to a safe location.
11. Physical Redirection - A physical redirection is done by temporarily placing one hand on each of the student's shoulders, without force, and redirecting the student to the learning activity, classroom, or safe location.

12. Time-Out - A time-out is a behavioral support strategy in which a student temporarily separates from the learning activity or classroom, either by choice or by direction from staff, for the purpose of calming. During time-out, a staff member must continuously observe a student. Staff shall be with the student or immediately available to the student at all times. The space used for time-out must be clean, safe, sanitary, and appropriate for the purpose of calming. Time-out shall cease as soon as the student is calmed.

- D. Statement prohibiting: medication restraint, mechanical restraint, prone restraint unless permitted pursuant to 603 CMR 46.03 (1)(B), seclusion, and the use of physical restraint in a manner inconsistent with 603 CMR 46.00.
 - a. See page three, section III “Use of Restraint”, part one: “Prohibition”
- E. District training requirements, reporting requirements, and follow-up procedures
 - a. For Training Requirements: see page nine, section IV “Use of Restraint,” part two: “Required training for all staff”
 - b. For Reporting Requirements: see page 11, Section VI “Reporting Requirements”
- F. A procedure for receiving and investigating complaints regarding restraint practices
 - a. See page 13, Section VII “Complaint Procedures”
- G. A procedure for conducting periodic review of data and documentation on the use of physical restraints as described in 603 CMR 46.06(5) and (6).
 - a. See page 11, Section VI “Reporting Requirements,” part five: “Individual Student review,” part six: “Administrative Review”
- H. A procedure for implementing the reporting requirements as described in 603 CMR 46.06.
 - a. See page 11, Section VI “Reporting Requirements”
- I. A procedure for making reasonable efforts to orally notify a parent on the use of restraint on a student within 24 hours of the restraint and for sending written notification to the parent within three school working days following the use of restraint to an email address provided by the parent for the purpose of communicating about the student, or by regular mail to the parent postmarked within three working days of the restraint.
 - a. See page 11, Section VI “Reporting Requirements, part 3: “Informing Parents.”
- J. If the program uses time out as a behavioral support strategy, a procedure for the use of time-out that includes a process for obtaining principal approval for a time-out of more than 30 minutes based on the individual student’s continued agitation.

Time-out is a behavioral support strategy in which a student temporarily separates from the learning activity or the classroom, either by choice or by direction from staff, for the purpose of calming. During a time-out, a student must be continuously observed by a staff member. Staff shall be with the student or immediately available to the student at all times. The space used for time-out must be clean, safe, sanitary, and appropriate for the purpose of calming. Time-out shall cease as soon as the student has calmed.

- The use of inclusionary time-out as a behavioral support strategy

The definition of time-out includes the practice of inclusionary time-out, i.e., when the student is removed from positive reinforcement or full participation in classroom activities while remaining in the classroom, and exclusionary time-out (see below), i.e., the separation of students from the rest of the class either through complete visual separation or from actual physical separation. The use of inclusionary time-out functions well as a behavior support strategy while allowing the student to remain fully aware of the learning activities of the classroom. Inclusionary time-out includes practices used

by teachers as part of their classroom behavior support tools, such as "planned ignoring," asking students to put their heads down, or placing a student in a different location within the classroom (this does not include walled off "time-out" rooms located within the classroom; use of those is considered to be an exclusionary time-out -see #2 below). These strategies, used to reduce external stimuli in the student's environment while keeping the student physically present and involved in learning, have proven to be useful tools for classroom management.

- The use of exclusionary time-out in educational settings

Exclusionary time-out as a staff-directed behavioral support should only be used when the student is displaying behaviors that present, or potentially present, an unsafe or overly disruptive situation in the classroom. Staff-directed exclusionary time-out should not be used as a method of punishment for noncompliance, or for incidents of misbehavior that are no longer occurring.

During an exclusionary time-out:

- The student must be continuously observed by a staff member;
- Staff must be with the student or immediately available to the student at all times;
- The space used for exclusionary time-out must be clean, safe, sanitary, and appropriate for the purpose of calming;

Exclusionary time-out must cease as soon as the student has calmed.

When a student is separated from the learning environment in an exclusionary time-out, s/he must be in a safe and calming environment. For any exclusionary time-out that may last longer than 30 minutes, programs must seek approval from the principal for the continued use of time-out. The principal may not routinely approve such requests but must consider the individual circumstances, specifically whether the student continues to be agitated to determine whether time-out beyond 30 minutes is justified. If it appears that the use of exclusionary time-out exacerbates the student's behavior, or the continuation of the exclusionary time-out beyond 30 minutes has not helped the student to calm, then other behavioral support strategies should be attempted.

Exclusionary time-out is an intervention that should be reserved for use only when students are displaying behaviors that present, or potentially present, an unsafe or overly disruptive situation in the classroom. In such circumstances, the student may either ask to leave the classroom, or the student may be directed to a separate setting for the purpose of helping the student to calm. Unless it poses a safety risk, a staff member must be physically present with the student who is in an exclusionary time-out setting. If it is not safe for the staff member to be present with the student, the student may be left in the time-out setting with the door closed. However, in order to ensure that the student is receiving appropriate support, a school counselor or other behavioral support professional must be immediately available outside of the time-out setting where the individual can continuously observe and communicate with the student as appropriate to determine when the student has calmed. Students must never be locked in a room. For students displaying self-injurious behavior, a staff member must be physically present in the same setting with the student. Exclusionary time-out must end when the student has calmed.

- Seclusion

603 CMR 46.02 defines seclusion as the involuntary confinement of a student alone in a room or area from which the student is physically prevented from leaving.

The key elements of this definition are two factors considered together, (1) the student is alone with no staff present or immediately available; and (2) the student is prevented from leaving the area. The use of seclusion is prohibited in Massachusetts.

(2) Required training for all staff.

Required training is described in this section. For Reporting Requirements (46.06), see Follow-Up Procedures: Required training for all staff. Each principal or director shall determine a time and method to provide all program staff with training regarding the program's restraint prevention and behavior support policy and requirements when restraint is used. Such training shall occur within the first month of each school year and, for employees hired after the school year begins, within a month of their employment. Training shall include information on the following:

- (a) The role of the student, family, and staff in preventing restraint;
- (b) The program's restraint prevention and behavior support policy and procedures, including use of time-out as a behavior support strategy distinct from seclusion;
- (c) Interventions that may preclude the need for restraint, including de-escalation of problematic behaviors and other alternatives to restraint in emergency circumstances;
- (d) When behavior presents an emergency that requires physical restraint, the types of permitted physical restraints and related safety considerations, including information regarding the increased risk of injury to a student when any restraint is used, in particular, a restraint of extended duration;
- (e) Administering physical restraint in accordance with medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans applicable to an individual student; and
- (f) Identification of program staff who have received in-depth training pursuant to 603 CMR 46.03(3) in the use of physical restraint.

(3) In-depth staff training in the use of physical restraint.

At the beginning of each school year, the principal of each public education program or his or her designee shall identify program staff who are authorized to serve as a school-wide resource to assist in ensuring proper administration of physical restraint. Such staff shall participate in in-depth training in the use of physical restraint. The Department recommends that such training be competency-based and be at least sixteen (16) hours in length with at least one refresher training occurring annually thereafter.

(4) Content of in-depth training.

In-depth training in the proper administration of physical restraint shall include, but not be limited to:

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

(f) Instruction regarding the impact of physical restraint on the student and family, recognizing the act of restraint has impact, including but not limited to psychological, physiological, and social-emotional effects.

V. PROPER ADMINISTRATION OF PHYSICAL RESTRAINT

All physical restraints, including prone restraint, where permitted, shall be administered in compliance with 603 CMR 46.05.

(1) Trained personnel. Only public education program personnel who have received training pursuant to 603 CMR 46.04(2) or 603 CMR 46.04(3) shall administer physical restraint on students. Whenever possible, the administration of a restraint shall be witnessed by at least one adult who does not participate in the restraint. The training requirements contained in 603 CMR 46.00 shall not preclude a teacher, employee or agent of a public education program from using reasonable force to protect students, other persons or themselves from assault or imminent, serious, physical harm.

(2) Use of force. A person administering a physical restraint shall use only the amount of force necessary to protect the student or others from physical injury or harm.

(3) Safest method. A person administering physical restraint shall use the safest method available and appropriate to the situation subject to the safety requirements set forth in 603 CMR 46.05(5). Floor restraints, including prone restraints otherwise permitted under 603 CMR 46.03(1)(b), shall be prohibited unless the staff members administering the restraint have received in-depth training according to the requirements of 603 CMR 46.043(3) and, in the judgment of the trained staff members, such method is required to provide safety for the student or others present.

(4) Duration of restraint. All physical restraint must be terminated as soon as the student is no longer an immediate danger to himself or others, or the student indicates that he or she cannot breathe, or if the student is observed to be in severe distress, such as having difficulty breathing or sustained or prolonged crying or coughing.

(5) Safety requirements. Additional requirements for the use of physical restraint:

(a) No restraint shall be administered in such a way that the student is prevented from breathing or speaking. During the administration of a restraint, a staff member shall continuously monitor the physical status of the student, including skin temperature and color, and respiration.

(b) Restraint shall be administered in such a way so as to prevent or minimize physical harm. If at any time during a physical restraint, the student expresses or demonstrates significant physical distress including, but not limited to, difficulty breathing, the student shall be released from the restraint immediately, and school staff shall take steps to seek medical assistance.

(c) If a student is restrained for a period longer than 20 minutes, program staff shall obtain the approval of the principal. The approval shall be based upon the student's continued agitation during the restraint justifying the need for continued restraint.

(d) Program staff shall review and consider any known medical or psychological limitations, known or suspected trauma history, and/or behavioral intervention plans regarding the use of physical restraint on an individual student.

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

VI. REPORTING REQUIREMENTS

(1) Circumstances under which a physical restraint must be reported. Program staff shall report the use of any physical restraint as specified in 603 CMR 46.06(2).

(2) Informing the principal. The program staff member who administered the restraint shall verbally inform the principal of the restraint as soon as possible, and by written report no later than the next school working day. The written report shall be provided to the principal for review of the use of the restraint. If the principal has administered the restraint, the principal shall prepare the report and submit it to an individual or team designated by the superintendent for review. The principal or their designee shall maintain an ongoing record of all reported instances of physical restraint, which shall be made available for review by the parent or the Department upon request.

(3) Informing parents. The principal or their designee shall make reasonable efforts to verbally inform the student's parent of the restraint within 24 hours of the event, and shall notify the parent by written report sent either within three school working days of the restraint to an email address provided by the parent for communications about the student, or by regular mail postmarked no later than three school working days of the restraint. If the school or program customarily provides a parent of a student with report cards and other necessary school-related information in a language other than English, the written restraint report shall be provided to the parent in that language. The principal shall provide the student and the parent an opportunity to comment orally and in writing on the use of the restraint and on information in the written report.

(4) Contents of report. The written report required by 603 CMR 46.06(2) and (3) shall include:

- (a) The name of the student; the names and job titles of the staff who administered the restraint, and observers, if any; the date of the restraint; the time the restraint began and ended; and the name of the principal or designee who was verbally informed following the restraint; and, as applicable, the name of the principal or designee who approved the continuation of the restraint beyond 20 minutes pursuant to 603 CMR 46.05(5)(c).
- (b) A description of the activity in which the restrained student and other students and staff in the same room or vicinity were engaged immediately preceding the use of physical restraint; the behavior that prompted the restraint; the efforts made to prevent escalation of behavior, including the specific de-escalation strategies used; alternatives to restraint that were attempted; and the justification for initiating physical restraint.
- (c) A description of the administration of the restraint including the holds used and reasons such holds were necessary; the student's behavior and reactions during the restraint; how the restraint ended; and documentation of injury to the student and/or staff, if any, during the restraint and any medical care provided.
- (d) Information regarding any further action(s) that the school has taken or may take, including any consequences that may be imposed on the student.
- (e) Information regarding opportunities for the student's parents to discuss with school officials the administration of the restraint, any consequences that may be imposed on the student, and any other related matter.

(5) Individual student review. The principal shall conduct a weekly review of restraint data to identify students who have been restrained multiple times during the week. If such students are identified, the principal shall convene one or more review teams as the principal deems appropriate to assess each student's progress and needs. The assessment shall include at least the following:

- (a) review and discussion of the written reports submitted in accordance with 603 CMR 46.06 and any comments provided by the student and parent about such reports and the use of the restraints;
- (b) analysis of the circumstances leading up to each restraint, including factors such as time of day, day of the week, antecedent events, and individuals involved;
- (c) consideration of factors that may have contributed to the escalation of behaviors, consideration of alternatives to restraint, including de-escalation techniques and possible interventions, and such other strategies and decisions as appropriate, with the goal of reducing or eliminating the use of restraint in the future;

(d) agreement on a written plan of action by the program.

If the principal directly participated in the restraint, a duly qualified individual designated by the superintendent shall lead the review team's discussion. The principal shall ensure that a record of each individual student review is maintained and made available for review by the Department or the parent, upon request.

(6) Administrative review. The principal shall conduct a monthly review of school-wide restraint data. This review shall consider patterns of use of restraints by similarities in the time of day, day of the week, or individuals involved; the number and duration of physical restraints school-wide and for individual students; the duration of restraints; and the number and type of injuries, if any, resulting from the use of restraint. The principal shall determine whether it is necessary or appropriate to modify the school's restraint prevention and management policy, conduct additional staff training on restraint reduction/prevention strategies, such as training on positive behavioral interventions and supports, or take such other action as necessary or appropriate to reduce or eliminate restraints.

(7) Report all restraint-related injuries to the Department. When a physical restraint has resulted in an injury to a student or program staff member, the program shall send a copy of the written report required by 603 CMR 46.06(4) to the Department postmarked no later than three school working days of the administration of the restraint. The program shall also send the Department a copy of the record of physical restraints maintained by the principal pursuant to 603 CMR 46.06(2) for the 30-day period prior to the date of the reported restraint. The Department shall determine if additional action by the program is warranted and, if so, shall notify the program of any required actions within 30 calendar days of receipt of the required written report(s).

(8) Report all physical restraints to the Department. Every program shall collect and annually report data to the Department regarding the use of physical restraints. Such data shall be reported in a manner and form directed by the Department.

VII. COMPLAINT PROCEDURES

A. Informal Resolution of Concern about Use of Physical Restraint

Before initiating a formal complaint procedure, a student or their parent/guardian who has concerns regarding a specific use of physical restraint may seek to resolve their concerns regarding a specific use of physical restraint by raising the issue with the principal of the school. The student and/or their parent/guardian should direct their concerns regarding a specific use of physical restraint to the principal within ten (10) days of the parent/guardian's receipt of the written report from the school detailed above in Section IV (F)(2). The principal shall attempt, within their authority to work with the individual to resolve the complaint fairly and expeditiously. If the student and/or their parent/guardian are not satisfied with the resolution, or if the student and/or their parent/guardian does not choose informal resolution, then the student and/or their parent/guardian may proceed with the formal complaint process detailed below in Section VI (B).

B. Formal Resolution of Concern about Use of Physical Restraint

A student or their parent/guardian, who has concerns regarding a specific use of physical restraint, may seek to resolve their concerns regarding a specific use of physical restraint by submitting a written complaint to the Office of the Superintendent. The student and/or their parent/guardian should submit this letter to the Office of the Superintendent within twenty (20) days of the parent/guardian's receipt of the written report from the school detailed above in Section IV (F)(2). The written complaint shall include (a) the name of the student; (b) the name of the school where the physical restraint allegedly occurred; (c) the name of the individuals involved in the alleged physical restraint; (d) the basis of the complaint or concern; and (e) the corrective action being sought.

The Office of the Superintendent, through its designees, shall conduct an investigation into the complaint promptly after receiving the complaint. In the course of its investigation, the Office of the Superintendent and/or its designees shall contact those individuals that have been referred to as having pertinent information related to the complaint. Strict timelines cannot be set for conducting the investigation because each set of circumstances is different. The Office of the Superintendent and/or its designees will make sure that the complaint is handled as quickly as is feasible. After

completing the formal investigation, the Office of the Superintendent shall contact the individual who filed the complaint regarding the outcome of its investigation and its determination as to whether any corrective action is warranted.

C. Other Complaint Processes also Available

It should be noted that the provisions of this section do not preclude a student from using the complaint process set forth in the district Anti-Harassment and Sexual Harassment Policies to seek resolution of any complaints of discrimination or harassment that is based on a characteristic protected by law such as sex, race, color, gender, ancestry, national origin, ethnicity, religion, age, disability, marital status, sexual orientation, homelessness, gender identity or genetic information. It also should be noted that the provisions of this section do not preclude a student from using the complaint process set forth in the Essex North Shore Agricultural & Technical School Student Handbooks to seek resolution of any complaints regarding a student's deprivation of rights set forth in the school handbook.

ADOPTED: ENSATSD School Committee May 12, 2022

THE REHABILITATION ACT OF 1973 "SECTION 504" (FEDERAL LAW)

Link: <http://www2.ed.gov/about/offices/list/ocr/504faq.html>

As part of the Rehabilitation Act of 1973, Section 504 became the first federal civil rights law to protect the rights of individuals with disabilities. The law states in part:

"no otherwise handicapped individual in the United States shall, solely by reason of their handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

Section 504 of the 1973 Federal Rehabilitation Act, a civil rights law, prohibits discrimination based upon a disability and requires school districts that receive federal funding to provide reasonable accommodations for disabled individuals that enable them to work or learn. It is important to realize that Section 504 is not an **aspect of Special Education**. It utilizes a much broader definition of a handicapping condition than the one utilized to determine Special Education eligibility. **As such, the 504 Coordinator is responsible for its implementation.**

Under Section 504, a person may be considered disabled if the individual:

- Has a mental or physical impairment which substantially limits one or more of the following life activities: caring for oneself, walking, speaking, seeing, learning, hearing, performing manual tasks and working;
- Has a record of such an impairment;
- Is regarded as having such an impairment.

Therefore, all students who have IEPs under the Individuals with Disabilities Education Act (IDEA) are also considered to be handicapped and protected under Section 504. However, all students who have been identified as handicapped under Section 504 may not necessarily be considered disabled under IDEA.

Some examples of potential 504 handicapping conditions not typically covered under IDEA include, but are not limited to: asthma, diabetes, tuberculosis, HIV, cerebral palsy and substance abuse. These individuals can usually make effective progress and access the general education curriculum, if provided with the right kind of accommodations. Accommodations must be based upon the student's unique needs and are provided to ensure that the student will continue to make effective progress in school. If a handicapping condition, which impairs a life activity can be documented, the 504 Coordinator in conjunction with the school-based support team, formulates a 504 Accommodation Plan. The plan lists a series of accommodations that the school will provide in order for the student to benefit from the full range of programs and activities that the school provides. This Plan becomes a part of the student's cumulative file and is reviewed annually. Like an IEP, the 504 Plan is a legal document to which school staff must adhere. With a 504 Plan, the student and his or her parent(s) or guardian(s) have many of the same due process rights as a student on an IEP.

An accommodation refers to a change in the educational setting, materials or strategies that does not significantly alter the content of the curriculum or level of expectation for student's performance and which allows students to access the general education curriculum. Examples of accommodations include: modification of time requirements for testing, learning aids such as electronic devices, software, preferential seating, extra time passing between classes, or special/modified athletic equipment.

AMERICANS WITH DISABILITIES ACT, 1990 (FEDERAL LAW)

Link: www.ada.gov/pubs/ada.htm

In 1990, the Americans with Disabilities Act (ADA) was passed, giving full civil rights to all individuals with disabilities. Title II of the ADA extends Section 504 by prohibiting discrimination in public and private sector services and telecommunications.

A. Title II of the ADA provides:

"No qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity." 42 U.S.C. § 12132.

What does this mean for students?

For students with disabilities, the ADA prohibits discrimination and extends the right of access to all educational programs and services whether or not the school receives the federal funding.

The ADA was amended in 2008. The ADA Amendments Act (ADAAA) requires a broad interpretation of the term "disability" and prohibits the use of mitigating measures in evaluating whether a person has a disability. The Amendments Act also includes an expanded, but not exhaustive, list of major life activities.

Title II of the ADA parallels Section 504 with regard to public schools. In the public school setting, Section 504 and Title II are frequently used or referred to together, with a focus or primary attention given to Section 504. The Office for Civil Rights (OCR) in the U.S. Department of Education enforces both Section 504 and Title II of the ADA.

INDIVIDUALS WITH DISABILITIES EDUCATION IMPROVEMENT ACT OF 2004 (FEDERAL LAW)

The Individuals with Disabilities Education Act (IDEA) is a federal law that addresses the education of individuals with disabilities. The IDEA entitles eligible students to an individualized program of specially designed instruction or related services (IEP) that is reasonably calculated to provide the student with educational benefit(s) in the least restrictive environment.

Students Eligible for IDEA Services:

- A student with a disability who, because of the disability requires specially designed instruction or related services to progress effectively in the general curriculum.
- The IDEA eligibility standard requires that the student's disability have an "adverse" effect on his or her education compared to the less stringent requirement under Section 504 that merely calls for a "substantial" impact on major life activities.
- Students who are not eligible for Special Education under the IDEA may be covered by Section 504 and Title II. With respect to IDEA and Section 504/Title II, students may qualify for one or both at different times in their academic career.

An IEP is an annual written statement of:

- The student's current strengths and weaknesses
- Summary of key evaluations
- Annual goals for the student

- Description of the special education services, accommodations, specially designed instruction, and placement necessary to enable the student to progress toward identified goals and to make effective progress in the general curriculum.

The IEP is an enforceable contract that must be implemented by school personnel, and which provides the student and his or her parent(s) or guardian(s) with procedural and due process rights and protections.

NEED TO KNOW

All employees must show extreme caution in managing student, personnel, and financial records. Records with personal information should not be left on desks, and critical records should be maintained in locked files.

Being an employee of a single school, department, or district does not entitle everyone to information about every situation. Details of discipline cases, student academic performance, and confidential information may not be shared simply because one works in the same school or building. Information is provided solely on a “need to know” basis and in compliance with district policy and state and federal law.

RELATIONSHIPS WITH STUDENTS

Educators and other school staff working with students have greater responsibility in today’s society. In order to maintain the respect and confidence of one’s colleagues, of students, of caregivers, and of members of the community, staff members should strive for the highest possible degree of ethical conduct at all times. Whenever there is doubt about the intentions of a staff member in his or her relationship with a student(s), student(s) and the staff member are at risk.

These guidelines are intended to maximize the safety and protection of students, as well as to protect staff members from allegations that may adversely affect their professional reputation and their livelihood.

- All staff members are encouraged to form positive, professional relationships with students that are appropriate to their school roles.
- Staff members should not use personal cell phones to contact students and students should not have staff members’ cell phone numbers. The Zoom Phone App should be used to communicate with students as this uses the staff member’s District issued extension.
- Staff should treat all students fairly and avoid situations that appear to show favoritism for an individual student or selected group of students.
- Staff members may invite students to activities outside of school provided that the activity stems from a school activity and the invitation is extended in general to all students in a class, rather than to a particular student(s). Examples: a class picnic, a class or club trip to a movie, an end-of-year barbecue.
- Ordinarily, staff should not invite *individual* students to activities outside of school, other than school-sponsored activities. Exceptions would include:
 1. Staff members who are related to a student
 2. Staff members who have relationships with students through their roles in other organizations, e.g. Boy Scouts, Church, etc.
 3. Staff not hired specifically for the purpose of transporting students, should not transport students to and from school. With the prior approval of the Principal, staff not specifically hired for student transportation purposes may transport students to a school-sponsored event, when other transportation is not available.
 4. Within school, staff members should avoid meeting with individual students in locations that are not ordinarily and routinely accessible by other students and staff.
 5. All types of electronic communications with students should be limited to school functions and classroom activities.

PHYSICAL CONTACT BETWEEN EMPLOYEES & STUDENTS AT SCHOOL AND DURING SCHOOL SPONSORED FUNCTIONS

- All physical contact between employees and students should have a valid educational purpose and objective, meeting only the student's needs.
- The use of physical contact or force in order to impose the staff member's will upon a student is strictly prohibited, except when such contact is reasonably necessary for the health and safety of the educator, other personnel, the student and/or other students. In those circumstances, only that amount of contact that is necessary to ensure such health and safety, may be used. **RESTRAINT OR OTHER PHYSICAL CONTACT SHOULD BE USED ONLY AS A LAST RESORT WHEN OTHER MEANS OF INTERVENTION ARE INSUFFICIENT.**
- Employees who observe physical contact between students and employees that they deem to be inappropriate are expected to report said observations to the Principal and/or the Superintendent-Director as soon as possible. If the contact is perceived to be immediately harmful by the observer, prompt intervention to prevent further harm is expected.
- Questions of the appropriateness of physical contact are to be determined by the context of the contact on a case-by-case basis. Issues such as intent, context, location, circumstances, age, and sex are all considerations that may be relevant.
- Whether or not an emergency situation exists, depends upon an objective rather than a subjective standard.
- Instances of inappropriate physical contact initiated, encouraged, practiced and/or tolerated by employees, in even a single instance, will result in disciplinary action, which may include dismissal.

ETHICS PROTOCOL

The School Staff Ethics Protocol was developed to assist staff members. It is intended to be advisory in nature and is not merely a list of do's and don'ts. Staff members who follow this protocol will have the full support of administrators if an issue arises.

A. Healthy Boundaries for School Staff

More than ever, students need healthy, clearly defined relationships with adults to feel safe and to develop into competent and responsible human beings. As educators, you are role models – not their friends, their confidantes, or surrogate caregivers.

Your professional behavior, values, and responsibilities – both in and outside of school – are more important than popularity among students or a need to please others.

Remember that your competencies are in teaching your subjects and in providing students with an excellent, well-rounded education.

B. In School...

- ***Follow the Technology Responsible Use Policy and the EMAIL GUIDELINES.*** Remember that any emails sent on a school computer can be retrieved. Emails can be considered public documents. Internet activity on a school computer can be tracked.
- ***Use caution with self-disclosure about your personal life.*** Discretion is important.
- ***Avoid being alone with students.*** One-on-one tutoring should be done in a public place like the Media Center. Leave your door open when conferencing whenever possible. Avoid letting students “hang out” in your room.
- ***Be advised to be consistent in your treatment of students.*** Do not make exceptions for a favored few. Do not advocate on students' behalf to bend policies.
- ***Avoid both sarcasm and humor that can be misinterpreted.*** While humor can be a good tool, it is important to remember that it can easily be misunderstood and ultimately unintentionally offend a student. Sarcasm is never appropriate.

C. *Outside School...*

- ***You are a private citizen, but you are also always an educator.*** Your out-of-school conduct can affect your job security. The line between our public and private lives is less clear, so what you post on a *blog*, on your *Instagram* page, on *Facebook*, on *Twitter*, *etc.* can be accessed by students. It is never a good idea to “friend” a student on Internet social networks.
- ***Be careful in extending your contact with students outside of school.*** Do not send text messages or IMs, invite students to your house, or allow them to show up. Do not drive individual students in your car. Always be careful sending emails.

D. *Staying Within Boundaries...*

- ***Don't be afraid to correct inappropriate behavior.*** Remind students of the limits of your relationship as a staff member. Reaffirm the helping nature of the relationship. Make a plan for getting the students appropriate help. Immediately report any incidents of behavior or comments by students that might be misinterpreted later; don't let situations escalate.
- ***Be friendly, not a friend.*** Conversations with students should be warm and caring and provide support for their learning and growth. Relationships should be centered on school events and activities. Student-educator conduct should be appropriate and understood by the general population – not laced with “inside” references.
- ***Support the school culture of professionalism.*** Don't ignore situations. Help create a culture of intolerance for inappropriate behavior on the part of other staff. Letting incidents slide sends the message that you believe such behavior is acceptable. Always report incidents of inappropriate behavior and do not hesitate to address others when you consider the behavior questionable.

E. *It's the Law...*

Massachusetts law requires school superintendents 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.

CONFIDENTIALITY

A. *General Guidelines*

Information from a student's education record should be sent to third parties only by an appropriate education record custodian and only on the basis of a written dated request by the student (18 years old) or a parent (student under 18).

Information from a student's educational record should be shared within Essex North Shore Agricultural & Technical School only among appropriate “school officials” having “legitimate educational interests” in the records.

Access to a student's educational record by “school officials” is restricted to that portion of the record necessary for the discharge of assigned duties.

B. *Guidelines for Faculty & Staff*

- **DO** refer requests for information from the educational record of a student to the proper educational record custodian. (School Counseling, Special Education, Assistant Principal, Principal).
- **DO** keep only those individual student records necessary for the fulfillment of your teaching or advising responsibilities. Private notes of an instructor/staff member concerning a student and intended for the instructor's/staff member's own use are not part of the student's educational record.
- **DO NOT** display or post student scores or grades publicly in association with names, social security numbers, school ID, or other personal identifiers.
- **DO NOT** put papers or reports containing student names and student information, including grades in publicly accessible places. Students are not to have access to information and grades of other students.
- **DO NOT** share student educational information, including grades, discipline, *etc.* with other faculty unless their official responsibilities identify their “legitimate educational interest” for that student. Certainly, never share educational information, including grades or discipline, *etc.*, with other students in the classroom.

- **DO NOT** share, by phone or correspondence, information from student educational records, including grades or discipline, including letters of recommendation, without written permission from the student (18 years of age) or parent (under 18 years of age).
- **DO NOT** make available to a third party, information from medical, psychiatric, or psychological reports; records from law enforcement official, on or off campus; or notes of a professional or staff person which are intended for that individual alone.

FOOD & BEVERAGE CONSUMPTION

In order to prevent pest infestation food should be consumed in designated areas and stored properly (sealed container). Food should not be consumed during instructional time.

STAFF PARTICIPATION IN POLITICAL ACTIVITIES

The ENSATSD recognizes that employees of the district 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: use school district facilities, equipment, or supplies; discuss their campaign with school personnel or students during the working day; nor use any time during the working day for campaigning purposes. Under no circumstances will students or staff be pressured into campaigning for any staff member.
- In education we strive to teach our students to think independently. In keeping with this, personal political views and opinions should not be shared. The goal is to keep a neutral political environment in our school community.

PROFESSIONAL ACTIVITIES PROCEDURE

Approval to attend a workshop or conference is contingent upon your willingness to present what you learn to your department and/or the whole staff, relevance to your Professional Development Plan, your role in the District, and available funds. Any staff member wishing to attend a professional conference or other professional job-related business must submit the required [paperwork](#) with pertinent information (title, explanation/purpose, date(s), location of the conference, cost, the participant's name, etc.) to their immediate supervisor for approval.

Staff requesting reimbursement for approved personal expenses must submit original itemized receipts and mileage documentation to the Business Office within thirty (30) days of travel with the exception of June. June travel reimbursements will not be accepted after July 15.

TRANSLATION OF WRITTEN MATERIALS

To assure equal access to information disseminated in the school district, all written materials including forms, notices, handbooks, and applications, will be made available in the native language of families for whom the first language is not English. Many of the district forms are available on the Essex North Shore Agricultural & Technical School website in the most commonly represented languages. If you have a short notice or memo that needs to be translated, you should use one of the on-line translators. If more extensive translation is required, contact the Director of School Counseling and/or the Principal.

OFFICE PROCEDURES

A. Absences of Staff

An employee who will be absent for the day will need to enter the time and if applicable their substitute needs into Frontline. Vacation time, Personal time, and Compensatory time will need to be approved.

B. Visitors to Building

The Essex North Shore Agricultural & Technical School District is proud of its educational facilities, and values the involvement of caregivers, the public employers, and potential employers of students, civic organizations, college and military representatives, and the like, in the life of the school. However, in the interest of providing an educational atmosphere conducive to effective teaching and learning, and an educational environment, which is safe and secure for students and staff, the following policy governing visitors to the schools is established.

All visitors must make an appointment in advance when requesting a meeting with a staff member. All visitors to school buildings must sign in at the Main Lobby and obtain a visitor badge. Visitors without a visitor badge will be asked to return to the main office.

Regularly scheduled deliveries will be scheduled with, and received by, the maintenance staff or other appropriate individuals so as not to detract from the instructional day.

Visitors will not be permitted to interrupt the educational process by visiting classrooms and/or career areas. Caregivers, educational colleagues, or other members of the public who have a legitimate purpose in observing a classroom or career area activity may do so, provided arrangements have been made in advance through the administration or School Counseling department.

Public officials, such as building and health inspectors, or others having need to inspect areas of the facilities for insurance or other purposes, will be escorted to their destinations or shown around the facilities by a school official. School Committee members will be defined as visitors when they come to the building for any purpose except School Committee meetings and sub-committee meetings or school business.

Salespeople and vendors will not be permitted to interrupt class to speak to educators and should schedule appointments at times when class is not in session.

Anyone observing a stranger in the building or on the grounds should request that person to report immediately to the Main Office. The Essex North Shore Agricultural & Technical School District will strictly enforce all state laws regarding access to public buildings. Unauthorized persons in public school buildings or on public school property will be requested to leave, and will be charged with trespassing for failure to do so.

C. School & Gymnasium Rentals & Reservations

All requests to use the school or gymnasium rentals must be made in writing, using the appropriate form, to the Director of Facilities, Farm, and Grounds office.

D. Service & Repair Requests

The District uses an electronic Maintenance Ticket software system to manage assets and requests for general services and repair through the Facilities, Farm, and Grounds Department. Requests for repair or service on department or program specific equipment must be pre-approved by your Director. No repairs can be paid for without an approved purchase order.

KEY DISTRICT POLICIES

CHAIN OF COMMAND

The Essex North Shore Agricultural & Technical School District School Committee expects the Superintendent-Director to establish clear understandings on the part of all personnel of the working relationships in the school system.

The District encourages open lines of communication for collaborative problem solving. 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 chain of command will serve most purposes. All personnel will have the right to appeal any decision made by an administrator through established grievance procedures.

Additionally, the chain of command does 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 chain of command represents avenues for a two-way flow of ideas to improve the program and operations of the school system.

AUTHORIZED USE OF SCHOOL-OWNED MATERIALS

The Essex North Shore Agricultural & Technical School District Committee wishes to be of assistance, whenever possible, to member municipalities and community/government organizations. Therefore, permission to use school equipment may be granted by the Superintendent-Director 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-Director to assure the user's responsibility for, and return of, all school equipment.

STAFF ETHICS / CONFLICT OF INTEREST

The School Committee expects members of its professional staff to be familiar with the code of ethics that applies to their profession and to adhere to it in their relationships with students, caregivers, coworkers, and officials of the school system.

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.

Receiving Services from Students in Vocational Programs: In general, a teacher may not have a financial interest in a contract with his school, which includes purchasing services from the school. However, an exemption from that rule permits teachers and other public employees to enter into any fee-based contractual relationship that is readily available to the public at a set price. The regulation that creates this exemption is 930 CMR 6.16.

Moreover, as there should be no conflict of interest in the supervision and evaluation of employees, at no time may any administrator responsible for the supervision and/or evaluation of an employee be directly related to them.

In order to avoid the appearance of any possible conflict, it is the policy of the School Committee that when an immediate family member, as defined in the Conflict of Interest statute, of a School Committee member or district administrator is to be hired into or promoted within the School District, the Superintendent shall file public notice with the School

Committee and the Town or District Clerk at least two weeks prior to executing the hiring in accordance with the law. (See Conflict of Interest Law for Municipal Employees below for more detailed information)

Summary of the Conflict of Interest Law for Municipal Employees

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. District 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.

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, www.mass.gov/orgs/state-ethics-commission, 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.

Version 7: Revised November 14, 2016.

STAFF CONDUCT

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

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

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

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

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.

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 caregivers and students in a class may be accepted provided the gift is identified only as being from the class and the names of the givers and the amounts given are not identified to the recipient. The recipient may not accept an individual gift from someone who contributed to the class gift. It is the responsibility of the employee to confirm that the individual offering such gift did not contribute to the class gift.

Gifts for School Use

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

Solicitations

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

DRUG-FREE WORKPLACE POLICY

The school district will provide a drug-free workplace and certifies that it will:

- 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.
- 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.
- Make it a requirement that each employee whose employment is funded by a federal grant be given a copy of the statement as required.
- Notify the employee in the required statement that as a condition of employment under the grant, the employee will abide by the terms of the statement, and will notify the district of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction.
- Notify the federal agency within ten (10) days after receiving notice from an employee or otherwise receiving notice of such conviction.
- Take one of the following actions within thirty (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.
- Make a good faith effort to continue to maintain a drug-free workplace through the implementation of all the provisions of this policy.

TOBACCO/VAPING USE ON SCHOOL PROPERTY BY STAFF MEMBERS

Smoking or the use of tobacco (including vaping and e-cigarettes) within school buildings, the school facilities or on school property or buses, by any individual, including school personnel is prohibited.

Staff members who violate this policy will be referred to their immediate supervisor.

STAFF PERSONAL SECURITY AND SAFETY

Through its overall safety program and various policies pertaining to school personnel, the Committee will seek to assure the safety of employees during their working hours and assist them in the maintenance of good health.

Employees offered a position as a custodian, maintenance worker, farm worker, grounds worker or food service worker may be required to successfully pass a pre-employment physical examination (provided at School Committee cost) prior to the date of employment. (Please see individual bargaining agreements for specifics.)

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

School employees, their families, and members of their households are eligible to use the confidential services provided by the district's employee assistance program.

PROFESSIONAL STAFF VACATIONS AND HOLIDAYS

Vacations

All administrators and other professional personnel employed on a twelve (12) month basis will be entitled to annual vacation days.

Vacations for supervisory professional staff members who are employed on a twelve (12) month basis and are members of a recognized bargaining unit will be established through negotiations. Vacations for supervisory personnel not in bargaining units will be established by the Committee and delineated in their individual contracts.

Holidays

Professional staff members will not be required to work on legal holidays. Paid holidays for the professional staff will be established when the Essex North Shore Agricultural & Technical School District Committee approves the calendar for the school year and will include all legal holidays.

SUPPORT STAFF VACATIONS AND HOLIDAYS

Holidays

The school calendar, as adopted by the Essex North Shore Agricultural & Technical School District Committee, establishes holidays and school recess periods for the employees who work on teacher and/or student days.

Employees who work on a twelve (12) month basis will be granted paid holidays on all legal holidays and such other holidays as designated by the School Committee. They will also be expected to report to work during school recess periods unless the Committee considers days during these periods official and designated as paid holidays.

Employees who work on a ten (10) month basis will be granted legal holidays and such other holidays as designated by the Committee.

To qualify for holiday pay, the employee must be at work on the day before and the day following the holiday, unless his absence is approved on the basis of current leave policies.

ADVERTISING IN THE SCHOOL

No advertising of commercial products or services will be permitted in school buildings or on school grounds or properties without the permission of the School Committee. Publications of the school system will not contain any advertising. However, this will not prevent advertising in student publications that are published by student organizations, subject to administration controls, or the use of commercially-sponsored, free teaching aids if the content is approved by the administration.

Solicitation of sales or use of the name of the school system to promote any product will not be permitted by the Committee.

VISITORS TO CLASSROOMS

The School Committee encourages caregivers and guests to visit classrooms to observe and learn about the instructional programs taking place in our school. Such visits can prove most beneficial in the promotion of greater school-home cooperation and community understanding of how we carry out the school system's mission and goals.

Visits by caregivers to several classrooms in a given grade for the purposes of comparing teaching styles to provide a basis for a request for student assignment to a particular teacher are strongly discouraged because the School District's policy of assigning a student to a particular class is the sole responsibility of the building Principal in consultation with the staff of the school.

The following guidelines for classroom and school visits should be followed:

1. Parental requests for classroom visitations will be welcomed as long as the educational process is not disrupted. To this end, we request that such requests be made at least forty-eight hours in advance to allow for proper arrangements to be made.
2. The building Principal has the authority to determine the number, times, and dates of observations by visitors. This will be done in consultation with staff members so as to give adequate notice to the staff members of the impending visits.
3. For security purposes it is required that all visitors report to the Main office upon entering and leaving the building and sign a guest log showing arrival and departure times. Visitor passes should be visible. Teachers are encouraged to ask visitors if they have registered in the office.
4. Under ordinary circumstances classroom observations will be strongly discouraged during the first three weeks of school in September, during state testing, and during the month of June.

DISCRIMINATION AND HARASSMENT POLICY

It is the policy of the Essex North Shore Agricultural & Technical School District to provide a safe and secure learning and work environment for all students and employees without distinction, where all school community members treat each other with respect. All programs, activities, and employment opportunities are offered without regard for race, color, sex, religion, national origin, ethnicity, sexual orientation, gender identity, homelessness, age, and/or disability.

The Essex North Shore Agricultural & Technical School District School Committee is committed to the prevention, remediation, and accurate reporting of discrimination and harassment, bias incidents, and civil rights violations, including hate crimes, based on race, color sex, religion, national origin, ethnicity, sexual orientation, gender identity, homelessness, age, and/or disability and any other class or characteristic protected by law. The District also prohibits other harmful conduct by reasons unrelated to the above characteristics.

The School Committee has developed this policy to ensure that the educational opportunities of all students and the employment conditions of all employees are not threatened or limited by such violations of discrimination or harassment

to ensure that differences are respected and individuals are free to work, learn, and develop relationships without fear of intimidation, humiliation, or degradation.

Discrimination, sexual and bias motivated harassment, hate crime, and violations of civil rights, bullying and cyber-bullying disrupt the educational process and workplace and will not be tolerated. The law guarantees the civil rights of all school community members and the protection of those rights is of utmost importance and priority to the Essex North Shore Agricultural & Technical School District. The District will employ cohesive, whole school practices to combat discrimination and harassment, effectively intervene, and empower bystanders.

It is a violation of this policy for any administrator, teacher, or other employee, visitor, or other third party to engage in or condone discrimination or harassment in school or to fail to report or otherwise take reasonable corrective measures when they become aware of an incident of discrimination or harassment.

This policy defines prohibited conduct and responsibilities for reporting and investigating. It will be a violation of this policy for any employee or student of the Essex North Shore Agricultural & Technical School District, visitor, or contractor working in the District, to harass or discriminate against another employee, adult member of the school community, student, applicant for employment, or other person having business to conduct with the District, through conduct or communications. The Superintendent-Director is responsible for developing procedures for reporting and investigating discrimination and harassment, as well as for implementing disciplinary sanctions.

This policy applies to all sites and activities that the District supervises, controls, or where it has jurisdiction under the law. It applies to all students, school committee members, school employees, independent contractors, visitors, recruiters, award and scholarship donors, school volunteers, caregivers, and guardians.

The District will investigate promptly all reports and complaints of harassment, discrimination, hate crimes, bullying, cyber-bullying, and retaliation, and take prompt, effective action to end that behavior and prevent its reoccurrence. Action will include, where appropriate, referral to a law enforcement agency and/or to the Department of Children & Families (DCF). The District will support this policy in all aspects of its activities, including its curricula, instructional program, staff development, extracurricular activities, school-related activities, and school-related transportation. The intent of this policy is not merely to provide rules to prohibit inappropriate or illegal behavior, but also to support and educate all members of our school community as to appropriate behavior that is consistent with individual dignity, respect for others, and an appreciation for the diversity in our school and programs.

UNLAWFUL AND PROHIBITED CONDUCT DEFINED

Hate Crime

- Hate crime is any crime motivated by hatred or bias, or where the victim is targeted or selected for the crime at least in part because the person is a different race, color, gender, religion, national origin, ethnicity, has a different sexual orientation or gender identity from the perpetrator, or because the targeted person has a disability.
- A hate crime may involve a physical attack, threat of bodily harm, physical intimidation, or damage to another's property.

Discrimination

- Discrimination occurs when an individual is treated differently, except where providing a reasonable accommodation for an individual with a disability, and/or unfairly in an educational or employment context, solely on the basis of the individual's race, color, sex, religion, national origin, ethnicity, sexual orientation, gender identity, age, and/or disability.
- Treating people differently, or interfering with or preventing a person from enjoying the advantages, privileges, or courses of study in a public school is discrimination.
- A person may not be subject to discipline or more severe punishment for wrongdoing, nor denied the same rights of other students, because of their membership in a protected class.
- Discrimination on the basis of sex shall include, but not be limited to, sexual harassment.

Harassment

- Harassment is oral, written, graphic, electronic, or physical conduct on school property or at a school-related activity relating to an individual's actual or perceived race, color, sex, religion, national origin, ethnicity, sexual orientation, gender identity, age, or disability, that is sufficiently severe, pervasive, or persistent so as to interfere with a student's ability to participate in or benefit from the District's programs or activities, or to interfere with or limit an individual's employment, by creating a hostile, humiliating, intimidating, or offensive educational or work environment.
- For the purposes of this policy, harassment shall also mean conduct, if it persists, that will likely create such a hostile, humiliating, intimidating, or offensive educational or work environment.
- A single incident, depending on its severity, may create a hostile environment.
- A victim may also be someone reasonably affected by conduct toward another individual.

Sexual/Gender Harassment

- Sexual/gender harassment is unlawful and prohibited conduct consisting of unwelcome sexual advances, requests for sexual favors, sexually motivated physical contact, other verbal or physical conduct, communication of a sexual nature when:
 - a. Submission to, or rejection of such conduct or communication is made explicitly or implicitly a term or condition of employment, education, or academic achievement;
 - b. Submission to, or rejection of such behavior is used as a basis for employment or academic decisions; and/or
 - c. Such behavior unreasonably interferes with an individual's work or academic performance, or creates an intimidating, hostile, humiliating, and/or offensive work or educational environment.
- Sexual harassment can be based on gender, gender identity, or sexual orientation.

Hostile Environment

Hostile environment is a situation in which harassment or bullying causes the school environment to be permeated with intimidation, humiliation, ridicule, or insult that is sufficiently severe or pervasive to reasonably interfere or alter the conditions of the student's education or the employee's work.

Retaliation

Retaliation is any form of intimidation, reprisal, or harassment by a school community member directed against another school community member for reporting or filing a complaint, for aiding or encouraging the filing of a report or complaint, for participating in an investigation under this policy, or for taking action consistent with this policy.

All unlawful and prohibited conduct may occur from male to female, female to male, male to male, female to female, student to student, student to employee, employee to student, employee to employee, or from a third party off school property or at a school-related activity.

For the purposes of this policy, whenever the term harassment is used, it is to denote either harassment or sexual/gender harassment.

Examples of behavior prohibited by this policy shall include, but not be limited to:

Verbal Conduct

Use of negative or offensive racial, ethnic, religious, or sexual slurs or epithets; name calling, making offensive noises, teasing, taunting, jokes, or other derogatory or dehumanizing remarks by an individual or group, when it is based on an individual's race, color, sex, religion, national origin, ethnicity, sexual orientation, gender identity, age, and/or disability, or any other class or characteristic protected by law; repeated unwanted requests for dates, sexual rumors, and making gender-based references to a person's physical characteristics.

Written Conduct

Use of symbols, notes, calendars, graffiti, book covers, text messages, computer messages, including internet and email or other digital communication devices of threatening, sexual, harassing, or pornographic, and/or intimidating

nature, or designs on clothing meant to offend another on the basis of race, color, sex, religion, national origin, ethnicity, sexual orientation, gender identity, age, and/or disability, or other identifying characteristic.

Nonverbal Conduct

Offensive, threatening, or suggestive gestures, exclusion, blogging, destroying property, following or stalking a person, cornering or blocking a person, leering, or pressuring for sexual activities.

Visual Conduct

Displaying sexually suggestive or sexually provocative photographs, pictures, objects, cartoons, drawings, or posters or taking and/or sending sexually suggestive or sexually provocative photographs (sexting) by way of cell phones, computers, or other digital communication devices.

Physical Contact

Unwelcome touching of a person or person's clothing in a sexual or aggressive manner; restraining a person's movements; or any other act of physical intimidation, as in gesturing, pushing, hitting, shoving, and/or kicking.

These behaviors are prohibited:

- a. On school grounds, property immediately adjacent to school grounds, at a school-sponsored or school-related activity, function, or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased, or used by the school district, or through the use of technology or an electronic device owned, leased, or used by the school district; and
- b. At a location, activity, function, or program that is not school-related, or through the use of technology or an electronic device that is not owned, leased, or used by the school district, if the behavior creates a hostile environment at school for the victim, infringes on the rights of the victim or others at school, or materially and substantially disrupts the education process or the orderly operation of school.

If certain conduct is not listed in the foregoing list but does fall into any other class or characteristic protected by law or by school policy, said behavior will be considered inappropriate and prohibited. Inappropriate conduct not listed will be subject to investigation and disciplinary action under this policy.

Nothing contained in the policy shall require the District to staff any non-school related activities.

RESPONSIBILITIES

The Essex North Shore Agricultural & Technical School District is responsible for the dissemination of this policy. The Superintendent-Director will develop procedures to guarantee implementation of the policy. All students, teachers, administrators, and all other school personnel of the District are responsible for conducting themselves in a manner consistent with the spirit and intent of this policy.

The District will:

- a. Develop a method of discussing this policy with all of its membership, in its entirety, with students in an age-appropriate manner and with all employees;
- b. Provide appropriate training to students and employees, and for the administrators who are assigned the responsibility to implement the procedures of this policy;
- c. See that this policy is reviewed by the Superintendent-Director's office at least annually for compliance with State and Federal laws; and
- d. Send an updated Title(s) VI & IX and Bullying Advisory to all parents and employees by October 31st of each school year.

The Principal is responsible for ensuring that the policy summary is conspicuously posted in each classroom, school office, and other appropriate student/employee work areas; and that it is printed in the student handbook. The Director of Human Resources is responsible for ensuring that the policy summary is printed in the employee handbooks and that it is

posted on the District website. All postings shall include the names and contact information for the Title(s) VI & IX Coordinators.

Any employee including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, farm/grounds worker, bus driver, athletic coach, paraprofessional, or advisor to an extracurricular activity who becomes aware of an incident of discrimination, harassment, and/or retaliation must immediately report the incident to a school or district administrator. This requirement to report does not limit the authority of the staff member to respond to behavioral or disciplinary incidents consistent with school/district policy and practice. Reports made by students, parents, or guardians, or other individuals who are not school or district staff members, may be made anonymously. 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 District shall indemnify staff members from any actions or inaction in connection thereto. As soon as is practicable, school administrators will promptly notify the principal and/or at least one of the Title(s) VI & IX Coordinators of incidents of discrimination, harassment, or retaliation.

Student bystanders who witness discrimination, harassment, and/or retaliation are strongly encouraged to report the incident to the principal and/or one of the Title(s) VI & IX Coordinators, or any school staff member in the building.

The Title VI & IX Coordinators, specially trained people in the District, will provide information to employees and students about the District policy and procedures against discrimination and harassment. They will be available to discuss any concern a student, parent, or employee may have. They are responsible to investigate and remediate both student and employee complaints. The Coordinators will also receive and investigate reports of alleged prohibited conduct from central administration staff, including clerical, custodial, farm and grounds, cafeteria, and transportation employees.

The Title(s) VI & IX Coordinators will attend specialized training and workshops, as directed.

The response to and resolution of complaints will be guided by the following goals:

- a. Focus on education and changing behavior rather than disciplinary action exclusively;
- b. Engage students and staff in dialogue so that they understand the impact of behavior and attitudes;
- c. Maintain the confidentiality of victims, offenders, witnesses, and others who report discrimination or harassment, or participate in the investigation of complaints to the extent possible;
- d. Protect the complainant, witnesses, and others who report discrimination or harassment or participate in the investigation of complaints from retaliation;
- e. Insure prompt, thorough attention and remediation to all complaints protecting and restoring a sense of safety for the victim and complainant; and
- f. Promptly notify parents or guardians of the victim and perpetrator to the extent consistent with state and federal law.

Discipline for students with disabilities will be consistent with the federal Individuals with Disabilities in Education Act (IDEA) and state laws regarding special education and student discipline.

Legal References

- Title VI of the Civil Rights Act of 1964
- The Equal Education Opportunities Act of 1974
- Title IX of the Education Amendments of 1972
- Section 504 of the Rehabilitation Act of 1973
- Title II of the Americans with Disabilities Act of 1990
- The No Child Left Behind Act of 2001
- M.G.L. c. 71A
- M.G.L. c. 76, s. 5
- M.G.L. c. 71 s. 37O
- Chapter 92 of the Acts of 2010

NON-DISCRIMINATION AND HARASSMENT

The Essex North Shore Agricultural & Technical School District (District) does not tolerate discrimination against students, parents, employees or the general public on the basis of race, color, national origin, sex, sexual orientation, gender identity, disability, homelessness, religion, age or immigration status. Essex North Shore is also committed to maintaining a school environment free of harassment based on race, color, religion, national origin, gender, sexual orientation, gender identity, pregnancy or pregnancy status, age or disability. In addition, the District provides equal access to all designated youth groups. Consistent with the requirements of the McKinney-Vento Act, the District also does not discriminate against students on the basis of homelessness.

The Superintendent shall designate at least one administrator to serve as the compliance officer for the District's non-discrimination policies in education-related activities, including but not limited to responding to inquiries related to Title VI of the Civil Rights Act of 1964; Title VII of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; Section 504 of the Rehabilitation Act of 1973; Title II of the Americans with Disabilities Act; the Age Act; M.G.L. c. 76, § 5; M.G.L. c. 151B and 151C; and 603 C.M.R. § 26.00. Inquiries about the application of Title IX to the District may be referred to the District's Title IX Coordinator, to the Assistant Secretary of the U.S. Department of Education, or both.

The District's policy of nondiscrimination 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 employment, admission to the Essex North Shore Agricultural and Technical School or in obtaining the advantages, privileges, and courses of study of such school on account of race, color, sex, gender identity, religion, national origin, sexual orientation, age, homelessness, disability or immigration status.

In addition to designating at least one administrator to handle inquiries regarding the District's non-discrimination policies, the Superintendent shall adopt and publish one or more grievance procedures for addressing reports of discrimination, harassment and retaliation under the protected classes identified in this policy. If an individual is interested in filing a complaint that they have been discriminated against because of their race, color, sex, gender identity, religion, national origin, sexual orientation, homelessness, disability, or immigration status, their complaint should be filed in accordance with the District's grievance procedures for discrimination, harassment, and retaliation.

The student handbooks and grievance procedures shall identify the name, office address and telephone number for the compliance officer(s) for the above-referenced statutes and this policy and be posted on the District's website.

ADOPTED: ENSATSD School Committee August 6, 2020

LEGAL REFS.: Title VI: 42 U.S.C. 2000d; 34 CFR 100.3(a),(b); EEOA: 20 U.S.C. 1703(f); Title IX: 20 U.S.C. 1681; 34 CFR 106.31, 106.34, 106.35; Section 504: 29 U.S.C. 794; 34 CFR 104.4; Title II: 42 U.S.C. 12132; 28 CFR 35.130; IDEA 2004: 20 U.S.C. 1400; 34 CFR 300.110; NCLB: Title III, Part A, Sec. 3121(c)(1)(C); Title X, Part C, Secs. 721, 722(g)(4); Mass. Const. amend. art. 114; M.G.L. c. 71A, s. 7; c. 76, s. 5; 603 CMR 26.03 as amended by Chapter 199 of the Acts of 2011; MLG c. 71, s.370; 42 USC s. 2000c et seq.; 42 USC s. 2000d et seq.; 20 USC s. 1701 et seq.; M.G.L c. 71, Sec. 84.

CIVIL RIGHTS GRIEVANCE PROCEDURE

The Essex North Shore Agricultural & Technical School District (District) is committed to maintaining a school environment free of discrimination, harassment or retaliation based on race, color, religion, national origin, gender, sexual orientation, gender identity, age or disability.

Harassment, discrimination, and retaliation in any form or for any reason is prohibited. This includes harassment or discrimination by administrators, personnel, students, vendors and other individuals in school or at school related events. Retaliation against any individual who has brought harassment or discrimination to the attention of school officials or who has cooperated in an investigation of a complaint under this procedure is unlawful and will not be tolerated by the District.

Persons who engage in harassment, discrimination or retaliation may be subject to disciplinary action, including, but not limited to reprimand, suspension, termination/expulsion or other sanctions as determined by the school district administration, subject to applicable procedural requirements.

Non-Applicability of This Procedure to Title IX Sexual Harassment Allegations

The *Civil Rights Grievance Procedure* shall not apply to reports of sexual harassment as defined under Title IX of the Education Amendment of 1972 and its implementing regulations (“Title IX”) effective August of 2020.

Allegations of conduct that could, if proven, meet the definition of sexual harassment under Title IX shall be addressed through the District’s *Title IX Sexual Harassment Grievance Procedures*. Similarly, allegations of conduct that meet the definition of sexual harassment under Title IX, and simultaneously meet the definitions of sexual harassment under Title VII (employees), M.G.L. c. 151B (employees), and/or M.G.L. c. 151C (students), will also be addressed through the Allegations of conduct that do not meet the definition of sexual harassment under Title IX, but could, if proven, meet the definition(s) of sexual harassment under Title VII (employees), M.G.L. c. 151B (employees), and/or M.G.L. c. 151C (students), will be addressed through the *Civil Rights Grievance Procedure*.

Definitions

For the purposes of this procedure:

- A. “Discrimination” means discrimination or harassment on the basis of race, age, color, national origin, sex, sexual orientation, gender identity, disability or religion by which an individual is excluded from participation in, denied the benefits of, or otherwise subjected to discrimination under any program or activity of the school district.
- B. “Harassment” means unwelcome conduct on the basis of race, age, color, national origin, disability, or religion that is sufficiently severe, persistent or pervasive to create or contribute to a hostile environment for the individual at school. Harassment may include insults, name-calling, off color jokes, threats, comments, innuendoes, notes, display of pictures or symbols, gestures or other conduct which rises to the level of a hostile environment. A hostile environment is one which unreasonably interfered with an individual’s participation in, denied the individual the benefits of, or otherwise subjected the individual to discrimination under any program or activity of the District.

- a. Non-Title IX Sexual Harassment

M.G.L. c. 151B, § 1 - the term “sexual harassment” is defined as sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when: (a) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; (b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual’s work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment. Discrimination on the basis of sex shall include, but not be limited to, sexual harassment.

M.G.L. c. 151C, § 1 - the term “sexual harassment” is defined as sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when: (a)) submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of the provision of the benefits, privileges or placement services or as a basis for the evaluation of academic achievement; or (b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual’s education by creating an intimidating, hostile, humiliating or sexually

offensive educational environment.

Title VII of the Civil Rights Act of 1964 - Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or (3) such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. A hostile environment on the basis of sex is created when the conduct is sufficiently severe or pervasive to alter the conditions of employment.

When determining whether an environment is hostile, the District shall consider the context, nature, frequency, and location of the incidents as well as the credibility of witnesses and the identity, number and relationships of the persons involved. The District must consider whether the alleged harassment was sufficient to have created such an environment for a reasonable person of the same age, gender, and experience as the Complainant, and under similar circumstances. Conduct does not constitute harassment where the incident occurs off-campus at a non-school sponsored activity and does not create a hostile environment at school for the victim.

- C. Retaliation: retaliatory acts against any individual who exercises his or her rights under the civil rights statutes covered by this procedure or the sexual harassment procedure are considered to be discrimination and are unlawful. Individuals are prohibited from coercing, intimidating, threatening, or interfering with an individual because the individual exercised any right granted or protected under this procedure and/or the Title IX Sexual Harassment Procedures.
- D. Complainant: An individual who is alleged to be the victim of conduct that could constitute discrimination, harassment, or retaliation under this procedure. Parents and/or legal guardians of a complainant are not considered a complainant but may file formal complaints on behalf of a minor child and act on behalf of the minor child in any civil rights matter.
- E. Party or Parties: The complainant and/or respondent.
- F. Principal: The Principal or Principal's designee.
- G. Respondent: An individual who has been reported to be the perpetrator of conduct that could constitute discrimination, harassment, or retaliation under this procedure.

How to make a complaint

Any student or employee who believes that they have been discriminated against or harassed should report their concern promptly to the Principal or designee. Students may also report incidents of harassing conduct to a school personnel including but not limited to a teacher, school counselor, coach, advisor, and/or administrator. Any complaint received by a school personnel shall be promptly reported to the Principal or Civil Rights Coordinator(s). Students or employees who are unsure whether discrimination, harassment, or retaliation has occurred are encouraged to discuss the situation with the Principal. There may be instances where another third-party, who has not experienced but is aware of the occurrence of prohibited conduct, may bring a complaint under this procedure. In such circumstances, that person is referred to as the "reporter."

- A. Any District employee who observes or receives a report of discrimination, harassment or retaliation shall promptly notify the Principal or Civil Rights Coordinator(s), identified below. Any District employee who observes discrimination, harassment or retaliation against a student should intervene to stop the conduct and report it to Principal. Upon receipt of a report of discrimination, harassment or retaliation, the Principal shall promptly inform the relevant Civil Rights Coordinator(s) of the report, and the District will respond in a manner consistent with this Procedure. If the report involves an accusation against the Principal or Civil Rights Coordinator(s), the employee shall report the incident to the Superintendent-Director or designee.
- B. Informal Reports: Individuals may wish to file a formal complaint of discrimination, harassment or retaliation, or to report informally (i.e., without initiating a formal complaint). Such informal reports may be made to the Principal or Civil Rights Coordinator(s). The District shall inform anyone making an informal report that he or she may initiate a formal complaint at any time, regardless of what steps are being or have been taken in response to an informal report.
- C. Anonymous Reports: Complainants and reporters should be aware that although the District will often be able to maintain confidentiality of reporting persons, the District may sometimes be required to take actions to protect the safety of the school community that may result in the identity of the reporting person being disclosed (to the police, for example). When reporters or Complainants seek to remain anonymous or have their identities kept confidential, they will be informed that honoring such a request may limit the ability of the District to respond fully to any reported event, including limitations on the ability to take disciplinary action against a Respondent.
- D. Informal Process: If the District concludes that it is possible to resolve a matter, whether after formal complaint or an informal report, in a prompt, fair and adequate manner through an informal process involving, and with the consent of, the Complainant and Respondent, the District may seek to do so. The informal process is voluntary, and the Complainant and/or Respondent may terminate or decline any informal process at any time, without penalty.
- E. Formal Process: A formal complaint shall state (if known to the reporter or Complainant) the name(s) of the persons involved and witnesses to the conduct, describe the conduct, and identify, to the extent possible, the dates and locations of the conduct. The complaint shall be signed and dated by the reporter and/or Complainant. Complaints will be investigated promptly and equitably by the Civil Rights Coordinator(s) or Principal. Investigations may be initiated whenever warranted, in the absence of a formal complaint, or after a formal complaint has been withdrawn.
- F. Initial Assessments: The Civil Rights Coordinator(s) or Principal will make an initial assessment following a complaint. Based on that assessment, the Civil Rights Coordinator(s) or Principal may: (a) if the conduct, even if substantiated, would not constitute harassment, discrimination or retaliation, dismiss the complaint; (b) if the alleged conduct (or complaint) could not, even if true, constitute discrimination, harassment or retaliation, but is within the scope of another procedure, the Civil Rights Coordinator(s) shall refer the matter to the appropriate personnel; (c) if the Civil Rights Coordinator(s) or Principal concludes that it is possible to resolve the complaint in a prompt, fair and adequate manner through an informal process involving and with the consent of both parties, the Civil Rights Coordinator(s) or Principal may seek to do so in accordance with Section D, above; or (d) if the alleged conduct, if substantiated, would constitute discrimination, harassment or retaliation, the Civil Rights Coordinator(s) or Principal will initiate an investigation. The Civil Rights Coordinator(s) or Principal may also identify and initiate any interim measures. See Section G.

- G. Interim Measures: The District will provide prompt and reasonable interim measures during the pendency of the investigation, if appropriate, to support and protect the safety of the parties, the educational environment, and the District and/or school community; to deter retaliation; and to preserve the integrity of the investigation and resolution process. Any interim measures will be monitored to ensure they are effective based on the evolving needs of the parties. Violations of the restrictions imposed by interim measures could be considered a violation of school rules and may be considered in determining whether discrimination, harassment or retaliation has occurred.
- H. Timeframes: The District will seek to complete any investigation within twenty (20) school days after receipt of a complaint and provide the written notice of the outcome of the investigation within twenty-five (25) school days. The investigator may impose reasonable timeframes on all parties to facilitate the timely completion of the investigation. The investigator may extend the investigation period beyond the time period identified due to extenuating circumstances, including but not limited to availability and cooperation of witnesses, complexity of the investigation, school vacation periods, and the involvement of law enforcement and other outside agency investigations. If a complaint or report of discrimination, harassment or retaliation is received within three (3) weeks of the end of the academic school year, the investigator will attempt to complete the investigation by the end of the school year. In the event that the investigation extends beyond the last day of school, the District will make reasonable efforts to complete the investigation within the above-referenced time frame, but may extend the investigation period to account for the availability of witnesses during the summer vacation period. If the investigator extends the investigation, he or she will notify the Complainant and Respondent of the extension. A report to the law enforcement will not automatically delay an investigation; however, a request from law enforcement to delay the investigation may require a temporary suspension of an investigation, and the District will promptly resume its investigation upon being advised that law enforcement's evidence gathering is completed.
- I. Under the formal resolution procedure, the complaint will be investigated by the Principal, Civil Rights Coordinator(s) or other individual designated by the Principal or Civil Rights Coordinator(s) who has responsibility for seeking and gathering evidence relative to the investigation. A formal complaint against an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. During the formal resolution procedure:
1. The Complainant shall be provided with an opportunity to be heard and have the opportunity to identify witnesses and other relevant evidence to the investigator.
 2. The Respondent will be provided with an opportunity to be heard as part of the investigation including the opportunity to provide relevant information and identify witnesses for the investigator's consideration.
 3. The privacy rights of the parties shall be maintained in accordance with applicable state and federal laws.
 4. The investigator will keep a written record of the investigation process.
 5. The investigation will be completed within twenty (20) school days of the date of receipt of the complaint.
 6. The notification of the outcome of the investigation, including, if appropriate, a description of the remedies taken, will be provided to the parties within twenty-five (25) school days of the receipt of the complaint, unless extended for good cause.
 7. Nothing in this Procedure will preclude the investigator, in his or her discretion, from completing the investigation sooner than the time period described above.
- J. Standard of Proof: The investigation shall make factual findings based on a preponderance of the evidence standard.

- K. If the investigator determines that discrimination, harassment or retaliation has occurred, the District shall take steps to eliminate the discriminatory or harassing environment, which shall include but not be limited to:
1. Identifying what steps are necessary to prevent recurrence of any discriminatory behavior, including but not limited to harassment or retaliation, and to correct its discriminatory effects if appropriate; and
 2. Informing the Complainant and Respondent of the results of the investigation (in accordance with applicable state and federal privacy laws) in accordance with the above timelines.

The school district administration may also refer the offender for disciplinary procedures to be conducted in accordance with federal and state law. Nothing in the Procedure shall be interpreted as limiting or prohibiting the District's ability to take appropriate disciplinary action against the offender in accordance with the applicable code(s) of conduct or employment contracts or policies, where appropriate, prior to completion of the investigation, in accordance with the due process rights of employees and students, as applicable.

- L. Appeal: If the Complainant or the Respondent is dissatisfied with the results of the investigation, an appeal may be made to the Superintendent-Director or designee within seven (7) calendar days after receiving notice of the outcome of the investigation, except for circumstances in which the Respondent is subject to long-term suspension as a result of a finding of discrimination, harassment or retaliation. In such an instance, the appeal rights of the Respondent will be provided in a manner consistent with the disciplinary due process requirements applicable to the circumstances (e.g., M.G.L. c. 71, 37H, 37H ½ or 37H ¾). Appeals must be made in writing (email is sufficient) to the Superintendent-Director, Essex North Shore Agricultural & Technical School District, 565 Maple Street, Danvers, Massachusetts 01923. The Superintendent-Director will decide the appeal within thirty (30) calendar days of the date of receipt of the written appeal.
- M. Identification of Civil Rights Coordinator(s) for complaints of discrimination, harassment, and retaliation under this procedure is:

Director of Human Resources, Micah Klayman
(978) 304-4700 x7105 civilrights@essextech.net
562 Maple Street, Hathorne, MA 01937

Director of School Counseling, Sandra Goldstein, MSW
(978) 304-4700 x3110 civilrights@essextech.net
565 Maple Street, Hathorne, MA 01937

- N. Employment Agency Information: federal employment discrimination enforcement agencies is as follows:

Federal - United States Equal Employment Opportunity Commission (EEOC); John F. Kennedy Federal Building; 15 New Sudbury Street, Room 475; Boston, MA 02203-0506; 1-800-669-4000; EEOC Boston Area Office
Website: <https://www.eeoc.gov/field-office/boston/location>;

State: Massachusetts Commission Against Discrimination (MCAD); Boston Headquarters; One Ashburton Place; Sixth Floor, Room 601; Boston, MA 02108; (617)-994-6000; MCAD Website
<https://www.mass.gov/orgs/massachusetts-commission-against-discrimination>.

Legal Ref: Section 504 of the Rehabilitation Act of 1973; Title II of the Americans with Disabilities Act of 1990; Title VI of the Civil Rights Act of 1964; Title VII of the Civil Rights Act of 1964; Title IX of the Education Amendments of 1972; the Age Act; M.G.L. c. 151B and c. 151C; M.G.L. c. 76, § 5; SC Policy JICFB, Bullying Prevention; SC Policy AC, Nondiscrimination.

APPROVED: ENSATSD School Committee August 6, 2020

TITLE IX OF THE EDUCATION AMENDMENTS OF 1972

The Essex North Shore Agricultural & Technical School District (District hereafter) does not tolerate discrimination against students, parents, employees or the general public on the basis of sex. The District is also committed to maintaining a school environment free of harassment based on sex, including harassment based on gender, sexual orientation, gender identity, pregnancy or pregnancy status. The District's policy of nondiscrimination extends to students, staff, the general public, and individuals with whom it does business; no person shall be excluded from or discriminated against in employment, admission to Essex North Shore Agricultural and Technical School or in obtaining the advantages, privileges, and courses of study of such public school on account of sex.

How to Report Sexual Harassment: Individuals are encouraged to report allegations of sexual harassment to the Title IX Coordinator(s) identified below or the Principal. Any report of sexual harassment, as defined under Title IX of the Education Amendments of 1972, will be responded to promptly in accordance with the *District's Title IX Sexual Harassment Grievance Procedures*, available at. Reports of discriminatory harassment not constituting sexual harassment as defined under Title IX of the Education Amendments of 1972, will be initially addressed through the *District's Title IX Sexual Harassment Grievance Procedure* and may, if dismissed under that procedure, be investigated in accordance with the *District's Civil Rights Grievance Procedures*.

Upon receipt of a report of sexual harassment, the Title IX Coordinator(s) will: (1) promptly and confidentially contact the complainant to discuss the availability of supportive measures; (2) inform the complainant of the availability of supportive measures with or without the filing of a Title IX Formal Complaint; (3) consider the complainant's wishes with respect to supportive measures; (4) if the school district does not provide the complainant with supportive measures, document the reasons why such response was reasonable; and (5) explain to the complainant the process for filing a Title IX Formal Complaint.

Inquiries about the application of Title IX may be directed to the District's Title IX Coordinator(s) and/or the Assistant Secretary of the U.S. Department of Education, Office for Civil Rights. The District's Title IX Coordinator(s) are:

Director of Human Resources, Micah Klayman

(978) 304-4700 x7105 civilrights@essextech.net

562 Maple Street, Hathorne, MA 01937

Director of School Counseling, Sandra Goldstein, MSW

(978) 304-4700 x3110 civilrights@essextech.net

565 Maple Street, Hathorne, MA 01937

APPROVED ENSATSD SCHOOL COMMITTEE AUGUST 6, 2020

TITLE IX SEXUAL HARASSMENT GRIEVANCE PROCEDURES

Overview

The Essex North Shore Agricultural & Technical School District (District) is committed to maintaining school environments free of sexual harassment.

Sexual harassment in any form or for any reason is prohibited. This includes sexual harassment by administrators, personnel, students, vendors, and other individuals in school or at school related events.

The District does not discriminate on the basis of sex in its educational programs or activities and is required by Title IX not to discriminate on the basis of sex. Such non-discrimination also extends to admissions and the employment application process. Retaliation against any individual who has brought sexual harassment to the attention of school officials, or against an individual who has participated, or refused to participate, in the investigation thereof is unlawful and will not be tolerated by the District.

Scope

The Title IX Sexual Harassment Grievance Procedures have been developed in accordance with the revised Title IX regulations, 34 CFR Part 106, effective August 14, 2020, which established a new definition of sexual harassment under Title IX and which mandate specific procedures for responding to and investigating allegations of sexual harassment under Title IX.

The Title IX Sexual Harassment Grievance Procedures apply only to allegations of sexual harassment under Title IX, which includes harassment based on sex, sexual orientation, and/or gender identity, and is defined in the Definitions section below.

The Title IX Sexual Harassment Grievance Procedures apply to conduct that occurs within the United States in an education program or activity of the District, regardless of whether such District program or activity is conducted on or off school grounds. A District education program or activity includes locations, events, or circumstances over which the District exercised substantial control over both the respondent and the context in which the sexual harassment occurred.

Allegations of conduct that meet the definition of sexual harassment under Title IX will be addressed through the Title IX Sexual Harassment Grievance Procedures. Allegations of conduct that meet the definition of sexual harassment under Title IX, and simultaneously meet the definitions of sexual harassment under Title VII of the Civil Rights Act of 1964 (employees), M.G.L. c. 151B (employees), and/or M.G.L. c. 151C (students), will also be addressed through the Title IX Sexual Harassment Grievance Procedures.

Allegations of conduct that do not meet the definition of sexual harassment under Title IX, but could, if proven, meet the definition(s) of sexual harassment under Title VII (employees), M.G.L. c. 151B (employees), and/or M.G.L. c. 151C (students), will be addressed through the District's Civil Rights Grievance Procedures. (See exception under Section II, Part 4, Step 4 below). The definitions of sexual harassment under Title VII, M.G.L. c. 151B, and M.G.L. c. 151C are set out in the Civil Rights Grievance Procedures.

The District's Civil Rights Grievance Procedures is available at: [Civil Rights Grievance Procedures](#).

Confidentiality

The District will keep the identity of complainants, respondents, and witnesses confidential, except as permitted by the Family Educational Rights and Privacy Act (FERPA), as otherwise required by law, and/or as necessary to carry out this Procedure.

Definitions

Complainant: An individual who is alleged to be the victim of conduct that could constitute sexual harassment under Title IX. Parents and/or legal guardians of a complainant are not considered a complainant but may file a Formal Complaint on

behalf of a minor child and act on behalf of the minor child in any Title IX matter. For the purpose of this procedure the terms “complainant” and “alleged victim” shall have the same meaning.

Formal Complaint: A document or electronic submission filed by a complainant, that contains the complainant’s physical or digital signature or otherwise indicates that the complainant is the person filing the Formal Complaint, or a document signed by the Title IX coordinator, that:

- (1) alleges sexual harassment against a respondent; and
- (2) requests that the District investigate the allegation of sexual harassment.

At the time of filing a Formal Complaint, the complainant must be participating in or attempting to participate in the District’s education program or activity with which the Formal Complaint is being filed.

Sexual Harassment: Under Title IX, the term “sexual harassment” includes three (3) types of misconduct based on sex:

- (1) any instance of quid pro quo harassment by a school employee;
- (2) unwelcome conduct on the basis of sex, including unwelcome conduct based on sex stereotyping or on the basis of traditional notions of masculinity and femininity, that is sufficiently severe and pervasive and objectively offensive conduct, effectively denying a person equal educational access; or
- (3) any instance of sexual assault, dating violence, domestic violence, or stalking as defined below.

Sexual Assault: An offense that meets the definition of rape, fondling, incest, or statutory rape as used in the FBI’s Uniform Crime Reporting system and set out below:

- **Rape:** The penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.
- **Fondling:** The touching of the private body parts of another person for the purpose of sexual gratification, without the consent of the victim, including instances where the victim is incapable of giving consent because of their age or because of their temporary or permanent mental incapacity. In Massachusetts, pursuant to M.G.L. c. 265, § 13B, a child under the age of 14 is incapable of giving consent to indecent touching.
- **Incest:** Sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
- **Statutory Rape:** Sexual intercourse with a person who is under the statutory age of consent. In Massachusetts, pursuant to M.G.L. c. 265, § 23, the statutory age of consent is 16 years of age.

For the purposes of the definition of sexual assault, the term “consent” shall be defined in a manner consistent with Massachusetts laws.

Dating Violence: Violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim. The existence of such a relationship shall be determined based on the reporting party’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship. For the purposes of this definition, dating violence includes, but is not limited to, sexual or physical abuse or the threat of such abuse. Dating violence does not include acts covered under the definition of domestic violence.

Domestic Violence: A felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim; by a person with whom the victim shares a child in common; by a person who is cohabitating with, or has cohabitated with, the victim as a spouse or intimate partner; by a person similarly situated to a spouse of the victim under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred; by any other person against an adult or youth victim who is protected from that person’s acts under the domestic or family violence laws of the jurisdiction in which the crime of violence occurred.

Stalking: Engaging in a “course of conduct” directed at a specific person that would cause a “reasonable person” to fear for the person’s safety or the safety of others or suffer “substantial emotional distress.”

For the purposes of this definition:

“Course of conduct” means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person’s property.

“Reasonable person” means a reasonable person under similar circumstances and with similar identities to the victim.

“Substantial emotional distress” means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling.

Party or Parties: The complainant and/or respondent.

Principal: The Principal or Principal’s designee.

Respondent: An individual who has been reported to be the perpetrator of conduct that could constitute sexual harassment.

Superintendent: The Superintendent or Superintendent’s designee.

Supportive Measures: Individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the Complainant or Respondent, while designed to ensure equal educational access, protect safety, and/or deter sexual harassment. Supportive Measures may be offered before or after the filing of a Formal Complaint or where no Formal Complaint has been filed. Supportive measures are individualized services reasonably available that are non-punitive, non-disciplinary, and not unreasonably burdensome to the other party, while designed to ensure equal educational access, protect safety, and/or deter sexual harassment. Supportive measures available to complainants and respondents include, but are not limited to: counseling; extensions of deadlines or other course-related adjustments; modifications of work or class schedules; campus escort services; mutual restrictions on contact between the parties; changes in work locations; leaves of absence; increased security and monitoring of certain areas of the building and/or campus; and other similar measures. Violations of the restrictions imposed by supportive measures may be considered a violation of school rules and may also be considered in determining whether sexual harassment has occurred.

Title IX Coordinator: Employee(s) designated by the District to coordinate its efforts to comply with Title IX.

I. REPORTING SEXUAL HARASSMENT

- A. Who May Report Sexual Harassment: Anyone may report an allegation of sexual harassment.
- B. How to Report Sexual Harassment: Individuals are encouraged to report allegations of sexual harassment to the Title IX Coordinator or the Principal, but any District employee who receives a report of sexual harassment will respond to the report as outlined below.
- C. Internal Reporting: Any District employee who receives a report of sexual harassment shall respond by promptly informing the Principal or Title IX Coordinator of the report. Any District employee who observes sexual harassment of a student should intervene to stop the conduct and shall promptly inform the Principal or Title IX Coordinator of the incident. If a report involves an allegation against the Principal or Title IX Coordinator, the District employee shall instead report the allegation to the Superintendent.

Any Principal who receives a report of sexual harassment shall promptly inform the relevant Title IX Coordinator of the report.

- D. District’s Response to Report: The District will respond to all reports of sexual harassment promptly and equitably, and in a manner consistent with this Procedure and any other relevant District procedures and policies. Upon receipt of a report, the Title IX Coordinator shall:
 - (1) Promptly and confidentially contact the complainant to discuss the availability of supportive measures;
 - (2) Inform the complainant of the availability of supportive measures with or without the filing of a Title IX Formal Complaint;

- (3) Consider the complainant's wishes with respect to supportive measures;
- (4) If the District does not provide the complainant with supportive measures, document the reasons why such response was reasonable; and
- (5) Explain to the complainant the process for filing a Title IX Formal Complaint. Only the filing of a Title IX Formal Complaint will trigger the Title IX Formal Complaint grievance process, outlined in Section II.

II. FILING A TITLE IX FORMAL COMPLAINT

Only the filing of a Title IX Formal Complaint will trigger the Title IX Formal Complaint grievance process, outlined below.

- A. Who may file a Title IX Formal Complaint: Although anyone may report sexual harassment, only a complainant or a Title IX Coordinator may file a Title IX Formal Complaint. If a complainant chooses not to file a Formal Complaint, the complainant's choice to not initiate an investigation will generally be respected, unless the Title IX Coordinator determines that signing a Formal Complaint to initiate an investigation over the wishes of the complainant is not clearly unreasonable in light of the known circumstances. The Title IX Coordinator will take into account concerns articulated by the parties, the best interests of the community, fairness to all concerned, and the District's legal obligations under applicable state and federal laws. Where the Title IX Coordinator signs the Formal Complaint, the Title IX Coordinator is not a complainant or a party during the grievance process and must comply with the requirement to be free from conflicts or bias.
- B. Processing of a Title IX Formal Complaint: Title IX Formal Complaints will be investigated promptly and equitably by the Title IX Coordinator or designee, as follows:

Step 1: Title IX Formal Complaint is filed:

- (1) A Formal Complaint shall state (if known to the reporter or alleged victim) the name(s) of the persons involved, witnesses to the conduct, if any, a description of the conduct, and to the extent possible, the dates and locations of the conduct. A Formal Complaint will not be dismissed solely because it was not completely filled out or it was filled out incorrectly.
- (2) A Formal Complaint may be filed at any time, including during non-business hours. Formal Complaints submitted outside of normal business hours will be deemed received on the following school working day.
- (3) At the time of the filing of the Formal Complaint, the alleged victim must be participating in or attempting to participate in the education program or activity of the school with which the Formal Complaint is filed.
- (4) A Formal Complaint may be filed with the Title IX Coordinator in person, by mail, or by electronic mail, by using the contact information for the Title IX Coordinator listed in this procedure, and by any additional method designated by the school.
- (5) Consolidation of Formal Complaints: Schools may consolidate Formal Complaints where the allegations arise out of the same facts.
- (6) Consideration of the use of the Informal Resolution Process with the consent of the parties. See Section II(D).
- (7) Throughout this process, there shall be a presumption that the respondent is not responsible for the alleged conduct until a determination regarding responsibility is made at the conclusion of the grievance process.

Step 2: Consider Supportive Measures for both the complainant and the respondent: Once a Formal Complaint is filed, the Title IX Coordinator will ensure that supportive measures are considered for both parties. See Section I(D).

Step 3: Written Notice of Allegations: Upon receipt of a Formal Complaint, the District shall send written notice of the allegations, including the identity of the parties, to both the complainant and the respondent, if their identities are known. The written notice must include: (1) a statement prohibiting knowingly submitting false information; (2) sufficient details known at the time to allow the respondent the opportunity to respond to the allegations; (3) a statement that the respondent is presumed not responsible for the alleged conduct; (4) that a determination regarding responsibility is made at the conclusion of the grievance process; (5) that the parties may have an advisor of their choice, who may be, but is not required to be, an attorney; and (6) that the parties/advisors may inspect and review evidence in accordance with this procedure. If, in the course of the investigation, the District decides to investigate allegations of sexual harassment that are not included in the initial written notice of allegations, the District shall provide notice of the additional allegations to the parties whose identities are known.

Step 4: Consider Whether Dismissal of Formal Complaint Warranted: Some Formal Complaints will be subject to mandatory or discretionary dismissal under Title IX.

- (1) Mandatory Dismissal of Formal Complaint: The Title IX Coordinator shall dismiss a Formal Complaint under Title IX when the conduct alleged:
 - a. even if proved, would not meet the definition of sexual harassment under Title IX;
 - b. did not occur in an education program or activity of the District; or
 - c. did not occur against a person in the United States.
- (2) Discretionary Dismissal of Formal Complaint: The Title IX Coordinator may dismiss a Formal Complaint or allegations therein for purposes of Title IX at any time if:
 - a. the complainant informs the Title IX Coordinator in writing that the complainant desires to withdraw the Formal Complaint or allegations;
 - b. the respondent is no longer enrolled or employed by the District; or
 - c. specific circumstances prevent the District from gathering sufficient evidence to make a determination.
- (3) The Title IX Coordinator must provide the parties with written notice of any dismissal of a Formal Complaint and the reasons for the dismissal.
- (4) Dismissal of a Formal Complaint for purposes of Title IX shall not preclude the District from addressing the allegations under any other relevant District policies or procedure(s), including but not limited to, the Civil Rights Grievance Procedures, the Bullying Prevention and Intervention Plan, the Student Code of Conduct, and/or a collective bargaining contract, nor will it preclude the District from addressing the allegations pursuant to the grievance process set out in Section II of this Procedure. The Title IX Coordinator shall have the discretion to make any such referrals and proceed as appropriate in regard to the allegations.

Step 5: Initial Investigation: All Formal Complaints will be investigated by the Title IX Coordinator or other individual designated to serve as the investigator by the Title IX Coordinator. The investigator shall be responsible for seeking and gathering evidence relative to the investigation. Any Formal Complaint against an employee who holds a supervisory position shall be investigated by a person who is not subject to that supervisor's authority. During the Formal Complaint resolution process:

- (1) Standard of Proof: The investigator shall make factual findings based on a preponderance of the evidence standard.
- (2) The burden for gathering evidence and the burden of proof remains on the District, not on the parties.
- (3) The District shall provide equal opportunity for the parties to present fact and expert witnesses and other inculpatory and exculpatory evidence.
- (4) The District shall not restrict the ability of the parties to discuss the allegations or gather evidence (e.g., no "gag" orders).
- (5) Each party may have one (1) advisor of their own selection and at their own expense participate in this grievance process. In the case of a student under the age of 18, this advisor may be in addition to the student's parents/guardians. Any restrictions on the participation of an advisor will be applied equally to each party. The advisor may, but is not required to, be an attorney. Any evidence received by an advisor

in this process is subject to confidentiality and may be used only for the purpose of the grievance process. Advisors are prohibited from disseminating or disclosing such evidence outside of the grievance process.

- (6) The District shall send prior written notice to the parties of any investigative interviews, meetings, or hearings in which their participation is invited or expected.
- (7) Privacy of Medical Treatment and Mental Health Treatment Records: The District may not access or use either the complainant's or the respondent's medical, psychological, or similar treatment records unless the District obtains the party's written consent to do so.
- (8) The investigator may impose reasonable timeframes on all parties as required to facilitate the timely completion of the investigation. The investigator may extend any of the timeframes beyond the time periods identified in this procedure for good cause. If a complaint or report of sexual harassment is received within three (3) weeks of the end of the academic school year, the investigator will attempt to complete the investigation by the end of the school year. In the event that the investigation extends beyond the last day of school, the District will make reasonable efforts to complete the investigation within the above-referenced time frame, but may extend the investigation period to account for the unavailability of witnesses while school is not in session. If the investigator extends the investigation, the investigator will notify the parties of the extension and the reasons therefore in writing.

Step 6: Opportunity for Parties to Respond to Evidence: The District must send the parties, and their advisor(s) (if they have one) evidence directly related to the allegation, in electronic format or hard copy. Parties shall be afforded ten (10) calendar days to inspect, review and respond to the evidence. The District shall not require, allow, rely upon, or otherwise use evidence that constitutes information protected from disclosure by a legally recognized privilege, unless it has been waived by the holder of the privilege.

- (1) Prior to providing evidence to the parties, the investigator may redact confidential information that is not directly related to the allegations or that is otherwise barred from use under Title IX or by privilege (e.g., treatment records), the Family Educational Rights and Privacy Act and/or 603 CMR 23.00. Information that is directly related to the investigation, and that is not expressly barred from disclosure under Title IX (e.g., treatment records), the Family Educational Rights and Privacy Act, and/or 603 CMR 23.00, must be made available for review by both parties.
- (2) The parties and their advisors shall be prohibited from dissemination of any of the evidence for any purpose not directly related to this grievance procedure.

Step 7: Completion of the Investigative Report: The District must send the parties, and their advisor, an Investigative Report that fairly summarizes relevant evidence but does not reach any conclusions regarding responsibility, in electronic format or hard copy, within twenty-five (25) school days of receipt of the Formal Complaint, unless otherwise extended for good cause. A copy of the Investigative Report will also be sent to the decision-maker.

Step 8: Parties' Opportunity to Respond to Investigative Report: The District shall provide each party ten (10) calendar days for the parties to respond to the investigative report. The Investigative Report will notify the parties of the opportunity to submit to the decision-maker directed questions of the other party and/or any witness within that same ten (10) calendar days. (See Step 9).

Step 9: Directed Written Questions from the Parties: After the Investigative Report has been sent to the parties, but prior to reaching a determination regarding responsibility, the decision-maker shall afford both the complainant and the respondent the opportunity to submit to the decision-maker written, relevant questions of the other party or any witness, provide the party with the other party's and/or witness's written responses to said written questions, and allow for additional, limited follow-up questions from each party in writing. Questions that seek disclosure of information protected under a legally recognized privilege, Family Educational Rights and Privacy Act, and/or 603 CMR 23.00 shall not be permitted, unless the person holding the privilege has waived the privilege.

- (1) The complainant shall be protected from answering questions about the complainant's prior sexual behavior unless offered to prove that someone other than the respondent committed the alleged misconduct or offered to prove the complainant's consent to the conduct under investigation.

- (2) Upon receipt of the Investigative Report, each party shall have ten (10) calendar days to submit directed relevant questions to the decision-maker in writing.
 - a. All questions must be posed in a respectful manner (e.g., without profanity and without attacking a person's character or motivations).
 - b. Questions that are not relevant will be excluded, and the decision-maker shall explain to the party posing the question the reason(s) for excluding any question.
- (3) Upon receipt of the directed questions from the District, each party and witness shall have five (5) calendar days to respond to those questions in writing.¹
- (4) After receipt of the answers by the parties, any follow-up questions by the parties shall be submitted to the decision-maker in writing within three (3) calendar days, and those follow-up questions shall be responded to in writing within three (3) calendar days of receipt.
- (5) Each party will be provided a copy of the other party's or witness's written answers.

Step 10: Determination of Responsibility/Findings of Fact by the Decision-Maker:

- (1) The decision-maker shall issue a written determination regarding responsibility with a description of the procedural steps taken, findings of fact, conclusions about whether the alleged conduct occurred, rationale for the result as to each allegation, the range of disciplinary sanctions to which the respondent may be subject, whether remedies will be provided to the complainant, and procedures and bases for appeal. The decision-maker's written determination shall not be completed by the Title IX Coordinator or the investigator.
 - (2) Standard of Proof: The decision-maker shall make factual findings based on a preponderance of the evidence standard.
 - (3) The decision-maker's findings shall be based on an objective review of all relevant evidence, inculpatory and exculpatory, and avoid credibility determinations based on a person's status as a complainant, respondent, or witness.
 - (4) The decision-maker shall not draw inferences about the determination of responsibility based solely on a party's failure or refusal to answer questions.
 - (5) The written determination must be sent simultaneously to both parties.
 - (6) This determination shall be sent within twenty (20) school days of the issuance of the investigative report unless an extension is agreed upon by the parties or if the process is otherwise reasonably delayed. Except where the parties have agreed to an extension of the timeline or where the process is otherwise reasonably delayed, the written determination shall be issued within sixty (60) school days of receipt of the Formal Complaint.
- C. Remedies: If the decision-maker determines that sexual harassment has occurred, the District administration shall take steps to eliminate the harassing environment, which may include but not be limited to providing remedies to a complainant that are designed to restore or preserve the complainant's equal access to the District's education programs and/or activities. These remedies may be the same individualized services as the supportive measures outlined in Section I(D) above and/or may consist of alternative interventions and/or punitive or disciplinary sanctions that burden the respondent.
- D. Discipline: Persons who engage in sexual harassment or retaliation may be subject to disciplinary action, including, but not limited to, reprimand, suspension, termination, expulsion (if applicable under M.G.L. c. 71, §§ 37H or 37H ½), or other sanctions as determined by the District administration, subject to applicable procedural requirements.
- (1) Although the respondent may, in accordance with Title IX, be subject to emergency removal at any time, the respondent may not be subject to disciplinary sanctions for the misconduct defined under this procedure until after this grievance process has been completed.

¹ The parent or guardian may act on behalf of the party in drafting questions and submitting written answers. In the case of young children, reasonable accommodation based on disability, and/or other good cause, either party and/or any witness may request and have their oral responses reduced to writing by the investigator or Title IX Coordinator.

- E. Informal Process: Only after a Formal Complaint is filed may the District opt to offer and facilitate informal resolution options, such as mediation or restorative justice. Both parties must give voluntary, informed, written consent to attempt any offered informal resolution. Any informal resolution under this procedure will be facilitated by trained personnel.
- (1) The informal resolution process is not available to resolve allegations that an employee sexually harassed a student.
 - (2) The informal process is voluntary, and the alleged victim and/or respondent may terminate or decline any informal process at any time and resume the Formal Complaint grievance process.
 - (3) The informal process shall not exceed thirty (30) calendar days.

Participation in the informal process will stay the timelines of the Formal Complaint process.

- F. Emergency Removal under Title IX: The District may remove a respondent on an emergency basis at any time provided that the District: (1) undertakes an individualized safety and risk analysis; (2) determines that an immediate threat to the physical health or safety of any student or other individual arising from the allegations of sexual harassment justifies removal and that there is no alternative to the respondent's emergency removal to mitigate the threat presented; and (3) provides the respondent with notice and the opportunity to challenge the decision immediately following the removal.
- G. Anonymous Reports: The District may be on notice of an allegation of sexual harassment through receipt of an anonymous report. In cases of anonymous reports, the District's obligation is to respond in a manner that is not clearly unreasonable in light of the known circumstances. If the anonymous reporter is the complainant and they request confidentiality, the District can and should offer supportive measures to the extent consistent with maintaining the request for confidentiality. If an anonymous report is received without a disclosure of the complainant's identity, the District will be unable to provide the complainant supportive measures in response to that report. The District may in conformance with applicable state laws and regulations be required to report sexual harassment identified in an anonymous complaint to state and/or local authorities such as the Massachusetts Department of Children and Families in conformance with state statutes and regulations and/or take actions to protect the safety of the school community (contacting the police, for example) that may result in the identity of the reporting person being disclosed. Although the District shall respond to anonymous reports of sexual harassment in accordance with this Procedure, a Formal Complaint cannot be filed anonymously.
- H. Appeals: The complainant or respondent may appeal from a determination regarding responsibility and/or from the District's dismissal of a Formal Complaint or any allegations therein, only on the following bases:
- (1) procedural irregularity that affected the outcome of the matter;
 - (2) newly discovered evidence that could affect the outcome of the matter; and/or
 - (3) Title IX personnel had a conflict of interest or bias that affected the outcome of the matter.

An appeal may be made to the Superintendent or designee within five (5) calendar days after receiving the determination of responsibility or dismissal. The Superintendent will decide the appeal no later than thirty (30) calendar days of the date of receipt of the written appeal. In cases in which it has been determined that a respondent student is subject to long-term suspension as a result of a finding of sexual harassment in accordance with this procedure, the respondent may elect to exercise their appeal under the disciplinary due process requirements applicable to the circumstances (e.g., M.G.L. c. 71, §§ 37H, 37H ½ or 37H ¾) in place of this appellate procedure. Appeals must be made in writing (email is sufficient) to the Superintendent, Essex North Shore Agricultural & Technical School District, 565 Maple Street, Hathorne, Massachusetts 01923.

The Title IX Formal Complaint grievance process is deemed complete when either the time period for appeal has lapsed or upon the issuance of the Superintendent's decision on a timely filed appeal.

- I. Recordkeeping: Records related to this Procedure will be maintained for a period of seven (7) years.

- J. Employment Agencies: The contact information for state and federal employment discrimination enforcement agencies is as follows: 1) Federal - United States Equal Employment Opportunity Commission (EEOC); John F. Kennedy Federal Building; 15 New Sudbury Street, Room 475; Boston, MA 02203-0506; 1-800-669-4000; EEOC Boston Area Office Website: <https://www.eeoc.gov/field-office/boston/location>; 2) State: Massachusetts Commission Against Discrimination (MCAD); Boston Headquarters; One Ashburton Place; Sixth Floor, Room 601; Boston, MA 02108; (617)-994-6000; MCAD Website <https://www.mass.gov/orgs/massachusetts-commission-against-discrimination>.
- K. Identification of key personnel involved in Title IX process for reports and/or Formal Complaints of sexual harassment:
- Title IX Coordinator(s):
Director of Human Resources, Micah Klayman
(978) 304-4700 x7105 civilrights@essextech.net
562 Maple Street, Hathorne, MA 01937
Director of School Counseling, Sandra Goldstein, MSW
(978) 304-4700 x3110 civilrights@essextech.net
565 Maple Street, Hathorne, MA 01937
 - Investigator(s):
Director of Human Resources, Micah Klayman
(978) 304-4700 x7105 titleIX@essextech.net
562 Maple Street, Hathorne, MA 01937
Director of School Counseling, Sandra Goldstein, MSW
(978) 304-4700 x3110 titleIX@essextech.net
565 Maple Street, Hathorne, MA 01937
 - Decision-maker:
Principal, Shannon Donnelly, MAT
(978) 304-4700 x3313 sdonnelly@essextech.net
565 Maple Street, Hathorne, MA 01937
 - Appeal Officer:
Superintendent-Director, Heidi T. Riccio, Ed.D.
(978) 304-4700 x7102 hriccio@essextech.net
565 Maple Street, Hathorne, MA 01937
 - Informal Resolution Facilitator:
Assistant Superintendent, Thomas O'Toole, Ed.D.
(978) 304-4700 x3313 totoole@essextech.net
565 Maple Street, Hathorne, MA 01937

The District will notify students, employees, applicants for admission or employment, parents and legal guardians of students, and unions of the name, title, office address, email address and telephone number of the Title IX Coordinator. This information will be prominently displayed on the District's website.

Legal Refs: Section 504 of the Rehabilitation Act of 1973; Title II of the Americans with Disabilities Act of 1990; Title VI of the Civil Rights Act of 1964; Title VII of the Civil Rights Act; Title IX of the Education Amendments of 1972; the

Age Act; M.G.L. c. 151B and c. 151C; and M.G.L. c. 76, § 5; SC Policy JICFB, Bullying Prevention; SC Policy AC, Nondiscrimination.

APPROVED: ENSATSD School Committee August 6, 2020

PROHIBITION OF HAZING

In accordance with Massachusetts General Laws, Chapter 536 of the Acts of 1985, the School Committee hereby deems that no student, employee or school organization under the control of the School Committee shall engage in the activity of hazing a student while on or off school property, or at a school sponsored event regardless of the location. No organization that uses the facilities or grounds under the control of the School Committee shall engage in the activity of hazing any person while on school property.

Any student who observes what appears to them to be the activity of hazing another student or person should report such information to the Principal including the time, date, location, names of identifiable participants and the types of behavior exhibited. Students and employees of the District are obligated by law to report incidents of hazing to the police department.

Any student who is present at a hazing has the obligation to report such an incident. Failure to do so may result in disciplinary action by the school against that student and could involve suspension from school for up to three days.

Any student who participates in the hazing of another student or other person may, upon the approval of the Superintendent-Director of Schools, be suspended from school for up to ten (10) school days.

Any student determined by the Principal to be the organizer of a hazing activity may be recommended for expulsion from school but will receive no less disciplinary action than that of a participant.

In all cases relating to hazing, students will receive procedural due process.

Hazing

CH. 269, S.17. CRIME OF HAZING; DEFINITION; PENALTY

Whoever is a principal organizer or participant in the crime of hazing as defined herein shall be punished by a fine of not more than three thousand dollars or by imprisonment in a house of correction for not more than one year, or by both such fine and imprisonment.

The term "hazing" as used in this section and in sections eighteen and nineteen, shall mean any conduct or method of initiation into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include whipping, beating, branding, forced calisthenics, exposure to the weather, forced consumption of any food, liquor, beverage, drug or other substance, or any other brutal treatment or forced physical activity which is likely to adversely affect the physical health or safety of any such student or other person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation. Notwithstanding any other provisions of this section to be contrary, consent shall not be available as a defense to any prosecution under this action.

CH. 269, S.18. DUTY TO REPORT HAZING

Whoever knows that another person is the victim of hazing as defined in section seventeen and is at the scene of such crime shall, to the extent that such person can do so without danger or peril to himself or others, report such crime to an appropriate law enforcement official as soon as reasonably practicable. Whoever fails to report such crime shall be punished by a fine of not more than one thousand dollars.

CH. 269, S.19. HAZING STATUTES TO BE PROVIDED; STATEMENT OF COMPLIANCE AND DISCIPLINE POLICY REQUIRED

Each secondary school and each public and private school or college shall issue to every group or organization under its authority or operating on or in conjunction with its campus or school, and to every member, plebe, pledge or applicant for membership in such group or organization, a copy of this section and sections seventeen and eighteen. An officer of each such group or organization, and each individual receiving a copy of said sections seventeen and eighteen shall sign an acknowledgement stating that such group, organization or individual has received a copy of said sections seventeen and eighteen.

Each secondary school and each public or private school or college shall file, at least annually, a report with the regents of higher education and in the case of secondary schools, the Board of Education, certifying that such institution has complied with the provisions of this section and also certifying that said school has adopted a disciplinary policy with regards to the organizers and participants of hazing. The Board of Regents and in the case of secondary schools, the Board of Education shall promulgate regulations governing the content and frequency of such reports, and shall forthwith report to the attorney general any such institution, which fails to make such a report.

BULLYING PREVENTION POLICY

The Essex North Shore Agricultural & Technical School District is committed to providing a safe, positive, and productive educational environment where students can achieve the highest academic standards. No student or member of the District staff, including but not limited to an educator, administrator, school nurse, cafeteria worker, custodian, farm and grounds worker, bus driver, athletic coach, advisor to an extracurricular activity, or paraprofessional, shall be subjected to harassment, intimidation, bullying, or cyber-bullying.

“Bullying” is the repeated use by one or more students, or by a member of the District staff, of a written, verbal, or electronic expression, or a physical act or gesture, or any combination thereof, directed at a target that:

- Causes physical or emotional harm to the target or damage to the target’s property;
- Places the target in reasonable fear of harm to him/herself, or of damage to their property;
- Creates a hostile environment at school for the target;
- Infringes on the rights of the target at school; and/or
- Materially and substantially disrupts the education process or the orderly operation of the school.

“Cyber-bullying” means bullying through the use of technology or any electronic communication, which shall include, but shall not be limited to, any transfer of signs, signals, writing, images, sounds, data, or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, and/or photo-electronic or photo-optical system including, but not limited to, electronic mail, internet communications, instant messaging, or facsimile communications.

Cyber-bullying shall also include the creation of a web page or blog in which the creator assumes the identity of another person or knowingly impersonates another person as author of posted content or messages, if the creation or impersonation creates any of the conditions enumerated in the definition of bullying.

Cyber-bullying shall also include the distribution by electronic means of a communication to more than one person or the posting of material on an electronic medium that may be accessed by one or more persons, if the distribution or posting creates any of the conditions enumerated in the definition of bullying.

Definitions

Note: Massachusetts law defines bullying, cyber-bullying, hostile environment, retaliation, “perpetrator,” and “victim.” Essex North Shore Agricultural & Technical School District will use the terms “aggressor” (instead of perpetrator) and “target” (instead of victim).

“Aggressor” is a student or member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, farm or grounds worker, bus driver, athletic coach, advisor to an extracurricular activity, or paraprofessional, who engages in bullying, cyber-bullying, or retaliation.

“Target” is a person against whom bullying, cyber-bullying, or retaliation has been perpetrated.

“Hostile environment” is a situation in which bullying causes the school environment to be permeated with intimidation, ridicule, or insult that is sufficiently severe or pervasive to alter the conditions of the student’s education and staff’s workplace.

“Retaliation” is any form of intimidation, reprisal, or harassment directed against a student or staff member who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying.

Prohibition Against Bullying

Bullying and cyber-bullying may occur in and out of school, during and after school hours, at home and in locations outside of the home. When bullying and cyber-bullying are alleged, the full cooperation and assistance of parents and families are expected.

For the purposes of this Policy, whenever the term bullying is used it is to denote either bullying or cyber-bullying.

Bullying is prohibited:

- On school grounds;
- On property immediately adjacent to school grounds;
- At school-sponsored or school-related activities;
- At functions or programs whether on or off school grounds;
- At school bus stops;
- On school buses or other vehicles owned, leased, or used by the District;
- In rental facilities used by the District; or
- Through the use of technology or an electronic device owned, leased, or used by the Essex North Shore Agricultural & Technical School District.

Bullying and cyber-bullying are prohibited at a location, activity, function, or program that is not school-related or through the use of technology or an electronic device that is not owned, leased, or used by the District if the act or acts in question:

- Create a hostile environment at school for the target;
- Infringe on the rights of the target at school; and/or
- Materially and substantially disrupt the education process or the orderly operation of the school or District.

Prevention and Intervention Plan

The Superintendent-Director or their designee shall oversee the development of a prevention and intervention plan, in consultation with District stakeholders, which may include teachers, school staff, professional support personnel, school volunteers, administrators, community representatives, local law enforcement agencies, students, parents, and guardians, consistent with the requirements of this Policy, as well as state and federal laws. The Bullying Prevention and Intervention Plan shall be reviewed and updated at least biennially.

The Bullying Prevention and Intervention Plan shall apply to students and members of the District staff including, but not limited to, educators, administrators, school nurses, cafeteria workers, custodians, farm and grounds workers, bus drivers, athletic coaches, advisors to an extracurricular activity, or paraprofessionals.

The Principal is responsible for the implementation and oversight of the Bullying Prevention and Intervention Plan.

Reporting

Students and staff who believe that they are a target of bullying, observe an act of bullying, or who have reasonable grounds to believe that these behaviors are taking place, are obligated to report incidents to a member of the school staff. The target shall, however, not be subject to discipline for failing to report bullying.

The District will have a means for anonymous reporting by students of incidents of bullying. No formal disciplinary action shall be taken solely on the basis of an anonymous report.

Any student or member of a school staff including, but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, farm or grounds worker, bus driver, athletic coach, advisor to an extracurricular activity, or paraprofessional, who knowingly makes a false accusation of bullying shall be subject to disciplinary action.

Parents or guardians, students, staff or members of the community, are encouraged to report an incident of bullying as soon as possible.

A member of the school staff shall immediately report any instance of bullying the staff member has witnessed or become aware of to the Principal, an Assistant Principal, or one of the Title(s) VI & IX Coordinators.

Investigation Procedures

The Principal, Assistant Principal, or Title VI & IX Coordinator shall promptly investigate the report of bullying, using a Bullying Report form, which may include interviewing the alleged target, alleged aggressor, staff members, students, and/or other witnesses. Appropriate strategies will be implemented to protect the target and witnesses during the investigation.

The investigation shall include an assessment of the alleged target's need for protection, along with the creation of a safety plan to restore a sense of safety for the alleged target.

Confidentiality shall be used to protect a person who reports bullying, provides information during an investigation of bullying, or is witness to or has reliable information about an act of bullying.

If the investigator determines that bullying has occurred, they shall promptly contact the parents or guardians of the student who has been the target and the parents or guardians of the student(s) who has been the aggressor. Additionally, the Principal shall take appropriate corrective and disciplinary action and, if it is believed that criminal charges may be pursued against the aggressor, the Principal shall consult with the school's liaison to the police department and the Superintendent-Director to determine if criminal charges are warranted. If it is determined that criminal charges are warranted, the local law enforcement agency shall be notified.

The investigation shall be completed within fifteen (15) school days from the date of the report. The parents or guardians shall be contacted upon completion of the investigation and informed of the results, including whether the allegations were found to be factual, whether a violation of this Policy was found, and whether corrective or disciplinary action have been implemented. At a minimum, the investigator shall contact the parents or guardians as to the status of the investigation on a weekly basis.

Disciplinary actions for students or staff members who have committed an act of bullying or retaliation shall be implemented in accordance with District disciplinary policies.

Each investigator shall document any incident of bullying that is reported per this Policy and a file shall be maintained by the Principal and/or Title(s) VI & IX Coordinators. A monthly report shall be provided to the Superintendent-Director.

Confidentiality shall be maintained to the extent consistent with the District's obligations under law.

Retaliation

Retaliation against a person who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying shall be prohibited.

Target Assistance & Aggressor Assistance

The Essex North Shore Agricultural & Technical School District shall provide counseling or referral for appropriate services, including guidance, academic intervention, and protection, to students and staff members affected by bullying, as necessary.

Training and Assessment

Ongoing training shall be provided to school employees and volunteers who have significant contact with students in preventing, identifying, responding to, and reporting incidents of bullying.

Age-appropriate, evidence-based instruction on bullying prevention shall be incorporated into the curriculum for all grade 9 to 12 students.

Publication and Notice

Annual written notice of the relevant sections of the Bullying Prevention and Intervention Plan shall be provided to students and their parents or guardians in age-appropriate terms.

Annual written notice of the Bullying Prevention and Intervention Plan, including the duties of faculty and staff, shall be provided to all school employees.

The Bullying Prevention and Intervention Plan shall be posted on the Essex North Shore Agricultural & Technical School District website.

References:

- Massachusetts Department of Elementary and Secondary Education (DESE) Model Bullying Prevention and Intervention Plan

Legal References:

- Title VII, Section 703, Civil Rights Act of 1964, as amended
- Federal Regulation 74676, issued by EEO Commission
- Title IX of the Education Amendments of 1972
- 603 CMR 26.00
- M.G.L. 71:37O
- M.G.L. 265:43; 43A
- M.G.L. 268:13B
- M.G.L. 269:14A

Cross References:

- Harassment and Discrimination
- Prohibition of Hazing
- Student Discipline Regulations

EDUCATIONAL OPPORTUNITIES FOR HOMELESS CHILDREN & YOUTH

The McKinney-Vento Homeless Assistance Act and the Elementary and Secondary Education Act (ESEA), as amended by the Every Student Succeeds Act (ESSA) of 2015, ensure educational rights and protections for children and youth experiencing homelessness. The Massachusetts Department of Elementary and Secondary Education has adopted Section 725(2) of this Act regarding the definition of homeless children and youth to include:

Individuals who lack a fixed, regular, and adequate nighttime residence or have a primary nighttime residence in a supervised, publicly or privately, operated shelter for temporary accommodations (including welfare hotels, congregate shelters, and transitional housing for the mentally ill), an institution providing temporary residence for individuals intended to be institutionalized, or a public or private place not designated for, or ordinarily used as, a regular sleeping accommodation for human beings. This definition shall include: children and youth who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or

camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; are abandoned in hospitals; children and youth who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings; children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; migratory children (as such term is defined in section 1309 of the Elementary and Secondary Education Act of 1965) who qualify as homeless because they are living in circumstances described above; and unaccompanied youth a youth not in the physical custody of a parent or guardian.

Identification

Faculty and staff will be trained at least once annually regarding the process for identifying students who may be eligible for supports and services under the McKinney-Vento Act or other above considerations. This training will be provided by the District's Homeless Education Liaison or designee. The training shall include but not be limited to ensuring faculty and staff have access to definitions regarding eligibility and an understanding of the process for referring students to proper authorities in the building in a timely and careful manner that ensures students confidentiality consistent with FERPA. Additionally, transportation staff are trained by the Transportation Manager to identify and report any concerning changes or disruptions to a student's transportation patterns as they may relate to this status.

Notice of Rights Under McKinney-Vento

Attendance and Success: Identified students and/or unaccompanied youth have the right to fully attend and participate in all school activities, classes, educational opportunities, meals, social and athletic events, clubs, teams, and other services. These students, their parents/guardians and/or caretakers will be provided information by the District Homeless Education Liaison or designee regarding their rights under McKinney-Vento as well as available services and supports.

Barriers to Continued Enrollment

ENSATSD will presume that it is in the best interest¹ of identified students to maintain their enrollment in their school of origin, Essex North Shore Agricultural and Technical School, and furthermore, in their Career Technical Program, through the end of the school year in which the student obtains permanent housing, despite their temporary residency due to homelessness or unaccompanied youth status, except when doing so is contrary to the request of the student's parent/guardian, or in the case of an unaccompanied youth, the youth. Furthermore, the district will ensure that these students have the opportunities to meet the same challenging State academic and Career Technical Education (CTE) standards as other children and youth. In order to facilitate this, the District Homeless Education Liaison or designee will coordinate the following services and supports:

Transportation: ENSATSD policies ensure that enrolled students have access to transportation up to a 20 mile radius from campus. The Homeless Education Liaison or designee will coordinate with the Transportation Manager or designee to identify bus routes and stops as necessary when a student's residence has changed due to McKinney-Vento considerations. This is done discreetly and privately to ensure that the student and family's personal circumstances are kept confidential consistent with FERPA. Should a student require transportation beyond the districts' 20 mile perimeter, the Transportation Manager will work with the district of residence and/or community based contacts to arrange for transportation. Allocations will be committed in the district budget annually to support this service in anticipation of possible need. Title I funds may also be considered as well as necessary and appropriate.

School Based Meals: Students identified and deemed eligible for services, supports and protections under McKinney-Vento will be designated eligible for participation in Federal, State, or local food programs. The District Homeless Education Liaison will collaborate with Food Services personnel to ensure timely if not expedited access to participation in Federal, State, or local food programs.

Supplies/Fees: Students identified under McKinney-Vento will be provided with the necessary school supplies, including but not limited to supplies needed to access their Career Technical Program (e.g.: uniforms, tools, etc.) and/or athletics/extracurricular programs (e.g.: waiver of athletic fees; support with Skills USA travel or conference fees, etc.). Furthermore, students will be advised of post-secondary planning opportunities and eligibility for fee waivers for post-secondary applications (e.g., FAFSA). Allocations will be committed in the district budget annually to support this service in anticipation of possible need. Title I funds may also be considered as well as necessary and appropriate.

Access to School-Based Support Services: Collaborative efforts will be made to provide identified students with appropriate school-based supports. This will primarily be facilitated by the school based counselors and/or Assistant Principals consistent with the District Curriculum Accommodation Plan (DCAP).

Dispute Resolution

In the event that ENSATSD determines that it will deny a student's continued enrollment or right to enroll in the school selected by the parent/guardian/unaccompanied minor, ENSATSD will comply with the notice and dispute resolution process established by DESE.

Family and Community Collaboration

The District Homeless Education Liaison or designee will provide proper and necessary outreach to parents/guardians, caretakers and/or unaccompanied youth of identified students consistent with FERPA and McKinney-Vento guidelines. The District Homeless Education Liaison or designee will review the student and family's rights. Furthermore, the District Homeless Education Liaison or designee will remind parent/guardians, caretakers, and/or the unaccompanied youth that ENSATSD will not require residency verifications from host families to meet residency requirements otherwise expected to ensure proper school and/or CTE program enrollment.

The District Homeless Education Liaison or designee will also offer the following:

Access to Health Insurance: Families will be offered information to access Mass Health as needed and appropriate.

Access to Shelter Resources: Families will be offered information to access Shelter resources as needed and appropriate.

Access to Community Based Supports: When appropriate, the District Homeless Education Liaison or designee may help facilitate referrals to community based social service agencies.

To identify a student eligible for support and intervention consistent with the McKinney-Vento Act, contact:

Sandra Goldstein, MSW, Guidance Director
ENSATSD District Homeless Education Liaison
sgoldstein@essextech.net (978) 304-4700

Should a concerns regarding ENSATSD's implementation of this policy arise, please forward a written statement to:

The Office of the Superintendent
Essex North Shore Agricultural & Technical School District
562 Maple Street
Hathorne, MA 01937

For more information see also:

Every Student Succeeds Act (ESSA)

MA Department of Elementary and Secondary Education <http://www.doe.mass.edu/mv/haa/>

-McKinney-Vento Homeless Education Assistance Act Education of Homeless Children and Youth Program

-McKinney-Vento Homeless Education Assistance - Advisories

Approved ENSATSD School Committee: Dec. 12, 2019

EDUCATIONAL OPPORTUNITIES FOR CHILDREN IN FOSTER CARE

The Essex North Shore Agricultural & Technical School District (ENSATSD hereafter) and Essex North Shore Agricultural and Technical School (ENSATS hereafter) are committed to ensuring continued enrollment, attendance, and the opportunity to succeed in school for youth engaged in the foster care system consistent with ESSA (2015) excerpts related to Title 1 Part A foster care enrollment provisions. The purpose of this policy is to ensure the educational stability of students in foster care and their equal access to the same free and appropriate public education through high school graduation as provided to other students as required by law. Educational stability has a lasting impact on students' academic achievement and wellbeing. ENSATSD is committed to supporting school and community efforts to ensure that students in foster care have access to high-quality, stable educational experiences.

The law requires that foster care students continue to attend their school of origin, unless after a collaborative decision-making process it is determined to be in the student's best interest to enroll in and attend school in the district in which a foster care provider or facility is located (if different). The law also requires that when it is not in the student's best interest to remain in the school of origin, the student is immediately enrolled and attending in a new school district, even if records normally required for enrollment cannot be quickly produced. Additionally, the law requires the Department of Children and Families (DCF), the MA Department of Elementary and Secondary Education (DESE), and the school district to designate points of contact; and also that the district collaborate with DCF to ensure that students will receive transportation to the school of origin if needed.

Best Interest Determination & Dispute Resolution

Decisions about whether a student in foster care should continue to attend the school of origin should be made collaboratively by DCF, the student (as appropriate), the student's family and/or foster family (and if different, the person authorized to make educational decisions on behalf of the student), the school and district of origin, and (when different) the local district where the student is placed. Best interest determinations should focus on the needs of each individual student and take into account a variety of factors. Every effort should be made to reach agreement regarding the appropriate school placement of a student in foster care. However, if there is disagreement regarding school placement for a student in foster care, DCF will finalize the best interest determination.

The district can seek review of DCF's decision by utilizing a Foster Care School Selection Dispute Resolution Process established by DESE and DCF. Decisions made through this process are not subject to review. Under the law, to promote educational stability, students should continue to attend their schools of origin while best interest determinations are being made.

Transportation

The district of origin must collaborate with DCF on how transportation will be provided and arranged to ensure that students in foster care who need transportation to remain in their school of origin will receive such transportation while they are in foster care.

Transportation options may include using Title I funds, establishing regional collaborations among districts, coordinating with existing routes for transportation, seeking help from foster parent(s), etc. Absent other agreements between the district and DCF, the district of origin is responsible for providing transportation to and from the school of origin.

Immediate Enrollment

If it is in the best interest of a student in foster care to leave the school of origin, the student must be enrolled in school in the local school district immediately. To minimize disruption of the student's education, the law requires the district to enroll the student in a new school right away, without waiting to receive the typical student enrollment documentation (other than emergency contact information). The enrolling school must immediately contact the child's school and district of origin to obtain the relevant records and documentation, and the school and district of origin should immediately transfer those records.

To facilitate enrollment, DCF representatives will present the district with a form that indicates that the student is in foster care, along with their state-agency identification badge, when enrolling students.

To identify a student eligible for support and intervention consistent with this policy contact the ENSATSD Foster Care Point of Contact:

Sandra Goldstein, MSW, Director of Guidance
sgoldstein@essextech.net (978) 304-4700

For more information see also:

[Every Student Succeeds Act \(ESSA\)](#)

MA Department of Elementary and Secondary Education <http://www.doe.mass.edu/sfs/foster/>
-Educational Stability for Students in Foster Care

Fostering Connections to Success and Increasing Adoptions Act of 2008 (Fostering Connections Act)

1. "Best interest of the child" shall be determined utilizing the guidance provided in G-2: "In determining a child or youth's best interest, an LEA must, to the extent feasible, keep a homeless child or youth in the "school of origin" unless doing so is contrary to the wishes of the child or youth's parent or guardian, or unaccompanied youth."

EDUCATIONAL OPPORTUNITIES FOR MILITARY CHILDREN

The Essex North Shore Agricultural & Technical School District (ENSATSD hereafter) and Essex North Shore Agricultural and Technical School (ENSATS hereafter) are committed to ensuring continued enrollment, attendance, and the opportunity to succeed in school for students experiencing housing or living transitions due to a family member's military status or connection as it is appropriate and necessary to remove barriers to educational success imposed on children of military families because of their parents'/guardians' frequent moves and deployment. In an effort to facilitate the placement, enrollment, graduation, data collection and provision of special services for students transferring into or out of the District because of their parents'/guardians being on active duty in the U.S. Armed Services, ENSATSD supports and will implement its responsibilities as outlined in the [Interstate Compact on Educational Opportunity for Military Children](#).

Definitions

Children of military families means school aged children, enrolled in kindergarten through 12th grade, in the household of an active duty member of the uniformed service of the United States, including members of the National Guard and Reserve serving on active duty.

Deployment means the period one month before the service members' departure from their home station on military orders through six months after return to their home station.

Education(al) records means official records, files, and data directly related to a student and maintained by the school including, but not limited to, records encompassing all the material kept in the student's cumulative folder.

The requirements, applicable to eligible students, which must be fulfilled, are listed below. Eligible students are those who are children of active duty personnel, active duty personnel or veterans who have been severely injured and medically discharged, and active duty personnel who die on active duty within one year of service. Students are not eligible for the provisions of the Compact if they are children of inactive Guard or Reserves, retired personnel, veterans not included above or U.S. Department of Defense personnel and other federal civil service employees and contract employees.

ENSATSD's responsibilities to eligible children include the following:

- Sending schools must send either official or unofficial records with the moving students and receiving schools must use those records for immediate enrollment and educational placement.
- Simultaneously, the receiving school must request official records and the sending schools shall respond within 10 days with the records.
- Immunization requirements of the receiving school may be met within 30 days from the date of enrollment (or be in progress).
- Receiving schools must initially honor placement of students in all courses from the sending school. These include, but are not limited to, Honors, International Baccalaureate, Advanced Placement, career technical, and career pathway courses if those courses are offered in the receiving school and space is available. The receiving schools must also initially honor placement of like programs to those of the student in the sending state, including, but not limited to, Gifted and Talented programs, and English Language programs. Receiving schools are not precluded from performing subsequent evaluation to ensure the appropriate placement and continued enrollment of the student in courses and programs.
- In compliance with federal law, special education students must be placed by the existing IEP with reasonable accommodations in the receiving school.
- The ENSATSD will exercise, as deemed appropriate, the right to waive prerequisites for all courses and programs, while also maintaining its right to re-evaluate the student to ensure continued enrollment, as deemed appropriate.
- Students of active duty personnel shall have additional excused absences at the discretion of ENSATS for visitations relative to leave or deployment.
- An eligible student living with a noncustodial parent or other person standing in loco parentis shall be permitted to attend the school in which they were enrolled while living without the custodial parent/guardian without any tuition fee imposed.
- ENSATS will accept exit or end-of-year exams required from the sending state, national norm-referenced tests, or alternate testing instead of testing requirements for graduation in the ENSATS (receiving state.) If this is not possible, the alternative provision of the Interstate Compact shall be followed in order to facilitate the on-time graduation of the student in accordance with Compact provisions.

To identify or refer a student eligible for support and intervention consistent with this policy, contact the ENSATSD Military Family Point of Contact:

Sandra Goldstein, MSW, Director of Guidance

Should a concerns regarding ENSATSD's implementation of this policy arise, please forward a written statement to:
The Office of the Superintendent
Essex North Shore Agricultural & Technical School District
562 Maple Street
Hathorne, MA 01937

For more information see also:

[Interstate Compact on Educational Opportunity for Military Children.](#)

1. "Best interest of the child" shall be determined utilizing the guidance provided in G-2: "In determining a child or youth's best interest, an LEA must, to the extent feasible, keep a homeless child or youth in the "school of origin" unless doing so is contrary to the wishes of the child or youth's parent or guardian, or unaccompanied youth."

LEGAL REFS: M.G. L. [15E](#);

Interstate Compact on Educational Opportunity for Military Children

Approved ENSATSD School Committee: Dec. 12, 2019

ANIMALS IN SCHOOL

No animal shall be brought to school without prior permission of the building Principal.

The Essex North Shore Agricultural & Technical School District is committed to providing a high quality educational program to all students in a safe and healthy environment.

The School Principal, in consultation with the Health Services Providers, shall utilize the Department of Public Health publication "Guidelines for Animals in Schools or on School Grounds" and review student health records to determine which animals may be allowed in the school building. The decision of the Principal shall be final.

Educational Program

Use of animals to achieve specific curriculum objectives may be allowed by the building Principal provided student health and safety is not jeopardized and the individual requesting that the animal be brought to school is responsible for adhering to the "Guidelines for Animals in Schools or on School Grounds" and any other conditions established by the Principal to protect the health and well-being of students.

Student Health

The health and well-being of students is the District's highest priority. Animals may cause an allergic reaction or otherwise impair the health of students. No animals may be brought to school or kept in the school, classroom, office or common area that may negatively impact the health of any student who must utilize that area. Animals that cause an allergic reaction or impair the health of students shall be removed from the school immediately so that no student shall have their health impaired and each student shall have full access to available educational opportunities.

Animals Prohibited from School

Rabies is a growing problem and any fur-bearing animal is susceptible to this very serious fatal disease. Infected animals can transmit this disease to students and staff. Based on the Massachusetts Departments of Health and Education

recommendations the following animals are prohibited from the Essex North Shore Agricultural & Technical School District.

Wild Animals and Domestic Stray Animals - Because of the high incidence of rabies in bats, raccoons, skunks, foxes and other wild carnivores, these animals should not be permitted in school buildings under any circumstances (including dead animals).

Fur-Bearing Animals (pet dogs,* cats, wolf-hybrids, ferrets, etc.) - These animals may pose a risk for transmitting rabies, as well as parasites, fleas, other diseases and injuries.

Bats - Bats pose a high risk for transmitting rabies. Bat houses should not be installed on school grounds and bats should not be brought into the school building.

Poisonous Animals - Spiders, venomous insects and poisonous snakes, reptiles and lizards are prohibited for safety reasons.

*Exception: Guide, Hearing and Other Service Dogs or Law Enforcement Dogs - These animals may be allowed in school or on school grounds with proof of current rabies vaccination.

Exceptions may be made with the prior approval of the Superintendent-Director.

SERVICE ANIMALS (GUIDE OR ASSISTANCE DOGS)

The Essex North Shore Agricultural & Technical School District Committee does not permit discrimination against individuals with disabilities, including those who require the assistance of a service animal. The District will comply with Massachusetts law concerning the rights of persons with guide or assistance dogs and with federal law and will permit such animals on school premises and on school transportation.

For purposes of this policy, a “service animal includes any dog that has been individually trained to do the work or perform tasks for the benefit of an individual with a disability.” The regulations further state that “a public entity shall make reasonable modifications in policies, practices, or procedures to permit the use of a miniature horse by an individual with a disability if the horse has been individually trained to do work or perform tasks for the benefit of the individual with the disability.”

Service animals perform some of the functions and tasks that individuals with disabilities cannot perform themselves. Service animals are not pets. There are several kinds of service animals that assist individuals with disabilities. Examples include, but are not limited to, animals that:

- assist individuals who are blind or have severe sight impairments as “seeing eye dogs” or “guide dogs;”
- alert individuals with hearing impairments to sounds;
- pull wheelchairs or carry and pick-up items for individuals with mobility impairments; and
- assist mobility-impaired individuals with balance.

The District shall not assume or take custody or control of, or responsibility for, any service animal or the care or feeding thereof. The owner or person having custody and control of the animal shall be liable for any damage to persons, premises, property, or facilities caused by the service animal, including, but not limited to, clean up, stain removal, etc.

If, in the opinion of the School Principal or authorized designee, any service animal is not in the control of its handler, or if it is not housebroken, the service animal may be excluded from the school or program. The service animal may also be excluded if it presents a direct threat to the health and/or safety of that cannot be eliminated by a modification of policies or procedures, or by the provision of auxiliary aids or services. The service animal may be excluded from locations where its presence would result in a fundamental alteration of the program. When the service animal is excluded for any of the above reasons, the parent or guardian of the student having custody and control of the animal will be required to remove the service animal from District premises immediately.

If any student or staff member assigned to the classroom in which a service animal is permitted suffers an allergic reaction to the animal, the person having custody and control of the animal will be required to remove the animal to a different location designated by the Building Principal or designee and an alternative plan will be developed with appropriate District staff. Such plan could include the reassignment of the person having custody and control of the animal to a different classroom. This will also apply if an individual on school transportation suffers an allergic reaction. In this case, an alternate plan will be developed in coordination with appropriate school, District, and transportation staff including the involvement of the parents/guardian of the student.

When a student will be accompanied by a service animal at school or in other District facilities on a regular basis, such staff member or such student's parent or guardian, as well as the animal's owner and any other person who will have custody and control of the animal will be required to sign a document stating that they have read and understood the foregoing.

The Superintendent/Director or their designee shall be responsible for developing procedures to accommodate a student's use of an assistance animal in District facilities and on school transportation vehicles.

Animals in School Policy

Animals are only to be used in "Building A" Career Areas, specifically in Animal Science Programs.

At various times throughout the year, staff and students will bring pets to be groomed or used in the Animal Science Program. For safety reasons, the following policy must be followed:

1. Only animals with up-to-date health certificates that include vaccinations for distemper, parvovirus, and rabies will be allowed on campus. A copy of the animal's health certificate must be on file with the appropriate instructor at least one (1) week in advance of scheduled visit.
2. Before bringing any animal (*staff or student*) to school, the owner must complete and submit a form to the animal science instructor. Both the instructor and the Director of Career & Technical Education East must approve the request at least two (2) days before the animal visits the school. Animals must be scheduled for a specific class – grooming, agility training, etc.
3. Animals must not be brought in to give to another student.
4. No wild animals are to be brought on campus for any reason.
5. All cats and small animals must be transported in a cage. All dogs must be leashed and, if appropriate, muzzled.
6. Students must have permission from the bus driver to bring your animal to and from school on the bus.
7. Staff and students must bring their animal immediately to the kennel area in the small animal building upon arriving to school.
8. Staff and students are responsible for cleaning up after their animal, including (where applicable) the bus, kennel area, or anywhere on campus. Staff and students are also responsible for any damage that their animal may cause.
9. If you see or find a "sick" animal anywhere, leave it alone. Remember ... Rabies is a serious disease that if left untreated, can cause death.
10. In-season females and non-neutered male dogs are not allowed on campus.
11. Dogs who exhibit aggressive behavior should not be brought to school. Should a dog on campus exhibit aggressive behavior, its owner will be notified and could result in the dog's immediate removal from school grounds and may not be allowed to return.

*** ***Any violations of the aforementioned may be subject to denial of this privilege.***

TECHNOLOGY RESPONSIBLE USE POLICY

A. Introduction

This Technology Responsible Use Policy for the Essex North Shore Agricultural & Technical School District (ENSATSD) is enacted by the School Committee to provide the parents, students, and staff of the ENSATSD School Community with a statement of purpose and explanation of the use of technology within the ENSATSD learning

community. This policy is reinforced by practice, Responsible use standards and is required to be read before accessing the technology devices, digital resources, and network infrastructure of the Essex North Shore Agricultural & Technical School District. Students and parents/guardians as well as all staff members of ENSATSD must also read and sign the accompanying Statement of Responsibilities.

These guidelines are based on the Children's Internet Protection Act (**CIPA**) and its four guiding principles of: respect, privacy, sharing, and safety. These guidelines are appropriate for all technology users and we encourage parents to follow these guidelines in their own homes. ENSATSD provides access to electronic resources that promote educational excellence, sharing of information, innovative instruction, and online communication to enhance Millennial Learners' ability to live and work in the 21st century. Online communication constitutes email, Internet, blogging, any use of network resources, etc. ENSATSD electronic resources include, but are not limited to all hardware, software, data, communication devices, printers, servers, filtered Internet access, and local and wide area networks.

Online communication is critical for Millennial Learners to apply 21st Century Skills and employ tools such as interactive websites, blogs, video conferencing, podcasts, which offer authentic opportunities for students to express and share information. To keep students safe and comply with the Children's Internet Protection Act (CIPA), the Responsible Use Guideline is put in place and updated to accommodate for the many education and global changes to date. This Responsible Use Guideline is written for all those who use school provided Network connections. These connections may be used for classroom blogs, student emails, podcast projects, interactive websites, and any other occasion students, teachers, or community members use school Network space.

The following is a statement of rules and guidelines for the responsible use of electronic information resources. These are provided to help understand what is acceptable behavior with the use of technology. While these rules and guidelines detail acceptable use of electronic information resources anywhere, these are rules and guidelines under which all members of the ENSATSD community (students and staff) will be held accountable.

B. Purpose

The Essex North Shore Agricultural & Technical School District encourages the use of information technology to assist staff and students with academic success, preparation for the workplace, and lifelong learning. The Essex North Shore Agricultural & Technical School District provides access to a wide range of information technology to support learning and communicating with others. Information technology will be used to increase communication, enhance student engagement, and assist staff and students in acquiring new skills. The technology devices, digital resources, and network infrastructure will also be utilized to provide relevant school information to a global community.

C. Definitions

"Technology devices, digital resources, and network infrastructure" are defined as the Essex North Shore Agricultural & Technical School District network, the Internet, Google Apps for Education, email, hardware, software, printers, peripheral devices, individual computer devices, and web enabled devices.

"Information technology" is defined as Internet access, blogging, podcasting, email, published and unpublished documents, and various forms of multimedia technology.

"Educational use" is defined as a use that supports communication, research, and learning.

"Devices" refer to district owned/leased, staff owned devices, and student owned devices.

D. Technology Services Provided

- **What Are Google Apps for Education?**

Essex North Shore Agricultural & Technical School District provides staff and students with a Google Apps for Education account. Google Apps is a free web based suite of programs provided by Google for schools to use. All staff and students in Essex North Shore Agricultural & Technical School District have access to Google Apps for Education. Google Apps includes such programs as Google Drive, Google Calendar, and Google Gmail.

All of the Google Apps services can be accessed from anywhere you have an Internet connection (school, home, smart phone, etc.) This reduces and replaces the need for flash drives and/or external data drives. Since Google Apps is all online, it is the same everywhere you use it. There is no issue with having one version of a program at home and a different version at school. Google Apps allows you to easily share documents and files with teachers and other students, so you can turn in assignments electronically and collaborate on projects with classmates.

- **What is Gmail?**

Gmail is the powerful Email program that comes with Google Apps for Education. With Gmail you can communicate with staff and students within the Essex North Shore Agricultural & Technical School District domain.

- **What is Google Drive?**

Google Drive gives all users up to 30GB of cloud storage space for most file formats. Google Drive can be accessed from any computer with an Internet connection. Google Drive allows users to access and share files from any device that has Internet connectivity.

- **Google Drive Includes the Following Programs:**

1. Google Documents - word processor similar to Microsoft Word
2. Google Presentations - multimedia presentation tool similar to Microsoft PowerPoint
3. Google Spreadsheets - spreadsheet program similar to Microsoft Excel
4. Google Forms - survey/data collection tool for creating forms and collecting data from an audience
5. Google Drawings - simple graphic design program

- **Uses for Student Gmail**

Email can be a powerful communication tool for students to increase communication and collaboration. Students are encouraged to check their email at least once per day. Teachers may send email to students to communicate reminders, course content, pose questions related to class work, and such. Students may send email to their teachers with questions or comments regarding class. Students may send email to other students to collaborate on group projects and assist with school classes.

- **Student Emails to Staff**

Students are encouraged to email staff concerning school-related content and questions. However, there will be no requirement or expectation for staff to answer student email outside of their regular work day, although they certainly may if they choose. For example, an unanswered email to a teacher would not excuse a student from turning in an assignment.

- **General Email and Online Chat Guidelines**

Below is a general summary of guidelines related to email and any form of online chat or instant messages:

1. Email and online chat is to be used for school-related communication.
2. Do not send harassing email or instant messages or content.
3. Do not send offensive email or instant messages or content.
4. Do not send spam email or instant messages or content.
5. Do not send email or instant messages containing a virus or other malicious content.
6. Do not send or read email or instant messages at inappropriate times, such as during class instruction.
7. Do not send email or instant messages to share test answers or promote cheating in any way.
8. Do not use the account of another person.

E. Content Filtering

The Essex North Shore Agricultural & Technical School District uses software designed to block access to certain sites and filter content as required by the Children's Internet Protection Act, 47 U.S.C. §254 (CIPA). ENSATSD is aware that no web filtering technology is 100% safe. ENSATSD realizes this fact and takes every effort to monitor online activity.

F. Monitoring

The Essex North Shore Agricultural & Technical School District monitors the use of the school department's network to protect the integrity and optimal operation of all computer and system networks. There is no expectation of privacy related to information stored and transmitted over the Essex North Shore Agricultural & Technical School District network. The information on the network in general files and email is not private and is subject to review by the network manager at the request of the Essex North Shore Agricultural & Technical School District administration to substantiate inappropriate activity and to comply with requests of law enforcement agencies as part of their investigations.

The Essex North Shore Agricultural & Technical School District will cooperate with copyright protection agencies investigating copyright infringement by users of the computer systems and network of the Essex North Shore Agricultural & Technical School District.

Technicians and computer system administrators maintain full access rights to all storage devices, and may need to access/manage such storage devices as part of their duties.

Routine maintenance and monitoring of the system may lead to discovery that a user has or is violating the Essex North Shore Agricultural & Technical School District Technology Responsible Use Policy, other school committee policies, state laws, or federal laws.

Search of particular files of a user shall be conducted if there is a reasonable suspicion that a user has violated the law or ENSATSD School Committee Policies. The investigation will be reasonable and in the context of the nature of the alleged policy violation.

Email that is sent within the ENSATSD district is monitored and filtered based upon content. Rules/filters are set up to monitor student email for profanity, harassment, and other inappropriate content. Student email that is identified as inappropriate will be reviewed by the school administration.

G. User Access & Explanation of Guidelines

Access to information technology through the Essex North Shore Agricultural & Technical School District is a privilege, not a right. Students, parents, and staff shall be required to read the ENSATSD Technology Responsible Use Policy and sign and return the Statement of Responsibilities.

The ENSATSD Responsible Use Policy shall govern all use of technology devices, digital resources, and network infrastructure. Student use of technology resources, digital resources, web enabled devices, and network infrastructure will be governed by the ENSATSD disciplinary policies as outlined in the policy manual of the district and the student's school handbook.

Because information technology is constantly changing, not all circumstances can be anticipated or addressed in this policy. All users are expected to understand and comply with both the "letter" and the "spirit" of this policy and show good judgment in their use of these resources.

H. Scope of Technology Policies

Policies, guidelines and rules refer to all computing devices including but not limited to computers, mobile web enabled devices, iPads, MP3 players, portable memory storage devices, calculators with interfacing capability, cell phones or ECDs (electronic communication devices), digital cameras, etc., as well as technology infrastructure, associated peripheral devices and/or software.

Policies, guidelines, and rules refer to any computing or telecommunication devices owned by, leased by, in the possession of, or being used by students and/or staff that are operated on the grounds of any district facility or connected to any equipment at any district facility by means of web connection, direct connection, telephone line or other common carrier or any type of connection including both hardwired, fiber, infrared and/or wireless.

This Technology Responsible Use Policy also applies to any online service provided directly or indirectly by the district

for student use, including but not limited to: Google Apps for Education accounts, Email, Calendar, Moodle and iPass (Parent/Student Access to Student Information System).

I. Expectation of Privacy

At any time and without prior notice, the ENSATSD reserves the right to monitor, inspect, copy, review, and store any and all usage of technology devices, digital resources, and network infrastructure, along with information technology as well as any information sent or received in connection with this usage. Staff and students should not have any expectation of privacy regarding such materials.

J. Consequences for Violation of Technology Policies

Use of the computer network and Internet is an integral part of research and class work, but abuse of this technology can result in loss of privileges. Students who use technology devices, digital resources, and network infrastructure, along with information technology inappropriately may lose their access privileges and may face additional disciplinary or legal action.

The length of time for loss of privileges will be determined by building administrators and/or other staff members. If the user is guilty of multiple violations, privileges can be removed for one year or more.

K. Unacceptable Uses of Technology Resources

Includes but is NOT limited to the following:

- Interfering with the normal functioning of devices, computer systems, or computer networks.
- Damaging or theft of devices, computer systems, or computer networks.
- Accessing, modifying, or deleting files/data that do not belong to you. Sending or publishing offensive or harassing messages and content.
- Accessing dangerous information that, if acted upon, could cause damage or danger to others.
- Giving your username or password to any other student, or using the username or password of someone else to access any part of the system. Sharing and/or distribution of passwords or using another student or faculty member's password. Intentional viewing, downloading or distribution of inappropriate and/or offensive materials.
- Gaining unauthorized access to computer and or telecommunications networks and resources.
- Viewing, transmitting or downloading pornographic, obscene, vulgar and/or indecent materials. Using obscene language, harassing, insulting or bullying others, posting of private or personal information about another person, spamming of the school email system, violating any federal or state law, local regulation or school committee policy.
- Violating copyright laws and/or the district policy on plagiarism. Copying software or applications from ENSATSD devices through any electronic means unless the particular licensing agreement in place for the software allows user distribution.
- Intentionally wasting limited network or bandwidth resources. Destructions/vandalism of system software, applications, files or other network resources. Employing the network for commercial or political purposes. Using the network / Internet to buy or sell products.
- "Hacking" and other illegal activities in an attempt to gain unauthorized access to restricted files, other devices or computer systems. Uploading any harmful form of programming, bypassing filters; installing any type of server, aliasing / spoofing, peer-to-peer networking or remote-control software.
- Saving inappropriate files to any part of the system, including but not limited to: Music files, Movies, Video games of all types, including ROMs and emulators, offensive images or files, programs which can be used for malicious purposes, any files for which you do not have a legal license, any file which is not needed for school purposes or a class assignment, uses that contribute to the violation of any other student conduct code including but not limited to cheating, plagiarism, hazing or harassment, theft, falsification of records, possession of banned substances/items, etc.

L. Due Process

The Essex North Shore Agricultural & Technical School District will apply progressive discipline for violations of the

district policy and signed Responsible Use Agreement Form which may include revocation of the privilege of a user's access to technology devices, digital resources, and network infrastructure, along with information technology. Other appropriate disciplinary or legal action may be undertaken by the Essex North Shore Agricultural & Technical School District administration. The nature of the investigation will be reasonable, and for staff, will reflect the contract language for each bargaining unit.

M. District Limitations of Liability

Essex North Shore Agricultural & Technical School District makes no warranties of any kind, implied or expressed, that the services and functions provided through the ENSATSD technology devices, digital resources and network infrastructure, along with information technology will be error free or without defect. The ENSATSD will not be responsible for damages users may suffer, including but not limited to loss of data or interruption of service.

Essex North Shore Agricultural & Technical School District, along with any persons or organizations associated with the school department Internet connectivity, will not be liable for the actions of anyone connecting to the internet through the school network infrastructure. All users shall assume full liability, legal, financial or otherwise for their actions while connected to the Internet.

The Essex North Shore Agricultural & Technical School District assumes no responsibility for any information or materials transferred or accessed from the Internet.

Parents/Guardians should read this ENSATSD Technology Responsible Use Policy.

Parents/Guardians should discuss the technology use responsibilities with their children.

Questions and concerns can be forwarded to the Essex North Shore Agricultural & Technical School District and appropriate offices.

Parents and guardians agree to accept financial responsibility for any expenses or damages incurred as a result of their student's inappropriate or illegal activities on the Essex North Shore Agricultural & Technical School District network.

Parents and guardians agree to compensate ENSATSD for any expenses or damages incurred in the use of district owned devices including but not limited to iPads in 1:1 school deployments.

N. Modification

The ENSATSD reserves the right to modify or change this policy and related implementation procedures at any time.

WELLNESS POLICY

I. PHILOSOPHY

Essex North Shore Agricultural & Technical School District (ENSATSD hereafter) and Essex North Shore Agricultural & Technical School (ENSATS hereafter) Wellness Policy emphasizes positive lifelong health, personal fitness, safety, and nutritional practices and will serve as a tool to promote the health and well-being of our students and staff. ENSATSD is committed to providing health and nutrition education, programming and services to promote and foster these outcomes. In addition, the school nurses and school counselors will work to support and supplement education and services in the areas of social emotional learning and wellness. Specifically, the ENSATSD Wellness Policy is aligned to the [National Wellness Institute](#) interdependent model which promotes a preventive and holistic approach to supporting the whole person in all six dimensions of wellness (physical, occupational, emotional, social, intellectual and spiritual health). Through the influence of focused and measurable programs, activities, and school based resources, students can develop positive attitudes related to personal wellness and self-advocacy across all six dimensions of wellness that will serve them and their communities throughout their adolescent and adult lives in both the ENSATS school setting and as 21st century citizens upon graduation.

II. ENSATS WELLNESS ADVISORY COMMITTEE

The purpose of [105 CMR 215.000](#) is to set standards for the establishment and operation of School Wellness Advisory Committees. These committees are intended to ensure that each public school district has an established group of school staff and concerned community representatives to recommend, review and help implement school district policies addressing school nutrition, nutrition education, physical activity and related issues that affect student health.

Consistent with [105 CMR 215.000](#), ENSATSD will establish a Wellness Advisory Committee that consists of at least one (1): parent, student, school nurse, representative of a community agency serving youth, school food service representative, School Committee member, school administrator, member of the public, and other community members as appropriate. To the extent feasible, appointees to the Wellness Advisory Committee will include: a qualified, credentialed nutrition professional, representatives of local boards of health, school physicians, and local health care providers. The superintendent shall appoint all committee members; the superintendent and the school committee designate the following individual as Wellness Program Coordinator(s): ENSATS Principal or designee. The Wellness Committee shall meet at least four (4) times per year. Only employees of the district who are members of the Wellness Advisory Committee may serve as the Wellness Program Coordinator. The Wellness Program Coordinator, in consultation with the Wellness Advisory Committee, will be in charge of implementation and evaluation of this policy.

III. NUTRITION

ENSATS is instrumental in promoting and supporting students in the development of healthy eating habits. Nutrition influences a student's development, health, well-being and potential for learning. All members of the school community are encouraged to create an environment that supports lifelong healthy eating habits. Decisions made in all school programming need to reflect and encourage positive nutritional messages and healthy food choices. Foods and beverages sold in the cafeteria will be evaluated to ensure compliance with federal and state guidelines.

- Nutritional guidelines that require the use of products that are consistent with current [U.S. Dietary Guidelines](#), and served in appropriate portion sizes shall be established for all foods offered to students/staff. Menu and product selection shall utilize input from student, parent/guardian, staff and community and advisory groups whenever possible.
- The school meals program will operate in accordance with the [National School Lunch Program](#) standards and applicable Massachusetts and local laws and regulations.
- In accordance with the [Child Nutrition and WIC Reauthorization Act of 2004](#), the school meals program will implement a food safety program for the preparation and service of school meals based upon the [Hazard Analysis and Critical Control Point \(HACCP\)](#) principles.
- Nutritional service policies and guidelines for reimbursable meals shall not be more restrictive than USDA and state regulations require.
- ENSATSD will make every effort to prevent the overt identification of students who are eligible for free and reduced price meals utilizing electronic identification and payment systems.
- All snacks sold throughout the school day shall meet the [MA Competitive Foods and Beverage Nutrition Standards](#) defined below and shall be selected with input from students, parent/guardian and staff. Snacks sold 30 minutes or more before the school day begins and 30 minutes or more after the school day ends are exempted from these standards.
 - ✓ All snacks sold in the cafeteria shall comply with allergy policies and procedures and provide only single-serving snacks that meet the following criteria:
 - ✓ 200 calories or fewer per item
 - ✓ 35% or less total calories from fat
 - ✓ No saturated fat or trans fat
 - ✓ 35% or less sugar by weight
 - ✓ 200 mg sodium or less per item
 - ✓ Whole grain as first ingredient for grain products (crackers, granola bars, bakery items, etc.)
 - ✓ No artificial sweeteners or caffeine
 - ✓ Beverages

- a. Options shall include: water; 100% fruit/vegetable juice in 4 ounce or less containers with no added sugar; and non-fat or 1% plain or flavored milk or milk substitutes in 8 oz. containers with no more than 22g sugar.
- b. All beverages shall not have added sugars, sweeteners, artificial sweeteners, more than trace amounts of caffeine.

Nutrition Education Primary Goal: The components of the ENSATS Health Education curriculum address the [Massachusetts Comprehensive Health Curriculum Frameworks](#) for grades 9 through 12. Specifically assigned ENSATSD faculty will impart “the knowledge and skills to select a diet that supports health and reduces the risk of illness and future chronic diseases.”

Nutrition Promotion Goal: ENSATS will prepare and offer foods and beverages that are nutrient-based, including whole grain products and fiber-rich fruits and vegetables, to provide students a variety of choices to maintain a balanced diet. This will include foods and beverages outside the school meals program. By doing so the Food Services program will facilitate an environment that promotes sound, lifelong nutrition practices.

IV. WELLNESS EDUCATION (Physical Education & Health Education)

The focus of wellness education in Physical Education and Health Education classes will focus on creating lifelong health in our students, emphasizing regular movement as well as fitness education in Physical Education and lifelong healthy decision-making in Health.

Physical Education:

The Physical Education program is designed to encourage healthy physical movement for life according to the Massachusetts Health Curriculum Frameworks and M.G. L. c. 71 sec. 3. The curriculum will include teaching about a wide variety of physical activities to improve/maintain the five health related fitness components. Examples are fitness room activities, group fitness exercises, adventure, and team sports. Students will be taught in the freshmen year how to properly use fitness center equipment.

Physical Education will be taught by qualified Physical Education instructors (consistent with the Massachusetts DESE licensure and certification requirements and ENSATSD hiring protocols).

Primary Goal: The Health/Physical Education curriculum of the Essex North Shore Agricultural & Technical School will meet the Massachusetts Health Standards and Guidelines. The Essex North Shore Agricultural & Technical School’s Health/Physical Department will strive to increase the students’ awareness of the benefits of physical activity and fitness, to identify the relationship between exercise and overall health and empower students to continue to be physically active into adulthood.

Health Education:

A comprehensive health curriculum will be taught by ENSATS faculty consistent with state regulations and requirements and the curriculum needs of the ENSATS students. Courses are aligned to the [National Health Education Standards](#) and focus on Advocacy skills, Decision Making Skills, Goal Setting Skills, Interpersonal Communication Skills, Accessing Valid Information, Analyzing Influences, and Healthy Self Management. Curriculum topics may include but are not limited to:

- Human Sexuality
- Tobacco, Alcohol and Other Drugs
- Mental Health
- Nutrition
- Teen Dating Violence Prevention
- Disease Prevention
- Community Health Referrals
- First Aid & CPR Certification

Health Education will be taught by qualified Health Education instructors (consistent with the Massachusetts DESE licensure and certification requirements and ENSATSD hiring protocols).

Primary Goal: ENSATS students participating in health education courses will have a greater awareness of the factors contributing to personal wellness, development and growth as well as the skills to facilitate improved wellness in their own lives as well as those in their community.

V. HEALTHY AND SAFE ENVIRONMENT

ENSATS is committed to providing a safe and healthy learning and working environment for both students and staff. The district will continue to provide opportunities and develop policies and procedures that foster improvements to each individual's quality of life in the following areas:

- Every classroom and career technical program area shall work to create an environment where students, parents/guardians and staff are respected, valued and accepted with high expectations for personal behavior and accomplishments. School buildings, grounds and facilities will meet all current health and safety standards;
- The school district will foster healthy behaviors by providing nutrition and health prevention and intervention support services.
- All students and staff will be offered social and emotional support systems to address relevant needs.
- The school district will develop procedures concerning the management of students with life-threatening allergies (LTA).
- Appropriate safety training procedures will be provided for all students and staff to support personal and occupational safety standards.
- School buildings, offices and grounds will be maintained in a manner which promotes an environment that is free of tobacco, alcohol, and other drugs.
- All classrooms, career technical areas, and school-wide facilities will offer educational and extracurricular services, activities and programming in a non-violent and harassment free environment.
- The school district's administration will work in cooperation with local law enforcement (e.g: the district's School Resource Officer, local emergency responders, NEMLEC) to facilitate a safe school environment.

Primary Goal: ENSATSD will facilitate a safe and supportive school environment by offering the resources (e.g.: information, services, and/or staff) to students and staff to meet their emotional and physical needs consistent with being a member of the ENSATSD community. Resources may include, but will not be limited to: healthy food choices; options for physical activity; preventative education; and counseling supports to address the social emotional and personal/developmental needs of our students.

VI. SOCIAL AND EMOTIONAL LEARNING (SEL)

The MA DESE "commonly uses the Collaborative for Academic, Social, and Emotional Learning (CASEL's), definition of Social and Emotional Learning (SEL): SEL is the process of developing students' and adults' social and emotional competencies—the knowledge, skills, attitudes, and behaviors that individuals need to make successful choices." (Source: <http://www.doe.mass.edu/candi/sel/>). ENSATSD aligns to this state endorsed definition by promoting resources, services and/or programs that support and value the social-emotional learning, health, and safety of students and staff to foster an inclusive school environment.

- Opportunities for self-exploration are afforded students throughout their enrollment during developmental guidance lessons and are reinforced during career and college exploration and planning activities consistent with MyCap.
- Students are encouraged to develop and execute self-advocacy skills, and express their thoughts and feelings in an appropriate and responsible manner to trusting adults in the safe and nurturing environment afforded them at ENSATS.
- ENSATS strives for students to feel their differences are respected in an environment that is accepting of everyone for who they are as a person.
- ENSATSD will provide faculty, staff and administration with opportunities and resources to promote and encourage culturally inclusive and competent SEL initiatives and supports across the continuum of ENSATSD's academic, career technical, and extracurricular offerings.
- ENSATS will offer a diverse variety of extracurricular and athletic opportunities to students to foster healthy relationships and team building skills.
- ENSATSD has adopted policies and protocols to address concerns relating to Bullying, Harassment, and Discrimination consistent with state and federal mandates;

- ENSATSD endorses and ENSATS faculty delivers the [MARC \(Massachusetts Aggression Reduction Center\) Curriculum](#) as well as [Boston Children's Hospital Break Free From Depression Curriculum](#).

Primary Goal: In addition to teachers, coaches, advisors and administrators, the district is committed to ensuring all students shall have access to relevant school based services, programming, curriculum and/or staff to assist them with addressing their social and emotional needs, including but not limited to school counselors and school nurses.

VII. HEALTH SERVICES

ENSATS school-based health office services address health-based obstacles to learning and development by facilitating access to and/or referral to school-based and/or community-based health care services, managing chronic disease conditions and symptoms presenting during the school day or activity times, providing emergent care for illness or injury, identifying communicable diseases, and enacting practices and systems to ensure that all students have access to key resources and services that are developmentally appropriate. ENSATSD strives to improve the mental and physical health of students by facilitating ongoing collaboration with parents, guardians, teachers and administration.

In addition, the Health Office administers state mandated screenings such as vision and hearing, scoliosis, BMI Index.

The ENSATS Health Office is currently staffed with four (4) Massachusetts DESE licensed School Nurses (also [Registered Nurses, Commonwealth of MA](#)).

Primary Goal: The ENSATS School Health office will ensure students and staff are well informed of the school based Health Office resources available to them to ensure they have equitable access to curriculum, educational opportunities (including but not limited to extracurricular activities) and/or employment opportunities. In doing so, ENSATS Health Office faculty and staff, supported by relevant ENSATSD faculty, staff, and administration, commit to communicating with stakeholders regularly in an effort to promote preventative health measures as well as to ensure stakeholders are prepared to respond to the various medical needs of ENSATS's community members be it first aid, episodic or chronic school based care and/or crisis intervention.

VIII. FAMILY, SCHOOL, AND COMMUNITY PARTNERSHIPS

ENSATS students, caregivers, and staff members as well as the Wellness Advisory Committee may engage other stakeholders as necessary and relevant to assist with developing, implementing, monitoring and reviewing nutrition and wellness policies and programming.

- Committees pertaining to student wellness shall have student, parent/guardian, and community representation consistent with expectations set forth in 105 CMR 215.000: Standards for School Wellness Advisory Committees.
- All student cooperative employment opportunities shall be approved through ENSATSD to maintain healthy and safe work environments for all students and staff.
- ENSATSD shall develop and maintain diverse community partnerships through a variety of programs, projects, activities and events.
- ENSATS shall develop and support the engagement of students, families, and staff in enhancing activities and events throughout the community.

Primary Goal: ENSATSD will continue to ensure that family, school and community partners are invited to regularly contribute to the ENSATSD Wellness Policy, protocols, programming, professional development and/or other initiatives to further promote the goals set forth in this policy as well as the mission of ENSATSD. These efforts are consistent with MA DESE's "...commitment to building out supports and policies in partnership with practitioners in the field and other state agencies...[in an effort] to promote systems and strategies that foster safe, positive, healthy, culturally competent, and inclusive learning environments that address students' varied needs and improve educational outcomes for all." (Source: <http://www.doe.mass.edu/research/StrategicPlan-Summary.pdf>).

Established key stakeholders include but are not limited to the ENSATSD School Committee, CVTE Program Advisory Committee Members, Parent Teacher Student Organization (PTSO, hereafter), School Council, Cooperative Education and/or Adult Education partners, [North Shore Community Mediation Center](#), [NEMLEC: The Northeastern Massachusetts Law Enforcement Council](#), Jeff Perrotti Senior Consultant, [MA DESE Safe & Supportive Schools Program for LGBTQ Students](#), Danvers Cares, Cape Ann Business Collaborative, [North Shore Community College](#),

[Community Change Inc.](#), [Massachusetts Partnerships for Youth](#); [Bridge for Resilient Youth in Transition \(BRYT\)/ the Brookline Center](#), [McLean School Nurse Liaison Project](#); [Massachusetts School Mental Health Consortium \(MASMHC\)](#), the [Clay Soper Memorial Fund](#)) and [HAWC \(Healing Abuse Working for Change\)](#).

ENSATSD will continue to strive to enhance community partnerships to support this policy's mission and efforts.

IX. STAFF WELLNESS

ENSATSD cares about the well being of staff members and understands the influence that staff actions have on all student health behaviors. All staff shall promote a school environment supportive of healthy behaviors. Staff are encouraged to model healthy behaviors, especially on school property and/or at school-sponsored meetings and events.

- ENSATSD shall be in compliance with drug, alcohol and tobacco free policies.
- ENSATSD shall provide an accessible and productive employment environment that is as safe as possible and free from physical dangers or emotional threat consistent with applicable occupational safety and health laws, policies and rules.
- ENSATSD shall provide access to multiple fitness facilities and quality programs located at the school to balance work and recreation. The resources are partially provided to promote physical well-being, reduce stress, and enhance socialization.
- ENSATSD staff shall work to build positive interpersonal relationships.

Primary Goal: ENSATSD will provide opportunities, including but not limited to: mentoring and/or professional development opportunities as well as access to resources (e.g.: ENSATS Fitness Center, EAP resources) for staff to improve their own wellness in all of the [National Wellness Institute](#) six (6) dimensions of Wellness while exemplifying and modeling lifelong wellness practices and skills.

X. EVALUATION

The ENSATSD Wellness Advisory Committee and/or their designee shall be responsible for devising a plan for implementation and evaluation of the district Wellness Policy and are charged with operational responsibility for ensuring that ENSATSD meets the goals of the district wellness policy. The "[Wellness Policy Assessment Tool](#)" Form 357 Rev 12/15 will be referenced annually to support these efforts. The District Wellness Program Coordinator will report to the School Committee annually. This report will include: an action plan for implementing the Wellness committee policies and goals, recommendations for monitoring and evaluation, recommendations for developing community support, assessment of accomplishments; identification of areas of need; and a review of the membership and as appropriate, request to the Superintendent to appoint additional/replacement members.

XI. APPENDIX

Legal References

[Child Nutrition and WIC Reauthorization Act of 2004](#), (Section 204, P.L. 108-265)

Richard B. Russell National School Lunch Act, (42 U.S.C. 1751-1769j)

Child Nutrition Act of 1966

Healthy, Hungry-Free Kids Act of 2010 (P.L. 111-296)

[105 CMR 215: Standards for School Wellness Advisory Committees](#)

[105 CMR 200: Physical Examination of School Children](#)

[105 CMR 201.00: Head injuries and concussions in extracurricular activities](#)

[105 CMR 210.00: The administration of prescription medications in public and private schools](#)

[105 CMR 225: Nutrition Standards for Competitive Food and Beverages in Public Schools](#)

603 CMR 49: Notification of Bullying or Retaliation

603 CMR 49: Hazing Reporting Secondary Schools

Massachusetts General Laws:

[c.71 s.3 \(physical education\)](#)

c.71, s. 57 (physical examination of pupils)

c.111, s. 223 (Nutritional standards for sale or provision of foods or beverages in public schools; school wellness advisory committees; food safety inspections at public schools)

c.69 s.1C (nutritional standards and food services in public school)

c.71s.2A (tobacco, student use)

c.71 37H (tobacco, use on school grounds)

c.69 s.37O (Bullying in Schools)

Cross References:

ENSATDS School Committee Policies

Wellness Advisory Committee Approved Date: Sept. 5, 2019

ENSATSD Policy Subcommittee School Committee Approved Date: Oct. 10, 2019

ENSATSD School Committee Approved Date: Dec. 12, 2019

[Wellness Policy Assessment Tool](#)” Form 357 Rev 12/15

Approved ENSATSD School Committee: Dec. 12, 2019

**[Click on this link to open the Acknowledgement of
Receipt and Reading of Handbooks, Policies and Procedures](#)**
RETURN THE SIGNED HARD COPY TO HUMAN RESOURCES

FACULTY ONLY SECTION

INTRODUCTION

The information that follows should serve as a guide to policies and procedures at Essex North Shore Agricultural & Technical School. It does not encompass every situation nor address every issue that may develop.

It is essential that each staff member thoroughly read and become familiar with the Student Handbook as it covers policies pertaining to students in more detail.

PROFESSIONAL EXPECTATIONS

It is important to review the professional expectations of our staff. Below are some expectations that are a part of what we do at ENSATS.

A. *Important “Musts” to Remember*

- Everyone in this building must be treated with respect and made to feel welcome. This includes students, staff, caregivers, other visitors, and you. Therefore:
 1. Please use professional courtesy and remember that all academic instructional spaces are ***shared*** spaces. Make sure that when you are finished with an academic instructional space that you leave it clean, and ready for the next person. ***Also, remember that teachers are not allowed to remain in an academic instructional space when another person is teaching.***
 2. Each academic and special education teacher is assigned a personal workspace in a shared workroom. Each academic and special education teacher is entitled to two (2) file drawers, an overhead cabinet, and a desk area. All personal and professional belongings are limited to this space. There is additional storage in classrooms.
 3. No staff member should be subjected to rudeness from a parent. This pertains to phone calls, parent conferences, and informal or unannounced encounters. Politely end the phone conversation or excuse yourself from the situation and alert an administrator of the encounter as soon as possible.
 4. School-home communication is vital. All faculty members should maintain both a phone and an email log. Maintaining logs of your communication is for your protection and allows you to refer back to the logs should an issue arise in the future. In addition, faculty should check their voicemail and email daily in case a parent/guardian has reached out; it is important to be timely with a response.
 5. While students and caregivers must assume their share of responsibility when it comes to student progress and communication, educators must assume some responsibility, as well. **When a student is not making effective progress (70 or below), educators must open lines of communication.** If a student is failing for a quarter or for the year, it should NEVER come as a surprise to the student or their caregivers/guardians. When you see an improvement, let the parent know that too. Communication with caregivers should be proactive and “front-loaded.”
 6. Although timely school-home communication is vital, parent-educator meetings/conferences, whether formal or informal, must be set up in the following manner:
 - a. If an educator would like to meet with a parent, that educator will set up the meeting.
 - b. If a parent/guardian requests a conference with an educator through the school counselor, the counselor will notify the educator and then contact the caregivers and set up a conference.
 - c. Educators should never be required to go into a parent conference alone – it should be their choice.
 7. In accordance with the District policy of parent visitation, parent observations of classrooms must be scheduled in advance, and, in most cases, an administrator should be present.
 8. Students will be able to speak their native language during unstructured times, i.e. in hallways, in the cafeteria, during breaks, etc.
 9. All faculty/staff in charge of an after-school activity (i.e., clubs, sports, etc.) are responsible for taking attendance each day. Any educator who stays after school with a student must keep a record of attendance and following the session escort the student(s) to the main lobby. If students finish their activity early,

they must report to the media center and the supervising educator must call the media center to notify them that a student is on the way. Students should never be roaming the building unsupervised after hours. **Coaches and advisors must stay until all students have left the premises.**

- Professional Reliability is a given: we must be able to rely on each other.
1. Strictly follow your schedules - including when your day begins and ends and being on time to supervisory duties.
 2. No student schedule changes can be made without administrative approval.
 3. Never leave your classroom unattended.
 4. Full participation and attendance at building meetings, department meetings, common planning, and in-house professional development is required – other activities and appointments **must** be scheduled around them. Only the Principal can grant exceptions for medical emergencies, workshops, etc.
 5. ALL students are OUR students – *Collective Responsibility* – we should feel responsible for the success of every student.
 6. Give caregivers/guardians a 24-hour notice before assigning either a detention or extra help session.
 7. Detailed sub-plans must be uploaded in Frontline. Please be sure that these plans include a complete daily schedule, including class lists, parking space, and supervisory duties.
 8. Faculty and staff must use the electronic student pass system and ensure the date, time, and student's destination are noted. Passes should NOT be issued after 2:15 pm unless it is an emergency. Please, also, inform your students that signing out to use the bathroom should be before 2:15 pm unless it is an emergency. In addition to the Electronic Pass, each classroom, career area, and common area will have sign-in/sign-out logs, which must be completed by the student and monitored by the faculty/staff member(s) overseeing the area. Only one student may leave at a time, unless it is an emergency.
 9. All faculty and staff must wear their school-issued identification badges daily. If you see someone in the building without a visitor sticker and you do not recognize them, please call x1010 and escort them to the main office.
 10. Students should only be kept after class during the school day when an issue is important and cannot wait. Keeping students after class creates a disruption in the next class. If required, notify the student's subsequent teacher.
 11. All faculty and staff should sign in when they arrive at school and sign out when they leave school using Frontline. If a staff member leaves during their lunch period, they should sign out and back in at the Main Office.
 12. Faculty and staff should remain at school during the school day except during their lunch period or for school-related business or emergencies.
 13. If you are holding a class in a location other than your scheduled classroom (another room, computer lab, cafeteria, library/media center, outdoors, off-site) you must inform the Assistant Principal's Office. If you are going outside, you are required to take a two-way radio with you.
 14. Occasionally, such as during MCAS, we may need to ask educators to break from their normal schedules. This can result in a missed planning period. This is a professional courtesy, the same courtesy that is frequently extended to faculty when they need to come in late, leave early, or need a class covered during the day.
 15. To maintain a healthy and productive school climate and ensure basic school safety, faculty members are expected to monitor hallways during passing time between classes. We all must remember our responsibilities extend beyond the classroom.
 16. Students should only be sent to the office if they have created a true disruption to the learning environment in the classroom. Once the student has spoken with an administrator, every effort will be made to return the student to class.
 17. Student IEPs and 504s **MUST** be distributed to all educators who have that student in class. Educators must sign-off that they have received this documentation. IEPs will be handled by the Special Education Department, and 504s will be handled by the School Counseling Department. Please keep in mind that both IEPs and 504s are legally binding and that adhering to a 504 plan is as important as adhering to an IEP.

18. Attendance must be taken daily in the first block of the day. Classroom educators must take attendance daily for each class, as well. Students should never take attendance. School attendance records are legal documents.

B. Success in Your Classroom

- Every lesson should fall under the umbrella of DESE's four (4) Standards of Teaching:
 1. Curriculum, Planning & Assessment
 2. Teaching All Students
 3. Family & Community Engagement
 4. Professional Culture

and every educator must utilize the...

Blackboard Configuration – To establish a daily routine and facilitate classroom observations and walk-throughs, every educator will set up a classroom blackboard, white board, or electronic white board into three (3) sections. Each section will consist of the following:

1. A posted "Do Now"
2. A posted learning objective and agenda
3. A posted homework assignment (if there is one)

It is also important to remember that during or at the end of the lesson, there should be some form of assessment to measure whether or not the learning objective was achieved.

- When making modifications for special education students, general education teachers in collaboration with special education teachers should categorize what is:
 1. Essential to know
 2. Important to know
 3. Nice to know
- Updating class portals on a regular basis (at least every 10 days) is expected for all classroom and career area educators. Aspen class pages are essential tools for home-school communication and should be utilized regularly with regard to homework assignments, long-term assignments, and grade notifications.
- Building and establishing adult-student relationships and building a climate that fosters mutual respect is essential to ensuring student engagement and minimizing classroom management issues. When dealing with classroom discipline or issues, contact the appropriate caregivers/guardians and work with the student before making an office referral. Teachers should read and be familiar with the Level 1, 2, and 3 offenses listed in the Student Handbook.
- It is never cool to "lose your cool" with students. When working with any student or group of students, be sure that you would be comfortable with either a colleague or administrator observing the interaction. When it comes to language, please be sure to use caution when in the presence of students. A good rule to follow is never to say something in class that you would not say in front of a diverse crowd, or in front of caregivers.
- Dress professionally for what you are doing in the classroom *that day*. Your attire adds to your professional demeanor in the eyes of your students.
- If you are feeling frustration with a colleague, administrator, or a curriculum issue, it is important that steps be taken as soon as possible to minimize the impact on both student learning and faculty/staff performance. Address the issue in person and privately.
- Although some meetings are less formal than others, professional demeanor is expected.

C. Other Rules of Thumb

- All Staff are required to be in the hallways at 7:40 AM each day.
- Share information about students or staff on a need-to-know basis only. Please be sure when discussing a particular student, that you do so with educators who have the student in class. Discussing students in the hallway and/or during lunch is not appropriate.

- Make decisions that are in the best interest of students; everything we do should be student-centered.
 - Teacher Work Rooms are not for students, caregivers, or visitors. This is an area where faculty or staff eat, socialize, work and use the phone. There is too much risk of a confidentiality issue.
 - Students should not be sent at any time to retrieve mail from a faculty or staff member's mailbox, to make copies, or to get materials from teacher workrooms.
 - In most programs it is expected that the students will be able to completely maintain the CTE Area without the use of custodial help except for the bathrooms. Having a two-fold cleaning program can do this.
 - a. A daily, 10-minute cleanup at the end of each day.
 - b. Periodic heavy cleaning sessions. These should be done as needed.
 - At the end of the day, it is imperative that the last educator in a classroom/career area do the following to maintain a secure building:
 1. Turn off all classroom lights.
 2. Close and lock all classroom doors.
 3. Shut down all electronic equipment in the classroom.
 4. Put up all hallway shades.
 5. Put all student chairs on top of the desks.
 6. The instructor in charge at the close of the day must lock all outside doors and windows in an educator's assigned classroom.
 7. Keys assigned to educators must be carried on the educator's person. Educators will report any missing, lost or stolen keys to their Director or the Principal immediately.
- *** Please be advised that the afternoon custodian will check all classrooms/shops daily.*
- Security – All Classrooms and CTE areas should remain locked at all times. Student access to rooms without adult supervision creates both safety and liability issues. Exterior doors should be locked at all times and cannot be propped open at any time. Career Area doors need to be locked when the area is not in use. While it is understandable that the set up of the building makes foolproof security impossible, we need to tighten up what is within our control.
 - Proper bus, cafeteria, and detention supervision is important to the overall control of school discipline. Schedules for supervision of these areas will be distributed and it is the educator's responsibility to adhere to such established schedules.

DEPARTMENT MEETING GUIDELINES

Department meetings are generally held monthly with additional meetings scheduled, as needed.

The Department Director shall be responsible for:

- Ensuring that meeting norms are established.
- Creating a meeting agenda.
- Ensuring that meetings begin and end on time.
- Ensuring that meeting minutes are recorded and that attendance is taken.
- Ensuring that each meeting begins with the sharing of a best practice, with members taking turns in sharing with colleagues.
- Ensuring that action steps and future agenda items are identified and reflected in the minutes.
- Ensuring that minutes are sent to the entire department.
- Ensuring that minutes will be sent to the Principal and appropriate administrator.

INSTRUCTIONAL GUIDELINES

A. District Curriculum Accommodation Plan (DCAP)

Massachusetts General Laws require the adoption and implementation of a District Curriculum Accommodation Plan (DCAP). This plan is intended to guide principals and teachers in ensuring that all possible efforts are made to meet student needs in general education classrooms at all academic levels and to support teachers in analyzing and accommodating the wide range of student learning styles and needs that exist in each school. The DCAP describes accommodations and instructional supports and strategies that are available in general education.

Below is a list of accommodations that are available to all students to help increase student achievement and success. The complete plan can be found [here](#).

Appendix

Universal Accommodations			
Instructional Support	Assessment Support	Executive Functioning Support	Social/ Emotional/ Behavioral Support
<ul style="list-style-type: none"> ➤ Wait time/Think time ➤ Multimodal-presentations ➤ Vary teaching strategies ➤ Repeat or reteach differentiating strategies ➤ Pre-teach vocabulary ➤ Display clear goals ➤ Agendas ➤ Clarify directions ➤ Model strategies ➤ Exemplars ➤ Flexible seating ➤ Frequent feedback ➤ Notes template ➤ Scaffold Tasks ➤ Peer buddy system ➤ Graphic organizers ➤ Utilize technology ➤ Manipulatives ➤ Verbal and nonverbal cues ➤ Teach study/testing strategies ➤ Provide study guides ➤ Movement/sensory breaks ➤ Cue student prior to transitions ➤ Provide access to clips/videos for students to replay ➤ Allow access to assistive technology: ➤ Provide enlarged copies of handouts ➤ Use supplementary materials to support key concepts ➤ Provide individual support in the classroom 	<ul style="list-style-type: none"> ➤ Visual directions ➤ Frequent breaks ➤ Specified area/seating in testing room ➤ Rubrics ➤ Read aloud ➤ Preview test language ➤ Word bank ➤ Assess in short periods ➤ Change visual format of test ➤ Administer in large print format ➤ Multiple methods of assessment ➤ Extended time ➤ Retake/corrections for all class levels 	<ul style="list-style-type: none"> ➤ Establish clear routines ➤ Provide daily visual agenda ➤ Time management tools (planner) ➤ Frequent progress monitoring ➤ Increase parent communication ➤ Graphic organizers ➤ Frequent check-ins ➤ Study guides ➤ Long-term assignment timelines ➤ Homework buddy system ➤ Teacher notes ➤ Note-taking template ➤ Post homework and assignments online ➤ Step-by-step instructions ➤ Pacing of approximate time a task should take ➤ Learning objective in student friendly language 	<ul style="list-style-type: none"> ➤ Clear and consistent expectations ➤ Post classroom expectations in view of all students ➤ Teach behavioral expectations ➤ Review/reteach expectations ➤ Establish routines ➤ Positive explicit feedback ➤ Chart/graph student progress toward expectations ➤ Cue student for change of behavior and/or venue ➤ Arrange seating to prevent behavioral difficulties ➤ Diverse classroom management strategies ➤ Include movement breaks and energizers during instructional periods ➤ Quiet fidget tools ➤ Incorporate stress reduction activities ➤ Remove distractions ➤ Two-way parent communication and involvement ➤ Encourage parent involvement ➤ Access to school counseling services ➤ Allow access to other professional personnel (e.g. behavior specialist, nurse)

B. Lesson Planning

- **General** - Thorough planning is essential to superior performance. This is true in every occupation, including teaching. Without proper planning, the educator is denying their students the instruction that they have every right to expect. Lesson plans may be required to be submitted to your director or coordinator upon request.

The Essex North Shore Agricultural & Technical School District School Committee and the administrators fully expect and require a professional performance by each educator on each day of the school year. Thorough planning of each day's activities is an integral part of this professional performance. Planning periods are provided to allow educators the time to plan classroom activities.

- **Assistance in Planning** - At times, educators may experience some difficulty in planning curriculum. Administrators are available and welcome the opportunity to assist with instructional planning. Such a request for professional assistance will be considered evidence of a sincere attempt to improve instruction and, as such, will receive top priority.
- **Curriculum** - The curriculum for Essex North Shore Agricultural & Technical School has been established in alignment with the Massachusetts Curriculum Frameworks. It is required that each educator will present that curriculum within their content area.

Each educator is expected to develop and update the curricula and associated resources for the courses taught. The educator's course materials and curriculum units will reflect the established and approved curriculum maps, as well as the individual teaching style of that educator. District curriculum maps cannot be altered unless approved by the appropriate coordinator/director.

The directors of the academic and CTAE curricula will review courses of study periodically, and educators will be evaluated on the effectiveness of their instruction in meeting the goals and objectives of the course, as set forth in the formal curriculum.

When more than one educator teaches the same course, the sharing of ideas and the collaboration on the development of materials, examination of student performance and adjustments to practice that are indicated as a result of this work, is expected.

C. Career Area Safety & Organization

- **Place in Curriculum**
Safety instruction must be provided on an on-going basis and students' understanding should be tested through traditional assessments and continuous observation in the Career Technical Education (CTE) setting.
- **Requirements**
Since the safety and welfare of our students is our primary responsibility, there needs to be firm rules for a safety program in each career-technical area where hazardous situations might arise. The following rules should be considered mandatory for the educators of such subjects:
 1. Safety glasses must be worn by all students and educators whenever in a CTE area where conditions pose an eye hazard. This is specifically stated in the laws of the Commonwealth and is not subject to interpretation by the students, educators, or administration.
 2. First-year student experiences in the CTE areas should be limited until such time as the instructor has completely familiarized those students with the safe operation of each piece of equipment or handling of animals.
 3. Upon the opening of school, each instructor should discuss and distribute a list of general safety rules with all students; teachers should revisit the safety rules with students throughout the school year, and post them in the CTE area.
 4. Before being allowed to work with any equipment, students must receive a grade of 100% on a school-designed test on Career Area safety.
 5. All completed safety tests must be filed in a secure place.
 6. Machines or equipment posing specific hazards should have a sign indicating the hazard and the proper, positive way of avoiding it.
 7. Students must possess the OSHA 10 certification prior to graduation.
 8. The OSHA 10 certification is a prerequisite for Cooperative Education placement.

Career Area Organization

In order to provide an efficient, smoothly running CTE classroom or lab, educators should create a system to provide for each of the following items:

- **Career Area Jobs**

Job requests should be judged on their educational value, and should be scheduled to coincide with instructional units, whenever possible.

- **Tool Storage & Issue**

A system for the care of equipment and tools should be devised that will implement each of these three goals:

1. Tools should be sufficiently accessible to the students.
2. Tools should be properly accounted for and safeguarded when not in use.
3. Tools should be displayed prominently for educational purposes so that the students will quickly learn their identity and purpose.

- **Tools & Equipment**

The school will furnish students with tools and equipment. However, in some programs it may also be a CTE requirement for students to provide their own tools; in such cases students will own these items upon graduation.

- **Career Area Maintenance**

Care of tools and equipment, including cleaning, lubricating, and repairing, should be done by the students (with supervision) as part of their training. Students will perform maintenance tasks, such as organizing the shop, sorting materials and supplies, re-arranging a supply room or cabinet, or making tool boards, as part of learning workplace responsibility. Maintenance tasks will be assigned equitably throughout the year.

Leaving Campus

Unless a program is working on a last minute project within the school, teachers are not permitted to leave campus with students to purchase supplies. Materials for any outside projects or planned projects within the school will need to be purchased in advance and delivered to the school.

When off campus with students, whether it be an outside project or program-related fieldwork, teachers do not have permission to bring their students to any food and/or beverage establishments. If it is determined that food is needed, the teacher should notify Food Service in advance so that a boxed breakfast and/or lunch can be provided to students for purchase. Students may also elect to bring food from home.

PROTOCOL FOR EDUCATOR ABSENCES

If a teacher will be absent, they must submit the absence in Frontline as soon as possible. Same day absences must be submitted **by 6:00 a.m.** Entries received after 6:00 a.m. create a challenge for securing a substitute for the day and impact student learning. If teachers need to report an absence after 6:00 a.m., call **your supervisor**.

It is expected that lesson plans and other pertinent materials relating to curriculum and schedules can be easily accessed by the department director and the substitute educator. When uploading sub plans to Frontline, please keep in mind that academy administrative assistants will not make copies. As a professional courtesy, educators should email co-teachers to let them know they will be absent.

EVALUATION OF STUDENT PERFORMANCE

*** *Each educator is required to have a detailed course expectations outline.*

A. Grading Assignments

Students' learning is facilitated by their receipt of frequent and timely feedback about their performance.

Assignments should be corrected, graded, and returned to the students promptly. The grades should be recorded in the Aspen student management system. Students should be made aware of the relative weight assignments will have on their quarter grade. Grading will be based on the pre-set criteria, including percentage weighting by the department.

B. Assessment Guidelines

Assessments should be both formative and summative. Formative assessments should be administered regularly to measure student understanding, and summative assessments should be administered periodically in order to measure both depth of understanding, progress, and overall competency. The results of Formative assessments should be examined so

that instruction can be tailored to address students' acquisition of skills and competencies. Summative assessments should be differentiated to reach all learning styles (tests, projects, oral presentations, etc.). In addition, summative assessments should include a clear rubric when appropriate.

C. Assessments

Common Assessment

It is a goal at Essex North Shore Agricultural & Technical School for common formative and summative assessments to be administered in all courses so that all students are measured in a consistent manner. These assessments could be quizzes, chapter tests, projects, and/or unit tests. ***These assessments can be modified according to student IEPs and 504s and accommodations can be provided.*** For these assessments, following the student's IEP means providing testing accommodations and modifications as outlined on the PLEP A & B on the student's IEP and/or those specified on the student's 504 Plan. It is important that data be collected for these assessments in order to inform instruction and to determine the effectiveness of instruction, to monitor student learning progress, and to determine the effectiveness of instruction.

GRADING SYSTEM

A. Quarter Grades

- Due Dates: Quarter grades are due according to the published schedule.
- Educators' Grading System: Educators will follow their departmental guidelines as outlined in their course expectations.
- Educators are required to file their course expectations guidelines with the appropriate coordinator/director for approval. Students will receive the Course Expectation guidelines from each of their educators during the first full week of classes.

B. Marking System

- Letter grades will be given with the following numerical equivalent:

A+ 97-100	B- 80 - 82	D+ 67 - 69
A 93-96	C+ 77 - 79	D 63 - 66
A- 90 - 92	C 73 - 76	D- 60 - 62
B+ 87 - 89	C- 70 - 72	F 59 and below
B 83 - 86		
- When compiling grades, please use the following suggestions as general guidelines:
 1. Consultation with the school counselor, the Director, and the Principal must occur before a grade of "incomplete" is considered. A grade of "incomplete" should be given only when a student has had a lengthy absence from school or when other circumstances warrant extending the marking period for a student.
 2. All incompletes must be made up within 10 school days of the end of the term unless circumstances warrant an extension. If a student neglects to make arrangements to make up work or neglects to complete the work, the incomplete automatically becomes the grade earned.
- Any student who has more than ten (10) unexcused absences in the school year or five (5) unexcused absences in the course of a semester will receive ***No Credit for that course*** in that year or semester unless that student makes up the time. Time can be made up through Saturday sessions from 8:00 am to noon, or by four (4) one-hour after-school sessions. All make-up time must be scheduled through the Assistant Principal's Office. Students who are truant may not make up time and are subject to losing credit for the semester. Any student who loses credit for one semester and does not make up the time will not receive credit for the course and will be required to take that course in summer school to earn course credit.
- The grade "M" (Medical) on a student's report card for a marking period indicates that one of the following has occurred and can only be given with the approval with the Principal:
 - A student has not been in school for documented medical reasons for a significant amount of the quarter. The student is not required to make up missed work. The final grade will be an average of the other three quarters.
 - A student who has not been able to attend their CTE program for a documented medical reason will be given an alternative assignment and will be graded on it.

C. *Report Cards*

Report cards for each quarter will be accessible to students and families via the Aspen portal.

FIELD TRIP PROCEDURES

A. *Day Field Trips*

The Administration of Essex North Shore Agricultural & Technical School encourages the staff to arrange field trips for their students, using the following guidelines:

- The field trip should be pertinent to the unit of instruction presently under discussion and must be approved by the appropriate director and Principal. When a trip involves an entire department, planning should be directed toward taking all students on the same day.
- Field trips should be carefully planned beforehand. The educator should make a prior visit to the facility if possible and discuss the main points of the tour with the appropriate representative.
- It should be remembered by all concerned that a field trip is an educational experience. Every effort should be made to ensure that students understand this.
- Students should be prepared beforehand, briefed on things to look for during the field trip, and be notified of particular safety concerns on the trip.
- Field trips should have one (1) chaperone for up to twelve (12) students; overnight trips should have two (2) chaperones for up to twenty-four (24) students.
- Educators are expected to provide direct supervision of all students while on a field trip.
- A signed parental permission slip is required for each student taking a field trip and must be on file in the Principal's Office at least five days prior to the date of the trip. The Teacher will publish a list of students participating in a given field trip twenty-four (24) hours prior to the date of the trip, and also submit the list to the Assistant Principal's Office for an Academic class or to the CTE Office for a CTE program.
- Field trips that are in the state of Massachusetts must be requested a minimum of two (2) weeks in advance of the proposed departure date. The School Committee must approve field trips requiring travel out of the State of Massachusetts or for any overnight trip, in advance. A written request for such a trip, containing dates, reason and destination, as well as any other information pertinent to the request, must be submitted to the Principal a minimum of six (6) weeks in advance of the proposed departure date. If there is a cost involved in the trip, the request must include estimated costs and how the money is to be raised. The sponsor may make no financial or other commitments until the Committee grants permission.
- Field trips by shops must be scheduled during Career Area time. Academic field trips must be scheduled during academic time and should be arranged so students miss as little of the school day as possible.
- Students may only be allowed to participate in field trips sponsored by one of their own regularly assigned classroom educators.
- The Principal must approve any exception to these guidelines.

B. *Overnight Field Trips*

On overnight field trips or excursions, all staff, including educators, coaches, bus drivers, and others, shall observe the following guidelines to help ensure the safety of students. Staff members must review these guidelines with chaperones. The staff member organizing the trip shall be responsible for securing necessary adult supervision for the trip and for providing orientation of what is required of the chaperones. The staff member shall review the district policy and student code of conduct and bring along the student handbook to review and apply during the trip. The guidelines for day field trips must also be followed for overnight field trips.

- Remind Students of Rules - Staff shall remind students that all school rules, including the code of conduct, apply during overnight field trips and shall review the rules with students. Staff shall remind students that they must respect each other and that there must be no bullying, harassment, hazing, fighting, or other misconduct. Staff shall warn students that staff will be even more vigilant about enforcement of school rules on the school trip and that students can face serious disciplinary action, such as suspension or expulsion, for any misconduct. Staff shall warn students at the beginning of the trip that their property can be subject to searches.

- Supervision - Staff and chaperones must supervise students whenever possible, including in the middle of the night, during the overnight trip. Staff must not schedule any unsupervised time for students.
- Searches - Parents of all students participating in overnight trips must consent to a search of their children's luggage before students board the bus. Permission slips must include parental consent for these searches. Staff should conduct these searches before students board the bus. In addition, staff may conduct searches of students' personal property, purses, briefcases, backpacks, and bags when reasonable suspicion exists that a student is violating school rules or the law. These searches may occur at any time during the field trip, including in hotel rooms or before students board buses. Staff should see the school principal about receiving training on conducting searches.
- Release of Student - If a student violates school policy or the law, staff shall notify the student's parents or guardians. Staff shall call the police if a student is in violation of the law, such as for possession of drugs or a weapon. Despite the violation of law and/or school rules, staff must release a student from the trip only if parents or guardians pick them up. Staff must *not* send a student home alone from a trip.

Please Note:

- ***For ALL field trips, the nurses must have the complete list of attendees at least 72 hours in advance of the departure date.***
- ***ALL teachers and the food service manager must be made aware of who is attending field trips at least 48 hours in advance of the departure date for planning purposes.***
- ***NO field trips may be scheduled during state assessments.***

MEDIA CENTER

The Media Center is available for educator and student use during the school day for quiet work, meetings, and breakout classroom space. Staff should notify Media Center staff by phone, prior to sending students to the Media Center.

Student work expos, showcases, and presentations may be held in the Media Center with prior approval from the Director of Technology. Presentations to large groups are welcome to be scheduled in the Media Center through the district facilities use request procedure.

The Media Center has a number of tools available to student and staff projects, including a copy machine, color printer, AccuCut die cutter with an array of dies, a Cricut crafting machine, 3D printer, and laser machine.

ATTENDANCE

A. Attendance Procedure

Educators will record daily student attendance by logging on to the school's network and entering attendance in Aspen, the school's computerized student record program at the beginning of the scheduled first block.

B. Individual Classroom Attendance Procedures

Each instructor is responsible for submitting attendance for each class on Aspen. Attendance must be taken at the beginning of each class, and in the case of a full-day shop, after lunch and after Wellness, as well. Students whose names do not appear as absent in Aspen, but who are missing from a given class, should be reported to the Assistant Principal's Office in a timely manner.

C. Students Leaving Classes

Students are scheduled to be in specific supervised areas every period of each school day. Educators who grant students permission to leave the area must sign the student's electronic pass. Educators should try to limit the number of students granted permission to leave classes to only those who absolutely must be excused.

D. Leaving Classes Without Permission

In the event that a student leaves the class without the permission of the instructor, the Assistant Principal should be notified immediately by telephone. The instructor should provide information as to the reason for the student's leaving and the probable whereabouts. The educator should then submit an office referral.

ILLNESS/ACCIDENT

A. Student Illness

Whenever a student indicates that they are ill, instructors must assume that the student is, indeed, sick. Students becoming ill after arrival at school should not be permitted to continue working, especially if hazardous machinery or equipment is involved. Whenever a student indicates that they are ill, or whenever an educator suspects that a student is ill, the student should be referred to the Health Office. If, in the judgment of the nurse, the student should not remain in school, the nurse will contact the caregivers to make arrangements for sending the student home.

B. Student Accident

In case of serious injury or extreme illness, the instructor should immediately notify the School Nurse. The instructor should stand by for instructions as to the proper procedure to follow. **UNDER NO CIRCUMSTANCES SHOULD THE STUDENT BE SENT OR BROUGHT TO THE NURSE'S OFFICE.** A situation may arise (such as a Career Area class on an off-campus job site) wherein time will not permit communication prior to an instructor calling 9-1-1. In such instances, if the situation is viewed as extreme, the instructor may call 9-1-1, but must then notify the school of the incident.

In case of minor injury (minor cuts, bruises, splinters, burns), the educator should make use of the first aid supplies and equipment as provided in each Career-Technical Area. The educator should then send the injured student to the Nurse's Office.

All accidents, minor or major, should be recorded by the staff member with the student at the time of the injury on Accident/Injury Report Forms. The 'Student Accident Injury Form' is available in the Nurse's Office and on the staff page of school website in the school forms section. This report must be turned in to the Nurse's Office on the day of the accident. The educator should also retain a copy of this report.

C. Educator Illness

Situations will arise wherein a staff member may become ill during the school day. If the instructor deems it necessary to return home for the remainder of the day, they should notify their Director as early as possible so that a suitable substitute may be obtained. Should the illness occur abruptly, the educator should not dismiss the class. They should, instead, request from their Director, someone to supervise the class prior to leaving the building. In all cases, the Director **MUST** be notified.

In the event of a sudden severe illness, the educator will use good judgment in leaving the classroom without immediate supervision.

D. Educator Accident

Educators must self-report all accidents. All accidents, minor or major, should be recorded on the Incident Near Miss Report form. These forms are available on the staff page of the District website under school forms and in the Human Resources Office. This report must be turned in to the Director as soon as possible.

STUDENT BEHAVIORAL GUIDELINES

A. Student Discipline

It is expected that the instructor involved will handle most minor infractions of school or class rules. Should a student habitually behave in a manner prejudicial to good order, they should be referred to the Assistant Principal via Aspen for disciplinary action.

B. Guidelines

In dealing with students, we should try to be flexible and avoid rigidity unless a situation develops where someone's safety is compromised. In view of this, follow the suggestions below:

- When it becomes necessary to discipline a student, remember that the most effective method is a private discussion of the problem. A "dressing down" before the entire class seldom is effective and usually breeds resentment or further disorder.
- Many petty problems can be avoided if an educator can maintain a sense of humor and perspective concerning the situation.
- If special rules are needed for a situation, make sure that they are clear, posted, and understood by all students.
- If discipline is administered by an instructor, make sure that the action helps to correct the situation, and that it is fair and equal to the extent of the offense. Under no conditions should an instructor threaten a student or promise discipline that cannot be carried out.
- Educators should not presume disciplinary action that the Assistant Principal or Principal will take.
- In the rare event that a student should become abusive, violent, or extremely angry, remember that this may be an emotional display indicative of immaturity. In a situation like this, it is best to remain calm and call the appropriate Academy Office for assistance.
- If a student is sent to the office for disciplinary action, the instructor **MUST** submit an online Behavioral Referral in Aspen, which will be directed to the Assistant Principal. Students are to be sent to the office in extreme circumstances only.

REFERRALS OF STUDENTS TO THE STUDENT SUPPORT TEAM (SST)

If a student is having unusual or repeated academic, emotional, behavioral, or adjustment issues in a class, the educator can refer the student to the Student Support Team (SST). The SST Referral forms are located "on the staff page of the District website under the Student Intervention Protocol". Referrals to the Team can be submitted through the School Counselor, Assistant Principal, or School Adjustment Counselor. The SST will address all students referred and will make pre-referral determinations (decisions about initial evaluations), as well as determinations for outside assistance or suggest other appropriate interventions. The SST will closely examine a student's academic performance, as well. In all cases, the referring educator(s) will be notified in a timely manner of the disposition of the referral.

SPECIAL EDUCATION MEETING PROTOCOL

A. The IEP Team Meeting Members' Expectations in Relation to the Chairperson's Role

The IEP Team determines the need to develop an IEP, which is a legal document. The Team meeting is governed by established laws.

The role of the Team Chair, in part, is to run the IEP meeting according to Special Education Regulations and an established agenda. The Team Chair is responsible for moving the meeting along to complete the agenda in a timely and professional manner.

Educators and all Team members need to follow the lead of the Chairperson of the meeting.

Sometimes a Chairperson may need to intervene during an educator's or any other Team member's presentation or discussion to either clarify a point or call a point of order to maintain a timeline and follow correct procedures. If this occurs, please do not take this personally; it is a necessary function and role of the Team Chair.

The Team Chair may request at a meeting that members keep their comments relevant to the student's current IEP in order to assist in the development of an IEP that will focus on the current special education needs of the student.

B. Chairperson and Letter of Excusal

If an invited Team member has to leave the meeting before the end of the meeting, the Team Chair is responsible for obtaining parental permission for excusal, provided that the parent has had the opportunity to have questions answered by the Team member leaving the meeting.

While the Team Chair is guiding parents or guardians through paperwork required to be signed during the meeting, it is important for the rest of the Team to remain quiet out of respect for the parents' rights to concentrate on the documents they are signing.

C. Purpose of IEP Meetings and the Educator's Role ~ Information and Talking Points

● **Type of Meeting:**

1. Initial Evaluation:
 - a. The IEP Team determines a student's eligibility for special education services.
 - b. The educator role is to present the student's progress in the classroom.
 - c. Present observed and documented learning concerns, as well as accommodations, modifications and teaching styles that have been effective.
2. Annual Review Meeting
 - a. The Team reviews current progress toward IEP goals and benchmarks and determines appropriate goals, benchmarks, and accommodations for the new IEP.
 - b. The educator's role is to present the student's progress in the curriculum content areas as related to the current IEP, and to state appropriate and necessary accommodations and/or modifications the educator has found effective for the student.
3. Three-Year Reevaluation Meeting
 - a. The IEP Team reviews student progress and testing and evaluation reports to determine continued eligibility for special education services.
 - b. The role of the educator is to present the student's progress in the curriculum content areas as related to the current IEP and to present observed and documented effective use of accommodations and/or modifications.
 - c. If found eligible, a new IEP for the student is developed at this meeting.

Educators are encouraged to ask questions and speak with the student's Special Education Liaisons with regard to upcoming meetings.

D. Required Paperwork

- All written records should be done in a professional manner
- All written records about students, regardless of origin, can be made public. These include:
 1. Individual educator reports for **IEP** meetings
 2. Progress Reports written by contributing educators
 3. Hand-written educator notes
 4. Grade books
 5. Emails
- Write everything about a student anticipating that a parent/guardian will read it. Phrase all comments appropriately.
- Return paperwork within the timeframe established.
- Educational Assessment: Part B
 1. Team Chairs utilize forms for educator reports.
 2. When preparing an individual educator report:
 - a. Try to be concise
 - b. Stick to the priority area(s) of concern
 - c. Focus on data or concrete information
 - d. Use parent-friendly language / avoid jargon
 - e. Avoid anecdotal evidence or story-telling
 3. When asked to write about **accommodations**:
 - a. Work from the IEP you already have
 - b. Cite what is effective in your room
 - c. Cite what is not currently necessary in your room for academic success

E. Parent Perspective ~ Things To Be Aware Of At Team Meetings...

- Parents are members of the team.
- Put yourself in the shoes of the parent.

- Present positive verbal and nonverbal messages.
- Know your audience's cultural and family circumstances.
- Any information brought up should be in relation to the student's educational plan.
- Confidentiality is very important.
- Translation should be accurately conveyed for all members of the team.

F. Helpful Meetings Reminders

- DO make frequent eye contact and maintain a friendly demeanor.
- DON'T do other tasks during the meeting (i.e. grading papers, eating, etc.).
- DO start with positive statements about the student.
- DON'T discuss other students during the meeting.
- DO ask questions to get clarification.
- DON'T make promises or statements at the meeting that you may not be able to keep.
- DO respect timeframes and the meeting's agenda.
- DON'T get into arguments with other educators or parents.
- DO come prepared for the meeting.

[Click on this link to open the Acknowledgement of
Receipt and Reading of Handbooks, Policies and Procedures](#)
RETURN THE SIGNED HARD COPY TO HUMAN RESOURCES