

HAMPDEN – WILBRAHAM REGIONAL SCHOOL DISTRICT



EMPLOYEE HANDBOOK

2018 – 2019

October 2018

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HAMPDEN – WILBRAHAM REGIONAL SCHOOL DISTRICT

SCHOOL COMMITTEE MEMBERS

Patrick Kiernan, Chairperson
Sean Kennedy, Vice Chairperson
Michelle Emirzian, Secretary
William Bontempi
Sherrill Caruana
Rita Vail
Heather Zanetti

DIRECTORY OF ADMINISTRATION

Superintendent of Schools

Albert G. Ganem, Jr.
621 Main St., Wilbraham, MA 01095
Phone (413) 596-3884 Fax (413) 599-1328

Director of Curriculum, Instruction, and Professional Learning (*Secondary*)

John Derosia
621 Main St., Wilbraham, MA 01095
Phone (413) 596-3884 Fax (413) 599-1328

Director of Curriculum, Instruction, and Professional Learning (*Elementary*)

Julie Keefe
621 Main St., Wilbraham, MA 01095
Phone (413) 596-3884 Fax (413) 599-1328

Director of Student Services

Gina Roy
621 Main St., Wilbraham, MA 01095
Phone (413) 596-3884 Fax (413) 599-1328

Director of Finance, Operations and Human Resources

Howard Barber
621 Main St., Wilbraham, MA 01095
Phone (413) 596-3884 Fax (413) 599-1328

Payroll Department

621 Main St., Wilbraham, MA 01095
Phone (413) 596-3884 Fax (413) 599-1328

DISTRICT COORDINATORS

Harassment, Title IX, and Section 504 Coordinators

Directors of Curriculum, Instruction, and Professional Learning
621 Main St., Wilbraham, MA 01095

ADA Coordinator

Director of Finance, Operations and Human Resources
621 Main Street, Wilbraham, MA 01095

Homeless Liaison

Gina Kahn, Risk Prevention Services Coordinator
85 Wilbraham Rd., Hampden, MA 01036
Phone (413) 566-5060 ext. 12 Fax (413) 566-2163

HAMPDEN – WILBRAHAM REGIONAL SCHOOL DISTRICT

DIRECTORY OF SCHOOLS

Mile Tree Elementary School (Grades PreK-1)

Joanne C. Wilson, Principal
625 Main St., Wilbraham, MA 01095
Phone (413) 596-6921 Fax (413) 596-9319
Hours: 8:30 a.m.-2:40 p.m.

Green Meadows School (Grades PreK-8)

Sharon Moberg, Principal
38 North Rd., Hampden, MA 01036
Phone (413) 566-3263 Fax (413) 566-2089
Hours: 8:30 a.m.-2:45 p.m.

Stony Hill Elementary School (Grades 2-3)

Monique Dangleis, Principal
675 Stony Hill Rd., Wilbraham, MA 01095
Phone (413) 599-1950 Fax (413) 596-4497
Hours: 8:30 a.m.-2:45 p.m.

Soule Road Elementary School (Grades 4-5)

Lisa O. Curtin, Principal
300 Soule Rd., Wilbraham, MA 01095
Phone (413) 596-9311 Fax (413) 599-1742
Hours: 8:30 a.m.-2:45 p.m.

Wilbraham Middle School (Grades 6-8)

Thomas Mazza, Principal
466 Stony Hill Rd., Wilbraham, MA 01095
Phone (413) 596-9061 Fax (413) 596-9382
Hours: 7:40 a.m.-2:00 p.m.

Minnechaug Regional High School (Grades 9-12)

Stephen Hale, Principal
621 Main St., Wilbraham, MA 01095
Phone (413) 596-9011 Fax (413) 596-8907
Hours: 7:35 a.m.-2:05 p.m.

Introduction

This guide is intended to provide employees of the district with information, practices and resources needed to effectively carry out their duties and responsibilities. Employees should refer to the HWRSD School Committee Policy Manual for matters specific to policy, and to their respective Unit Contract Agreement for additional terms of employment.

This handbook contains official rules and regulations under which the District and the buildings operate. It is updated annually and provided to each employee. Principals or their designees review the manual with new staff during their orientation process. A school-specific appendix is included to cover information that is not contained in the handbook.

Please sign the acknowledgement of all HWRSD policies at the end of this handbook.

Contractual Agreements

Each employee will receive from their union representative, a copy of his/her contract (Units A, B, and C) that includes the salary schedule, information on benefits, and leave request procedures. It is the responsibility of the employee to read and become familiar with the language of their contract.

I. PERSONNEL

Please refer to the School Committee personnel/human resource policy manual for more information about the following:

- Communications
- Community Involvement
- Complaints
- Decision-making/ Site-based teams
- Employment, Evaluation
- Faculty Manual
- Job Descriptions
- Nepotism
- Non-School employment by professional staff members
- Personnel Records
- Professional Staff Responsibilities and Conduct
- Recruitment and Selection of Employees
- Sexual Harassment
- Staff gifts and solicitations
- Staff health and safety
- Staff participation in political activities
- Student-teaching and internships
- Substitute teachers
- Volunteers

Employees should contact the business office (596-3884, ext. 3804) to obtain information about payroll

processing and benefits. Please refer to Appendix B of this handbook for a list of corresponding forms.

Substitute Teachers

All substitutes will be expected to provide educational services, rather than to assume merely a student/supervisory role. These services will be based upon lesson plans provided by the classroom teacher. They will be provided with as much support as possible by building administrators and teachers.

Staff responsibilities regarding the use of substitutes:

1. Beginning in September 2011, all certified and paraprofessional staff that will require substitute coverage due to personal or family illness, other approved leave, or attendance at an approved professional development activity should refer to the Frontline web-based system at app.frontlineeducation.com and follow substitute request procedures.
2. When teacher absence is anticipated, teachers are expected to create detailed lesson plans with specific instructions for the use of books, supplies and other materials corresponding to the daily lessons.
3. In addition, each teacher should have a substitute folder that outlines homeroom and other routines such as attendance, lunch count and basic emergency response protocols. This folder should also contain emergency lesson plans prepared for unexpected absences. These plans should be left in an emergency substitute folder and stored in a visible location (i.e., top center drawer of the desk). In the event of an extended absence, it is recommended that teachers collaborate with long-term substitutes in order to ensure continuity of instruction and evaluation.

School Volunteers

Staff should be aware that all school volunteers who are working in any capacity in the school setting are bound by the laws of confidentiality and standards of professionalism. Information obtained through observation or participation in classrooms is completely confidential. Volunteers may be expected to work under the guidelines as defined by current State and Federal regulations. Employees should be aware that no individual may be left alone with a student unless a current Criminal Offense Record Investigation (CORI) is on file. Criminal Offender Record Information (CORI) is a record of Massachusetts and Federal criminal history, including arraignment in court on a criminal charge, no matter the final outcome of the charge. Expectations are described in the School Volunteer Agreement form, signed by the volunteer and collected by the school secretary and/or administrator.

Decision Making and Site-Based Teams

The District encourages participatory decision making at all levels. Staff members, parents and students are important contributors to the decision making process. Each school shall establish site-based teams/councils as defined by the Massachusetts Educational Reform Act of 1993.

Members of the council serve a two-year consecutive term. It is the responsibility of the school Parent Teacher Organization to select the parent representative, the Teacher Organization to select the teacher representative and the principal to select the community member.

Conflict of Interest Law

Chapter 28 of the Acts of 2009, the ethics reform law, imposes mandatory education and training requirements on public employers and public employees. The requirements may be summarized as follows:

1. By the last week of September, and on an annual basis thereafter, all current regional school district employees must be provided with a summary of the conflict of interest law.
2. By the first week of April each year, and once every two years thereafter, all current municipal employees must complete an online training program prepared by the State Ethics Commission, print the certificate of completion, and present it to their supervisor. All certificates will be kept on file in the Superintendent's office.
3. The link for this ethics training is <http://www.mass.gov/ethics>

Summary of the Conflict of Interest Law for Municipal Employees

(Version 5: Revised December 23, 2011)

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. Municipal counsel may also provide advice.

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

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

A. *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.

B. *On-the-Job Restrictions*

- ***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.

- ***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 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.

- ***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.

- ***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 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.

- ***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.

- ***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).

- ***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.

C. After-Hours Restrictions

- ***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.

- ***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.

➤ ***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.

D. After You Leave Municipal Employment (See Section 18)

➤ ***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.

➤ ***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 license, for one year after his public employment ceases.

➤ ***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. For further information, about how the law applies in many situations, please visit the website at <http://www.mass.gov/ethics> or contact the Commission's Legal Division via the website, by telephone, or by letter.

For *Employee's Disclosure Forms* visit the website at <http://www.mass.gov/ethics/disclosure-forms/municipal-employee-disclosure-forms/>

Staff Gifts and Solicitations

In accordance with Massachusetts General Law 268A and State Ethics standards, school personnel are prohibited from accepting personal gifts from a contributor (single or collective) that total more than \$50.00 over the course of a single school year.

No employee of the District will accept a personal gift from a business concern supplying, or with an interest in supplying goods, materials, equipment, or services to the District. This restriction does not relate to the acceptance of gifts for the school system or to the acceptance of small and clearly identifiable advertising and promotional materials.

All gifts to the District or proposal of gifts should be recommended by the Superintendent and approved by the Committee. Major fundraising efforts by outside parties must seek recommendation of the Superintendent and approval of the committee.

On occasion throughout the year, parents or students may wish to express personal appreciation to a teacher or other staff member. The School Committee urges them to find modes of expression that do not involve personal gifts.

No solicitation of funds for charitable purposes will be made among staff members except with specific approval of the Superintendent. Employees are under no obligation to participate.

For further information or example scenarios, please visit this website: <http://www.mass.gov/ethics/education-and-training-resources/educational-materials/explanations-of-the-conflict-of-interest-law/public-school-teacher-faqs.html>

Throughout the year, organizations may contact the district to offer donations, services or proposed collaborations. All such requests should be approved by the Superintendent or designee. Requests for distribution of any material or advertising must be directed to the Superintendent's office. Communications that have not been pre-authorized should not be disseminated.

Global Compliance Network (GCN) Tutorials

1. Log on to the GCN website at <http://www.gcctraining.com/site.cfm>
2. Click on 'Login to View Training'.

3. Click on 'Existing User' and 'next' (if you are a 'New User', please contact Andrea Noonan at anoonan@hwrtd.org for further instructions).
4. The 'Organization ID' is 43740h
5. Your personal ID is, for example: 'jsmith' (no need to update the fields, just click 'submit').
6. You will be instructed to complete the required trainings chosen by our district.

The completed trainings are saved in the GCN database, so it is not necessary to print a certificate. If you are unable to access the training using your personal ID, or if you need further assistance, please contact Andrea Noonan at anoonan@hwrtd.org.

Civil Rights and Equal Educational Opportunity and Confidentiality (FERPA)

The Civil Rights and Equal Educational Opportunity and Confidentiality (FERPA) presentations are included in the GCN tutorials beginning in the 2014-2015 school year. Please refer to the GCN tutorial instructions above.

Confidentiality

District employees may be exposed to confidential and sensitive information regarding our students and staff. All district employees are expected to act with discretion when dealing with any confidential issues within the workplace and this information should never be discussed verbally and/or electronically inside or outside the workplace. Any employee found violating this confidentiality will risk termination.

Personnel Records

A personnel record for each present and former employee will be actively maintained in the Central Office. In addition to the application for employment and references, the folders will contain records and information relative to compensation, evaluations, and any other pertinent information. Letters of complaint or commendation will not normally become part of the individual's file. In order for a letter of this type to be placed in the file, the individual's direct supervisor shall attach a letter stating the reason for submittal. The Superintendent shall be the final judge of accepting said letter. The Superintendent will be the official custodian for personnel files and will have overall responsibility for maintaining and preserving the confidentiality of the files within the provisions of the law. Names and addresses of employees will not be released unless required by law.

Staff members maintain the right to view and/or copy information from their official file in the presence of a central office employee.

Complaints

On occasion, concerns may arise regarding personnel and programs of the District. Such complaints should be directed to the appropriate supervisor. Complaints made to an inappropriate party will be re-directed. All collective bargaining unit employees may file a grievance per the procedures in their respective agreements.

Professional Staff Responsibilities and Conduct

The District values its staff and recognizes their efforts on behalf of children. Professional development is viewed as a responsibility of both the District and the individual teacher. Professional staff is responsible for developing an atmosphere conducive to education and promoting high standards of excellence. Personal professionalism is expected and serves as a model for student achievement and behavior.

The District expects all employees to be aware of the policies under which the District operates and to abide by these policies and the procedures designed to implement them. The Administration is expected to make the Policy Manual available to all staff and shall review with staff key components of the Policy Manual on a regular basis. Annually, all District personnel will be required to acknowledge in writing that they have access to a copy of the District Policy Manual and agree to abide by its provisions.

In the area of personal conduct, the School Committee expects that teachers and others will conduct themselves in a manner that not only reflects credit to the District, but also sets forth a model worthy of emulation by students. Teachers must recognize their responsibility to students by sponsoring and supporting their activities. Faithfulness and promptness in reporting to work, care and protection of school property, effective home/school communications, and concern for the safety and welfare of students are among the priorities for staff members.

Mandated Reporting

School personnel are mandated reporters. If school personnel have reasonable cause to suspect physical or emotional abuse, or substantial risk of harm or neglect, they are obligated by M.G.L., ch. 119, Section 51A, to report these conditions to the Department of Children and Families (DCF).

If the reportable incident involves criminal conduct, including physical abuse, violation of a restraining order, assault and battery, indecent assault and battery or rape, school officials shall also report the incident to the police department, and further action may be taken by the county District Attorney's office.

Additional information can be found on the following website: *A Mandated Reporter's Guide to Child Abuse and Neglect Reporting*
<http://www.mass.gov/eohhs/docs/DCF/can-mandated-reporters-guide.pdf>

Non-School Employment by Professional Staff Members

It is the policy of the District that professional employees working another job will consider employment within the District as their primary responsibility. Conflicts that arise between the demands of the two jobs will be resolved by the employee's supervisor keeping the best interests of the school and students in mind. The employee may appeal this decision to the Superintendent or his/her designee.

Leave Days

An employee who is unable to work because of a bona fide illness or non-occupational injury shall, upon notification to the office of the Superintendent or his/her designee, as soon as possible after the beginning of said illness or the occurrence of said injury, receive sick pay for the days he/she is unable to work up to the eighteen (18) leave days provided to employees on an annual basis. Employees may use accumulated sick days up to the amount of unused accumulated leave days only in instances covered by the Family Medical Leave Act (FMLA) or other contractually approved leaves.

Family and Medical Leave Act (FMLA)

The federal Family and Medical Leave Act (FMLA) requires covered employers to grant eligible employees with a maximum of twelve work weeks of leave in a 12 month period. The leave may be unpaid, upon exhaustion of accrued paid leave (such as vacation or sick leave). Eligible employees may take leave for the birth of a child, placement with the employee of a child for adoption or foster care, for the employee's own serious health condition, or for the serious health condition of the employee's spouse, parent or child. Employees who need to access Family and Medical Leave coverage should refer to the following steps:

1. The employee who needs the leave of absence will send a formal letter to Howard Barber, Director of Finance, Operations and Human Resources, requesting the leave of absence. The letter should include the reason for the request, the estimated time needed and the effective date of the request. Requests must be made in writing via hard copy letter.
2. A letter in response to the request will be written by the Director of Finance, Operations and Human Resources. If the request is granted, the

- employee will receive FMLA forms to be completed.
3. Prior to responding to the request the Director of Finance, Operations and Human Resources may require further information.
 4. Employees will receive a copy of the letter for their records.

Employees may contact their building principal or the District Office for information.

Personnel Requests

Personnel requests of a contractually exceptional nature must be made by hardcopy to the Superintendent of Schools. Due to the volume of these requests across the District and due to the number of administrative staff involved with these requests, email correspondence will not be considered.

Payroll Processing

Payroll processing includes the following documents and options for employees to complete:

1. Form W-4: Required by the IRS. The same deductions for Massachusetts withholding will be used, unless specified otherwise.
2. Form I-9: Verification to work in the United States.
3. Massachusetts Teacher's Retirement: Teachers only, must register on-line before the start of school. An 11% payroll deduction will be deposited to the employee's annuity account.
4. Hampden County Retirement: All other staff will have a 9% payroll deduction deposited to the employee's annuity account. There will be an additional 2% deduction for salaries over \$30,000. Employees must provide a copy of their birth certificate.
5. Direct Deposit Authorization (Mandatory): Employees will be required to use direct deposit for their net pay, every two weeks, into a bank account of their choice. The payroll department will need a voided or cancelled check from the employee's checking account, or other documentation from the bank that contains ABA routing and account information. Deposits may be split between a checking and savings account by a fixed dollar amount.
6. Tax Shelter Annuity (403B): Any employee working for HWRSD is eligible to have a tax shelter annuity (403B). Interested parties should contact their financial advisor to get an account started. A website is available for more information, www.spokeskids.com/hampdenwilbrahamRSD. The District does not offer advice on investing.
7. Companies presently used by the District:
 - American Century

- Ameriprise Financial Services
- American Funds
- AXA Equitable Life
- Fidelity Retirement Services
- Great American Life
- Horace Mann Life Insurance
- Lincoln Investment Planning
- Mass. Mutual Life Insurance
- MET Life
- Midland National Life Insurance
- Newport Trust Company (formerly Vanguard)
- Oppenheimer Funds
- Pacific Life Insurance
- Pershing LLC
- Phoenix Mutual Life Insurance
- Prudential
- Putnam
- T. Rowe Price
- TIAA-CREF
- Transamerica Funds
- USAA Shareholders Account Service
- Variable Annuity (VALIC)
- VOYA (formerly ING)

8. Health, Dental and Vision Insurance: The District offers health insurance to all eligible employees working 50% or more. The payroll department will provide a cost summary sheet of the companies who service our staff and provide a packet of information upon request. Dental insurance is offered through Altus Dental with the premium paid in full by the employee. Vision insurance is offered through VSP with the premium paid in full by the employee.
9. Refusal of Insurance Form: This is a check list form to verify that every employee was offered insurance and either accepted or declined.
10. Life Insurance: The District offers a \$10,000 Term Life policy. The employee share of the premium is 50/50. Voluntary insurance is available in increments of \$10,000 with a premium paid in full by the employee.
11. Short-Term and Long-Term Disability Insurance: Short-term disability insurance is a voluntary plan with the premium paid in full by the employee. The premium is based on the employee's income. The District provides long-term disability at a 50/50 shared cost and the premium is based on the employee's income.
12. UNUM Group Critical Illness and Group Accident Insurance: *Critical illness* insurance can pay money directly to you if you are diagnosed with a covered serious health condition like heart attack or stroke. *Group accident* insurance can pay money directly to you if you get hurt and need medical attention.
13. Health Connector: As a result of the Affordable Care Act (ACA), there is an easy way for many

individuals and small businesses in Massachusetts to buy health insurance. For more information visit: MAhealthconnector.org.

14. Flexible Spending Account: Medical and dental reimbursement for qualified out-of-pocket expenses.
15. Dependent Care Spending Account: Qualified expenses for care of dependents.
16. Social Security Notice: Statement concerning employment in a job not covered by Social Security.
17. Green Fact Sheet: General information including emergency.
18. Education Personnel Information Management System: Required data for the Department of Education.
19. New I.D. Badge Form: It is the policy of the Hampden-Wilbraham Regional School District that all personnel are required to carry an I.D. badge that is needed to enter all school buildings.
20. C.O.R.I. Request Form: It is required that all personnel are checked by the criminal history systems of the Commonwealth of Massachusetts.
21. Fingerprint Registration Guide: All K-12 school employees, who have the potential for direct and unmonitored contact with students, must submit to a new fingerprint-based background check. Employees may contact the payroll department at (413) 596-3884 x3804 for information regarding any of these benefits.

II. HEALTH, SAFETY, SECURITY

In accordance with the provisions of M.G.L. Chapter 71, Section 37H, the School Committee hereby adopts a safety policy on behalf of the students and staff of the District. The responsibility of implementation of a safety program will rest with many individuals, including principals, teachers, custodial/maintenance employees and other staff, as directed by the Superintendent. It is the goal and responsibility of the District to provide that all District programs and facilities are maintained at a consistent level designed to protect the health, safety and welfare of the students, employees and public who use those facilities.

Each building has a District Emergency Management Guide (red flipchart) that delineates staff roles and responsibilities during an emergency situation, and every employee is expected to review relevant procedures at least annually, participate in all related drills and exercises (such as evacuation and lockdown procedures) as scheduled by district and/or town emergency managers, and follow outlined procedures during an actual event.

Routine protocols are clearly outlined in the guides located in each classroom and other common areas of every building.

Security

Public school buildings and grounds are one of the greatest investments of the towns and it is deemed in the best interests of the District and the towns to protect these assets. The Associate Superintendent of Schools will provide technical and administrative assistance to principals in maintaining the buildings and grounds in a secure manner conducive to learning.

Access to school buildings and grounds outside regular school hours will be limited to persons whose approved activity requires it. For information regarding community use of buildings please see the "Facilities" section of this policy manual. An adequate key control system will be established, which will limit access to buildings to authorized personnel and will safeguard against the entrance into buildings by unauthorized persons. Valuable records will be kept in a safe place, and backup copies of key financial and student records will be kept in a safe, protected off-site location. The School Committee recognizes that acts of vandalism committed against public and private properties are costly. Individuals who are found responsible for acts of vandalism will be dealt with in accordance with state and local laws. If it is ascertained that students are responsible for any vandalism, they, and/or their parents or guardians, will be held accountable and reimbursement will be sought for damages.

Criminal Offender Record Information (CORI) Policy

This policy is applicable to the criminal history screening of prospective and current employees, sub-contractors, volunteers and interns, and professional licensing applicants. Where Criminal Offender Record Information (CORI) and other criminal history checks may be part of a general background check for employment, volunteer work, and licensing purposes, the following practices and procedures will be followed:

1. Conducting CORI Screening: CORI checks will only be conducted as authorized by the DCJIS, state law, and regulation, and only after a CORI Acknowledgement Form has been completed. If a new CORI check is to be made on a subject within a year of his/her signing of the CORI Acknowledgement Form, the subject shall be given seventy-two (72) hours of notice that a new CORI check will be conducted.
2. Access to CORI: All CORI obtained from the DCJIS is confidential, and access to the information must be limited to those individuals who have a "need to

- know". This may include, but not be limited to, hiring managers, staff submitting the CORI requests, and staff charged, with processing job applications. The district must maintain and keep a current list of each individual authorized to have access to, or view, CORI. This list must be updated every six (6) months and is subject to inspection upon request by the DCJIS at any time.
3. **CORI Training:** An informed review of a criminal record requires training. Accordingly, all district personnel authorized to review or access CORI will review, and will be thoroughly familiar with, the educational and relevant training materials regarding CORI laws and regulations made available by the DCJIS.
 4. **Use of Criminal History in Background Screening:** CORI used for employment purposes shall only be accessed for applicants who are otherwise qualified for the position for which they have applied. Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determinations of suitability based on background checks will be made consistent with this policy and any applicable law or regulations.
 5. **Verifying a Subject's Identity:** If a criminal record is received from the DCJIS, the information is to be closely compared with the information on the CORI Acknowledgement Form and any other identifying information provided by the applicant to ensure the record belongs to the applicant. If the information in the CORI record provided does not exactly match the identification information provided by the applicant, a determination is to be made by an individual authorized to make such determinations based on a comparison of the CORI record and documents provided by the applicant.
 6. **Inquiring About Criminal History:** In connection with any decision regarding employment, volunteer opportunities, or professional licensing, the subject shall be provided with a copy of the criminal history record, whether obtained from the DCJIS or from any other source, prior to questioning the subject about his or her criminal history. The source(s) of the criminal history record is also to be disclosed to the subject.
 7. **Determining Suitability:** If a determination is made, based on the verification of identity information as provided in this policy, that the criminal record belongs to the subject, and the subject does not dispute the record's accuracy, then the determination of suitability for the position or license will be made. Unless otherwise provided by law, factors considered in determining suitability may include, but not be limited to, the following:
 - a. Relevance of the record to the position sought.
 - b. The nature of the work to be performed.
 - c. Time since the conviction.
 - d. Age of the candidate at the time of the offense.
 - e. Seriousness and specific circumstances of the offense.
 - f. The number of offenses.
 - g. Whether the applicant has pending charges.
 - h. Any relevant evidence of rehabilitation or lack thereof.
 - i. Any other relevant information, including information submitted by the candidate or requested by the organization.
- The applicant is to be notified of the decision and the basis for it in a timely manner.
8. **Adverse Decisions Based on CORI:** If an authorized official is inclined to make an adverse decision based on the results of a criminal history background check, the applicant will be notified immediately. The subject shall be provided with a copy of the organization's CORI policy and a copy of the criminal history. The source(s) of the criminal history will also be revealed. The subject will then be provided with an opportunity to dispute the accuracy of the CORI record. Subjects shall also be provided a copy of the DCJIS' *Information Concerning the Process for Correcting a Criminal Record*.
 9. **Secondary Dissemination Logs:** All CORI obtained from the DCJIS is confidential and can only be disseminated as authorized by law and regulation. A central secondary dissemination log shall be used to record any dissemination of CORI outside this organization, including dissemination at the request of the subject.
- Source: MASC May 2014/Hampden/Wilbraham*
- Fingerprinting Law**
- In January 2013, the state of Massachusetts passed *An Act Relative to Background Checks*. The Act requires all K-12 school employees, who have the potential for direct and unmonitored contact with students, to submit to a new fingerprint-based background check. As a result, all HWRSD employees (*including, but not limited to, educators, substitute teachers, maintenance staff, clerical staff, technology support staff, cafeteria workers, and bus drivers*) are required to complete a new fingerprint-based background check.
- Employees hired prior to July 1, 2013 must complete the background check prior to September 1, 2016. Employees hired after July 1, 2013 must complete the fingerprint process prior to the start of the 2014 – 2015 school year. Unless otherwise notified, this is and will be a condition of employment for all school employees in HWRSD.

Fingerprint-based criminal history checks will only be conducted as authorized by the HWRSD District Policy, M.G.L. c.71, §38R and 42 U.S.C. § 16962, in accordance with all applicable state and federal rules and regulations, and in compliance with M.G.L. c.6, §§ 167-178 and 803 CMR §§2.00, et seq. This process supplements the Criminal Offender Record Information (CORI) check that is already conducted on all employees. However, unlike the CORI check, which has no associated fees, individuals will have to pay a fee (*\$55 for DESE licensed staff; \$35 for non-licensed employees*) to comply with this requirement. To complete a fingerprint background check, employees must schedule a fingerprinting appointment through the [MorphoTrust USA IndentGo Massachusetts Registration website](#).

Staff Photo Identification Badges (IDs)

HWRSD Photo Identification Badges are issued to all district staff. Failure to display this badge will result in progressive disciplinary measures by the building administrator. It is the expectation that all staff and faculty will wear and visibly display IDs at all times. The badges are designed to work with proximity scan/door-locking devices at designated main entrances. "Visitor" and "Guest Staff" IDs are not equipped with proximity scan chips and do not allow access.

Because the staff ID authorizes access within the building and also functions as an exterior door key, all staff and faculty must observe the following security practices:

1. Lost badges must be reported immediately to the building secretary. The building secretary will provide the staff member with a "Badge Replacement Request" form. There is a \$12.00 cost for repeated badge-loss replacement.
2. Defective badges should also be reported to the building secretary. If the problem cannot be repaired, the employee will follow the instructions on the "Badge Replacement Request" form.
3. In the event that a badge is forgotten, lost, or in the process of being replaced, employees will wear a "Guest Staff" badge obtained from the building secretary, in lieu of the district-issued badge.
4. ID badges are the property of HWRSD and should not be altered or modified in any way. Badges must be collected upon termination of employment.

Building Entry Protocol and Intruder Awareness

All visitors are expected to "buzz" in and wait to be admitted by the receptionist so that arrivals and departures can be logged. Parents/guardians and guests should not bypass this system by entering with a staff member. Employees should ask any visitors not

wearing a badge to return to the front desk and sign in and remind parents/guardians and guests to sign out and return their badges when they are leaving a classroom or meeting area.

Please note that according to the District Emergency Management procedures an intruder is defined as any unauthorized presence in the building and any person who does not comply with established safety protocols. This includes any individual appearing to be unidentified, disruptive, or otherwise suspicious.

All staff members observing behaviors that could in any way compromise the safety and security of the school environment are expected to report these concerns to an administrator and to call 911 if the situation is urgent.

Reporting of Threats and Harmful Behaviors

For the protection of students and staff, any staff member who observes or becomes aware of a potentially threatening situation must report this immediately to a building administrator, or call 911 if the situation is life-threatening. This includes awareness of any verbal, written or electronically communicated threat and observation of any suspicious behavior including a student under the influence of alcohol or other drugs, or in possession of a weapon.

Modifications of Schedule and Assigned Duties during Critical Incidents

Under any emergency situation, it may be necessary to reassign personnel to assist or supervise student evacuation or lockdown. As determined by the Superintendent or emergency manager, circumstances may require off site evacuation to another facility, or extension of the school day when routine dismissal procedures cannot be followed. All employees are expected to react calmly and professionally, and to develop personal contingency plans that will support the priority of our students' needs during a crisis. Failure to do so may result in disciplinary action.

Fire Prevention

The District will cooperate with each town's fire department in maintaining fire-safe conditions within all school buildings. The principal of each school has the responsibility for insuring periodic fire safety inspections of every room, corridor and space in the school.

There will be at least one evacuation drill in each school once per quarter. The first drill will be held during the first five days of the school year. Instructions regarding fire exits will be posted in a prominent place near the door of each room. Upon evacuation of the building, student attendance will be

taken by teachers and each child in school that day must be accounted for at this time. There may be occasion, in an emergency situation, where evacuation may not be the best course of action. Each school will develop "lockdown procedures" that will attempt to provide safe havens within the building.

School Emergency Management

In case of an emergency that would necessitate the evacuation of the building, evacuation drill procedures will be followed. Employees should refer to the District Emergency Management Guide (red flipchart) for protocols pertaining to specific emergencies. All staff is required to review the guide and visitor protocol on the HWRSD website.

Emergency Closing, Delayed Opening, Early Dismissal, Lockdown and Evacuation

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

The following procedures apply for the opening and closing of schools during winter storms or emergency situations:

1. When weather conditions warrant, school will be cancelled. "No School" announcements will be made via Connect Ed, the automated telephone notification system; via the District's ListServ, the automated e-mail notification system; posted on the District's website at www.hwrsd.org and broadcast on local radio and television stations. When school is cancelled, school activities, school-related meetings and athletic events are also cancelled.
2. When morning weather conditions are improving, the schools may open on a "delayed opening" basis. On these days, school will start between 90 minutes to 2 hours later. Consequently, all activities, commencing with the start of the bus runs, will follow a 90-minute to 2-hour later pattern. When school is delayed, there will be no morning Preschool Program.
3. Parents are reminded that while schools may operate on the basis of improving weather conditions, they should exercise their own good judgment as to the attendance of their children.

4. When the start of school is operating on a "delayed opening" basis, dismissal will be at the regular dismissal times.

In severe weather or similar emergencies when road conditions are expected to deteriorate, it is sometimes best to dismiss students early. Parents will be informed of dismissal times through the advisories listed above. For Kindergarteners and first graders, our policy is to return bus riders to their school or Superintendent's office if no one is at the usual drop-off point and no alternate adult (neighbor, relative) has been authorized to receive them (via the Emergency/Non-Prescription Medication Form). For older children, families should have a procedure that could be followed in case of an unanticipated early dismissal. The need to evacuate the students from a building before the regularly scheduled closing time could arise from a relatively minor incident such as a power failure, or from a major event such as a fire or bomb threat. During evacuation, students are guided to the nearest exit and assemble at a pre-determined location. During an evacuation, release times, communication with school officials, admission into the school and/or transportation services may be temporarily disrupted and families will receive information and instructions from the above-listed communication resources.

"Lockdown" or "Sheltering-in-Place" are emergency responses that are implemented when it has been determined that conditions outside of the classroom or building are potentially unsafe. Situations that may activate a "Lockdown" or "Sheltering-in-Place" response include sudden severe weather, hazardous materials situation near the school, police activity close by, or potential intruder alerts. While these situations are extremely rare, related drills are conducted periodically throughout the year to ensure that all staff members and students are prepared to respond confidently and calmly. During a "Sheltering-in-Place" event, students and staff will typically remain in their classrooms or designated areas and continue with their routine activities until the "All Clear" signal is given.

During a "Lockdown/Intruder" situation, classrooms are secured, and based upon available information, staff is trained to guide students to maintain lockdown in a designated location in the room, to evacuate, or to take other actions to promote their safety.

In either a "Sheltering-in-Place" or "Lockdown" situation, it is not possible to enter the building until an "All Clear" signal is given by the principal or public safety official. Information and instructions are given

to families through the Blackboard Connect/ Edline communications systems

In an extreme emergency when a school has been evacuated and it is not possible to return, an off-site meeting place may be needed. Parents will be directed, through the above advisories, to go to the closest available school building or designated information center in the community. The Superintendent, with public safety personnel, will determine the location that best meets the needs of the specific emergency, and staff will be on site to assist with dismissal procedures utilizing the following guidelines:

- No student will be dismissed from a primary or secondary evaluation site unless a parent (or individual designated by a parent on the student's Emergency/Non Prescription Medication Form comes for him/her and is able to present photo ID to identify him/herself upon request.
- All parents, or designated persons, who come for students, will be required to sign out at the front office or from a designated alternate release location.
- In addition to the above notification resources, signs will be posted if an alternate location is needed.

Smoking and Tobacco Free Policy

The Education Reform Act of 1993 prohibits the use of any tobacco products within school buildings and school facilities, on the school grounds, or on school busses, by any individual. Furthermore, student possession, as well as the use of tobacco products (i.e., cigarettes, chewing tobacco, cigars, electronic or vapor cigarettes), is prohibited within the school building, on school grounds, at school-sponsored activities off school grounds, and on school busses at any time.

Policy Concerning the Illegal Drug and Alcohol Drug-Free Workplace Act of 1988, and the Drug-Free Schools and Communities Act Amendments of 1989

In March 1988, the federal government passed the Drug-Free Workplace Act of 1988, which requires all federal contractors and all federal grant recipients to certify that they have established a drug-free workplace environment. Failure to comply with certification requirements may result in loss of contract, suspension or debarment from grant programs for up to five years.

Certification requires that the District:

1. Publish a policy statement notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled

substance in the workplace is prohibited and that specified actions, including discipline, will be taken for violation of the policy.

2. Establish a drug-free awareness program informing employees about:
 - a. The dangers of drug abuse in the workplace.
 - b. The policy of the District of maintaining a drug-free workplace.
 - c. The availability of drug counseling/rehabilitation/and employee assistance programs.
 - d. The penalties imposed for drug-abuse violations.
3. Provide a copy of the policy statement against drug use in the workplace as provided in item 1, above, to each employee engaged in the performance of a grant.
4. Notify employees that employment on a grant is conditioned upon:
 - a. Abiding by the terms of the drug-free workplace policy.
 - b. Notifying the employer of any criminal drug statute conviction (including pleas of guilty or nolo contendere) resulting from workplace conduct no later than five days after such conviction. A conviction report form is included with and made a part of this policy.
5. Notify the grant providing agency within ten (10) days of receipt of notice of conviction.
6. Impose sanctions, up to and including termination, upon, or require satisfactory participation 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 by, an employee who is so convicted, within thirty (30) days of learning of said employee's conviction for workplace-based drug abuse.

In 1989, the federal Drug-Free Schools and Communities Act Amendments of 1989 were passed, which require that each Local Educational Agency (LEA) certify that it has adopted and implemented a program to prevent the use of illicit drugs and alcohol by students and employees in order to remain eligible to receive any federal funds of any sort. Regulations further set out the requirements of this law.

A certifiable program is defined by the federal regulations to include:

1. Age-appropriate, developmentally based drug and alcohol education and prevention programs for students in all grades from early childhood through grade twelve.
2. Conveying to students that the use of illicit drugs and the unlawful possession and use of alcohol is wrong and harmful.
3. Standards of conduct applicable to students and

employees that clearly prohibit the unlawful possession, use or distribution of illicit drugs and alcohol on school premises or as a part of any of its activities.

4. A clear statement that sanctions, up to and including expulsion or termination of employment and referral for prosecution, will be imposed on students and employees who violate the standards of conduct and a description of those sanctions.
5. Information about any available drug and alcohol counseling, rehabilitation, and re-entry programs available to students and employees.
6. A requirement that parents, students, and employees be given a copy of the standards of conduct and statement of sanctions.
7. Notifying parents, students, and employees that compliance with required standards of conduct is mandatory.
8. A biennial review by the LEA applicant of its program to determine its effectiveness, implement changes if needed, and ensure that the sanctions are consistently enforced.

Illegal drug and alcohol abuse in the workplace are a danger to us all. They impair safety and health, promote crime, lower productivity and quality, and undermine public confidence in the work we do. In compliance with the Drug Free Workplace Act of 1988 and the Federal Drug-Free Schools and Communities Act Amendments of 1989, the District is committed to maintaining a drug and alcohol free workplace.

Employees have the right to know the dangers of drug and alcohol abuse in the workplace, the District's policy about them, and the assistance available to combat drug and alcohol problems. The District shall use its reasonable best efforts to maintain privacy and confidentiality to those employees seeking and/or accepting services. Employees shall not be under the influence or engage in manufacture, possession, consumption, use, or distribution of either illegal drugs or alcohol on school premises or during a school-sponsored activity at any location.

Any employee violating the above policy is subject to appropriate disciplinary action, up to and including termination and referral for prosecution. However, the recommended course of action is to have employees prior to a drug or alcohol-related incident subjecting the employee to disciplinary action, obtain rehabilitative help through a referral assistance program, up to and including those benefits under their health coverage. Employee may self-refer, may be referred by their immediate supervisor and/or bargaining unit representative, or may be referred by their families.

As a condition of employment, all employees of the

District are required to comply with the prohibition against drugs and alcohol in the workplace, and to notify the Superintendent within five (5) days, after any criminal drug statute conviction (including pleas of guilty, nolo contendere, or any other disposition which does not result in an acquittal), for a violation occurring within the workplace.

Under Federal law, the Superintendent must notify the grant providing federal agency within ten (10) days of receipt of notice of a criminal drug statute conviction for a violation occurring within the workplace. Within thirty (30) days of receiving notice, the School Committee must take appropriate personnel action against the employee, up to and including termination and referral for prosecution, and/or require the employee to satisfactorily participate in an approved substance abuse assistance or rehabilitation program. Such programs may, or may not, be fully covered by health insurance benefits.

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

In the event any provision or part of this policy shall, for any reason, be in conflict with, or rendered illegal or non-enforceable by, the federal Drug-Free Workplace Act of 1988 and/or the federal Drug-Free Schools and Communities Act Amendments of 1989, or any existing or future regulations promulgated hereunder, said laws and/or regulations shall supersede any such provision or part and the provision or part so affected shall no longer be operative but the remaining provisions or parts shall continue in full force and effect. The words used herein will be construed under, and as defined by, the federal Drug-Free Workplace Act of 1988 and/or the federal Drug-Free Schools and Communities Act Amendments of 1989.

Please refer to the appropriate employee contract for sanctions regarding violations of the drug, alcohol, and tobacco/smoke-free policies.

All employees are asked to acknowledge that they have read the above alcohol and drug free policy and agree to abide by it in all respects. By law, this acknowledgment is required of you as a condition of continued employment.

Contagious Diseases

Contagious diseases present the schools with unique challenges. Sometimes parental notification is appropriate in an attempt to limit the spread of such

diseases. Head lice is not a contagious disease. Nurses will use nursing judgment regarding the scope of necessary notifications regarding head lice cases. In instances of contagious diseases, notification in compliance with State laws and as thought appropriate by the health staff, will be made. The health staff will keep parents informed of Massachusetts regulations relative to communicable diseases.

Acquired Immune Deficiency (AIDS)

The District recognizes that AIDS (Acquired Immune Deficiency Syndrome) and infection with HIV (Human Immunodeficiency Virus), the virus that causes AIDS, are serious public health concerns. Schools must play a major role in the concerted effort to stop the spread of the virus by helping students make healthy choices about their personal behavior. A developmentally appropriate curriculum will be delivered to students within the District covering the various aspects of the AIDS/HIV epidemic.

Students with AIDS and HIV are entitled to the same rights as other students. The District will abide by guidelines established by the Department of Public Health and the Department of Elementary and Secondary Education regarding disclosure privacy and precautionary procedures.

First Aid

It is the policy of the District to provide first aid for its students and employees that will be administered by the school nurse or another first aid certified person. First aid is defined as the immediate and temporary care given in case of an accident or sudden illness, which enables the individual to be taken safely home or to a physician. It does not include diagnosis or treatment. Procedures are in place at each school for the proper handling of an injury to, or sudden illness of, a student or staff member. These are approved by the Superintendent and reviewed annually with staff members and students. The procedure for responding to a medical emergency is contained within the HWRSD Emergency Management Guide.

Medications

Only the school nurse, or trained designee, will administer medication. This can only be done under a physician's order. The district reserves the right to reject requests for administration of medication.

Administration of Medications

The District will follow the procedures for the administration of medications as outlined by the Department of Public Health and developed locally. A copy of these procedures will be included in the school handbooks and be available at each school.

Staff members are prohibited from making recommendations or suggestions regarding a students' need for medication. If a teacher or other staff member suspects that a child has not taken a prescribed medication, the student should be referred to the school nurse.

Injectable Epinephrine

In the case of a child who has severe allergies, it will be the responsibility of the parent, guardian, or person who has legal custody of such child, to supply the District with an Epi-pen auto injector at the school. It shall be the responsibility of the District to safely keep the Epi-pen and provide willing staff training on proper procedures. In the case of a staff member who has severe allergies, it will be the responsibility of that person to inform the nurse and carry their own Epi-pen.

Automated External Defibrillator (AED)

Willing District employees shall be trained and certified through the American Heart Association in CPR and in the use of an AED. Recertification is required every two years. Employees shall use the AED solely in the manner in which they were trained.

Each employee willing to be trained shall be temporarily issued an American Heart Association manual entitled "Heartsaver AED" in order to prepare for the class. The handbooks will be available through the nurse leader and may be requested to periodically review the material. Only persons trained and certified may access and operate the AED.

III. CURRICULUM AND INSTRUCTION

The School Committee Curriculum and Instruction Policy, provides information about the following:

- Academic Achievement/student progress reporting
- Classroom visitations
- Curriculum adoption
- Curriculum development
- Evaluation of instructional program
- Field trips
- Foreign trips
- Guest speakers
- Homework
- Instructional materials/resources
- Instructional support services
- Responsibility and Goals
- School year and day

District Curriculum Accommodation Plan (DCAP)

The Hampden-Wilbraham Regional School District provides guidelines and resources to meet the needs of diverse learners within general education classrooms. The District Curriculum Accommodation Plan (DCAP, a

reference tool located in the principal's office, is designed to assist teachers in their efforts to employ quality teaching strategies for all students. Teachers are expected to document these efforts on the students' instructional services record, a blue form located on the inside cover of the students cumulative folder. These strategies for success should be updated at the end of each school year, and reviewed by receiving teachers for incorporation into the students' regular educational program.

Student/Teacher Assistance Team (S/TAT)

When typical classroom strategies have not produced the desired outcomes for students, additional consultation should be sought through the building Student/Teacher Assistance Team (S/TAT). Each building has an established protocol for S/TAT team meetings. The referral process is reviewed annually at the beginning of each school year. Referral forms and additional information about the building S/TAT team can be obtained from the building principal or the designated S/TAT liaison.

Student Services

The District's special education program provides services to disabled students in accordance with both Federal, Individuals with Disabilities Education Act "IDEA" (20 U.S.C. 1400 et seq.) and State (M.G.L. c. 71B "Chapter 766") laws, and State regulations, under (603 CMR 28.00 et seq.). *These programs are coordinated through the Student Services Department, located in the District Office, 621 Main St., Wilbraham, MA (413) 596-3884.*

Special Education is comprised of two main functions:

1. Evaluation and specialized instruction and/or
2. Related services (e.g. physical therapy, occupational therapy, speech therapy, assistive technology, and school adjustment counseling).

The District has the critical responsibility to determine whether a student's inability to make effective progress within the general curriculum is due to the existence of a disability as defined by State guidelines. Once the link between disability and progress is established, the manner of intervention becomes the basis for the Team (teachers, parents, and related service providers) to determine. Central to this decision is the belief that the general education placement is, in almost all cases, the most appropriate placement for students with disabilities.

The Individualized Educational Plan (IEP) is considered to be a legal document. All staff members designated as service providers are expected to comply with services that have been determined through the TEAM process. All members of a student's instructional team

are expected to participate to the fullest extent possible in the evaluation and monitoring of the student's progress, including input at scheduled TEAM meetings.

English as a Second Language services will be provided to students and families for whom instruction in English may be a barrier to effective academic progression.

Academic tutoring will be provided for students who may be absent for academic instruction due to a validated medical or psychiatric issue for the equivalent of 14 school days or longer. Given this validation of extended school absence, tutorial support will be provided at District expense.

Field Trips

A school sponsored field trip is an excursion of students that is organized on school property and/or on school time and/or utilizes school funds or equipment and receives the approval of the Superintendent or his/her designee. School sponsored field trips may be conducted during school or non-school time.

The School Committee delegates to the Superintendent or his/her designee authority to approve field trips (within budgetary limitations) so long as each individual trip meets all of the following conditions:

1. Is directly related to either the curriculum or a school sponsored and school-approved extra-curricular activity (i.e., band, student councils, etc.).
2. Field trips must be completed within one day, unless special permission for an overnight trip is received from the Superintendent.
3. Written parental permission is required before any student is allowed to participate in a field trip.
4. Reasonable accommodations will be provided to allow eligible students with disabilities to participate in scheduled field trips.
5. The school staff member planning the field trip must notify the school nurse of the field trip as soon as possible, but at least three weeks in advance. This time is needed for the nurse to identify a need and secure a nurse to accompany the students on the field trip and to put plans in place for safe management of any health conditions including medication administration.
6. Some out of state field trips, where it is identified that a nurse is needed, may require an application for a temporary nurse license travel permit that the nurse needs to complete in advance. The school nurse will need at least six weeks advance notice of an out of state field trip to make the necessary arrangements.

School staff will be sensitive to the participant's costs when organizing field trips.

Guest Speakers

The School Committee recognizes the value of guest speakers. They enrich our curriculum and provide additional resources for the classroom teacher.

Building administrator approval must be obtained before engaging guest speakers and, if needed, an appropriate notice, along with the option for the student to be excluded, will be provided to parents. Administrative approval is also required for any handouts to be distributed, with an additional set available in the office for parental viewing in advance of the material's distribution to the students. Staff should be sensitive to their responsibility to safeguard the integrity of the educational program. Care should be taken to ensure that presentations are objective and present all viewpoints.

Informal Classroom and School Visitations

The District supports and encourages the active involvement of parents in their children's learning. In an effort to develop home-school partnerships the District welcomes parental visits to their children's classrooms. Informal visitations (as distinguished from formal observations described in the next section), are opportunities for parents to support their child's participation in a school or classroom activity or event. Informal visitations are not to be used to determine the appropriateness of a program and/or to become more familiar with the program and staff or to evaluate academic programs or staff. The following procedures must be followed during informal classroom and school visitations:

- All parents must follow District protocol for safety when visiting our schools.
- Parents must make prior arrangements with the school principal and teacher.
- All visits shall be of such reasonable length and at such a time as to be non-disruptive to the instruction of students, as determined by the teacher and school principal.
- All visitors are to report first to the School principal's office. No unauthorized person will be permitted access to any classroom.
- The schools reserve the right to limit the number of visits to classrooms to protect the learning process and the confidentiality rights of students.

Formal Parent Observations in Classrooms

The Hampden-Wilbraham Regional School District believes parents are important partners in educating students and welcomes parental participation in determining a child's appropriate educational program. To that end, we open our classrooms to parents or a parent representative who want to observe a child in

the school setting. For the purposes herein, parent representative means an independent evaluator, educational consultant, or an individual who preferably holds certification or licensure from the Commonwealth of Massachusetts in a field directly related to the child's educational program. The following procedures shall be followed when an observation is requested:

1. A request to observe a child in the child's current or potential educational placement must be scheduled at least five (5) days in advance through the building principal;
2. The building principal shall contact the parent(s) to schedule a meeting or phone conference within five (5) days of receipt of the parents' request to discuss the purpose(s) of the observation;
3. The observation will be scheduled at a mutually-agreed upon time and date after consultation with the classroom teacher(s);
4. The principal will consult with the classroom teacher and the observer to set up the parameters of the observation (including, but not limited to, conferences with school staff, review of work products, and placement of the observer in the classroom);
5. The number, frequency, and duration of observation periods will be determined on an individual basis. The start and end time and day(s) of observation periods will be determined in advance. In order to minimize classroom disruption, the length and number of individual observation periods may be limited. The complexity of the child's needs, as well as the program(s) to be observed, should determine what the observation will entail and what amount of time is needed to complete it.
6. The parent must sign a release for a parent representative to observe a child;
7. The parent or parent representative must be silent at all times and not interrupt the educational process in the classroom. If the observer's presence disrupts the learning environment, he/she will be asked to leave. This notice is particularly important since the presence of parents can influence the performance of the child being observed as well as other children;
8. The parent or parent representative may not record at any time during their observation, by any recording device. This prohibition against recording includes, but is not limited to, the use of cell phones, tablets, or pocket records. Parent and parent representatives are hereby advised that under Massachusetts law, any such recording is illegal;
9. The parent or parent representative is not observing for the purpose of evaluating a teacher's ability to perform his or her contractual duties;

10. The parent or parent representative must report to the school office (as do all visitors) as part of the School District's Safety Protocol. A school administrator or designee will accompany the observer and may remain and take notes as to what is observed, paying particular attention to anything that is atypical during the observation period;
11. Observations during MCAS testing or during the first or last weeks of school are highly discouraged and will generally not be scheduled;
12. The parent or parent representative must sign the an Observation Agreement so that both the School District and classroom parents have assurance that information concerning other students' education remains in the classroom and is not discussed in public.

- Education Act. If the family temporarily relocates to a nearby community, transportation may be arranged by the district.
- Students who are homeless are immediately presumed eligible for free lunch. The USDA has waived all restrictions and eligibility formulas.
 - Likewise, students who are homeless are automatically qualified or available for Title I services.
 - Determinations are made case-by-case. "Unaccompanied Youth" (typically high school students who have left or been sent out of their homes) may be eligible for homeless services, even if they are "doubled up" with another family. Depending on the age of the student, DSS or DYS may be involved. Students under DSS custody may also eligible for consideration if the placement is temporary.

IV. ADDITIONAL STATUTORY AND LEGAL REFERENCES

Homelessness

Any staff member who has reason to believe that a student may be homeless should report their concern to the building principal, school nurse or school adjustment counselor, who will refer the situation to the District's McKinney-Vento liaison. **For further information** on understanding homeless eligibility as defined by the McKinney-Vento Homeless Education Assistance Act, please visit the website at www.doe.mass.edu/hsss/haa.

McKinney-Vento Homeless Education Assistance Act

Under the McKinney-Vento Homeless Education Assistance Act, school districts are obligated to identify students who may be homeless and, once homeless status is determined, provide certain accommodations and services to those students and their families. Under this federal legislation, children are defined as homeless if they:

- Lack a fixed, regular, and adequate nighttime residence.
- Reside in temporary, emergency or transitional shelters.
- Are awaiting foster care placement, or are abandoned, or not in the physical custody of a parent or guardian.

Homeless students are eligible for special consideration and services specified by McKinney-Vento. These services could deviate from regular school policy in matters of transportation, immunization requirements, residency verification, free lunch eligibility, etc., as noted in the following eligibility clarifications:

- A family, whose home is destroyed or uninhabitable in the event of a fire, would be eligible for consideration under the Homeless

Access to education and services for homeless students may not be delayed while awaiting records, including proof of residency or immunization. It is to be presumed that these records exist, and the homeless liaison should be contacted to facilitate their access without disrupting the student's enrollment. If you suspect that a student is homeless, please contact the building principal, nurse, or counselor immediately. With your assistance, they will initiate a referral form that will be used to determine eligibility and to document available resources and services that are offered and/or provided.

Gender Identity

On July 6, 2016, the General Court of the Commonwealth of Massachusetts enacted an Act relative to transgender anti-discrimination. The Act makes it unlawful to discriminate on the basis of gender identity.

M.G.L. c. 272, §92A now mandates that admission to, and the full enjoyment of, a place of public accommodation or a portion thereof, may not be denied on the basis of a person's gender identity.

M.G.L. c. 76, §5 also prohibits discrimination on the basis of gender identity against students who attend public schools. Gender identity is defined as "a person's gender related identity, appearance or behavior, whether or not that gender related identity, appearance or behavior is different from that traditionally associated with the person's physiology or assigned sex at birth..." M.G.L. c. 4, §7

The Hampden-Wilbraham Regional School District ("HWRSD") strives to provide a safe, respectful, and supportive learning environment in which all students can thrive and succeed in its schools. The HWRSD prohibits discrimination on the basis of gender identity and is committed to ensuring that all of its students

have equal rights of access to and equal enjoyment of the School District's opportunities, courses of study, programs, advantages, and privileges. Consistent with the statutory standard, the HWRSD will accept a student's assertion (or parent's in the case of young students not yet able to advocate for themselves) of his or her gender identity when there is "consistent and uniform assertion of the gender related identity, or any other evidence that the gender related identity is sincerely held as part of a person's core identity, provided, however, that gender-related identity shall not be asserted for any improper purpose." 603 CMR 26.01

The School District shall uphold the privacy and confidentiality of school records, including school health records related to gender identity. Transgender students (and parents) and school administrators should meet to discuss the students' access to restrooms, locker rooms, and changing areas. While each situation needs to be addressed individually, students may access school facilities that correspond to their gender identity.

In sum, in addition to prohibiting discrimination on the basis of gender identity, transgender students (and parents) should contact and meet with their building principal to develop a plan that provides for the students' safety and comfort in the school environment.

All students and staff members shall report to the building principal conduct that has the effect of marginalizing, stigmatizing, and excluding students, whether they are gender nonconforming or not.

Non-Discrimination

Students will be treated without discrimination based on sex, age, marital status, race, religion, sexual orientation, gender identity, disability or handicap, national origin or pregnancy in compliance with State and Federal laws. Equal educational opportunity is available to all students with respect to enrollment, programs, and participation in school, athletic, and extracurricular activities, including those students who are pregnant or parenting. In addition, the District believes that students should learn in an atmosphere free of harassment or bullying, and will take affirmative steps to eliminate any inappropriate conduct brought to its attention.

The Hampden-Wilbraham Regional School District, pursuant to Title II of the American's with Disabilities Acts (ADA), Section 504 of the Rehabilitation Act of 1973, M.G.L. c. 76, sect.5, M.G.L. c. 151B, M.G.L. c. 151C, Title IX of the Civil Rights Act of 1972, and Titles VI and VII of the Civil Rights Act of 1964, does not discriminate against:

1. Any adult on the basis of race, color, sex, religion, age, national origin, sexual orientation, gender identity, disability, marital status, or veteran status in any employment status or access to programs available to such adults; and
2. Any student on the basis of race, color, sex, religion, national origin, sexual orientation, gender identity, or disability, be denied equal access or admission to school programs, courses, and/or extra-curricular activities.

Any student, parent, or guardian who believes he or she has been discriminated against, denied a benefit, or excluded from participation in any district program or activity on the basis of race, color, sex, religion, national origin, sexual orientation, gender identity, or disability in violation of this policy may file a written grievance with the Superintendent of Schools or designee.

Non-Discrimination against Students with Disabilities

The HWRSD is committed to a policy of non-discrimination against qualified students with disabilities, in accordance with Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 and the Massachusetts Anti-Discrimination Law (MGL 151B). Qualified students with a disability may not be excluded from, denied the benefits of, or denied access to any program or activity based solely on their disability.

Section 504

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination against persons because of handicap in any program receiving Federal financial assistance. The Act defines a person with a handicap as one whom:

- Has a mental or physical impairment which substantially limits one or more major life activities
- Has a record of such impairment
- Is regarded as having such impairment

In order to fulfill its obligations under Section 504, the School District recognizes a responsibility to avoid discrimination in policies and practices regarding its personnel and students. No discrimination against any person falling under the provisions of Section 504 will knowingly be permitted in any of the programs and practices in the school system. The School District has specific responsibilities under the Act which include the responsibility to identify, evaluate, and, if the child is determined to be eligible under Section 504, to afford access to appropriate educational services.

Any student, parent, or guardian who believes that he/she has been discriminated against on the basis of disability should immediately bring the problem to the attention of the School District officials in writing. A

written complaint should be directed to the attention of the District 504 Coordinator, where the complaint will be investigated expeditiously.

No student, parent, or guardian will be subject to coercion, intimidation, interference, or retaliation for registering a complaint or for assisting in an investigation of any alleged violation of laws prohibiting discrimination on the basis of disability.

For further information, contact the District 504 Coordinator, 621 Main Street, Wilbraham, MA 01095 or (413) 596-3884

Fundraising and Access to Students

The School Committee respects students, seeks their input into decision-making processes as deemed appropriate, and accords students' rights consistent with State and Federal laws. Students should not be taken out of their student role and involved in activities that detract from the educational process. The school should safeguard the integrity of the educational program against such interruptions. And, under no circumstance should students be sent off school grounds on personal or school-related errands.

Students and school organizations shall not be used as a means of collecting information not directly pertinent to the school program.

The distribution of information of an advertising or promotional nature shall be allowed only if it relates directly to an approved school-based activity. Information regarding the activities of a non-profit local group, which is age appropriate and in the best

Physical Restraint Prevention and Behavior Support Policy

Physical restraint shall be considered an emergency procedure of last resort and shall be prohibited except when a student's behavior poses a threat of assault, or imminent, serious physical harm to self or others and the student is not responsive to less intrusive behavior interventions, or such interventions have been deemed inappropriate, under the circumstances. The use of restraints on students in all publicly funded Massachusetts schools is governed by state regulation 603 CMR 46.00 that was revised by the Department of Elementary and Secondary Education and took effect on January 1, 2016. Under the revised regulations, mechanical restraint, medication restraint, and seclusion shall be prohibited.

Mechanical Restraint: The use of any device or equipment to restrict a student's freedom of movement. The term does not include devices implemented by trained school personnel, or utilized by a student that have been prescribed by an appropriate medical or related services professional, and used for

the specific and approved positioning or protective purposed 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: 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.

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

Time Out: 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 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.

An **inclusionary** time-out is when the student is removed from positive reinforcement or full participation in classroom activities while remaining in the classroom.

An **exclusionary** time-out occurs when there is a complete visible or physical separation of the student from the rest of the class or learning environment.

An **exclusionary** time-out may only last for 30 minutes. 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.

During an **exclusionary** time-out a school counselor or other behavioral support professional should be

immediately available to, supporting, and continuously monitoring the student.

At HWRSD, the Crisis Prevention Institute (CPI) curriculum is used to train all faculty in verbal de-escalation and selected staff in physical restraint.

Physical restraint is defined as direct physical contact that prevents or significantly restricts a student's freedom of movement and does not include brief physical contact to promote student safety or a physical escort without the use of force for the purpose of guiding or inducing a student to walk to a safe location. 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. All physical restraints must be terminated as soon as the student is no longer an immediate danger to himself or others, the student indicates that they cannot breathe, or is observed to be in severe distress.

Only school personnel who have received training pursuant to 603 CMR 46.04(2) or 603 CMR 46.04(3) shall administer physical restraint on students. The 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 principal or his/her designee shall verbally inform the student's parent/guardian of the restraint within 24 hours of the event and shall notify the parent by written report within three school working days of the restraint either by email or by regular mail postmarked no later than three school working days of the restraint. When a physical restraint has resulted in an injury to student or program staff member, the program shall send a copy of the written report to the Department of Elementary and Secondary Education (DESE) by regular mail postmarked no later than three school working days of the restraint. The District will report data regarding the use of physical restraints to DESE annually in a form and manner directed by DESE.

Staff Training

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

Additional in-depth training for designated staff

members will include:

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

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

When Physical Restraint is Used

1. Physical restraint may be used when non-physical interventions have been attempted without success or when it is apparent that they would not be effective. It may only be used when a student's behavior poses a threat of imminent, serious physical harm to self and/or others or when otherwise outlined in a Behavioral Intervention Plan.
2. Physical restraint is limited to the use of such reasonable force as may be necessary to protect a student or other persons from assault or imminent, serious physical harm.
3. Unless specifically indicated in an agreed-upon Behavioral Intervention Plan, physical restraint may not be used as a response to property destruction, disruption of school order, a refusal to comply with a school rule or staff directive, or verbal threats which do not constitute a threat of imminent, serious physical harm. Physical restraint may never be used as a means of punishment.
4. A school staff member who uses a physical restraint on a student must use the safest method available which is most appropriate to the situation at hand, and the method for which that staff member has been trained. Staff shall review and consider any known medical or psychological limitations and/or behavior intervention plans regarding the use of physical restraint upon an individual student.
5. No physical restraint may be used which prevents a student from speaking or breathing, and must be

used in such a way as to prevent or minimize physical harm. If at any time during the restraint, the student demonstrates significant physical distress, the restraint shall be removed immediately.

6. A physical restraint must be discontinued as soon as possible when it has been determined that a student no longer poses a risk of harm to self or others.
7. Following the use of a physical restraint, the building principal or a designated program staff member will meet with the student to address the behavior which prompted the restraint, and will also review the incident with the staff members who were involved and determine whether follow-up is needed for students who may have witnessed the incident.
8. Following the use of an extended restraint or a physical restraint where the student is highly aggressive or confrontational, the student should be examined by the school nurse.
9. Physical restraint regulations do not prohibit any individual from reporting a crime committed by a student to local law enforcement or other state agencies. Law enforcement officers, school security staff, or judicial authorities are not prohibited by this regulation from the exercise of their responsibilities, which may include the physical detainment of a student or other person alleged to have committed a crime or who poses a security risk. In addition, an individual who is a mandated reporter under M.G.L. c. 119, § 51A is not prohibited by this policy from complying with their responsibility to report neglect or abuse to the appropriate state agency. If a student is injured as the result of a physical or extended restraint, the school should file a report (self-report) under § 51A.

Reporting Requirements

1. A staff member who administers a restraint shall verbally inform the building principal, or his/her designee, as soon as practical that day and by written report no later than the next school day.
2. The building principal, or his/her designee, shall verbally inform the student's parent/guardian of the use of physical restraint as soon as practical and by written report no later than three (3) school days following such use.
3. The report must include:
 - a. The names and job titles of staff who administered the restraint and the person(s) who observed it.
 - b. The date and time the restraint was used, the time it began and ended, and the name of the administrator who was verbally informed.
 - c. A description of the activity of the restrained

student and other students and staff in the vicinity immediately preceding the use of the restraint; the behavior which prompted it; the efforts made to de-escalate; alternatives which were attempted first; and the justification for resorting to physical restraint.

- d. A description and reason why this restraint was used; the student's behavior and reactions during the restraint; how it ended; and documentation of injury, if any, to the student or staff and any medical care provided.
- e. For extended restraints, a description of the alternatives which were attempted first, the outcome of those efforts, and the justification for administering an extended restraint.
- f. Information regarding any further action(s) taken by school staff, including any disciplinary actions taken toward the student.
- g. Information regarding opportunities for the student's parent/guardian to discuss the restraint and related matters with the building principal or his/her designee, as well as their right to file a grievance.

The "Report of Physical Restraint" form must be used by all district staff.

The building principal, or his/her designee, shall maintain an ongoing record of all reported instances of the use of physical restraint, which shall be made available to the Department of Education. A copy of the ongoing record of all reported instances shall be forwarded to the Director of Student Services by January 31st and June 30th of each school year. When a restraint has resulted in a serious injury to the student or program staff member involved, or when an extended restraint has been administered, a written report must be submitted to the Department of Education within five (5) school days of the date of the restraint. School building administration must, at this time, also provide the Department of Education with a copy of the ongoing record of restraints for the thirty (30) day period preceding the date of the reported restraint. The Department will notify the District of any required actions, if warranted, within thirty (30) calendar days of the receipt of the report.

Copies of all correspondence to the Department of Education shall be forwarded to the Superintendent and Director of Student Services. Nothing contained herein shall relieve staff reporting requirements when a personal injury occurs within the scope of employment.

Individual Waiver of Reporting Requirements

A school district may seek a parent/guardian's consent to waive the reporting requirements for restraints

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

Students with Disabilities

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

Grievance Procedure

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

1. Grievance is a complaint made pursuant to, and arising out of, the District's obligation to comply with State regulations regarding the use of physical restraints.
2. Aggrieved Party is a person or persons making the complaint.

Purpose

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

General

1. No aggrieved party will be subject to coercion, intimidation, interference, or discrimination for registering a complaint or for assisting in the investigation of any alleged complaint within the context of this Grievance Procedure.
2. All documents, communications, and records dealing with the filing of a grievance will be kept confidential to the full extent provided by law.
3. Forms for filing grievances will be provided upon request by building principals or the Director of Student Services, Thornton W. Burgess Middle School, 85 Wilbraham Road, Hampden, MA 01036.

Procedure

1. The aggrieved party should complete the Grievance Form and return it to the building principal, or his/her designee, at the school building in which the alleged grievance occurred. The complaint should be filed within fifteen (15) days after the complainant becomes aware of the alleged violation. Assistance will be provided, upon request, to enable an individual to complete the Grievance Form and pursue the grievance process.
2. Within (10) school days after receiving the grievance, the building principal, or his/her designee, shall meet with the aggrieved party in an effort to resolve the grievance. This investigation into the complaint is contemplated to be thorough, but informal, in nature. All interested persons and their representatives, if any, shall be afforded an opportunity to be heard and to submit evidence relevant to the complaint. If the grievance is not resolved, it will be forwarded to the Director of Student Services.
3. Within thirty (30) school days of receipt of an unresolved grievance, the Director of Student Services will conduct a hearing to determine what, if any, action shall be taken in response to the grievance. The hearing shall be held at a time and place mutually convenient to all parties. The hearing procedure will follow appropriate due process procedures including:
 - a. The opportunity for the aggrieved party to present the grievance in any suitable manner.
 - b. The right of the aggrieved party to an impartial hearing officer.
 - c. The right of the aggrieved party to be represented by counsel, or an advocate, at the aggrieved party's expense.
 - d. The right of the aggrieved party to a prompt decision.Parents/legal guardians should provide advance notice to the Director of Student Services that they will be represented by counsel, or an advocate, at the grievance hearing. The failure to provide such notice will likely result in, a postponement of the hearing.
4. A written determination of the validity of the complaint and a description of the resolution, if any, shall be issued by the Director of Student Services and forwarded to the complainant no later than fifteen (15) working days after the hearing. The determination of the validity of the complaint and the description of the resolution will be provided in an alternate format, upon request, if needed for effective communication.
5. The complainant can request a reconsideration of the case in instances where he or she is dissatisfied with the resolution. The request for

- reconsideration should be made within fifteen (15) working days following receipt of the written determination to the Superintendent.
6. The right of a person to a prompt and equitable resolution for the complaint filed hereunder shall not be impaired by the person's pursuit of other remedies such as the filing of an ADA, Section 504 or other complaint with the responsible federal department or agency. Use of this grievance procedure is not a prerequisite to the pursuit of other remedies.
 7. These rules shall be construed to protect the substantive rights of the interested persons to meet appropriate due process standards and to assure that the District complies with 603 CMR 46.00.
 8. Copies of all resolutions and findings made under this procedure shall be filed with the Superintendent's office.

Exposure Control Plan

The Occupational Safety and Health Administration's (OSHA's) Blood Borne Pathogens Standard requires all school systems to create and make available to every employee an Exposure Control Plan. All employees of the Hampden-Wilbraham Regional School District are required to comply with this plan.

Potential hazards in the school setting include contact with blood or potentially infectious body fluids, HIV leading to AIDS, torn or loose skin, sharp objects including glass, metal, knives, needles, orthodontic wires that are exposed, hepatitis B virus which causes inflammation of the liver. Contaminated surfaces are a major cause of the hepatitis B virus. HBV can survive on surfaces dried and at room temperature for at least one week.

Wellness Policy (*Revised and Approved by the School Committee on April 25, 2017*)

The School Committee has approved and adopted revisions to the wellness policy, April 2017, to be implemented in the 2017-2018 school year. The policy guidelines, which may be viewed on the HWRS D website at <http://www.hwrsd.org>, further strengthens the district's commitment to safety and wellness. Teachers, administrators, and staff will act as facilitators of the guidelines addressed in the policy. We ask that parents and guardians comply with and support the guidelines.

Student Rewards:

Foods and beverages will not be provided to students during the regular school day as rewards for academic performance or good behavior.

Classroom Parties and Celebrations:

- District schools will adopt food free celebrations during the regular school day.
- Alternate ways to celebrate birthdays, holidays, and special events that do not include food sharing will be posted on the district website.

Food Allergies:

It is recognized by the Hampden-Wilbraham Regional School District that food allergies can pose a serious risk to vulnerable students. Therefore, guidelines must be followed. These guidelines apply to the consumption of food during the regular school day as it relates to an individual student's snack, school meal program, or for those approved curriculum-based lesson plans that will involve the group sharing of food.

- Food items sent to school for the consumption by more than one student cannot contain nuts or nut oils.
- The school may prohibit specific food products from entering the classroom. Home baked or food items prepared at home will be allowed for group consumption in a classroom for a student identified with a life threatening food allergy. In school buildings identified with a significant number of students with life threatening food allergies, home baked or food items prepared at home will not be allowed for group consumption in any classroom.
- Store bought food items for group consumption must be in the original packaging and include a food label.
- A peanut free eating area will be provided in each school as needed.
- Student food allergy alerts will be programmed into the cafeteria point of sale system.
- Information about students' food allergies will be kept in the classroom. These foods will not be used for class projects, arts, crafts, science experiments, cooking or other projects...
- A letter will be sent home to parents of elementary students informing the families of any specific classroom allergies and corresponding restrictions as it relates to snacks sent in for individual consumption in the classroom.

Transportation:

Per state law, the consumption food or beverages is not allowed on school buses.

Staff Nutrition and Physical Activity Education

With the purposes of:

- Encouraging all school staff to improve their own personal health and wellness.
- Improving staff morale.
- Creating positive role modeling.
- Building the commitment of staff to promote the health of students.

- Building the commitment of staff to help improve the school nutrition and physical activity environment.

Nutrition and physical activity education opportunities will be provided to all school staff at the elementary, middle and high school levels. These educational opportunities may include, but not be limited to, the distribution of educational and informational materials and the arrangement of presentations and workshops that focus on nutritional value and healthy lifestyles, health assessments, fitness activities, and other appropriate nutrition and physical activity-related topics. The district will partner with the SVRHT to provide opportunities and incentives to engage in health promotion activities.

Harassment Policy: Sexual Harassment, Bullying, and Hazing and Intimidation

Equal Educational Opportunity

Equal educational opportunity and non-discrimination laws protect the rights of students to participate in all activities pertaining to their education. The law in Massachusetts states:

- No person shall be excluded from, denied the benefits of, or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges, and courses of study of such public school on account of race, color, sex, religion, national origin, gender identity, or sexual orientation.
- Students will be treated without discrimination based on sex (including pregnancy), age, marital status, race, color, national origin, religion, sexual orientation, gender identity, or disability in compliance with State and Federal laws.
- Equal educational opportunity is available to all students with respect to enrollment, programs, and participation in school, athletic, and extracurricular activities, including those students who are pregnant or parenting. **Refer to *Physical Limitations in the Handbook for Students and Families*.**

In addition, the District believes that students should learn in an atmosphere free of discriminatory harassment or bullying, and will take affirmative steps to eliminate any inappropriate conduct brought to its attention.

The Hampden-Wilbraham Regional School District, pursuant to Title II of the Americans with Disabilities Acts (ADA), Section 504 of the Rehabilitation Act of 1973, M.G.L. c. 76, sect.5, M.G.L. c. 151B, M.G.L. c. 151C, Title IX of the Education Amendments of 1972, and Titles VI and VII of the Civil Rights Act of 1964, does not discriminate against:

1. Any adult on the basis of race, color, national origin, sex, religion, age, sexual orientation, gender identity, disability, marital status or veteran status in any employment status or access to programs available to such adults.
2. Any student on the basis of race, color, national origin, sex, religion, sexual orientation, gender identity, or disability, in equal access or admission to school programs, courses, and/or extra-curricular activities.

Any student, parent, or guardian who believes he or she has been discriminated against, denied a benefit, or excluded from participation in any district program or activity on the basis of race, color, religion, national origin, sexual orientation, or gender identity in violation of this policy may file a grievance with the Superintendent of Schools or designee. **For complaints of discrimination on the basis of sex, refer to HWRSD's Title IX grievance procedures in this handbook.** *You may also contact the Title IX Coordinator, 621 Main St., Wilbraham, MA 01095 or (413) 596-3884.*

Glossary of Relevant Definitions Related to Bullying and Discriminatory Harassment

Bullying

For the purposes of requirements related to Chapter 92 of the Acts of 2010 legislation bullying is defined as the following: The repeated use by one or more students [aggressor(s)] of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a target that: (i) causes physical or emotional harm to the target or damage to the target's property; (ii) places the target in reasonable fear of harm to him/herself or of damage to his/her property; (iii) creates a hostile environment at school for the target; (iv) infringes on the rights of the target at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school. For the purposes of requirements related to this law, bullying shall include cyber-bullying. See section 5 of the legislation for more details on the definition of cyber-bullying and more.

Discriminatory Harassment

Unwelcome verbal, physical or other conduct that is sufficiently severe, pervasive, or persistent to create a hostile environment resulting in a denial or limitation in a student's ability to participate or benefit from the school's program. To determine whether the conduct denies or limits benefits or services consideration must be given to subjective and objective perspectives. Under the subjective standard, the conduct must actually be perceived by the student/victim as offensive in order to interfere with his/her participation

in the program. Under the objective standard, consider whether a reasonable person in the student's position (including the student's age, sex, and any other relevant factors) would find the conduct offensive.

Also consideration must be given to whether conduct is sufficiently severe or serious. The more severe the conduct, the less need to show repeated incidents and the effect of the conduct on the student's education. Other relevant considerations might include the type, frequency, location, and duration of conduct; number of students involved; and the relationship/roles of the parties.

Types of Discriminatory Harassment:

1. Disability harassment is intimidation or abusive behavior toward a student based on disability that creates a hostile environment by interfering with or denying a student's participation in or receipt of benefits, services, or opportunities in the institution's program. Harassing conduct may take many forms, including verbal acts and name-calling, as well as nonverbal behavior, such as graphic and written statements, or conduct that is physically threatening, harmful, or humiliating. When harassing conduct is sufficiently severe, persistent, or pervasive that it creates a hostile environment, it can violate a student's rights under the Section 504 and Title II regulations. A hostile environment may exist even if there are no tangible effects on the student victim where the harassment is serious enough to adversely affect the student's ability to participate in or benefit from the educational program.
2. Racial harassment is harassing conduct (e.g., physical, verbal, graphic, or written) based on race, color and/or national origin that is sufficiently severe, pervasive or persistent so as to interfere with or limit the ability of an individual to participate in or benefit from the services, activities or privileges provided by the District.
3. Sexual harassment is conduct that is of a sexual nature; is unwelcome; and creates a hostile environment that denies or limits a student's ability to participate in or receive the benefits, services or opportunities of the District's programs.
4. Hazing is any conduct or method of initiation, even if consented to, into any student organization, whether on public or private property, which willfully or recklessly endangers the physical or mental health of any student or other person. Such conduct shall include, but is not limited to, 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 person, or which subjects such student or other person to extreme mental stress, including extended deprivation of sleep or rest or extended isolation.

Types of Hazing:

1. Subtle hazing is behaviors that emphasize a power imbalance between new members/rookies and other members of the group or team. Termed "subtle hazing" because these types of hazing are often taken-for-granted or accepted as "harmless" or meaningless. Subtle hazing typically involves activities or attitudes that breach reasonable standards of mutual respect and place new members/rookies on the receiving end of ridicule, embarrassment, and/or humiliation tactics. New members/rookies often feel the need to endure subtle hazing to feel like part of the group or team. (Some types of subtle hazing may also be considered harassment hazing).
2. Harassment hazing is behavior that causes emotional anguish or physical discomfort, in order to feel like a part of the group. Harassment hazing confuses, frustrates, and causes undue stress for new members/rookies. (Some types of harassment hazing can also be considered violent hazing).
3. Violent hazing is behaviors that have the potential to cause physical and/or emotional, or psychological harm.
4. Retaliation refers to retribution or other coercive, threatening or intimidating actions taken against any individual or associates of that individual because that individual or associates of that individual made a charge, testified, assisted, participated in any manner in an investigation, or advocated for rights protected under HWRSD's applicable policy and applicable Federal laws.

Title IX Coordinator Job Description

1. Oversee the Title IX grievance procedure for use by students, parents, staff and third party individuals accessing HWRSD programs or facilities. The Coordinator will provide information about the availability and use of the grievance procedure.
2. Maintain a record of all grievances and resolutions as well as conduct an annual review of the Title IX grievance procedures to assess the process and identify patterns.
3. Inform District personnel of the Coordinator's responsibilities and assure periodic meetings of the Coordinator to update staff on Title IX activities. Require immediate reporting of any issues that potentially would result in a Title IX investigation

by the building principal or designee to the current Title IX Coordinator.

4. Provide ongoing review of District bulletins, catalogs, Board of Education policies, counseling procedures, yearbooks, and administrative regulations and practices related to compliance with Title IX.
5. Ensure that annual notice of the Title IX Coordinator's name, address, and telephone number is placed on the District's web-site, handbooks, etc.
6. Review student sponsored organizations and suggest criteria for compliance with Title IX.
7. Become familiar with resources/information for technical assistance on Title IX available from the Office for Civil Rights. Take advantage of on-going training opportunities on sexual harassment and/or sexual violence.
8. Oversee the systematic procedure for monitoring compliance with Title IX, as well as conduct periodic surveys of schools to determine the climate on Title IX issues.
9. Disseminate information about student rights in relation to Title IX.
10. Assure that cooperative training agreements and/or HWEA contracts have appropriate nondiscrimination statements.
11. Students, parents, employees and third party individuals are welcomed to arrange a meeting with the District's Title IX Coordinator to discuss any Title IX concern by calling 413-596-3884.
12. If someone wishes to file a complaint regarding the Title IX Coordinator, the person would contact the Superintendent of Schools at 413-596-3884.
13. The District's Title IX Coordinator will consult with the School Resource Officers in each town annually to review the MOU and procedures for reporting such cases. The Title IX Coordinator will work parallel with law enforcement but understanding that the District is obligated to comply with Title IX, and it is the role of the District's Title IX Coordinator to coordinate Title IX compliance.

Title IX Grievance Procedures

Students, parents of elementary and secondary school students, employees, applicants for admission and employment, third parties, and sources of referral of applicants for admission and employment with Hampden-Wilbraham Regional School District have the right to file a complaint alleging noncompliance with the regulations outlined in Title IX of the Education Amendments of 1972. Complaints may be filed with the building principal or the District's Title IX Coordinator.

Statement of Assurances

1. The District will not require the reporting party to resolve the issue with the alleged offender without the appropriate involvement of the District. The alleged victim retains the right to stop any informal resolution attempts and proceed with a formal complaint.
2. The District will consider the potential impact of sexual harassment beyond the school campus of the grievant that may have an impact on his or her environment within the school campus.
3. The District will consider providing interim measures in relation to those involved in the complaint while the District conducts an investigation, including separating the parties, providing counseling, making academic adjustments, etc. The building principal has the authority to implement such measures.
4. The District will use the legal definition of preponderance of evidence standard to determine whether sexual harassment or sex discrimination under Title IX has occurred.
5. The District shall annually review Title IX complaints for the purpose of identifying potential patterns at a particular school(s) or population.
6. The District will take steps, reasonably calculated, to end discrimination that has been found, prevent reoccurrence of any discrimination, such as harassment, and correct its discriminatory effects on the grievant and others, if appropriate.
7. Both the grievant and accused have a right to access the appeals process.
8. Title IX protects grievant and others involved from retaliation for reporting allegations of sexual harassment, and/or participating in an investigation of sexual harassment, and District officials will take steps to address and prevent retaliation.

Procedures

Level 1: Principal or Immediate Supervisor

Employees or students claiming sexual harassment or other sex discrimination may first discuss the grievance with their principal or immediate supervisor, with the object of resolving the matter informally. A student, parent, employee, or third party individual with a sex discrimination/harassment complaint may discuss it with the teacher, counselor, or building administrator involved. Level 1 of the grievance procedure is informal and optional and may be bypassed by the grievant.

Level 2: Principal or Immediate Supervisor

If the grievance is not resolved at Level 1 with the principal or designee and the grievant wishes to pursue the grievance, or if Level 1 is not appropriate for resolving the grievance, the grievance may be

formalized by filing a written complaint, providing an interview, or an assisted written complaint when necessary. The principal or designee will seek a list of witnesses or evidence from the grievant, the accused, and others as relevant, as part of the investigation. The principal will conduct a formal investigation under the direct supervision of the District's Title IX Coordinator. The complaint shall state the nature of the grievance and the remedy requested. The filing of the formal, written complaint at Level 2 must be within six months from the day of the event giving rise to the grievance or from the date the grievant could reasonably become aware of such an occurrence. The grievant may request that a meeting concerning the complaint be held with the Title IX Coordinator. A minor student may be accompanied at that meeting by a parent or guardian. A written report from the principal to the grievant and accused regarding action taken will be sent within fifteen (15) working days after receipt of the complaint.

Level 2: Investigation Procedures **Investigating the Complaint**

1. The principal or designee will conduct a prompt investigation of the complaint and complete the investigation in a timely manner. The building principal or designee will inform and consult with the District's Title IX Coordinator prior, during and after the investigative process. The principal will document the investigative activities (e.g. takes notes of interviews conducted). The time to complete the investigation will vary depending on the nature and complexity of the issue but generally will not take more than ten (10) working days after receipt of the complaint.
2. The investigation may include interviews of the grievant, the individual(s) accused of engaging in discriminatory or harassing behavior, and any other witness who may reasonably be expected to have relevant information. All interviewed parties and witnesses will be provided an opportunity to present any evidence they reasonably believe could be relevant to the situation.
3. The HWRSD will respect the privacy of the grievant, the individual(s) against whom the complaint is made, and the witnesses to the extent possible consistent with the HWRSD's legal obligations to investigate and take appropriate action and to comply with discovery and disclosure obligations. All records generated in connection with the investigation will be maintained as confidential to the extent permitted by law.
4. If a complaint is made about any of the persons having responsibility for the implementation and enforcement of the policy forbidding sex discrimination and harassment, the School

- Committee Chair will appoint an independent person to assume those responsibilities.
5. At the conclusion of the investigation, the building principal or designee will obtain a signature from the Title IX Coordinator indicating proper oversight of the investigation. In addition to providing a written report to the grievant and accused regarding action taken within fifteen (15) working days after receipt of the complaint, as described above, the principal or designee will also prepare a written report to deliver to the Superintendent summarizing the evidence gathered during the investigation, providing a determination whether or to what extent the complaint has been substantiated, and recommending the corrective action if appropriate. The corrective action should be designed to stop the harassment/discrimination, prevent it from recurring, and remedy its effects, including services to the victim(s), if appropriate.

Level 3: Superintendent

If the complaint is not resolved at Level 2, the grievant or accused may proceed to Level 3 by presenting a written appeal to the Superintendent within ten (10) working days after the grievant receives the report from the principal or designee. The grievant or accused may request a meeting with the Superintendent or his/her designee. The Superintendent or his/her designee has the option of meeting with the grievant or accused to discuss the appeal. A written decision will be rendered by the Superintendent or his/her designee within ten (10) working days after receiving the written appeal.

The procedure in no way denies the right of the grievant or accused to file a formal complaint at any time with the Massachusetts Commission Against Discrimination, United States Department of Education's Office for Civil Rights, or other agencies available for mediation or rectification of grievances, or to seek private counsel for complaints alleging discrimination. For further information about these guidelines or help with sexual harassment problems or any other form of harassment, consult the Title IX Coordinator, Hampden-Wilbraham Regional School District, at (413) 596-3884.

Legal References

1. Title VII of the 1964 Civil Rights Act, Section 703
2. Title IX of the Education Amendments of 1972
3. Chapter 151C, Massachusetts General Laws
4. M.G.L. Chapter 76 § 5
5. M.G.L. Chapter 269 § 17, 18, 19
6. M.G.L. Chapter 71, §§82, 84

Alternative Procedures

Individuals are not limited to a formal complaint procedure through HWRSD, but may seek resolution through other agencies.

Equal Employment Opportunity Commission

Congress St., Boston, MA 02114
(617) 565-3200

Mass. Commission against Discrimination

One Ashburton Pl., Boston, MA 02108
(617) 727-3990

U.S. Department of Education Office for Civil Rights

5 Post Office Square, 8th Floor, Boston, MA 02109
(617) 289-0111

Any retaliatory action of any kind taken by an employee or student of the HWRSD against anyone as a result of that person's advocacy for rights protected under HWRSD's applicable policy and applicable Federal laws, seeking help, cooperating in an investigation, or otherwise participating in any proceeding is prohibited.

Bullying, Hazing and Intimidation Policy

It is the policy of the Hampden-Wilbraham Regional School District to provide a learning and working atmosphere for students, employees, and visitors free from bullying, hazing, and intimidation. Such action may constitute discriminatory harassment when it occurs on the basis of race, color, religion, national origin, age, gender, sexual orientation or disability, as defined above. **For complaints of sex discrimination, including harassment based on sex, refer to HWRSD's Title IX grievance procedures in this handbook.** For complaints of disability-based discrimination, contact the Title IX Coordinator.

Bullying for the purposes of requirements related to Chapter 92 of the Acts of 2010 legislation is defined as the following: The repeated use by one or more students or staff [aggressor(s)] of a written, verbal or electronic expression or a physical act or gesture or any combination thereof, directed at a target that: (i) causes physical or emotional harm to the target or damage to the target's property; (ii) places the target in reasonable fear of harm to him/herself or of damage to his/her property; (iii) creates a hostile environment at school for the target; (iv) infringes on the rights of the target at school; or (v) materially and substantially disrupts the education process or the orderly operation of a school. For the purposes of requirements related to this law, bullying shall include cyber-bullying. See Section 5 of the legislation for more details on the definition of cyber-bullying and more. **Refer to the**

Bullying Prevention and Intervention Plan on our District website at the following link: <http://www.hwrso.org>. Also, refer to the *Bullying Reporting form at the end of this Handbook.*

Bullying, cyber-bullying, hazing and intimidation are prohibited:

- At school and at all school facilities.
- At school-sponsored or school-related functions, whether on or off school grounds.
- At school bus stops and on school buses or any other vehicle owned or used by the school district.
- Through the use of technology or an electronic device owned, licensed or used by a school.
- At non-school-related locations and through non-school technology or electronic devices, if the bullying creates a hostile environment at school; infringes on the rights of the victim at school; or materially and substantially disrupts the education process or the orderly operation of a school.

Bullying Prevention and Intervention Plan

The Hampden Wilbraham Regional School District will develop a bullying prevention and intervention plan. The principal is responsible for implementing the plan. Each plan must contain several provisions, including:

1. Procedures for responding to and investigating reports of bullying.
2. Strategies for protecting those who report bullying.
3. Notice to the parents or guardians of students involved in bullying, including perpetrators and victims.
4. Appropriate services for students who have been bullied or who are bullies.
5. Inclusion of age-appropriate summaries of the student-related sections of the Bullying Prevention Plan in the Student Handbook.

Bullying Policy

It is a violation of the Bullying Policy for any administrator, teacher or other employee, or any student to engage in or condone bullying in school or to fail to report or otherwise take reasonable corrective measures when they become aware of an incident of bullying.

- This policy is not designed or intended to limit the school's authority to take disciplinary action or take remedial action when such bullying occurs out of school but has a connection to school, or is disruptive to an employee's or student's work or participation in school related activities.
- It is the responsibility of every employee, student and parent to recognize and report acts of bullying and take every action necessary to ensure that the applicable policies and procedures of this school district are implemented.

- Any employee or student who believes that he or she has been subjected to bullying has the right to file a complaint and to receive prompt and appropriate handling of the complaint. Further, all reasonable efforts shall be made to maintain the confidentiality and protect the privacy of all parties, but proper enforcement of this policy may require disclosure of any or all information received.
- The building principal or designee shall be responsible for assisting employees and students seeking guidance or support in addressing matters relating to any form of bullying.
- Retaliation in any form against any person who has made or filed a complaint relating to bullying is forbidden. If it occurs, it could be considered grounds for dismissal of staff personnel and/or removal from the educational setting for a student. A referral to law enforcement may be made.
- Confidentiality - Reports of bullying should be confidential, consistent with necessary investigation procedures, with the goal of protecting the victim and stopping the behavior.
- Preventing Bullying to create more positive school climates and prevent as much bullying as possible, age-appropriate instruction for students in each grade on bullying prevention must be incorporated in a school's curriculum. Professional development for teachers and other staff to help them prevent and stop bullying is required. In addition, schools must offer education to parents about bullying prevention.
- Children on the Autism spectrum must have provisions in their Individualized Educational Programs (IEPs) to ensure they obtain the skills to avoid and respond to bullying, an especially challenging task for Autistic children.
- Reporting and Stopping Bullying To stop bullying as soon as it occurs, all school staff are required to promptly report bullying when they witness or become aware of it. A school principal or his designee must immediately investigate and take appropriate disciplinary action.

Bullying, Hazing, Intimidation Claims Procedure

In school systems, bullying may take many forms and cross many lines. The situation may be of staff member to staff member, staff member to student, student to staff member, or student to student.

Guidelines for dealing with any charge of bullying are:

1. Students and Adults By law, bullying is defined by the victim's perception in combination with objective standards or expectations. What one person may consider acceptable behavior, another person may view as bullying. In order to protect the rights of both parties, it is important that the victim make it clear to the bully that the behavior

is objectionable.

2. Students and Adults In all charges of bullying, the victim should report the specifics of the complaint to ensure that the subsequent investigation is focused on the relevant facts. Oral and anonymous complaints will be reviewed but are inherently difficult to investigate and may not be procedurally fair. No disciplinary action shall be taken on anonymous complaints unless verified by clear and convincing evidence. All other complaints will be reviewed based on a preponderance of evidence standard.
3. Students and Adults Any school employee that has reliable information that would lead a reasonable person to suspect that a person is a target of bullying, hazing, or intimidation shall immediately report it to the administration; each school shall document any prohibited incident that is reported and confirmed, and report all incidents of hazing, intimidation, bullying or cyber-bullying and the resulting consequences, including discipline and referrals, in accordance with state laws and regulations.
4. Students 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. School staff are indemnified from any cause of action arising out of a good faith report of bullying or the district's subsequent actions or inaction in connection thereto.
5. Students If an instance of student to student bullying is reported to a staff member other than an administrator, the staff member must inform the assistant principal or the building principal.
6. Adults If the alleged bully is responsible for conducting an investigation, the Superintendent or committee shall designate an alternative coordinator, who is immediate supervisor of the alleged bully.
7. Adults If a situation involving a charge of staff member to student bullying is brought to the attention of any staff member, the staff member should notify the building principal.
8. Students In a situation involving a charge of student to staff member bullying the staff member should notify the building principal.
9. Adults In a situation involving a charge of staff member to staff member bullying the staff member should notify the building principal.
10. Students and Adults Once a charge of bullying has been made, including charges of mental, emotional or physical bullying as well as threats to a person's safety or position in the school or work environment, the following course of action should be taken:

- a. The building principal should investigate the charge through discussions with the individuals involved.
 - b. In situations involving allegations against a staff member, he/she should be informed of his/her rights to have a third party present at the time of the discussion.
 - c. In situations involving students, the principal should engage the appropriate classroom or special subject area teacher.
 - d. Parents will be informed of the situation in incidences involving students. It is important that the situation be resolved as confidentially and as quickly as the circumstances permit.
11. After an investigation with the involved parties, if the building principal determines that disciplinary action must be taken, the following could occur:
- a. Students and Adults In instances involving student to student or student to staff member bullying, the student may be subject to discipline including but not limited to counseling, suspension, and in appropriate cases, expulsion.
 - b. Adults In instances involving staff member to student and staff member to staff member bullying, findings will be reported to the Superintendent of Schools for further action. Personnel action may also be initiated at this point, consistent with the applicable law and collective bargaining agreement.
 - c. Students and Adults In all cases a referral to law enforcement will be considered by the principal or Superintendent based on the circumstances. School officials will coordinate with the Police Department to identify a police liaison for bullying cases.

Identity of State and Federal Authorities

The **Massachusetts Commission against Discrimination (MCAD)** enforces the state law prohibiting sexual harassment. The MCAD can be reached as follows, if you wish to file a formal complaint with them:

MCAD

436 Dwight St., Suite 220
Springfield, MA 01103
(413) 739-2145

MCAD

One Ashburton Place, Room 601
Boston, MA 02108-1532
(617) 727-3990

The **Equal Employment Opportunity Commission (EEOC)** enforces the federal law prohibiting sexual harassment. The EEOC can be reached as follows if you wish to file a formal complaint:

EEOC

One Congress St., Room 1001
Boston, MA 02114
(617) 565-3200

EEOC

1801 L St. N.W.
Washington, DC 20507
(202) 663-4900

Additional HWRSD Resources

Many additional tools are available to support staff throughout the year. The following resources are recommended for sources of important information:

- District Curriculum Accommodation Plan (DCAP)
- Employee Contract
- Handbook for Students and Families
- HWRSD Emergency Management Guide
- Individual Professional Development Planning (IPDP)
- Physical Restraint Policy

If you cannot locate these resources on the website, please see your supervisor or building administrator.

Grievance Form

To be completed by employees, parent(s)/guardian(s) or student age 18 or older. Assistance will be provided upon request to enable an individual to complete this Grievance Form.

Student: _____

Date of Birth: _____

School: _____

Grade: _____

Parent(s)/Guardian(s): _____

Home Phone: _____

Address: _____

Work Phone: _____

Grievance made by: _____

Date: _____

Basis of Complaint

Alleged Discriminatory Conduct Under:

- | | | |
|---------------------------|--------------------------|--|
| Section 504/ADA | <input type="checkbox"/> | Disability |
| Title IV/Title VI | <input type="checkbox"/> | Race, Color, National Origin |
| Title IX | <input type="checkbox"/> | Sex/Gender |
| M.G.L. c. 151C | <input type="checkbox"/> | Religion |
| M.G.L. c. 76 § 5 | <input type="checkbox"/> | Sexual Orientation |
| Physical Restraint Policy | <input type="checkbox"/> | Violation of Physical Restraint Policy |

Alleged Conduct NOT Discriminatory:

- By another student/students
- By teacher (s)/other school staff

Please explain your grievance/complaint:

Return completed Grievance Form alleging discriminatory conduct to the office of the Superintendent at 621 Main Street, Wilbraham, MA 01095.

Signature(s): _____

Date: _____

**Hampden-Wilbraham Regional School District
Bullying Prevention and Intervention Reporting Form**

1. Information about the People Involved

Name of Target of Behavior: _____
School Attended: _____
Name of Aggressor(s): _____

Name of Reporter(s): _____
(Not required)
Witnesses: _____

2. Information about the Incident

Date of the Incident: _____
Time of the Incident: _____
Location of the Incident: _____

3. Narrative of the Event *(Brief description of the incident, use additional pages if needed.)*

4. Investigation *(To be completed by school principal or designee.)*

a. Investigator(s): _____ Position: _____
b. Statements given by: _____
c. Summary of the Investigation:

d. Is this incident a violation of Federal Anti-Discrimination Laws? Yes No
e. Consequences and Conclusions:

**Hampden-Wilbraham Regional School District
621 Main Street
Wilbraham, MA 01095
(413) 596-3884**

EQUIPMENT LOAN AGREEMENT FOR STAFF

Date: _____

Staff Member Name (please print) *School/Position* *School Year*

Home Address *Home Phone* *Cell Phone*

List Equipment Provided to Staff Member: _____

As an employee of the Hampden-Wilbraham Regional School District,

1. I acknowledge that I have received the above-listed equipment and that it is to be returned to the Technology Department at HWRSD upon completion of use, or 3 days prior to my leaving the District.
2. I assume complete responsibility for the use and operation of this equipment and for all damages caused by misuse.
3. Further, I release the Hampden-Wilbraham Regional School District and its employees from any and all liability or claims that may arise as a result of my use of this equipment and agree to hold the District and its employees harmless from any such liability or claims.
4. I have been given the replacement cost(s) of all listed equipment above.
5. Total amount: \$_____
6. If this equipment is not returned as stated, or not returned at all, I will be responsible for full reimbursement of its cost to the Hampden-Wilbraham Regional School District.

ACCEPTABLE USE POLICY GUIDELINES
Apple iPad

The Apple iPad that you will be issued is the property of HWRSD and is made available to you as a tool for teaching. To maintain the utmost professional use of this equipment, all teachers must abide by the following guidelines.

1. I am responsible for knowing how to properly operate and protect the iPad.
 - a. The iPad is sensitive to moisture and extreme temperatures. The iPad **must not** be left in a car or location where it can be damaged by cold or heat and must be kept dry and away from sources of water.
 - b. Clean the screen with a soft, dry cloth or anti-static cloth made for this use.
 - c. To extend the battery life of the iPad, do not constantly charge it. It is best to let the battery drain before recharging.
2. In the event of damage or theft of the iPad, I will report the incident within 24 hours.
3. I will keep the iPad in a locked closet or desk when not in use.
4. I am responsible for understanding and adhering to all copyright requirements and district policies related to digital media and the use of this iPad.
5. Students are to be supervised by an adult when using the iPad.
6. Any **paid apps** must be approved by the principal. **Free apps** may be downloaded, but should be educational in nature or for appropriate reinforcement and also approved by the principal.
7. I understand that this iPad will be subject to inspection. Lack of student use may result in the iPad being returned.
8. I will return the iPad to the HWRSD, upon completion of the school year, for updates and routine maintenance.

I have read, understand, and agree to all the responsibilities as outlined in the iPad agreement guidelines.

 iPad Model/Serial Number

 Accessories issued

 Employee Signature

 Date

Staff member signature: _____

Equipment to be returned by: _____
Date

Ongoing Loan
No end date

End of School Year
Current school year

Equipment returned on _____ and delivered to _____
Date *Technology Staff Member*

Equipment was working properly and in good condition when returned: Yes No

If "No," please explain:

Signature of staff member receiving the equipment

Date

Hampden-Wilbraham Regional School District Acceptable Use Policy for Networks and the Internet

The Hampden-Wilbraham Regional School District Technology Network, which includes access to the World Wide Web and electronic mail capability, exists solely for educational purposes, which are defined as classroom activities, career and professional development and high quality self-discovery activities of an educational nature.

The Hampden-Wilbraham Regional School District intends to utilize this computer network, along with all of its other educational resources, to fulfill its ultimate goal of preparing students for success in life and work. To this end, the computer network will be used to facilitate communication between and among students, staff and parents, enhance productivity, assist staff members in upgrading and acquiring skills through a broader exchange of information, and to provide information to the community including parents, government agencies and businesses. The computer network is not to be considered a resource intended for use as a public forum or for any purpose that is not directly related to the delivery of educational services.

Rules

The following rules apply to the use of the Hampden-Wilbraham Regional School District computer network.

1. Network access is a privilege, not a right. The use of the network must be consistent with, and directly related to, the educational objectives of the Hampden-Wilbraham Regional School District. A violation of the terms of this Acceptable Use Policy may result in suspension or termination of network access privileges and may also result in other disciplinary action consistent with the disciplinary policies of the Hampden-Wilbraham Regional School District and the applicable provisions of any governing collective bargaining agreement. Users should also be aware that violation for these rules that constitutes a crime may also result in criminal prosecution.
2. Violations of this Acceptable Use Policy include, but are not limited to, the following conduct:
 - a. Placing unlawful and/or inappropriate information on a system.
 - b. Using profane, vulgar, threatening, defamatory, abusive, discriminatory, harassing or otherwise objectionable or criminal language in a public or private message.
 - c. Sending messages or posting information that would likely result in the loss of a recipient's work or system.
 - d. Sending "chain letters" or "broadcast" messages to lists or individuals, subscribing to "listserves" or "newsgroups" without prior permission, or using the Internet for access for any other personal use, without prior permission.
 - e. Participating in other types of use which would cause congestion of the network to interfere with the work of others.
 - f. Using the network in a manner that would violate any U.S. or state law. This includes, but it is not limited to, copyrighted material, threatening material and spreading of computer viruses.
 - g. Accessing or transmitting materials that are obscene, sexually explicit, or pornographic and accessing any prohibited sites on the Internet.
 - h. Revealing one's own personal address or telephone number.
 - i. Revealing one's password to anyone else, using anyone else's password, or pretending to be someone else when sending information over the computer network.
 - j. Attempting to gain unauthorized access to system programs or computer equipment, including attempts to override, or to encourage others to override, any firewalls established on the network.
 - k. Attempting to harm, modify or destroy data of another user.
 - l. Exhibiting any other action, whatsoever, which would in any way subject the user of the Hampden-Wilbraham Regional School District to any civil or criminal action.
 - m. Discussing highly sensitive or confidential school department information in email communications.
 - n. Using the Hampden-Wilbraham Regional School District technology network to buy, sell, or advertise anything.
 - o. Accessing discussion groups or "chat rooms", or engaging in any other form of online conversation or communication whose purpose is not primarily educational.
 - p. Using the Hampden-Wilbraham Regional School District technology network for gambling.
 - q. Using the Hampden-Wilbraham Regional School District technology network for political campaigning purposes, including attempts to influence ballot questions or to promote or oppose a candidate for public

- office.
- r. Failing to log off the computer network at the conclusion of a work session or at the request of system administrators.
 - s. Using the computer network for recreational purposes or activities relating to personal hobbies.
 - t. Installing software or data on the computer network without first having the information scanned by the computer technology coordinator for viruses or other incompatibility.
3. Except as otherwise provided in the applicable collective bargaining agreement, the Hampden-Wilbraham Regional School District assumes no responsibility for:
 - a. Any unauthorized charges or fees, including telephone charges, long distance charges, per minute surcharges and/or equipment or line costs.
 - b. Any financial obligations arising out of unauthorized use of the system for the purchase of products or services.
 - c. Any cost, liability, or damages caused by a user's violation of these guidelines.
 - d. Any information or materials that are transferred through the network.
 - e. Any other inappropriate use of electronic resources of Hampden-Wilbraham Regional School District.
 4. The Hampden-Wilbraham Regional School District makes no guarantee, implied or otherwise, regarding the reliability of the data connection. The Hampden-Wilbraham Regional School District shall not be liable for any loss or corruption of data resulting while using the network.
 5. All messages and information created, sent or retrieved on the network are the property of Hampden-Wilbraham Regional School District. Electronic mail messages and other use of electronic resources by students and staff, including accessing web pages, should not be considered confidential. Copies of all information created, sent or retrieved are stored on the computer network's back-up files. While the Hampden-Wilbraham Regional School District does not plan to review cache files or back-up files on a regular basis, it reserves the right to access and monitor all messages and files on the computer system, including web pages accessed as it deems necessary and appropriate in the ordinary course of its business for purposes including, but not limited to, ensuring proper use of resources and conducting routine network maintenance. By participating in the school district's computer network, users are indicating their consent to such monitoring and access. Where appropriate, communications including text and images may be disclosed to law enforcement in response to proper requests, or to other third parties in the context of proper requests in the course of litigation without prior consent of the sender or receiver.
 6. The Hampden-Wilbraham Regional School District strongly condemns the illegal distribution (otherwise known as pirating) of software. Any users caught transferring such files through the network, and any whose accounts are found to contain such illegal files, shall immediately have their accounts permanently revoked. In addition, all users should be aware that software piracy is a federal offense and is punishable by a fine or imprisonment.
 7. The Hampden-Wilbraham Regional School District reserves its right to seek restitution from any user for costs incurred by the district, including legal fees, due to such user's inappropriate use of electronic resources.
 8. All system users are responsible to notify their teacher, or a system or building administrator, upon discovery of a security breach, information, or messages that are dangerous, inappropriate, or make them uncomfortable.

**Hampden-Wilbraham Regional School District
Networks and the Internet
Access Release Authorization Form**

As a condition for using the Hampden-Wilbraham Regional School District networks, I understand that the use and access to public networks, i.e. the Internet, is a privilege, and agree to the following:

1. I will abide by such rules as adopted by the Hampden-Wilbraham Regional School District including the Acceptable Use Policy and District School Committee policy.
2. The Hampden-Wilbraham Regional School District has the right to review any material stored on any system provided by the district, and can edit or remove any material. I hereby waive any right which I may otherwise have in and to such material.
3. All information and services available on the Internet and school networks are placed there for informational purposes. I use them at my own risk.
4. The Hampden-Wilbraham Regional School District does not warrant the function of its school networks, or any of it accessible, to meet any specific requirements that I may have, or that its school networks will be error free or uninterrupted. The Hampden-Wilbraham Regional School District staff members are not liable for any damages incurred to connection with the use, operation, or inability to use its school networks.
5. In consideration for using and having access to public school networks, I hereby release the Hampden-Wilbraham Regional School District and its officers, employees, and agents, from any claims and damages arising from my use, or inability to use its school networks.
6. I have read and agree to comply with the district's Acceptable Use Policy. I also understand that any violation of the regulations is unethical and may constitute a criminal offense. Should I commit any violation, my access privileges may be revoked and disciplinary action taken.
7. I have read the Acceptable Use Policy and agree to promote this agreement with the student, because the student use may vary for individual work or in the context of another class. I cannot be held responsible for the student use of school networks. As the sponsor teacher I do agree to instruct the student on acceptable use of the Internet and proper network etiquette.

Employee Name (Printed)

Employee Signature

School

Position

Date

Return this completed form to the District Office ASAP.

Hampden-Wilbraham Regional School District
22 or 26 PAY PERIOD ELECTION
This form complies with IRS regulations; section 409A

OPTION I – SUMMER PAY:

Annual contract salary divided by 26 equal bi-weekly payments

OPTION II – LUMP SUM:

Annual contract salary divided by 26, twenty-two bi-weekly payments from August to June and the 23rd payment equivalent to four payments paid by June 30

My signature below affirms that I understand that my pay election will be considered a permanent selection until the end of the fiscal year at which time I may change my payroll plan for the following school year. If I do not change my selection, my election above will remain in effect.

Employee Signature: _____

Employee Name (print): _____

Date: _____

Hampden-Wilbraham Regional School District
621 Main Street
Wilbraham, MA 01095

Race and Ethnicity

Pursuant to requirements under Massachusetts General Laws, Chapter 69, Section 11, the Department of Elementary and Secondary Education is authorized to collect the following race and ethnicity data. This data is for reporting purposes only and the HWRSD cannot make such information public.

Please answer **BOTH** questions 1 and 2:

1. Is the employee Hispanic or Latino? *(Choose only one)*

No, not Hispanic or Latino

Yes, Hispanic or Latino *(a person of Cuban, Mexican, Chicano, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race)*

2. What is the employee's race? *(Choose one or more)*

White *(a person having origins in any of the original peoples of Europe, the Middle East, or North Africa)*

Black or African American *(a person having origins in any of the black racial groups of Africa)*

American Indian or Alaska Native *(a person having origins in any of the original peoples of North, Central, and South America, and who maintains tribal affiliation or community attachment)*

Asian *(a person having origins in any of the original peoples of the Far East, Southeast Asia or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam)*

Native Hawaiian or Other Pacific Islander *(a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands)*

Employee Name (print): _____

Employee Signature: _____

Date: _____

ACKNOWLEDGEMENT OF ALL HWRSD POLICIES

Please sign below acknowledging that you have received or have access to a copy of all HWRSD policies as written in the school committee policy manual and the employee handbook and understand that it is your obligation to read and abide by the policies at all times.

Return this signature page to your building principal or supervisor within 10 days of the start of school.

Employee Name (Printed)

Employee Signature

Date